



**Elections
Ontario**

Elections Ontario Privacy Policy

OFFICE OF THE CHIEF ELECTORAL OFFICER
ELECTIONS ONTARIO

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Section 1: Introduction

The Office of the Chief Electoral Officer, known as Elections Ontario (EO), is responsible for managing, administering and overseeing the electoral process for the province of Ontario under the direction of the Chief Electoral Officer (CEO). Elections Ontario is committed to protecting the personal information entrusted to us by Ontario electors, political parties and candidates, our data partners, the public and our employees. We manage and protect personal information in accordance with the overarching privacy protection principles reflected in the legislative framework that apply to governmental agencies in Ontario, and in conformity with privacy best practices.

The *Election Act* requires the CEO to establish and maintain a Permanent Register of Electors for Ontario (Permanent Register), to implement measures to verify its accuracy, and to ensure that the Permanent Register is updated at least once a year. In addition, the CEO must also prepare and make available a list of electors following a writ being issued for a general election or a by-election. The CEO and Elections Ontario are also responsible for overseeing compliance with the *Election Finances Act* that stipulates the finance-related regulations and financial reporting responsibilities that political associations and candidates must adhere to. Under this Act, Elections Ontario may collect, use and disclose personal information for prescribed purposes.

EO protection of personal information in the following ways:

- Respects the privacy of individuals whose information is collected, used and disclosed by Elections Ontario;
- Reduces privacy, organizational and legal risk through continued efforts to improve Elections Ontario's operational processes and procedures; and
- Integrates privacy best practices into business practices and the design of programs, services, systems and processes at Elections Ontario.

To ensure consistency with privacy policy best practices, the Elections Ontario Privacy Policy is organized around ten internationally recognized privacy principles, which form the basis of most privacy legislation in Ontario and Canada. It also outlines the principles and practices we follow in protecting personal information. This policy provides the privacy framework for Elections Ontario, including Returning Offices, as well as any contractors/sub-contractor with which Elections Ontario works and our data partners.

The CEO's Permanent Register of Electors for Ontario and List of Electors Guidelines, as published in the Ontario Gazette, provide the privacy framework for political entities (registered political parties, members of the Legislative Assembly and candidates in an election) with respect to the information that those entities are entitled to receive under the *Election Act*. A copy of these guidelines is also available by contacting Elections Ontario via our website (www.electionsontario.on.ca), by contacting our office via phone 1-888-ONT-VOTE (1-888-668-8683), TTY (1-888-292-2312), or email info@elections.on.ca.

Section 2: Definitions

The following table defines applicable terminology used in this policy.

Term	Definition
Chief Privacy Officer	The designated EO leader responsible for overseeing the EO Privacy Program.
Electoral Purpose	Electoral Purpose means for administering elections, by-elections or referenda, including communicating with electors and soliciting contributions and campaign support.
Elector	Elector refers to a person who is a Canadian citizen at least eighteen years old, and who meets the residency criteria for Ontario. Also known as an eligible voter.
Personal Information	Identifying information collected by EO about individuals, including individual electors, political candidates, members of the public, and employees and third party vendors/sub-contractors. Identifiable information is information that can identify an individual and includes: name, home address, home phone number, personal email address, gender, date of birth, social insurance number of an employee, and financial information (e.g., contributions to political parties).
Political Entities	Refers to political stakeholders including: elected members of parliament, political candidates, political associations, political leaders, political contributors, third party advertisers and others involved within the political process.
List of Electors	The List of Electors is an extract from the Permanent Register of Electors for Ontario, which consists of elector and address data. It is prepared by the CEO following the writ being issued for a general election or a by-election.
Notice of Registration Card	Notice of Registration Card is an event-specific document sent to every elector on the List of Electors to confirm the event registration and notify them of voting times, locations, electoral districts and polls. It is prepared by Elections Ontario following the writ being issued for a general election, a by-election or referendum.
Permanent Register of Electors for Ontario	The Permanent Register of Electors for Ontario is an up-to-date database of eligible Ontario voters. The Register contains the elector's name and address, and also includes birth date and gender. It is maintained for electoral purposes only.
Stakeholder	This policy defines stakeholders as members of the public, political associations/parties/leaders, and political candidates.

