



THE TORONTO AND REGION CONSERVATION AUTHORITY

Business Excellence Advisory Board Meeting #1/04

Chair:	David Barrow
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	Peter Milczyn
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	Dick O'Brien - Chair, Authority

March 5, 2004

9:00 A.M.

SOUTH THEATRE, BLACK CREEK PIONEER VILLAGE

AGENDA

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NEXT MEETING OF THE BUSINESS EXCELLENCE ADVISORY BOARD #2/04,
TO BE HELD ON FRIDAY, APRIL 16, 2004
IN THE SOUTH THEATRE, BLACK CREEK PIONEER VILLAGE

Brian Denney
Chief Administrative Officer

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TO: Chair and Members of the Business Excellence Advisory Board
Meeting #1/04, March 5, 2004

FROM: Adele Freeman, Acting Director, Watershed Management Division

RE: UPDATE ON WEST NILE VIRUS

KEY ISSUE

Participation in the West Nile Virus advisory committee and monitoring of Toronto and Region Conservation Authority (TRCA) property.

RECOMMENDATION

THE BOARD RECOMMENDS TO THE AUTHORITY THAT staff be directed to continue to participate in the West Nile Virus Advisory Committee for the Regions of Peel, Durham, York and the City of Toronto;

AND FURTHER THAT staff be directed to continue to monitor mosquito populations on Toronto and Region Conservation Authority (TRCA) property and report back to the Business Excellence Advisory Board at the end of the 2004 monitoring programmes.

BACKGROUND

In February 2003 the Toronto and Region Conservation (TRCA) was asked by the Regional Health Departments of Peel, Durham, York and City of Toronto to assist in the monitoring of larval mosquito populations in natural areas. The primary purpose of this work was to identify sites of concern for West Nile virus (WNV) in southern Ontario.

At Authority Meeting #3/03, held on April 25, 2003, resolution #A64/03 was approved as follows:

THAT staff develop and implement a larval mosquito monitoring program across the Toronto and Region Conservation Authority's (TRCA) jurisdiction;

The information gathered by TRCA will be used to guide management decisions for mosquito control measures in 2004. In general the three major objectives of the 2003 monitoring program were:

1. to monitor the density of mosquito species in a variety of water bodies (marshes, ponds, woodland pools, etc.);
2. to assess the distribution of mosquito species across the four above-mentioned regions; and,
3. to assess the risk that TRCA wetlands pose to the public in terms of WNV.

West Nile virus is a flavivirus which is transmitted by adult mosquitoes that feed on infected birds. Although birds are the primary reservoir of WNV, accidental infection of humans can occur. This is likely to happen when the virus amplifies in the bird population through an infection cycle of bird-mosquito-bird. The cycle is driven predominantly by mosquitoes that feed exclusively on birds (enzootic vectors). However, as more and more birds become infected there is a greater chance that the virus will spill over into the human population through mosquitoes that feed on both birds and mammals (bridging vectors). For those people who become infected, the majority will show no symptoms or only mild flu like symptoms. Severe cases of WNV, including the development of meningitis and encephalitis, are more rare but can be fatal when they do occur.

Though WNV can be a serious disease, the risk of becoming infected is relatively low. In a study conducted in 2002 through the Ontario Ministry of Health and Long Term Care, it was shown that the risk of acquiring WNV may be as low as 3% of the human population in areas where risk exists. Still as WNV is a relatively new addition to North America, having arrived in New York in 1999 and in Ontario in 2001, much needs to be learned on how the virus behaves in our climate and how we can further reduce the risk of infection for humans.

Under Ontario Regulation 199/03 made under the Health Protection and Promotion Act, the Medical Officer of Health is required to conduct risk assessments within their respective health units to prevent WNV infection in humans. As such, regional health units have implemented comprehensive surveillance programmes aimed at monitoring human, bird and mosquito populations for evidence of WNV. The information is then used to better direct decisions regarding control efforts by local municipalities. For mosquito surveillance, one aspect involves trapping the adults and sending them to Health Canada's National Microbiology Lab in Winnipeg, and more recently to Brock University in St. Catharines, to determine which species are capable of carrying WNV and to pinpoint any "hot spots" of infection. So far 10 species of mosquitoes in Ontario, out of a potential 74 across Canada, have been shown to carry the virus. Of these, it has been estimated that only 1% will actually be infected with WNV and of this percent, the virus is more commonly detected in only two key species: *Culex (C.) pipiens* and *Culex restuans*.

C. pipiens and *C. restuans* were almost immediately identified as being the most important vectors of WNV and control efforts to date have reflected this. This is primarily due to two main aspects of their biology. Firstly, they are almost exclusively bird biting mosquitoes and as such, are responsible for driving the amplification cycle in the bird population. Secondly, they are prolific breeders, preferring to lay their eggs in stagnant water which, in suburban and urban areas, is in no short supply. By targeting control efforts against *C. pipiens* and *C. restuans*, it is thus possible to minimize the peak amplification cycle of the virus in the bird population which in turn, reduces the likelihood of the virus bridging out into the human population.

The larval stage of *C. pipiens* and *C. restuans* mosquitoes has been the focus of control efforts so far. In 2001, researchers from Health Canada identified catch basins as being the top habitat for breeding high densities of *C. pipiens* and *C. restuans* larvae. Consequently in 2002, these high priority sites were repeatedly treated with the larvicide Methoprene, an insect growth regulator which interferes with the development of larvae. Other top priority habitats that were identified in 2001, including roadside ditches and artificial containers such as bird baths, tires and buckets, were dealt with on a case by case basis. Breeding of mosquitoes in these areas was controlled by either eliminating standing water or by using *Bacillus thuringiensis* var *israelensis* (Bti).

Natural wetlands, such as marshes, ponds and woodland pools, have generally been ranked as low priority sites for mosquito control efforts. This ranking is in part based on an overall risk assessment which weighs the benefits that wetlands play in improving water quality and providing key ecological habitat with the evidence that these areas are not significant breeding areas for key WNV carriers. However, when warranted through monitoring, natural areas will be controlled if they pose a highly significant risk to human health. Such high risk indicators include the presence of high densities of either enzootic or bridging vectors. This is reinforced in the 2003 "West Nile Virus Preparedness and Prevention Plan for Ontario" where it states that:

"Wetlands must not be drained or altered in any way, unless there is an exceptional circumstance of significant human health risk from disease-vector mosquitoes. Consultation with, and permission from, the MNR and the appropriate conservation authority will be required."

RATIONALE

To minimize the risk of WNV infection in humans, Public Health Units of Ontario have set out to identify and eliminate preferred breeding sites of the two key enzootic vectors, *C. pipiens* and *C. restuans*. As such, much controversy has been created on the role that natural wetlands play in providing this habitat. The results from our study show that a healthy, functioning wetland poses little risk to the public in terms of breeding high densities of both enzootic and bridging vectors of WNV. Nevertheless isolated pockets of standing water should continue to be monitored for high densities of *C. pipiens* and *C. restuans*. The TRCA is committed to identifying these sites on their property and managing them appropriately. This in part, can be achieved through wetland restoration projects that aim at grading small depressions, thinning dense stands of emergent vegetation and removing garbage. Mosquitoes can also be controlled by erecting houses that attract insectivorous birds and bats, and by otherwise fostering an environment that promotes predation by insectivorous frogs, fish and insects. Where wetland restoration is not possible, the application of the larvicide *Bacillus thuringiensis* var *israelensis* (Bti) will be warranted.

DETAILS OF WORK TO BE DONE

To help assist in the management of WNV in natural areas, the TRCA will continue to be involved in:

- 1. Public education.** By continuing to respond to public inquiries on WNV and to reports of standing water on TRCA property in addition to providing information for both the public and TRCA staff.

