



PRIVACY & PERSONAL INFORMATION POLICY

ECMH is responsible for all personal information under our control. Both the Executive Director, with the Privacy Officer, are responsible for ensuring compliance with policy and procedures outlined in this document.

The individual appointed to be accountable for the compliance of this Privacy Policy will be known as our Privacy Officer. The Privacy Officer may be contacted in writing at 250 Sidney Street, Belleville, ON, K8P 3Z3, by email – tsnider@enrichmentcentre.ca; or by phone – 613-969-8874. Fax is also acceptable to the attention of “Privacy Officer” faxed to 613-969-8294.

ECMHs’ Privacy Officer will review any new processes, procedures, or practices affecting the privacy of our employees, our partners, and our clients, to ensure they are compliant with our Privacy Policy.

ECMHs’ Privacy Officer commits to being aware of, and knowledgeable about, any changes in Canadian provincial privacy legislation; and to ensuring ECMH consistently meets, or exceeds, the provincial privacy requirements.

Our commitment is to:

- Protect personal information;
- Allow individuals to request information, seek amendments to their personal information, and file complaints with our Privacy Officer;
- Train and educate staff on the organizations’ policies and procedures; and
- Develop information which explains those procedures to the public.

We will use reasonable means to ensure that client personal information is given a comparable level of protection while being processed by a third party. If it is

not practical to obtain written assurances, we may choose to make a written notation in our own file(s).

ECMH will identify the purpose for which we collect personal information, at or before, the time the information is collected.

We will identify such purposes in writing. Common purposes for collection could include:

- Enabling our employees to acquire payroll and benefits;
- Assisting clients and assessing their ongoing needs for employment;
- Assessing clients' needs for other forms of assistance, such as referrals to other agencies;
- Performing a risk assessment of clients to ensure the safety and well-being of our employees; and
- Ensuring that client information is accurate and up to date.

A consent form stipulating the purpose for the collection of personal information will be used.

We will identify any new purposes that arise during the course of dealing with personal information – and obtain prior consent for this new use – even if we have already identified certain initial purposes. We will only do this when the intended new purpose truly constitutes a “new” use, i.e., when the purpose now being proposed is sufficiently different from the purpose initially identified.

Express Consent

We will obtain the appropriate consent from individuals for the collection, use, or disclosure of their personal information, except where the law provides an exemption.

We may obtain express written consent for the collection, use, or disclosure of their personal information; or we may determine that consent has been implied by the circumstances.

Express consent is a specific authorization given by the individual in writing. Implied consent is one in which ECMH has not received a specific authorization, but where the circumstances allow us to collect, use, or disclose personal information.

Express written consent includes a client/employee:

- Signing a consent form (see attached forms);
- Providing a letter, application form, or other document authorizing certain activities; and
- Providing an authorization electronically (through a computer).

We will often seek express consent at the onset of a new business relationship; however, we may determine that by an individual seeking employment supports/services through our organization, consent has been implied for us to collect, use, and disclose personal information in a reasonable manner.

Subject to legal exceptions and reasonable notice, consent may be withdrawn at any time. We generally require such withdrawal to be in writing. There may be serious consequences for failing to provide, or withdrawing consent, such as our inability to offer services to the client, or the inability for employees to acquire payroll and benefits.

Depending on whether a new purpose is identified during the course of dealing with a client's personal information, we may choose to seek a new consent. We do not consider a regular updating of information in a client's file to be a new purpose; therefore, we will not seek a new consent for this purpose.

Exceptions – there are circumstances in which we are not required to obtain an individual's consent or explain purposes for the collection, use, or disclosure of their personal information. These include, but are not limited to:

- Collection – We may collect personal information without consent when it is in the individual's interest, and timely consent is unavailable; or to investigate a breach of an agreement, or a contravention of law.

