

# **HALTON HILLS CHILD CARE CENTRE**

## **PRIVACY AND CONFIDENTIALITY POLICY AND PROCEDURES**

### **Board of Directors Approval**

<b>Approval Date</b>	<b>Rev.</b>	<b>BOD Name</b>	<b>BOD Signature</b>
Oct. 19, 2021	1	Vicki Hurley	

### **Revision History**

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**Halton Hills Child Care Centre**  
**Privacy and Confidentiality Policy**

**POLICY STATEMENT**

The Privacy and Confidentiality Policy safeguards the personal information of each child, family, Board member, staff member and other organizations and/or individuals involved in the Centre.

**Introduction**

Personal information is defined as any information; written or spoken, that is about an identifiable individual or situation.

This policy governs the use, disclosure, and storage of personal information, adhering to the requirements of the Personal Information Protection and Electronic Documents Act (PIPEDA).

When information is received by a member of the Centre, the person is to determine who should be privy to the information and inform within required channels.

Halton Hills Child Care Centre (HHCCC) staff will be exposed to confidential information.

This includes but is not limited to teacher/child interactions, children's health information, integration plans, CAS calls, custodial issues, parent conversations, parent/teacher interviews, staff issues, etc.

Any information learned in the Centre relating to the children, parents, volunteers, board members and staff members is to remain confidential and is not to be shared outside your Scope of Authority and/or the Centre.

**Scope of Authority**

**Staff**

- Receive information and pass to appropriate people, those directly involved.

**Management**

- Guide and monitor information is being shared appropriately.

**Board**

- Not privy to information about children or parents and limited information about staff as outlined in Board Manual; Roles and Responsibilities of Board Members.

Ensure that any confidential information received in the course of work or association of the Centre is maintained confidential and is not communicated to any 3rd person, unless allowed by Centre policies and procedures or approved by the Privacy Officer.

## **ACCOUNTABILITY/ROLES AND RESPONSIBILITIES**

### **Boards of Directors**

- To read *Privacy and Confidentiality Policy* every three years.
- To appoint Executive Director as the Privacy Officer of Halton Hills Child Care Centre.
- To act within Scope of Authority.
- To review and approve amendments as they occur.
- To budget for staff training.

### **Management**

- To review *Privacy and Confidentiality Policy* with all staff, students, and volunteers at commencement of employment or placement, whenever changes are made to the policy and thereafter every two years.
- To act as Privacy Officer.
- Review with all staff, volunteers and students on Privacy and Confidentiality Policy at commencement of employment or placement, whenever changes are made to the policy and thereafter as deemed necessary.
- To ensure compliance with Privacy and Confidentiality Policy by all staff.
- To delegates designate based on Chain of Authority to act as Privacy Officer.
- To act within Scope of Authority.
- To notify clients of initial enrollment of how their information will be shared.
- To maintain staff and children's files in a secure manner at all times.
- To ensure Confidentiality Agreement completed annually for all board members, employees, volunteers, and students.
- To provide training for staff members as required.
- To retain staff training participation and attendance information.
- To retain written documentation for staff policy review.
- To generate and review amendments as they occur.

### **Staff**

- To adhere to the practices as outlined in this policy.
- To speak to Director regarding the sharing of confidential information. See Sharing of Information in the Privacy and Confidentiality Procedures and Practices.
- To provide personal information for the purpose of individual files.

- To collect information for the purpose of updating children's files.
- To return any written confidential information upon termination of their employment.
- To act within Scope of Authority.
- To participate in training as deemed necessary by the Director.
- To bring to the Director's attention any questions, concerns, or ideas.

## **Volunteers and Students**

- To provide personal information for the purpose of individual files.
- To act within Scope of Authority.

## **PROCEDURES AND PRACTICES**

### **Sharing of Information**

Should a situation arise where a staff member feel they need to share information regarding a confidential issue the following must transpire:

1. Speak with Director
2. Contact the Board Chairperson if unable to resolve with the Director via email at [chair@hhchildcare.ca](mailto:chair@hhchildcare.ca)
3. Under no circumstances should a Board Member be approached while dropping off or picking up their child.

