

# Privacy Statement



# posAbilities Privacy Statement

## Protecting your Privacy

posAbilities is committed to protecting the privacy of the personal information of the individuals we support and other stakeholders, such as families and advocates. We value the trust of those we serve and those with whom we deal. We recognize that maintaining this trust requires that we be transparent and accountable in how we treat the information you share with us. As part of our ongoing commitment, we want to clarify why we ask for your personal information, how we use it and to provide you with choices related to its use.

This brochure contains a short summary of the privacy protection policy and procedures governing posAbilities.

## What is Personal Information?

“Personal information” means information about an identifiable individual. Exceptions include business contact information and certain publicly available information.

## Why Do We Collect Personal Information?

We collect and use personal information only for purposes that a reasonable person would consider appropriate in light of the circumstances, for example:

- to determine the suitability of our services for individuals requiring support
- to understand the needs and objectives of supported individuals
- to plan and/or deliver community living services to supported individuals
- to fulfill our obligation to provide the service deliverables outlined in our contracts with funding bodies
- to maintain emergency contact information for identified family members of individuals served by posAbilities
- to keep supported individuals and other stakeholders informed of the activities of posAbilities through periodic communication, such as monthly newsletters.

## **How Do We Collect Personal Information?**

We may collect information from the following sources:

- from supported individuals and their families,
- through correspondence or interviews, or on forms such as client intakes or profiles
- from the Province of British Columbia and other government authorities, pertaining to supported individuals
- from doctors or other professionals who may have assessed or counseled individuals supported by *posAbilities* or individuals who have been referred to us for service
- from individuals who subscribe to our electronic news delivery services

## **Privacy Statement**

### **How Do You Provide Consent?**

We accept any of the following as consent for *posAbilities*' existing use and future collection and use of personal information:

- express consent, obtained verbally or in writing (usually written consents are required)
- implied consent, as demonstrated when you voluntarily provide personal information or participate in services provided by *posAbilities*

### **Can You Withdraw Consent?**

You may withdraw your consent at any time, subject to legal restrictions. In some circumstances withdrawal of consent may affect our ability to serve supported individuals. For example, if *posAbilities* is contracted to assist someone to address health care needs and the individual withdraws their consent to disclose their Care Card number to the physician, we are unable to fulfill our obligations to either the supported individual or our funder.

### **Can You Access Your Own Personal Information?**

Supported persons can view their onsite records (those located at a program where they receive services) by making a request to their key worker or the program supervisor. Whenever possible, requests from supported individuals to access their onsite records will be met within five business days.

## **Can You Access Your Own Personal Information? (Continued)**

Requests from supported individuals to view records located in central files or archived records may be made to posAbilities' Privacy Officer. Requests to view central files or archived records will be addressed within 10 business days of receiving them.

While a supported person has the right to view the contents of their records, statutory exceptions may apply. Examples of circumstances where supported individuals may be denied access to part or all of their records include:

- if providing access may reveal personal information about another individual
- if posAbilities can reasonably expect that the health or safety of an individual may be threatened
- if access to the information is prohibited by law or legislation.

When posAbilities is obligated to restrict access to information, we will make a reasonable effort to sever the record so that the supported individual can view as much of the requested record as possible. If access cannot be provided, posAbilities will notify the individual making the request in writing, advising the reasons for refusal. In such circumstances, posAbilities will offer assistance to make a *Freedom of Information Act* request, if applicable.

## **How Do We Protect Personal Information?**

Personal information collected by posAbilities is kept in confidence. Policies and procedures are in place to ensure that personal information is not disclosed or shared more widely than is necessary to achieve the purpose for which it was gathered. Physical and electronic safeguards ensure the integrity of this information is maintained and prevent it from being accessed by unauthorized individuals. In certain limited circumstances, posAbilities may lawfully collect, use or disclose personal information of individuals we support without consent, such as when disclosure is necessary for medical treatment of the person and they are unable to consent or in response to an emergency.

## **How Do We Protect Personal Information? (Continued)**

We do not make written disclosure of personal information about supported individuals to third parties without the individual's prior written consent, unless required by law or legislation. In instances where a supported individual has identified an alternate decision maker or representative, or where a supported person has a legal guardian, *posAbilities* is required to obtain that person's written consent to disclose personal information in written form.

Where a supported individual cannot provide fully informed consent, and where no legal representative exists, *posAbilities* will seek direction from relevant stakeholders to address consent issues. Such measures may include the use of non-legal designates.

To comply with requirements of the Province of British Columbia, in 2002 *posAbilities* was accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF). To ensure we meet CARF's business standards, surveyors do random audits of administrative files, including client files. They check for the existence of certain required documentation; documents are not reviewed for content. *posAbilities* staff are present when such audits take place.

Personal information of individuals we support is stored inside Canada and is not accessed from outside Canada. Any requests for disclosure of personal information that come from outside Canada are promptly reported to government.

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 or contractual obligation.

## **Who Should You Contact?**

If you have concerns or questions, or if you wish to withdraw your consent or request access to your personal information, please contact our Privacy Officer:

### ***pos*Abilities**

#### **Attention: Privacy Officer**

240, 4664 Lougheed Highway

Burnaby, BC, V5C 5T5

**Phone:** (604) 299-4001 • Fax: (604) 299-0329

**Email:** [privacyofficer@posAbilities.ca](mailto:privacyofficer@posAbilities.ca)

**Web:** [www.posAbilities.ca](http://www.posAbilities.ca)

Further information on privacy and your rights in regard to your personal information can be obtained from the following sources:

### **Office of the Information and Privacy Commissioner for British Columbia**

#### **Mailing Address:**

PO Box 9038, Stn. Prov. Govt., Victoria, BC, V8W 9A4

#### **Location:**

4<sup>th</sup> Floor, 947 Fort Street, Victoria, BC, V8V 3K3

#### **Phone:**

Vancouver: (604) 660-2421

Elsewhere in BC: (800) 663-7867

**Fax:** (250) 387-1696

**Web:** [www.oipc.bc.ca](http://www.oipc.bc.ca)

Further information on Adult Guardianship, Representation Agreements and Health Care Consent can be obtained from:

### **Public Guardian and Trustee of British Columbia**

700-808 West Hastings Street, Vancouver, BC, V6C 3L3

**Phone:** (604) 660-4444

**Fax:** (604) 660-0374

**Web:** [www.trustee.bc.ca](http://www.trustee.bc.ca)



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