



# PRIVACY POLICY AND PROTECTION OF PERSONAL INFORMATION

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## **1. PRINCIPLES AND RULES**

### **1.1 Purpose of the Policy**

*Expression LaSalle community mental health center* respects every individual's right to privacy and is committed to protecting the confidentiality of personal information and confidential data collected from all participants and employees. This policy sets out how the Center collects, uses, discloses, retains, and destroys/anonymizes the data transmitted to it. It also defines the roles and responsibilities of the Privacy Officer, the Board of Directors, and employees with respect to personal information and the management of confidentiality incidents.

### **1.2 Scope**

This Policy applies to all board of director's members, employees, and interns of the Center. It also applies to any person to whom the Center entrusts personal information in the performance of a mandate or service contract.

The Policy applies to information collected, communicated, processed, or archived through:

- Our social media pages;
- Our database;
- Our email inboxes and other electronic messages;
- Our registration, intake, and evaluation forms;
- Our online tools such as Desjardins, Employeur D, and TekSavvy;
- Our paper files and external hard drives.

### **1.3 Definitions**

*Volunteer:* Any person who works for the Center on a non-remunerated basis.

*Data Retention Schedule:* A schedule indicating which inactive documents must be permanently kept and which must be destroyed.

*Selection Committee:* May include the Executive Director, the Clinical Coordinator, an employee, and a Board of Directors member.

*Confidential Data:* Personal information held by community organizations generally concerns the team of employees. Information about members is usually considered confidential data. We have chosen to include both under this Privacy Policy.

*Team:* Any person working at the Center, including employees, practitioners, volunteers, and interns.

*Employees:* Any person who works for the Center on a remunerated basis (permanent, temporary, or contractual employees).

*Confidentiality Incident:* The access, use, or disclosure of personal information not authorized by law, as well as the loss of personal information or any other breach of its protection.

*Practitioner:* An employee providing therapeutic services.

*Member:* Any person who has completed the registration process.

*Participating member:* Any person who has paid the annual administrative fees and participates in the therapies offered by the Center.

*Concerned Person:* An individual whose personal information is exposed to risk because of a confidentiality incident.

*Risk of Serious Harm:* The risk, assessed following a confidentiality incident, that could cause harm to the concerned person or their property and significantly affect their interests.

*Intern:* A student who works for the Center on a non-remunerated basis and completes a supervised internship.

*Publication:* Any publication produced by the Center or to which the Center contributes, in any form whatsoever (oral, written, audio, video, computerized, or other).

*Confidentiality Incident Report:* The report made available to all employees, volunteers, interns, and the Privacy Officer.

*Confidentiality Incident Log:* The set of duly completed and signed incident reports kept by the Privacy Officer.

*Personal Information:* Any information provided or communicated to the Center in any medium (oral, written, audio, video, computerized, or other) that concerns a board of director's member, volunteer, employee, member, or participant and that can be used to identify them, such as:

- Identification information (address, phone number, gender, age, Social Insurance Number, Health Insurance Number, etc.);
- Health information (diagnosis, consultations with health professionals, medication, etc.);
- Financial information (income, tax information, bank account numbers, etc.);
- Employment information (reasons for absence, vacation dates, salary, work-related evaluations, etc.);

- Social or family information (marital status, whether a person has children or receives social assistance/unemployment benefits, etc.).

*However, some of this information may be collected for statistical purposes. In such cases, data may be kept provided they cannot be used to identify a person.*

## **1.4 Guiding principles**

The Center's practices regarding the protection of personal information and confidential data are based on the following principles, aligned with the guidelines developed by the Québec Access to Information Commission:

*Orientation: Mental health and arts therapies:* The Center and its practices rely on both alternative and traditional approaches, encouraging personal expression through various modalities. Participants are invited to express themselves through visual arts, writing, movement, music, theatrical techniques, as well as discussion, within a therapeutic and confidential environment. Management and clinical coordination ensure the development of therapeutic services offered both in groups and individually by different professional practitioners. The Expression LaSalle team also includes qualified and supervised interns and volunteers.

*Accountability:* The Center is responsible for the personal information it holds. To this end, it:

- Implements policies and practices to meet its obligations regarding the protection of personal information;
- Assesses privacy impacts in the development of all information systems involving personal data;
- Provides employees with information and support regarding the Center's policies and procedures, including personal and confidential data management;
- Establishes a procedure for handling complaints regarding personal information.

