

AGENDA

LONDON & MIDDLESEX COMMUNITY HOUSING (LMCH)

Board of Directors Meeting

**Corporate Boardroom
1299 Oxford Street East, Unit 5C5
London, Ontario**

Thursday, July 15, 2021

5:30 PM – 6:45 PM

Board Members:

Aynsley Anderson

John Millson

Gary Bezaire

Tammy Brooks

Maria Manno

Phil Squire

Shellie Chowns

Adrian Cornelissen

| Item | P. | Lead | Time |
|---|-----------|---|-------------|
| 1. Call to Order | | Paul Yeoman | 5:30 |
| 2. Recognition of Indigenous Peoples and Lands | 3 | Paul Yeoman | |
| 3. Completion and Acceptance of Agenda | | Paul Yeoman | |
| 4. Disclosures of Interest | | Paul Yeoman | |
| 5. Board Elections | | Paul Yeoman | 5:40 |
| a. Chair, Vice-Chair, Treasurer | | | |
| 6. Approval of the Minutes of Previous Meetings | | Chair | |
| a. June 17, 2021 | 4 | | 6:00 |
| 7. Communications | | None | |
| a. | | | |
| 8. Delegation | | None | |
| 9. Consent | | | 6:05 |
| a. CEO Update (July) b. Staff Report 2021-35: Vacancy Management | | | |
| 10. Reports and Business | | | 6:10 |
| a. Staff Report 2021-36: Diversity & Inclusion Policy b. Staff Report 2021-37: Closed Circuit TV (CCTV) Policy c. Striking of sub-committee for the CEO Recruitment | | K.Graham B.Porter K. Graham/Chair | |
| 11. New Business / Enquires a. Departmental Overviews | | D. Taplashvily O. Gryn P. Renaud | 6:25 |
| 12. In Camera Matters | | | 6:40 |
| 13. Meeting Adjourn | | | 6:45 |

Recognition of Indigenous Peoples and Lands Statement

We would like to begin by acknowledging the treaty territory of the Anishnaabeg, which is defined within the pre-confederation treaty know as the London Township Treaty of 1796. Throughout time, this region has also become the current home to the Haudenosaunee and Lenni-Lenape Nations.

BOARD OF DIRECTORS MEETING

Thursday, June 17, 2021 at 5:30 PM
London & Middlesex Community Housing
Board Room, 1299 Oxford Street East, Unit 5C5, London, ON.

Board Members Present:

Paul Yeoman
Board Chair

Rosanna Wilcox
Board Vice-Chair

John Millson
Board Member

Aynsley Anderson
Board Member

Senior Staff Present:

| | |
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| A. Mackenzie | Interim CEO |
| O. Gryn | Interim Director, Tenant Services |
| D. Taplashvily | Director, Finance & Corporate Services |
| P. Renaud | Director, Property Services & Asset Management |
| L. Palmer | Executive Assistant |

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| Meeting to Order | P. Yeoman called the meeting to order at 5:31 p.m. |
| Recognition of Indigenous Peoples and Lands | <p>P. Yeoman provided the following recognition address:</p> <p><i>We would like to begin by acknowledging the treaty territory of the Anishnaabeg, which is defined within the pre-confederation treaty known as the London Township Treaty of 1796. Throughout time, this region has also become the current home to the Haudenosaunee and Leni-Lenape Nations.</i></p> |
| Completion and Acceptance of the Agenda | <p>With regard to the completion and acceptance of the agenda, A. Anderson moved, seconded by J. Millson that the agenda BE ACCEPTED and APPROVED as presented.</p> <p>CARRIED.</p> |
| Declaration of Conflict of Interest | P. Yeoman called for declaration of conflict of interest with respect to the agenda. There were no conflicts of interest declared. |
| Board Meeting Minutes of June 10, 2021 | <p>With regard to the Board Meeting Minutes of June 10, 2021, R. Wilcox moved, seconded by A. Anderson, that the Minutes BE APPROVED.</p> <p>CARRIED.</p> |
| Consent | <p>With regard to consent items on the agenda, R. Wilcox moved, seconded by J. Millson that the following items BE RECEIVED FOR INFORMATION:</p> <ol style="list-style-type: none"> CEO Report (May 2021) Staff Report 2021-29: Vacancy Report |

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| | <p>iii. Staff Report 2021-30: Building Conditions Assessment Update</p> <p>iv. Staff Report 2021-31: Capital Works Update</p> <p>v. Staff Report 2021- 32: CMHC Status Update</p> <p>CARRIED.</p> |
| Staff Report 2021-33: Board Evaluation Policy | <p>With regard to Staff Report 2021-33: Board Evaluation Policy, J. Millson moved, seconded by A. Anderson that the Board Evaluation Policy BE RECEIVED and APPROVED.</p> <p>CARRIED.</p> |
| Staff Report 2021-34: Conflict of Interest Policy | <p>With regard to Staff Report 2021-34: Conflict of Interest Policy, R. Wilcox moved, seconded by A. Anderson that the Conflict of Interest Policy BE RECEIVED and APPROVED.</p> <p>CARRIED.</p> |
| Staff Report 2021-35: Board Governance Policy | <p>With regard to Staff Report 2021-35: Board Governance Policy, J. Millson moved, seconded by A. Anderson that the Board Governance Policy BE RECEIVED and APPROVED.</p> <p>CARRIED.</p> |
| Delegation of Authority to the Subcommittee for Board Application Recommendations | <p>With regard to the subcommittee's recommendation of Board of Directors applicants, J. Millson moved, seconded by A. Anderson that the following applicants BE ENDORSED and the necessary steps be undertaken to submit these nominations to the Shareholder for consideration at the Strategic Priorities and Policy Committee meeting of June 23, 2021:</p> <ul style="list-style-type: none"> ○ Gary Bezaire (Community Director) ○ Shellie Chowns (Community Director) ○ Maria Manno (Tenant Director) ○ Tammy Brooks (Tenant Director) <p>CARRIED.</p> |
| Nomination of Interim Directors (2) | <p>With regard to the nomination of two (2) interim Board members, R. Wilcox moved, seconded by P. Yeoman that A. Anderson and J. Millson BE ENDORSED by the Board for interim Director positions on the Board of Directors, for consideration of the Shareholder.</p> <p>CARRIED.</p> |
| Date of Next Board Meeting | <p>The Board scheduled the next meeting for July 15, 2021 at 5:30 p.m.</p> |
| Adjournment | <p>R. Wilcox moved, seconded by A. Anderson that the meeting BE ADJOURNED at 6:06 p.m.</p> |