Section 3: Scope

1. This policy provides the guidelines for the protection of the personal information in the custody and under the control of Elections Ontario and describes the information handling practices of the organization in relation to the following identifiable information:
 - Elector information contained in the Permanent Register and List of Electors;
 - Information on individuals received through the elections complaints and investigation process, as authorized under the *Election Act* or *Election Finances Act*;
 - Under the *Municipal Elections Act, 1996*, EO is empowered to hold hearings on appeals concerning the wording of municipal referendum questions.
 - Information on political entities collected for the purposes prescribed under the *Election Finances Act*; and
 - Information on our employees and third party vendors/sub-contractors.
2. This policy applies to Elections Ontario employees, contractors and sub-contractors, Returning Officers, other election officials, and to other users who have been authorized to collect or receive information.
3. The provisions of this policy apply whether such data was received directly by Elections Ontario, Returning Officers and pertains to all forms of access to the information in any medium, whether written, printed, photographic, electronic or any other form.

A copy of this Policy is provided to all Elections Ontario employees and is made available to our stakeholders, data partners and the public on our website (www.electionsontario.on.ca) or by contacting our office via phone 1-888-ONT-VOTE (1-888-668-8683), TTY (1-888-292-2312) or email info@elections.on.ca.

Section 4: Principles

Elections Ontario's Global Privacy Policy builds upon the 10 foundational privacy principles that form the basis of all Canadian privacy legislation and are principles consistent with the privacy framework in place within the Government of Ontario, and the Global Privacy Standard promoted by the Office of the Information and Privacy Commissioner/Ontario.

This section is organized around these 10 principles and describes Elections Ontario's policy requirements as they apply to identifiable information about electors, members of the public, members of political associations and political party candidates.

Principle 1 – Accountability

An organization is responsible for personal information under its control and shall designate an individual or individuals who are accountable for the organization's compliance with its privacy principles.

Elections Ontario is responsible for ensuring the protection and confidentiality all personal information in its custody or control, including elector, stakeholder (e.g. members of the public, political entities), and employee/third party/sub-contractor information in compliance with the requirements set forth in this Policy.

The Chief Electoral Officer, an independent officer of the Legislative Assembly, is ultimately responsible for the protection of personal information in the custody of Elections Ontario. The Chief Electoral Officer has delegated oversight for Elections Ontario's Privacy Program to the Chief Privacy Officer who reports all privacy activities to the Chief Electoral Officer. The Chief Privacy Officer's roles and responsibilities are defined within the *Privacy Program Terms of Reference*.

Elections Ontario requires all employees, including all employees working in the field, third party vendors and/or sub-contractors to participate in privacy training and meet the privacy requirements set forth in this policy. Elections Ontario extends whistle blower protection to all employees/sub-contractors and empowers employees/sub-contractors to report any privacy concerns, including as it relates to real or suspected privacy breaches, to the Chief Privacy Officer for investigation.

Principle 2 – Identifying Purposes

The purposes for which personal information is collected shall be identified by the organization at or before the time the information is collected.

Elector Information on the Permanent Register or the List of Electors

Elections Ontario collects identifiable information about electors in order to:

- Compile and maintain an accurate and up-to-date register on eligible voters in Ontario;
- Prepare and provide the List of Electors to Returning Offices, political parties and political candidates, any municipality in Ontario and its boards, the Chief Electoral Officer of Canada and the public for examination; and
- Manage and oversee the electoral process.

Elections Ontario is permitted to do so under the *Election Act*.

Identifiable personal information includes: name, address, date of birth, gender, or limited financial information. Elections Ontario communicates with eligible voters through public notices, the Elections Ontario website, notice of registration cards(NRC), traditional mail, email, phone, and fax.

Stakeholder Information

Elections Ontario receives information from members of the public and political associations/parties that includes identifiable information. The purposes for which Elections Ontario receives this information include:

- Questions and complaints pertaining to the electoral process
- Matters related to the electoral process.

In addition, and from time to time, Elections Ontario may also receive additional information about individuals as it relates to political party financial contributions, political party involvement or a formal complaint made under the *Election Finances Act* and/or the *Election Act*.