- 2. Regional Collaboration.** Staff will continue to participate in WNV advisory committees for each of the Regions of Peel, York, Durham and Toronto.
- 3. Surveillance and Source Reduction.** Staff will continue to identify sites of concern for WNV on TRCA property through larval monitoring and by performing housekeeping duties to reduce the number of potential breeding sites for the major WNV vectors.

FINANCIAL DETAILS

Staff will be requesting funding assistance in the amount of \$2,500 from each of the four Regional Health Units to cover in part the cost of the larval mosquito monitoring program. Funding for the remaining portion of the cost is being sought through Remedial Action Plan (RAP) and TRCA budget process.

Report prepared by: Nicole Lauro, cell 416 278 4547

For Information contact: Nicole Lauro, cell 416 278 4547

Tamara Chipperfield, extension 5248

Date: March 5, 2004

Attachments: 1

Attachment 1

Copies of the entire West Nile Virus report will be available upon request at the upcoming Business Excellence Board Meeting of March 5, 2004.

West Nile Virus Report

Executive Summary

In February of 2003, the Environmental Services Section of the Toronto and Region Conservation Authority (TRCA) was asked by the Regional Health Departments of Toronto, Peel, Durham and York to assist in the monitoring of larval mosquito populations in natural areas. The primary purpose of this work was to identify sites of concern for West Nile virus (WNV) in the southern portion of Ontario. The information gathered by TRCA would then be used to guide management decisions for mosquito control measures in 2004. In general the three major objectives of the monitoring program were 1) to monitor the density of mosquito species in a variety of water bodies (marshes, ponds, woodland pools, etc.); 2) to assess the distribution of mosquito species across the four above mentioned regions; and 3) to assess the risk that TRCA wetlands pose to the public in terms of WNV.

Larval mosquito monitoring for this study began in late June and continued on a monthly basis until late September. At each sampling interval up to thirty-six wetlands were monitored in eighteen of TRCA's properties. Using a standard mosquito dipper, a total of four samples were taken at the margins of each wetland, with each sample consisting of 10 dips. Mosquito larvae that were found were brought back to Boyd Field Centre and identified to species. Records on the number of larvae per sample at each site were taken.

A total of 10 mosquito species were identified over the course of the season. Of these species, 60% are not carriers of WNV in Canada. They include *Culex (C.) territans* (Walker), *Anopheles quadrimaculatus* (Say), *A. earlei* (Vargas), *Culiseta inornata* (Williston), *C. morsitans* (Theobald) and *C. impatiens* (Walker). The most abundant species of this group was *C. territans*, an amphibian biter typically associated with marshes and ponds that contain emergent vegetation. *Culex territans* was characteristically found in moderate numbers and was the most commonly detected of the 10 species found.

WNV carriers comprised 40% of all species identified and included *Culex pipiens* (L.), *C. restuans* (Theobald), *Anopheles punctipennis* (Say) and *Aedes vexans* (Meigen). *Anopheles punctipennis* is predominantly a mammal biter that plays a secondary role as a bridging vector of WNV in humans. This species was frequently sampled in our wetlands however the density of larvae was always low to moderate. *Aedes vexans* was more rare in samples being found in moderate numbers on only two sampling dates.

Culex pipiens and *C. restuans* are two of the key players in the transmission of WNV in the bird population. In TRCA wetlands these two species were not common in our samples. On a few occasions however, the number of larvae greatly exceeded the maximum threshold of 31 mosquitoes per 10 dips. These infrequent pockets of larvae were found in areas that were intensely vegetated, in ponds where the water had greatly receded including the outlet and inlets of storm water management ponds (SWMP) and in temporary woodland pools. The common characteristic shared among these wetlands is that the water was relatively stagnant and was likely isolated from key natural enemies, such as minnows.

To minimize the risk of WNV infection in humans, Public Health Units of Ontario have set out to identify and eliminate preferred breeding sites of the two key enzootic vectors, *C. pipiens* and *C. restuans*. As such, much controversy has been created on the role that natural wetlands play in providing this habitat. The results from this study show that a healthy, functioning wetland poses little risk to the public in terms of breeding high densities of both enzootic and bridging vectors of WNV. Nevertheless isolated pockets of standing water should continue to be monitored for high densities of *C. pipiens* and *C. restuans*. The TRCA is committed to identifying these sites on their property and managing them appropriately. This in part, can be achieved through wetland restoration projects that aim at grading small depressions, thinning dense stands of emergent vegetation and removing garbage. Mosquitoes can also be controlled by erecting houses that attract insectivorous birds and bats, and by otherwise fostering an environment that promotes predation by insectivorous frogs, fish and insects. Where wetland restoration is not possible, the application of the larvicide *Bacillus thuringiensis* var *israelensis* (Bti) will be warranted.

TO: Chair and Members of the Business Excellence Advisory Board
Meeting #1/04, March 5, 2004

FROM: Catherine MacEwen, Manager, Human Resources and Safety

RE: EMPLOYEE ENGAGEMENT SURVEY
Report back on results

KEY ISSUE

To report the results of the first annual Toronto and Region Conservation Authority (TRCA) Employee Engagement Survey and outline the planned actions to support and enhance the level of engagement of our employees and increase our overall organizational effectiveness.

RECOMMENDATION

THE BOARD RECOMMENDS TO THE AUTHORITY THAT the results of the first annual Employee Engagement Survey be received and that the Annual Survey Framework and Action Plans be endorsed as an organizational performance measure for the Toronto and Region Conservation Authority.

BACKGROUND

At Authority Meeting #8/03, held on October 31, 2003, Resolution A230/03 was approved as follows:

THAT staff be directed to report on the results of an annual Employee Engagement Survey with recommended measures for changes in processes and policies to pursue continuous improvement.

The Survey Results

The return rate was 49% (279 of 570 questionnaires returned and completed). This return rate is low due to some part time employees not receiving the questionnaire until after the return date.

The survey results are based on a five-point scale and each response has been given a corresponding number for ease of analysis:

- "Agree" responses receive a 1.
- "Somewhat agree" responses receive a 2.
- "Neither agree nor disagree" responses receive a 3.
- "Somewhat disagree" responses receive a 4.
- "Disagree" responses receive a 5.

For most responses, the best result is a 1 and the worst result is a 5 and all results are averaged over all respondents.

The 7 Core Engagement Questions had a **composite measure of 1.89** or Somewhat agree. This composite measure is generally higher than similar scores in the private sector and indicates that our employees for the most part are engaged intellectually and emotionally in the work that they do. Here are the 7 Core Engagement Questions and the average response.

1. My work at TRCA gives me a sense of personal accomplishment - **1.48** or between agree and somewhat agree.
2. Overall I am satisfied with my job - **1.85** or somewhat agree.
3. I am sufficiently informed about the strategic plan and The Living City vision - **2.86** or Neither agree not disagree.
4. The people I work with are willing to help each other accomplish their goals even if they have to work beyond their own assignments - **1.69** or between agree and somewhat agree.
5. I am satisfied that I am contributing positively to the environment and The Living City vision - **1.98** or somewhat agree.
6. The job I do is considered important by TRCA - **1.97** or somewhat agree.
7. I find my job is meaningful and fulfilling to me - **1.44** or between agree and somewhat agree.

Both closed-ended multiple choice questions and open-ended essay type questions were included in the survey. The essay questions allowed employees to define their issues and concerns in their terms. These essay questions were surprisingly well answered with plentiful, thoughtful and serious comments.

