

# Kerry's Place Autism Services

## FA 214a

**SUBJECT: Privacy of Information for Persons Supported and Their Families**

**SPECIFIC TO:**  
**AUTHOR:** Financial and Administrative

**APPROVAL PROCESS:**

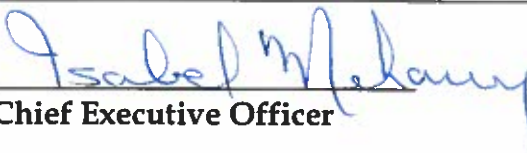
Subject Matter Expert (SME)  
- Financial and Administrative  
Executive Management (EMM)  
Chief Executive Officer (CEO)

**DATE OF ORIGIN: 01/01/2011**  
**SUPERCEDES:**  
**Last Reviewed Date:**

November 2012
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November 2016
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**ISSUING AUTHORITY:**

  
Chief Executive Officer

### POLICY STATEMENT

Kerry's Place Autism Services (Kerry's Place) respects the privacy of information and will ensure that the privacy of persons supported, their families, and the agency's operations are protected against unauthorized disclosure of information/records by employees or other persons associated with the agency. This Policy statement governs the collection, use, management, retention, security, and disclosure of personal information of persons supported by Kerry's Place. Kerry's Place will comply with all Privacy legislation that applies to the agency.

### SCOPE

Applicable to all employees, relief/temporary agency employees, students, contractors, volunteers, Host Family Providers, and consultants of Kerry's Place.

### LEGISLATION

Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008

Personal Information Protection and Electronic Documents Act

Child and Family Services Act, Part VIII

Other relevant Privacy legislation

### DEFINITIONS

Breach of Privacy and Confidentiality - see FA-214 Confidentiality

## **GUIDELINES**

### **Collection Use and Management of Personal Information**

Kerry's Place collects, uses, and manages personal information of the people we support (with their consent or the consent of their Substitute Decision Maker). This information includes:

- Demographic data including SIN number
- Support needs
- Contacts
- Budgets
- Person Centered Plans/Plan of care
- Personal Outcome Measures reports
- Medical information including health number , diagnosis, and specific conditions
- Incidents/behaviours
- Clinical and behavioural information
- Other Documents
- Respite Flexible Funding, Intensive Behavioural Intervention ( IBI),
- Budgets and Invoices

Kerry's Place collects personal information through a variety of means and from different sources such as persons supported themselves, their families, Kerry's Place employees, government, other agencies, and professional contacts such as physicians.

Kerry's Place collects and uses personal information for delivering services and supports to persons supported, managing the organization, and for auditing purposes. Kerry's Place does not sell, trade, barter, or exchange personal information about persons supported or their families.

### **Disclosure of Information**

Kerry's Place discloses personal information to provide services and supports, to manage the organization, and to audit its operation. It may also disclose personal information:

- a) where required by law or by order of a court, administrative agency, or other government tribunal;
- b) where Kerry's Place has reasonable grounds to believe that the disclosure is necessary to protect the rights, privacy, safety, or property of an identifiable person or group;
- c) where disclosure is made to law enforcement and Kerry's Place has reasonable grounds to believe that the information relates to breach of an agreement or contravention of law;
- d) to other organizations or persons who provide services or supports on its behalf; and/or

e) this is already publicly available.

Kerry's Place only discloses personal information to other organizations or persons who process personal information on its behalf if they agree to use such information solely for the purposes of providing services to Kerry's Place as instructed by Kerry's Place and to act in a manner consistent with the relevant principles articulated in this policy.

Kerry's Place only discloses such personal information if the person supported or the Substitute Decision Maker (SDM) sign a release unless required by law. Where Kerry's Place is required to disclose personal information, it will not disclose more information than it is required to disclose.

### **Accuracy and Retention of Information**

Kerry's Place endeavors to ensure that any personal information in its possession is as accurate, current, and as complete as necessary for the purposes for which Kerry's Place uses that information.

Kerry's Place retains personal information about persons supported only as long as necessary to fulfill the purpose for which it was collected or a related business or legal purpose.

### **Security of Information**

Kerry's Place endeavors to maintain appropriate physical, procedural, and technical security with respect to its offices and information storage facilities in order to prevent any loss, misuse, unauthorized access, disclosure, or modification of a supported person's personal information.

As part of these precautions, Kerry's Place restricts access to the personal information of persons supported to those employees and others (i.e. individuals or organizations processing personal information on Kerry's Place's behalf) who need to know that information in order that Kerry's Place may conduct its activities.

If an employee, volunteer, or student misuses the personal information of a supported individual, this will be considered as a serious offence for which disciplinary action may be taken, up to and including termination of the individual's employment, student placement, or volunteer position.

If an individual or organization that processes personal information on Kerry's Place's behalf does not comply with the terms under which Kerry's Place has given it access to personal information, this breach will be considered to be serious and may result in the termination of the individual's or organization's service contract.

For Kerry's Place's practices around monitoring and reviewing information sent from, received through, and stored on Kerry's Place's information technology system, see *FA-212 Electronic Information, Communication, and Equipment Procedures*.

**Access to Persons Supported Own Personal Information**

Requests from persons supported or their SDM will be forwarded to the appropriate manager who will ensure that the request is honoured unless there is a legal or legislated reason for not doing so. If original documents are being viewed by a person supported or his/her SDM, a member of management or a direct service employee should remain nearby to ensure that no documents are removed or destroyed.

Written by: Financial and Administrative

Approved By:

Signature: Isabel Mahony Nov 18, 2016  
CEO and President Date