



Human Rights and Socio-Demographic Data Collection Policy (Staff)

Item 6

September 21, 2023

Governance, Communications and Human Resources Committee

Report: GCHRC:2023-30

To: Governance, Communications and Human Resources Committee (“GCHRC”)

From: Chief People and Culture Officer

Date: August 22, 2023

PURPOSE:

The purpose of this report is to provide the Governance, Communications and Human Resources Committee with information related to TCHC’s adoption of a Human Rights and Socio-Demographic Data Collection Policy which applies to information collected, by TCHC, from its employees.

RECOMMENDATIONS:

It is recommended that the Governance, Communications, and Human Resources Committee receive this report for information.

REASONS FOR RECOMMENDATIONS:

At its meeting of May 7, 2023, TCHC’s Executive Leadership Team approved a Human Rights and Socio-Demographic Data Collection Policy applicable to information collected, by TCHC, from its employees (the “Human Rights and Socio-Demographic Data Collection Policy (Staff)”).

The Human Rights and Socio-Demographic Data Policy (Staff) builds upon the Diversity Census and Inclusion Survey that ran in 2021 to 2022, and is aligned with both the work underway in the forthcoming Race Based Data Collection Strategy through the CABR Strategy as well as with the City of Toronto’s Data for Equity Strategy.

As part of the Equity, Diversity, and Inclusion Strategy (“EDI Strategy”), as well as the Confronting Anti-Black Racism Strategy (“CABR Strategy”), it is important to have specific policies that inform the gathering and use of employee demographic data.

In combination with the Workplace Diversity Policy and the Employment Equity Policy (forthcoming as new), the Human Rights and Socio-Demographic Data Collection Policy (Staff) is part of an intentional data collection and use strategy at TCHC.

This Policy encourages the utilization of data in an appropriate manner to assist with removing and preventing barriers at TCHC, especially through the recruitment, retention, and promotion practices, including special programs. Further, it encourages strategic planning using information on demographics of individuals when planning projects and initiatives.

The Human Rights and Socio-Demographic Data Collection Policy (Staff) will provide an avenue for Toronto Community Housing to better utilize the candidate and staff demographic data that is already being collected to further advance the organization’s efforts under the EDI and CABR Strategies. This demographic data will assist us with understanding of the employee experience throughout the employee life cycle, including understanding benefit, training, and recruitment needs within divisions.

The data collected under the Human Rights and Socio-Demographic Data Collection Policy (Staff) will provide a more holistic understanding of the impacts from TCHC’s EDI and CABR efforts. This includes being able to have standard metrics for understanding success and where there may be unintentional barriers in programs.

The Policy outlines and defines the responsibilities of staff at TCHC. The data collected through the Policy provides opportunities for all staff incorporate more equity, diversity, and inclusion into the processes at TCHC.

Consultations

The Human Rights and Socio-Demographic Data Collection Policy (Staff) was built from conversations and consultations with TCHC’s Employee Networks, the EDI internal Steering Committee and Advisory Group, and the Centre for Advancing the Interests of Black People.

To create the policy, best practices from other organizations, including other municipalities and social housing organizations, were reviewed alongside the City of Toronto's Data for Equity Strategy, the Ontario Human Rights Commission's "Count Me In!" Report, and the Data Standards for the Identification and Monitoring of Systemic Racism from the Government of Ontario.

The Human Rights and Socio-Demographic Data Collection Policy (Staff) has been reviewed by the Centre for Advancing the Interests of Black People, Strategic Planning and Stakeholder Relations, Legal Services, and Information Technology Services.

Implementation Plan

The Human Rights and Socio-Demographic Data Collection Policy (Staff) will be communicated to staff via all staff memo and information sessions on data collection and privacy will be hosted. Communications staff have been consulted on the anticipated plan for providing the policy to all staff.

Further discussions will occur with unions, managers, and people leaders about their role and responsibilities under the Policy. This information will be posted on the Learning Management System for TCHC for managers and people leaders to access at any time.

This Policy is the next step in guiding the organization on an effective data collection strategy to ensure that relevant information is gathered, analyzed and understood in order to advance our goals under the EDI and CABR strategies and to allow us to evaluate the effectiveness of strategies and initiatives that are implemented as part of these strategies.

IMPLICATIONS AND RISKS

Both the *Human Rights Code* and the *Municipal Freedom of Information and Protection of Privacy Act*, provide rules governing the manner in which TCHC may collect, use and disclose personal information, including information related to an individual's socio-demographic characteristics. Ensuring that an individual consents to the collection of that information is a fundamental requirement that applies to that collection process. As well, the purpose of collecting an individual's personal information must be clearly identified at the time that the collection occurs. The adoption of practices that are inconsistent with these rules will expose TCHC to both reputational and legal risk.

