

## CH1 – 03 Privacy Policy

### **Policy**

Jericho Youth Services is committed to protecting the privacy of the personal information of its program and services participants and their families, volunteers, donors, funders, employees, and other stakeholders. This policy has been developed to comply with Canada's Personal Information Protection and Electronic Documents Act ([PIPEDA](#)). The Organization values the trust of those we deal with, and of the public, and recognizes that maintaining this trust requires that we be transparent and accountable in how we treat the information that is shared with us.

### **Consent**

During our various projects and activities, the Organization occasionally gathers and uses personal information. The Organization will not use personal information for any other purpose other than for the purpose it was obtained without the individual's consent. Anyone from whom we collect such information should expect that it will be carefully protected. Jericho Youth Services will keep personal information only as long as necessary to satisfy the purposes. Consent may be obtained in writing, by person, electronically, by phone, by fax, or by email. For an individual who is a minor, seriously ill or mentally incapacitated consent may be obtained from a legal guardian, or person having power of attorney. The Organization's privacy practices are designed to achieve this. The Organization will destroy, retire, or render anonymous information that is no longer required for an identified purpose or a legal requirement. Regular reviews will be conducted to determine whether information is still required. **Jericho Youth Services does not share or disclose any information to third parties. Individuals will have an opt-out option for newsletters and solicitation mailings. A wavier is kept on each program participant to ensure that written consent from the parent/legal guardian/caregiver is obtained to support service delivery.**

### **Defining Personal Information**

Personal information is any information which alone or in combination with other information can be used to distinguish, identify, or contact a specific individual. This information can include an individual's opinions or beliefs, as well as facts about, or related to, the individual. Examples of personal information include SIN #, age, marital status, and language, date of birth, parent/guardian name and contact information, emergency contact name and contact information, health information, developmental status, records of program participation, immunization records, incident reports, email address and criminal reference checks. Exceptions: business contact information and certain publicly available information, such as names, addresses and telephone numbers as published in telephone directories, are not considered personal information.

Where an individual uses his or her home contact information as business contact information, the Organization considers that the contact information provided is business contact information and is not therefore subject to protection as personal information.

### **Procedure**

Jericho Youth Services limits the amount and type of personal information it collects. The Organization collects personal information only for the following purposes:

- to establish and maintain responsible relations with individuals and provide them with ongoing service.
- assessment, planning and implementing developmental goals.
- to define the individual's needs.
- to meet our legal and regulatory requirements.
- for purposes of management and human resources.
- to manage the property and facility.
- for all other purposes necessary to provide a safe, efficient, and healthy environment for all involved in the Organization.

The Organization may collect personal information without the individual's consent only if:

- It is clearly in the individual's interest and consent is not available in a timely manner.
- Knowledge and consent would compromise the availability or accuracy of the information and collection is required to investigate a breach of an agreement or contravention of a federal or provincial law.
- The personal information is publicly available.
- There are reasonable grounds to believe the information could be useful when investigating a contravention of a federal, provincial, or foreign law and the information is used for an investigation.
- It is for an emergency that threatens an individual's life, health, or security.

The Organization may use personal information without the individual's consent only:

- If it is publicly available.
- If the use is clearly in the individual's interest and consent is not available in a timely manner.
- If knowledge and consent would compromise the availability or accuracy of the information and collection was required to investigate a breach of an agreement or contravention of a federal or provincial law.

The Organization may disclose personal information without the individual's knowledge or consent only:

- To a lawyer representing Jericho Youth Services.
- To collect a debt the individual owes to Jericho Youth Services.
- To comply with a subpoena, warrant or an order made by a court or other body with appropriate jurisdiction.
- A law enforcement agency in the process of a civil or criminal investigation.
- A government agency or department that has requested the information, identified its lawful authority, and indicated that disclosure is for the purpose of enforcing, carrying out an investigation, or gathering intelligence relating to any federal, provincial, or foreign law; or suspects that the information relates to national security or the conduct of international affairs; or is for the purpose of administering any federal or provincial law.
- If made by an investigative body for the purpose related to the investigation of a breach of an agreement or a contravention of a federal or provincial law.
- Is an emergency threatening an individual's life, health, or security? (Jericho Youth Services will inform the individual of the disclosure.)
- For statistical, scholarly study or research. (Jericho Youth Services Youth Services must notify the Privacy Commissioner before disclosing the information.)

- To an archival institution.
- 20 years after the individual's death or 100 years after the record was created.
- If it is publicly available.
- If required by law.

**Accuracy:** Personal information that is collected by the Organization will be kept as accurate, complete, and up to date as is necessary for the purposes for which it is to be used. Personal information will be updated only when necessary to fulfill the specific purposes.

### **Privacy Practices**

Personal information gathered by Jericho Youth Services is kept in confidence. Employees are authorized to access personal information based only on their need to deal with the information for the reason(s) for which it was obtained. Safeguards are in place to ensure that the information is not disclosed or shared more widely than is necessary to achieve the purpose for which it was gathered. We also take measures to ensure the integrity of this information is maintained and to prevent it from being lost or destroyed.

We collect, use, and disclose personal information only for purposes that a reasonable person would consider appropriate considering the circumstances. Information is not collected by misleading or deceptive means. If information is gathered from a third party that third party is documented with their authority to release it. If personal information is to be used for any purpose other than what is considered reasonable, the individuals will be contacted to obtain consent.

### **Consent Waivers**

Individuals registering in the Organization's programs are required to have the appropriate consent waiver(s) completed by a parent/guardian/caregiver until age 16. Youth 16 to 18 years of age may complete their own, but employees will attempt to have the parent/legal guardian/caregiver register the individual whenever possible. If the Organization employees have interactions with a participant that they feel a parent/legal guardian/caregiver should be involved in/with they will ask the 16–18-year-old participants permission to do so.

If the Organization's employees feel that there is an elevated risk to the participant or others from that participant, a call will be made to the parent/legal guardian/caregiver even if permission to do so has been denied by the participant. Overall safety of participants and employees is paramount.

**Incident Reports will be filed in all cases.**

### **Photos**

Photos are not permitted except in circumstance when written permission has been granted by parents/legal guardians in advance. Parent/legal guardian/caregiver signatures are required on the appropriate consent waiver or in writing.

**Staff should not use their personal devices (phone, tablet, and camera) to take photos of participants unless authorized by a member of the management team.**

At any time on reasonable notice and with the understanding of the implications of a withdrawal of consent, parents/legal guardians/caregivers can revoke consent. This must also be kept on file.

## **Website and Electronic Commerce**

The Organization uses services requiring password protocols and encryption software to protect personal and other information we receive when a product or service is requested and/or paid for on-line. All such third-party service providers must be in compliance with PIPEDA and have an established and published privacy policy available for all users. Safety is the overriding concern when making decisions about Website content.

Jericho Youth Services regularly reviews its policies and practices.

**Acknowledgment – all employees, upon hire, will sign the Privacy Confirmation (Appendix D) and annually thereafter, will sign the Confirmation of Review and Understanding of HR Policies and Procedures (Appendix K).**

## **Contact Information**

Individuals may request access to their information by contacting the Jericho Youth Services Privacy Officer in writing. Any question, concerns, or complaints on the treatment of personal information can be directed to the Privacy Officer. As well, any information that is inaccurate will be corrected and/or amended if it is found to be deficient. Further information on privacy and your rights regarding your personal information may be found on the website of the Privacy Commissioner of Canada.