*Consent:* The Center ensures that it obtains valid consent from the concerned person for the collection and use of personal information. The Center considers that consent is given when it is free, informed, explicit, and provided for specific purposes. Furthermore, this consent may be withdrawn or modified at any time at the request of the concerned person, which must be processed within 30 days of the request.

*Destruction:* The Center ensures that it destroys/anonymizes the personal information it holds according to the timeframes provided in the data retention schedule.

*Transparency:* The Center demonstrates transparency in the management of personal information it holds and informs the concerned person of the purposes pursued, the use, and the retention periods provided.

## **1.5 Confidentiality obligation**

Employees and board members are required to sign a confidentiality agreement before carrying out their duties or fulfilling their mandates with the Center. The confidentiality obligation applies for the duration of the employee's contract or the board member's mandate. Participating members and clinical workers are also required to respect confidentiality, as specified in the document *Information for Members*, under point 7 titled *What About Confidentiality?*

### **1.5.1 Breach of confidentiality obligation**

An employee or board member is considered to have breached their confidentiality obligation when they:

- Disclose confidential information to individuals who are not authorized to access it;
- Discuss confidential information inside or outside the Center where unauthorized individuals may overhear;
- Fail to follow the principles established by this Policy.

In the event of a breach of confidentiality, appropriate disciplinary measures—up to and including termination of the employment contract or any other relationship with the Center—will be taken against the offending party. These disciplinary measures are consistent with the Privacy Policy adopted by the Center on June 13, 2025.

## **1.6 Data collection and use**

Information collected in a paper file or digitally may only be obtained from the individual concerned, unless they provide consent otherwise. Personal information may be collected and stored in:

- Registration forms via our website;
- Communications by email or mail;
- Forms for collecting information, registering, and modifying waiting lists;
- Our database;
- Secure online tools (Desjardins, TekSavvy);
- Paper files.

### **1.6.1 Participants et members**

According to the policies and procedures outlined in the Member Information document, Expression LaSalle and its employees are responsible for maintaining a file called the *Member Profile*, which contains personal information and confidential data about members. The creation and maintenance of this file allow the Expression LaSalle team to manage waitlists and provide appropriate therapy services for each member. The personal information and confidential data in this file are retained for as long as necessary to fulfill the purposes for which they were collected. The team of employees take all necessary measures to ensure the security of the information against unauthorized access, disclosure, modification, or destruction. The data and information are kept confidential and secure and are used solely to provide services and care. Information is retained for as long as the individual is an active member. If the person ceases to be a member, the data and information will be securely retained for a period of five years before being securely destroyed.

The team collects personal information and confidential data from participants and members that is necessary for the proper functioning of the services and activities offered by the team, including

- First and last name;
- Phone number;
- Mailing address;
- Email address;
- Source of income;



- Psychosocial follow-up;
- Date of birth;
- Health insurance number;
- Known diagnosis.

By receiving therapeutic services, confidential data as well as personal and sensitive information will be gathered in the member's file. This file, entitled *Member Profile*, is kept in a locked filing cabinet and in a secure database, and contains, among other things:

- Assessment forms for therapy service requests;
- Assessment notes in the form of appendices;
- Agreements on responsibilities and therapeutic objectives;
- Membership registration and renewal forms;
- Forms authorizing the disclosure of information as needed;
- Termination Summaries (assessment) of the therapy service received;
- A brief summary of certain telephone exchanges.

The Center may only collect and use the personal information and confidential data referred to above for the following purposes, among others:

- Maintain the member database;
- Register participants for therapeutic services;
- Provide therapeutic services;
- Ensure quality and provide the appropriate service for each member;
- Document the therapeutic journey for each member;
- Send invitations to the Annual General Meeting by mail or email to participants and members who have consented to receive them.

***The Center may also collect testimonials and/or photos from participants, but these may only be shared with the consent of the person concerned.***

### **1.6.2 Employment applicants**

The Center's Selection Committee collects only the personal information necessary to process the evaluation of employment applications, including:

- First and last name;
- Phone number;
- Mailing address;
- Email address;
- Employment information; - Information relating to education;
- The candidate's references.
- Any other information included in the candidate's resume and cover letter.

