

Privacy Policies and Procedures

Preamble

The Canadian Health Leadership Network (CHLNet) undertakes to protect personal information it collects in compliance with the federal Personal Information Protection and Electronic Documents Act. The following outlines CHLNet’s commitment to respect privacy, maintain confidentiality and safeguard personal information. The following principles and policies are based on those in Schedule 1 of the Act.

The *Act* defines personal information as “any information about an identifiable individual, but does not include the name, title or business address or telephone number of an employee of an organization”. As such, “business card” information is excluded from the definition; it is not subject to the rules in the *Act* or these policies.

Policies	Procedures
<p>1. <u>Accountability</u></p> <p>1.1 CHLNet’s Executive Director is accountable for CHLNet’s compliance with the Personal Information Protection and Electronic Documents Act, even though other employees or agents may be delegated to act on behalf of the Executive Director.</p> <p>1.2 CHLNet uses contractual or other means to provide privacy protection, when personal information collected by CHLNet is being processed by a third party.</p>	<p>When delegating duties and responsibilities under the Act or CHLNet’s policies, the Executive Director will issue a written notification to employees and agents.</p> <p>When a contractor has access to personal information, collected by CHLNet, for processing or other purposes, the Office Manager ensures the contract has provisions addressing the contractor’s duty to:</p> <ul style="list-style-type: none"> ▪ limit uses and disclosures to purposes allowed by the contract; ▪ use physical, organizational and technical safeguards to protect the personal information from unauthorized access, use, disclosure or destruction, to an identified standard; ▪ limit access to its employees and agents who have a “need to know”; ▪ ensure its employees and agents sign a confidentiality pledge; and ▪ allow CHLNet to conduct audits of the contractor’s compliance with the provisions.

Policies	Procedures
<p>1.3 CHLNet implements privacy policies and practices, including:</p> <ul style="list-style-type: none"> a) implementing procedures to protect personal information; b) establishing procedures to receive and respond to complaints and inquiries; c) training staff and communicating to staff information about CHLNet’s policies and practices; and d) developing information to explain CHLNet’s policies and procedures. 	<ul style="list-style-type: none"> a) See procedures under section 7. b) See procedures under section 10. c) See procedures under section 7. d) See procedures under section 8.
<p>2. <u>Identifying Purposes</u></p> <p>2.1 CHLNet identifies and documents the purposes for which personal information is collected.</p> <p>2.2 CHLNet communicates the identified purposes to individuals at or before the time of collection. Depending upon the way in which the information is collected, this can be done orally or in writing.</p>	<ul style="list-style-type: none"> a) The employee or agent responsible for each CHLNet program or service that involves the personal information, drafts a statement of purposes. b) The employee or agent then consults with appropriate advisory groups or committees, where they exist. c) The employee or agent then submits the purposes statement to the Executive Director. d) Upon approval by the Executive Director, the employee or agent: <ul style="list-style-type: none"> ▪ includes the purposes statement in documentation of the program or service, and ▪ makes it available upon request. <p>The employee or agent responsible for each CHLNet program or service that involves the personal information ensures that the approved purposes are communicated to individuals at or before the time of collecting personal information. This may occur by:</p> <ul style="list-style-type: none"> a) including a notice on application, registration and order forms, both paper and electronic; b) including the purposes in brochures and other materials that describe the program or service; and c) verbally explaining the purposes when information is collected verbally (e.g. by phone).

