

Policy Number: QA7.081	Policy Section: Quality Assurance	Effective: March 2, 2011 Amended: April 1, 2023
Title: Access to Personal Information for Research Purposes Policy		Executive Sponsor: VP, Quality Services & Indigenous Relations

1. PURPOSE

This policy explains under what conditions individuals' personal information may be accessed for research and statistical purposes. It is one of a suite of policies as described in the *Organizational Privacy Policy*. These policies are supplemented by the CLBC *Privacy Guidelines* which provide an overview of privacy legislation and best practices.

2. DEFINITIONS

Confidentiality: The obligation to keep others' personal information private, secret and safe from access, use or disclosure by people who are not authorized to have that personal information.

Cultural safety: An outcome of respectful engagement based on recognition of the power imbalances inherent to service systems, and the work to address these imbalances. A culturally safe environment for Indigenous peoples is one that is physically, socially, emotionally, and spiritually safe without challenge, ignorance, or denial of an individual's identity. Practicing cultural safety requires having knowledge of the colonial, sociopolitical, and historical events that trigger disparities Indigenous Peoples encounter and perpetuate and maintain ongoing racism and unequal treatment.

Freedom of Information and Protection of Privacy Act (FOIPPA): Provincial legislation that provides the legal context for the accountability of public bodies, including CLBC, as regards information sharing and protecting personal privacy.

Information Access Operations Branch (IAO): The section in the B.C. Ministry of Citizens' Services which manages all requests for information under the *Freedom of Information and Protection of Privacy Act* (FOIPPA) for the BC government, including Community Living BC. The Information Access Operations Branch provides freedom of information request processing related advice and training services for CLBC. The Branch is required to respond to a request for information within 30 business days.

Informed Consent: A person is made aware of the decision or choice to be made; understands the possible consequences of giving or not giving consent, including for instance the purpose for which released information may be used; and then consents voluntarily.

Personal Information: Information recorded about an identifiable individual, including, but not limited to:

- name, address, telephone number, email
- race, national/ethnic origin, colour, religious or political beliefs or associations
- age, sex, sexual orientation, marital status
- identifying number or symbol such as social insurance number or driver's licence number
- fingerprints, blood type, DNA prints
- health care history
- educational, financial, criminal, employment history and
- anyone else's views or opinions about an individual and the individual's personal views or opinions unless they are about someone else.

Personal information also includes separate pieces of information that may seem unrelated, but when put together would allow someone to accurately infer information about an individual.

Privacy of Personal Information: The fundamental right of individuals to determine for themselves when, how and to what extent their personal information is collected, used and communicated to others.

Office of the Information and Privacy Commissioner: The Office of the Information and Privacy Commissioner investigates, mediates and attempts to resolve appeals concerning access to information disputes, and where necessary issues binding orders. The Office generally requires a complainant to first work out a solution directly with the organization involved, without their involvement. The Office will mediate a settlement of any complaint that it does accept.

Third Party: A person or organization other than the person or organization requesting the information.

3. POLICY

Personal information about individuals supported by CLBC may be used for research and statistical purposes only if the following conditions are met:

- CLBC has approved the proposed purpose, scope and outcome of the research, and specific methodology to be used, ensuring that relevant aspects of the *Freedom of Information and Protection of Privacy Act* (FOIPPA) are addressed.
- CLBC's use of information complies with requirements of the *Anti-Racism Data Act*.
- CLBC's research practices are consistent with Cultural Safety principles described in the *Cultural Safety Policy*.
- The research purpose cannot be reasonably accomplished unless the personal information is provided in individually identifiable form.
- Any record linkage is not harmful to the individuals supported and the benefits are clearly in the public interest.

- Individual identifiers are removed and destroyed at the earliest reasonable time.
- Any subsequent use or disclosure of the personal information is prohibited without the expressed authorization of CLBC.

CLBC requires the researcher or statistician to sign an agreement to comply with the FOIPPA, with these conditions and with CLBC policies and practices relating to the privacy and confidentiality of personal information.

Disclosure for research purposes is authorized in Canada only.

4. PROCEDURES

4.1 CLBC staff refer any requests or research proposals, which may involve the use of personal information, to the Director, IT Services.

4.2 The Director, IT Services

- Prescribes the conditions related to the security and confidentiality of personal information used for research or statistical purposes;
- Ensures any research proposal meets the requirements of this policy and of the FOIPPA; and
- Approves any research request which involves the use of personal information held by CLBC.

5. DOCUMENTATION

5.1 The Director, IT Services maintains a record of the research and keeps an original of the agreement signed by the researcher or statistician.

6. REFERENCES

Cultural Safety Policy

Organizational Privacy Policy

CLBC Privacy Guidelines

BC Government

Anti-Racism Data Act

Freedom of Information and Protection of Privacy Act (FOIPPA)