



The Scarborough Hospital Foundation

## **Policies and Procedures**

# **Privacy Policy**

*Approved by The Scarborough Hospital Foundation Board of Directors June 22, 2009.*

### **PURPOSE**

The Scarborough Hospital Foundation is committed to protecting the privacy of personal information which it collects, uses and discloses for fundraising purposes. To this end, the purpose of this policy is to outline the expectations for handling personal information within The Scarborough Hospital Foundation.

### **SCOPE**

This policy applies to the protection of privacy for benefactors to The Scarborough Hospital Foundation. The policy will be reviewed regularly to ensure compliance with legislative imperatives as well as Hospital practice.

### **DEFINITIONS**

Staff – for the purpose of this policy, “staff” includes all employees, members of the Board of Directors, volunteers, students at or associated with, The Scarborough Hospital Foundation.

Personal Information – means information about an identifiable individual in any form, including written, electronic or oral. Personal information does not include publicly available information.

Publicly Available Information – personal information consisting of the name, address and telephone number of an individual that is found in one or more of the following locations:

- (a) in a telephone directory;
- (b) in a publication, including a magazine, book or newspaper, in printed or electronic form, that is available to the public;
- (c) in a professional or business directory, listing or notice, that is available to the public,
- (d) in a registry collected under a statutory authority and to which a right of public access is authorized by law; and
- (e) in a record or document of a judicial or quasi-judicial body, that is available to the public.

Items (c), (d), and (e) are only publicly available information where the collection, use and disclosure of the personal information relates directly to the purpose for which the information appears in the directory, listing, notice, registry, record or document. This means that information in a publicly available staff directory, for example, can only be considered publicly available information for the purposes for which the directory was originally published.

## **POLICY**

The Scarborough Hospital Foundation handles personal information in accordance with all Canadian privacy legislation, including the federal *Personal Information Protection and Electronic Documents Act* and the Ontario *Personal Health Information Protection Act*.

The Foundation also complies with all other applicable laws and established ethical guidelines for charitable organizations including the Canadian Centre for Philanthropy Ethical Fundraising and Accountability Code.

The Foundation recognizes that personal information is a critical enabler to achieving its goal of improving the quality of life for patients, clients, families and communities served by The Scarborough Hospital. The Scarborough Hospital Foundation is committed to protecting the privacy and security of all personal information with which it is entrusted in order to achieve this goal.

The Scarborough Hospital Foundation Privacy Policy is based on the ten principles of the Canadian Standards Association's Model Code for the Protection of Personal Information (CAN/CSA-Q830-96), which were published in March 1996 as a national standard of Canada and are now codified in law through Schedule 1 of the federal Personal Information Protection and Electronic Documents Act (PIPEDA). The ten principles, which form the basis of The Scarborough Hospital Foundation Privacy Policy, are interrelated, and The Scarborough Hospital Foundation will adhere to the ten principles as a whole. The ten principles are: accountability, identifying purposes, consent, limiting collection, limiting use, disclosure and retention, accuracy, safeguards, openness, individual access and challenging compliance

## **PRINCIPLES**

The Scarborough Hospital Foundation respects the privacy of our donors; we do not sell, rent, or trade our donor lists. We collect, use and disclose personal information only for the purpose of processing donations, keeping our donors informed about the activities of the hospital and Foundation, and to ask for their support in our mission to improve children's health. Anyone from whom we collect information can expect that it will be carefully protected and that any use of this information is subject to consent. We offer our donors and prospective donors numerous privacy options, including the option to limit or opt-out of future contact.

The Scarborough Hospital Foundation employees sign confidentiality agreements and safeguards are in place to ensure that the information is not accessed, disclosed or shared more widely than is necessary to achieve the purpose for which it was gathered. We also take measures to ensure the integrity of this information is maintained and to prevent its being lost or destroyed. Individuals may access their personal information at any time to ensure that it is correct and current or to edit it.

## **AUTHORITY**

This policy is the jurisdiction of the President & CEO of the Foundation and is administered in consultation with the Director of Administration.