TCHC currently has an Employment Equity Statement contained in our job postings and hiring information indicating that we collect candidate demographic data. However, to date we have not had a comprehensive policy or procedure that outlines how this information will be used, who will have access to it, or how the data will be stored. As a result, this has significantly limited the effectiveness of data collection to date. This policy creates the mechanism to capture and analyze the candidate data.

Implementation of this Policy will provide a mechanism for the appropriate collection and use of employee demographic data to support advancing TCHC's EDI and CABR Strategies. The current absence of such a policy limits the ability to properly evaluate the effectiveness of the various programs, policies and initiatives that are being put in place in support of the organization's EDI and CABR goals.

SIGNATURE:

"Barbara Shulman"

Barbara Shulman
Chief People and Culture Officer

ATTACHMENT:

1. Human Rights and Socio-Demographic Data Collection Policy (Staff)

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Human Rights and Socio-Demographic Data Collection Policy (Staff)

Policy Owner: People & Culture Division
Approval: Executive Leadership Team
First Approved: May 9, 2023
Effective Date: May 9, 2023

Policy Statement

Toronto Community Housing Corporation (“TCHC”) is committed to providing a work environment free of discrimination and harassment, where all individuals are treated with respect and dignity, can contribute fully, and have equitable opportunities.

TCHC will collect, use and disclose staff, candidate, applicant, vendor, and third party contractor Code and non-Code data (“Human Rights and Socio-Demographic Data”) in compliance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and the *Ontario Human Rights Code* (the “Code”) for the purpose of advancing actions and initiatives for TCHC’s Strategic Priorities, including those under the Equity, Diversity, and Inclusion Strategy (“EDI Strategy”) and the Confronting Anti-Black Racism Strategy (“CABR Strategy”).

The use of this data will further guide TCHC in removing and preventing barriers in the workplace, especially through the recruitment, retention, and promotion practices, including special programs. TCHC will use the information collected to inform and promote equity of service while ensuring accountability in the programs and outcomes of the services provided to all equity-deserving groups.

Scope

This policy applies to all Toronto Community Housing staff, candidates and vendors, and third party contractors providing services to staff.

This policy applies to all aspects of TCHC that relate to the need for socio-demographic data to guide program development.



This policy does not modify or supersede the terms of any collective agreement binding upon TCHC. This policy shall be read and interpreted in harmony with the terms of any such collective agreement. In the event that any provision of the policy is found to be inconsistent with the provisions of a collective agreement, the collective agreement will prevail.

Principles

The following principles of data collection as described within this policy are:

- Collect consistent, high quality socio-demographic data from TCHC staff and candidates on a consent based model that is comparable to other data sets from other similar entities (e.g., City of Toronto, Statistics Canada).
- Maintain confidentiality of information and integrity of use when collecting, analyzing, storing, sharing, and using personal information that is provided to TCHC.
- Build accountability, trust, and transparency by ensuring prior and informed consent of participants by sharing the intended use of the information and reporting to those who have participated on the impacts that came from the collection and use of information.

Definitions

The definitions below consider best practices and align with the definitions from the Human Rights Code. These definitions may change as our collective understanding on the topic and language evolves to be more inclusive.

- **Data:** Data is a set of facts and statistics collected together for reference and/or analysis and may include Personal Information for the scope of the Policy and Procedure.
- **Data Collection:** The process of gathering and measuring information on targeted variables in an established system, which then enables one to answer relevant questions and evaluate outcomes. Data collection is a research component in all study fields, including physical and social sciences, humanities, and business.
- **Data in Use:** Data that is currently being updated, processed, erased, accessed or read by a system. This type of data is not being passively stored, but is instead actively moving through parts of an infrastructure, especially when related to information technology.
- **Data Storage:** The retention of information including using physical storage or technology specifically developed to keep that data and have it as accessible as necessary.



- **Equity-Deserving Groups:** Communities that identify barriers to equal access, opportunities, and resources due to disadvantage and discrimination, and actively seek social justice and reparation.
- **Intersectional Analysis:** Considers a collection of factors that affect a social individual in combination, rather than considering each factor in isolation. In the context of this Policy, it incorporates using a combination of diverse demographics to understand a full picture of the needs and barriers of individuals.
- **Personal Information:** Has the same meaning as defined in TCHC's Privacy Policy and MFIPPA and includes recorded information about an identifiable individual which is collected, used, or disclosed by Toronto Community Housing. For the application of this Policy, Personal Information may include but is not limited to:
 - a. the personal address, telephone number or email address of an individual;
 - b. any identifying number assigned to an individual which can lead to their identification (e.g., Social Insurance Number);
 - c. information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual, and;
 - d. employee information, including resumes, salary and benefits, tenant or client complaints about the individual and personnel issues.

