



Policy Number: QA7.060	Policy Section: Quality Assurance	Effective: March 2, 2011
Title: Organizational Privacy Policy		Executive Sponsor: Director, Quality Assurance

1. PURPOSE

This policy describes CLBC's approach to privacy of personal information. It provides general direction for all staff working with the personal information of individuals served by CLBC or of CLBC employees. It is rooted in and exceeds the requirements of the *B.C. Freedom of Information and Protection of Privacy Act (FOIPPA)*. The *Organizational Privacy Policy* is an overarching policy which complements the *CLBC Privacy Guidelines* and is complemented by a suite of more detailed policies dealing with specific aspects of privacy and confidentiality.

2. DEFINITIONS

Breach of Privacy: An unwanted or unexpected event such as theft, loss or unauthorized disclosure which threatens the privacy of personal information.

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.

Consistent Purposes: Use and disclosure of personal information is considered consistent if the use and disclosure has a reasonable and direct connection to the purpose for which it was originally collected and is necessary to carry out the mandate and responsibilities of CLBC.

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 to information sharing and protecting personal privacy.

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.

Need-to-Know: The legitimate requirement to know, access or possess personal information that is critical to the performance of an authorized, assigned mission.

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.

Service Provider: A person or an independent organization under contract with CLBC to deliver supports and services to individuals and/or families.

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

3. POLICY

CLBC protects the privacy and confidentiality of personal information of individuals and their families, and of CLBC employees. Individuals, their families and employees can expect that their personal information is used only for consistent purposes. CLBC applies the following practices in all actions and decisions involving personal information of individuals, families and CLBC employees:

- Limiting the collection of personal information to that which is relevant and necessary to the purpose for which it was collected;
- Obtaining personal information with the knowledge and consent of the individual;
- Maintaining personal information in an accurate, complete and up-to-date manner;
- Using personal information only for purposes which reflect the original intent of collection;
- Keeping personal information confidential, other than for the specified purposes for which it was collected, except with the informed consent of the individual or as required by law;
- Accessing and using personal information only on a need-to-know basis;

- Protecting personal information with security safeguards against risk of loss, unauthorized access, destruction, use, modification or disclosure of such information;
- Retaining personal information for a specified period of time as required by law or policy;
- Maintaining openness about policy and practices with respect to personal information, including what kinds of information the organization has, where it is stored and how it is used;
- Informing individuals of the process for obtaining or correcting their personal information; and
- Accounting publicly for compliance measures related to these practices.

CLBC requires that service providers comply with the *Privacy Protection Schedule* which forms part of the Terms and Conditions of their contract, in order to protect the privacy and confidentiality of personal information of individuals supported by CLBC.

CLBC provides detailed policy direction on specific aspects of the privacy and confidentiality of personal information through a suite of privacy policies and policy tools listed in *Appendix 1*.

4. PROCEDURES

4.1 All Staff

- Comply with the *Standards of Conduct for Community Living BC Employees* and with the specific privacy related policies and policy tools listed in Appendix 1.
- Consult with their manager for guidance as required, and with the Director, Quality Assurance as directed by their manager.
- Report any actual or suspected breach of privacy of personal information to their manager and the Director, Quality Assurance.
- Assist individuals, families and service providers with questions about privacy, confidentiality and information sharing.

4.2 Managers

- Ensure that staff are aware of and comply with all CLBC privacy policies and practices.
- Advise the Director, Quality Assurance of any gaps in privacy policy or practices.
- Consult with the Director, Quality Assurance with questions about privacy policies and practices, and for guidance regarding issues or complaints that involve privacy.

4.3 Director, Quality Assurance

- Acts as CLBC's designated Privacy Officer, with overall responsibility and accountability for CLBC privacy policies and related compliance and quality assurance processes.
- Oversees development and implementation of CLBC privacy policies and practices.
- Ensures that existing and new CLBC policies address FOIPPA privacy requirements.
- Consults on specific privacy concerns or issues.

4.4 Director, Human Resources

- Ensures that personnel policies and practices reflect the rights of staff and applicants to privacy and confidentiality as required by FOIPPA.

4.5 Director, Information Technology

- Ensures that CLBC information systems are compliant with FOIPPA, the expectations of the Office of the Government Chief Information Officer and with CLBC privacy policies.
- Identifies new areas where information technology privacy policies may be required.
- Manages the response to breaches of electronic systems in conjunction with the Director, Quality Assurance.

5. DOCUMENTATION

5.1 Required documentation is completed as described in the specific privacy policies and in the *Documentation and Recording Policy*.