### **1.6.3 Employees**

The Center collects only the personal information necessary for the proper administrative and clinical management of the work team, including:

- First and last name;
- Phone number;
- Mailing address;
- Email address;
- Language;
- Login and authentication information;
- Social security number;
- Employment history;
- Date of birth;
- Emergency contact and contact information;
- Banking details;
- Salary;
- References;
- Membership in a professional order or association;
- Civil, judicial, or professional proceedings;
- Expulsion or suspension by an organization, order, or association;
- Summaries of discussions and clinical case presentations.

The Center may only collect and use the personal information referred to above for the following purposes:

- Maintain employee contact information;
- Document work situations between employees and interns;
- Conduct employee evaluations;
- Perform administrative tasks required or permitted by law (payroll, income tax, group insurance, RRSPs, etc.);
- Document clinical cases in supervision and team meetings.

#### **1.6.4 Interns**

The Center collects only the personal information necessary for the proper administrative management of the team of employees, including:

- First and last name;
- Phone number;
- Mailing address;
- Email address;
- Date of birth;
- Emergency contact and contact information;
- Language;
- Summaries of discussions and clinical case presentations;
- Evaluation.

The Center may collect and use the personal information referred to above for the following purposes:

- Keep the interns' contact details up to date;
- Keep an evaluation of the intern to be sent to the university;
- Document clinical cases in supervision and team meetings.

#### **1.6.5 Board of Directors**

The Center only collects personal information from C.A. members that is necessary for proper administrative management, in particular:

- First and last name;
- Phone number;
- Postal address;
- Email address;
- Date of birth;
- Health insurance number or driver's license number
- Language.

The Center may collect and use the personal information referred to above for the following purposes:

- Coordinate Board of Directors meetings and the Annual General Meeting;
- Keep the directors' contact details up to date;
- Document the minutes;
- Present the directors on the Center's website;
- Tax reports (accountability reports: Business Registrar, PSOC, Charity, etc.)

Board members, including participating members, may have access to personal information, including;

- Certain information concerning employees, such as salaries, benefits, employment contracts, absences, illnesses, employee leave, harassment complaints, etc.
- Certain information concerning members in specific cases, such as complaints, deaths, conflicts, and situations of violence.

### **1.7 Data security and storage**

To ensure the security of personal information collected by the Center, the information must be:

- Kept safe from unauthorized access;
- Protected by passwords (these passwords must be changed each time a person with access to the relevant files is replaced);
- Locked in filing cabinets at the end of each working day. The keys to the filing cabinets must be kept in secure locations;
- Used with protected data networks;
- Hosted by secure servers.

### **1.8 Data communication**

Personal information held by the Centre may only be disclosed to a third party after obtaining free, informed, explicit consent given for specific purposes by the individual concerned. Personal information may be disclosed without the individual's consent if their life, health, or safety is seriously at risk. In such cases, disclosure must be carried out in a way that minimizes potential harm to the individual. The Centre may also disclose personal information necessary for the defense of the Centre or its employees and administrators in the context of claims or legal proceedings brought against them.

### **1.9 Data destruction**

The Centre securely destroys or anonymizes personal information once the purposes for which it was collected have been fulfilled, in accordance with the retention periods set out in the retention schedule. When destroying printed documents containing confidential information and personal data, the Centre uses a method such as secure shredding that prevents the data from being reconstructed in any reversible way.

## **2. CONFIDENTIALITY INCIDENT MANAGEMENT**

A privacy incident occurs if it is discovered that there has been access to, use of, or disclosure of personal information that is not authorized by law and/or the Policy, the loss of personal information, or any form of breach of the protection of personal information. In order to ensure effective management of privacy incidents, the Center undertakes to:

- Maintain a record of confidentiality incidents;
- Take reasonable measures to reduce the risk of harm being caused.

### **2.1 Reporting the privacy incident**

Any person who believes that their confidential information has been used in violation of this Policy may file a complaint with the Centre's management or the Privacy Officer. All administrators, volunteers, employees, members, and participants must inform the Centre's management or the Privacy Officer of any confidentiality incident brought to their attention. In accordance with the law, a person whose request for access to or correction of confidential information has been denied by the Centre may file a complaint with the Commission on Access of information. This complaint must be filed within 30 days following the Centre's refusal to grant the request or the expiry of the deadline to respond to the request.

