

TORONTO SENIORS HOUSING CORPORATION (TSHC) INFORMATION BREACH POLICY

Policy Owner: CGHC Committee	Date Approved: 18 May, 2022
Type: Legal Policy	Approved By: Board of Directors
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Policy Statement

Toronto Seniors Housing Corporation (Toronto Seniors Housing) collects and retains Confidential Information that must be properly managed to protect the privacy and security of the party whose information has been collected, including, but not limited to, tenants, employees and the corporation itself. If Confidential or Internal Information is lost, corrupted, accessed or disclosed without proper authorization, it can pose a high level of legal, reputational, financial and safety risks to Toronto Seniors Housing.

This Policy provides a framework within which employees of Toronto Seniors Housing are required to respond to an Information Breach, and sets out responsibilities within Toronto Seniors Housing and its employees for the reporting and handling of an attempted, actual or suspected Information Breach, in order to minimize its impact.

Scope

This Policy applies to any improper or unauthorized use, release, disclosure or disposal of Confidential or Internal Information in Toronto Seniors Housing's custody and control, such as tenant, employee, third party or corporate information.

It covers both Information Breaches and Information Technology System Breaches.

Information Breaches can arise from cybersecurity attacks, as well as from the theft, loss, abuse, damage or unauthorized access to or disclosure of Toronto Seniors Housing information, whether the breach was intentional or inadvertent.

This Policy is applicable to all employees of Toronto Seniors Housing that have access to information in the custody or under the control of Toronto Seniors Housing and its Information Technology Systems. Toronto Seniors Housing will enter into agreements to ensure that contract management companies, vendors and third parties meet the relevant requirements of this Policy.

Values

Toronto Seniors Housing supports a climate and culture that protects both Confidential and Internal Information. Toronto Seniors Housing will implement this Policy in accordance with the following values:

Respect: All Toronto Seniors Housing employees will adhere to this Policy and will take appropriate measures to protect both Confidential and Internal Information to which they have access from an Information Breach in accordance with this Policy.

Accountability: Toronto Seniors Housing will designate Incident Response Leads within the Legal Services and Information Technology Services Divisions who will lead its response to an Information Breach.

Integrity: Toronto Seniors Housing employees will alert the organization of an Information Breach.

Definitions

Confidential Information: Information that is in the custody or control of Toronto Seniors Housing that is highly sensitive, protected from public disclosure and intended for use by a specified group of authorized users, such as Personal Information, and information related, generally, to Toronto Seniors Housing's tenants, residents, contractors, employees, and members of the public that, if disclosed, may give rise to a significant risk of harm to both Toronto Seniors Housing and others.

Incident Response Lead: The employee within Toronto Seniors Housing's Information Technology Services or Legal Services Division who is (depending on the nature of the breach) responsible for leading its response to an Information Breach.

Information Breach: The improper or unauthorized use, disclosure, release or disposal of either Confidential or Internal Information, resulting in the information being access by or disclosed to unauthorized parties. Examples of an Information Breach include, but are not limited to:

- an employee sending an email containing either Confidential or Internal Information to an unintended recipient in error;
- an individual (such as a tenant, vendor or other stakeholder) being mistakenly provided with or accessing either Confidential or Internal Information that they are not authorized to view;
- the removal of a tenant file from a Toronto Seniors Housing office resulting in the unauthorized disclosure of either the tenant's Personal Information; or
- an Information Technology System Breach.

Information Technology System Breach: An Information Breach that occurs as a result of:

- unauthorized activity by parties internal and external to Toronto Seniors Housing;
- a technical vulnerability; or
- a combination of those or other causes; impacting Toronto Seniors Housing's Information Technology Systems that results in the use, disclosure, release or disposal of either Confidential or Internal Information, resulting in the information being access by or disclosed to unauthorized parties of information systems or networks.

Internal Information: Information other than Confidential Information that is generally only available and intended for use by Toronto Seniors Housing employees and authorized third parties such as consultants and vendors. (e.g. Corporate policies, standards, and procedures unless they are intended for publication, general corporate internal announcements to staff, etc.), including but not limited to information related to Toronto Seniors Housing's financial affairs, marketing plans, resources, proposed initiatives, and strategies, etc.

Personal Information: Has the same meaning as defined in *Municipal Freedom of Information and Protection of Privacy Act*, RSO 1990, c M.56, as amended, and includes recorded information about an identifiable individual which is collected, used, or disclosed by Toronto Seniors Housing. For the application of this Policy, Personal Information may include but is not limited to:

1. the personal address, telephone number or email address of an individual;
2. any identifying number, symbol or other particular assigned to an individual which can lead to their identification (e.g., Social Insurance Number or Tenant ID);
3. information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;

4. financial information about an individual for the purposes of establishing Rent-Geared-to-Income assistance;
5. information about rent payment history; credit and rental history reports; and
6. employee information, including resumes, salary and benefits, tenant or client complaints about the individual and personnel issues.