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| | CARRIED. |
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P. Yeoman, Board Chair

Andrea Mackenzie, Interim CEO

Update from the CEO

Board Meeting of July 15, 2021

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| <p>a) Government Relations & Sector Engagement</p> | <p>Housing Partnership Canada (HPC) will not be holding any meetings this summer, the next networking meeting is scheduled for September 14, 2021. Agendas will be circulated closer to the meeting date.</p> <p>The next scheduled meeting for the Local Housing Corporations (LHC) CEO's is not scheduled until September 30, 2021 at which time I will make introductions of the new CEO to this working group.</p> |
| <p>b) Organizational Plans/Regeneration</p> | <p>Regeneration Tenant engagement around our Reimagine Southdale project continued in June and our group Facebook page has been highly active and gaining more members. A June newsletter went out at the end of the month with updates and site-specific information. During the coming months we will provide updates for all tenants on the projects' next steps and additional community engagement that includes educational workshops.</p> <p>The Request for Proposal (RFP) was posted for Design & Engineering Services on bids & tenders as of June 28, 2021 and closes July 26, 2021.</p> <p>Community Safety Unit The Community Safety Unit (CSU) has been getting positive responses from tenants while on site. Tenants are happy to have LMCH allies who can help with safety and security issues. Tenants have already been reaching out to the team through the Community Safety Unit email address, which was set up as an easily accessible reporting tool for tenants to access as an additional resource.</p> <p>The CSU team is working with the LPS for Rookie league this summer. The team supported on-site Rookie League registration and will be participating in practices and games as well.</p> <p>The CSU team has also recently been involved with Project Sneakers, an LPS initiative that helped deliver shoes to children in need across the city. LMCH was included in this initiative and</p> |

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|----------------------------------|---|
| | <p>our CSU team assisted with delivering these shoes to children at our family sites.</p> <p>Staffing Updates Derek Finnemore has joined our organization as of June in the position of Inventory Control Clerk.</p> |
| c) Labour Relations | The next Union/Management meeting is scheduled for July 29, agenda items are still being compiled. |
| d) Community & Tenant Engagement | <p>Seniors Programming: BSW students from Kings completed their block placement with us at the end of May and into June. The students went to both McNay and Walnut and ran various activities. This included games day, chair yoga, letter/post card writing, creating kits for kids, painting planter pots and planting flowers. Many of our tenants, especially at McNay, voiced that the program had given them something to look forward to, as they had felt isolated. Many of our tenants voiced that they had been feeling depressed due to the COVID restrictions and that the programming was therapeutic. Programming happened outdoors, socially distanced in gatherings of 5, and all wearing masks, which was a good opportunity to get outside for fresh air as well.</p> <p>Family Site Support: From June 14th to 18th in response to the attack on the Afzaal family in London, LMCH staff and the Social Work students from Kings attended our family sites for some community engagement. Families had the opportunity to talk about how they were feeling, write some therapeutic letters, draw pictures, and the children were provided chalk to draw hearts around their community. All of the letters and pictures that were collected were dropped off at the London Muslim Mosque to show solidarity with the affected community members and family.</p> <p>Learning Tent: The Summer Learning Tent is back at Southdale. This program is an educational enhancement program that aims to focus on educational activities specific to each age group. The first day of operation was July 6th. Teachers will be running this program for kids in grades 2-5, with help from the South London Neighborhood Resource Centre for a 6-week program.</p> |

STAFF REPORT 2021 – 35

TO: LMCH Board of Directors

FROM: Olesya Gryn, Interim Director of Tenant Services

SUBJECT: Vacancy Management Update

DATE: July 15, 2021

RECOMMENDATION:

That the Vacancy Management Update report **BE RECEIVED** for information.

Purpose:

To update the Board, Shareholder and Service Manager regarding the status of LMCH's Vacancy Management progress with the objective of achieving a three percent (3%) total vacancy.

