

The Ontario Adult Literacy Curriculum Framework (OALCF) Frequently Asked Questions and Answers Part 3

The Ontario Adult Literacy Curriculum Framework (OALCF) is a competency-based framework that supports the development of adult literacy programming delivered through the Literacy and Basic Skills (LBS) Program. LBS programming helps learners transition to their goals of work, further education and training, or independence.

This is the second in a series of Frequently Asked Questions and Answers being posted by the Ministry to support the implementation of the OALCF based on actual questions that have been submitted through the OALCF mailbox. This series focuses on access to information and privacy in the LBS program.

For more information on the OALCF please visit the OALCF website at <http://www.tcu.gov.on.ca/eng/eopg/oalcf/>

Please contact us at oaicf@ontario.ca with any question or requests for further information about the OALCF.

What are my privacy obligations as a service provider delivering LBS?

Legislative obligations and contractual agreements require the Ministry and the Employment Ontario (EO) network to keep the protection of client information at the forefront of our day-to-day work. As a reflection of this obligation, the LBS Service Provider Guidelines (*4.1.4 Access to Information and Protection of Privacy*) state that Service Providers must protect the personal information they collect, use and disclose as they deliver and report on the LBS Program.

LBS PARTICIPANT REGISTRATION FORM

Why is the Ministry collecting participant information using the recently released LBS Participant Registration Form?

The government of Ontario makes a significant investment in supporting LBS and a necessary part of the administration of LBS is to monitor and evaluate the services and the outcomes. The information collected by service providers, including the data contained in the LBS Participant Registration form, and recorded in the Employment Ontario Information Management System – Case Management System (EOIS-CaMS) is

necessary to support evidence-based decision making, as required by the LBS Performance Management System. This data becomes the basis of service provider-level operational and performance data which is necessary for the purposes of the Ministry's planning and investments decisions. The LBS program is also partially funded by the government of Canada as part of the Labour Market Agreement (LMA). As party to this agreement, the Ministry must submit aggregated reports to Canada on how the LBS program met the needs of learners.

The Ministry has carefully considered what personal information it requires in order to responsibly administer LBS and has standardized the collection from LBS organizations in order to comply with s. 38(2) of FIPPA.

Is the use of the new LBS Participant Registration Form mandatory?

Yes. Use of the new LBS Participant Registration form for the delivery of the LBS Program will be mandatory as of April 1, 2012. The form may not be altered by the LBS service providers. The LBS Participant Registration form includes the learner's consent to the collection, use, disclosure and retention of personal information for use by the Ministry.

You can find the new form posted on the Forms section of the EOPG website at <http://www.tcu.gov.on.ca/eng/eopg/tools/forms.html>

What was the role of the Office of the Information and Privacy Commissioner (IPC) of Ontario in the development and/or publication of the LBS Participant Registration form and the information contain therein?

The IPC is the independent regulatory body of the Ontario Government responsible for overseeing the application of FIPPA, the Municipal Freedom of Information and Protection of Privacy and the Personal Health Information Protection Act. The IPC's statutory mandate and scope of activities are fundamentally important to the protection of Ontarian's personal privacy and to the promotion of open government.

There is no statutory obligation on the Ministry to seek the input, or approval, of the IPC in the development of program administrative forms such as the LBS Participant Registration form. In meeting the Ministry's obligations under FIPPA, limited personal information is collected as necessary for the responsible administration of LBS. The administration of LBS includes the collection of client-level data to support evidence-based decision making, as required by the LBS Performance Management System. The protection of the client information is manifest in the applicable articles of your agreement with the Ministry.

Some requested client data may appear 'new' to LBS organizations. For example, client data such as *Status in Canada* or *Marital Status* may not have been systematically collected / recorded by LBS organizations across Ontario.

