

CLIENT PRIVACY

1. OVERVIEW

Upper Canada Creative Child Care Centres of Ontario, our affiliates and subsidiaries (UCCC) is committed to protecting the privacy and security of clients' personal information. This *Client Privacy Policy* describes how UCCC collects and uses personal information about clients (children and families).

This *Client Privacy Policy* describes the categories of personal information that UCCC collects, how it uses and secures their personal information, and when it may disclose personal information to third parties. This *Client Privacy Policy* also describes clients' rights regarding the personal information that UCCC holds about them and how they can access, correct, and request disposal of that information.

UCCC will only use clients' personal information in accordance with this *Client Privacy Policy* unless otherwise required by applicable law. UCCC takes steps to ensure that the personal information that it collects about clients is adequate, relevant, not excessive, and used for limited purposes.

2. REVIEW AND CONSENT

- 2.1 Clients should read this policy carefully to understand UCCC's policies and practices for collecting, processing, and storing client's personal information.
- 2.2 If a client does not agree with UCCC's policies and practices, it is their choice to not use the services UCCC provides. By enrolling in or using UCCC services, the client indicates that they understand, accept, and consent to the practices described in this policy.
- 2.3 UCCC reserves the right to update this *Client Privacy Policy* at any time, and UCCC will provide clients with a new *Client Privacy Policy* when UCCC makes any updates. If UCCC would like to use a client's previously collected personal information for different purposes than those UCCC notified clients about at the time of collection, UCCC will provide them with notice and, where required by law, seek the client's consent, before using their personal information for a new or unrelated purpose. UCCC may use their a client's personal information without their knowledge or consent where required or permitted by applicable law or regulation.

3. SCOPE

3.1 Use of Personal Information

UCCC will only use clients' personal information where applicable law permits or requires it in connection with carrying out our services as well as our duties and obligations (which include incident and record keeping of the above-noted nature) pursuant to the *Child Care and Early Years Act, 2014, S.O. 2014, c. 11, Sched. 1* (CCEYA).

3.2 UCCC may use a client's personal information for the following legitimate business purposes:

- 3.2.1 to report and comply with our obligations under the CCEYA,
- 3.2.2 to report and comply with child care funding arrangements with provincial and municipal governments (e.g. child care subsidies and eligibility), to communicate with a client about their child's development, progress, and other matters related to their child's care,
- 3.2.3 to keep records related to payments and accounts,
- 3.2.4 to protect and enhance a child's care for the improvement of services and to ensure access to needed services, supports, and accommodations,
- 3.2.5 to analyze and improve our programs,
- 3.2.6 to comply with applicable laws, regulations, legal processes, or enforceable government requests,
- 3.2.7 to comply with our obligations as a tenant; and
- 3.2.8 to communicate and exchange information with third party agencies including school boards, teachers, principals, child care agencies, or other government bodies.

3.3 In addition to using clients' personal information for the delivery of services, UCCC may retain and use clients' personal information for record keeping obligations pursuant to law and for historical analysis and trends, archival reasons, or for government-related audits and accounting.

3.4 UCCC will only use clients' personal information for the purposes for which UCCC collected it. If UCCC needs to use a client's personal information for an unrelated purpose, UCCC will provide notice to the client and, if required by law, seek the client's consent. UCCC may use a client's personal information without their knowledge or consent where required by applicable law or regulation.

4. DEFINITIONS

4.1 Personal Information

For purposes of this *Client Privacy Policy*, personal information means any information about an identifiable individual collected in connection with the enrollment process and ongoing delivery of care. Personal information excludes anonymous or de-identified data that is not associated with a particular individual. UCCC may collect personal information directly from clients. UCCC may collect, store, and use the following categories of personal information in connection with the process of enrollment and delivery of care to a child:

- 4.1.1 personal contact details such as name, title, addresses, telephone numbers, and personal email addresses,
- 4.1.2 information related to previous applications to UCCC or previous enrollment history with UCCC,
- 4.1.3 financial information, bank account numbers, checks and other payment related information,
- 4.1.4 personal information regarding a client's family situation (if so provided by the client) such as marital status, custody matters, etc.,
- 4.1.5 medical information pertaining to a child such as illnesses, allergies, prescriptions, disabilities and other matters,
- 4.1.6 information pertaining to child behaviours, education, and development such as cognitive abilities, behaviour, comprehension etc.,
- 4.1.7 other information pertaining to the day-to-day activities, operations, and goings on in each centre including *Key Incident Reports* and other matters that may be logged by staff, and
- 4.1.8 images of children engaged in child care activities.