Employee Information

Elections Ontario collects, uses, and discloses personal employee information, including name, address, date of birth, SIN, gender, telephone number, email address, benefits and pension information, compensation, employee relations, medical information, WSIB, attendance information and banking information to meet the following purposes, amongst others:

- Determining eligibility for employment, including verifying qualifications and references;
- Establishing training and development requirements;
- Assessing performance and managing performance issues if they arise;
- Administering pay and benefits;
- Managing attendance and leaves;
- Processing employee work-related claims (e.g. benefits, workers' compensation, insurance claims); and
- Complying with applicable laws (e.g. Canada Income Tax Act, Employment Standards Acts, Ontario's Human Rights Code).
- Sharing employee information with other Canadian electoral agencies for event employment recruitment purposes
- General EO employment related matters

After an employee's relationship with Elections Ontario ends, Elections Ontario may be contacted by other organizations and asked to provide a reference. It is Elections Ontario policy not to disclose personal information about our employees to other organizations that request references without employee consent.

Principle 3 – Consent

The knowledge and consent of the individual are required for the collection, use or disclosure of personal information, except where inappropriate.

Elector Information on the Permanent Register or the List of Electors

Elections Ontario is authorized under the *Election Act* to collect personal information on eligible voters in Ontario without consent in order to maintain the Permanent Register and List of Voters, and manage the electoral process. Elections Ontario collects this information from authorized governmental agencies (e.g. the Ministry of Transportation), the Chief Electoral Officer of Canada, and other sources the Chief Electoral Officer considers reliable (e.g. Municipal Property Assessment Corporation [MPAC]), as well directly from individuals. At any time, an eligible elector can choose to have his/her name removed from the Permanent Register and List of Electors. To do so, an elector must contact our office via phone 1-888-ONT-VOTE (1-888-668-8683), TTY (1-888-292-2312), email info@elections.on.ca, or online at www.elections.on.ca.

Stakeholder Information

Elections Ontario collects personal information from members of the public and political entities through its general inquiries and complaints process, elections finances oversight and monitoring, and general EO-related business matters. This information is collected either directly from the individual, with the individual's consent, or indirectly as permitted under the *Election Act* and *Election Finances Act*.

Employee Information

Elections Ontario collects, uses, and discloses employee personal information without consent only for the purposes of establishing, managing, or ending the employment relationship. Elections Ontario provides current employees with prior notice about what information is collected, used or disclosed and the purposes for doing so.

Elections Ontario seeks employee consent for purposes unrelated to the employment relationship, including for example external organizations requesting information pertaining to employee length of service, job title and compensation (e.g. financial institution).

Principle 4 – Limiting Collection of Personal Information

The collection of personal information shall be limited to that which is necessary for the purposes identified by the organization. Information shall be collected by fair and lawful means.

Elections Ontario collects only that information which is required to:

- 1) manage the electoral process under the *Election Act* and *Election Finance Act*;
- 2) maintain the Permanent Register; and
- 3) manage the employment relationship with all Elections Ontario employees, including those employees working in the field.

Elections Ontario implements administrative (e.g., forms and call center processes) and technical controls (e.g., field mapping during data processing) to ensure that it does not collect any more personal information than is necessary for its relevant programs or activities.

Principle 5 – Limiting Use, Disclosure and Retention of Personal Information

Personal information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law. Personal information shall be retained only as long as necessary for the fulfillment of those purposes.

Elector Information on the Permanent Register or the List of Electors

Section 17.4 of the *Election Act* establishes the limits and conditions on the use of information from the Permanent Register or from a List of Electors extracted from the Permanent Register. Elections Ontario strictly abides by these limits and conditions, which apply to elector information obtained or examined in printed or electronic format.

Limiting Use

Information from the Permanent Register or from a List of Electors extracted from the Permanent Register is used only for electoral purposes. Elections Ontario monitors use of the Permanent Register and the List of Electors.

Elections Ontario expressly prohibits the commercial use of elector information. Such unauthorized use is punishable by fine as defined under section 97 of the *Election Act*.

Limiting Disclosure

As per section 17.2 of the *Election Act*, the Chief Electoral Officer may, for electoral purposes, provide information contained in the Permanent Register to the Chief Electoral Officer of Canada, and any municipality in Ontario and its local boards.