June 2021 Progress (Reported as of June 30th, 2021)

1. **Total Vacancy:** This includes all units within LMCH portfolio that are not occupied. It is inclusive of units that are Non-Rentable or in Active Restoration and Rent Ready Stock. (Target: 3%)

Total Vacancy: 4.2% or 137 units

Future Leased: 0.4% or 13 units

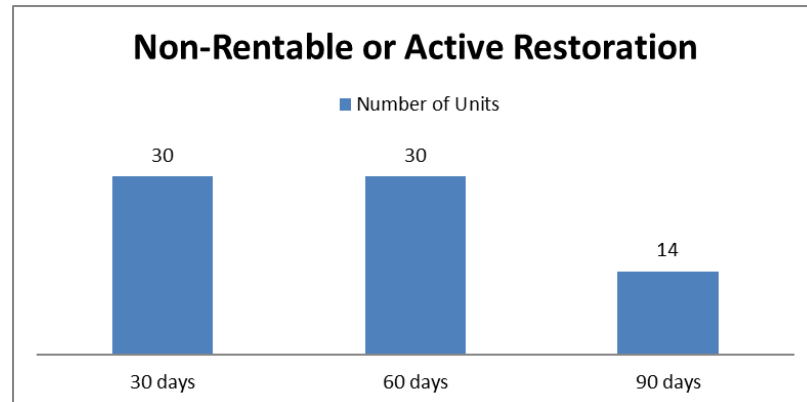
Final Vacancy: 3.8% or 124 units

2. **Active Rental Stock:** These are all units that are rent ready and available to offer. Units leave this category when they are future leased or leased (when the actual lease is signed and keys are handed to the new tenant). (Target: 1%)

Active Rental Stock: 1.5% or 50 units

3. **Non-Rentable or in Active Restoration:** This category includes all remaining units that have suffered catastrophic loss (e.g., fire, flood, or other insurable damage), units that are in pre-pest clearance as well as any units that are pest cleared and are now in active restoration. (Target: 2%)

Non-Rentable or in Active Restoration: 2.3% or 74 units



Conclusion:

LMCH had 35 units confirmed vacant in the month of June, which have been added to the active restoration stock.

LMCH restored 28 units in June, leased 31 units, and future leased 13 units.

| PREPARED and RECOMMENDED BY: | RECOMMENDED BY: |
|--|--|
| | |
| OLESYA GRYN, INTERIM DIRECTOR OF TENANT SERVICES | ANDREA MACKENZIE, INTERIM CHIEF EXECUTIVE OFFICER |

STAFF REPORT 2021 - 36

TO: LMCH Board of Directors

FROM: Kim Graham, Manager, People & Culture

SUBJECT: Diversity & Inclusion Policy

DATE: July 15, 2021

RECOMMENDATION:

That, on the recommendation of the Manager, People & Culture, with the concurrence of the Interim CEO the following actions **BE TAKEN** with respect to the attached Conflict of Interest Policy:

- a) The members of the Board **RECEIVE** the report and attached Diversity & Inclusion Policy; and
 - b) The Board of Directors **APPROVE** the attached Diversity & Inclusion Policy.
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PURPOSE:

This Diversity & Inclusion Policy is a statement of commitment supporting diversity and inclusion at London & Middlesex Community Housing (LMCH).

This Policy will form part of the initial onboarding of new staff, as well as the rotational Policy Review Cycle for existing staff. Sign-off will be required by each employee upon review and verification of such kept in personnel files.

The following changes were made to the Diversity & Inclusion Policy in response to the suggestions at the Committee of the Whole meeting on June 17, 2021:

- On page 2 of the policy, language has been adjusted to include the definition of intersectionality.
- On page 3 of the policy, language has been added to reflect engagement with underrepresented communities regarding hiring practices.
- On pages 3 and 4 of the policy, language has been added to outline how the policy will be implemented through a strategic lens.

- On page 4 of the policy, language has been added to broaden inclusivity of various groups and individuals.

CONCLUSION:

LMCH is committed to creating a culture that is built on mutual respect and the recognition of the unique talent of its employees, and as such, it is recommended that the attached policy update be **RECEIVED** and **APPROVED** by the Board of Directors.

| PREPARED and RECOMMENDED BY: | REVIEWED and CONCURRED BY: |
|--|--|
| | |
| KIM GRAHAM, MANAGER, PEOPLE & CULTURE | ANDREA MACKENZIE, INTERIM CHIEF EXECUTIVE OFFICER |

ATTACHED:

Appendix A: Diversity & Inclusion Policy



RELATED DOCUMENTATION

| | |
|----------------------|--|
| Legislation | • Human Rights Code www.ohrc.on.ca |
| Collective Agreement | N/A |
| Forms | N/A |
| Policies | • Employee Code of Conduct • Board Member Code of Conduct • Performance Management |
| Other Resources | Various Training Courses as Assigned |

1.0 PURPOSE

A statement of commitment supporting diversity & inclusion at London & Middlesex Community Housing (LMCH).

2.0 SCOPE

This Policy applies to everyone providing service at LMCH including:

- Board Members
- Management
- Bargaining-Excluded Staff, Unionized Employees, Permanent and Temporary Staff
- Volunteers including Students
- Contractors
- Tenant Advisory Council

3.0 POLICY STATEMENT

London & Middlesex Community Housing (LMCH) is a not-for-profit corporation that manages the public housing portfolio on behalf of the Service Manager, the City of London. As such, our work includes many individuals with diverse backgrounds working or participating in the service.

What is diversity?

The presence of a wide range of human qualities and attributes within an individual, group or organization. Diversity includes such factors as age, sex, race, ethnicity, physical and intellectual ability, religion, sexual orientation, educational background and expertise. (Ontario Human Rights Commission)



What is inclusion?

Appreciating and using our unique differences – strengths, talents, weaknesses and frailties – in a way that shows respect for the individual and ultimately creates a dynamic multi-dimensional organization. (Ontario Human Rights Commission)

What is intersectionality?

