



## **Community Care for Central Hastings**

### **PERSONAL INFORMATION PROTECTION POLICY**

#### **A. INTRODUCTION**

Community Care for Central Hastings is a non-profit organization dedicated to the fundamental goal of helping seniors to live independently. Since its inception in 1977 Community Care is recognized as the place where seniors to go for assistance. We offer various programs, including Meals on Wheels, Home Maintenance Services, Friendly Visits and Transportation Assistance. Community Care is a volunteer-based agency.

At Community Care, we take our privacy very seriously. In addition to our established policy of dealing with personal health and other information in a sensitive manner, we are required by law to ensure that our Collection, Use, Retention and Disclosure of Personal Information is carried out in accordance with established principles and requirements of Ontario's Personal Health Information Protection Act ("PHIPA"), 2004.

By disclosing your personal information to Community Care, or to its agents, and accepting the terms of this Personal Information Protection Policy, you agree that Community Care may collect, use, retain, disclose and dispose of your personal information in accordance with the terms of this policy.

This policy deals with the following:

- a) our accountability for our privacy practices;
- b) the purposes for which we collect Personal Information and the sorts of Personal Information that we collect;
- c) the manner in which we obtain Consent for our dealings with Personal Information;
- d) the manner in which we use and Disclose Personal Information;
- e) our security, retention and disposal process relating to Personal Information;
- f) your right to access your Personal Information;
- g) how you can get answers to questions or raise concerns about our dealings with your Personal Information and/or our compliance with this Policy; and
- h) our right to amend this Policy.

## **B. SCOPE**

This Policy applies to all Personal Information that is held by, or is under the control of, Community Care and is designed to ensure that Personal Information is protected during its Collection, Use, Disclosure, Storage and Destruction in accordance with the applicable legislative requirements.

## **C. DEFINITIONS**

The following definitions have been created to explain terms that are used extensively in this Policy:

- “Collect” or “Collection” means the act of gathering, receiving or obtaining Personal Information from you or from third parties, by any means.
- “Consent” means your voluntary agreement with what is being done or proposed, is knowledgeable and relates to the Personal Information. In appropriate circumstances, Consent may be implied as more fully detailed below. Consent can also be given by an authorized representative, such as a legal guardian, power of attorney or a substitute decision-maker, in certain circumstances.
- “Disclose” or “Disclosure” means to make your Personal Information available or to release it to another person.
- “Personal Information” means information about an identifiable individual including information that relates to the physical or mental health or an individual and a person’s medical history and plan of service or treatment.

## **ARTICLE 1— ACCOUNTABILITY**

1.1 The Contact Person below is responsible for facilitating Community Care’s compliance with this Personal Information Protection Policy and may be contacted at:

**Community Care for Central Hastings**  
**108 Russel St., Box 201**  
**Madoc, Ontario K0K 2K0**  
**Attention: Pat Dobb—Executive Director**  
**Telephone: 613-473-9009, Fax: 613-473-9010**  
**E-mail: ccch@ccch.ca**

While the Privacy Coordinator is primarily responsible for our Policy, other Community Care personnel may be assigned responsibility for the day to day collection and processing of Personal Information or for acting on behalf of the Privacy Coordinator from time to time.

- 1.2 All Community Care employees and persons associated with Community Care in the Collection, Use and Disclosure of Personal Information (in oral or recorded form) are responsible for the Personal Information that is obtained, handled or viewed in the course of the operation and services of Community Care. Community Care has adopted policies and procedures in the workplace designed to enhance the protection of Personal Information and ensure that the confidentiality of your Personal Information is of primary importance. Any service provider that Community Care may engage to process or to otherwise deal with Personal Information on our behalf is not permitted to Use, Retain or Disclose Personal Information transferred to it by us except in accordance with the terms of its agreement with us. Depending on the circumstances, we may require a contractual commitment with that third party to protect your Personal Information. The unauthorized use or Disclosure of Personal Information shall, in the case of employees, result in disciplinary action, up to and including termination of employment.
- 1.3 Community Care has implemented policies and practices to give effect to our privacy commitment to you, including:
  - (a) Personal Information security process (see Article 7 below) and;
  - (b) access, complaint and correction procedures (see Article 9 and 10 below).

