

Section 52.1(1) Agreement Policy



Department	Reference Number	Organizational Scope	ICES Site	IPC Scope
PLO	028-00-00	ICES Network	ICES Network	Coroners Act
Original Date (YYYY-MM-DD)	Current Version (YYYY-MM-DD)	Review Frequency	Next Review (Month YYYY)	Supersedes (if applicable)
2019-10-01	2025-07-30	Triennial	July 2028	PO.028
Authority (Title)		Chief Privacy and Legal Officer		
Policy Owner (Title)		Director, Privacy and Legal Office		
Required Reviewers (Titles)				

Please refer to the [glossary](#) for bolded terms and their definitions.

Provisions highlighted in grey are not yet in effect and are subject to review and approval by the Information and Privacy Commissioner.

1.0 PURPOSE

- 1.1 The purpose of this policy is to identify the circumstances requiring the execution of an agreement by ICES under section 52.1(1) of the *Coroners Act*.

2.0 SCOPE

- 2.1 This policy applies to the processes and requirements that must be satisfied prior to the execution of a section 52.1(1) agreement.

3.0 ROLES AND RESPONSIBILITIES

- 3.1 [Intentionally omitted]

4.0 DETAILS

- 4.1 A section 52.1(1) agreement between ICES and the Chief Coroner must be executed prior to a disclosure of **Personal Information ("PI")** by the Chief Coroner to ICES, in accordance with s.52.1(1) of the *Coroners Act*.
- 4.2 The CPLO must be satisfied the collection of PI by ICES is in accordance with the *Collection of ICES Data Policy*.
- 4.3 The Chief Privacy and Legal Officer ("CPLO") is responsible for ensuring a s.52.1(1) agreement is executed prior to collection of PI from the Chief Coroner.
- 4.4 Prior to the execution of the agreement, the CPLO, or delegate, must ensure completion of a **Privacy Impact Assessment ("PIA")**, in accordance with the *Privacy Impact Assessment Policy*,

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to review and assess the legal authority for ICES to collect the PI and the Chief Coroner to disclose the information.

- 4.5 Once review and assessment of the PIA is complete, a copy is provided to the Legal Services for drafting of the agreement, in accordance with the *Contract Review Procedure*.
- 4.6 Section 52.1(!) agreements must, at minimum, address the matters set out in the *Section 52.1(1) Agreement Standard*.
- 4.7 Legal Services The must also maintain a log of all section 52.1(1) agreements executed, which is retained in Cobblestone, ICES' contract management software.
- 4.8 At minimum, the log of section 52.1(1) agreements must include the information set out in Appendix A.

5.0 RELATED DOCUMENTATION

5.1 Policies

5.1.1 *Privacy Impact Assessment Policy*

5.1.2 *Collection of ICES Data Policy*

5.2 Standards

5.2.1 *Section 52.1(1) Agreement Standard*

5.3 Procedures

5.3.1 *Contract Review Procedure*

5.4 Tools

5.5 Guidelines

6.0 TRAINING AND COMMUNICATION

- 6.1 Policies, standards, and procedures are available on the **ICES Intranet**.
- 6.2 This policy and any related standards and/or administrative procedures are communicated to all **ICES Agents** across the **ICES Network** during onboarding and on a yearly basis. Policy awareness is also supported and promoted by the policy's **Owner**.
- 6.3 Once new policies, standards, and procedures are published to the **ICES Intranet**, they are communicated to **ICES Agents** on the **ICES Intranet** and through ICES' weekly email with the organization's internal updates.

7.0 COMPLIANCE AND ENFORCEMENT

- 7.1 **ICES Agents** must comply with all applicable policies, standards, and procedures.
- 7.2 **ICES Agents** must notify a Privacy and/or Security **Subject Matter Expert ("SME")** at the first reasonable opportunity if they breach or believe there has been a breach of ICES' privacy and security policies, standards, or procedures in accordance with applicable policies and standards, including:

7.2.1 *Privacy Breach Management Policy*

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7.2.2 Security Incident Management Standard

7.3 Enforcement of compliance with this policy is the responsibility of the the **ICES Agent** identified as the Authority of this policy.

7.4 All violations of policies, standards, and procedures may be subject to a range of **Disciplinary Actions** in accordance with applicable policies, including:

7.4.1 *Discipline and Corrective Action Policy*

7.4.2 *Termination of Employment Policy*

7.4.3 *Discipline and Corrective Action in Relation to ICES Data Policy*

7.4.4 *Termination or Cessation of Employment or Contractual Relationship in Relation to ICES Data Policy*

7.5 Compliance is subject to audit in accordance with applicable policies, including:

7.5.1 *Privacy and Security Audit Policy*

8.0 EXCEPTIONS

8.1 Any exceptions requested pursuant to this policy must be in accordance with applicable policies, including:

8.1.1 *Ongoing Review of ICES' Policy Suite Policy*

8.1.2 *Change Management and Exceptions Policy*

8.2 Exceptions cannot relieve ICES of its legal requirements, including but not limited to those established under:

8.2.1 *Personal Health Information Protection Act, 2004 ("PHIPA")* and its regulation;

8.2.2 *Coroners Act* and its applicable regulations;

8.2.3 *Child, Youth and Family Services Act, 2017 ("CYFSA")* and its applicable regulations; and

8.2.4 The **IPC Manual**, **Coroners Addendum**, and **CYFSA Addendum**.

9.0 CHANGE TABLE

Change Date (YYYY-MM-DD)	Change Notes
2025-07-30	<ul style="list-style-type: none"> ■ Reviewed for compliance with ICES' obligations as a Prescribed Entity: <ul style="list-style-type: none"> ○ Coroners Addendum: <ul style="list-style-type: none"> ▪ Policy, Procedures and Practices for the Execution of a Section 52.1(1) Agreement ▪ Log of Section 52.1(1) Agreement ■ Updated title from <i>Execution of a Section 52.1(1) Agreement Policy</i> ■ Added content requirements for a log of section 52.1(1) agreements ■ Revised to reflect updated template and standardized language in Sections 6.0 to 9.0

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Appendix A

Section 52.1(1) Agreements – Log Requirements	
At minimum, the log of section 52.1(1) agreements must include the following information:	
	1. The name of the ICES Agent to whom the PI was disclosed pursuant to the agreement
	2. The purpose of the disclosure
	3. The date that the agreement was executed
	4. The date that the PI was disclosed
	5. The nature of the PI disclosed
	6. The retention period for the PI as set out in the agreement <u>or</u> the date of termination of the agreement
	7. Whether the PI will be securely returned or securely disposed of by ICES following the retention period set out in the agreement or the date of termination of the agreement
	8. The date the PI was securely returned, or a certificate of destruction was provided or the date by which the PI must be returned or disposed of.