


Policy and Process:	<b>A - 170 - Privacy Policy - Elements</b>
Effective Date:	August 1, 2018
Approved By:	Chief Operating Officer
Responsibility:	Director of Corporate Services
Review Frequency:	Every four years
Last Review Date:	<b>May 1, 2023</b> , July 13, 2021, October 15, 2020
Scope:	All Directors, Coordinators, managers, employees, and associates
Authorizing Signature:	

### **Privacy Policy**

At Elements Support Services Inc., your privacy is extremely important to us. We are committed to maintaining the privacy, security, and accuracy of the personal information that we collect, use, and disclose in accordance with applicable legislation. This privacy policy is a statement of principles and guidelines concerning the protection of personal information of our individual clients, individual service providers and other individuals.

Elements Support Services requires written and verbal consent from our clients before collecting, using, or disclosing personal information. These consents specifically state with whom the information and the type of information that will be shared. All our staff and providers have signed confidentiality agreements.

You may refuse or withdraw your consent to certain of the identified purpose at any time by contacting us. If you refuse or withdraw your consent, we may not be able to provide you or to continue to provide you with certain services.

#### **1. What personal information do we collect?**

Canadian privacy legislation defines personal information broadly as information about "an identifiable individual" or as information that allows an individual to be identified. Personal information includes information that relates to their personal characteristics (i.e., gender, age, home address or phone number, ethnic background, family status, language, identifying features, insurance benefit coverage), their health (i.e., health history, health conditions, health services received by them, prognosis or other opinions formed during assessments or treatments, health diagnosis and assessment), or their activities and views (i.e., religion, politics, opinions expressed by an individual, an opinion or evaluation of an individual, criminal history, involvement with the agency). Personal information is to be contrasted with business information (i.e., an individual's business address and telephone number), which is not protected by privacy legislation.

#### **2. Who do we collect information on and for what purpose?**

## **Clients**

We collect, use, and disclose personal information in order to serve you, our client. We do this in order that we can deliver our rehabilitation support services. Generally, we collect information about the results of client evaluations and assessments, physical condition and function, social and familial situations in order to implement rehabilitation recommendations. In addition, a primary purpose is to seek recommendations from the client's rehabilitation team and to document and report concerns and / or progress as needed.

While it would be rare of us to collect and share such information without, the client's expressed consent, this might occur in an emergency (i.e., the client is unconscious) or where we believe the client would consent if asked and it is impractical to obtain consent (i.e., a family member passing a message on from our client and we have no reason to believe that the message is not genuine) or where consent is implied ( i.e., sharing information with a medical professional when attending an appointment with the client). In cases where the client is incapable of consenting (i.e., a child, an incapacitated person), an appropriate substitute will provide the consent (i.e., parent, guardian, spouse, power of attorney).

## **Families and Friends**

In collecting and sharing information related to families and friends of our clients the primary purpose is to provide effective rehabilitation services to the client. This may include seeking recommendations from the client's rehabilitation team and to document and report concerns and / or progress as needed. It would be rare of us to collect such information without the client's express consent, but this might occur in an emergency.

## **Prospective Clients**

For prospective clients, our primary purpose for collecting personal information is to evaluate the availability of services we have and can offer. Consent to collect such information is implied when contact is initiated by the client's rehabilitation team, family and / or the client themselves.

## **General Public**

For members of the general public, our primary purpose for collecting personal information is to make them aware of Elements Support Services Inc. We use work contact information where possible, however we might inadvertently collect home addresses, fax number and email addresses. We will upon request immediately remove any personal information from our distribution list.

On our website we only collect, with the exception of cookies, the personal information you provide and only use that information for the purpose you gave it to us (i.e., to respond to your email message). Cookies are only used to help you navigate our website and are not used in any other way.

## **Employees, Contract Staff, Service Providers**

For employees, contract staff and service providers of Elements Support Services Inc., our primary purpose for collecting personal information is for necessary work-related communication (i.e., sending out pay cheques, tax receipts), to monitor work-related performance and for necessary work-related communication. Examples of the type of personal information we collect for those purposes include home addresses and telephone numbers. It is rare for us to collect the information without prior consent, but it may happen in the case of a health emergency or to investigate a possible breach of law (i.e., if a theft were to occur in the office). If employees wish a letter of reference or an evaluation, we will collect information about their work-related

performance and provide a report as authorized by them.