Policy Details

The intention of data collection at TCHC is to collect, analyze, and appropriately disaggregate data for every socio-demographic group. In doing so, socio-demographic data can be used to identify, address, remove and prevent barriers for specific communities. It is important that the data collected is high-quality, consistent, and collected on a valid and informed consent basis to ensure the needs of our equity-deserving groups are met.

The use of this type of information promotes the needs of equity-deserving groups to be placed in the forefront of program creation and service delivery.

Best Practices

TCHC uses the guidelines and best practices for this type of data collection as outlined by the [Ontario Human Rights Commission's Count Me In! Collecting human rights-based data](#), the [Data Standards for the Identification and Monitoring of Systemic Racism from the Government of Ontario](#), and the [City of Toronto's Data for Equity Strategy](#) to ensure the information is used in an



appropriate way that does not discriminate or lead to individuals being identified or “outed”.

These guiding documents provide an overview of the best approaches to collect sensitive personal information, including standardizing of questions, appropriate methods of collection, and how to ensure protection of information from being identified and/or breached in security.

These guidelines and best practice documents are supplementary to the policy and procedures and are used to support staff in further interpreting and applying the policies.

As noted through these guidelines and best practices, TCHC will use every effort to ensure data can be quantified in such a manner that it can be categorized by socio-demographic groups to assess equity impacts and inform future service planning, delivery, and policy development.

Consent and Use of Data

For more information on Consent and Use of Data, please refer to the Human Rights and Socio-Demographic Data Collection (Staff) Procedure. This information is created and used in tandem with TCHC’s Privacy Policy and MFIPPA, and all activity under this policy must be compliant with MFIPPA and other relevant legislation.

Under the Code, employers may gather data on members of equity-deserving groups as long as it is voluntarily agreed upon by the person submitting the information to be identified or identify themselves as members of the designated groups. The purpose of collecting this data must be specifically outlined, as well as how it will be shared, and who will have access to it. In collecting socio-demographic data, TCHC will outline and explain the purpose for using this information as part of the consent process.

When reporting on socio-demographic data, TCHC will outline where the information has been gathered, how this impacts those voluntarily sharing, and how the information will be used. TCHC is committed to ensuring secure protocols for the collection, analysis, distribution, and release of data. Data will allow for intersectional analysis, and the information will be summarized and released in a format that ensures unique individuals cannot be identified.



Sharing and Using Data

For more information on Sharing and Using Data, please refer to the Human Rights and Socio-Demographic Data Collection (Staff) Procedure.

All staff have the responsibility to ensure the protection of data that is shared with them, including treating any information and/or reports as confidential and for individual use only. Information should not be shared by individuals to other divisions, tenants, or the public without prior consent and information from Human Resources.

Compliance and Monitoring

This policy falls under the jurisdiction of the Chief People and Culture Officer. The responsibility for applying, interpreting, and monitoring compliance with this policy is the responsibility of the People and Culture division.

This Policy and all data collected and used will comply with the Privacy Policy and the Records Management Policy to ensure confidentiality of all records.

Unit supervisors are responsible for identifying and addressing violations of this policy in consultation with Human Resources.

Governing and Applicable Legislation

- [Accessibility for Ontarians with Disabilities Act](#);
- [Municipal Freedom of Information and Protection of Privacy Act](#);
- [Ontario Human Rights Code](#), and;

Related Policies and Procedures

- [Accessibility Policy](#);
- [Accommodation Policy](#);
- [Acting Assignment Policy](#);
- [Code of Conduct](#);
- [Corporate Learning and Development Policy](#);
- [Hiring Policy](#);
- [Human Rights Policy \(Staff\)](#);
- [Human Rights Policy \(Staff\) Procedure for Staff Complaints](#);
- [Recruitment Standard Operating Procedure](#), and;
- [Workplace Diversity Policy](#).



Commencement and Review

Revision	Date	Description of changes	Approval
First approval:	May 2023	New	Executive Leadership Team

Next Scheduled Review Date: May 2026

This policy will be reviewed every three (3) years, unless there is a change in legislation, in which this policy will be reviewed within three (3) months of the passing of the legislation.