

PRIVACY POLICY

Policy No.	PP-SAS-9014-v2	Date Approved	January 21, 2015
Prepared by	Privacy Taskforce	Date Implemented	
Approved by	Senior Leadership	Date Reviewed	January 2013, January 2015
		Date(s) Revised	January 2013, January 2015
		Scheduled Review Date	January 2018
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SCHC PRIVACY STATEMENT

Information collected on this authorized form complies with the Privacy Act and Personal Health Information Protection Act. Scarborough Centre for Healthy Communities (SCHC) collects information to assist with program planning, improvement of services, and research. This information is confidential and shall not be used for purposes other than those for which it was collected, nor shall any identifying information be sent externally, except with your expressed consent or as required by law. Answering questions marked optional is voluntary. We encourage you to discuss any questions or concerns you may have with one of our staff.

INTRODUCTION

Scarborough Centre for Healthy Communities (SCHC) recognizes and respects the dignity and self-worth of every person and their right to a safe, secure and trusting care environment. SCHC is committed to protecting individual's right to personal privacy and to decision-making affecting their health and well-being.

PURPOSE

SCHC Privacy Policy provides direction on the collection, use, retention and disclosure of personal information. SCHC will maintain the confidentiality of all information concerning clients, employees and volunteers. The personal information that is given to the organization in trust, will remain confidential, will not circulate outside of the agency in an unauthorized manner, and will not pass between employees for reasons other than for appropriate consultations.

POLICY

SCHC employees, volunteers, students, researchers, independent contractors and associates (hereafter referred to as "participants") with access to client information are expected to comply with the SCHC Privacy Policy, to adhere to the *Privacy Act*, the ten principles set out in the *Personal Health Information Protection Act* (PHIPA) and the *Personal Information Protection and Electronic Documents Act* (PIPEDA). They declare their understanding and agree to abide the policy by signing the Oath to Confidentiality. The obligation to maintain confidentiality remains in effect even after termination of employment or relationship with SCHC. The SCHC Privacy Policy has been developed in accordance with the following ten principles:

1. Accountability
2. Purpose of Information Collection
3. Consent
4. Limit Collection
5. Limit Use, Retention and Disclosure
6. Accuracy
7. Safeguard
8. Openness
9. Individual Access
10. Challenging Compliance

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RESPONSIBILITIES

1. Accountability

SCHC is responsible for personal information received from or transferred to external healthcare professionals, for the security of the network that is under our control and for the personal information that is collected from clients, employees, volunteers, students, researchers, independent contractors and associates. All SCHC employees and affiliates share in this responsibility.

Accountability to ensure SCHC's compliance with this Privacy Policy rests on the Privacy Officers who provide support to the public with handling complaints, to the employees, volunteers and associates with training and education around awareness of and compliance with confidentiality procedures and to the management with performing audits of programs. The Privacy Officers may be contacted as follows:

By email: privacy@schcontario.ca

By phone: 416-640-7399

2. Purpose of Information Collection

SCHC will identify the purpose before or at the time of information collection explaining why it is needed and how it will be used and disclosed. SCHC will collect the following information including name, contact information, health card number, insurance, family physician and socio-demographic information for the purpose of providing or assisting in the provision of healthcare and related services. In addition, SCHC collects information from clients and employees for operational purposes in order to provide required statistics in an aggregated and anonymized manner to our funders as part of the data sharing agreement.

When SCHC identifies a new purpose of the personal information collected, it will request consent from the individual to whom the personal information belongs prior to using the information for the new purpose.

SCHC conducts quality improvement initiatives such as anonymous client and employee satisfaction surveys, in which cases expressed consent, will be sought and clients and employees will be notified that their participation is voluntary.

3. Consent

SCHC will inform the participant the purpose of the collection, use or disclosure of their personal information and will obtain the individual's consent before or at the time of collection, and when a new use of their information is identified. There are two types of consents used at SCHC. The express consent where the individual explicitly agrees to the collection, use and disclosure of their personal information and which may be given in writing, verbally, by telephone or electronically. If written consent cannot be obtained, but verbal consent was received, a note in the client's file will indicate the time and date. The second type is the inferred consent where the individual agrees to share their personal information for referral purposes with other health service providers. Consent will never be implied if an individual specifically states that their personal information may not be collected, used or disclosed.

Consent will be obtained through an appropriate substitute decision maker when the individual does not have the capacity to consent. Failure to consent will not result in services being withheld, unless the information is required to provide a specific service. SCHC respects individuals' right to withdraw consent and will explain the implications, if any, to the client or employee.

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In the case of emergency, to prevent serious and imminent harm to themselves or others, the client's or employee's information will be disclosed to the appropriate regulatory/professional body. In addition, if investigators appointed by the appropriate regulatory/professional body submit a written request to obtain personal records/information, SCHC will be legally obligated to make that information available to them. Such investigators must first furnish evidence of their appointment and the appropriate program director will be notified immediately.

