

B-45.1 PERSONAL INFORMATION AND PRIVACY

POLICY: MACL respects and upholds an individual's right to privacy and protects personal information. MACL is committed to ensuring compliance with applicable privacy legislation. All staff are obligated to protect the personal privacy of applicants/clients with regard to all personal information collected by MACL. Staff are required to follow this policy regarding the management of personal information.

Definitions

"Personal information" does not include the name, title or business address of business telephone number of an employee of an organization.

"Third party" for the purposes of this policy is an individual or an organization other than MACL and the parties identified below from whom we collect, use and disclose information.

1. Accountability

MACL is accountable for the personal donor, person served, member, employee, applicant and volunteer information under its control. This includes personal information that is transferred to a third party for processing, storage or other purposes.

MACL has appointed the Human Resources Director as its organizational Privacy Officer who, in cooperation with the Senior Management Team, is responsible for the organization's compliance with this Policy.

Staff will be adequately trained, as necessary using required training programs upon hire with applicable mandatory training programs provided by CLBC and MCFD

Staff will be provided with information about the privacy laws applying to the organization.

2. Purposes for Collection, Use & Disclosure

MACL collects and uses personal information about donors, persons served, members, employees, applicants, contractors and volunteers for a variety of purposes, as specified below. The purpose for collection is identified before or at the time the information is collected.

Employees and Applicants:

Employee and applicant information is collected and used for contact purposes as well as to administer the employment relationship including compensation, benefits and pension programs. Information collected is also used to make decisions with respect to hiring, dismissal and performance evaluation.

Volunteers (including Practicum Students):

Information collected on volunteers is used for contacting the volunteer, to make decisions regarding assignment and dismissal, and to complete assessments and performance reviews.

Persons Served:

Information about the people we serve is collected and used to determine eligibility for services, deliver services, assess progress, promote safety of the individual, other clients and/or staff and to contact the person served or their family/decision maker. It is also used to collect payment for fee for services.

Contractors and applicants:

Information collected from contractors and applicants is used for contact purposes, to make decisions about contracting, to administer and manage the contract, and to assess ongoing contractor performance.

Board and MACL Society Members:

Information collected from board and Society members is used only for the purpose of contacting the individual, including distribution of information about MACL.

Donors:

The collection of donor information is limited and used for the purpose of processing donations to the Society and distributing of information about MACL.

MACL will not collect, use or disclose information beyond that required to fulfill the specified purposes.

When personal information that has been collected is to be used for a purpose not previously identified, the new purpose will be identified prior to use.

3. Consent

Unless we hear otherwise from you, your use of the MACL's services and facilities constitutes consent for MACL to collect, use, and disclose personal information for the purposes stated in this Policy. Notwithstanding this, specific written consent may be sought from time to time for more sensitive information (release of client medical information, staff references, etc).

Persons having given consent may change or withdraw consent at any time (subject to contractual or legal restrictions and reasonable notice) by contacting the Program Supervisor or Director. Refusal or withdrawal of consent may prevent MACL from providing to you a service or access to our facilities.

4. Disclosure of Information to Third Parties

The only circumstances under which personal information may be disclosed to third parties

is for the fulfillment of any purposes identified above, with express consent, or as required by law. If personal information is disclosed to third parties for the fulfillment of any purposes identified above, MACL will ensure that appropriate security undertakings, such as confidentiality clauses in contractual agreements, are employed to protect the transfer and use of personal information.

If employees applying for credit with a financial institution require MACL to provide employment information, he/she must provide written consent to do so. This consent must be submitted to the Accounting Dept. before employment information will be released.

MACL does not sell, trade, or rent information to third parties.

5. Limiting Collection

We collect personal information only for the purposes identified above.

6. Limiting Use, Disclosure, and Retention

We do not use or disclose personal information for any purpose other than those for which it was collected, except as required by law, or with consent. Personal information is retained only as long as is necessary for the fulfillment of the purposes for which it was collected, or as required by law.

7. Accuracy

MACL will make all reasonable efforts to ensure that personal information is as accurate, complete, and current as required for the purposes for which it was collected. MACL relies on applicants/clients to ensure that certain information about them, such as their contact and reference information, is current, complete, and accurate. It is the applicant's/client's/client representative's responsibility to inform MACL if their personal information changes.

8. Safeguards

MACL uses security safeguards to protect personal information. These safeguards are appropriate to the sensitivity of the information. MACL will make all reasonable efforts to protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification.

The security safeguards include:

- a. Physical measures (e.g. archiving; computer back ups; locked offices and/or filing cabinets; monitored and alarmed office, physical destruction of hard drives before selling or disposing of computers)
- b. Administrative measures (e.g. immediate filing of all application forms; timely destruction of old files; protection of files in use from access by unauthorized

- persons; Records Retention Policy which states how and when records are to be destroyed)
- c. Technological measures (e.g. the use of passwords; assignment of user accounts; the implementation of firewalls,)

9. Individual Access

Individuals have the right to access their personal information under the control of MACL. The Privacy Officer will assist them with their access requests. We will deal with access requests within 30 days of the request being made.

Access requests should be made, in writing, to the Privacy Officer at 33345 2nd Ave, Mission, BC V2V 1K4 or by calling 604-826-9080. In certain exceptional situations, further to privacy legislation, we may not be able to provide access to certain personal information that we hold about applicants/clients. Examples of where we may not provide access include, but are not limited to, the following:

- where provision may reveal personal information about another individual;
- where the information is subject to solicitor-client privilege;
- where the information was collected in relation to the investigation of a breach of an agreement or a contravention of a federal or provincial law; or
- where provision could reasonably be expected to threaten the health or safety of an individual.

If access cannot be provided, MACL will notify the individual making the request, in writing, of the reasons for the refusal.

10. Openness Concerning Policies and Practices

MACL will make available specific information about its policies and practices regarding the management of personal information. To contact MACL to obtain further information regarding our policies and practices, please refer to section 12 below.

11. Revisions to This Privacy Policy

The development of the MACL's policies and procedures for the protection of personal information is an ongoing process. Due to changes in technology and legal requirements we may revise this Policy from time to time. Please ensure that you refer to the current version of MACL's Privacy Policy (they are dated). The current version will be available in our reception area, as well as posted on our website: www.macl.bc.ca

12. Concerns or Questions Regarding Compliance

An individual may address a concern or question about compliance with this policy to MACL's Privacy Officer at 604-826-9080 or e mail macl@macl.bc.ca

MACL will investigate any complaints received in writing. If a complaint is found to be justified, MACL will take appropriate measures to resolve the complaint including, if necessary, amending its policies and procedures. An individual will be informed, in writing, of the outcomes of the investigation regarding his or her complaint.