Intersectional oppression arises out of the combination of various oppressions which, together, produce something unique and distinct from any one form of discrimination standing alone. An intersectional approach takes into account the historical, social and political context and recognizes the unique experience of the individual based on the intersection of all relevant grounds. This approach allows the particular experience of discrimination, based on the confluence of grounds involved, to be acknowledged and remedied. (Ontario Human Rights Commission)

What does this mean for us:

At LMCH, we are committed to fostering an inclusive, accessible environment where all employees and customers feel valued, respected, and supported. We are dedicated to building a workforce that reflects the diversity of our tenants, our customers, and the communities in which we live and serve, and creating an environment where every employee has the opportunity to reach their potential. We are dedicated to providing a safe space free from barriers in order to promote equity and diversity. We celebrate and welcome the diversity of all employees, stakeholders, and external personnel. It is the policy of LMCH to foster an environment that respects people's dignity, ideas, thoughts, and beliefs thereby ensuring equity and diversity in employment. We demonstrate our commitment to this by providing a supportive work environment and a corporate culture that welcomes, encourages, champions, and promotes equal opportunities and experiences for all employees, allowing them to *bring their whole selves to work*. LMCH commits to a continuous improvement cycle involving assessment, strategic planning, plan implementation, assessment, and growth.

Hiring Practices

LMCH is dedicated to recruiting and retaining a qualified workforce. By valuing a diverse workforce, LMCH is committed to hiring practices that are fair and equitable. LMCH will always hire the most qualified candidate for a position. We will ensure that the search and hiring process is fair and equitable so the appropriate qualifications of each candidate are the only criteria upon which a hiring or promotion decision is made. We will continue to offer accommodations during all aspects of the employment relationship, including recruitment.

Strategies to reduce bias in our hiring practices:



- Training HR & hiring Managers through the Ontario Human Rights Commission
- Indigenous Cultural Safety Training
- Unconscious Bias Training
- Positive Space Training
- “Blind Hiring” – removal of names/dates from candidate applications

Broadening our recruitment to ensure a more representative candidate pool:

- Build relationships with underrepresented communities, forming clear pathways between jobs and applicants
- Seek out and attend job fairs and recruitment activities in underrepresented communities
- Ensure job ads contain the knowledge, skills, abilities, and other attributes that are necessary, without being exclusionary
- Ensure that job ads use gender-neutral, inclusive language (for example: “they” instead of “he” or “she”) and plain language (free of jargon)
- Offer multiple means of application including on-line, in-person, fax
- Associate with Pride at Work Canada; include logo on job ads
- Associate with Abilities First Canada; include logo on job ads

Corporate Culture

In order to achieve the objectives of our strategic plan, we need the best people. We will discover new ways of thinking, foster a culture of inclusion, and make our business stronger by engaging individuals with a wide range of experience, backgrounds, and abilities. LMCH is committed to creating a culture that is built on mutual respect and the recognition of the unique talents of its employees. With a genuine commitment to diversity, we will create a corporation where employees and customers feel comfortable regardless of background, religion, race, gender, physical ability, or sexual orientation.

Fostering a culture of diversity and inclusion is critical for the organization to not only attract top talent, but to also engage and retain the workforce of today and of the future. Fostering a culture of inclusion and belonging will increase employee engagement and job satisfaction and improve productivity, resulting in less absenteeism, increased retention, commitment to the organization, and trust. In addition, acceptance of diverse perspectives will result in lower levels of conflict. Diversity and inclusion don’t just happen by accident – they are intentional goals that help spur innovation, creativity, and better decision-making through the development of new ideas and approaches. Diversity and inclusion will be a foundational, strategic consideration for all aspects of our business – both public-facing and non-public-facing. Given the diverse population of tenants that we serve, it is especially important that we



are reflective of the rich diversity present in our communities. By engaging employees in the design, development, and implementation of strategic initiatives, we will ensure the alignment with key focus areas as identified by staff. Ongoing education, staff development, and success celebration will be crucial to our organizational growth.

Diversity at LMCH

At LMCH, our people are the strength of our organization and collectively create an inclusive environment. Everyone strives to create a place where all employees have the opportunity to reach their full potential. Our commitment to diversity is fundamental to how we do business. Attracting people with diverse experiences, backgrounds and abilities, is what makes us better.

LMCH is committed to a culture that actively supports respect where diversity and inclusion are integral to our mission and values. All employees at LMCH will be treated fairly, recognized and rewarded for their contributions. LMCH employees will have access to opportunities for career growth and personal development. Engagement with our local union as a key stakeholder will be integral to our success moving forward together.

At LMCH, our commitment to diversity is a strategic business priority. Our areas of focus support inclusion and opportunity for everyone, regardless of race, colour, ancestry, creed (religion), place of origin, ethnic origin, citizenship, sex (including pregnancy, gender identity), sexual orientation, age, marital status, family status, disability, or receipt of public assistance. We will also place a focus on intersectionality, becoming more effective at addressing systemic injustice. LMCH will encourage communication and collaboration through employee networks and events.

