



Notice of Information Practices and Purposes

What you need to know about your privacy rights when receiving services from Family and Children's Services of Renfrew County

Ontario has laws that protect your personal information relating to the services that you receive from us. We at Family and Children's Services of Renfrew County are required to follow the privacy rules under Part X of the *Child Youth and Family Services Act*. A free copy of the 'CYFSA' is available at:

<https://www.ontario.ca/laws/statute/17c14?search=child%2C+youth+and+family+services+act>

There are many situations when the Society has to collect, store and use your personal information so that we can do our job. But, we are required to keep your personal information safe and secure. You have the right to know how we may use and give out your service information, and how you can get access to it.

We are committed to promoting privacy and protecting the confidentiality of the personal information we hold about you and the services you have received from us.

OUR MANDATE

Like all Children's Aid Societies in the province, Family and Children's Services of Renfrew County has the exclusive mandate to provide child protection services in Ontario. The laws of Ontario require us to work to promote the best interests, protection and well-being of children. Every CAS in the province is responsible for a specific jurisdiction and at times, the Societies work together to fulfill their mandate.

PERSONAL INFORMATION WE COLLECT AND HOW WE USE IT AND DISCLOSE IT

Our records may include personal information collected to provide services to you including for example: your date of birth, contact information, records of meetings with you and / or your family, the services you received, the programs you attended, details of your physical and mental health, medical, psychological or psychiatric reports, school information, financial information, employment history, allegations or findings of child maltreatment, court documentation, police interventions, criminal history, your views or opinions, the views and opinions of others about you and information about your race, ancestry, place of origin, colour, ethnic origin, citizenship, family diversity, disability, creed, religion, age, sex, sexual orientation, gender identity, gender expression, cultural or linguistic needs, marital or family status. Although this may seem like a long list, in most cases all of this information is important so that we can do our job to the best of our ability and provide you with the highest quality of service.

There are many reasons why we need to collect, use, and disclose (meaning share) personal information, including but not limited to:

- investigate allegations that children may be in need of protection and, if necessary, protect children;
- assess, reduce or eliminate a risk of harm to a child or serious harm to other person or group of people;
- provide services to children and their families for protecting children or for the prevention of circumstances requiring the protection of children;
- provide care for children and supervise children under our supervision;
- assess and approve homes for children who cannot remain with their families;
- place children for adoption;
- plan and manage services;
- aid a law enforcement agency investigation;
- receive payment or process, monitor, verify or reimburse claims for payment;
- detect, monitor or prevent fraud or any unauthorized receipt of services or benefits;
- provide appointment reminders;
- seek consent (or consent of a substitute decision-maker) where appropriate;
- conduct risk management, error management and quality improvement activities;
- service recipient surveying;
- dispose of identifiable information;
- respond to or initiate legal proceedings;
- conduct research (subject to certain rules);
- compile statistics;
- report to the government as required by law;
- allow for the analysis, administration and management of the children's aid system;
- comply with legal and regulatory requirements; and
- fulfill other purposes permitted or required by law.

In child protection cases, we collect information about children who may be at risk of harm or in need of our services. This includes the personal information of the child and important people in the child's life. We collect this information from children, their families or indirectly from members of the community or other service providers (i.e. doctors, counsellors, teachers, etc.).

We also collect personal information about caregivers and those who seek to provide care to children in need, such as foster parents, adoptive parents and members of a child's extended family. We collect most of this information directly from those individuals.

Our collection, use and disclosure (sharing) of personal information is done in accordance with Ontario law, and under the applicable laws of Canada, including the *Canadian Charter of Rights and Freedoms*.

SHARING INFORMATION WITH OTHER CHILDREN'S AID SOCIETIES

The different Children's Aid Societies across the province sometimes need to share information with each other

to better protect children. Information collected by one CAS may be provided to another CAS when the other CAS needs to know the information to provide child protection services. Sometimes, we may also need to share information with CASs in other provinces too.