Policies	Procedures
<p>2.3 When personal information is to be used for a new purpose, CHLNet documents the new purpose prior to use. Unless the new purpose is required by law, CHLNet obtains the consent of the individual before information is used for the new purpose.</p> <p>2.4 CHLNet employees and agents who collect personal information are able to explain the identified purposes.</p>	<p>The employee or agent responsible for each CHLNet program or service that involves the personal information:</p> <ul style="list-style-type: none"> a) ensures any new purpose is documented, approved and communicated by following procedures 2.1 and 2.2; and b) obtains consent from individuals to use personal information for the new purpose, unless the new purpose is required by law. <p>The employee or agent responsible for each CHLNet program or service that involves the personal information ensures that those who collect the personal information are able to explain the identified purposes.</p>
<p>3. <u>Consent</u></p> <p>3.1 CHLNet obtains consent for the collection of personal information and its subsequent use or disclosure, at the time of collection or before use for a new purpose.</p> <p>3.2 CHLNet assumes implied consent has been provided when an individual completes and submits an application, registration and order forms when the purposes are on the form or identified in related program documentation provided to the individual.</p> <p>CHLNet makes a reasonable effort to inform individuals of the identified purposes, so that they can understand how their personal information will be used or disclosed.</p> <p>CHLNet does not require an individual to consent to the collection, use, or disclosure of personal information beyond that required to supply a product or service.</p> <p>3.3 CHLNet seeks express consent when appropriate, given the reasonable expectations of an individual and the sensitivity of the information.</p>	<p>The employee or agent responsible for each CHLNet program or service ensures that implied or express consent is obtained when personal information is collected.</p> <p>The employee or agent responsible for each CHLNet program or service ensures that application, registration and order forms and/or related documentation:</p> <ul style="list-style-type: none"> ▪ include the identified purposes; ▪ include a statement that “CHLNet considers there is implied consent to use and disclose the personal information collected for the identified purposes when a completed form is submitted”; and ▪ provide “opt-out” boxes that permit an individual to refuse consent for specific purposes which are not essential for the program or service (for example, appearing on the list of Network Partners). <p>The employee or agent responsible for each CHLNet program or service ensures that express consent for the collection, use or disclosure of personal information is obtained from an individual, when:</p>

Policies	Procedures
	a) implied consent would not be reasonable; or b) the information is sensitive.
3.4 CHLNet does not obtain consent through deception. 3.5 An individual may withdraw consent at any time, subject to legal or contractual restrictions and reasonable notice. CHLNet informs the individual of the implications of such withdrawal.	No related procedure. The employee or agent responsible for each CHLNet program or service ensures that: a) individuals are advised of the implications of withdrawing consent (for example, if an individual withdraws consent for CHLNet to use the information on his or her application, the application cannot be processed); and b) personal information is not used or disclosed when consent has been withdrawn.
4. <u>Limiting Collection</u> 4.1 CHLNet only collects personal information necessary to fulfil the identified purposes. 4.2 CHLNet specifies the type of personal information collected as part of its information-handling policies and practices. 4.3 CHLNet only collects personal information by fair and lawful means.	The employee or agent responsible for each CHLNet program or service reviews application, registration and order forms to ensure that only personal information necessary for the purpose is collected. The employee or agent responsible for each CHLNet program or service ensures that public information about the programs and services describes the types of personal information collected. a) An employee or agent who believes personal information is being collected by unfair or unlawful means, advises the Executive Director. b) The Executive Director investigates and takes corrective action if required.
5. <u>Limiting Use, Disclosure, and Retention</u> 5.1 CHLNet does not use personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law.	The employee or agent responsible for each CHLNet program or service ensures that personal information is only used for the identified purposes, unless: <ul style="list-style-type: none"> ▪ the individual has consented to another use; or

