

PRIVACY POLICY (PIPEDA)

Westhills Care Centre

POLICY	The Home is responsible for protecting personal information in its possession, including information that is set to third parties. The Administrator has ultimate responsibility of ensuring compliance with PIPEDA. Personal information will not be used or disclosed for purposes other than those for which it is collected unless further consent is sought or required by law.
PURPOSE	To ensure that all medical, personal and/or any other information regarding and/or related to the Home, its residents, family members and staff is held in strictest confidence in order to ensure that the Home complies with current legislation (PIPEDA) in as far as it applies to the residents' rights to control the use of their personal information, , unless consent for disclosure of such information is obtained and signed.
SET-UP	Confidentiality Agreement
COMPLETED BY	Administrator, Department Head
PROCEDURES STAFF	<ol style="list-style-type: none"> 1. Ensure that PIPEDA requirements are fully enforced within their designated department. 2. Ensure that Confidentiality Agreement is signed immediately upon acceptance of employment at the facility 3. Ensure each new employee is fully familiarized with PIPEDA legislated requirements and fully understood the contents in the Confidentiality Agreement, including consequences for non-compliance. 4. Provide a copy of signed agreement to the employee and place the original on the Employee file
RESIDENT	<ol style="list-style-type: none"> 5. As part of the admission process, ensure residents and/or substitute decision maker sign the Consent to Disclose Personal Health Information and other applicable consents as they relate to privacy of information such as photos, research, clinical records access and etc. 6. The Resident/SDM/POA must be fully informed of the purpose for which personal information is collected and this information will be clearly outlined in each Consent form and or signed agreement as it may apply for efficient delivery of care, services, quality management, billing information and /or legal and regulatory requirements.

7. If information is being collected for a new purpose (e.g., research) that was not identified to the Resident/SDM/POA previously, the person(s) must be informed of this and may choose to give or deny consent, unless the information is required by LAW.
8. Place a signed copy in the resident's file. Ensure that *consent withdrawal* by the Resident/SDM/POA is documented and communicated to appropriate disciplines.
9. Inform the Resident/SDM of complaint process

PRIVACY
OFFICER

10. Administrator/Privacy Officer (DON) will be responsible to investigate all written complaints and respond to the complainant in writing within seven (7) days or request extension in writing till full investigation is completed.
11. When requested, provide a list of people/organizations to which the information was disclosed.

Key Note:

- a. All staff share the responsibility of adhering to Home's privacy policies and procedures as they relate to the PIPEDA
- b. Ensure applicable laws are adhered to regarding destruction of resident personal information

LIMITED

COLLECTION

12. Ensure information is collected by fair and lawful means. The collection of personal information must be limited to purposes identified in the Consent given by Resident/SDM/POA
13. Ensure information collected is accurate, complete, and up to date as possible to meet the needs for which it is being collected.

SERVICE
PROVIDER

14. Prior to signing the agreement ensure service agreements with the third party contain confidentiality clause which meets the legislated requirements.
15. Ensure accuracy of personal information as service provider will make decisions based on the accuracy of information collected and provided.

SAFEGUARDS Security safeguards appropriate to sensitivity of information are in place to protect personal information which include

- * Secured storage areas
- * Electronic file access control
- * Electronic encryption
- * Release of information on a “need to know” basis

INDIVIDUAL ACCESS

1. Any person requesting access to their file shall be able to do so by providing 24 hours written notice to the Business Office
2. Specific documents as they relate to the request, will be copied from the file for a nominal fee. *Original documents cannot be removed from the file.*
3. If the correctness of the information is challenged full investigation by the Privacy Officer will be undertaken and action taken accordingly

WITHHOLDING ACCESS

1. The Home may withhold access to an individual’s personal information under following circumstances:
 - * If deemed to be harmful to the individual, as may be noted by the attending physician
 - * If the information is too difficult to collect
 - * If the information refers to a third party
 - * Information that may be subject to client-solicitor privilege

Key Note: A record will be maintained of all persons requesting access to personal information, including person’s name, type of request, copies given, investigation reports and outcomes.

CROSS REFERENCES PIPEDA Legislation and Related Regulations (Personal Information Protection and Electronic Documents Act)

Approval **CORPORATE COMMITTEE**