

SUBJECT: Privacy Policy
SECTION: Privacy
POLICY NUMBER: P1
DATE POLICY ISSUED: June 2004
DATE POLICY REVIEWED: April 2006, June 2008, August 2011, August 2020
APPLIES TO: Board of Directors, All Staff Persons, All Volunteers

Policy Statement

Cambridge Shelter Corporation is committed to respecting and safeguarding the privacy of our clients, and to ensuring the protection of personal information/health information of our clients, employees, and volunteers. Confidentiality and privacy of information/health information is vital to the operation of Cambridge Shelter Corporation. Cambridge Shelter Corporation handles and protects one's personal health information in accordance with Ontario's *Personal Health Information Protection Act, 2004* (PHIPA) and any other laws that we are required to follow. Cambridge Shelter Corporation provides training, follows established policies, and take other steps to ensure that CSC employees, and anyone else acting on behalf of CSC, protects an individual's privacy.

Definitions

Personal Information – means information about an identifiable individual. Examples of personal information include the following: name, address, phone number, age, ethnic origin, sex, sexual orientation, marital status or family status, and any identifying number, symbol, or other particular assigned to an individual. This includes ID numbers, SIN number, or genetic information such as blood type, fingerprints, and personal history including health, education, finances, criminal records, employment, and credit records. It also includes opinions about, and evaluations of, the individual, notated comments, social status, or disciplinary actions and may include the individual's personal views and/or opinions.

Health Information Custodian (HIC) - refers to persons or custodians described in PHIPA who have custody or control of PHI, as a result of the work they do. For example, doctors, nurses, social workers, pharmacists, physiotherapists, and psychologists as well as hospitals and psychiatric facilities are health information custodians (HICs).

Personal Health Information – is defined as information concerning an individual's physical or mental health, any health service provided to an individual, and the results of testing performed on an individual, or information collected, directly or indirectly, while providing health services to an individual.

Record – may include the following: any correspondence, minutes, agenda, contract, memorandum, book, plan, drawing, photograph, client file, client financial records, employee file, volunteer file, and any other documentary material regardless of physical form or characteristics. It also includes any copy of those things, or any other things on which information is recorded or stored by graphic, electronic, mechanical or other means but **does not** include a computer program, or any other mechanism that produces records e.g. tape recorder, camera etc.

Privacy Principles

- Accountability
- Identifying Purpose and Limiting Collection
- Handling Client Complaints and Suggestions
- Access to Records and Information
- Openness
- Consent
- Accuracy
- Access
- Retention

- Confidentiality

Collection, Use, and Disclosure of Personal Health Information

An individual's request for residence/care from Cambridge Shelter Corporation implies consent for the collection, use, and disclosure of said individual's personal health information for the following purposes:

- to provide and assist in the provision of health care to the client through CSC services, programs, and facilities
- to plan, administer, and manage the operation of CSC services, programs, and facilities
- to manage risk and improve the quality and safety of CSC services and programs
- to educate or train CSC agents to provide health care related services
- to conduct research activities as approved by a research ethics board
- to comply with legal and regulatory requirements
- to fulfill other purposes that are permitted or required by law

From time to time, we may communicate about a client's care with their other health care providers in their circle of care, including collecting, using, and disclosing their personal health information through electronic medical information systems (sometimes called electronic health records, eHealth records, electronic medical records, etc.). If a client would like more information about the electronic medical information systems that CSC uses, they may request this information from the CSC Privacy Officer.

Any uses of their personal health information other than those mentioned above would require the individual's express consent.

Accountability

Cambridge Shelter Corporation has organizational accountabilities with respect to privacy. The organization will comply with the principles set out in the national document PIPEDA – Personal Information Protection and Electronic Documents Act and Ontario's *Personal Health Information Protection Act, 2004* (PHIPA). The Executive Director will be designated as the Privacy Officer and will be accountable for the organization's compliance. The Privacy Officer will proactively manage privacy issues and resolve any complaints and concerns.

Identifying Purpose and Limiting Collection

Cambridge Shelter Corporation will identify the purpose for collecting personal information prior to, or at any time it is being provided, to ensure that personal information will not be used without individual consent, unless a consent exception applies or in the case of PHI where implied consent is understood. Individuals providing personal information to Cambridge Shelter Corporation will be asked to sign a consent form or statement.

Handling Client Complaints and Suggestions

Cambridge Shelter Corporation will have a process in place for clients, employees, and volunteers to address complaints and concerns and to make suggestions with respect to the privacy of their personal information. This process ensures complaints, concerns and suggestions are addressed in a timely manner and that corrective action is taken to protect the personal information of clients, employees, and volunteers. Concerns may be relayed to the Privacy Officer. Issues that cannot be resolved by the Privacy Officer will be relayed to the Board of Directors and/or the corporation's legal counsel.