There were several re-occurring themes in all the comments that will guide our future plans. These themes include:

1. The need to feel appreciated, recognized and in touch with others at TRCA.
2. The need for personal career development and training.
3. The tools to do the job like information technology (IT) support and office space.
4. Greater understanding of the strategic plan and the plans and priorities that come from that plan.
5. Communication plans up and down and sideways in the organization.

The Drivers for Employee Engagement

The drivers for employee engagement include:

1. Engagement in the big picture and having an emotional bond with the organization.
2. A team environment that is challenging for everyone and provides opportunity for personal development.
3. The leadership sees the importance of employee projects.
4. All members of the program are involved in decision making.
5. Commitment to the job is professional and members are willing to give their time for the benefit of the whole.

The Action Plans for 2004

1. The Employee Engagement Composite Index will be a TRCA organizational performance measure to show our commitment to making TRCA a preferred employer in the environmental sector.
2. 150 employees will attend a training session on personal mastery and increasing personal and organizational effectiveness through taking more personal accountability of ones' own behaviour.

3. Employee "citizen" committees will be established to address issues in the survey and make recommendations and implement changes. Topics include how to improve communications and processes to be more effective.
4. The Chief Administrative Officer (CAO) quarterly bulletin on what's happening in TRCA and with our strategic partners will be implemented. In addition, the CAO is attending staff meetings and town halls to hear from all of the staff on their issues.
5. Launch of the strategic plan in June 2004.
6. Significant investment in IT and communications technology in 2004 to make employees more efficient through greater network access and process power.
7. The creation and implementation of a Personal Career Development Plan, with all full time employees to have a development plan by the end of 2004.
8. The second annual employee survey to be launched in October/November 2004.
9. Benchmark our development practices with the Best Employers in Canada.

Report prepared by: Catherine MacEwen, extension 5219
For Information contact: Catherine MacEwen, extension 5219
Date: February 16, 2004

TO: Chair and Members of the Business Excellence Advisory Board
Meeting #1/04, March 5, 2004

FROM: Catherine MacEwen, Manager, Human Resources and Safety

RE: ABSENCE DUE TO ILLNESS POLICY

KEY ISSUE

Introduction and approval of an Absence Due to Illness Policy for Toronto and Region Conservation Authority (TRCA) employees that incorporates informal and unwritten practices.

RECOMMENDATION

THE BOARD RECOMMENDS TO THE AUTHORITY THAT the Absence Due to Illness Policy as described in the following report, be approved and enacted immediately to support TRCA's excellent performance on lost time due to illness.

RATIONALE

Absence due to illness is both a health and management issue. At TRCA, it is our objective to have a healthy and productive work force. Part of the management of that healthy work force is the commitment to assisting employees who fall ill and ensure that absences due to illness are managed fairly for all concerned.

TRCA has an excellent record of absentee management with an average of 4 days absence due to illness a year per employee, which is much lower than the national average of 6 to 7 days of absence due to illness per year.

The Policy

Every employee is expected to look after his or her personal health with regular check ups and monitoring. If an employee falls ill for more than 5 consecutive days, a doctor's certificate is required to be provided to the HR Manager. Any communications from a health care consultant about limitations on an employee's ability to conduct his/her job should be given to the HR Manager. It is our intention, that limitations on an employee's ability to meet the expectations of bona fide job requirements, will be carefully considered, and if reasonable, be accommodated within our organization. The accommodation of job requirements will be arranged by the employee and the HR Manager, in consultation with the employee's supervisor.

All health related information is strictly confidential and will not be shared by the HR Manager with any other employee, except direct information on the employees functional ability to return to a particular job. For example, diagnosis and treatment information is strictly confidential to the employee only. When an employee cannot do a certain job function, because of a particular condition, that limitation is shared only with the HR Manager, the employee and the direct supervisor, eg. employee cannot lift more than 25 pounds.

For eligible supplementary staff, there is a maximum of 5 days of personal paid sick time annually. For full time employees, personal sick time is paid in full for the first two weeks and at 75% of salary in subsequent weeks, up to 15 weeks, and after 15 weeks the employee will apply for long term disability (LTD) through our insurance carrier. If an employee is at home due to child or elder care or other personal reasons, the time off will not be recorded as personal sick time, as outlined in the Employee Policy for Emergency Leave.

Employees who have been absent due to illness several times during the calendar year totalling more than 8 days but not over 5 consecutive days, may be asked to submit a doctors certificate or letter. Employees who fall ill on vacation will be considered on vacation and not personal sick time. If an employee falls ill before his/her vacation, he/she will be considered on personal sick time. If an employee falls ill before or during a statutory holiday or Chief Administrative Officer floater day, he or she will be considered on a statutory holiday.

Report prepared by: Catherine MacEwen, extension 5219
For Information contact: Catherine MacEwen, extension 5219
Date: February 16, 2004

TO: Chair and Members of the Business Excellence Advisory Board
Meeting #1/04, March 5, 2004

FROM: Catherine MacEwen, Manager, Human Resources and Safety

RE: SMOKING POLICY

KEY ISSUE

To change the Toronto and Region Conservation Authority (TRCA) Smoking Policy to eliminate any situation where a TRCA employee is exposed to second hand smoke in the course of his or her work day.

RECOMMENDATION

THE BOARD RECOMMENDS TO THE AUTHORITY THAT the TRCA's Smoke Free Policy that institutes a ban on smoking in any TRCA facility, vehicle or closed area be approved;

THAT staff be directed to post no smoking signs at all TRCA locations including public use facilities that are used for private functions.

RATIONALE

In an effort to increase the health of all TRCA employees, there will be a ban on smoking in all TRCA buildings, tents, trailers or other enclosed structures, and all TRCA vehicles and motorized equipment. Employee who fail to comply with the policy will be subject to disciplinary action. Smoking outside of a TRCA building is restricted to areas that are not used by the public and not an area where food is delivered or prepared to be served.

In the past, clients could request that a private function in an enclosed room could be designated a smoking area with the approval of the site supervisor. This new policy eliminates that option. Clients and visitors shall be subject to the same "smoke free" policy and such penalties as local government smoking by-laws may allow.

In a situation where an employee believes that there is significant second hand smoke in a TRCA facility, that employee may refuse to enter such an enclosed space.

In addition, our employees are encouraged to quit smoking and are provided with resources to assist him or her in efforts to do so.

Report prepared by: Catherine MacEwen, extension 5219
For Information contact: Catherine MacEwen, extension 5219
Date: February 16, 2004

TO: Chair and Members of the Business Excellence Advisory Board
Meeting #1/04, March 5, 2004

FROM: Catherine MacEwen, Manager, Human Resources and Safety

RE: PUBLIC COMPLAINT POLICY

KEY ISSUE

To have a process to allow members of the public to lodge a complaint with Toronto and Region Conservation Authority (TRCA) staff and have that complaint acted upon in a fair and equitable way. This is part of our strategy to be a more transparent, open and accountable organization.

RECOMMENDATION

THE BOARD RECOMMENDS TO THE AUTHORITY THAT the Toronto and Region Conservation Authority Public Complaint Policy be approved and staff be trained to respond to public complaints and comments about our staff, volunteers, members and our communications.

RATIONALE

The Public Complaint Policy

From time to time, members of the public may wish to make a complaint concerning:

1. the behaviour of a TRCA employee;
2. the content or image of a TRCA communications article, web page, print or other advertisement or any communications of a public nature;
3. the behaviour of Authority members or volunteers;
4. the comments made in a public area between two employees;
5. the actions of TRCA staff at meetings, on the phone, in e-mails or other discussion sites while conducting TRCA work.

