

## FACS Niagara Privacy Policy

FACS Niagara is committed to maintaining the accuracy, confidentiality, and security of your personally identifiable information ("Personal Information"). As part of this commitment, the following Privacy Principles govern our actions as they relate to the collection, use and disclosure of Personal Information. These principles are in accordance with our statutory obligations as set forth under the provisions of the "Ontario Child, Youth and Family Services Act" and the Privacy laws of Ontario.

### Principle - Accountability

FACS Niagara is responsible for maintaining and protecting the Personal Information under its control.

FACS Niagara has established privacy policies and procedures and designated personnel to ensure compliance with this commitment.

### Principle - Identifying Purposes

The purposes for which Personal Information is collected will be identified before or at the time the information is collected.

FACS Niagara collects personal information to provide a service to you. As a legally mandated child protection service provider, FACS Niagara collects information about children who may be at risk of harm or in need of our services.

This includes the personal information of the child, the child's caregivers and important persons in the child's life.

We collect this information from the child directly, from their families or indirectly from persons within the community including service providers.

We also collect information about caregivers and those who seek to provide care to children who are the subject of our service, such as foster parents, the child's community or extended family and adoptive parents.

The collection use and disclosure of personal information by FACS Niagara is conducted in accordance with Ontario Law.

### Principle - Consent

As a Children's Aid Society, FACS Niagara does not require individual consent to execute our primary role as a child protection agency wherein we are required by law to collect, use or disclose personal information. This includes the sharing of personal information to assess, eliminate or reduce risk of serious harm.

Personal information collected by one Children's Aid Society may be provided to and accessed by another Children's Aid Society where the information is required in the provision of a child protection service.

As a Children's Aid Society, FACS Niagara may share information with a service provider where the information is necessary to deliver a service and in accordance with Ontario Law.

Where FACS Niagara is required to secure your consent, you may choose to say no. Your choice to say no may be subject to limitations.

You may be capable of making some information privacy decisions and not others. Where you are not "capable" of making your own privacy decisions, you may have a substitute decision maker, as prescribed by law, make information decisions on your behalf.

There is no legal age for children to make their own decisions about their personal information.

If the child is under the age of 16 years, the parent or guardian will be allowed to make some decisions about the child's personal information service records.

Where a capable child disagrees with the decision of the parent/guardian or Substitute Decision Maker, the child's decision will take precedence.

Where the child is not "capable" as defined by law, the parent or guardian will make decisions for the child as a substitute decision maker.

A parent or caregiver will not be able to make decisions about any records about treatment or counselling to which the capable child has alone, consented to the service.

## Principle - Limiting Collection

The Personal Information collected will be limited to information necessary for the purposes as identified by FACS Niagara to provide the service.

## Principle - Limiting Use, Disclosure and Retention

Personal Information may only be used or disclosed for the purpose for which it was collected unless you have otherwise consented, or when it is required or permitted by law.

Where FACS Niagara receives a request for information from a third party, the information will only be released where we have the consent of the individual to whom the information relates or where we are legally permitted or required to release the information.

As a Children's Aid Society, personal information collected by FACS Niagara will be documented in the Ontario Child Protection Information Network.

Access to information documented in the Ontario Child Protection Information Network may only be accessed by authorized child protection staff.

There is currently no retention period identified for information documented in the Ontario Child Protection Network.

## Principle - Accuracy

Personal Information will be maintained in as accurate, complete and up-to-date form as is necessary to fulfill the purposes for which it is to be used by FACS Niagara or any other Ontario Children's Aid Society.

## Principle - Safeguarding Personal Information

Personal Information will be protected by security safeguards that are appropriate to the sensitivity level of the information.

Access to personal information held by FACS Niagara is restricted only to authorized personnel. This includes all information entered into the electronic systems, emails, text messages and any other ways in which personal information may be recorded.

## Principle – Access to Records

Upon request, a person who has received or is in receipt of a service from FACS Niagara shall be informed of the existence, use and disclosure of their Personal Information, and shall be given access to it.

Requests for a copy of a service record held by FACS Niagara shall be made in writing. In accordance with law, in some instances, you may be denied access to some or all of your personal information about service. The reasons for this denial shall be provided to you.

## Principle – Accuracy of Your Information

At FACS Niagara, decisions are made based on the information we hold. Therefore, it is important that your Personal Information is accurate and complete. As a person receiving services from FACS Niagara, you may verify the accuracy and completeness of your Personal Information, and may request that it be amended, if appropriate.

FACS Niagara commits to keeping your personal information accurate and up to date.

Where you disagree with what is recorded in the service record, please provide a written notification detailing the statement of disagreement. We will attach your statement of disagreement to the record and take the appropriate action to ensure the accuracy of the record.

## Principle – Privacy Complaints

Any person who has received a service from FACS Niagara may direct any questions or enquiries with respect to the privacy principles outlined above or about our practices by contacting:

Privacy Officer  
Family and Children's Services Niagara  
82 Hannover Drive, P.O. Box 24028  
St Catharines, Ontario L2R 7P7  
Email address: [info@facsnigara.on.ca](mailto:info@facsnigara.on.ca)



Telephone: (905) 937-7731  
Long Distance: 1-888-937-7731  
Fax: (905) 646-5765

Prior to providing you with any information or to correct any inaccuracies, FACS Niagara will ask you to verify your identity and to provide other details to help us to respond to your request. We will endeavor to respond within an appropriate timeframe.

If you have questions or concerns regarding our organization's privacy policy and practices, you should first contact FACS Niagara directly.

If your privacy questions have not been answered or your inquiry has not been satisfactorily addressed, you should then contact:

Information and Privacy Commissioner of Ontario  
2 Bloor Street East  
Suite 1400  
Toronto, Ontario M4W 1A8  
Email address: [info@ipc.on.ca](mailto:info@ipc.on.ca)  
Telephone: (416) 325-7539  
Long Distance: 1-800-387-0073

## With Whom We May Share Your Information

### **Our Employees and Contractors**

In the course of daily operations, access to private, sensitive and confidential information is restricted to authorized employees who have a legitimate business purpose and reason for accessing it. For example, when you call us, our employees will access your information to verify who you are and to assist you.

As a condition of their employment and their independent contractor agreement respectively, all employees and independent contractors of FACS Niagara are informed about the importance of privacy and are required to abide by the privacy standards we have established. They are also required to follow all applicable laws and regulations.

Unauthorized access to and/or disclosure of Personal Information by an employee of FACS Niagara is strictly prohibited. All employees and independent contractors are expected to maintain the confidentiality of Personal Information at all times and failing to do so will result in appropriate disciplinary measures, which may include dismissal.

## How We Safeguard Your Information

FACS Niagara maintains current security standards to ensure that your Personal Information is protected against unauthorized access, disclosure, inappropriate alteration or misuse.



# Notice of Information Practices

Electronic service files are kept in a secured environment with restricted access. Paper-based files are stored in locked filing cabinets. Access to these records is restricted to authorized users.

FACS Niagara security practices are reviewed on a regular basis to protect the confidentiality and privacy of your information.

## Changes to Privacy Policy

This privacy policy and information handling practices are updated as appropriate.