Other purposes:

- To invoice clients for goods or services or collect unpaid accounts.
- To advise clients and others of special events or opportunities (i.e., presentations, seminars, programs, new services) that we have available.
- Our agency reviews client and other files for the purpose of ensure that we provide high quality services, including assessing the performance of our staff. In addition, external consultants (i.e., lawyers, accountants, practice consultants) may on our behalf do audits and continuing quality improvement reviews of our agency, including reviewing client files and interviewing our staff.
- As professionals, we will report serious misconduct, incompetence, or incapacity of other rehabilitation team members if necessary. Also, our organization believes that it should report information suggesting serious illegal behaviour to the authorities. External regulators have their own strict privacy obligations. Sometimes these reports include personal information about our client, or other individuals, to support the concern (i.e., improper services). Also, like all organizations, various government agencies (i.e., Information and Privacy Commission, Human Rights Commission, etc.) have the authority to review our files and interview our staff as part of their mandates. In these circumstances, we may consult with professionals (i.e., lawyers, accountants) who will investigate the matter and report back to us.
- Our agency is legally obligated to copy and forward the client's file where a subpoena, warrant or court order has been issued to do so.
- Our agency believes it should report information suggesting self-harm, danger to self or others to the authorities.
- The cost of some goods / services provided by the agency to clients is paid for by third parties (i.e., OHIP, WSIB, private insurance). These third-party payers often have your consent or legislative authority to direct us to collect and disclose to them certain information in order to demonstrate client entitlement to this funding.
- Clients or other individuals we deal with may have questions about our goods or services after they have been received. We also provide ongoing services for many of our clients over a period of months or years, for which our previous records are helpful. We retain our client information for a minimum of ten years after the last contact to enable us to respond to those questions and provide these services.

### **3. Control of your personal information**

At Elements Support Services Inc., we want you to be able to maintain control over how we use your personal information. In particular:

- You have the right to "opt out" of some or all of the identified purposes, uses and disclosures listed above.

- Elements Support Services requires written and verbal consent from our clients before collecting, using, or disclosing personal information. These consents specifically state with whom the information and the type of information that will be shared.
- You may refuse or withdraw your consent to certain of the identified purpose at any time by contacting us. However, if you refuse or withdraw your consent, we may not be able to provide you or to continue to provide you with certain services.

#### **4. Where is your personal information stored?**

Your personal information is stored in secured locations and on servers controlled by Elements Support Services, located either at our offices or at the offices of our service providers. For access to your personal information, please contact our Chief Privacy Officer using the contact information in the "Contact Us" section below.

#### **5. How can you access your personal information?**

Upon written request, subject to certain exceptions, Elements Support Services Inc., will inform you of the existence, use, and disclosure of your personal information and will give you access to that information. Access requests should be sent to our Chief Privacy Officer, using the contact information in the "Contact Us" section below.

#### **6. How do we protect your personal information?**

We make every reasonable effort to protect against the loss, misuse, and alteration of personal information under our control. Our security policies are periodically reviewed and enhanced as necessary. We operate secure data networks protected by industry standard firewall and password protection systems. Only authorized employees and suppliers have access to your personal information.

#### **7. Changes to the Privacy Policy**

We reserve the right to modify or supplement the Elements Privacy Policy at any time.

#### **8. Contact Us**

Elements has appointed a Chief Privacy Officer to oversee compliance with this Privacy Policy and applicable Privacy Laws. You can contact the Chief Privacy Officer, Christine Miranda:

By calling: 905-393-5724

e-mail: [admin@Elementssupportservices.com](mailto:admin@Elementssupportservices.com)

The following ten privacy principles guide our commitment to your privacy:

Elements Support Services Inc. (ELEMENTS) is committed to protecting the confidentiality of the personal information in its custody and control. Anyone who collects, uses, or discloses Personal Information on ELEMENTS behalf is required to follow these 10 information practices:

### **1: Accountability for Personal Information**

ELEMENTS is responsible for the personal information in its custody or control and has designated an individual to act as its Chief Privacy Officer (CPO). The CPO is accountable for ELEMENTS's compliance with its Privacy Policy and related legislation.

ELEMENTS demonstrates its commitment to privacy and the confidentiality of Personal Information by:

- Implementing policies and procedures to protect personal information.
- Educating anyone who collects uses or discloses Personal Information on ELEMENTS's behalf about their responsibilities under ELEMENTS's privacy policies.
- Implementing policies and procedures through the Privacy Office to:
  - Receive and respond to complaints
  - Field inquiries on privacy related matters, and
  - Make material on ELEMENTS's privacy policies and procedures available.
- Reviewing this Privacy Policy on an annual basis.

### **2: Identifying Purposes for Which Personal Information is Being Collected**

ELEMENTS will identify the individual from whom it collects Personal Information (and explain as necessary) the purposes for the collection.

ELEMENTS collects Personal Information for purposes related to direct client service care, administration and management of ELEMENTS programs and services, client billing, administration, research, teaching, statistical reporting and as permitted or required by law.

When Personal Information that has been collected is to be used for a purpose not previously identified, the new purpose will be identified. Unless the new purpose is permitted or required by law, consent is required before the information can be used for that purpose.

### **3: Consent for the Collection, Use, and Disclosure of Personal Information**

ELEMENTS will generally rely on implied and informed consent from our clients or their legally authorized representatives for the collection, use, or disclosure of Personal Information. ELEMENTS may disclose personal information as required by law without consent.

An individual may withdraw consent at any time, but the withdrawal cannot be retroactive. The withdrawal may also be subject to legal or contractual restrictions and reasonable notice.

