



POLICY AND PROCEDURE MANUAL

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Policy

Anago is committed to respecting the privacy of individuals receiving service and protecting their personal information.

Procedure

Privacy of Information

The handling of all personal information by Anago is governed by the *Freedom of Information and Protection of Privacy Act (FIPPA)* and the *Personal Information Protection and Electronic Documents Act (PIPEDA)*

The treatment of health information is governed by the *Personal Health Information Protection Act (PHIPA)*. Please refer to Policy 07 03 Health Records

The handling and management of Youth Justice Information is kept private and confidential as governed by the *Youth Criminal Justice Act (YCJA)*.

Anago has adopted the ten privacy principles of the Canadian Standards Association "Model Code for the Protection of Personal Information".

The collection, use and release of personal information shall comply with the identified provincial and federal legislation. Obtaining the informed consent of individuals receiving service for the collection, use and release of their personal information shall be obtained by the individual or their legal guardian/Substitute Decision Maker in alignment with the ten Privacy Principles.

In youth justice services, a young person cannot consent to the release of their YCJA related information, as there are no "consent to release" provisions in the YCJA. The confidentiality provisions of the YCJA take precedence over FIPPA when the information or records relate to young persons. If the YCJA permits young person records to be disclosed, then any third party information in those records will be subject to the access and disclosure provisions of FIPPA.

Personal Privacy

All individuals have a right to reasonable privacy. An individual in service shall only be denied privacy if their safety or the safety of others is at risk. The direct care employee involved shall document in the individual's case file the rationale for denying privacy. The documentation shall outline the plan with time frames as to when and how the individual will regain their privacy.

Individuals receiving service have the right to speak in private with and receive visits from their lawyer, the Ombudsman, a member of the Legislative Assembly of Ontario or of the Parliament



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of Canada or any person representing the individuals such as an advocate for the person appointed by the Office of the Provincial Advocate for Children and Youth.

See site specific protocols which outline processes for providing privacy and legislative considerations related to the service.

Reference: *Freedom of Information and Protection of Privacy Act (FIPPA), the Personal Information Protection and Electronic Documents Act (PIPEDA), Personal Health Information Protection Act (PHIPA), Youth Criminal Justice Act (YCJA), Policy and Procedure 00.10, 07 03*

Authorized by: 
Executive Director

Date: November 2016