



## Policies and Practices to Protect the Privacy of your Personal Information March 2020

Family Counselling and Support Services for Guelph-Wellington (FCSSGW) is committed to collecting, using, and disclosing personal information responsibly and only to the extent necessary for the services we provide. We endeavour to be open and transparent as to how we handle personal information. Under the Personal Information Protection and Electronics Documents Act (PIPEDA), which took effect in January 2004, we are required to provide you with a description of our policies and practices for protecting personal information. This document describes our privacy policies.

### **WHAT PERSONAL INFORMATION IS:**

Personal information refers to information about an identifiable individual. Personal information includes information that relates to an individual's personal characteristics (e.g., name, date of birth, home address, and telephone number), their health (e.g., presenting problem, health history, health services received by the individual, social situation) or their activities and views (e.g., opinions expressed by an individual, an opinion or evaluation of an individual). Personal information is different from business information (e.g., an individual's business address and telephone number), which is not protected by privacy legislation.

### **WHO WE ARE:**

Family Counselling and Support Services for Guelph-Wellington is a not-for-profit multi service agency that is also a charity. We provide three primary services to residents of Guelph-Wellington that include, clinical counselling services, developmental services, and financial health and literacy services across the age continuum. FCSSGW is staffed by qualified and appropriately credentialed providers who provide direct services to people. Clinical staff are required to be members in good standing of governing regulatory bodies; Developmental services staff are required to comply with quality assurance measures outlined by the Ministry of Community and Social Services; Financial Health and Literacy staff are required to have attained certification standards required by our accrediting body, Credit Counselling Canada. We also supervise graduate students in counselling programs affiliated with universities that meet provincial standards. From time to time, professionals from the community are invited to provide direct service, supervise graduate students, or consult with the clinical team on an as-needed basis. FCSSGW also has administrative personnel who are responsible for ensuring the completeness and security of clinical files. In addition, volunteers may be recruited to assist with administrative tasks. Everyone who works with FCSSGW is required to sign a confidentiality agreement indicating that they will protect personal information and follow appropriate privacy principles. All staff and volunteers are required to have a police check conducted for working with vulnerable persons.

### **WHY WE COLLECT PERSONAL INFORMATION:**

#### **About Clients**

The primary reason we collect information about our clients is to provide one of the three services

described above. For example, we collect information about clients' health history, family history, physical and psychological condition, social situation, and current functioning to help in conducting assessments, planning treatment, or to advise them of treatment options. A secondary purpose is to obtain a baseline of health and social information so that in providing ongoing psychological services we can identify changes that are occurring over time. We also use information to invoice clients for services that were not paid for at the time of the visit, or to collect unpaid accounts. For the purposes of financial health & literacy services, we will collect financial information to enable us to assess the current circumstance for which solutions are being sought and to assess appropriate options.

### **About Members of the General Public**

We do not collect information about members of the general public. The exception is in response to telephone or email enquiries about our services. In these situations, messages or saved emails, containing the information provided by the enquirer, are saved until such time as the requests are dealt with then destroyed.

### **About Contract Providers**

FCSSGW contracts qualified practitioners to provide services that include mental health counselling services, developmental services, financial health and literacy services, and/or administrative services. For these contract providers, we collect information to ensure that we can contact them in the future (e.g., for new assignments) and for necessary work-related communication (e.g., paying invoices) as well as ensuring appropriate credentials and business requirements are met in compliance with government standards and regulations. Examples of the type of personal information we may collect for these purposes include home address, telephone numbers, and if appropriate, GST numbers business & malpractice insurance, etc. We also collect information related to their professional qualifications and information relevant to ensuring they practice in accordance with all applicable provincial and federal legislation, as well as professional standards of practice.

### **HOW WE USE AND DISCLOSURE OF PERSONAL INFORMATION:**

We are committed to protecting the privacy of our clients and staff by following our policies and procedures for and adhering to provincial and federal legislation concerning the collection, storage, and disclosure of personal information.

No personal information is communicated, directly or indirectly, to a third party without client informed and written consent. *Exceptions to this policy include the legal, and/or ethical obligations to:*

- a) inform a potential victim of violence of a client's intention to harm.
  
- b) inform an appropriate family member, health care professional or police, if necessary, of a client's intention to end his or her life.
  
- c) release a client's file if there is a court order to do so.

d) inform child protection agencies (e.g., Family & Children's Services) if there is suspicion of a child being at risk or in need of protection due to neglect, or physical, sexual or emotional abuse.

e) inform the police of suspected abuse, mistreatment or harm to a client with a developmental disability

e) report a regulated health professional who has mistreated a client to the professional regulatory body.

