

## PRIVACY AND CONFIDENTIALITY POLICY

Policy Number:	B-01
Approved (Date):	March 2, 2021
Approved By:	FM Board of Directors
Revision Date	

### Policy Statement

Organizations are entrusted with information that is of a confidential nature. To be in compliance with privacy legislation, it is crucial that organizations maintain confidentiality and limit disclosure of such information.

### Purpose

It is the policy of Fontbonne Ministries to limit the disclosure of confidential information that could be detrimental to the best interests of Fontbonne Ministries, its beneficiaries or clients. The directives as defined within this policy are intended to enhance public confidence in the integrity of Fontbonne Ministries and its Board members, employees, volunteers, students, partners and third party providers and extends to programs services or events on behalf of Fontbonne Ministries offsite. Furthermore, Fontbonne Ministries is committed to meeting the spirit, intent, and requirements of the following pieces of legislation:

- Canada's Anti-Spam Legislation (CASL)
- Freedom of Information and Protection of Privacy Act (FIPPA)
- Personal Health Information Protection Act (PHIPA)
- Personal Information Protection and Electronics Documents Act (PIPEDA)

### Scope

This policy applies to all Board members, employees, volunteers, students, partners and third party service providers of Fontbonne Ministries.

The duty to preserve the confidentiality of Fontbonne Ministries' information extends beyond, and continues after the individuals' termination of employment, engagement, or contract with Fontbonne Ministries.

### Definitions

**Confidential Information:** refers to information that, if disclosed without authorization, could be prejudicial to the interests of Fontbonne Ministries and/or individual(s) in or associated with Fontbonne Ministries. Confidential information includes but it not limited to the following:

- Any document which identifies a donor or a client by name.
- Any document which contains personal information beyond the name, title, address, email and phone number(s).
- In-camera (limited attendance by senior management and advisors who customarily attend meetings) minutes, or other minutes marked “Confidential”, resulting from Board meetings and/or their committees.
- Incoming or outgoing emails, hard-copy mail, password protected information and any documents marked “Private” or “Confidential”, including copies.
- Any other document marked confidential by the sender. The sender will use discretion to identify what should be designated confidential in addition to the documents listed.

**Privacy:** the fundamental right of an individual to control personal information (including the collection, use and disclosure of and access to that information). Personal Information refers to any information, recorded in any form, whether provided in person, online, by telephone, by mail or by any other means, about an identified individual, or an individual whose identity may be inferred or determined from the information. Personal Information includes but is not limited to an individual’s home address, telephone number, social insurance number, date of birth, or financial information. Information on a business card is not considered private Personal Information for the purposes of this policy.

### **Prevention and Education**

All persons associated with Fontbonne Ministries are required to read and understand our Privacy and Confidentiality Agreement which they are required to sign.

### **Procedures and Application**

#### **Consent:**

All staff, volunteers, students, Board members, partners and third party service providers, as applicable, are required to sign Fontbonne Ministries Confidentiality and Privacy Agreements (B-01A), acknowledging that in the course of conducting their responsibilities in Fontbonne Ministries, individuals may have access to personal information about housing applications, residents, program participants, volunteers, employees, Board members and the Sisters of St. Joseph, that there are legal restrictions on how this information may be collected, used, stored and disposed of, and that privacy of personal information must be respected. Fontbonne Ministries will make a reasonable effort to make sure that persons understand how their personal information will be used. Fontbonne Ministries will obtain consent from persons before or when it collects or uses the personal information. A person’s consent can be expressed or implied, or given through an authorized representative. A person can withdraw consent at anytime in writing.

**Collection of Personal information:**

Personal information is collected from staff, volunteers, Board members, donors, participants in accordance with federal and provincial laws to meet the legal requirements and deliver programs and services in accordance with the mandate of Fontbonne Ministries. The information includes name and contact information (e.g. name, address, telephone number, email address). For staff and volunteers, it will also include contact information for emergency contacts. Fontbonne Ministries may collect personal information for the following purposes:

- 1) To engage volunteers for program activities
- 2) To meet the needs of program participants
- 3) To inform individuals of programs and events and changes to programs and events
- 4) To consider applicants for housing and to meet the needs of our current residents
- 5) To provide receipts and information to donors
- 6) Any other circumstance deemed necessary

Fontbonne Ministries will only collect Personal Information when there is an expressed purpose for the information.

**Use of Personal Information:**

Personal information will be used with the consent of the individual and for the purpose for which it was given. It will be used where the information is necessary for the provision of our services and programs. It will be used where required by law.

**Disclosure of personal information:**

Information is not released without consent except in these circumstances:

- Where it is reasonably necessary for the provision of our services and programs
- For the purposes of complying with a lawful requirement to provide information
- Where disclosure is necessary to investigate an allegation of falsehood or dishonest conduct
- In compassionate circumstances necessary to protect the health and safety of the individual, including emergencies
- As required by law

**Retention and security of personal information:**

- Fontbonne Ministries is responsible for safeguarding personal information from loss, theft, unauthorized access or disclosure. These safeguards vary dependent upon the storage format.
- Personal information is retained according to industry standards and legislation.
- When personal information is no longer required to be retained, it will be shredded if paper copy, and erased from electronic storage.

**Termination of employment/engagement/contract:**

In the event of a termination of employment, engagement or contract, all documents, electronic and paper, remain the property of Fontbonne Ministries. Individuals are not entitled to copies of any confidential or proprietary materials in any form. Failure to comply may result in legal action.

**Breach of Confidentiality:**

It is a breach of confidentiality to:

- Discuss any confidential information within or outside the organization where it may be heard by individuals who are not authorized to have access to that information
- Provide confidential information or records to unauthorized individuals
- Leave confidential information in written or electronic form where it may be viewed by unauthorized individuals

**Procedure for Handling Complaints**

Fontbonne Ministries Executive Director will respond to all complaints about collection, use, disclosure, storage and disposal of personal information within thirty days of the request being made, and advise the complainant as to the action being taken.

Each complaint will be assessed to determine whether:

- Correction of personal information is necessary
- Information was collected, used, released or disposed of inappropriately
- Fontbonne Ministries' policies and procedures need to be strengthened
- Action needs to be taken with respect to breach of a confidentiality agreement

Where necessary, the Fontbonne Ministries Executive Director will make the necessary recommendations to the Board of Directors in connection with the resolution of the complaint.

Associated reference documents:

- Canada's Anti-Spam Legislation (CASL)
- Freedom of Information and Protection of Privacy Act (FIPPA)
- Personal Health Information Protection Act (PHIPA)
- Personal Information Protection and Electronics Documents Act (PIPEDA)