With regards to applicants and tenants, Personal Information may include income, credit history, subsidy, arrears, utility consumption, personal circumstances, health information, information regarding conflicts between tenants, requests for transfers for personal reasons and any requests from tenants that are personal in nature. With regards to employees, Personal Information may include hiring, termination, disciplinary record, salary negotiations, tenant complaints and information regarding conflicts between employees or between employees and tenants.

Public Information: Information that is generally available to the public, with no special protection from disclosure required (e.g. a press release, a public request for proposals, external TSHC website content, and published reports).

Policy Details

Toronto Seniors Housing Responsibilities

Toronto Seniors Housing will:

- Promote a culture and implement business practices that support information security, cybersecurity and the prevention of Information Breaches.
- Provide education on information security to Incident Response Leads and employees who have access to or are responsible for either Confidential or Internal Information.
- Maintain appropriate administrative, physical and technical security safeguards to prevent the unauthorized access, use or disclosure of either Confidential or Internal Information.

- Maintain procedures and protocols to identify, contain, and recover from any Information Breaches that ensures there is a consistent and effective approach to the management of Information Breaches.

The General Counsel and Corporate Secretary will oversee Toronto Seniors Housing's response to an Information Breach and will work with the Vice President, Information Technology Services and the Incident Response Leads to mitigate its impact.

Employee Responsibilities

In performing their duties and fulfilling their responsibilities, employees will learn information about Toronto Seniors Housing and its operations. This includes information in that is shared with the employee verbally and in writing, through formal documents, corporate files, e-mails, computers files, data records, etc. In most cases, this information is not generally known to the public. Examples include information related to our financial affairs, marketing plans, tenants, residents, resources, contractors, proposed initiatives, strategy, members of the public, employees, etc. This information is confidential and is Toronto Seniors Housing's property.

Employees are required to take all reasonable steps to protect both Confidential and Internal Information from unauthorized use or disclosure. This includes safeguarding physical and electronic documents, laptops, and cell phones that have been entrusted to their care, as well as taking necessary steps to protect information when using computer systems and sending e-mail pursuant to the requirements of related policies, procedures or directives that have been issued by TSHC.

If an employee becomes aware of an Information Breach, he or she must immediately notify their manager, Division Head and the General Counsel and Corporate Secretary in accordance with the procedure set out in the Information Breach Procedure.

If an employee suspects that an Information Technology System Breach may have occurred, he or she must immediately notify their manager, Division Head and the Information Technology Service Desk. The Service Desk team will report the breach to the Incident Response Leads in accordance with the procedure set out in the Information Technology Security Incident Management Procedure.

Information Breach Standards

In the event of an actual or suspected Information Breach, Toronto Seniors Housing will, to the extent necessary in order to mitigate the impact of the Information Breach, undertake the following actions:

- Determine if an actual breach occurred and identify the type of information that was disclosed (i.e., Confidential Information, Internal Information or Public Information).
- Contain the incident to minimize impact (e.g. retrieving the information if possible, disconnecting devices affected or implicated by the Information Breach from the network, suspending access rights, quarantining any discovered malware).
- Investigate the cause of the Information Breach and depending on its nature, conduct any additional forensic analysis required to support any criminal or legal investigation as may be required.
- Conduct an assessment with relevant employees to determine the impact of the Information Breach and review the recovery actions required.
- Notify the affected stakeholders (e.g. employees, tenants, vendors) and if Personal Information may have been disclosed, notify the Information and Privacy Commissioner as necessary.
- Notify Toronto Seniors Housing employees and Directors, as appropriate.

- Conduct a post-incident analysis of the cause of the Information Breach, and identify lessons learned, preventative actions, and how to further improve Toronto Seniors Housing's overall information security protocols.

Compliance and Monitoring

Compliance with this Policy will be assessed through various methods, including internal and external audits. Legal Services and Information Technology Services will monitor the volume and severity of Information Breaches and prepare an annual report of incidents to the Executive Leadership Team highlighting any actions that need to be taken to mitigate risk. At the direction of the President and CEO, the content of this annual report will be shared with the Toronto Seniors Housing Board of Directors through the Building Investment, Finance and Audit Committee.

Employees who do not follow this Policy or the related sections of the Privacy Policy and the Code of Conduct which require the protection of personal or confidential information may be subject to discipline, up to and including dismissal. Non-compliance with any provision of this Policy by employees or Toronto Seniors Housing affiliates may result in remedial action up to and including termination of any affiliate contract, and may result in possible civil, criminal, or regulatory action.

Toronto Seniors Housing will take appropriate steps to ensure vendors, contractors and third-parties comply with this Policy.

Governing and Applicable Legislation

- *Municipal Freedom of Information and Protection of Privacy Act*
- *Personal Information Protection and Electronic Documents Act, 2000*

Related Policies and Procedures

Procedures Established pursuant to this Policy

- Information Breach Procedure
- Information Technology Security Incident Management Procedure

Related Policies and Procedures

- Employee Code of Conduct
- Acceptable Use of Information and Technology
- Records Management Policy Enterprise Risk Management Policy
- Conflict of Interest Policy
- Privacy Policy

Commencement and Review

Revision	Date	Description of changes	Approval
First Approval		New Policy	

Next Scheduled Review Date: