
PRIVACY POLICY

Privacy of Personal information is an important principle to PCCS. We are committed to collecting, using and disclosing personal information responsibly and only to the extent necessary for the services we provide. We also try to be open and transparent as to how we handle personal information. This document describes our privacy policies.

WHAT IS PERSONAL INFORMATION?

Personal information is information about an identifiable individual. Personal information includes information that relates to their personal characteristics (e.g. gender, age, address, telephone numbers, doctor, other agencies or professionals involved, family status, health, presenting concerns and personal views, and, personal history). Personal information is to be contrasted with business information (e.g. business telephone number and address) which is not protected by privacy legislation.

WHO WE ARE

PCCS provides counselling, mediation and other services. We are made up of a primary service provider and contract independent part-time/full-time therapists/mediators/professionals or interns. We use consultants and agencies that may in the course of their duties, have limited access to personal information we hold. These may include but are not limited to computer technicians, insurance companies, EAP companies, accountants, legal services, temporary workers, cleaners, and government agencies such as Revenue Canada.

PRIMARY PURPOSE OF COLLECTING INFORMATION

Like all counselors, mediators and professionals, we collect and use personal information in order to serve our clients and do the work we have been contracted to do. Not to collect such information as above noted would hinder our service to you, particularly in an emergency situation.

Information may also be collected for secondary reasons such as statistics, to make a referral on your behalf, to invoice for clinical services provided, collect on unpaid accounts, provide information to a referral source, for supervision or educational purposes, and for marketing analysis. It may also be collected for invoicing and paying Goods and Services Tax, to advise of special events or new services, and for third party payments. Registered social workers are regulated by the Ontario College of Social Workers and Social Service Workers and they may inspect our records and interview our staff as part of their regulatory activities in the public interest. As professionals we are obligated to report to the College any misconduct, incompetence, or incapacity of other practitioners. External regulators have their own strict privacy policies which may apply. Also like all organizations, various government agencies have the authority to review our files and interview staff as part of their mandates. In these circumstances, we may choose to consult with other professionals such as accountants and lawyers who may investigate the matter and report back to us.

If PCCS was to be sold or its assets were sold, the purchaser would want to conduct a “due diligence” review of the organization’s records to ensure that it is a viable business that has been honestly portrayed to the purchaser. This may include some review of the accounting and service files. The purchaser would not be able to remove or record personal information. Before being given access to the files, the purchaser would be asked to sign consent requiring the purchaser to keep any information confidential. Only reputable purchasers who are genuinely interested in buying would be given access in order to complete their “due diligence” search prior to closing the purchase.

You can choose not to be a part of some of these related or secondary purposes (e.g. by declining to receive notices of special events or opportunities, by paying for your service in advance or when received). We/you do not, however, have much choice about some of these related purposes.

DISCLOSURE OF INFORMATION

From time to time it may be necessary to share your personal information with other professionals, agencies, or individuals for a specific purpose related to our work with you. It would be rare to disclose such information without your written consent. However, in an emergency situation where we thought you might be a danger to yourself or anyone else, or in the event that we learn a child is in danger, consent need not be sought.

If your file contains information about others, this information could not be shared without the consent of that individual, unless that person is part of or subject to the concerns mentioned above. Also, we may not obtain consent on occasions where we believe the client would consent if asked and it is impractical to obtain consent (e.g. a family member passing a message on from you or for you and we have no reason to believe that the message is not genuine).

Further, when third parties pay for the cost of the clinical services provided to you (e.g. insurance companies, EAP companies, other parties, trust funds etc.) it is often required that personal information as well as progress and participation information be shared.

ABOUT OFFICE STAFF AND OCCASIONAL CONTRACT STAFF

For people who are contracted to do work for us our primary purpose for collecting personal information is to ensure we can contact them in the future (e.g. for new assignments, and for necessary work-related communication, sending out pay cheques, and receipts). It would be rare for us to collect or disclose such information as telephone numbers and address without prior consent but may happen in an emergency (e.g. SARS outbreak) or to investigate a possible breach of the law. If occasional staff or contract staff want a letter of reference or an evaluation, we will collect information about their work related to performance.

PROTECTING PERSONAL INFORMATION

We understand the importance of protecting personal information. For that reason PCCS has the following:

- Paper information is either under supervision or secured in a locked or restricted area.

- Electronic hardware is under supervision. In addition passwords are used on computers.

- Paper information is transmitted through email, or hard copy.

- Electronic information is transmitted through a direct line.

- Staff are trained to collect, use and disclose personal information only as necessary to fulfill their duties and in accordance with our privacy policy.

- Only reputable mail carriers or couriers are used.

RETENTION AND DESTRUCTION OF PERSONAL INFORMATION

We need to retain personal information for some time to ensure that we can answer any questions you may have about the services provided, for our own accountability to external regulating bodies such as Revenue Canada, and due to the nature of the work we do in relation to family law. We keep our court related child client files for up to ten years after the child turns 18. We keep our other client files for no less than ten years. We destroy paper files by shredding. We destroy electronic files by deleting them, and when the hardware is discarded, we ensure that the hard drive is physically destroyed.

ACCESSING YOUR FILE

With some exceptions (e.g. information from other professionals or collateral resources, or if the information contained in the file is considered detrimental to your mental, physical or emotional health) you have the right to see what personal information is in your file. The regular hourly fee (not sliding fee scale) applies for the time it takes to review the file prior to disclosing it to you or copying it with copy fee. Your request for information must be put in writing, addressed to Debra Rodrigues, and will be responded to within 30 days of receipt of your request provided Ms. Rodrigues is not absent on vacation or illness. Otherwise it may take longer.

If you believe there is a problem with the information such as a factual mistake, you can ask that it be corrected. This applies to factual information only and not to the perceptions or opinions of the professionals involved. We may ask you to provide documentation showing that our files are wrong. If there is a disagreement about the fact, or whether a mistake was made, a brief written statement from you will be included in the file disputing the information. If erroneous information has been sent to any third parties, such information will be corrected.

CONCERNS

Your concerns or questions should be put in writing and can be forwarded to Debra Rodrigues at PCCS at P.O. Box 30003 Georgetown ON L7G 6J8 or by fax at 905 567-8858

Upon receipt of your concern or question she will acknowledge it and investigate it. In most circumstances a response will be made in writing.

This policy is made under the Personal Information Protection and Electronic Documents Act. That is a complex Act which provides some additional exceptions to the privacy principles that are too detailed to set out here. There are some rare exceptions to the commitments set out as above.

For further information or to see the Personal Information Protection and Electronic Documents Act, direct inquiries to the Information and Privacy Commissioner of Canada at 112 Kent Street, Ottawa Ontario K1A 1H3
Tel: 613 995-8210 or Toll Free: 1 800 282-1376 or go to www.privcom.gc.ca