

## SERVICE COORDINATION DES SERVICES

### POLICY AND PROCEDURES MANUAL

**ISSUE DATE:** December 13, 2005

**SUBJECT:** PROTECTION OF CLIENT PERSONAL INFORMATION

**REVISED:**

**REFERENCE:** Personal Health Information Protection Act (PHIPA) – Personal Information Protection and Electronic Documents Act (PIPEDA) – Confidentiality Policy

#### Introduction

Service Coordination is a non-profit agency that assists people with developmental disabilities or Autism Spectrum Disorder access the supports and services they require. In the course of providing our services, Service Coordination will collect Personal Information and we have prepared this policy to inform you about our ongoing commitment to ensuring that the Personal Information obtained during the course of our activities remains accurate and confidential.

#### What is Personal Information?

We consider "Personal Information" to mean any information, recorded in any form, about an identified individual or an individual whose identity may be inferred or determined from such information, other than business contact information (e.g. name, title, business address). This Policy does not cover aggregated data from which the identity of an individual cannot be determined. Service Coordination retains the right to use aggregated data in any way that it determines appropriate.

#### Why Service Coordination May Collect Personal Information

Service Coordination may use the Personal Information you provide verbally or in writing (including via electronic media) in order to:

- (a) Provide you with information about services for persons with developmental disabilities in Ottawa;
- (b) Assist you with completing the registration process to access these services;
- (c) Assess your individual needs and goals;
- (d) Refer you to the appropriate services and/or individuals;
- (e) Maintain a list of special needs workers;
- (f) Assist in matching special need workers with families who require their assistance;
- (g) Assist you with your application to the Respite Funds Program;
- (h) Provide you with information about our services (including by means of direct marketing);
- (i) Meet legal and regulatory requirements; and
- (j) Such other purposes consistent with these purposes<sup>1</sup>.

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<sup>1</sup> To be reviewed and amended as appropriate.

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The personal information we ask for will depend upon which services you may obtain.

### **How Service Coordination Collects and Uses Personal Information**

Service Coordination only collects, uses and discloses Personal Information for purposes that would be considered reasonable in the circumstances and only such information as is required for the purposes of providing services to our clients and their families. We use only fair and lawful methods to collect Personal Information.

Our use of Personal Information is limited to the purposes described in this Policy and Service Coordination does not otherwise sell, trade, barter, exchange or disclose for consideration any Personal Information it has obtained.

### **When Service Coordination May Disclose Your Personal Information**

Service Coordination may disclose your Personal Information to:

- a) The Ministry of Community and Social Services and the Ministry of Community and Youth Services;
- b) Individuals or organizations providing services for persons with developmental disabilities to whom you are referred;
- c) Special needs workers listed in our special services worker bank;
- d) Individuals or organizations who are our advisers or service providers; and
- e) Individuals or organizations who are, or may be, involved in
  - (i) maintaining, reviewing and developing our business systems, procedures and infrastructure including testing or upgrading our computer systems; or
  - (ii) a re-organization of Service Coordination.

We will not disclose such Personal Information unless it is required in order to provide you with our services.

Where Service Coordination discloses Personal Information to organizations or individuals that perform services on its behalf, we will require those service providers to use such information solely for the purposes of providing services to Service Coordination, its clients or the person concerned and to have appropriate safeguards for the protection of that Personal Information.

Please note that there are circumstances where the use and/or disclosure of Personal Information may be justified or permitted or where Service Coordination is obliged to disclose information *without* consent. Such circumstances may include:

- a) Where required by law or by order or requirement of a court, administrative agency or governmental tribunal;
- b) Where Service Coordination believes, upon reasonable grounds, that it is necessary to protect the rights, privacy, safety or property of an identifiable person or group;

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- c) Where it is necessary to establish or collect monies owing to Service Coordination;
- d) Where it is necessary to permit Service Coordination to pursue available remedies or limit any damages that we may sustain; or
- e) Where the information is public.

Where obliged or permitted to disclose information without consent, Service Coordination will not disclose more information than is required.

#### **Consent**

Unless permitted by law, no Personal Information is collected, without first obtaining the consent of the individual concerned to the collection, use and dissemination of that information. However, we may seek consent to use and disclose Personal Information after it has been collected in those cases where we wish to use the information for a new or different purpose where the individual concerned has not already consented to such a use of their personal information.

**By providing Personal Information to Service Coordination you agree and consent that we may collect, use and disclose your Personal Information in accordance with this Policy,** In addition, where appropriate, specific authorizations or consents may be obtained from time to time.