Customer Service staff may receive complaints about employees and they should redirect either the call or the written message of the complaint to the employees immediate supervisor ensuring the confidentiality of the situation. In some TRCA facilities, these complaints can be made in written form through "comment cards" given to the customer during a visit to a public program. For other TRCA clients, customers, or members of the general public (the complainant), the complaint process as it relates to an employee or other representative of the TRCA would consist of the following:

The complainant identifies to the site supervisor, the manager or other designated person in charge, that he or she is dissatisfied with the employee(s) behaviour. In the event a person of authority is not available at the time or the point of contact, the TRCA employee receiving the complaint is to redirect the complainant to the person in charge or record the complaint, including the complainant contact information, and have the appropriate manager or supervisor call or send a letter to the complainant.

In response to a complaint, the TRCA representative (management, supervisory staff or employee) shall:

1. offer to accept a written and signed complaint from the complainant;

2. offer to write down all comments made by the complainant;
3. record after the fact details from the incident relating to the complaint and others involved.

The TRCA representative shall endeavor to include the details of the situation, the time and place of the incident, the name(s) of the people involved, including the complainant, the employee(s) and witnesses, if available.

The written complaint must be sent to the employee's supervisor and the supervisor must send a copy to the employee. The immediate supervisor will meet with the employee to discuss the incident and determine the appropriate course of action, if any, is required to address the complaint. The employee to whom the complaint was registered has the right to respond in writing to their supervisor outlining his or her opinions and observations of what happened, relating any additional facts, and providing, if available, corroborated statements. The complainant would receive a letter or call from the supervisor addressing the issues, and if appropriate, defining the action taken.

If the supervisor thinks that the employee(s) have acted in an unsafe, discriminatory or inflammatory way, in contravention of the TRCA Code of Conduct, the situation will be referred to the Chief Administrative Officer (CAO) and the HR Manager for further investigation, and if necessary, disciplinary action.

Any disciplinary action taken with an employee is strictly confidential and no discussion can occur that compromises the confidentiality of employee information.

If the complainant is not satisfied with the response or actions taken by TRCA staff to address his or her complaint, a written request can be filed with the CAO or Authority board to review the complaint. TRCA information requested by the complainant, will be made available subject to compliance with the Municipal Freedom of Information and Protection of Privacy Act.

If an employee has a complaint against a member of the public due to inappropriate behaviour towards themselves, a fellow employee or other representatives of the TRCA, the employee must put his or her comments in writing, including details of the incident, the names of the people involved, including witnesses, and the impact on the employee(s) and others. If there is an apparent threat to the employee, the supervisor may respond to the person posing the threat, with a warning, a request to leave or by contacting police.

Report prepared by: Catherine MacEwen, extension 5219
For Information contact: Catherine MacEwen, extension 5219
Date: February 16, 2004

TO: Chair and Members of the Business Excellence Advisory Board
Meeting #1/04, March 5, 2004

FROM: Catherine MacEwen, Manager, Human Resources and Safety

**RE: POLICY AND PROCEDURES TO SUPPORT FREEDOM OF INFORMATION
AND PRIVACY ACTS**

KEY ISSUE

Creation of freedom of information and privacy policy and procedures for the Toronto and Region Conservation Authority (TRCA) and The Conservation Foundation of Greater Toronto (CFGF).

RECOMMENDATION

THE BOARD RECOMMENDS TO THE AUTHORITY THAT The Freedom of Information and Privacy Policy and Procedures be approved;

AND FURTHER THAT Jim Dillane, Director, Finance and Business Development be approved as the Freedom of Information Co-ordinator and Privacy Officer for the Toronto and Region Conservation Authority.

BACKGROUND

The federal government implemented the Personal Information Protection and Electronic Documents Act on January 1, 2004 which defines the handling of donor or customer information and other activities conducted by the CFGF. To ensure that both TRCA and CFGF follow the highest standards in freedom of information and personal privacy, the attached policy and procedures is proposed to be compliant with both Acts.

Report prepared by: Catherine MacEwen, extension 5219
For Information contact: Catherine MacEwen, extension 5219
Date: February 23, 2004
Attachments: 1

Attachment 1

THE TORONTO AND REGION CONSERVATION AUTHORITY AND THE CONSERVATION FOUNDATION OF GREATER TORONTO POLICY AND PROCEDURES TO SUPPORT FREEDOM OF INFORMATION AND PRIVACY ACTS

The Approach

The Toronto and Region Conservation Authority (TRCA) and The Conservation Foundation of Greater Toronto (CFGF) will be compliant with both the Municipal Freedom of Information and Privacy Act and the Federal Personal Information Protection and Electronic Documents Act where applicable. The reason is that the two organizations are integral to the operations and mandate of the other. Many resources are shared between the two organizations including people, policies and procedures.

The Guiding Principles of the Freedom of Information and the Privacy Policy and Procedures

The policy and procedures are based on the following guiding principles:

1. **Transparency**

TRCA and CFGF are proud of our accomplishments and will ensure public scrutiny of our products and programs, governance and processes.

2. **Customer/Client/Donor Service**

We will treat our customers, clients and donors with good and empathetic service, respecting to their wishes for privacy as well as their need for information and quality product delivery.

3. **Accountability**

We will ensure that CFGF and TRCA will protect the personal information of all our stakeholders, partners and staff through organization wide processes and policies for compliance.

4. **Business Excellence**

We will keep accurate, complete and up to date personal information necessary to fulfill the purposes for which it was acquired and is to be used.

5. **Accessibility balanced with Safeguards**

Employees and other individuals will have open access to personal information about themselves. This information will be safeguarded appropriately to ensure access by third parties is highly limited. All individuals have the right to challenge the accuracy and completeness of all information we maintain, and to have it amended when necessary.

For simplicity, the policies and procedures have been divided into three sections:

1. The Employee's Right to Privacy
2. Freedom of Information for All People Requesting Access to TRCA and/or CFGT information.
3. The Collection, Recording and Storage of Individual Customer Personal Information.

1. The Employee's Right to Privacy

An employee has the right to have disclosure of his or her private information limited to people in and outside of TRCA and CFGT and only with his or her consent.

An employee has the right to access his or her personal information held by TRCA or CFGT. This policy will outline the various rules and procedures that are in place to enable an employee's right to privacy is respected.

For the purpose of this section all policies and procedures apply to all personal information for employees, volunteers and members of TRCA and CFGT.

Definitions

Personal Information

Personal information means recorded information (by paper, film or electronic methods) about an identifiable individual including:

- Information on race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual.
- Information on education, medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved.
- Any identifying number, symbol or other particular marker assigned to the individual eg. Social Insurance Number.
- The address, telephone number, fingerprints or blood type of the individual.
- The personal opinions or views of the individual except if they relate to another individual.
- Correspondence sent to TRCA or CFGT by the individual that is implicitly or explicitly of a private or confidential nature, and replies to the correspondence that would reveal the contents of the original correspondence.
- The views or opinions expressed by another individual about the subject individual.
- The individual's 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.

Record of Personal Information

A record of personal information that is capable of being retrieved using the employee's name, identifiable symbol or number, can include:

- Correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, a machine readable record, any other documentary material, regardless of physical form or characteristics and any copy thereof.
- Subject to the regulations, any record that is capable of being produced from a machine readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution (document).

The following outlines what personal information, if released, would constitute an invasion of an employee's privacy:

- Medical, psychiatric, psychological history, diagnosis, condition, treatment or evaluation.
- Records that are identifiable as part of an investigation into a possible violation of the law.
- Related to eligibility for social service or welfare benefits.
- Related to educational or employment history.
- Related to tax returns.
- Related to an employee's finances, income, assets, liabilities or other financial transactions.
- Personal recommendations, evaluations, job references or performance evaluations.
- Related to the employee's racial or ethnic origin, sexual orientation or religious or political beliefs or associations.

