

The City of Toronto's Authority to Collect Personal Information

The City's collection, use and disclosure of personal information is governed under the [Municipal Freedom of Information and Protection of Privacy Act](#) (MFIPPA). MFIPPA defines personal information as information recorded about a person that can be used to identify them. Personal information may include information such as name, address, email address, gender or other information. Some information, while not considered personally identifiable on its own, may become so when combined with other information. In many cases, the information collected and utilized in accordance with the Data for Equity Strategy will include personal information as defined by MFIPPA.

The City is also subject to the [Personal Health Information Protection Act, 2004](#) (PHIPA), which sets out how personal health information may be collected, used and disclosed by divisions recognized as health information custodians under the Act.

MFIPPA permits the City to collect personal information under one of these conditions:

- The collection of personal information is expressly authorized by a statute;
- The information collected is used for the purposes of law enforcement; or
- The collection is necessary for the proper administration of a lawfully authorized activity.

The Data for Equity Strategy aligns with other City of Toronto equity initiatives. Section 8 of the City of Toronto Act, 2006 provides the City with a broad authority to establish and provide necessary or desirable services or things to the public. City Council's approval of the Data for Equity Strategy and Guidelines will implement a lawfully authorized program which includes the collection, use, analysis and reporting of socio-demographic data in an appropriate manner for the purposes of identifying and addressing inequities in City services for the public's benefit.

Provincial Legislative Context

The Data for Equity Strategy is also aligned with the provincial Human Rights Code and Anti-Racism Act.

Ontario Human Rights Code

The [Ontario Human Rights Code](#) is the provincial legislation that prohibits actions that discriminate against people based on a set of demographic, social and economic characteristics and circumstances. The Ontario Human Rights Commission allows for

and supports the collection of socio-demographic data for human rights purposes¹ such as:

- monitoring and evaluating potential discrimination
- identifying and removing systemic barriers
- lessening or preventing disadvantage
- the promotion of substantive equality

These purposes align well with Data for Equity Strategy's goal and objectives.

Anti-Racism Act and Data Standards

In 2017 the Province of Ontario passed the [Anti-Racism Act](#) which aims to identify, prevent and eliminate systemic racism in Ontario. The Act calls for the collection and analysis of disaggregated data in government and public sector organizations to ensure the elimination of racial disparities. The Province of Ontario's [Anti-Racism Directorate](#) developed the [Data Standards for the Identification and Monitoring of Systemic Racism](#), which provide guidance on how public sector organizations can effectively utilize race-based data to support evidence-informed decision making and provide public accountability concerning the elimination of systemic racism and promotion of racial equity.

While the City of Toronto is not currently **required** to collect race-based data under the Anti-Racism Act, the City's Data for Equity Strategy aligns with the objectives of the Act. The Data for Equity Strategy builds on and reflects the important procedural insights and guidance that the Data Standards provide for collecting and managing disaggregated data, including best practices for protecting personal information and preventing potential harm to Indigenous, Black and equity-seeking-groups.

¹ Ontario Human Rights Commission. 2009. [Count me in! Collecting human rights-based data](#).