In most cases and subject to legal and contractual restrictions, you are free to refuse or withdraw your consent at any time upon reasonable, advance notice. However, it should be noted that in most circumstances, our services can only be offered if you provide us with Personal Information. Consequently, if you choose not provide us with any required Personal Information, we may not be able to offer you the services requested. We will inform you of the consequences of the withdrawal of consent.

#### **The Accuracy and Retention Of Personal Information**

Service Coordination endeavours to ensure that any Personal Information provided and in its possession is as accurate, current and complete as necessary for the purposes for which we use that information. If we become aware that Personal Information is inaccurate, incomplete or out of date, Service Coordination will revise the Personal Information and, if necessary, use its best efforts to inform third parties which were provided with inaccurate information so that those third parties may also correct their records.

We keep your Personal Information only as long as it is required for the reasons it was collected. The length of time we retain information varies, depending on the purpose for which it was collected and the nature of the information. This period may extend beyond the end of your relationship with us but it will be only for so long as it is necessary for us to have sufficient information to respond to any issues that may arise at a later date.

When your Personal Information is no longer required for Service Coordination's purposes, we have procedures to destroy, delete, erase or convert it into an anonymous form.

Currently, the principal place in which Service Coordination holds Personal Information is in the city of Ottawa and nearby municipalities where off-site storage facilities may be located.

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**Protection of Personal Information**

Service Coordination endeavours to maintain appropriate physical, procedural and technical security with respect to its offices and information storage facilities so as to prevent any loss, misuse, unauthorized access, disclosure, or modification of Personal Information. This also applies to our disposal or destruction of Personal Information.

Service Coordination further protects Personal Information by restricting access to it to those employees that the management of Service Coordination has determined need to know that information in order that we may provide our services.

If any employee of Service Coordination misuses Personal Information, this will be considered as a serious offence for which disciplinary action may be taken, up to and including termination of employment. If any individual or organization misuses Personal Information - provided for the purpose of providing services to or for Service Coordination - this will be considered a serious issue for which action may be taken, up to and including termination of any agreement between Service Coordination and that individual or organization.

**Procedure**

Service Coordination permits the reasonable right of access and review of Personal Information held by us about an individual and will endeavour to provide the information in question within a reasonable time, generally no later than 30 days following the request. To guard against fraudulent requests for access, we may require sufficient information to allow us to confirm that the person making the request is authorized to do so before granting access or making corrections.

We will provide information from our records in a form that is easy to understand. Service Coordination reserves the right not to change any Personal Information but will append any alternative text the individual concerned believes to be appropriate.

Service Coordination reserves the right to decline to provide access to Personal Information where the information requested:

- a) Would disclose (i) Personal Information, including opinions, about another individual or about a deceased individual; or (ii) business confidential information that may harm Service Coordination or the competitive position of a third party;
- b) Would interfere with contractual or other negotiations of Service Coordination or a third party;
- c) Is subject to solicitor-client, litigation or other legal privilege;
- d) Is not readily retrievable and the burden or cost of providing would be disproportionate to the nature or value of the information;
- e) Does not exist, is not held, or cannot be found by Service Coordination;
- f) Could reasonably result in (i) serious harm to the treatment or recovery of the individual concerned, (ii) serious emotional harm to the individual concerned or another individual, or (iii) serious bodily harm to another individual;
- g) May harm or interfere with law enforcement activities and other investigative or regulatory functions of a body authorized by law to perform such functions; or

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- h) May be withheld or is requested to be withheld under applicable legislation.

Where information will not or cannot be disclosed, the individual making the request will be provided with the reasons for non-disclosure.

Service Coordination will not charge you for verifying or correcting your information, however, to the extent permitted by applicable law, there may be a minimal charge imposed if you need a copy of records.

**Web Site**

Our web servers track general information about visitors such as their domain name, time of visit, IP address, type and version of browser and which pages are being accessed. This information is used only in aggregate form, to better serve visitors by helping us to:

- a) Manage our site;
- b) Diagnose any technical problems; and
- c) Improve the content of our website.

In browsing the web, you will encounter a technology known as “cookies”. “Cookies” are files or pieces of information that may be stored in a computer’s hard drive when an individual visits a website. Most Internet browsers are initially set to accept cookies. If you do not wish to accept cookies, you can set yours to refuse cookies or to alert you when cookies are being sent. Our website does not currently use cookies.

We have no control over the content of third party websites that individuals may access through hyperlinks at our website. We encourage everyone to read the privacy policy of every website they visit.

**Resolving Your Privacy Concerns**

In the event of questions about: (i) access to your Personal Information; (ii) our collection, use, management or disclosure of Personal Information; or (iii) this Policy; please contact Service Coordination’s Privacy Officer.

Service Coordination will investigate all complaints and if a complaint is justified, we will take all reasonable steps to resolve the issue.