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## **HIFIS Freedom of Information Request Policy**

<b>Policy Statement</b>	This policy outlines the process by which Housing Services Division and service providers within Hamilton's Homeless-serving Sector will respond to requests by third party individuals seeking information collected through the Homeless Individual and Family Information System (HIFIS). Third Party Information Requests are required to be submitted as Freedom of Information (FOI) Requests via City of Hamilton Corporate Services.
<b>Purpose</b>	<p>To identify the processes by which City of Hamilton, Housing Services Division will receive and fulfill requests for access to HIFIS data by third party individuals, who are neither clients of the Homeless-serving System nor included in the HIFIS Data Sharing Protocol.</p> <p>To ensure compliance with responsibilities under the Municipal Freedom of information and Protection of Privacy Act (MFIPPA) as well as best practices for data safeguarding and transparency.</p>
<b>Record Request and Fulfillment Process</b>	<p>As host and administrator of HIFIS, the City of Hamilton will be responsible for managing all FOI requests.</p> <p>Any third party interested in placing a FOI request for HIFIS data must submit the request via HIFIS Support at <a href="mailto:hifis@hamilton.ca">hifis@hamilton.ca</a> and/or to the City of Hamilton Access and Privacy Officer.</p> <p>If the initial request is made via HIFIS Support, Housing Services staff will confer with the interested third party to verify the request. Requests by individuals seeking access to their own client record contained in HIFIS, or authorized individuals acting on behalf of individuals seeking access to their client record, will be directed through the Personal Information Request Policy. If a third-party request is verified as an FOI request, Housing Services staff will forward it to the City of Hamilton Access and Privacy Officer, Corporate Services to process the request according to City of Hamilton policies and MFIPPA legislation.</p> <p>The Access and Privacy Officer, Corporate Services will confer with Housing Services Division as necessary to determine lawful authority, necessity, and public benefit to issuing the request</p>

	with primary interest on protecting the privacy and integrity of client information.	
<b>Legislative Requirements</b>	<b>MFIPPA: Reg. 823 (3)</b>	Prevent unauthorized access to records.
	<b>MFIPPA: 4 (1)(a), 6 to 15</b>	Determine whether exemptions apply in whole or in part to a record.
	<b>MFIPPA: 4 (1)(b), 20.1, Reg. 823 (5.1)</b>	Determine whether a request is frivolous or vexatious.
	<b>MFIPPA: 4 (2)</b>	Refuse access in whole to general information or grant access in part.
	<b>MFIPPA: 5</b>	Disclose a record in the public interest where the record reveals a grave environmental, health or safety hazard and if practicable, give notice to any person to whom the information relates.
	<b>MFIPPA: 16</b>	Determine whether a compelling public interest outweighs the exemptions under sections [13, 15, 15.1, 17, 18, 20, 21 or 21.1 OR 7, 9, 9.1, 10, 11, 13 or 14].
	<b>MFIPPA: 21 (7)</b>	Decide whether to grant or refuse access to whole record or part of record; give notice of decision to affected person and requester.
	<b>MFIPPA: 17 (4)</b>	Provide requester with schedule of dates for continuing access requests.
	<b>MFIPPA: 19, 20.1, 22, 23</b>	Give notice of access to a record or notice of refusal to give access to a record. If access is given, provide access to record or cause record to be produced; allow examination of original record. If access is denied, provide explanation.
	<b>MFIPPA: 20</b>	Extend time limit and give notice of time extension to requester.
	<b>MFIPPA: 21</b>	Give notice to affected persons; give notice of delay to requester.
	<b>MFIPPA: 25</b>	Information to be made available to the public for Directory of Records.
	<b>MFIPPA: 14 (1)(c), 57, Reg. 823 (5.2), (6), (6.1) (7), (9)</b>	Fee administration (including application fee), calculation of fees and deposits.
<b>MFIPPA: 45 (4), Reg. 823 (8)</b>	If it is determined to be fair and equitable, grant a fee waiver	