## **APPENDIX A**

### **Principle 1 – Accountability**

The Scarborough Hospital Foundation is responsible for personal information under its custody or control, including information that it has transferred to a third party for processing.

All staff are accountable for ensuring the privacy and confidentiality of any personal information they encounter at The Scarborough Hospital Foundation. All staff are required to sign a confidentiality agreement.

The Scarborough Hospital Foundation ensures that this duty also extends to third parties through contractual and other means, such as confidentiality and data sharing agreements.

The Scarborough Hospital Foundation has policies and procedures to receive and respond to privacy complaints and inquiries. For more information, contact The Foundation's Chief Privacy Officer at (416) 431-8200 ext.6663 or by email to [foundation@tsh.to](mailto:foundation@tsh.to)

### **Principle 2 – Identifying Purposes**

The Scarborough Hospital Foundation identifies the purposes for which it collects personal information through this policy. The purposes are:

- to process and receipt donations;
- to provide donors and potential supporters information about The Scarborough Hospital and The Scarborough Hospital Foundation activities;
- to provide donors with periodic stewardship information;
- to provide donors with appropriate recognition by The Scarborough Hospital and The Scarborough Hospital Foundation;
- to respond to information requests from donors or potential supporters;
- to facilitate participation of donors and potential supporters in The Scarborough Hospital Foundation events;
- to solicit potential donors; and,
- to facilitate the administrative, planning and quality review activities of The Scarborough Hospital Foundation;

If personal information is to be used for a purpose not identified above, The Scarborough Hospital Foundation will identify the new purpose prior to using the information. Unless law requires the new purpose, the Foundation will obtain the consent of the individual before using the information for the new purpose.

### **Principle 3 – Consent**

The Scarborough Hospital Foundation obtains demographic information on patients and/or their substitute decision makers using implied consent as permitted under the Ontario Personal Health Information Protection Act. Patients, their substitute decision makers, and others who do not wish to receive solicitations from The Scarborough Hospital Foundation should contact at (416) 431-8130.

An individual may withdraw or limit consent at any time, subject to legal or contractual restrictions and reasonable notice. For example, if an individual makes a donation, the Foundation will use the individual's information to process the donation. However, the individual may opt-out of having his or her name published on donor recognition lists. The Scarborough Hospital Foundation will inform the individual of the implications of such a withdrawal or limitation.

### **Principle 4 – Limiting Collection**

The Scarborough Hospital Foundation will only collect the information it requires to fulfill the purposes outlined above under Principle 2 (Identifying Purposes). The Scarborough Hospital Foundation will only collect personal information by fair and lawful means. To the extent possible, the Foundation will collect personal information directly from the individual although the Foundation may also collect personal information about individuals indirectly from publicly available information sources such as telephone directories or newspaper articles.

### **Principle 5 – Limiting Use, Disclosure, and Retention**

The Scarborough Hospital Foundation will not use or disclose personal information for purposes other than those identified in this policy, except with the consent of the individual or as required by law. The Scarborough Hospital Foundation will only retain personal information as long as necessary for the fulfillment of the purposes identified, or as permitted or required by law.

The Foundation does not trade, rent, or sell any personal information.

Personal information that is no longer required to fulfill the identified purposes will be destroyed, erased, or rendered anonymous.

### **Principle 6 – Accuracy**

The Scarborough Hospital Foundation will not routinely update personal information, except as is necessary to fulfill the purposes for which the information was originally collected or upon notification by the individual. To change or modify personal information at the Foundation, contact The Scarborough Hospital Foundation at (416) 431-8130.

### **Principle 7 – Safeguards**

The Scarborough Hospital Foundation has implemented security safeguards to protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use or modification, regardless of the format in which it is held.

- Only employees or authorized third parties with a need-to-know the information for their job duties will have access to personal information.
- The Scarborough Hospital Foundation will use contractual and other methods to ensure personal information transferred to third parties for processing receives a comparable level of security provided by the Foundation.

- The methods of safeguards used to protect personal information at The Scarborough Hospital Foundation are:
  - physical measures, such as locked filing cabinets and restricted access to offices and other places personal information might be stored
  - organizational measures, such as this policy or limiting access to information on a “need-to-know” basis
  - technical measures, such as the use of unique usernames and passwords to obtain access to personal information. The Scarborough Hospital Foundation’s software is routinely updated to maximize effectiveness of such measures and protect against malicious software and unauthorized access.
- Care will be used in the disposal or destruction of personal information to prevent unauthorized parties from gaining access to the information.

### **Principle 8 – Openness**

Upon request, The Scarborough Hospital Foundation will provide additional information about its privacy policies and practices. Individuals will be able to acquire this information without unreasonable effort. This information will be made available in a form that is generally understandable, and may include:

- the contact information of the Chief Privacy Officer to enable individuals to make inquiries or complaints about The Scarborough Hospital Foundation’s information management policies and practices;
- the means of gaining access to personal information held by The Scarborough Hospital Foundation; and,
- a description of the personal information held by the organization (for example, the Foundation routinely collects the following information about its donors: name, title, address, telephone number, past donations and other relevant contact information), including a general account of its use.

### **Principle 9 – Individual Access**

Upon request, an individual will be informed of the existence, use and disclosure of his or her personal information and will be given access to that information. An individual may challenge the accuracy and completeness of the information and have it amended as appropriate.

- Personal information will be provided in an understandable form, at minimal or no cost to the individual.
- In certain situations, The Scarborough Hospital Foundation may not be able to provide access to all the personal information it holds about an individual. Exceptions to the access requirement will be limited and specific. The reasons for denying access will be provided to the individual upon request. Exceptions may include information that is prohibitively costly to provide, information that contains references to other individuals, information that cannot be disclosed for

legal or quality assurance and improvement reasons, and information that is subject to solicitor-client or litigation privilege.

- The Scarborough Hospital Foundation will seek to indicate the source of an individual's personal information and will allow the individual access to this information. In addition, The Scarborough Hospital Foundation will provide an account of the use that has been made or is being made of this information.
- Individuals may be required to provide sufficient information to permit The Scarborough Hospital Foundation to provide an account of the existence, use and disclosure of personal information. The information provided will only be used for this purpose.
- When an individual successfully demonstrates the inaccuracy or incompleteness of his or her personal information, The Scarborough Hospital Foundation will amend the information as required. Depending upon the nature of the information challenged, amendment involves the correction, deletion, or addition of information.
- When a challenge is not resolved to the satisfaction of the individual, The Scarborough Hospital Foundation will record the substance of the unresolved challenge.

### **Principle 10 – Challenging Compliance**

An individual may address a challenge concerning compliance with the above principles or inquiries about The Scarborough Hospital Foundation's personal information management practices to The Scarborough Hospital Chief Privacy Officer at (416) 431-8200 extension 6663 or by email at [foundation@tsh.to](mailto:foundation@tsh.to) .

The Scarborough Hospital Foundation will investigate all complaints. If a complaint is found to be justified, The Scarborough Hospital Foundation will take appropriate measures, including, if necessary, amending its policies and practices.

Any breaches of confidentiality are considered extremely serious and grounds for discipline. If a violation of this policy is found to have occurred in the course of an investigation or otherwise, the result will be immediate disciplinary action, up to and including termination of employment.

If a violation of this policy by a staff member is discovered, please contact the President & CEO of the Foundation.

The Foundation provides a Privacy Policy on the website which is reproduced here for information purposes only: <http://www.tshfoundation.com/about/Privacy-policy>.

#### Privacy Policy

The Scarborough Hospital Foundation respects your privacy. We never sell, trade, or loan your information to any other organization. We will use your information only for follow-up contacts (such as our newsletters), statistical purposes, and to process and recognize your donations. We disclose your information only to our own employees and agents and only to accomplish the purpose listed above. By providing this information you consent to our collection and use of the information you provide. **If at any time you no longer wish to be contacted, please call The Scarborough Hospital Foundation at 416.431.8130.**