



Information and Privacy
Commissioner of Ontario

Commissaire à l'information et à la
protection de la vie privée de l'Ontario

VIA ELECTRONIC MAIL

October 2, 2020

His Worship John Tory
Mayor, City of Toronto
100 Queen St. W.
City Hall, Second Floor
Toronto, Ontario
M5H 2N2

Dear Sir:

Re: Installing COVID Alert app on City of Toronto mobile devices

On September 30, 2020, Toronto's City Council adopted a recommendation to install the COVID Alert app on City-managed mobile devices and implement communications to promote activation and use of the app. The Office of the Information and Privacy Commissioner of Ontario supports efforts to promote use of the app, but we would guard against making it mandatory.

On July 30, 2020, we sent a [letter](#) to the Government of Ontario in which we commended the robust measures that the COVID Alert initiative had already built into the design of the app based on earlier consultations, and provided our final recommendations to further enhance its privacy and security protections prior to being rolled out in Ontario. We recommended that the Government of Ontario ensure strong messages are clearly and explicitly delivered to businesses and employers to encourage them to respect the voluntary nature of the app by not compelling individuals to use the app or disclose information about their use of the app. The support we expressed for the app was, and continues to be, premised on its voluntary nature.

While we acknowledge that high uptake is key to enhancing the app's effectiveness and we appreciate the efforts being made to increase its adoption in the face of rising COVID-19 cases, we urge that the use of the app remain voluntary. Mandating the use of the app would go against the [joint position](#) taken by our Office and the Office of the Privacy Commissioner of Canada. It would also contravene the [Joint Statement by Federal, Provincial and Territorial Privacy Commissioners on Supporting public health, building public trust: Privacy principles for contact tracing and similar apps](#) (May 7, 2020). Rather than increase adoption, making the app mandatory could undermine the public trust which is so indispensable to its success.

We appreciate the steps that the City has taken to encourage use of the app, and hope that the City will continue this encouragement through public education and health promotion without compromising the voluntary spirit in which the app was developed.



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In the interests of transparency, we will be posting this letter on our website.

Sincerely,

A handwritten signature in black ink, appearing to read "Kosseim". The signature is written in a cursive style with a prominent loop at the beginning and a long, sweeping underline.

Patricia Kosseim
Commissioner