Access to Records and Information

All client, employee and volunteer records will be confidential and will not be made available to any person or agency except with the consent or authorization of the person concerned. An individual will be able to challenge the accuracy and completeness of the information and have it amended as appropriate. Cambridge Shelter Corporation may have access to personal and confidential information as part of its normal course of business.

Resident Rights and Choices

PHIPA provides certain rights related to personal health information under CSC custody or control. Please communicate with our Privacy Contact for more information related to your rights:

- to see and get a copy of your personal health information

- to ask us to make corrections to inaccurate or incomplete personal health information
- to withdraw your consent to our collection and use of your personal health information or its disclosure to other health care providers (subject to certain legal obligations)
- to be informed if your personal health information is lost, stolen, or improperly accessed

Openness

Cambridge Shelter Corporation will ensure reasonable access to policies and practices relating to the management of personal information. This privacy policy is available on our website at www.cambridgesheltercorp.ca and will be available to anyone upon request.

Consent

Personal Information - The knowledge and consent of the individual are required for the collection, use or disclosure of personal information. An authorized representative such as a legal guardian or a person having power of attorney can also give consent.

Personal Health Information – Cambridge Shelter Corporation uses an implied consent model for the collection, use, and disclosure of PHI. Only authorized HIC's will collect, use, and disclose PHI, and will not use the information other than what it was intended for.

Cambridge Shelter Corporation will not share personal/health information beyond the use for which it was intended which may include the circle of care. There may be instances where Cambridge Shelter Corporation may use information without the consent of the client, employee, or volunteer. Examples of these are:

- In a medical emergency, where the information is used for the purposes of acting in respect of an emergency that threatens the life, health, or security of the individual.
- If the information is required to comply with a subpoena or warrant issued or an order made by a court, person, or body with jurisdiction to compel the production of information, or to comply with rules of the court relating to the production of records e.g. warrant to search, arrest warrant
- If the information is provided to a government institution that has made a request for the information and identified its lawful authority e.g. Canada Customs and Revenue, Human Resources and Skills Development Canada

Front line employees **do not** have the ability to dispense with consent under the examples above. The Privacy Officer or their designate must grant any exceptions to the principle of consent.

A client, employee, or volunteer can withdraw consent at any time for personal information, but clients of Cambridge Shelter Corporation will imply consent to the use of PHI by the HIC by virtue of their residence at CSC. The way in which Cambridge Shelter Corporation seeks consent may vary depending upon the circumstances and the type of information collected.

Accuracy

Cambridge Shelter Corporation will take reasonable efforts to ensure personal information, as provided by the client, employee, or volunteer, is as accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used. It is the responsibility of clients, employees, and volunteers to ensure that their personal information supplied to Cambridge Shelter Corporation is accurate and up-to-date e.g. emergency contact names and numbers.

Access

Upon request, an individual shall be informed of the existence, use and disclosure of his or her personal information. An individual will be able to challenge the accuracy of completeness of the information and have it amended as appropriate. In certain situations, Cambridge Shelter Corporation may not be able to provide access to all the personal information it holds about an individual. Exceptions may include information that is prohibitively costly to provide, information that contains references to other individuals, information that cannot be disclosed for legal, security or commercial proprietary reasons, and information that is subject to solicitor-client or litigation privilege. Cambridge Shelter Corporation allows only authorized staff to access and use specific data holdings or personal information when required to perform their duties. All requests for personal information from external parties must be forwarded to the attention of the Privacy Officer.

Retention

Personal information will be retained and stored as long as necessary for the fulfillment of the intended purposes, or as long as required by law. Any information that is no longer required will be shredded/destroyed.

Confidentiality

Confidentiality is the non-disclosure of certain information except to an authorized person with the appropriate consent. Every employee and volunteer of Cambridge Shelter Corporation will annually sign a statement of understanding with respect to confidentiality.

Cambridge Shelter Corporation Privacy Contact

For more information or to raise a concern about CSC privacy practices, please contact our Privacy Officer

Name: Wayne Paddick

Mailing Address: 26 Simcoe St, Cambridge, ON

Phone: 519-624-9305 x107

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Email: wpaddick@cambridgesheltercorp.ca

The Information and Privacy Commissioner of Ontario

The Information and Privacy Commissioner of Ontario is responsible for making sure that privacy law is followed in Ontario. For more information about your privacy rights, or if you are unable to resolve an issue directly with our Privacy Contact and wish to make a complaint, contact:

Information and Privacy Commissioner of Ontario
2 Bloor Street East, Suite 1400
Toronto, ON M4W 1A8

Email: info@ipc.on.ca
Toll Free: 1-800-387-0073
TDD/TTY: 416-325-7539