Cultural Competence

LMCH will ensure that employees and stakeholders are culturally competent and may use various training initiatives to foster these competencies. These training initiatives may include:

- Allowing awareness of one's own cultural view
- Encouraging positive attitudes towards cultural differences
- Obtaining knowledge of differing cultural practices and views
- Teaching cross-cultural skills

Specific training:

- Training through the Ontario Human Rights Commission:
<http://www.ohrc.on.ca/en/learning/learning>



- Indigenous Cultural Safety Training, Blanket Exercise
- Unconscious Bias Training
- Positive Space Training
- AODA Training
- Diversity & Inclusion Training through HRDownloads

Our stated Values of CARE ensure that diversity is part of our culture and our practices in every aspect of our work and is highlighted in the Respect and Equity values stated in our CARE acronym. All employees are evaluated on their demonstration of these values in annual performance reviews.

4.0 DOCUMENT CONTROL

| | |
|---------------------------|---|
| Date Drafted | June 8, 2021 |
| Date Approved | July 15, 2021 |
| Dates Revised | N/A |
| Review Cycle | <ul style="list-style-type: none">• Review and update every two (2) years.• Included in orientation package for new employees• General review by all employees every two (2) years. |
| Inquiries to Policy Owner | Human Resources |

STAFF REPORT 2021 - 37

TO: LMCH Board of Directors

FROM: Bryce Porter, Security Manager

SUBJECT: Closed-Circuit Television (CCTV) Policy

DATE: July 15, 2021

RECOMMENDATION:

That, on the recommendation of the Security Manager, with the concurrence of the Interim Director of Tenant Services and the Interim CEO the following actions **BE TAKEN** with respect to the attached Closed-Circuit Television (CCTV) Policy:

- a) The members of the Board **RECEIVE** the report and attached Closed-Circuit Television (CCTV) Policy; and
 - b) The Board of Directors **APPROVE** the attached Closed-Circuit Television (CCTV) Policy.
-

PURPOSE:

London and Middlesex Community Housing (LMCH) is committed to providing and maintaining housing in a safe and supportive environment to meet the needs of the people we serve in our communities. The use of Closed-Circuit Television (CCTV) is part of a comprehensive safety and security program in place at LMCH. The use of video surveillance technology is approved as part of a Crime Prevention Through Environmental Design (CPTED) strategy. LMCH is authorized to collect, use, and disclose personal information as per section 28(2) of the MFIPPA. The placement of cameras across LMCH properties has been authorized for the purposes of law enforcement as defined by Section 2(1) of the MFIPPA for investigations and inspections for Landlord and Tenant Board Tribunals as well as to ensure the proper administration of a lawfully authorized activity. These systems assist in the safety and security of all persons, property and assets, the prevention or detection of criminal offences and defense of legal claims in compliance with LMCH's obligations under the Residential Tenancies Act and the Municipal Act.

The following changes were made to the Closed-Circuit Television (CCTV) Policy in response to the suggestions at the Committee of the Whole meeting on June 17, 2021.

- Training section now includes: *"Mental Health First Aid" and "A combination of internal and external training on poverty, addictions, cultural awareness and humility, diversity and inclusion, unconscious bias, and anti-oppression."*

- Confirmed that there is no minimum amount of time CCTV records are to be kept, unless they have been used for a regulated purpose, which then triggers the regulations' retention period. Section 30(1) of MFIPPA advises that personal information must be kept in accordance to the legislation for which it was utilized. **Example:** Criminal Investigation 2 years plus 1 day (Limitations Act) and 1 year plus 1 day for Landlord Tenant Board Tribunals (Residential Tenancies Act). As such, Section 13.7 of this policy was amended to read "**13.7** The retention period of all records utilized by LMCH shall be managed in accordance with section 30(1) of the MFIPPA."

REASONS FOR RECOMMENDATIONS: To align LMCH's installation, and use, of CCTV systems with applicable legislation, privacy guidelines as well as industry best practices. To mitigate LMCH's risk and reduce false liability claims, increase accountability, and ensure accessibility in accordance with Municipal Freedom of Information and Protection of Privacy Act.

IMPLICATIONS AND RISKS: Freedom of Information requests, privacy implications, privacy breaches as well as increased liability associated with the collection of personal information.

SIGNATURE:

| | |
|----------------------------------|---|
| PREPARED and RECOMMENDED BY: | PREPARED and RECOMMENDED BY: |
| | |
| BRYCE PORTER SECURITY MANAGER | OLESYA GRYN INTERIM DIRECTOR, TENANT SERVICES |
| | REVIEWED and RECOMMENDED BY: |
| | |
| | ANDREA MACKENZIE INTERIM CHIEF EXECUTIVE OFFICER |

Attachments:

Appendix A LMCH CCTV Acquisition Form



RELATED DOCUMENTATION

| | |
|-----------------------------|--|
| Legislation | Trespass to Property Act, R.S.O. 1990, c. T.21 Limitations Act, 2002, S.O. 2002, c.24 Occupiers' Liability Act, R.S.O. 1990, c. O.2 Occupational Health and Safety Act, R.S.O. 1990, c. O.1 Criminal Code of Canada, R.S.C., 1985, c. C-46 Residential Tenancies Act, 2006, S.O. 2006, c. 17 Municipal Freedom of Information and Protection of Privacy Act Human Rights Code, R.S.O. 1990, c. H.19 |
| Collective Agreement | Appendix F of the Collective Bargaining Agreement |
| Forms | LMCH CCTV Acquisition Form |
| Policies/Procedures | Closed-Circuit Television (CCTV) Procedure Information and Technology Policy |
| Other Resources | Guidelines for the Use of Video Surveillance - Information and Privacy Commissioner of Ontario Guidelines for Using Video Surveillance Cameras in Public Places - Ann Cavoukian Ph.D., Information and Privacy Commissioner/Ontario |

1.0 POLICY STATEMENT

London and Middlesex Community Housing (LMCH) is committed to providing and maintaining housing in a safe and supportive environment to meet the needs of the people we serve in our communities. The use of Closed-Circuit Television (CCTV) is part of a comprehensive safety and security program in place at LMCH. CCTV is part of a multifaceted approach in providing a safe community for our tenants by deterring unwanted behaviour on LMCH properties. LMCH is also committed to protecting personal information consistent with the principles outlined in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and the Residential Tenancies Act and Housing Services Act.