Policies	Procedures
	<ul style="list-style-type: none"> ▪ the use is required by law.
<p>5.2 CHLNet does not disclose personal information for purposes other than those for which it was collected, except with the consent of the individual or as required by law.</p> <p>5.3 CHLNet retains personal information only as long as necessary for the fulfilment of the purposes it was collected for, according to minimum and maximum retention periods.</p> <p>5.4 Personal information that is no longer required to fulfil the identified purposes is destroyed, erased, or made anonymous. CHLNet destroys personal information in a manner that prevents unauthorized access, use or disclosure.</p>	<p>The employee or agent responsible for each CHLNet program or service ensures that personal information is only disclosed for the identified purposes, unless:</p> <ul style="list-style-type: none"> ▪ the individual has consented to another disclosure; or ▪ the disclosure is required by law. <p>a) The Office Manager prepares a retention schedule, with minimum and maximum retention periods for various types of personal information collected by CHLNet.</p> <p>b) Upon approval by the Executive Director, the Office Manager distributes the retention schedule to all employees and agents for implementation.</p> <p>a) The Office Manager prepares a record disposition procedure for records of personal information collected by CHLNet.</p> <p>b) Upon approval by the Executive Director, the Office Manager distributes the record disposition procedure to all employees and agents for implementation.</p>
<p>6. <u>Accuracy</u></p> <p>6.1 CHLNet ensures personal information shall be as accurate, complete, and up-to-date as is necessary for the identified purposes, to minimize the possibility that inappropriate information may be used to make a decision about the individual.</p> <p>6.2 CHLNet routinely updates personal information only when necessary to fulfil the purposes for which the information was collected.</p>	<p>The employee or agent responsible for each CHLNet program or service takes reasonable steps to ensure that personal information is accurate, complete and up-to-date as necessary for the purposes.</p> <p>a) The Office Manager ensures that members have the opportunity to review and update their personal information for the membership database as part of the annual membership renewal process.</p> <p>b) For other purposes, the employee or agent responsible for each CHLNet program or service only updates personal information when needed to carry out the purpose.</p>

Policies	Procedures
<p>7. <u>Safeguards</u></p> <p>7.1 CHLNet has security safeguards to protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification.</p> <p>CHLNet’s safeguards include:</p> <ul style="list-style-type: none"> a) Physical measures such as restricted access to its offices; b) Organizational measures such as having staff sign a confidentiality pledge; and c) Technological measures, such as the use of passwords and firewalls. 	<p>The Office Manager, is responsible for:</p> <ul style="list-style-type: none"> a) protecting personal information in electronic formats against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification, by: <ul style="list-style-type: none"> • developing, implementing and monitoring procedures and processes to support the secure collection, access, retention, destruction, storage, transfer and release of personal health information; • implementing privacy and security enhancing technologies to counter threats to personal health information; • maintaining disaster recovery plans to ensure the availability of information systems; • responding to security incidents and breaches and taking corrective action to prevent similar breaches in the future; • maintaining detailed inventories of system hardware, software and data; and • maintaining up-to-date system control and audit logs. b) protecting personal information in non-electronic formats against loss or theft, as well as unauthorized access, disclosure, copying, use or modification, by: <ul style="list-style-type: none"> • implementing and monitoring procedures and processes to safeguard personal health information from such risks; • designating staff who have responsibilities under the procedures; and • regularly reviewing and testing the effectiveness of the safeguards. c) developing, implementing and monitoring procedures and systems which: <ul style="list-style-type: none"> • control access to CHLNet offices; • ensure visitors are screened and supervised; • provide for the secure disposal and destruction of non-electronic records containing personal health information; and • other corporate safeguards.