### **2.2 Recording the incident in the privacy incident log**

In the event of a confidentiality incident being reported, the Center's management and Privacy Officer must complete an incident report. All completed incident reports must be forwarded to the Privacy Officer for storage in the incident log.

### **2.3 Assessment of damages**

The Privacy Officer must assess the level of harm likely to be caused to the persons concerned. She must complete the serious harm risk assessment grid. If there is a risk of serious harm, they must:

- Notify any affected individuals who may be at risk of serious harm.
- Report the incident to the Commission d'accès à l'information du Québec at (514) 873-4196.

## **2.4 Notice to interested parties**

**The Privacy Officer must notify everyone affected by a privacy incident. The notification can be sent by email or postal mail.**

## **2.5 Incident prevention**

The Privacy Officer assesses the confidentiality incident to determine the appropriate preventive measures. She ensures that recommendations are made for strategies to prevent confidentiality incidents and revises the Policy as necessary.

# **3. ROLES AND RESPONSIBILITIES**

## **3.1 The Privacy Officer**

The person who holds the position of Privacy Officer must be nominated by the Board of Directors (BOD) for a fixed term or until circumstances requires a review of this nomination. The Privacy Officer's contact details are available on the Center's website, under the *Confidentiality Policy* tab.

Under the Policy, the person responsible:

- Ensures compliance with and implementation of the Policy;
- Proposes the tools necessary for its implementation;
- Submits the Policy to the Board of Directors for approval and ensures that it is kept up to date
- Coordinates the Center's actions regarding access to documents and protection of personal information;
- Advises, supports, and assists administrators and employees on these issues;
- Manages requests for access to documents and personal information;
- Handles complaints related to the protection of personal information;
- Oversees the destruction or anonymization of information according to the retention schedule;
- Informs administrators and employees of guidelines, directives, and decisions related to the protection of personal information;
- Evaluates privacy incidents and takes measures to reduce the risk of serious harm;
- Notifies affected individuals of incidents;
- Makes recommendations to prevent future incidents;
- Notifies the Board of Directors in the event of a breach of confidentiality;

- Ensures accountability to the Board of Directors on matters related to the protection of personal information.

### **3.2 The Board of Directors**

The Board of Directors (BOD) has nine seats, five of which are reserved for participating members and four for partner members. The Executive Director sits ex officio and does not have voting rights.

Under the Policy, the Board of Directors:

- Supports compliance with and implementation of the Policy;
- Appoints the person responsible for the protection of personal information;
- Approves this Policy and the tools necessary for its implementation;
- Reviews the annual incident logs, accompanied by the person responsible;
- Takes appropriate action in the event of a breach of this Policy;
- Approves reporting on personal information protection issues.

### **3.3 The Team of Employees**

The team of employees includes anyone who works for the Center in a paid capacity (permanent, temporary and contract employees), as well as anyone who works for the Center on an unpaid basis (volunteers, interns). Under the Policy, employees:

- Read the Policy and comply with the procedures;
- Sign a confidentiality agreement (see appendix);
- Use the tools necessary for its implementation;
- Use the personal information to which they have access for the purposes for which it was collected;
- Ensure that personal information is complete, up-to-date, and accurate for its intended use;
- Inform the person in charge of any confidentiality incidents;
- Complete confidentiality incident reports;
- Take all reasonable measures to prevent confidentiality incidents within the Center.

#### **4. ADOPTION AND EFFECTIVE DATE**

This policy was approved by the Center's Board of Directors on Friday, June 13, 2025, and is effective as of that date. It will be reviewed until circumstances require revision.

The Board of Directors appoints a person responsible for each mandate, in addition to the Executive Director.

If you have any questions, comments, or complaints about this policy, you can contact the person responsible for ensuring compliance with this privacy policy:

The Privacy Officers may be reached at the following email:

Email : [direction@expressionlasalletherapies.ca](mailto:direction@expressionlasalletherapies.ca)

***INTERPRETATIVE CLAUSE: Whenever the context requires, any word written in the feminine form also includes the masculine form, and any word written in the singular form also includes the plural form, and vice versa. The word “intervener” refers to one or two members of the Center's clinical team (employee, intern, or volunteer).***

***Adopted by the Board of Directors on Friday, June 13, 2025***