2.0 PURPOSE

The use of video surveillance technology is approved as part of a Crime Prevention Through Environmental Design (CPTED) strategy. LMCH is authorized to collect, use, and disclose personal information as per section 28(2) of the MFIPPA.

The placement of cameras across LMCH properties has been authorized for the purposes of law enforcement as defined by Section 2(1) of the MFIPPA for investigations and inspections for Landlord and Tenant Board Tribunals as well as to ensure the proper administration of a lawfully authorized activity. These systems assist in the safety and security of all persons, property and assets, the prevention or detection of criminal offences and defence of legal claims in compliance with LMCH's obligations under the Residential Tenancies Act and the Municipal Act.

3.0 SCOPE

This policy applies to all surveillance systems and related equipment that has been, or will be, installed by LMCH on its properties. This policy does not apply to body-worn cameras, surveillance systems owned and operated by tenants or by third parties, including but not limited to, Police or commercial tenants. LMCH shall not use video surveillance for other purposes unless expressly authorized by, or under, an Act or enactment.



4.0 DEFINITIONS

MFIPPA

Municipal Freedom of Information and Protection of Privacy Act

Personal Information

Means information about an identifiable individual, including;

- Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual.
- Information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions.
- Any identifying number, symbol or other particular assigned to the individual.
- The address and telephone number of the individual.

Record

Is any information, personal or otherwise, collected or stored in written or electronic form.

Camera

Is a device used for electronic motion picture acquisition; images are recorded to a storage device for archiving for later analysis. They can be connected by cabling or by IP-based networks, including the Internet.

Motion Detection

Features on a camera which can be programmed to only record video if motion occurs within the frame-of-view (FOV).

Remote Access

A setting which enables remote viewing of live or stored video records on mobile devices such as smartphones, tablets, and laptops. Some remote viewing methods require additional software and/or hardware.

Digital Video Recorder (DVR)

Is an electronic device that records video from cameras in a digital format to a disk drive, USB flash drive, Secure Digital (SD) memory card, Solid State Drive (SSD) or other local or networked mass storage device.

Network Video Recorder (NVR)

Is a specialized computer system that includes a software program that records video in a digital format to a disk drive, USB flash drive, SD memory card or other mass storage device. Network video recorders are distinct from DVRs as their input is from a network rather than a direct connection. Video on a DVR is encoded and processed at the DVR, while video on an NVR is encoded and processed at the camera, then streamed to the NVR for storage or remote viewing.

Close-Circuit Television (CCTV) System

Also known as video surveillance, is the use of cameras to transmit a signal to a specific place, which stores records on NVR's or DVR's, viewable on a limited set of monitors, though it may employ P2P, wired or wireless links.

Portable Storage Devices

Is a device which can store records, video or still images, such as Universal serial bus (USB) flash drives, memory sticks, DVD-R, etc.



4.0 DEFINITIONS (CONT.)

Date/Time Stamp –The capability to insert the current date and time into an image during recording.

Overt Surveillance

Is a camera which is carried out in a manner calculated to ensure that any person who is subject to the surveillance is aware that it is taking place. The camera or recording device is not concealed and can be easily identified and noticeable; posted signage advising all individuals that video surveillance is in use is accompanied by the cameras.

Covert Surveillance

Is carried out in a manner calculated to ensure that any person who is subject to the surveillance is unaware that it is, or may, be taking place. The camera or recording device may be concealed to ensure that it cannot be identified or seen.

Dummy Camera

Are fake security cameras (also known as simulated cameras, or decoy cameras) which are intentionally non-operational cameras designed to fool intruders, or anyone who it is supposedly watching. Those cameras are intentionally placed in a noticeable place, so that those passing notice them and believe the area to be monitored by CCTV.

5.0 OVERT SURVEILLANCE

5.1 Only authorized users specified in the *Closed-Circuit Television (CCTV) Procedure* shall have access to CCTV systems or be permitted to operate the controls and will have assigned permission levels to access, view, or export records.

5.2 While the CCTV system is not in use, live views shall not be visible.

5.3 Police shall not be given unrestricted access to CCTV rooms, shall not be granted access to operate any CCTV system and LMCH shall not make it a normal practice to allow Police to access CCTV records, or view live video. In emergency circumstances, where a safety risk exists, Police can be given limited access to CCTV systems by authorized individuals only and shall only be given access to live or stored records and shall not be given permissions to export records.

5.4 No LMCH employee shall allow Police to take pictures of any monitor while in operation or during video review; all records must be exported in accordance with the *Closed-Circuit Television (CCTV) Procedure*.

6.0 COVERT SURVEILLANCE

6.1 Covert surveillance shall only take place in exceptional circumstances; to prevent or detect an unlawful act or other serious misconduct, and only if it is proportionate to the alleged act. i.e. there is no other reasonable, less intrusive means of achieving those purposes.