5. RESPONSIBILITIES

5.1 Privacy Officer

UCCC has appointed a Privacy Officer to oversee compliance with this *Client Privacy Policy*. UCCC welcomes questions, comments, and requests regarding this policy and UCCC privacy practices. UCCC has procedures in place to receive and respond to complaints or inquiries about its handling of personal information, its compliance with this policy, and with applicable privacy laws. To discuss UCCC's compliance with this policy, individuals may contact UCCC's Privacy Officer at: **privacyofficer@uccc.ca** or by mail:

Attn: Privacy Officer
Upper Canada Child Care
498 Markland Street, Unit 5
Markham, ON L6C 1Z6

6. POLICY

6.1 Data Sharing

UCCC will only disclose a client's personal information to third parties where required by law or to our employees, contractors, designated agents, or third-party service providers who require it to assist us with administering child care, including third-party service providers who provide services to us or on our behalf and to the provincial government and/or municipality.

- 6.1.1 UCCC requires all our third-party service providers (save and except for government authorities), by written contract, to implement appropriate security measures to protect clients' personal information consistent with UCCC's policies and any data security obligations applicable to us. UCCC will only permit their use of a client's personal information for the specified purposes in accordance with our instructions and their contractual mandate.
- 6.1.2 UCCC may also disclose a client's personal information for the following additional purposes where permitted or required by applicable law:
 - 6.1.2.1 to comply with our obligations under the *Child Care and Early Years Act, 2014* and other applicable legislation and law,
 - 6.1.2.2 to obtain funding from government agencies and to report compliance with same,
 - 6.1.2.3 to comply with legal obligations or valid legal processes such as search warrants, subpoenas, or court orders during emergency situations or where necessary to protect the safety of persons where the personal information is publicly available,
 - 6.1.2.4 if a business transfer or change in ownership occurs; and
 - 6.1.2.5 for additional purposes with the client's consent where such consent is required by law.

6.2 Data Security

UCCC has implemented appropriate physical, technical, and organizational security measures designed to secure clients' personal information against accidental loss and unauthorized access, use, alteration, or disclosure. In addition, UCCC limits personal information access to those employees, agents, contractors, and other third parties that have a legitimate business need for such access.

6.3 Data Retention

6.3.1 Except as otherwise permitted or required by applicable law or regulation, UCCC will only retain a client's personal information for as long as necessary to fulfill the purposes for which UCCC collected it, including for the purposes of satisfying any legal, accounting, or reporting requirements.

6.3.2 Under some circumstances UCCC may anonymize a client's personal information so that it can no longer be associated with the client. UCCC reserves the right to use such anonymous and de-identified data for any business purpose without further notice to the client or their consent.

6.4 Rights of Access, Correction, Disposal of Information, and Objection

6.4.1 It is important that the personal information UCCC holds about clients is accurate and current. Clients must keep us informed if their personal information changes.

6.4.2 By law a client has the right to request access to and to correct the personal information that UCCC holds about them, or withdraw their consent to the use of their personal information under certain circumstances provided that such withdrawal does not conflict with or breach our legal obligations under the CCEYA or our legal disclosure obligations to third parties such as tax authorities and regional municipalities.

6.4.3 If a client wants to review, verify, or correct, their personal information, they may contact the supervisor of the centre in which their child is enrolled. Any such communication must be in writing.

6.4.4 A minimum \$50 charge, plus any additional fees and disbursements, will apply to access personal information, however, UCCC may choose to waive this charge upon request.

6.4.5 UCCC may request specific information from a client to help UCCC confirm their identity and their right to access, and to provide the client with the personal information that UCCC holds about the client or make their requested changes. Applicable law may allow or require us to refuse to provide the client with access to some or all of the personal information that UCCC holds about the client, or UCCC may have destroyed, erased, or made their personal information anonymous in accordance with UCCC's record retention obligations and practices. If UCCC cannot provide the client with access to their personal information, UCCC will inform the client of the reasons why, subject to any legal or regulatory restrictions.

6.5 Right to Withdraw Consent

6.5.1 Subject to applicable laws and our obligations under the CCEYA, where the client has provided their consent to the collection, use, and transfer of their personal information, the client has the legal right to withdraw their consent under certain circumstances.

6.5.2 To withdraw consent, if applicable, clients may contact the centre supervisor and may be asked to re-sign the consent section of the child care contract or may be referred to the Privacy Officer. If the client withdraws consent UCCC may not be able to provide the client with a particular product or service. The privacy officer will explain the impact to the client at the time to help with their decision.