SHARING INFORMATION WITH SERVICE PROVIDERS

Service Providers are persons or organizations who assist us to deliver services to children and families. This can include a variety of people, organizations, including teachers, doctors, counsellors, nurses, probation officers, Victim Services, etc. We share only the information that is necessary for us and the service providers to deliver and administer the services to the children and families we work with.

SHARING INFORMATION WITH OTHER THIRD PARTIES

Sometimes we receive requests for information from third parties such as the police, government agencies and people involved in court cases with our clients (this includes people in criminal court, domestic family court regarding custody and access, etc.). We only give personal information about the children and families who receive our services to these third parties if:

- we have the individual's consent;
- there is a court order, search warrant, or urgent demand for records requiring disclosure; or
- we are legally permitted or required to provide the information.

Sometimes, even if we have consent or there is a court Order, certain information cannot be shared (for example, information about adoption). If you have questions about this, please ask us and always remember that you are entitled to seek your own independent legal advice.

YOUR CHOICES AND WHO DECIDES

Although we will always try to get your consent first, we do not need consent to fulfill our primary role as a child protection agency (i.e. to investigate and protect children). This means, there will sometimes be instances where we are required by law to collect, use and disclose personal information without the consent of the person to whom the information is about. For example, we do not need your permission to meet our child protection obligations or to share your personal information to keep you or someone else safe. In the *CYFSA*, the Society can act without your consent so long as the collection, use and sharing of information is reasonably necessary for us to provide a service or to "assess, eliminate or reduce a risk of serious harm" and to ensure the "best interests, protection and wellbeing" of children.

There are other situations where you have the right to make your own decisions about your personal information and privacy. When we require and ask for your permission, you may choose to say no. If you say yes, you may change your mind at any time. But it is important to note that we cannot retroactively remove information from your file that was collected before you withdrew your consent. Once you say no, we will no longer share / collect your information unless you say so (except for when we have to do so by law). And, your choice to say no may be subject to some limits. In other words, you can put some terms and conditions in place with respect to how

your information is collected, used and shared. For example, you may consent to your information being released to your doctor, but not to your extended family.

When there is a right to consent, you may make your own decisions if you are “capable” to do so. Being “capable” means you are (1) able to understand the information that is relevant to deciding whether to consent to the collection, use or disclosure of your personal information; and (2) able to appreciate the “reasonably foreseeable consequences” of giving, withholding, or withdrawing the consent.

You may be capable of making some information privacy decisions and not others. You may also be capable at one point in time, and then not capable at other times.

If you are deemed “incapable” (not capable) – you will have a substitute decision-maker. This is someone who will make your information decisions for you and what they have to do on your behalf is also set out in law. In addition to Part X of the *CYFSA*, the *Health Care and Consent Act* is also relevant, and a free copy can be found at:

<https://www.ontario.ca/laws/statute/96h02?search=health+care+consent+act>

For children and youth, there is no legal age when you become able to make your own decisions about your personal information. If you are “capable” you can make your own decisions. However, if you are under the age of 16, there are some additional rules to know:

- If you are “not capable” your parent(s) or other legal guardian will make decisions for you as your substitute decision-maker.
- If you are “capable” you will make your own decisions.
- If you are “capable” your parent(s) or guardian will also be allowed to make some decisions about your personal information, sometimes without asking your permission first. But they will not be able to make decisions about any records about treatment or counseling to which you alone consented. And, if you and your parent / guardian disagree, we have to listen to you and not them.

We encourage you to ask your worker questions to find out more about privacy and your family. The Society also has staff who are specifically trained to deal with privacy related issues; we can also reach out to them. And, of course, you always have the right to seek independent legal advice.

HOW WE RETAIN AND DISPOSE OF INFORMATION

The Child Protection Information Network (*CPIN*) is a provincial information management system (database) used by Children’s Aid Societies in Ontario. CPIN is the primary tool for storing information needed to deliver our child protection services.

CPIN contains information about children and their families who receive child protection services from Children’s Aid Societies. It also contains information about caregivers and those who seek to provide care to children in need, such as foster parents, adoptive parents and members of a child’s extended family.