All persons (e.g., political parties and/or political candidates) wishing to request elector information from the Permanent Register or from a List of Electors, to others, must provide Elections Ontario, in writing, an acknowledgement that the requestor(s) is bound by the provisions of Section 17.4 of the *Election Act*. For example, Elections Ontario obtains a copy of the privacy policy and procedures put in place by the recipient to protect elector information. The requestor privacy policy must adhere, at a minimum, to the standards set out by Elections Ontario for political parties and candidates in the Chief Electoral Officer's *Permanent Register of Electors for Ontario and List of Electors Guidelines*.

From time to time, Elections Ontario may receive requests for information not relating to an electoral process. Under such circumstances, Elections Ontario will not disclose personal information without the knowledge or consent of the individual unless the disclosure is required by law, including to comply with a subpoena or warrant issued, or an order made by a court, person or body with jurisdiction to compel the production of information, or to comply with rules of court relating to the production of records. All requests for information from the Permanent Register must be made in writing to the Chief Electoral Officer. Requests can be sent by email, fax or regular mail. Requests of this kind must include the following information for Elections Ontario to verify:

- The requesting officer's identity;
- The police service or government agency to whom the information will be provided;
- The active investigation under which the information is being sought; and
- Whether the information is being requested under a court order, warrant or legislative provision authorizing collection of the information by the officer.

Elections Ontario will keep track of the nature and extent of informal police requests for elector records, especially the authority under which these records are being sought, as well as the circumstances in which the records are disclosed. Elections Ontario will allow police to request information in the absence of a warrant only if the matter involves a risk of immediate physical danger to an individual and the information is of a sort for which the privacy interest of the individual is relatively low.

Limiting Retention

Elections Ontario retains the personal information of electors only for the period that is necessary, and as authorized by law and in accordance with Elections Ontario's *Personal Information Use and Retention Policy* and *Record Management Retention Schedule*. Personal information of electors that is no longer required for the maintenance of the Permanent Register will be securely destroyed in accordance with Elections Ontario's *Computer and Technology Acceptable Use Policy*.

Stakeholder Information

Elections Ontario only uses identifiable information about members of the public (e.g., received through an inquiry or complaint), political associations, and/or political candidates for the purposes for which the information was collected and the information is only disclosed to those individuals that have a business need for the information in the performance of their duties. This information is only disclosed with the individual's consent or where required to do so by law or under a court order. This information is retained in accordance with Elections Ontario's *Record Management Retention Schedule*.

Employee Information

Elections Ontario uses, discloses and retains employee personal information only for the purpose for which the information was collected (e.g., to manage the employment relationship), except as authorized by law, and in accordance with Elections Ontario's *Record Management Retention Schedule*.

Principle 6 – Accuracy

Personal information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.

Elections Ontario is committed to ensuring elector, stakeholder and employee identifiable information in its custody or control is as accurate and up to date as possible to meet the purposes for which the information was collected.

Elections Ontario relies upon individuals to notify us if there is a change to their personal information that may affect:

- 1) the information contained within the Permanent Register or on the List of Electors,
- 2) contact information for leaders within political entities; and/or,
- 3) the employment relationship with Elections Ontario.

If individuals are aware of an error in our information about them, individuals are asked to contact Elections Ontario at via phone 1-888-ONT-VOTE (1-888-668-8683), TTY (1-888-292-2312, email info@elections.on.ca, and via the www.elections.on.ca website. In some cases Elections Ontario may ask for a written request for correction.

Principle 7 – Safeguarding Personal Information

Personal information shall be protected by security safeguards appropriate to the sensitivity of the information.

Elections Ontario protects personal information in a manner appropriate for the sensitivity of the information. We make every reasonable effort to prevent any loss, misuse, disclosure, or modification of personal information, as well as any unauthorized access to this information.