6.2 A detailed and comprehensive assessment must be completed and authorized by SLT, the Privacy Officer (or designate) and the Security Manager prior to the decision to implement covert surveillance. This is to ensure that it is the only available option and that benefits derived from the material obtained far outweigh the violation to the privacy rights of the subject(s) being observed.

6.3 All decisions to implement covert recordings will be documented, including the reasons for the surveillance and the usage, and will be closely monitored by SLT as well as the Security Manager.

6.4 Covert Surveillance must:

- Focus only on the suspected unlawful activity or suspected serious misconduct.
- Information obtained which is not relevant will be disregarded and where reasonably possible, deleted.
- Will only be carried out for a limited and reasonable period consistent with particular purpose of the recording and must not continue after the investigation is completed.

7.0 EMPLOYEES

7.1 It is not LMCH's practice to use BWC records to monitor day to day performance of employees. Reasonable justification to suspect wrongdoing, independent of routine viewing, must exist before BWC records are used to investigate employees. Internal investigations will be conducted by Human Resources, and/or the Security Manager in conjunction with the employee's direct manager. The CEO, or designate, must authorize the use of BWC records in writing for all internal investigations.

Under certain circumstances BWC records may be released to Police (or other competent authority) due to a violation of an Act or enactment, or to assist in prosecuting municipal, provincial or federal offences. LMCH may also provide BWC records to our legal representatives in defence of legal claims, in pursuance of civil recovery, and to provide evidence before the courts.

7.2 During unrelated investigations where an ethical obligation exists due to an employee's behaviour that cannot in good conscience be ignored, if a violation of health and safety occurs, or if a crime is committed, LMCH reserves the right to investigate in the best interest of the organization, tenants, employees, and community partners. The CEO, or designate, must authorize the use of BWC records in writing for all internal investigations.

7.3 Human Resources have narrow and specific access permissions to CCTV systems and records pertaining to workplace injuries and investigations as well as investigations conducted for, or in conjunction with, the Ministry of Labour.

7.4 Where records are used in disciplinary proceedings the employee, and in cases of bargaining employees the employee's union representative, will be permitted to view and respond to the image(s) or video(s).

8.0 TENANTS

8.1 It is not the intention that CCTV systems are used to monitor tenant's daily activities, movements, or behaviour. Reasonable justification to suspect misconduct, independent of normal video surveillance, must exist prior to video surveillance being used to investigate tenants or their visitors. During unrelated investigations when a tenant's behaviour, or the behaviour of a tenant's visitor cannot in good conscience be ignored, or if a crime is committed, LMCH reserves the right to investigate in the best interest of the organization, tenants, employees, and community partners.

8.2 CCTV records may be used for Landlord and Tenant Board (LTB) tribunals or for criminal investigations to provide evidence before the courts. Records may also be released to Police (or other competent authority) due to a violation of an Act or enactment, or to assist in prosecuting municipal, provincial or federal offences.

8.3 Where CCTV records are used in LTB hearings, the tenant will be permitted to view and respond to the records through the LTB process.

8.4 LMCH may provide CCTV records to our legal representatives in defence of legal claims, or in pursuance of civil recovery, as well as for providing evidence before the courts.

9.0 NON-TENANTS

9.1 When a CCTV system is installed in a residential setting, it is likely to capture non-tenants while on the property. Posted signage indicating the use of video surveillance shall be posted at all ordinary entry points to both the building and property, therefore those entering onto the property shall be deemed by LMCH as giving their implied consent to be recorded.

9.2 It is not the intention that CCTV systems are used to routinely monitor non-tenant activities, movements, or behaviour. Reasonable justification to suspect misconduct, independent of normal video surveillance, must exist prior to video surveillance being used to investigate non-tenants. During unrelated investigations when a non-tenant's behaviour cannot in good conscience be ignored, or if a crime is committed, LMCH reserves the right to investigate in the best interest of the organization, tenants, employees, and community partners.

9.3 Where an incident involves a non-tenant, LMCH reserves the right to utilize CCTV records as evidence, in accordance with applicable legislation and as part of an investigation. In such cases, an investigation will be opened by the appropriate LMCH representative in accordance with the *Closed-Circuit Television (CCTV) Procedure*.

9.4 Where an incident involves an employee under the instruction of another employer, the relevant employer will be informed of the details. Although the third-party employer may be made aware that there is recorded evidence, the employer cannot be provided with a copy of the record. A copy of the record can only be requested by the subject themselves in accordance with the MFIPPA. The subject can request access to the record by following the *Freedom of Information Requests* section.

9.5 LMCH employees shall not allow non-tenants to observe the camera views of the CCTV system, take pictures or otherwise record CCTV records with any devices.

9.0 NON-TENANTS (CONT.)

9.6 Under certain circumstances, whether under instruction of another employer or not, non-tenant investigations that produce CCTV records may also be released to Police (or other competent authority) due to a violation of an Act or enactment, or to assist in prosecuting municipal, provincial or federal offences. LMCH also reserves the right to release CCTV records to our legal representatives in defence of legal claims, or in pursuance of civil recovery.

9.7 If a non-tenant requests access to a CCTV record, the individual shall follow the *Freedom of Information Requests* section of this policy.

10.0 REMOTE ACCESS

10.1 Remote access shall be encrypted to ensure the highest level of cyber-security, and all access shall be tracked. All usage shall be in accordance with applicable legislation, the *Closed-Circuit Television (CCTV) Procedure*, emergency management procedures and the *Information and Technology Policy*.