In CPIN, information is stored in different ‘files’ that are specific to a “person,” “case” and “provider,” all of which are designed to hold the unique information for each service. Sometimes we provide different services to a single family – including services specific to the child, services specific to a parent, services specific to an extended family member (aka. “kin provider”), etc. The “person,” “case” and “provider” records are linked when appropriate to create an overall picture of a client’s or caregiver’s child protection services.

We also have some older paper and electronic case files that predate CPIN. Those files are being securely stored at our offices and we hope to someday soon have them uploaded to CPIN.

We keep the information collected because it might be necessary for future cases so that we can know what has happened in the past and make sound decisions about what should happen in the future. Sometimes, the Ministry (i.e. the government) needs to access certain records, and sometimes a judge will need to know the information too. This is why it is so important that you have knowledge and input into the records we keep, so that you can tell your story and help us to be accurate and complete as possible.

We also keep the information because former service recipients, like you, may ask to see their records and may need copies for different purposes.

When we dispose of personal information, we do so securely and in accordance with the law and our internal policies and procedures.

SAFEGUARDS

Your personal information must be kept private and secure. Everyone at Family and Children’s Services of Renfrew County is bound by confidentiality. We have to protect your information from loss or theft and make sure no one looks at it or does something with your information if they are not involved in providing services to you or allowed as part of their job. In other words, gossip and snooping is not permitted or tolerated. If there is a privacy breach, we will tell you (and we are required by law to tell you). In the event of a breach, you have some options – including filing a complaint with the Information and Privacy Commissioner of Ontario (‘IPC’). More information about this is available below, on our website, <https://www.fcsrenfrew.on.ca/> or can be provided to you upon request.

This safeguard applies equally to what we enter into CPIN and other electronic information systems, as well as paper or electronic records, reports, financial records, administrative notes, voice messages, text messages, and emails (including on laptops and cell phones) and any other ways personal information can be recorded.

ACCESS AND CORRECTION

With limited exceptions, you have the right to access the personal information we hold about you that relates to a service provided to you, within at least thirty (30) days after you request the information. There are certain times when the Society will need to extend past the 30 days. Please note - we cannot exceed 90 days and we have to give you a reason why we need the extension.

If you need a copy of your service records, please contact us (preferably in writing) at:

Main Phone: 613-735-6866
Toll Free: 1-800-267-5878
Fax: 1-888-812-3115
Email: inquiries@fcsrenfrew.on.ca
Main Office (Pembroke): 77 Mary Street, Suite 100 Pembroke, ON K8A 5V4
Renfrew Office: 114 Argyle Street South, Renfrew, ON K7V 1T5

In rare situations, you may be denied access to some or all of your personal information about services (with any such denial being in accordance with the law).

In all situations, the Society will need to verify your identity before being able to release, obtain or disclose any information to you. In most cases, we will need a copy of a government issued ID, and for a substitute-decision maker we will need copies of any documentation appointing them on behalf of another person.

We try to keep your personal information accurate and up-to-date. Please let us know if you disagree with what is recorded, and if possible and appropriate, we will make the change or otherwise we will ask you to write a statement of disagreement and we will attach that statement to your service record.

FOR MORE INFORMATION OR COMPLAINTS

If you would like more information about Part X, and your privacy rights please visit our website or ask us.

We encourage you to contact your case worker with any questions or concerns you might have about our information practices.

If your privacy questions have not been answered or issues have not been resolved to your satisfaction, you may wish to make a formal privacy complaint to us. For more information about our internal comments, complaints and concerns process, please contact us and we can provide you with a brochure and / or additional information.

If, after contacting us, you feel that your concerns have not been addressed to your satisfaction, you have the right to complain to the IPC. The IPC is responsible for making sure that privacy laws are followed in Ontario. There is additional information about Part X and your privacy rights available on their website.

The Commissioner can be reached at:
Information and Privacy Commissioner of Ontario
2 Bloor Street East, Suite 1400 Toronto, Ontario M4W 1A8
Phone: 416-326-3333 or 1-800-387-0073
TDD/TTY: 416-325-7539
Fax: 1-416-325-9195
E-mail: info@ipc.on.ca
Website: www.ipc.on.ca