As you are aware, the client data recorded in the LBS Participant Registration form will be entered into the EOIS-CaMS. In the near future, the Ministry will publish the EOIS-CaMS LBS Data Dictionary which is a comprehensive listing of the LBS data fields to be managed in EOIS-CaMS. The dictionary will provide a description of each field, whether it is a mandatory or non-mandatory field in EOIS-CaMS, as well as providing a mapping of data fields to the LBS Performance Management System.

Starting in April 2012, EOIS-CaMS will assist in the management of LBS clients by providing a seamless mechanism for linking LBS clients to other EO programs and services.

LBS providers are expected to assist prospective LBS learners with the completion of the LBS Participant Registration form as part of intake and assessment activities. Use of the LBS Participant Registration form is mandatory. In doing so, LBS providers should recognize that while there is a combination of mandatory and non-mandatory data noted on pages 1 and 2 of the LBS Participant Registration form, its collection is based on client self-disclosure. Consequently, we do not generally require proof of identity. LBS organizations must exercise good judgment and diligence during the intake and assessment processes to ensure we are providing the appropriate level of support to clients, so the resulting data is accurate, relevant and timely.

Are some fields on the LBS Participant Registration form optional?

Yes. As you are aware, the client data recorded in the LBS Participant Registration form will be entered into the EOIS-CaMS. In the near future, the Ministry will publish the EOIS-CaMS LBS Data Dictionary which is a comprehensive listing of the LBS data fields to be managed in EOIS-CaMS. The dictionary will provide a description of each field, whether it is a mandatory or non-mandatory field in EOIS-CaMS, as well as providing a mapping of data fields to the LBS Performance Management System.

The Ministry expects that service providers will record information given by the learner as accurately as possible. A service provider that knowingly submits inaccurate data to the Ministry will be in violation of their LBS agreement.

If learners do not complete all the fields on pages 1 and 2 of the LBS Participant Registration form, or refuse to do so, is the LBS provider expected to revoke registration?

The Ministry needs to collect limited personal information for the responsible administration of LBS. The Ministry understands that while some of the information asked for on the form is optional at the discretion of the learner, a learner cannot be provided with LBS services without providing basic information about themselves, the services they receive and their outcomes.

The Ministry relies on the LBS organizations to spend time with each learner to review the Ministry's Notice of Collection and Consent and to answer their questions about the delivery of LBS so that learners will not unreasonably refuse to complete the LBS Participant Registration form. The Ministry also relies on LBS organizations to explain to learners that their personal information will be protected under the service provider's privacy policy as well as the privacy protection provisions outlined in their agreement with the Ministry.

If, after all this explanation, a learner still refuses to complete the form, they will not be eligible for Ministry-funded LBS services.

LITERACY AND BASIC SKILLS EXIT AND FOLLOW-UP FORM

Is the new Literacy and Basic Skills Exit and Follow-up Form mandatory?

Yes. Use of the new Literacy and Basic Skills Exit and Follow-up Form for the delivery of the LBS Program will be mandatory as of April 1, 2012. The form may not be altered by the LBS service providers. The content and design of the form has been aligned to facilitate the recording of Exit and Follow-up information in EOIS-CaMS.

You can find the new form posted on the Forms section of the EOPG website at <http://www.tcu.gov.on.ca/eng/eopg/tools/forms.html>

LEARNER FILES

How long should service provider keep LBS learner files?

Service providers shall keep and maintain, both during the term of this Agreement and for a period of seven (7) years after all LBS Learner files (Please also see Article 7.2 of the 2012-2013 LBS agreement).

Can the learners' files be saved as PDF (Scan and Save)?

No. Service providers have to maintain hard copy files.

EMPLOYMENT ONTARIO PRIVACY TIP SHEET

LBS Service Providers are encouraged to review the Employment Ontario Privacy Tip Sheet that has been posted on the EOPG. The tip sheet provides an overview of your organization's privacy obligations, as well as the information that should be provided when reviewing and explaining the Ministry's Notice of Collection and Consent with LBS clients. This resource also contains tips to safeguard learners' personal information and a list of FAQs that may be asked by clients.

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