Elections Ontario protects personal information in its custody or control through, for example:

- *Administrative Safeguards:* Elections Ontario has implemented a corporate privacy program overseen by the Chief Privacy Officer, who is responsible for overseeing organizational compliance against our Privacy Policy. Elections Ontario also requires all employees to attend privacy training, meet the expectations set forth in the Code of Conduct and sign confidentiality agreements. Vendors are also bound by privacy requirements that are set out in their contracts.
- *Technical Safeguards:* Elections Ontario employs technical safeguards, such as passwords, audit logging, encryption, and role-based access controls for information systems from which personal information may be accessed.
- *Physical Safeguards:* Elections Ontario employs physical safeguards to protect personal information by locking filing cabinets, restricting physical access to offices, and securely shredding paper records no longer needed.

Principle 8 – Openness

An organization shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.

Elections Ontario makes available to electors, the public, our stakeholders (e.g., political parties and candidates), and to our employees information about our policies and practices that relate to the management of personal information. We make this information available in this Privacy Policy, through our website and by contacting Elections Ontario directly via phone 1-888-ONT-VOTE (1-888-668-8683), TTY (1-888-292-2312) or email info@elections.on.ca

Principle 9 – Individual Access

Upon request, an individual shall be informed of the existence, use and disclosure of his/her personal information and shall be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

Elector Information on the Permanent Register or the List of Electors

Electors have the right of access to their own personal information contained in the Permanent Register, and have the right to request correction of that information where they believe there is an error or omission. Individuals cannot opt-out of the collection of their personal information for the purposes of managing the electoral process; however, individuals can request that their information be removed from the List of Voters and the Permanent Register. Should an individual wish to make a request, contact Elections Ontario directly via phone 1-888-ONT-VOTE (1-888-668-8683), TTY (1-888-292-2312) or email info@elections.on.ca.

Stakeholder

EO stakeholders have the right to request access to the personal information held by Elections Ontario.

Employee Information

Employees have the right of access to their own personal information contained within their employee file in the custody of Elections Ontario. In accordance with Elections Ontario's human resources policies, all employees must request access through the Human Resources Unit.

Principle 10 – Challenging Compliance

An individual shall be able to address a challenge concerning compliance with the above principles to the designated individual or individuals accountable for the organization's compliance.

Any individual may submit a concern or complaint regarding Elections Ontario's privacy practices to the Elections Ontario Chief Privacy Officer by contacting Elections Ontario via phone 1-888-ONT-VOTE (1-888-668-8683), TTY (1-888-292-2312) or email info@elections.on.ca.

In addition, Elections Ontario extends whistle blower protection to all employees. Should employees wish to submit a concern or complaint regarding Elections Ontario privacy practices they should contact the Chief Privacy Officer or the Chief Electoral Officer directly.

Section 5: Monitoring and Enforcement

Elections Ontario monitors organizational compliance with this Policy under the direction and oversight of the Chief Privacy Officer. Monitoring happens no less than annually. Furthermore:

- EO employees, third party vendors/sub-contractors in breach of this Policy will be required to be re-trained on Elections Ontario's privacy practices and Code of Conduct, and may face disciplinary action, which may include termination of employment, contract or criminal action.
- All EO employees, third party vendors/sub-contractors, and EO stakeholders are subject to the rules and consequences set out in the *Election Act* and *Election Finances Act*.

Section 6: Resources

The following table identifies those Elections Ontario policies and procedures that expand upon the policy statements and privacy best practices described in this document. All external documents listed in the table were leveraged by Elections Ontario to ensure that Elections Ontario meets the privacy standards in place across all Government of Ontario ministries and agencies, but EO uses the EO policies as the policies from which it designs its work activities.

	Document Name	Author(s)
1.	<i>Privacy Program Terms of Reference</i>	Elections Ontario
2.	<i>Privacy and Security Breach Management Procedure</i>	Elections Ontario
3.	<i>Computer and Technology Acceptable Use Policy</i>	Elections Ontario
4.	<i>Personal Information Use and Retention Procedure</i>	Elections Ontario
5.	<i>Record Management Retention Schedule</i>	Elections Ontario
6.	<i>PREO Guidelines</i>	Elections Ontario
7.	<i>Corporate Policy on Protection of Personal Information</i>	MGS
8.	<i>Corporate Policy on Information and Information Technology (I&IT) Security.</i>	MGS
9.	<i>Information Security and Privacy Classification Policy</i>	MGS
10.	<i>Progressive Discipline Guidelines</i>	Legislative Assembly