## **ARTICLE 2—PURPOSES FOR COLLECTING, USING AND DISCLOSING PERSONAL INFORMATION**

- 2.1 When you first make application to receive services from Community Care, you will be provided with an application form that will request certain information to allow us to determine whether you qualify for these services.
- 2.2 In addition to the Personal Information that we collect directly from you, Community Care may also collect health information about you in the course of providing you services indirectly. For example, we may receive information from former health care providers, hospitals and other health centres or from other community service agencies, such as the Victorian Order of Nurses and Community Care Access Centre's.

- 2.3 We collect the Personal Information referred to above in order to provide services to you. More particularly, this information is used by a variety of Community Care employees on a “need to know” basis to make appropriate decisions regarding your care.
- 2.4 If Personal Information that has been previously collected is to be used or disclosed for a purpose not previously identified, we will, subject to our legal rights and obligations, identify that new purpose to you prior to the relevant use or disclosure and, where appropriate we will seek your consent to this collection prior to its occurrence.
- 2.5 We endeavor to ensure that persons collecting Personal Information directly on our behalf are able to adequately explain to you the purpose for which your Personal Information is being collected.

### **ARTICLE 3—CONSENT**

- 3.1 Subject to our legal rights and obligations, Community Care obtains an appropriate form of Consent for the collection, uses and Disclosures of Personal Information contemplated in Article 2 above. Where Community Care receives Personal Information about a client for the purpose of providing services, Community Care is entitled to assume that it has consent to Collect, Use and Disclose the information for the purposes identified in this policy, unless we are advised that you have expressly withheld or withdrawn Consent.
- 3.2 You may withdraw your consent to our collection, use or disclosure of your Personal Information at any time, subject to legal or contractual restrictions and reasonable notice. To exercise this right, please contact the Privacy Coordinator (detailed in Article 1). Please note that a failure to provide Consent to the use of certain forms of Personal Information may limit Community Care’s ability to provide proper services to you or your family member. The Personal Information of clients of Community Care is an essential tool used in the design and delivery of effective services.

## **ARTICLE 4—LIMITING COLLECTION**

- 4.1 We will collect only that Personal Information that is required to achieve the purpose for the collection. Community Care will not Collect, use or Disclose more Personal Information than is reasonably necessary to meet the purposes of the collection, use or disclosure unless such use or disclosure is required by law. Further, Community Care will not collect, use or disclose Personal Information if other non-health information will serve the purpose.

## **ARTICLE 5—LIMITING USE, DISCLOSURE AND RETENTION**

- 5.1 Personal Information is used by a limited number of our personnel, on a “need to know” basis, while they are performing their functions and to ensure that proper services are provided to you or your family member.
- 5.2 From time to time, we disclose or transfer Personal Information to other parties. Except as required or permitted by law, we will not disclose your Personal Information without your consent to other parties. Prior to disclosing your Personal Information to other organizations, we will secure your written consent.
- 5.3 Where Personal Information is transferred by us to outside providers that process Personal Information for us, reasonable steps will be taken to ensure that any such provider has Personal Information Privacy Procedures and Policies in place that are at least comparable to those implemented by Community Care if the circumstances are available to do so. We will further seek to ensure that any Personal Information that is transferred to such a third party is returned or destroyed at the end of the processing relationship.
- 5.4 Your Personal Information is not available to members of the public or staff of Community Care who are not directly involved in your care. Personal Information that has been used to make a decision about you or your family members shall be retained for a reasonable period in order to permit you to access that Personal Information after the decision and to comply with all record retention requirements imposed on Community Care from time to time.

## **ARTICLE 6—ACCURACY**

- 6.1 We will not routinely update Personal Information, unless it is necessary to fulfill the purposes for which the Personal Information was collected. However, we will take reasonable steps to ensure that the information is as accurate, complete and up to date as is necessary for the purpose of the Disclosure that are known to Community Care at the time. Clients of Community Care also have an obligation to ensure the information we have collected is accurate and should identify any errors or inaccurate information when they become aware of it and bring it to the attention of the Privacy Coordinator identified above.

