

POLICY TYPE:	GOVERNANCE	POLICY #:	3.15
SECTION:	BOARD GOVERNANCE PROCESS		
POLICY NAME:	PRIVACY	EFFECTIVE DATE:	JUNE 2016
RESPONSIBILITY FOR REVIEW:	GOVERNANCE, RISK & PLANNING COMMITTEE	APPROVAL DATE:	JUNE 22 ND , 2016
		NEXT REVISION DATE:	JUNE 2019
PROCEDURE:	PRIVACY PROCEDURES	PROCEDURE #	3.15.1

Purpose:

The purpose of this policy is to define the Canadian Mental Health Association – Calgary Region’s commitment to the safeguarding of the personal information entrusted to us.

Background:

This privacy policy, in accordance with Alberta’s *Personal Information Protection Act* (PIPA), outlines the principles and practices followed in protecting personal information. Our privacy commitment includes ensuring the accuracy, confidentiality, and security of Individuals’ personal information and allowing Individuals to request access to, and correction of, their personal information. We inform Individuals of why and how we collect, use and disclose their personal information; obtain their consent where required; and only handle their personal information in a manner that a reasonable person would consider appropriate in the circumstances.

Definitions:

1. **“Personal Information”** means information about an identifiable Individual, (e.g., name, age, date of birth, home address, e-mail address, phone number, social insurance number, marital status, ethnicity, income, medical and health information, education, employment information, banking information, credit card information, and emergency contact information). Personal information does not include business contact information (described below).
2. **“Business Contact Information”** means information that would enable an Individual to be contacted at a place of business and includes name, position name or title, business telephone number, business address, business email or business fax number. Contact information is not covered by this policy or PIPA.
3. **“Individual”** includes any identifiable Individual receiving services or products from CMHA-Calgary Region, including, clients, participants, Board members, volunteers, employees and donors.

Policy:

1. Scope

This privacy policy applies to the CMHA - Calgary Region, including all employees, volunteers, programs, and services. This policy also applies to any contracted service providers collecting, using or disclosing personal information on behalf of CMHA-Calgary Region. A copy of this policy is provided to any client, employee or volunteer on request.

2. Collection of Personal Information

CMHA-Calgary Region collects only the personal information that is needed for the purposes of providing services, employment or volunteer opportunities. Unless the purposes for collecting personal information are obvious and the Individual voluntarily provides their personal information for those purposes, CMHA-Calgary Region will communicate the purposes for which Personal Information is being collected, either orally or in writing, before or at the time of collection.

CMHA-Calgary Region will only collect Personal Information that is necessary to fulfill the following purposes:

For clients to:

- Deliver requested workshops and/or presentations
- Provide programs and services
- Enroll a client in a program
- Raise funds to assist in the continuation of programs and services
- Provide required reports for funders as outlined in funding agreements

Note: Client information is subject to the *Health Information Act* (HIA)

For employment and volunteer opportunities to:

- Determine eligibility for employment or volunteer work, including verifying qualifications and references
- Issue tax receipts
- Contact and thank volunteers and supporters
- Establish training and development requirements
- Assess performance and manage performance issues, if they arise
- Administer payroll and benefits
- Award education bursaries
- Elect Board Members
- Keep members informed and up to date on activities, special events and opportunities
- Meet regulatory requirements (for example the Canadian *Income Tax Act* or the *Alberta Employment Standards Code*)

3. Consent

Individual consent will be obtained to collect, use or disclose Personal Information, except in specific circumstances where collection, use or disclosure without consent is authorized or required by law. Consent is assumed in cases where the individual volunteers information for an obvious purpose (for example, producing a credit card to pay a program fee when the information will be used only to process the payment).

Consent can be provided orally, in writing, electronically, through an authorized representative or it can be implied where the purpose for collecting, using or disclosing the Personal Information would be considered obvious and the Individual voluntarily provides Personal Information for that purpose.

Consent for the use and disclosure of Personal Information may be withdrawn at any time, in writing, unless the Personal Information is necessary for CMHA-Calgary Region to fulfill legal obligations.

4. Accuracy

CMHA – Calgary Region makes every reasonable effort to ensure that Personal Information is accurate and complete. We rely on Individuals to notify CMHA–Calgary Region if there is a change to their Personal Information that may affect their relationship with the organization. If an Individual is aware of an error in information about them, it is their responsibility to notify CMHA – Calgary Region and information will be corrected upon request wherever possible. In some cases written request for correction may be required.

5. Contractors and Service Providers

As outlined above in point 1. *Scope*, this policy applies to all contractors and service providers collecting, using or disclosing Personal Information on behalf of CMHA-Calgary Region.

In the event that a third party is contracted to perform work for our organization, legally binding confidentiality agreements exist that commit those organizations to strictly adhere to CMHA-Calgary Region's privacy policy and PIPA.

6. Roles and Responsibilities

The protection of Personal Information is a responsibility shared by all.

All employees, including staff, management and volunteers, are responsible for:

- Complying with this policy and PIPA;
- Participating in privacy training provided by CMHA-Calgary Region;
- Requesting clarification where needed; and
- Reporting concerns, complaints and requests for information to the Privacy Officer.

Program Managers are responsible for:

- Ensuring compliance with this policy and PIPA in their program; and
- Responding to requests for information from clients in their program area and consulting with the Privacy Officer for guidance in responding.

The Privacy Officer is responsible for:

- Ensuring CMHA-Calgary Region's compliance with this policy and the Personal Information Protection Act;
- Advising employees on specific questions relating to release of information and privacy;
- Reviewing and updating this policy regularly, or as PIPA is amended from time to time;
- Providing training and education to all employees;
- Responding to complaints; and
- Liaising with the Office of the Information Privacy Commissioner for AB, where appropriate.

Program Directors and the Executive Director (ED) are responsible for:

- Providing the time and resources for employees to attend training;
- Supporting employees in implementing this policy in their program or area.

7. Complaints and Requests for Information

CMHA-Calgary Region is committed to having an accessible and responsive complaint-handling process in place to ensure Individuals are able to make complaints about our organization's compliance with the Personal Information Privacy Act (PIPA).

Individuals should direct any complaints, concerns or questions regarding CMHA-Calgary Region's compliance in writing to the Privacy Officer. If the Privacy Officer is unable to resolve the concern, the Individual may also write to the Information and Privacy Commissioner of Alberta.

Privacy Officer Contact Information:

Canadian Mental Health Association – Calgary Region
Attention: Dave Adams, Privacy Officer
#105, 1040 – 7th Ave SW
Calgary, AB T2P 3G9
Phone: 403-297-1700

Reference:

1. Personnel Policy 3.4 Personnel Records
2. Personnel Policy 3.10 Resignation
3. General Agency Policy 11.0 Document Retention and Destruction
4. Client Services Policy 3.0 Maintaining Confidentiality
5. Client Services Policy 5.0 Maintenance of Client Files
6. Client Services Policy 5.1 Freedom of Information and Protection of Privacy
7. Client Services Policy 5.3 Retention of Client Files