



Complainant Privacy Policy

Organizational Scope

This policy is applicable to Registrants of the Personal Support Worker (“PSW”) Registry (“Registry”), clients of registered PSWs, the Substitute Decision Maker, Registered Employers and members of the public who seek to submit a complaint regarding the practice of a registered PSW. The Registry does not investigate complaints itself. Where the complaint is made about a Full Registrant, it will refer the complaint to the PSW’s Registered Employer and/or an alternative third-party organization for investigation. The outcome of the investigation will be provided to the Registry and the registered PSW’s standing may be altered in accordance with this policy.

Purpose

The Registry is committed to the protection of personal information, personal health information, and privacy of individuals submitting complaints to the Registry (“Complainants”).

Information in the possession, custody, and/or control of the Registry will be collected, used, and disclosed in accordance with the Registry’s [Complaint Form](#), [Complaints Policy and Process](#), [Management, Retention & Disposal of Complainant Information](#), and this *Complainant Privacy Policy*. We will only collect, use or disclose personal information or personal health information as is reasonably necessary for the administration of the Registry.

Policy

Why we collect, use and disclose your personal information or personal health information:

We collect, use, retain, manage or disclose personal information or personal health information as is reasonably necessary to the administration of the Registry’s complaint function, or as may be required by virtue of data collection or reporting requirements lawfully imposed upon the Registry.

Consent

The Registry wishes to ensure that you understand and consent to the collection, use and disclosure of your personal information or personal health information. You may be asked to express your consent in a variety of ways including written, electronic (i.e. via email) and oral consent. There are times when your permission to collect, use and disclose information is not required, or may be implied from the



circumstances. For example, legal, medical or security reasons may make it impossible or impractical to obtain your consent.

Consent may be withdrawn at any time prior to the resolution of the complaint with written notice to the Registry, by submitting the notice in writing to the contact listed below. However, it is necessary to collect, use and disclose personal information or personal health information for reasonable purposes connected to the administration of the Registry for its mandate. Withdrawing or refusing your consent to collect, use or disclose personal information or personal health information may affect your ability to submit a complaint or have the results of a complaint investigation acted upon.

Collection of Personal Information or Personal Health Information

The Registry will only collect personal information or personal health information:

1. Where the complainant has consented to its collection;
2. That is reasonably necessary for the operation of the Registry; or
3. As otherwise required by law.

Use of Personal Information or Personal Health Information

Registry staff and IT personnel will be able to access your personal information or personal health information, but use will be limited to administering the Registry's operational functions. When Registry staff or IT personnel leave the organization, their access will be revoked.

The Registry will only use personal information or personal health information in its custody or under its control:

1. Where the complainant has consented to its use;
2. For the purpose for which the information was obtained or compiled;
3. For statistical anonymous analysis;
4. Where the information is necessary and proper for the discharge of the Registry's functions and responsibilities; or
5. As otherwise required by law.



Disclosure of Personal Information or Personal Health Information

The Registry will only disclose personal information or personal health information:

- where the complainant has consented to its disclosure;
- where the Registry, in its sole discretion, decides that the disclosure is reasonably necessary for the discharge of the Registry's function and responsibilities. This includes but is not limited to the disclosure of complaints information to the PSW's Registered Employer or other Third-Parties;
- where disclosure is necessary to investigate an allegation that a person has made false statements or engaged in misleading or dishonest conduct relating to submissions made to the Registry;
- in circumstances necessary to protect the health and safety of an individual; or
- as permitted or required by law.

Accessing Your Personal Information or Personal Health Information

You may access your information by submitting a request in writing to the Registry. There are times when the Registry will refuse access to your personal information or personal health information, including, among other circumstances, where the access request would disclose information about another person, where the information was collected in the course of an investigation, or where the information is subject to legal privilege. Wherever possible, when the information contains pieces that should not be released, the information should be provided to the Complainant in redacted form (i.e., as much as possible should be provided, even if the complete document cannot be shared).

Should the Registered PSW want to see the information about the complaint in order to appropriately respond to the allegation they will be required to contact the Registered Employer or Third-Party Investigatory body.

Accuracy of Personal Information or Personal Health Information

The Registry takes reasonable steps to ensure that personal information or personal health information is accurate. You may request corrections to inaccurate personal information or personal health information by submitting a request in writing to the Registry at the address below.

Retention of Personal Information or Personal Health Information

The Registry will retain information in accordance with its [Management, Retention & Disposal of Complainant Information](#), as amended from time to time.



Security of Personal Information or Personal Health Information

The Registry uses commercially reasonable security measures to protect against the loss, misuse and alteration of personal information and personal health information. These safeguards vary depending upon the sensitivity, format and storage of the personal information and personal health information.

Updating of Privacy Policy

The Registry regularly reviews its privacy practices and updates this privacy policy as required. No notice will be provided for any subsequent updates. It is incumbent upon users to regularly check the Registry website for updated policies. The version that is publically posted on the Registry website at the time of inquiry or incident will be the version considered current.

Contact Information

The Registrar's Office shall be the point of contact for all matters that relate to this policy. Any questions, concerns, or complaints relating to the Registry's *Complainant Privacy Policy* on the treatment of personal information or personal health information should be emailed to inquiries@psw-on.ca.

Definitions

"Personal Information" is defined as information about an identifiable individual and may include:

1. Any identifying number, symbol or other identifier assigned to the individual (i.e. Registrant number, IP Address, etc.);
2. Information related to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation, disability or marital or family status of the individual;
3. The home address or telephone information of the registrant, applicant, or complainant;
4. Correspondence or other communications received from the individual that is implicitly or explicitly confidential, and reply correspondence that would reveal the contents of the originals;
5. Information relating to the educational, medical, psychiatric, psychological, or employment history of the individual or about financial transactions; or
6. The individual's name where it appears on other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.



“Personal Information” **does not** include:

1. Information about an individual who has been dead for more than 30 years;
2. The name, title, contact information or designation of an individual that identifies the individual in a business, professional or official capacity; or
3. The address of their employer or primary place of employment

“Personal Health Information” is identifying information about an individual relating to physical or mental health or the provision of healthcare to that individual and is defined further in section 4 of the *Personal Health Information Protection Act, 2004, SO 2004, c 3, Sch A*.

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Associated Documentation:

- [Complaint Form](#)
- [Registrant Privacy Policy](#)
- [Management, Retention & Disposal of Complainant Information](#)
- [Complaints Policy and Process](#)

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