10.2 Remote access to CCTV systems shall only be given to On-Call Managers (OCM) shall only be used in emergency situations in accordance with emergency management procedures.

10.3 OCM's shall be given individual logins for authentication purposes, accountability and to ensure confidentiality, as per legislative requirements as well as the guidelines for the use of video surveillance set out by the Information and Privacy Commissioner of Ontario.

11.0 CAMERA PLACEMENT

11.1 Cameras shall not be placed anywhere that tenants, employees, and the public should reasonably expect privacy. Cameras may be placed in public areas where the Security Manager deems necessary due to thefts, property damage and/or other safety and security related incidents.

11.2 Overt cameras located internally shall not be directed to look through windows to areas outside any building unless necessary to protect external assets and shall not be angled in such a way as to look into tenants' units when the dwelling door is ajar.

11.3 Overt cameras located externally shall not be directed to look through windows, doors, or by any other means that leads to the inside of any building.

12.0 SIGNAGE

12.1 All areas subject to video surveillance shall be identified to those in the area by way of signage.

12.2 Signs with a clear, language-neutral graphical depiction of the use of video surveillance shall be prominently displayed at the perimeter of the monitored areas, and at key locations within the monitored areas.

12.3 Dummy cameras shall not employ signage indicating surveillance is taking place.

13.0 RETENTION AND DISPOSAL

13.1 CCTV systems, and all records, are both Information Technology and Physical Security assets, and therefore subject to the *Information and Technology Policy*.

13.2 CCTV systems shall only retain records for a maximum of 185 days.

13.3 All records shall be watermarked with the date and time.

13.4 All records shall only be accessed in accordance with the *Closed-Circuit Television (CCTV) Procedure* and/or emergency management procedures.

13.5 All exported records shall be encrypted.

13.6 All exported records not being released to Police (or other competent authority) shall be numbered, dated, and shall be tracked according to the respective site.

13.7 The retention period of all records utilized by LMCH shall be managed in accordance with section 30(1) of the MFIPPA.

13.8 All records shall be kept in a secure, locked facility, or manner and each DVR/NVR shall be encrypted and only accessible by individuals authorized within the *Closed-Circuit Television (CCTV) Procedure*.

13.9 A log shall be maintained of all access to each NVR/DVR as well as the use of all exported materials.

13.10 All records and associated documentation shall be disposed of in a secure manner; records shall either be erased, shredded, burned, or degaussed.

14.0 RELEASE OF INFORMATION

14.1 A *CCTV Acquisition Form* must be completed and then signed off by an authorized LMCH employee in accordance with the *Closed-Circuit Television (CCTV) Procedure* prior to the release of any records.

14.2 Apart from requests by law enforcement agencies, records may be released to third parties or applicants in conformance with the MFIPPA and any rules or regulations or requirements there under.

15.0 FREEDOM OF INFORMATION REQUESTS

15.1 An individual who is the subject of video monitoring has the right to request access to the records in accordance with the provisions contained within the MFIPPA; requests shall be made through the Privacy Officer or designate.

15.2 Any person who wants to see a CCTV record must write to LMCH's Privacy Officer, or designate, as soon as possible after the record was made. The person requesting the record must identify where and when the recording was captured.

15.3 Requests for access to a record may be denied in certain circumstances as set out in the MFIPPA and any other applicable law. As with all such requests a fee may be applicable.

15.0 FREEDOM OF INFORMATION REQUESTS (CONT.)

15.4 When an individual asks to view a CCTV record, that individual can only view records of themselves. As with all requests for records, LMCH will ensure that any other individuals identified in the record are blocked out.

15.5 Freedom of information details will be available and easily accessible on the LMCH website as per the requirements of Section 29(2) of MFIPPA.

16.0 PRIVACY BREACH

16.1 If any information from a CCTV record is accidentally made public in breach of this policy, LMCH will investigate and resolve the problem quickly and effectively. LMCH will:

- Immediately report what happened to the Security Manager, the Privacy Officer and Senior Leadership.
- Attempt to retrieve the record.
- Inform the person whose privacy was breached.
- Inform the Ontario Information and Privacy Commissioner.
- Investigate how the breach occurred.

17.0 TRAINING

17.1 All LMCH personnel identified in the *Closed-Circuit Television (CCTV) Procedure* will receive training. Those identified in the procedure will receive training in accordance with their permission level.

Training may consist of:

- Capabilities of the CCTV system(s).
- Camera Locations.
- Responsibilities and Authorized Users.
- Instruction on the Proper Use and Operation of the CCTV System(s).
- Technical Specifications.
- Exporting Records/Evidence Retention.
- Nomenclature of the CCTV System.
- Notebook and Notetaking Procedure.
- Remote Access
- Emergency Management Procedures
- CCTV Policy and Procedure.
- Mental Health First Aid
- A combination of internal and external training on poverty, addictions, cultural awareness and humility, diversity and inclusion, unconscious bias, and anti-oppression.
- All relevant legislation.

18.0 RESPONSIBILITY

18.1 The Security Manager is responsible to manage and audit the use, and security, of all CCTV equipment, records, and related documentation with consultation from the Privacy Officer or designate.

18.2 The *Closed-Circuit Television (CCTV) Policy* and the *Closed-Circuit Television (CCTV) Procedure* will both be reviewed on an annual basis, or sooner, if an amendment is needed for operational requirements or due to legislative changes.



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| Date Drafted | |
| Date Approved | |
| Date Revised | |
| To be reviewed | |
| Inquiries to Policy Owner | |

DRAFT