#### **4: Limiting Collection of Personal Information**

ELEMENTS limits the amount and type of personal information it collects to that which is necessary to fulfill the purposes identified. Information is collected directly from the individual unless the law permits or requires collection from third parties.

#### **5: Limiting Use, Disclosure, and Retention of Personal Information**

ELEMENTS uses and discloses personal information for purposes related to direct client services, administration, research, teaching, statistical reporting, client billing and administration.

Personal information will be retained in accordance with ELEMENTS policy, and as required by law. Otherwise, it will be destroyed, erased, or made anonymous.

#### **6: Accuracy of Personal Information**

To the extent reasonably possible, personal information will be as accurate, complete, and up to date as is necessary for the purposes for which it is to be used. ELEMENTS does not routinely update personal information unless this is necessary to fulfill the purposes for which the information was collected.

#### **7: Safeguards for Personal Information**

ELEMENTS has implemented security safeguards for the personal information it holds, which include:

- Physical measures (such as locked filing cabinets).
- Organizational measures (such as permitting access on a "need-to-know" basis only), and
- Technological measures (such as the use of passwords, encryption, and secure servers).

ELEMENTS requires anyone who collects, uses, or discloses personal information on its behalf to be aware of the importance of maintaining the confidentiality of personal information. This is done through the signing of confidentiality agreements, privacy training, and contractual means.

ELEMENTS has taken steps to ensure that the personal information in its custody and control is protected against theft, loss and unauthorized use or disclosure.

Care is used in the disposal or destruction of personal information, to prevent unauthorized parties from gaining access to the information.

#### **8: Openness About Personal Information Policies and Practices**

Information about ELEMENTS's policies and practices relating to the management of Personal Information are available, including:

- Contact information for the Chief Privacy Officer, to whom complaints or inquiries can be made.

- the process for obtaining access to Personal Information held by ELEMENTS and making requests for its correction.
- a description of the type of Personal Information held by ELEMENTS, including a general account of its use and disclosures.
- a copy of any information that explains ELEMENTS's privacy policies, standards, or codes.

## **9: Individual Access to Personal Information**

Individuals may make written requests to have access to their records of personal information, in accordance with ELEMENTS' policy for access and correction to records. ELEMENTS will respond to an individual's request within reasonable timelines and costs to the individual, as governed by legislation. ELEMENTS will take reasonable steps to ensure that the requested information is made available in a form that is understandable. Individuals who demonstrate the inaccuracy or incompleteness of their personal information may request that ELEMENTS amend their information.

## **10: Challenging Compliance with ELEMENTS's Privacy Policies and Practices**

An individual may address a challenge concerning compliance with this policy to the Privacy Officer. ELEMENTS will receive and respond to complaints or inquiries about its policies and practices relating to the handling of personal information. It will inform individuals who make inquiries or lodge complaints of other available complaint procedures. ELEMENTS will investigate all complaints. If a complaint is found to be justified, ELEMENTS will take appropriate measures. For further information about ELEMENTS' complaints process please contact the Privacy Officer, Christine Miranda at [christine@Elementssupportservices.com](mailto:christine@Elementssupportservices.com).

## **Website privacy and confidentiality policy**

ELEMENTS places a high value on privacy, both in person and online. ELEMENTS is committed to maintaining the privacy of all individuals who use [www.Elementssupportservices.com](http://www.Elementssupportservices.com) ("the Site").

This Site may contain links to other web sites. Upon entering other sites, you are subject to the privacy and security policies of those sites. This policy identifies the privacy practices of the ELEMENTS Site only.

No personal information (which means personally identifiable information including, without limitation, your name, street address, telephone number, screen name and e-mail address) about the user is collected from users of this Site unless specifically and clearly requested, and only when the user provides it voluntarily. This Site does not use or collect digital cookies to track visitors.

Personal information that has been provided by users is secure information and is requested to enhance the user's access to information at ELEMENTS. We only use personal information provided for the express purpose for which it was collected unless the user specifically agrees to the use of the personal information for additional purposes. In order to prevent unauthorized access and ensure proper use of your personal information, we have developed electronic and managerial procedures to secure information provided on-line. In addition, personal information will not be shared with any third party.

ELEMENTS gathers general trend data concerning traffic on the website for statistical analysis. This information is used for auditing and tracking purposes and to improve the content of the Site. It is not linked to your personal information.

As a user of this Site who has provided personal information to ELEMENTS, you can have access to your personal information for the purposes of correcting or updating any of your personal information or to delete the personal information you provided on this Site from our records. A contact email address for such purposes will be provided at the points of collection of personal information on this Site.

#### ANNUAL DECLARATION:

Elements is fully committed to the protection and privacy of information. On an annual basis all associates/employees shall sign the following declaration:

Elements is fully committed to the protection of personal information of our individual clients, individual service providers and other individuals. By signing below, the consultant/employee is confirming that he/she has read and understood and has obtained a copy of the Elements' Privacy Policy.