### **Precautions**

- All documents, materials, files, equipment, reports, proposals, procedures, data and other records or information whether oral, written, or computerized are to be held confidential and will not be divulged, altered, copied, loaned or otherwise removed from HHCCC without prior authorization of the Director.
- Client information is not to be stored on personal electronic devices at any time.
- Only photos of individual children can be shared with their immediate family.
- Be aware of your surroundings when discussing information.
- Special caution must be taken to ensure other children, families, staff, or board members do not overhear information that is confidential.
- Information must never be left out where other people have access to them.
- No identifying information may be posted by staff on any social media sites regarding the children, parents, staff, or Centre.

## **Non-Compliance**

All staff members, volunteers, students, and board members who do not follow this policy will be disciplined according to the Non-Compliance section in the Terms of Employment Policy. Individuals found to be in breach of this policy may be subject to legal action.

## **Completion of Employment or Placement**

Upon completion of your employment/time at HHCCC, you agree that all confidential information in your possession will be returned. All confidential information that you are aware of will remain confidential beyond the end of your employment/time at HHCCC.

## **Log Books & Children's Information Forms**

- Log books and children's information forms (and any other confidential information) must be in a secure manner.
  - Closed when not in use
  - Not accessible by non staff
  - Placed in a cupboard or drawer at the end of the day

## **Principles**

### **Identifying Purposes**

Information is collected for the following purposes:

#### **Child Information:**

- Process the registration and attendance sheets
- Use in the event of a medical emergency
- Supervision with respect to medical requirements (allergies, etc.)
- Contact information to process form and for emergency contact purposes
- For fee payment
- Ensure an adult can pick up and assume responsibility for the child in the event of an emergency when parents cannot be reached.
- Share with the Public Health Department to ensure we are meeting our legal requirements
- Update information originally provided
- Ensure the child is released to their appropriate guardian(s)

**Staff Information:**

- Process the staff's employee file and attendance sheets
- Pay staff members electronically.
- Supervision with respect to medical requirements (allergies, etc.)
- Contact information to process forms and for emergency contact purposes
- Ensure an appropriate person can be contacted and assume responsibility for the staff member in the event of an emergency.

**Volunteers and Students:**

- Process the volunteer's/student's file
- Supervision with respect to medical requirement (allergies, etc.)
- Contact information to process forms and for emergency contact purposes
- Ensure an appropriate person can be contacted and assume responsibility for the staff member in the event of an emergency

**Consent**

- We will only collect, use, or disclose information for the identified purposes, and we will only do so with the client's consent.
- For the most part, consent will be obtained expressly (either orally or in writing) particularly when the personal information in question is of a sensitive or confidential nature such as a child's medical history or a client's bank account number.
- HHCCC will only rely on implied consent in rare circumstances where consent can reasonably be inferred from actions or inactions. For example, we ask the age and birth date of a child in order to process the application for care.

**Limiting Collection**

- We will only collect, use, and disclose personal information in order to meet the purposes identified.
- If we need to collect further information for a new purpose, we will seek fresh consent for that specific collection (i.e. if we wish to use a photograph of a child in a brochure, specific written consent will be required).

## **Limiting Use, Disclosure and Retention**

- We only retain personal information for as long as we have a purpose to do so and/or as long as is required by all the applicable legislation that governs our operations. For example, the Provincial legislation upon which our license is based, the Child Care and Early Years Act (CCEYA), requires that we retain a child files for three years beyond the discharge date of that child from our Centre.
- Once personal information is no longer required to fulfill the identified purposes or to comply with legal requirements regarding retention, it will be shredded, and all electronic files will be deleted.

Information may be disclosed to the following:

### **Child Information:**

- Director
- Program staff
- Supply Staff
- Ministry of Education for licensing purposes
- Halton Region for subsidy purposes
- Companies contracted by Halton Hills Child Care Centre to print income tax receipts, provide insurance
- Medical health practitioners in case of an emergency
- Financial institutions for fee payment transactions
- Public Health Department

### **Staff Information:**

- Director
- Ministry of Education for licensing purposes
- Companies contracted by Halton Hills Child Care Centre to print income tax receipts, provide insurance
- Medical health practitioners in case of an emergency
- Phone number to all staff and supply staff for emergency contact list
- Financial institutions for paying staff electronically

### **Volunteers and Students:**

- Director

- Ministry of Education for licensing purposes
- Medical health practitioners in case of an emergency
- Phone number to supervising teacher

## **Accuracy**

- Every effort will be made to keep personal information accurate and up to date.
- Clients and staff members are to inform HHCCC of any changes in a timely manner.
- This is particularly important with respect to everyone's health and safety. In the event of an emergency, for example, having quick access to current telephone numbers and alternate emergency contact persons is essential.