Other considerations on whether employee personal information would be disclosed include circumstances like:

- The information is highly sensitive.
- The information was given in confidence by the employee.
- The information may be inaccurate or misleading.
- The disclosure of the information could unfairly damage the employee's reputation.
- The information could unfairly expose the employee to harm.
- The information is relevant to determine an individual's rights.
- The information can be used for informed choices, eg. benefit packages, etc..

Limitations

The job classification, salary range and benefits, or employment responsibilities of an individual who is or was an employee of TRCA or the CFGT and financial or other contractual details for personal services between the employee and TRCA or the CFGT are not considered an invasion of personal privacy.

There are a limited number of situations when TRCA staff would access and disclose employee personal information without the consent of the employee. These situations include:

- The disclosure is made to an employee of TRCA or the CFGT who needs the record to perform his or her duties eg Payroll Supervisor, HR Manager.

- The disclosure is to a law enforcement agency to aid an investigation.
- For the health and safety of the individual.
- Compassionate circumstances to contact next of kin in an emergency.
- By order of the Minister or Privacy Commissioner.

The Handling of All Employee or Potential Employee Information Procedural Details.

1. Dental or Medical Claims, Request for OMERS Information

All forms must be submitted by the employee directly to the insurance or pension company. All blank forms will be available through either the Payroll or Human Resources (HR) group but all private medical, dental or financial information must be submitted directly by the employee. If there is further correspondence or verbal communication about the file, the employee must contact the insurance or financial institution directly. HR staff will be available to assist if, and only if, the employee provides written consent to do so. Any information on claims should be stored in a sealed envelope with the employee's name and the PRIVATE designation on the front.

2. Doctor's Certificates

When an employee has been absent due to illness and a doctor's certificate is needed, the employee should provide the certificate directly to the designated HR staff only. The certificate should only include the expected return to work date and any functional limitations that the individual has that would be directly related to a bonafide job requirement eg unable to lift 25 pounds. All doctor's certificates will be stored in the centralized Personnel Records file in a sealed envelope with the employee's name, the PRIVATE designation and who has access to the information (the employee, the HR staff, the Chief Administrative Officer (CAO)).

3. The Manager's Files on Employees

The manager will keep only personal information on their employees that relates to performance on the job within a one year period and such information must be locked in a secure file or only accessible through a password if stored electronically. Performance evaluations, personal information such as complaints, etc. must be sent to the Centralized Personnel Files in Head Office where storage or disposal will be carried out by the HR staff and the employee.

4. Police Reference Checks and Highway Driver License Records Checks

The use of Police Reference Checks is limited only to those employees who work with children under 16 years of age. Currently the access to the Police Reference Check information is limited to the HR staff and the CAO as well as the employee. This policy will remain in place as this is considered a situation where the public good outweighs the individual's right to privacy.

The Ministry of Transportation of Ontario (MTO) Driver License Records Checks will continue to be performed where the employee is transporting members of the public or other employees with the use of TRCA fleet or other rental vehicles and that this transportation function is a bonafide job requirement and the Driver License Records Check is in the public interest. The information will only be available to the HR staff, the CAO and the fleet supervisor, as well as the employee.

All information is stored in the Central Personnel File in a sealed envelope with the employee's name, the PRIVATE designation and the access identified by title (CAO, Employee and HR manager).

5. Benefit Selection, Income Tax, Timesheets, Absentee monitoring, Record of Employment, Severance Packages, WSIB Claims and other financial information.

All benefit information will be shared only with the Payroll staff and only for the purposes of ensuring the proper deductions are in place. In addition, timesheet information will be used only to determine the wage treatment, the absent days (and reason for absence) and to determine the correct electronic transfer of information to the employee's financial institution. The access to information is limited to the employee, the Payroll staff and the HR staff. Managers/supervisors will have access to timesheets that they have signed. The Record of Employment (ROE) and Severance information will only be available from Payroll or HR staff to government agencies in compliance with regulations, eg. Employment Insurance Act and the Workplace Safety and Insurance Act. All WSIB, ROE and Severance information will be stored in a sealed envelope with access defined and with the PRIVATE designation.

6. Employee Personal Telephone Numbers, Addresses and Next of Kin

The employee personal telephone numbers, addresses and next of kin will be maintained in his or her Personnel record for use in emergencies or for forwarding information or last pay cheques. For use of the employee's home phone number, the employee will provide consent either verbally or in written format to the Co-ordinator Event Planning for inclusion in the annual TRCA Senior Staff Directory.

The next of kin information will be maintained in the employee's Personnel file and be accessible only during an emergency that threatens the life, health or security of the individual or for compassionate reasons. The information will be in a sealed envelope with the PRIVATE designation and accessible only by the HR staff, the CAO and the employee.

7. Employee Centralized Personnel Records

All employee records will be stored in Head Office with a two key system only accessible by the HR staff, the Payroll Staff and the CAO.

8. Employee or Potential Employee Resumes, Covering Letters, Statement of Employment Interest or Personal Interviews.

If an employee submits his or her resume for consideration of a job position, that resume can only be used for the purposes of applying for that position and no others. The resume will be shared only with the hiring manager, the HR staff and the interview panel members.

When the resumes have been reviewed by the hiring manager and a selection has been made for personal interviews, the hiring manager must return all resumes to HR. The selected possible candidates are called and interviews established. All interviewee names, interview dates and resumes will remain confidential and only released to the hiring manager, HR staff and the interview panel. References can only be checked with the signed or emailed agreement of the potential candidate.

Upon completion of the interviewing, all copies of resumes, interview notes and other materials must be returned to HR staff and no copies stored by the hiring manager. The hiring manager cannot recommend an individual for another position that the individual has not applied for unless the manager has the individual's consent to do.

All resumes will be stored in a locked cabinet, except for the successful candidates where the resume will be stored in the Central Personnel File in a sealed envelope, accessible only by the employee, the HR staff and the hiring manager.

All unsolicited resumes will not be read and destroyed.

9. All Electronic Personal Information

All electronic personal information stored by another employee must be with the consent of the first employee. This includes personal phone numbers, addresses and other information previously stated stored in personal computers (pc), on servers, in palm pilots or other devices, in voice mails, emails, internet and other interconnecting devices. In response to an employee request, all such information and information sources must be made available.

10. Other Employee Information

WSIB claims and other absenteeism data and insurance costs will be monitored by HR staff, but reports will only be issued with non-identifiable performance information for use by the management of TRCA and the CFGT for financial and other business planning purposes. For information on complaints by an individual(s) against an employee or vice versa, the complaint, the investigation and the outcome will remain confidential and only be released to the CAO, HR Manager and the employee. The exception is if there is information that contains statements by others who are identified. In that case the information is not released to the employee.

11. Release of Employee Information to a Law Enforcement Agency

All employee information will be released to an law enforcement agency to aid an investigation or comply with a court order.

Retention Schedule of Personal Information

Information	Purpose	Storage Date	Renewal Date	Erase Date
Resumes, applications, covering letters etc	Recruiting	Application date		Immediately for unsolicited resumes, one year for un-interviewed applications and 10 years for interviewed applicants.
Benefits, Tax forms, financial institutions or credit forms	Deduction calculations, transfer of funds and credit compliance.	Application date	When change in status	25 years
Doctor's Certificate	Accommodation and early return to work programs.	Upon receipt	None	One year or until accommodation period ends.
Performance Evaluations	Performance management	Yearly upon completion and sign off	Yearly	One year or at the discretion of the HR Manager.
Next of kin	Emergencies	At the time of hire	Employee discretion	During employment period
Police Reference Checks	For use with employees or volunteers who work with children	At the time of hire or move to position working with children	Every 3 years	When employee no longer works with children
Highway Traffic Act Records	For use with employees transporting others	At the time of hire or move to position transporting others.	Every 3 years.	When the employee no longer is transporting others.
Dental, medical or WSIB	For use by the employee for employer based benefits	At the discretion of the employee		At the discretion of the employee
Other employee and or identifiable Electronic Information	For day to day use by internal TRCA and/or Foundation Staff	Project management dates	Duration of project or program	One year after program or project end.
Manager's Personnel Files	Performance management	January	Yearly	December transfer to Central Personnel file or erase.

