



ADMINISTRATIVE POLICIES & PROCEDURES MANUAL
POLICY AND PROCEDURE

SECTION:	GENERAL	NUMBER:	G-190
ISSUED BY:	<i>Executive Director</i>	PAGE:	1 of 5
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PRIVACY

POLICY

Brantwood shall abide, at a minimum, by the Federal and Provincial privacy legislation.

DEFINITIONS

1. Personal Information: means any information which can potentially be used to uniquely identify an individual, and includes, but is not limited to, the following:
 - Age/Birth Date
 - Residing address
 - Telephone numbers
 - Marital Status
 - Social Insurance Number or other numerical identification
 - Income
 - Employee records including performance evaluations
 - Medical History (Health Information that relates to the physical or mental health of the individual)Personal Information does not include job title, agency contact information or job description.
2. Consent: means to permit, approve or agree. Consent may be expressed verbally (should be documented), in written format or implied.

PROCEDURE (distributed January 2007)

Brantwood is committed to protecting the confidentiality of the personal information in its custody and control (i.e. residents, individuals receiving support or employees). Anyone who collects, uses or discloses personal information on Brantwood's behalf is required to follow these 10 information practices:

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1. Accountability

Brantwood is responsible for all personal information in its custody or control and has designated an individual, the Director of Administrative Services, to act as its Chief Privacy Officer (CPO). The CPO is accountable for Brantwood's compliance with its Privacy Policy and related legislation. All Brantwood employees or persons associated with Brantwood are responsible to ensure the privacy of the personal information that is obtained, handled or viewed in the course of the operation and services of Brantwood.

Brantwood demonstrates its commitment to privacy and the confidentiality of personal information by:

- Implementing policies and procedures to protect personal information
- Educating anyone who collects, uses or discloses personal information on Brantwood's behalf about their responsibilities under Brantwood's privacy policies. All Brantwood employees and those persons associated with Brantwood are accountable to Brantwood for protecting the confidentiality and security of all Personal Information under their control.

2. Identifying Purposes

- Brantwood will identify to the individual from whom it collects personal information (and explain as necessary) the purposes for the collection.
- Brantwood may collect personal information for purposes related to direct client care, administration and management of Brantwood programs and services and as permitted or required by law.
- When personal information that has been collected is to be used for a purpose not previously identified, the new purpose will be identified. Unless the new purpose is permitted or required by law, consent is required before the information can be used for that purpose.

3. Consent

- Consent of the employee or person to receive service will be obtained through the acceptance of the service or hiring agreement before releasing any personal information. Those individuals already receiving support or are an employee will grant this consent through the publication, distribution and acceptance of this Privacy Policy.

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- Brantwood will generally rely on implied consent from the individuals we support or their legally authorized representative for the collection, use, or disclosure of Personal Information. In some circumstances, Brantwood will obtain express consent to collect, use or disclose personal information as permitted or required by law. Brantwood may disclose personal information as required by law without consent.
- An individual may withdraw consent at any time, but the withdrawal cannot be retroactive. The withdrawal may also be subject to legal or contractual restrictions and reasonable notice.

4. Limited Collection

Brantwood collects only that personal information which is necessary for the purposes identified by the organization. Information is collected from and about individuals using open, fair and lawful means.

5. Use, Disclosure and Retention

- Brantwood only uses the individual's personal information for purposes as identified. If for a separate purpose, explicit consent is obtained from the individual or unless required or allowed by law.
- If an individual's personal information is disclosed or exchanged with another party, such as another service provider, Brantwood will endeavour to ensure that such party accepts and will comply with the provisions of this policy.
- Brantwood will retain an individual's personal information as long as necessary to achieve the stated purposes and to comply with legislation and regulations regarding records retention.
- When information is no longer required to be kept, Brantwood will destroy paper files and purge electronic files in a secure way that will eliminate the possibility of information contained in such files ever being accessible.

6. Accuracy of Personal Information

- To the extent reasonably possible, personal information will be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used. Brantwood does not routinely update personal information, unless this is necessary to fulfill the purposes for which the information was collected.

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7. Safeguards for Personal Information

- Brantwood has implemented security safeguards for the personal information it holds, which include:
 - Physical measures (i.e. locked filing cabinets)
 - Organizational measures (i.e. permitting access on a “need-to-know” basis only), and
 - Technological measures (i.e. the use of passwords on computer)
- An employee’s personnel file and health records will be kept separate at all times
- All employees of Brantwood will sign an “Oath of Confidentiality” on gaining employment in which they acknowledge their duties subject to this policy and subject to related legislation. (Refer to Confidentiality Policy in Admin Manual)
- All volunteers (including members of the Board of Directors) sign a similar confidentiality oath.
- Brantwood cannot ensure the security of any information transmitted to Brantwood electronically or where Brantwood transmits electronically.

8. Openness

- Information about Brantwood’s privacy-related policies and procedures is available in paper copy on request to the Privacy Officer. The policy is publicly posted on Brantwood’s website.

9. Individual Access

- Upon receipt of reasonable notice, individuals may view the paper and electronic files maintained by Brantwood with their own personal information, subject to established procedures or any legal restrictions.
- The individual may review the information contained in such files and comment on its accuracy, identify items of information not correct or not current and make specific suggestion or request for their proper revision.
- The individual has the right to a copy of all documents contained in the files. A nominal charge may be imposed for copying of personal information.

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10. Compliance

- Individuals may contact the Privacy Officer with questions, suggestions or opinions with regard to Brantwood's compliance with this policy and relevant legislation.
- Brantwood will investigate all written complaints and respond.
- The Privacy Officer is responsible for monitoring applicable legislation and taking such steps as required to ensure that Brantwood and this policy and its related practices, procedures and safeguards remain in compliance.