

## New Beginnings Non-Profit Housing

<b>Policy Name:</b>	Confidentiality Policy
<b>Contact Officer:</b>	Marwick Property Management, 519-351-6881
<b>Date Approved by Board of Directors:</b>	October 7 <sup>th</sup> , 2006
<b>Date Approved by General Membership</b>	N/A
<b>Date Certified:</b>	N/A

### **Reference:**

*Social Housing Reform Act 2000, 268/01, sect 21-22*

### **Collection of Information:**

1. Personal information may only be collected by the non-profit for purposes relating to the performance of its duties under the Social Housing Reform Act or the Regulations, or as otherwise authorized by law.
2. Staff must not seek out personal information about tenants or applicants unless it is relevant to their work.
3. Staff collecting personal information shall ensure that the person whose information is being collected is given written notice of:
  - a. The purpose or purposes of the collection;
  - b. The fact that the information may be shared as necessary for the purpose of making decisions or verifying eligibility for assistance under the Act, the Ontario Disability Support Program Act, 1997, the Ontario Works Act, 1997 or the Day Nurseries Act, or as authorized by an agreement under section 163 or 164 of the Act; and
  - c. The name, title, business address and business telephone number of a person who can answer questions and respond to complaints about the collection, use or disclosure of the information.
4. Prior to conducting any credit or employer checks, staff must obtain a signed consent form from the applicant or tenant. The consent may be part of the application form or annual declaration of income form.

### **Protection of Information:**

1. The day-to-day administration of applicant, tenant and employee files (including information on databases) must include guarding against unauthorized access.
2. Applicant/tenant information must be stored in a locked filing cabinet. Secure storage facilities must be provided for archived applicant/tenant/employee information.
3. Only staff and members of the Board, where appropriate, should have access to records in order to fulfill their duties.
4. Databases containing files with personal information must be safeguarded from unauthorized access. Confidential electronic files must be password protected so as to limit access to those who need to know.
5. All staff will ensure that no unauthorized people are left unsupervised where files are kept and used.
6. Personal information being disposed of must be shredded.

## New Beginnings Non-Profit Housing

### Release of Information

1. No personal information will be released without the written consent of the individual (e.g. bank checks, tenants or personal references). When responding to inquiries, staff should limit information provided to the questioner and confirm only the information already provided by the individual.
2. Examples of circumstances which require that confidential information be released include:
  - a. The Board: When communicating tenant issues to the Board, staff should use non-identifying information as much as possible.
  - b. Funders and Auditors: New Beginnings Non Profit Housing must release information to funders and auditors to comply with funding program requirements. These agencies are also required to maintain confidentiality.
  - c. Access Centre: New Beginnings Non Profit Housing must provide the Coordinated Access System with information about tenants who have left in arrears to be used in the screening process for applicants for Non Profit Housing.
  - d. Researchers: The Board of Directors will approve any other request for personal information from any other researcher such as an academic institution.
  - e. Law Enforcement: Law enforcement agencies requesting personal information about applicants or tenants will be required to provide a written request or "warrant" before it is released. Confidential information MAY be released to the police under certain circumstances:
    - i. Staff with personal knowledge should report theft or damage to the Non-Profit property to the police and provide full details including personal information if applicable.
    - ii. Witnesses to crimes against persons are obligated to report and provide appropriate information to the police so that charges can be laid. Domestic violence is a criminal offence and should be reported to the police.
    - iii. If there is a good reason to believe that there is a drug problem in the building it should be reported to the police.
    - iv. If the victim of a crime is a child or a person with a disability that renders them incapable of making the decision to report, the responsibility lies with the Non-Profit to report the crime to the police or Children's Aid Society if it has relevant information.
  - f. Protecting Health and/or Well-being: Personal information will be provided to outside agencies, individuals and institutions when it can be clearly identified as contributing to the applicant or tenants' benefit. For example, information could be given to fire department personnel about an individual's medical condition. Where staff have good reasons to believe that an individual is unable to make a rational decision to consent to the disclosure of information, it may be appropriate to contact a community service agency or a relative to request assistance. For example:
    - i. Use of an emergency contact provided by a tenant and held on file, i.e., contacting medical support services when a tenant is unable to function and maintain his/her tenancy.
    - ii. Personal information may be provided to Social Services in order to meet the Non-Profit's obligation to ensure that RGI rents are determined correctly and that income information provided by tenants is accurate.
    - iii. In the case of suspected child abuse information will be provided to the Children's Aid Society. (This duty to report is required under the Child and Family Services Act, Section 72).

## New Beginnings Non-Profit Housing

### **Breach of Confidentiality**

It is a breach of confidentiality to:

1. Discuss any confidential information within or outside the organization where individuals who are not authorized to have access to that information may hear it.
2. Provide confidential information or records to unauthorized individuals.
3. Leave confidential information in written form or displayed on a computer terminal in a location where unauthorized individuals may view it.