

### 13.3 Legislation Impacting Personal Information (continued)

(6.1.5 | 409.3.7)

- personal information will be disclosed without consent of the client and/or guardian **if the following condition(s) exist:**
  1. the receipt of a legal subpoena;
  2. a medical emergency;
  3. the receipt of information that suggests abuse or neglect has occurred;
  4. a person is at imminent risk of harm to themselves or others (duty to protect, warn or inform);
  5. information exchange within the organization is professionally related to the best interests of the client; and,
  6. as required by specific court order or by the Disability Services.

Any consent to the release of information to and/or from InclusiCare with other persons and/or resources must be in writing and is completely voluntary and will only occur if it is in the best interests of the client. A release of information is a time limited document and any consent given will expire within six months of discharge from InclusiCare. The client and/or guardian must sign Consent to Release authorization prior to any information specific to the individual or the family being released by the agency unless the above identified conditions exist.

### 13.4 Collection, Management, Sharing and Reporting of Data Used for Evaluation Purpose

(3.1.1 | 3.1.3)

All data collected for the provision of services at InclusiCare is confidential and utilized for the express purpose of providing services or to meet required best practice standards. In the case of collecting data for research or evaluative purposes, informed consent is required by those participants that the research/evaluation directly impacts (i.e. research study or audio or video client sessions for evaluation).

All data or information reflecting persons served or staff, volunteers or practicum student files will be kept in a locked filing cabinet to ensure security of such information. In the case of electronic storage devices or computer laptops, the computer and/or device must be password protected.

Files or records that require transfer must include only that information that is needed and is done with the express consent of the Team Leader and/or the Director. Files that are transferred must be kept in a secure area (i.e. locked brief case or trunk of a vehicle) until it reaches its arranged destination.

## **13. Confidentiality and Protection of Privacy**

### **13.1 Confidentiality and Informed Consent (409.3.1 | 213.8.1)**

InclusiCare believes in the protection of all clients, family and participant related information held by the agency. Subject to policies related to Duty to Warn, Inform and/or Protect, personal information will not be disclosed, obtained and/or shared to or with any person or organization without the informed advisory or authorization of the client or his/her family and/or guardian.

### **13.2 Freedom of Information and Protection of Privacy (6.1.5 | 409.3.7)**

Upon admission to any program within InclusiCare, clients, their families, program participants and/or other professional resources will be required to gather and exchange personal information for the purpose of specific service delivery, assessing needs and to provide opportunities for growth. This information may come directly from the client and/or client's family, information held by other individuals and/or possibly by other agencies. Personal information may also need to be shared with individuals outside of the agency.

Dependent upon the nature of the program through InclusiCare, differing information may be gathered or released to ensure program mandates and the effectiveness of service delivery. The information gathered and/or released will be further identified in program specific policies.

### **13.3 Legislation Impacting Personal Information (6.1.5 | 409.3.7)**

Any and all personal information provided to InclusiCare in the delivery of services is protected by provincial and federal legislation. InclusiCare abides by legislation as defined through the **Health Information Act (Alberta)**, **Freedom of Information and Protection of Privacy Act (FOIP)** and the **Personal Information Protection and Electronic Documents Act (PIPEDA)**. Generally speaking, these acts assure the following rights:

- personal information collected, used and disclosed is protected and held in confidence;
- the purpose of collecting information is specifically that of care delivery and treatment under the authority of and in accordance with the provincial funding authority (PDD, CFS, DFNA, etc.);
- every effort will be made that information held is complete and accurate and clients and/or families have the right to request changes to the file should information be incomplete;
- information collected regarding clients and their families must come directly from them unless otherwise authorized;
- all clients and families have the right to know the intended use of the information required and to whom it may be given;