Policies	Procedures
<p>7.3 CHLNet makes its staff aware of the importance of maintaining the confidentiality of personal information.</p>	<p>The Executive Director ensures that each new employee:</p> <ul style="list-style-type: none"> • receives a copy of these privacy policies and procedures; and • signs a confidentiality pledge as a condition of employment.
<p>8. <u>Openness</u></p> <p>8.1 CHLNet makes readily available information about its policies and practices relating to the management of personal information, including:</p> <ol style="list-style-type: none"> a) the name or title and the address of the Executive Director who is accountable for the CHLNet’s policies and practices and to whom complaints or inquiries can be forwarded; b) the means of gaining access to personal information held by CHLNet; c) a description of the type of personal information held by CHLNet including a general account of its use; d) a copy of any brochures or other information that explain CHLNet’s policies, standards or codes; and e) what personal information is made available to related organizations. 	<p>The Office Manager ensures that the information listed in this policy is available to the public through appropriate means such as paper documentation and information on the CHLNet website.</p>
<p>9. <u>Individual Access</u></p> <p>9.1 Upon request, CHLNet informs an individual of the existence, use, and disclosure of his or her personal information.</p> <p>9.2 Upon request, CHLNet provides an individual with access to his or her personal information. Exceptions to access may occur when information:</p> <ul style="list-style-type: none"> ▪ is prohibitively costly to provide; ▪ contains references to other individuals; ▪ cannot be disclosed for legal, security, or commercial proprietary reasons; and 	<p>When an individual :</p> <ul style="list-style-type: none"> ▪ inquires about the existence, use and disclosure of his or her personal information; or ▪ requests access to his or her personal information. <p>The Office Manager:</p> <ol style="list-style-type: none"> a) coordinates the search for all records that contain the individual’s personal information; b) reviews the records to determine if any information will be withheld; and c) responds in writing to the individual within 30 days, to indicate: <ul style="list-style-type: none"> ▪ whether access will be provided;

Policies	Procedures
<ul style="list-style-type: none"> ▪ is subject to solicitor-client or litigation privilege. <p>Upon request, CHLNet provides the reasons for any denial of access.</p> <p>9.3 CHLNet responds to an individual's access request normally within 30 days and at no cost to the individual.</p> <p>9.4 An individual is able to challenge the accuracy and completeness of the information.</p> <p>9.5 When an individual successfully demonstrates the inaccuracy or incompleteness of personal information, CHLNet amends the information as required and, if:</p> <ul style="list-style-type: none"> a) appropriate, transmits the amended information to third parties to whom it has been disclosed; and b) when a challenge is not resolved to the satisfaction of the individual, CHLNet records the substance of the unresolved challenge and when appropriate, transmits the existence of the unresolved challenge to third parties to whom the information in question was disclosed. <p>9.6 CHLNet responds to an individual's requests normally within 30 days and at no cost to the individual.</p>	<ul style="list-style-type: none"> ▪ the reasons why access is denied to any of the records; or ▪ that the records are attached (if copies requested) or the process to examine the originals. <p>When an individual requests amendments to his or her personal information, the employee or agent:</p> <ul style="list-style-type: none"> a) makes the changes when it is reasonable to do so (for example, new address): or b) refers to the request to the appropriate employee or agent, who makes the amendments. <p>When the amendments are of a more substantial nature, the employee receiving the request may ask the individual to submit the request in writing with supporting documentation. In this case, the Office Manager:</p> <ul style="list-style-type: none"> a) clarifies the request with the individual; b) reviews the request to determine if amendments are appropriate; and c) responds in writing within 30 days, to indicate: <ul style="list-style-type: none"> ▪ whether the amendment has been made; ▪ the reasons why an amendment has been refused; ▪ that a note has been added to the individual's records which described the unresolved dispute; and ▪ whether the amendment or statement of dispute will be provided to other parties who have received the original information.
<p>10. <u>Challenging Compliance</u></p> <p>10.1 An individual is able to address a challenge concerning CHLNet's compliance with these policies or the Personal Information Protection and</p>	

Policies	Procedures
<p>Electronic Documents Act to the Executive Director.</p> <p>10.2 CHLNet informs individuals who make inquiries or lodge complaints of the relevant complaint procedures.</p> <p>10.3 CHLNet investigates all complaints. If a complaint is found to be justified, CHLNet takes appropriate measures, including, if necessary, amending its policies and practices.</p>	<p>a) When an individual inquires about challenging compliance, the employee or agent provides this procedure;</p> <p>b) An individual may challenge CHLNet's compliance with these policies or the Personal Information Protection and Electronic Documents Act in writing to the Executive Director; and</p> <p>c) Following investigation of the challenge, the Executive Director will notify the individual in writing of:</p> <ul style="list-style-type: none"> ▪ the findings; ▪ the actions being taken, if any; and ▪ the individual's right to appeal to the Privacy Commissioner of Canada.