<p><b>Applicability</b></p>	<p>This policy applies to the City of Hamilton, Housing Services Division, as the housing and homelessness service system manager and custodian of HIFIS data.</p> <p>Staff of agencies participating in the Homeless-serving Coordinated Access System are accountable to ensuring all client data is entered into HIFIS accurately, professionally, and as close to real-time as possible to ensure comprehensive client records. All staff are required to direct any and all HIFIS record requests to <a href="mailto:hifis@hamilton.ca">hifis@hamilton.ca</a>.</p>
<p><b>Definitions</b></p>	<p><b>Aggregate Data:</b> Data collected and consolidated from multiple sources and/or on multiple measures, variables, or individuals typically compiled into data summaries or summary reports for the purposes of public reporting, statistical analysis, and identifying system trends. It does not include identifying data at an individual level, nor does it enable identification of individuals whose data is included in the aggregate analysis.</p> <p><b>Community Entity:</b> Lead decision-making body that coordinates efforts to achieve federal, provincial, and local housing outcomes.</p> <p><b>HIFIS Client Record:</b> Any information recorded in the HIFIS that can be directly linked to a particular client. This may include services accessed or provided, case notes, housing history and status, common assessment results, and personal details relevant to housing service provision.</p> <p><b>HIFIS Community Coordinator:</b> Community representative or entity recognized by the federal government to be responsible for the coordination, implementation, and ongoing operations of HIFIS as well as for all reporting to the federal government relating to HIFIS.</p> <p><b>Municipal Freedom of information and Protection of Privacy Act (MFIPPA):</b> This Act requires that local government institutions protect the privacy of an individual's personal information existing in government records. The Act includes rules regarding the collection, retention, use, disclosure, and disposal of personal information in the government's custody or control.</p> <p><b>Non-identifying Data:</b> Information that cannot be used to identify a specific individual.</p>

	<p><b>Personal Information:</b> Any recorded information about an identifiable individual, including but not limited to information relating to race, national or ethnic origin, religion, sex, age, medical or psychiatric history, education and employment history, and name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual; “identifying data” has a similar meaning.</p> <p><b>Retrieval:</b> The process of locating and removing a record or file from storage or accessing information from stored data on a computer system.</p> <p><b>Service Provider:</b> Organization providing housing supports to homeless individuals or families. Service providers are collectively referred to as Hamilton’s Homeless Serving System.</p> <p><b>Third-Party:</b> Individuals who are neither clients of the Homeless-serving System nor included in the HIFIS Data Sharing Protocol.</p> <p><b>Third-Party Data/ Third-Party Information:</b> Information pertaining to individuals with whom a client in HIFIS has interacted and/or provided information about who have not provided direct consent to be included in the client record.</p>
<p><b>Accountability</b></p>	<p><u>Community Entity (CE)</u></p> <p>As CE, the City of Hamilton has been identified by Employment and Social Development Canada as the HIFIS Community Coordinator and has the primary responsibility for HIFIS operations in Hamilton including data management policies and practices, ongoing implementation, training, and support of HIFIS.</p> <p>The City of Hamilton is the HIFIS Application Host for all data collected and shared through HIFIS via Service Providers in accordance with the HIFIS Data Sharing Protocol. The City of Hamilton is responsible for ensuring effective data protection and management in compliance with MFIPPA, ensuring both the privacy of an individual’s personal information and respecting individuals’ rights to access and correct their personal information. The City of Hamilton is responsible for managing and processing requests by individuals seeking access to their HIFIS client record as well as third party information requests for HIFIS data.</p>

	<p><u>Agency Service Providers</u></p> <p>Services Providers will follow policies and procedures for HIFIS use in accordance with the HIFIS Data Sharing Protocol, Common Consent, and Confidentiality Agreement. Service Providers will direct all third party HIFIS information requests to the City of Hamilton as HIFIS Coordinator.</p>
<p><b>Related Documents</b></p>	<ul style="list-style-type: none"> <li>• Hamilton’s Coordinated Access Guidelines</li> <li>• HIFIS Confidentiality Agreement for Service Providers</li> <li>• HIFIS Consent to Share Personal and Health Information</li> <li>• HIFIS Data Sharing Protocol</li> <li>• Hamilton’s Systems Planning Framework</li> <li>• Coordinated Access Policies</li> <li>• Revisioning Coordinated Access: <i>Fostering Indigenous Best Practices Towards a Wholistic Systems Approach to Homelessness</i></li> <li>• Urban Indigenous Strategy</li> <li>• Hamilton’s Housing and Homelessness Action Plan</li> </ul>