## **ARTICLE 7—SAFEGUARDS**

- 7.1 We protect Personal Information under our control with safeguards that are appropriate to the sensitivity of that information. These safeguards are designed to protect Personal Information in all formats against theft, loss and unauthorized use or disclosure and to ensure that the records containing the information are protected against unauthorized copying, modification or disposal. These safeguards deal with more than just the physical storage of records, but also deal with appropriate password and other protections for any Personal Information that is stored electronically. In the event Community Care discovers that Personal Information in its custody or under its control has been stolen, lost or accessed by an unauthorized person, it will notify the affected individual at the first reasonable opportunity.

## **ARTICLE 8—OPENNESS**

- 8.1 Information about our privacy-related policies and procedures is available upon request. This policy is one example of how we deal with Personal Information. If there is a specific question regarding an incidence of the Collection, use or disclosure of Personal Information, please contact the Privacy Coordinator above who will respond fully to any questions you may have regarding the treatment of your Personal Information.

## **ARTICLE 9—INDIVIDUAL ACCESS**

- 9.1 An individual has a right of access to a record of Personal Information that is in the possession of Community Care, unless there is a valid legal right to refuse an individual to allow access. This information is your information and it is not the practice of Community Care to refuse access to your own records.
- 9.2 Subject to its legal right and obligations, Community Care will, upon receipt by our Privacy Coordinator of a written request for access, inform you about our collection, use and disclosure of your Personal Information, if any, and permit you to access that Personal Information if it is held or controlled by us. If you request such information or access, you must provide sufficient information with your request to permit us to locate the record with reasonable efforts. Any Personal Information provided by us to you as a result of a request for access shall be in a generally understandable form.
- 9.3 We will respond to a request as soon as possible in the circumstances and in any event within thirty (30) days of receipt of the request. We may extend this response deadline for up to an additional thirty (30) days if replying within thirty (30) days would unreasonably interfere with our operations, or if the time required to undertake any consultations necessary to respond to the request would make it impractical to meet that time limit. When necessary we may also extend the response deadline for as long a period as is necessary to permit conversion of the Personal Information at issue into an alternative format that would allow a person with a sensory disability to read or listen to that Personal Information. We will provide written notice to you of any response period extension within thirty (30) days of the request. We will endeavor to respond to a request for access at no cost. However, Community Care may charge a fee in appropriate circumstances to process a request and will provide an estimate of that fee at the time the request is received.
- 9.4 In the event Community Care is entitled to refuse the request for access to the Personal Information, it will inform you of the reasons in writing unless it is otherwise precluded from doing so by law. If the information requested is not available you will be informed promptly in writing. If Community Care refuses the request for access it will advise of the individual's rights to make further inquiry with the appropriate governmental authority.

- 9.5 If you demonstrate to our satisfaction that your personal information that is held or controlled by us is inaccurate or incomplete, and give us the information necessary to correct the record, we will make appropriate amendments. These amendments may involve the correction, deletion, or addition of Personal Information.

#### **ARTICLE 10—COMPLAINTS PROCEDURE**

- 10.1 In the event that you wish to enquire or complain about our Personal Information practices or our compliance with this Privacy Policy, a written enquiry or complaint should be sent to the attention of the Privacy Coordinator at the coordinators provided in Article 1 above. The Privacy Coordinator will investigate all complaints and respond to all written enquiries. If a complaint is found to be justified by the Privacy Coordinator, we will take all reasonable steps to amend our relevant privacy-related policies or procedures.
- 10.2 In addition to the rights that are provided to you in this Policy, if you believe that your Personal Information has been inappropriately dealt with in any respect, you have a right to bring a formal complaint to Ontario's Information and Privacy Commissioner. You may contact this office toll-free at 1-800-387-0073.

#### **D. CHANGES TO THIS POLICY**

Community Care reserves the right to modify or supplement this Policy from time to time to respond to legislative or other changes.

October 2006