FCSSGW is accredited by Credit Counselling Canada. From time to time, our accreditors or our funders may inspect our records and interview our staff and practitioners as part of their ongoing activities in protecting the public interest. External regulators and funders have their own strict privacy obligations. Sometimes these activities include inspecting the premises and practices of members of the College to ensure they are meeting all applicable legislative and professional requirements. This might include reviewing files that include personal information about our clients or other individuals involved in the concern. Also, like all organizations, various government agencies (e.g., Information and Privacy Commissioner, Human Rights Commission, Revenue Canada, etc.) have the authority to review any files and interview our staff and practitioners as part of their mandates. In these circumstances, we would consult with legal professionals in the course of compliance.

The cost of some goods/services provided to clients by FCSSGW is paid for by third parties (e.g., WSIB, private insurance, motor vehicle insurance, EAP agencies, First Nations and Inuit Health Branch). These third-party payers often have your previous consent or legislative authority to direct us to collect and disclose to them certain information in order to demonstrate client entitlement to this funding.

It is the policy of FCSSGW that clients have a legal and moral right to know what information is contained about them in their records. Clients or their legal designates can have access to all information identified as pertaining to them (and only them) and which is stored in the client record, with the exception of information believed to be potentially harmful to clients, or information that is confidential about or from third parties. A request to review your file must be made in writing identifying the reason for this request. If you request to view your information, we will need to confirm your identity and legal right to have access to the information. We reserve the right to charge a nominal fee for such requests. If we cannot give you access to your record, we will tell you within 30 days, if possible, and tell you the reason, as best we can, as to why we cannot give you access.

If you believe there is an error in the information in your file, you have the right to ask for it to be corrected and this must be done in writing. This applies to factual information and not to any professional opinions that may have been formed. We may ask you to provide documentation to support corrections. If changed, a statement of changed information is included in the record. If the request for a change is denied, the client may file a notice of disagreement in the record.

## **HOW WE PROTECT PERSONAL INFORMATION:**

We understand the importance of protecting personal information. For that reason, we have taken the following steps:

- ☑ At all times, paper information is either under direct personal supervision or secured in a locked cabinet in a locked, restricted area.
- ☑ Electronic information is either under direct supervision or secured in a locked area at all times. In addition, passwords are required to access data information systems in which client information is stored.
- ☑ Paper information is transmitted through sealed, addressed envelopes or boxes by reputable companies (e.g., Canada Post, Purolator, Shred-It, Iron Mountain).
- ☑ Electronic information is transmitted either through facsimile, a virtual private network (VPN-internal only), or is anonymized.
- ☑ Any files being transported by practitioners are required to be stored in a locked area (e.g., car trunk, carrying case with a locking mechanism).
- ☑ Staff are trained to collect, use, and disclose personal information only as necessary to fulfill their duties and in accordance with our privacy policy.
- ☑ External consultants, contractors and volunteers with access to personal information must enter into privacy/confidentiality agreements with us that bind them to comply with all of our privacy requirements.

## **HOW WE RETAIN AND DESTROY PERSONAL INFORMATION:**

We need to retain personal information for some time to ensure that we can answer any questions you might have about the services provided and for our own accountability to external regulatory bodies. However, we do not want to keep personal information any longer than is absolutely necessary, to protect your privacy.

We are required by provincial law to keep client files for seven years following the adult client's last contact or, if the client was less than eighteen years of age, for ten years after the client turns 18. Our client directory (a list of client names and ID numbers) is much more difficult to systematically destroy, but we remove information as soon as we can when it appears that we will not be contacting you again.

We destroy paper files containing personal information by shredding. We destroy electronic information by deleting it and, when the hardware is discarded, we ensure that the hard drive is physically destroyed. We use reputable companies who use personnel that are bonded for the management and destruction of our files.

**IF YOU NEED MORE INFORMATION:**

For more information about our privacy policies and procedures, please contact our Information Officer:

Joanne Young Evans, Executive Director  
Family Counselling and Support Services for Guelph-Wellington  
20 Shelldale Crescent Guelph, ON N1H 1C8 Telephone: (519) 824-  
2431, Ext. 22

Fax: 519-824-3598  
Email: [info@familyserviceguelph.on.ca](mailto:info@familyserviceguelph.on.ca)

If you wish to comment or submit a formal complaint about or privacy practices, you may make it in writing to our Information Officer. She will acknowledge receipt of your complaint and ensure that it is investigated promptly. She will also ensure that you are provided with a formal decision and reasons in writing.

FCSSGW reserves the right to change the terms of this privacy policy and to make new policy provisions effective for all personal information we maintain. If this privacy policy is revised, we will post the revised policy in a conspicuous location in our offices.

For more general inquiries, the Information and Privacy Commissioner of Canada oversees the administration of the privacy legislation in the private sector. The Commissioner also acts as an ombudsman for privacy disputes. PIPEDA is a complex Act and provides some additional exceptions to the privacy principles that are too detailed to set out here. There are some rare exceptions to the commitments set out above and you are encouraged to contact the Information and Privacy Commissioner for further information.

INFORMATION AND PRIVACY COMMISSIONER  
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