The Employee Process to Request Access to Personal Information

An employee may request in writing, that he or she wants access to all his or her personal information currently being stored by TRCA or the CFGT to the HR manager. The employee request form (See Appendix One) will ask for detail and the HR Manager will provide the information within 30 days of the request. The employee has the opportunity to challenge the accuracy and completeness of the information and request that the information be amended.

If the employee wishes to issue a complaint about the process, the employee will submit the complaint, in writing to the CAO of the CFGT or TRCA.

Employees will be trained on the Freedom of Information (FOI) and Privacy policy in their initial orientation and at staff meetings.

2. Freedom of Information for All People Requesting Access to TRCA and/or CFGT information.

The Right to Access Information

Every person has a right to access records or parts of general records in custody of TRCA or CFGT unless the Chief Administrative Officer or head or FOI designate is of the opinion on reasonable grounds that the request for access is “frivolous or vexatious”, or access to the record falls under exemptions defined in the FOI and Privacy Act legislation and regulations, such as records subject to rights of privacy.

The CAO is under an obligation to disclose any information to the public or a person affected notwithstanding the Act, if he or she has reasonable and probable grounds to believe that it is in the public interest to do so and the record reveals a grave environmental, health or safety hazard to the public.

Notice of Release

If a record is going to be released, the CAO is required to inform the individuals involved that the record is to be released beforehand. The Notice of Release is required to include the stated intention to release the record, the contents of the record and provide an opportunity for the person related to the record, to discuss with the CAO why some or all parts of the record should not be disclosed. (See Appendix Two).

Access to Information Examples:

- Factual material.
- Statistical surveys.
- Report by a valuator after the “deal” has closed.
- An environmental impact statement.
- Report on TRCA or CFGT performance.
- Feasibility studies for projects or programs of TRCA.
- The results of a field study before policy proposal.
- A final plan or proposal for a TRCA program.

- Reports on particular TRCA issues either carried out internally or with external assistance.
- The reasons for a final decision.
- Reports from another organization where the organization has consented to disclosure.
- Compelling circumstances affecting the health and safety of an individual, and when disclosed, the individual is advised in writing.

Exemptions

Exemptions are situations where the CAO is not obligated to provide access to information or even confirm that a record exists. These exemptions include:

- Deliberations of an Authority, Executive Committee or advisory board meeting where the statute authorizes that the meeting be held in the absence of the public or “in camera”.
- Recommendations that reveal advice of an officer or employee of TRCA or CFGT or a consultant retained by TRCA or CFGT.
- Records that disclosure of which would interfere with a law enforcement matter, an investigation thereof, reveal investigative techniques or procedures, reveal a confidential source of information or reveal law enforcement intelligence.
- Records that disclosure of which would endanger the life or physical safety of a person, would deprive a person of a fair trial or reveal a confiscated record by a peace officer.
- Records that disclosure of which would facilitate escape of a person under lawful detention, jeopardize the security of a detention centre or facilitate the commission of an unlawful act.
- Records that disclosure of which would endanger a security system or the security of a building or vehicle.
- Records prepared by TRCA for the enforcement of regulations under our jurisdiction, or if disclosed would be an offense under an Act of Parliament.
- Law enforcement records that would expose the author of the record who has been quoted or paraphrased in a record to civil liability or contains information on an individual under the supervision or control of a correctional authority.
- The record was provided to TRCA or CFGT in confidence by the Government of Canada, the Government of Ontario, other provinces or territories, the government of a foreign country or state, an agency of a government or an international organization of states.
- Records that reveal a trade secret or scientific, technical, commercial, financial or labour relations information supplied in confidence either internally or by a third party that could:
 1. Prejudice a competitive position/economic interest, interfere with a contract or negotiations including plans, instructions, etc.
 2. Result in similar information not being given to TRCA or CFGT that is in the public interest to do so.
 3. Result in undue loss or gain to a person.
 4. Reveal information from a mediation, labour relations or other dispute report.
 5. Deprive an employee of priority of publication.
 6. Reveal plans to personnel or administration yet to be operationalised.
 7. Reveal questions used in an educational examination.

8. Reveal information covered by Solicitor-client privilege.
9. Reveal information that is already in, or will be in, the public domain in 90 days.

How to Request Information From TRCA or CFGT

The requester needs to send a letter to one of the CAO, FOI Co-ordinator, Privacy Officer or Chair of the TRCA or CFGT outlining in detail what information he or she wants and stating that this is an FOI request.

The CAO will have the request date stamped and determine if TRCA or CFGT has the information. If another institution has the information or is of greater interest, the CAO has 15 days to forward the request to the other institution and advise the requester. (See Appendix Three).

Once it is determined that TRCA or CFGT has the information, the CAO has 30 days to respond either giving access or deny it with explanation. The CAO advises the requester before delivery that a fee applies that reflects the cost of retrieval of the information and then sends the invoice at the time of the information delivery. That time can be extended when there is a large or complex request. The CAO must also advise other persons before the 30 days who may be affected by the disclosure of information.

Any person who believes that the disclosure of the information should be denied in full or in part has 20 days to make his or her case to the CAO.

Any Refusal of Access must be sent to the requester by the CAO with an explanation and with reference to the related provisions of the Act.

TRCA or CFGT is required on an annual basis to report the number, nature and fees collected from FOI requests to the appropriate Privacy Commissioner.

Penalties

Any person who contravenes this policy may be subject to a fine up to \$10,000.

Role of the Privacy Officer

The Privacy Officer is the designate for the Chief Administration Officer in managing the requests for information under the Municipal Freedom of Information Act and the Personal Information Protection and Electronic Act. Compliance with the two acts requires that:

The Privacy Officer:

1. Review the Acts with staff and ensure that employees understand the requirements under the Acts.
2. Manage the handling of all requests in a timely way and follow the Acts' guidelines and regulations.

3. Act as a single point of contact for the requester, to limit confusion and unnecessary delay.
4. Ensure that TRCA and CFGT remain compliant in their policies and procedures with the regulations in the Acts.
5. Review and report all requests under the Acts on an annual basis to the appropriate Privacy Commissioner.
6. Act as a neutral party in the collection and reporting of information in compliance with the Acts.
7. Identify the appropriate exemptions of disclosure of information and the rationale to all parties.
8. Act as a mediator in any situation where there has been a request to not disclose by another party.
9. Assist the requester in better defining his or her request for information.

3. The Collection, Recording and Storage of Individual Customer Personal Information

Consent by an individual is required for the collection of personal information about that individual and the subsequent use or disclosure of that information. The purpose of the collection of data must be well articulated. For example, the personal information may be used to send information to the customer on new products or events. Consent cannot be obtained through deception. For example, the collection of personal information in a survey or for a contest cannot be used for other activities. The customer or client does not have to give consent if the information is collected for purpose of determining suitability for an honour or has made other arrangements to give consent, eg. via an agent, or the information is being collected for law enforcement purposes.

For example a person may consent to be a club member to receive a product, such as a Conservation Journeys pass. That consent does not allow TRCA to use that information in a CFGT fundraising program unless that use has been agreed to by the individual.

TRCA cannot obtain consent to the collection of personal information to receive one product and subsequently permit it to be used for the promotion of another.