- Use – We may use personal information without consent for similar reasons as those listed beside “collection” above; and also, in an emergency situation in which an individual’s life, health, or security is threatened.
- Disclosure – We may disclose personal information without consent for law enforcement and national security purposes; to a lawyer representing our organization, and/or in an emergency situation in which an individual’s life, health, or security is threatened.

Limited Collection

The personal information we collect will be limited to that which is necessary for the purposes we have identified and is collected by fair and lawful means.

We only collect personal information for specific, legitimate purposes. We will not collect personal information indiscriminately.

We will only collect information by fair and lawful means, and not by misleading or deceiving individuals about the purpose for which information is being collected.

Our policies and procedures related to the limitations on the collection of personal information will be regularly communicated to our staff members who deal with personal information.

Disclosure & Retention of Personal Information

Limiting Use, Disclosure, and Retention Personal information will not be used or disclosed for purposes other than those for which it was collected; except with the consent of the individual or as required by law. We will only retain personal information as long as necessary for the fulfillment of those purposes.

We will only use or disclose information for legitimate, identified purposes. We will retain personal information only as long as necessary for the fulfillment of the purposes for which it was collected. ECMH has set mandatory retention time frame limits based on Provincial Employment and Labour Standards, and will

retain personal information only as long as is outlined in the applicable legislation.

Personal information that has been used to make a decision about an individual will only be retained long enough to allow the individual access to the information after the decision has been made. This period will not exceed applicable industry standards.

Personal information that is no longer required to fulfill identified purposes will be destroyed, erased, or made anonymous.

Accuracy

The personal information we collect will be accurate, complete, and up-to-date, as is necessary for the purposes for which it is to be used.

ECMH will, on an on-going basis, ensure the accuracy and completeness of personal information under our care and control.

Individuals who provide their personal information to us must do so in an accurate and complete manner.

We consider a regular updating of client and employee personal information to be necessary to ensure the accuracy of client and employee files, and to provide appropriate services to our clients and staff.

Our goal is to minimize the possibility that inappropriate information may be used to make a decision about any individual whose personal information we process.

The process for ensuring accuracy and completeness will involve:

- Initial collection from clients and employees;
- Verification of accuracy and completeness from clients and employees;
- Regular reviews; and
- Verification of accuracy by contacting third parties.

We will provide recourse to individuals who appear to have legitimate corrections to make their information on file. Once significant errors or

omissions have been identified, we will correct or amend the information as appropriate. Where necessary, we will send such corrected or amended information to third parties who have had access to the information in question.

Safeguards

We will safeguard the security of personal information under our control, in a manner that is appropriate to the sensitivity of the information.

We will protect the security of personal information, regardless of the format in which it is held (i.e. against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification).

More sensitive information will be safeguarded by a higher level of protection; however, we will generally seek to achieve the highest level of security at all times.

In determining what safeguards are appropriate, we will consider the following factors:

- The sensitivity of the information;
- The amount of information held;
- The parties to whom information will be disclosed;
- The format in which the information is held; and
- The way in which the information is physically stored.

When transferring client information to a third party, we will remove or mask any information that is not strictly needed by the third party.

Our methods of protection may include:

- Physical measures: locked filing cabinets and/or restricted access;
- Organizational measures: such as security clearances and limiting access on a “need-to-know” basis; and
- Technological measures: such as the use of passwords and encryption.

We will ensure that our policies and procedures on safeguarding personal information are clearly communicated and accessible to our employees by:

- Training staff on the subject of personal information protection; and
- Having regular staff meetings in which we will review our procedures, and revise where appropriate.

We will take precautions in the disposal, or destruction, of personal information to prevent unauthorized parties from gaining access to the information. These measures may include:

- Ensuring that no one may retrieve personal information after it has been disposed of;
- Shredding documents before recycling them; and
- Deleting electronically stored information.

Openness

We will make readily available to individuals' specific information about our policies and procedures relating to the management of personal information that is under our control.

Individuals will be able to inquire about our policies and procedures without reasonable effort.