6. PRACTICE

6.1 The protection of the privacy and confidentiality of personal information is a core element of the CLBC organizational culture, reflecting the values of trust and respect in our relationships with the people we support. Staff are expected to integrate this element into their everyday practice and relationships with each other, with individuals and families, and with third parties.

6.2 Staff are expected to become familiar with the *CLBC Privacy Guidelines*. These guidelines provide background, an overview of privacy legislation affecting CLBC and service providers, and a summary of the key aspects of CLBC privacy policy and practice. They are written in straightforward language and are suitable for sharing with individuals and families or with service providers, when explaining the CLBC approach to privacy or answering questions.

6.3 There may be situations where an alternate decision maker, usually a Committee, may act for the individual in matters regarding the individual's personal information. See the *Role of Formal and Informal Representatives Policy*, and/or consult with the Director, Quality Assurance for direction.

7. REFERENCES

B.C. Freedom of Information and Protection of Privacy Act (FOIPPA)
CLBC Privacy Guidelines
CLBC Standards of Conduct for Community Living British Columbia Employees
Documentation and Recording Policy
Role of Formal and Informal Representatives Policy
Confidentiality and Information Sharing Policy

Appendix 1: CLBC Privacy Policy Suite Operational Privacy Policies and Tools

Right to Access Personal Information Policy	<ul style="list-style-type: none"> ○ Providing access for individuals to their personal information ○ Enabling individuals to correct or update their personal information 	QA7.070 Effective March 2011
Breach of Privacy Policy/Protocol	<ul style="list-style-type: none"> ○ What to do in case of a privacy breach 	Core Government Policy
Confidentiality and Information Sharing Policy	<ul style="list-style-type: none"> ○ Sharing personal information with or without consent ○ Documenting consent and release of information 	QA7.050 Effective August 2011
Records Retention, Archiving & Disposal Policy	<ul style="list-style-type: none"> ○ How long to keep records of personal information ○ Archiving and disposing of personal information 	Core Government Policy
Access to Personal Information for Research Purposes Policy	<ul style="list-style-type: none"> ○ Conditions where personal information can be used in research 	QA7.080 Effective March 2011
Use of E-mail and Fax Policy	<ul style="list-style-type: none"> ○ Limitations on transmission of personal information through e-mail and fax 	QA7.090 Effective July 2011
Use of Social Media Policy	<ul style="list-style-type: none"> ○ Appropriate use of internet and social media for staff in work situations 	CM8.010 Effective April 2011
Working Off-site Policy	<ul style="list-style-type: none"> ○ Physical/electronic safeguards for protecting privacy of personal information when working off site 	Under Development
Clean Desk Policy	<ul style="list-style-type: none"> ○ Physical/electronic safeguards for protecting privacy of personal information in CLBC offices/systems 	Under Development

Human Resources Privacy Policies and Tools

Employee Personal Information Statement	<ul style="list-style-type: none"> ○ Privacy of employee's personal information ○ How and when employees personal information may be shared 	Employee System Input Document
Internet and Communications Technology Use Agreement	<ul style="list-style-type: none"> ○ Agreement signed by employees prior to accessing CLBC and government information and communications technologies 	Employee Agreement Revised July 2011
Standards of Conduct for Community Living BC Employees	<ul style="list-style-type: none"> ○ Expectations of employees of CLBC ○ Agreement signed by the employee 	Employee Agreement Revised September 2010

Information Technology Privacy Policies and Tools

Information Security Policy	<ul style="list-style-type: none"> ○ Overarching framework providing information security controls throughout CLBC 	IT5.010 March 2007
Personal Information Data Inventory	<ul style="list-style-type: none"> ○ List of data elements collected and why 	Under Development
Role Matrix and Provisioning Policy	<ul style="list-style-type: none"> ○ Assigned roles and responsibilities for access to and management of CLBC's information systems 	Under Development

Related Policies

Documentation & Recording Policy	<ul style="list-style-type: none"> ○ How to collect personal information ○ Issuing a privacy notice when collecting information 	SE4.200 Effective April 2008
Role of Formal and Informal Representatives Policy	<ul style="list-style-type: none"> ○ Defines and describes the roles of authorized representatives of individuals 	QA7.030 Effective November 2009
Legal Requirements Policy	<ul style="list-style-type: none"> ○ Situations where these may be a legal requirement to share personal information 	QA7.040 Effective April 2010

Privacy Tools Affecting Service Providers

Privacy Protection Schedule	<ul style="list-style-type: none"> ○ Requirements for service providers regarding privacy of personal information of individuals supported by CLBC ○ Forms part of service providers contract , Terms and Conditions 	Contract terms and Conditions Effective August 2010
-----------------------------	--	--