4. Limit Collection

SCHC will only collect personal information which is necessary for operational purposes and only by fair and lawful means directly from individuals. Each individual will choose what information to share and for what purposes SCHC may use this information. SCHC respects each person's right to provide as much or as little personal information as they choose to share.

5. Limit Use, Disclosure and Retention

SCHC will not use or disclose personal information for the purposes other than those for which it was collected, unless the individual consents otherwise, or is authorized or required by law. SCHC uses personal information for providing services, case discussions, consultations, examinations, treatments and reporting purposes to the government and funders.

Except where required by law, participant information is never released without signed and dated consent, or that of the client's substitute decision maker. Personal information within SCHC is restricted to employees, volunteers, administrative personnel and students who need access in order to provide services. When a provider refers a client to a service outside SCHC in order to maintain/provide appropriate level of consultation and/or supervision and continuity of care, certain client information may be required by that service provider. The consent is implied if the client agrees to the referral.

Clients wishing to limit access to or encrypt their information from a SCHC provider(s) or an external provider(s) must complete the Restriction of Personal and/or Health Information Form (previously referred to as 'lockbox'). Employees wishing to lock their information will complete a Restrict of Personal and/or Health Information Form. The appropriate manager/director working closely with IT is responsible for securing and maintaining the client encryption file.

All client records shall be retained according to the policy pertaining to the records retention schedule of the organization (7 years, with the exception for children under the age of eighteen whose records will be stored for ten years after they reach the age of eighteen). Unless otherwise stated, the policy regarding retention and disposal of documents shall conform to the standards of the Community Health Centre (Clinical Policy #05-09). The physical records containing personal information will be destroyed, erased or made anonymous in a secure manner in accordance with SCHC Policies and Procedures.

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6. Accuracy

SCHC will assume that the personal information collected is accurate and complete since all the information comes directly from the individual. When providing their personal information, it is in the client's best interest to be truthful and accurate in order for SCHC to provide the most appropriate services. Individuals wishing to correct their information will complete the Request to Correct Personal and/or Health Information form. SCHC will ensure that opportunities exist for individuals to update their personal information on an ongoing basis.

7. Safeguard

SCHC will take reasonable precautions to protect all personal information against loss, theft, defacement, tampering, unauthorized access, disclosure, copying or modification. The following security safeguards will be used to provide necessary protection:

- Physical measures (e.g., locked file cabinets and restricting access to offices)
- Technological measures (e.g., passwords and encryption);
- Agency measures (e.g., policies governing access to information and contract).

In the case of breach, where the personal information is lost, stolen or accessed by unauthorized persons, the individual whose information has been compromised will be notified as soon as possible by the agency. SCHC will investigate the breach and will take appropriate measures to mitigate the risk of breach in the future. The Privacy Officers will ensure that the follow up actions and corrective measures were implemented.

8. Openness

The SCHC Privacy Policy is openly communicated to all individuals through our website. All enquires about the policies or personal information management is to be referred to the Privacy Officers.

PROCEDURES

9. Individual Access

At any time, individuals can challenge the accuracy and completeness of their personal information at SCHC and may have it corrected or updated, if appropriate. In order to access personal information, a written form called the Consent to Access Personal and/or Health Information will need to be filled out and sent to the Privacy Officer. Provided that SCHC is authorized to provide the information by law and that it will not result in harm to the individual or to another person, the individual will be given access to this information either directly or through a health custodian within 30 days of receiving the request.

The normal 30-day response time limit can be extended for a maximum of 30 additional days, according to specific criteria as follows:

- Responding to the request within the original 30 days would unreasonably interfere with activities of SCHC;
- Additional time is needed to conduct consultation, or is necessary to convert personal information to an alternate format.

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CHC will inform the individual seeking access to the information within 30 days of receiving the request, if it requires an extension. As well, SCHC will inform the individual of his or her right to submit a complaint to the Ontario Privacy Commissioner's Office.

10. Challenging Compliance

All enquiries about SCHC's compliance to the ten principles are to be directed to the Privacy Officers. SCHC will inform individuals who make inquiries or submit complaints about the complaint procedures. SCHC will investigate all complaints and breach of information. SCHC will take appropriate measures to ensure information handling practices and procedures are adhered to and will take appropriate measures, including, if necessary, amending our policies and practices.

RELATED DOCUMENTS

Confidentiality Oath

Consent to Access Personal and/or Health Information

Consent to the Collection, Use and Disclosure of Personal and/or Health Information

Consent to the Restriction of Personal and/or Health Information

Request to Correct Personal and/or Health Information

AUTHORIZATION

Jeanie Joaquin, CEO

January 2015

Scarborough Centre for Healthy Communities