## **Safeguards**

- The security of the information provided is our number one priority.
- We limit access to personal information only to those who require it to provide you with service.
- Information stored on our computer information system is protected by firewalls and is password protected.
- All hard files are kept under lock and key.
- HHCCC staff members are fully aware of their obligations to maintain the confidentiality and security of personal information.
- After the child has left our program for a period of at least three years, their information will be shredded before being permanently disposed and all electronic files deleted.

## **Individual Access**

- Individuals have the right to supervised access their own personal information or the personal information about their children, which is in the possession of HHCCC. You also have the right to know if your personal information has been disclosed to any third parties.
- A request must be submitted to the Privacy Officer, who then has 20 days in which to respond to the request.
- HHCCC does have the right to deny your request under certain circumstances.
- Those circumstances include but are not limited to: information which is protected by solicitor-client privilege; information which reveals personal information about another individual; personal information which was collected for an investigation or legal proceeding that has not yet concluded; if providing access to particular personal

information could jeopardize an individual's life or security; or if access to the personal information could reasonably be expected to threaten the safety or physical or mental health of another individual.

- Acceptable proof of identification is required before access to personal information is granted.
- Requests for access to personal information must be made in writing to the Privacy Officer, Halton Hills Child Care Centre 371 Mountainview Road South, Georgetown, Ontario, L7G 5X3.

### **Challenging Compliance**

- Should you have any questions or concerns related to the collection, use or disclosure of your personal information at Halton Hills Child Care Centre, please contact our Privacy Officer in writing (marked confidential) at the following address: 371 Mountainview Road South, Georgetown, Ontario, L7G 5X3.
- All complaints will be investigated, and appropriate measures will be taken as per our Complaint Policy.

### **Monitoring**

- This policy is monitored in accordance with the CCEYA.
- Staff training and development will be intentionally monitored annually.
- Staff training and development will be reviewed with the Centre.
- Monitoring compliance and contraventions of the Centre's Policies, Procedures and Practices is an intentional action completed by management or by a designated staff, based on observation and conversation as described in the policy.
- All monitoring sheets are stored in Office #1 for the current year and moved to the storage cabinets in Office #2 for a minimum of two additional years.
- After a minimum period of three years the monitoring sheets will be shredded.

## APPENDIX A

### CONFIDENTIALITY AGREEMENT

#### **CONFIDENTIALITY AGREEMENT**

Between \_\_\_\_\_ (employee, board member, volunteer, or student)

and **Halton Hills Child Care Centre (HHCCC)**

In the course of your time with Halton Hills Child Care Centre you will be exposed to confidential information. Please review the following confidentiality statement.

Any information learned in the Centre relating to the children, parents, and staff is to remain confidential and is not to be shared outside of your Scope of Authority and the Centre. This includes but not limited to:

Any information learned in the program relating to the children, parents and staff is to remain confidential and is not to be shared outside your Scope of Authority/Centre. This includes but not limited to:

- teacher/child interactions
- children's health information
- anything in a child's file
- special needs and integration plans
- CAS calls
- custodial issues
- parent conversations
- parent/teacher interviews
- staff issues

#### **Scope of Authority**

**Staff** – Receive information and pass to appropriate people, those directly involved.

**Management** – Guide and monitor information is being shared appropriately.

**Board** – Not privy to information about staff, children or parents as outlined in Board Manual, Roles and Responsibilities of Board Members.

All documents, materials, files, equipment, reports, proposals, procedures, data and other records or information, whether oral, written or computerized, to which you are given access or otherwise use or develop while with Halton Hills Child Care Centre, are to be held confidential and will not be divulged, altered, copied, loaned or otherwise removed from Halton Hills without prior authorization of the Director of Halton Hills Child Care.

Upon completion of your employment/time at HHCCC, you agree that all Confidential Information in your possession will be returned to Halton Hills Child Care Centre. All confidential information you are aware of will remain confidential beyond the end of your employment/time at HHCCC.

If you do have concerns with something in the Centre, discuss with the Director.

**Non-Compliance of Policies and Procedures** – Employee, board members, volunteers, and students who do not follow the policies and procedures of the centre will be disciplined according to the policies of the HHCCC, which may include, up to termination. Individuals found to be in breach of this policy may be subject to legal action.

This policy will be reviewed annually with all employees, board member, volunteers, and students.

Signature \_\_\_\_\_ (employee, board member, volunteers, or student) Date \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_