Our staff will be informed of who the designated Privacy Officer(s) is, so that members of the public can be easily informed.

We may choose to make information about our policies and procedures available in a variety of ways. For example:

- Making this document available publicly; and
- Incorporating these policies and procedures into our website.

The information that we make publicly available will include:

- The name or title, and address of our Privacy Officer;

- The means of gaining access to personal information held by the organization;
- A description of the type of personal information held by the organization and a general account;
- A description of the type of personal information held by the organization and a general account of its use;
- Written information that explains our policy and procedures; and
- A general list of the kinds of personal information made available by us to other organizations.

Individual Access

Upon request, an individual will be informed of the existence, use, and disclosure of his or her personal information, which is under our control, and may be given access to; and challenge the accuracy and completeness of that information.

Upon written request, an individual will be informed as to whether or not we hold personal information about him or her. If we do hold such personal information, upon written request, we will provide access to the information, as well as a general account of its use.

The manner in which access will be given will vary, depending on the format in which the information is held (i.e. hard copy or electronic), the amount of information held, and other factors. For example, if there is a large volume of information, instead of providing a copy of the entire file, we may simply provide a summary of the information.

Upon written request, we will provide a list of third parties to whom we may have disclosed an individual's personal information. If we are unsure exactly which third parties may have received the information, we will provide a list of third parties likely to have received the information.

Individuals will be required to provide sufficient information to us to permit an account of existence, use, and disclosure of personal information.

The procedure for making a request is as follows:

- 1) All requests must be made in writing, using a form such as the Request/Complaint Form.
- 2) We will respond to a request within 30 days after receipt of the request, unless we first advise the individual that we need a longer period to respond.
- 3) If we refuse a request, we will inform the individual in writing of the refusal, explaining the reasons and any recourse the individual may have; including the possibility that they may file a complaint with the Privacy Commissioner of Canada.
- 4) Deemed refusal – Notwithstanding sub-paragraphs (2) and (3), if we do not respond within the above time limit, we will be deemed to have refused the request.
- 5) Costs for responding – ECMH may require payment of a modest fee to cover our administrative costs associated with preparing a response.

There are also exceptions which will prevent us from providing access, including where:

- Personal information about another person might be revealed;
 - Commercially confidential information might be revealed;
 - Someone's life or security might be threatened;
 - The information was collected without consent for the purposes related to an investigation of a breach of an agreement or contravention of the law;
- or
- The information was generated during the course of a formal dispute resolution process.

When an individual successfully demonstrates the inaccuracy or incompleteness of personal information, ECMH will amend the information according to the

nature of the information being challenged (i.e. the correction, deletion, or addition of information) and transmit to the appropriate third parties involved.

If a challenge is not resolved to the satisfaction of the individual, the substance of the unresolved challenge will be recorded by ECMH in the clients'/employees' file; and when appropriate, the amended information will be transmitted to the third parties having access to the information in question.

Challenging Compliance

An individual may address a challenge concerning compliance with the above policies and procedures to our Privacy Officer.

Upon request, individuals who wish to inquire or file a complaint about the manner in which we handled their personal information – or about our personal information policies and procedures – will be informed of our applicable complaint procedures.

To file a complaint, an individual must fill out a Request/Complaint Form, which requires basic information and a description of the nature of the complaint. The procedure for filing a complaint about our organization is as follows:

- A Request/Complaint Form must be filed with our Privacy Officer;
- We will acknowledge the complaint right away;
- We will assign someone to investigate;
- We will give the investigator unfettered access to files and personnel, etc.
- We will clarify facts directly with the complainant, where appropriate;
- and
- We will advise the complainant in writing of the outcome of our investigation, including any steps taken to rectify the problem(s), if applicable.

We will document all complaints made by clients and staff, as well as our actions in response to complaints, by noting these details in the individual's file and also in a master privacy file.

If a complaint is found to be justified, ECMH will take appropriate measures; including, if necessary, amending its policies and procedures, where applicable.