TRCA or CFGT is not in the business of selling client lists or personal information to others. In providing our services and products, we may need to disclose the personal information we collect to affiliates, partners, successors or other service providers or agents who perform various functions for us (such as auditors, advertising agencies, etc.).

If TRCA purchases a customer list from another source, it is expected that the source organization has obtained consent before disclosing personal information.

Obtaining Consent

There are 4 ways to obtain consent from an individual:

1. A signature on an application form may be used. The signature is either of the customer or someone acting as his or her agent.

2. A “checkoff” box may be used to allow individuals to request that their names and addresses not be given to other organizations. Consent is assumed if the box is not checked.
3. Consent may be given orally when information is collected over the telephone.
4. Consent may be given at the time that the person purchases the product or service with input into a database, eg. Vision.

An individual may withdraw consent at any time, subject to any legal or contractual restrictions.

Limiting Use

Personal information can only be retained for the time needed to fulfill the purposes. For example, if a customer has not purchased a membership from TRCA for 5 years or more, the information will be destroyed, erased or made anonymous.

The Website

The following information will be placed on the TRCA and CFGT web site:

“Conservation Foundation Donors and Toronto and Region Conservation Customers

Within our website, you may be asked to provide personal information about yourself. We will collect this information only when you voluntarily provide it and this information will be strictly confidential.

We may collect personal information like email addresses for registration on our mailing lists or for eligibility on a contest, survey, promotion, advice on future events or special offers. Personal information may be requested for purposes of donations to either TRCA or to The Conservation Foundation of Greater Toronto in our secure website location that uses industry standard encryption technology. The personal information will be used only for the purposes identified. We discourage you from sending any sensitive or personal financial information like credit card information, via a regular email.

Site Traffic Monitoring

During every visit to our website, we will collect non-identifiable information by tracking Internet Protocol (IP) addresses on an aggregate basis. IP addresses do not track personal information about you but do allow us to monitor how our website is being used. This information is shared with our website providers to assist in improving our website.

“Cookies”

When a user interacts with our website, “session cookies” are used to collect information anonymously and to track user patterns. They do not collect personal information, only a numeric identifier and the data collected is only available during the active session. We use this anonymous information to improve our website and provide seamless navigation.

Customer Complaints or Concerns

We have developed policies and procedures to respond to individual complaints and questions relating to privacy and the collection of personal customer information. If you have questions or concerns about your personal information, please contact us at:

Toronto and Region Conservation Authority or Conservation Foundation of Greater Toronto
Attn: HR Manager
5 Shoreham Drive
Downsview, Ontario
M3N 1S4

416-661-6600
416-661-6898 fax
privacy@trca.on.ca

We will investigate and attempt to resolve all complaints. We will respond to your inquiry within 30 days of the request. Please be advised that there will be a reasonable cost associated with your request.”

Retention Schedule of Donor, Client, Partner(s) or Customer Information

Information	Purpose	Storage	Renewal	Erase
Donor Name and Addresses	Solicitation	Raisers Edge Database	Annual (See Appendix Four)	No activity in 3 years or request to delete by donor
Contact manager	Facilitate communications with key TRCA and Foundation Stakeholders	Lotus Notes	Annual (See appendix Four)	Business contact information indefinite, personal information every 3 years with no activity
Customer information in Booking System eg. Vision	Booking products, promotional information and campaigns	Various	Annual (See Appendix Four)	No activity in 3 years.
Development Services	Regulatory processes and permits, evaluations and hearings and other environmental processes	Central file		25 years
Member lists for Watershed Councils and other volunteer organizations	Consent must be acquired by the Volunteer group.			
Web site	Aggregate tracking and collection only			Statement will be on Web site on use of cookies
Ad hoc customer lists	Promotional and educational literature and maps etc	Within individual Business unit databases	Annually	Consent to be part of all promotional literature (See Appendix Four)
Email Newsletters	Promotional and educational information	Communication s prime	Monthly	Consent to be part of all email messages (See Appendix Four)
Donor or volunteer Celebration	Awards and recognition			Consent not needed

Appendix 1

Employee Request for Access to all Personal Information - Request Form

The Employee Name

Title

Request Details

1. Description of the request.
2. The duration of time (eg. All information from 2000 to 2003).
3. Sources of the Request. Please note that for information held by a third party, eg. OMERS, the information must be requested by the employee directly to the third party organization.
4. The Consent of the Employee to Collect the Information:

I, _____ (name of employee) consent to allow the TRCA HR Manager to collect my personal information on my behalf.

5. Date of the request.

Please submit to the HR Manager for further action. Upon receiving the request, the receipt date will be written on the request.

Toronto and Region Conservation or Conservation Foundation
Attn: HR Manager
5 Shoreham Drive
Downsview, Ontario
M3N 1S4

Appendix 2

Notice of Release

Chief Administrative Officer, FOI Co-ordinator or Privacy Officer Letterhead

Date

Name and Address(s) of Interested Parties

Re: Release of Information Under the Municipal Freedom of Information and Privacy Act or the Personal Information Protection and Electronic Documents Act.

Dear

The CFGT or TRCA is in receipt of a request for information from _____. In complying with this request, the following information is planned for release on _____ (date of release).

Detail listing of all information including dates, times, participants etc.

If you are aware of any reason why any of this information should not be released at the planned release date, please submit in writing, by _____ (20 days from request receipt date) what your concerns are and if possible the appropriate exemption from disclosure under the two Acts. If we have not heard from you by _____ (20 days date) we will assume that the information will be disclosed to _____ (the requester) without further delay.

Mr. Brian Denney
Chief Administrative Officer
Toronto and Region Conservation or Conservation Foundation
5 Shoreham Drive
Downsview, Ontario
M3N 1S4

Appendix 3

Name

Dear

**Re: Request for Information from The Toronto and Region Conservation Authority or
The Conservation Foundation of Greater Toronto**

We are in receipt of your request for information under the Municipal Freedom of Information and Protection of Privacy Act and the Personal Information Protection and Electronic Documents Act.

The date the request was received at our offices _____.

Based on the nature of your request, we are processing it in the following manner.

- We are collecting the information requested and will forward to you in the next 30 days.
- We have transferred your request to another organization of greater interest that is in a better position to answer fully your request or is the originator of the information.
- We require further information to process your request. We cannot proceed unless you provide the following clarifications:
 - There will be a fee of \$_____ based on collection, photocopying and delivery costs to our organization. If your choice is to come to our offices to receive the information, the delivery charge will be waived.
 - We deny access and/or deny the existence of such records based on the following:
 - _____ Exemptions in the Municipal Freedom of Information and Protection of Privacy Act (Part 1 Exceptions 6, 7, 8, 8.1, 9, 10, 11, 12, 13, 14)
 - _____ The request is frivolous or vexatious.

If we require additional time to meet your request, we will advise you in writing before the expiry of the 30 day period.

If you have any questions or concerns, please contact me at 416-661-6600 ext or at my email address of privacyofficer@trca.on.ca.

Toronto and Region Conservation or Conservation Foundation
Attn: Privacy Officer
5 Shoreham Drive
Downsview, Ontario
M3N 1S4

cc. The Privacy Commissioner
Brian Denney, CAO, Toronto and Region Conservation Authority and The Conservation Foundation of Greater Toronto

Appendix 4

Statement of Customer Consent

1. For all customer promotional materials, this statement must appear:

"I do not wish to remain on a mailing list for any future promotional or product information by either paper or electronic means and I do not wish to have my name and address shared with other organizations. (Please "T" the box at the left of this statement)."

