

## C-46.1 PERSONAL INFORMATION AND PRIVACY

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**POLICY:** MACL respects and upholds an individual's right to privacy and to protection of his/her personal information. MACL is committed to ensuring compliance with applicable privacy legislation.

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### Definitions

"Personal information" for the purposes of this policy means information about an individual. It does not include aggregate information which cannot be associated with a specific individual and it does not include the name, title, *business* address, *business* e-mail address, or *business* telephone number of an individual.

"Third party" for the purposes of this policy is an individual or an organization other than MACL and the parties identified below from whom we collect, use and disclose information.

### **1. Accountability**

MACL is accountable for the personal information in its possession or control, including information that has been transferred to a third party for processing. MACL has appointed the Executive Director as its organizational Privacy Officer is responsible for the organization's compliance with this Policy.

All staff are obligated to protect the personal privacy of applicants/clients with regard to all personal information collected by MACL. Staff are required to follow the procedures of this Policy regarding the management of personal information.

Staff will be adequately trained and provided with information about the privacy laws applying to the organization.

### **2. Purposes for Collection, Use & Disclosure**

MACL collects and uses personal information about Staff/Volunteers/Members/Donors and Clients/Applicants and their Support Network/Caregivers/Contractors for the following purposes.

Staff/Volunteers/Members/Donors:

- a. to establish and maintain the employment relationship, including the provision of wages and benefits to employees;
- b. to establish emergency contact information;
- c. process a membership or donation;
- d. send out a survey, newsletter, bulletins;
- e. send out information on meetings, membership, etc;
- f. identify member, donor, volunteer or non-member preferences;
- g. demonstrate compliance with accreditation standards, e.g. human resource policies.

Clients/Applicants and their Support Network/Caregivers/Contractors:

- a. to assess the need for support services;
- b. to enable MACL to communicate with applicants/clients;
- c. to assess any special needs an applicant may have with respect to support services, such as a need for accommodation of certain disabilities;
- d. to enable MACL to provide information to present and potential funding organizations (i.e. Ministry of Child and Family Development, Community Living B.C.);
- e. to provide/coordinate services related to:
  1. residential, life skills supports,
  2. health care (medical/mental health care),
  3. dental care,
  4. mobility supports,
  5. medications,
  6. behavioral supports,
  7. supported child development,
  8. preschool, school, after school supports,
  9. social/recreational supports,
  10. volunteer, employment and pre-employment supports,
  11. social support networks.
- f. to collect payment for services provided, such as respite user fees and Individualized Funding (including overdue accounts);
- g. to enable MACL to make payments.

MACL will not collect, use or disclose information beyond that required to fulfill the specified purposes.

When personal information that has been collected is to be used for a purpose not previously identified, the new purpose will be identified prior to use.

### **3. Consent**

Unless we hear otherwise from you, your use of the MACL's services and facilities constitutes consent for MACL to collect, use, and disclose personal information for the purposes stated in this Policy. Notwithstanding this, specific written consent may be sought from time to time for more sensitive information (release of client medical information, staff references, etc).

Persons other than staff may refuse or withdraw consent. Refusal or withdrawal of consent may prevent MACL from providing to you a service or access to our facilities.

One may refuse or withdraw consent by contacting MACL at 604-826-9080. Our Privacy Officer will explain your options and any consequences of refusing or withdrawing consent, and will record your choices.

#### **4. Disclosure of Information to Third Parties**

The only circumstances under which personal information may be disclosed to third parties is for the fulfillment of any purposes identified above, with express consent, or as required by law. If personal information is disclosed to third parties for the fulfillment of any purposes identified above, MACL will ensure that appropriate security undertakings, such as confidentiality clauses in contractual agreements, are employed to protect the transfer and use of personal information. MACL does not sell, trade, or rent information to third parties. For example, if employees applying for credit with a financial institution require MACL to provide employment information, he/she must provide written consent to do so. This consent must be submitted to the Accounting Dept. before employment information will be released.

#### **5. Limiting Collection**

We collect personal information only for the purposes identified above.

#### **6. Limiting Use, Disclosure, and Retention**

We do not use or disclose personal information for any purpose other than those for which it was collected, except as required by law, or with consent. Personal information is retained only as long as is necessary for the fulfillment of the purposes for which it was collected, or as required by law.

#### **7. Accuracy**

MACL will make all reasonable efforts to ensure that personal information is as accurate, complete, and current as required for the purposes for which it was collected. MACL relies on applicants/clients to ensure that certain information about them, such as their contact and reference information, is current, complete, and accurate. It is the applicant's/client's/client representative's responsibility to inform MACL if their personal information changes.

#### **8. Safeguards**

MACL uses security safeguards to protect personal information. These safeguards are appropriate to the sensitivity of the information. MACL will make all reasonable efforts to protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification.

The security safeguards include:

- a. Physical measures (e.g. archiving; computer back ups; locked offices and/or filing cabinets; monitored and alarmed office, physical destruction of hard drives before selling or disposing of computers)
- b. Administrative measures (e.g. immediate filing of all application forms; timely destruction of old files; protection of files in use from access by unauthorized persons; Records Retention Policy which states how and when records are to be destroyed)

- c. Technological measures (e.g. the use of passwords; assignment of user accounts; the implementation of firewalls,)

## **9. Individual Access**

Individuals have the right to access their personal information under the control of MACL. The Privacy Officer will assist them with their access requests. We will deal with access requests within 30 days of the request being made.

Access requests should be made, in writing, to the Privacy Officer at 33345 2<sup>nd</sup> Ave, Mission, BC V2V 1K4 or by calling 604-826-9080. In certain exceptional situations, further to privacy legislation, we may not be able to provide access to certain personal information that we hold about applicants/clients. Examples of where we may not provide access include, but are not limited to, the following:

- where provision may reveal personal information about another individual;
- where the information is subject to solicitor-client privilege;
- where the information was collected in relation to the investigation of a breach of an agreement or a contravention of a federal or provincial law; or
- where provision could reasonably be expected to threaten the health or safety of an individual.

If access cannot be provided, MACL will notify the individual making the request, in writing, of the reasons for the refusal.

## **10. Openness Concerning Policies and Practices**

MACL will make available specific information about its policies and practices regarding the management of personal information. To contact MACL to obtain further information regarding our policies and practices, please refer to section 12 below.

## **11. Revisions to This Privacy Policy**

The development of the MACL's policies and procedures for the protection of personal information is an ongoing process. Due to changes in technology and legal requirements we may revise this Policy from time to time. Please ensure that you refer to the current version of MACL's Privacy Policy (they are dated). The current version will be available in our reception area, as well as posted on our website: **[www.macl.bc.ca](http://www.macl.bc.ca)**

## **12. Concerns or Questions Regarding Compliance**

An individual may address a concern or question about compliance with this policy to MACL's Privacy Officer at 604-826-9080 or e mail [macl@macl.bc.ca](mailto:macl@macl.bc.ca)

MACL will investigate any complaints received in writing. If a complaint is found to be justified, MACL will take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. An individual will be informed, in writing, of the outcomes of the investigation regarding his or her complaint.