2. For all customer personal email Information from TRCA or CFGT including all e-newsletters, promotional messages and voicemails, this message must appear:

"If you do not wish to receive further electronic messages of a promotional or informational nature, please send an email message identifying the email address you wish to delete and the purpose of the email message, eg. newsletters, and we will discontinue sending that material to you."

3. For all customers calling into the Customer Service telephone system, this message must be played to callers:

"If you do not want to receive future information on new products, changes in pricing and special promotions please advise and your name, address and telephone number will be deleted from any future mailing lists (both paper, film and electronic versions).

4. For Contact Manager

All inactive information will be deleted immediately.
All new personal accounts will be asked:

"You will be on our Contact Manager database as an important individual for the success of TRCA and/or CFGT. If you wish that your personal information be removed, please contact the TRCA and CFGT Privacy Officer at 416-661-6600 ext or at email privacyofficer@trca.on.ca.

The following information is not personal in nature and can remain on the database: the name, title and business contact information of an employee of an organization."

5. For CFGT Statements on Literature

"The Conservation Foundation of Greater Toronto respects your privacy. We protect your personal information and adhere to all legislative requirements with respect to protecting privacy. We do not rent, sell or trade our mailing lists. The information you provide will be used to deliver services and to keep you informed and up to date on the activities of the foundation, including programs, services, special events, funding needs, opportunities to volunteer or to donate, open houses and more through periodic contacts. If at any time you wish to be removed from any of these contacts simply contact us by phone at 416-661-6600 ext or via email at privacyofficer@trca.on.ca and we will gladly accommodate your request."

TO: Chair and Members of the Business Excellence Advisory Board
Meeting #1/04, March 5, 2004

FROM: James W. Dillane, Director, Finance and Business Development

RE: ACCOUNTS RECEIVABLE STATUS REPORT
February 17, 2004

KEY ISSUE

Staff report on Accounts Receivables
February 17, 2004

RECOMMENDATION

IT IS RECOMMENDED THAT the report on accounts receivable of the Toronto and Region Conservation Authority (TRCA), as of February 17, 2003, be received.

BACKGROUND

At Meeting #3/91, the members requested that for each of its meetings staff report on the status of the TRCA's receivables.

RATIONALE

The schedule below summarizes the status of receivables, including aging and classification. The schedule excludes \$7,942 in accumulated interest arrears on invoices outstanding for more than 30 days.

ACCOUNTS RECEIVABLE AGING, BY CATEGORY
(Excluding Municipal Levy and MNR Grant - As at February 17, 2004)

	CURRENT	31 TO 60 DAYS	61 TO 90 DAYS	90 PLUS DAYS	TOTAL	%
SCHOOLS AND SCHOOL BOARDS	188,108	7,620	4,809	1,162	201,699	14.5%
GOVERNMENT	211,596	110,200	9,926	125,751	457,473	33.0%
CORPORATE, INDIVIDUAL AND COMMUNITY GROUPS	226,128	89,575	360,477	51,457	727,637	52.5%
TOTAL	625,832	207,395	375,212	178,370	1,386,809	100.0%
% OF TOTAL	45.1%	15.0%	27.1%	12.8%	100.0%	

Items in excess of \$1,000.00 included in the 90-plus-days column, are listed in the following chart:

CLIENT NAME	AMOUNT \$	ARREARS INTEREST \$	AGE (DAYS)	NOTES
Choirs Ontario	19,534.00	2,184.17	235	Amounts owed re: summer music camps at Albion Hills and Lake St. George Field Centres. Group is waiting for provincial funding before they can pay TRCA. There is a great deal of uncertainty as to the amount that may eventually be recovered due to the company's recent financial difficulties.
	7,078.10	547.02	172	
Ministry of the Environment (MOE)	125,000.00	n\a	151	Quarterly installment due under Remedial Action Plan (RAP) Memorandum of Understanding (MOU)
Metrus (1473092 Ontario Ltd.)	4,000.00	182.71	95	Outstanding planning fees.
Sherman Brown Dryer Karol	1,650.00	75.37	119	Outstanding planning fees.
Weston Consulting	3,700.00	169.02	107	Outstanding planning fees.
First Pro Shopping Centres Ltd.	1,650.00	101.25	137	Outstanding planning fees.
Robertson Gaze Associates Inc.	4,621.56	584.59	249	For planting materials. Company has advised that it is insolvent and cannot make payment. Staff will refer this item for collection.
TOTALS	167,233.66	3,844.13		

The amount due from Robertson Gaze Associates Inc. of \$4,621.56 is doubtful and may be referred for collection. The company has indicated in writing that it is insolvent and has discontinued operations. Recently, staff have not been able to contact the principals. A search of the public record by Gardiner Roberts LLP indicates the company is not formally in bankruptcy. Because of this, TRCA cannot be placed on a "creditor's list" as was requested by the board at the last meeting. With the last report, staff recommended this item be written off. However, the board resolved that before completely giving up on this account, the use of a collection agency is to be considered. Staff will consult a collection agency.

With respect to the amount due from Choirs Ontario (a non-share Ontario corporation), \$26,612.10, there is concern that this receivable may also be uncollectible. Staff have had a number of discussions with this group and although it is expecting funding from the Ontario Ministry of Culture, there may not be enough funds to satisfy all of the creditors. Further, discussions with ministry officials now lead staff to doubt whether the grant will, in fact, be paid. A decision on funding is expected by mid March. If the ministry grant is not paid, the file will be placed with a collection agency. By way of background, the TRCA Education Section has had a 10-year history with this company. There has never been a problem with collection until this year, although each year TRCA has had to wait for the company to receive its Culture grant before receiving payment in full.

It is difficult to assess at this time whether the amounts due from developers or their agents for planning services are collectible. The amount due from MOE under the RAP MOU is certainly collectible.

At the last meeting of the board, staff were asked to look into the possibility of hiring a collection agency to help with the more difficult items. TRCA has not used a collection agency for many years, primarily because the need has not been great and also because the agencies that have been used have not proven to be very effective. Staff have now contacted the Canadian National Exhibition (CNE), who are recommending the firm it has engaged for this purpose. Given the higher volumes associated with our new billing procedures for planning and permitting fees to developers, it may be appropriate to revisit the decision to hire a collection agency. Staff will contact the firm hired by the CNE.

At the last board meeting, staff were also asked to report back on amounts written off in prior years. In 2003, 5 items were written off for a total of \$961.00; in 2002, 5 items for a total of \$2,048.49; in 2001, 3 items for a total of \$1,830.99. The last major item written off occurred in 1997, in the amount of \$5,891.00 which was due from the Ontario Native Alliance. The Director, Finance and Business Development is authorized to approve write offs for individual amounts less than \$2,500. Amounts over this threshold must be referred to the Executive Committee.

At the last meeting, the Board also asked for a report on TRCA's billing practices. This report will be provided at a future meeting.

Receivable balances, as reported on each of the previous reports to the advisory board, after 1999, are presented on the following page:

DATE	Total \$	90-Plus \$
February 17, 2004	1,386,809	178,370
January 7, 2004	1,064,464	45,382
November 2, 2003	951,999	101,194
August 24, 2003	768,825	125,803
May 25, 2003	445,116	168,327
March 2, 2003	709,807	141,313
October 20, 2002	774,831	46,237
August 25, 2002	326,529	109,560
May 26, 2002	658,514	201,158
January 31, 2002	585,736	64,259
December 30, 2001	1,078,071	38,666
October 23, 2001	350,385	106,343
August 27, 2001	371,985	17,153
May 25, 2001	1,132,443	44,810
March 26, 2001	621,560	167,094
December 30, 2000	1,014,021	67,981
September 06, 2000	596,536	47,728
March 19, 2000	869,266	100,758
February 15, 2000	1,007,850	42,952

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