

## ST. JACOBS MIDWIVES

### PRIVACY POLICY

Privacy of personal information is an important principle to the St. Jacobs Midwives. We are committed to collecting, using and disclosing personal information responsibly and only to the extent necessary for the services we provide. We also try to be open and forthwith as to how we handle personal information. This document describes our privacy policies.

#### WHAT IS PERSONAL INFORMATION

Personal information is written or verbal information about an identifiable individual. Personal information includes information that relates to their personal characteristics: (e.g., gender, age, address, phone number, ethnic/cultural background), their health (e.g., health history, health conditions, health services received by them) or their activities and views (e.g., type of work, opinion as to the type of experience they're hoping to achieve). Personal information is to be contrasted with business information (e.g., an individual's work telephone number) which is not protected by privacy legislation.

#### WHO WE ARE

St. Jacobs Midwives includes both midwives and support staff. We are a teaching practice and thus have students working alongside our midwives. In order for the students to meet their learning needs, they need to have access to client information with the client's permission.

In order to provide the necessary referrals to specialists or requests for consultations, personal information may need to be provided to laboratories and other health care providers such as family physicians, obstetricians, nutritionists, or other specialists as needed. Information may also be collected to pass on to Public Health, or to make arrangements for assessment, treatment or counselling.

Additionally, other consultants and agencies may have limited access to personal information in the course of their duties. These may include computer consultants, cleaning/maintenance staff, temporary workers (to cover holidays), our Transfer Payment Agency, the Ministry of Health, our electronic file storage provider, and our lawyer. We restrict their access to any personal information we hold as much as is reasonably possible. We also have their assurance that they follow appropriate privacy principles.

#### COLLECTION OF PERSONAL INFORMATION: Primary Purposes

We collect, use and disclose personal information in order to serve our clients. The primary purpose for collecting personal information is to provide midwifery services to clients and their babies. We collect information about our clients' health history, physical condition and function, and social situation in order to complete a needs assessment, and counselling regarding clients' options. As midwives we provide primary care from early pregnancy through to six weeks post partum, and the information we collect allows us to provide ongoing health care through this period. A second primary purpose is to obtain a baseline of health and social information so that in providing ongoing health services, we can identify changes that are occurring over time.

## **WE COLLECT PERSONAL INFORMATION: Related and Secondary Purposes**

Like most organizations, we also collect, use and disclose information for purposes related to or secondary to our primary purposes. Related purposes support the primary purpose for which the information is gathered. The most common examples of our related and secondary purposes are as follows:

- Our clinic reviews client and other files for the purpose of ensuring that we provide high quality services, including assessing the performance of our staff and quality of our charting. In addition, the College of Midwives of Ontario may conduct audits and continuing quality assessment reviews of our clinic/midwives, including reviewing client charts and interviewing our staff.
- St. Jacobs Midwives is regulated by the College of Midwives of Ontario who may inspect our records and interview midwives/staff as part of their regulatory activities in the public interest. In addition, as professionals, we will report serious misconduct, incompetence or incapacity of other practitioners, whether they belong to other organizations or our own.
- Clients who receive services from St. Jacobs Midwives often return for subsequent pregnancies. It is often helpful to access and review their previous course(s) of care in order for the midwife to have a better understanding of their obstetrical history. Our regulatory College requires us to retain our client records for a minimum of ten years after the last contact with a client.
- If the St. Jacobs Midwives practice were to be sold, or if new associates/partners were to join the practice, they would want to conduct a “due diligence” review of the clinic’s records to ensure that it is a viable business that has been honestly portrayed to the purchaser. This due diligence may involve some review of our accounting and service files. The purchaser would not be able to remove or record personal information. Before being provided access to the files, the new associate/partner would be required to provide a written promise to keep all personal information confidential.
- To advise clients and others of special events (e.g., open houses, baby reunions, retirement parties).
- To inform our insurer of potential claims.
- To fulfill legal requirements with respect to reporting (e.g., misconduct, incompetence, child abuse, etc.)
- To fulfill legal obligations to the Governments of Ontario and Canada (e.g., Canada Customs and Revenue Agency, the Information and Privacy Commissioner, the Human Rights Commission, etc.)
- If we provide care to you along with another Ontario midwifery practice, we would have to share information about you with that practice.

## **PROTECTING PERSONAL INFORMATION**

We understand the importance of protecting personal information. For that reason, we have taken the following steps:

- Paper information is either under supervision or secured in a locked or restricted area.
- Electronic hardware is either under supervision or secured in a locked or restricted area at all times. In addition, passwords are used on computers.
- After your care is complete, the paper copy of your records is kept securely in our office until the information is scanned onto an archival CD-ROM. One CD-ROM is kept secure in our office and a back-up copy stored securely off-site. This information is also accessible to

St. Jacobs Midwives on a secure, password-protected web-based archive. The paper copy of your records is destroyed.

### **DESTRUCTION AND REMOVAL OF INFORMATION**

The College of Midwives of Ontario requires midwives to store client files for 10 years after discharge from care (and 10 years after the age of majority for infants). Once a year, such outdated files will be deleted from our electronic systems and the appropriate storage discs will be destroyed.

### **ACCESS TO INFORMATION**

We will give you access to the information we retain about you within a reasonable time, with a written request, satisfactory identification and proof of entitlement. You also have the right to know:

- how we collected your personal information;
- how we are using it; and
- to whom it may have been disclosed, except where such disclosure was to a governmental body for routine purposes.

We may charge you a nominal fee and if so, we will give you notice in advance of processing your request.

If you find any errors in this information, we urge you to contact us as soon as possible - by phone, fax, mail, e-mail, or our web site and we will make the appropriate corrections immediately, based on the receipt of satisfactory evidence.

In some cases we may not provide access to personal information within our possession or control. This may occur when:

- providing access would be likely to reveal personal information about a third party or could pose a threat to the security of the third party, and the information cannot be segregated;
- disclosure would reveal confidential commercial information of this Practice Group;
- it would be too costly, in our determination, to retrieve it;
- the personal information is protected by privilege; or
- the information has been collected during the investigation of a legal matter or cannot be disclosed for other legal reasons, such as a non-disclosure agreement.
- Copies of reports written by other care providers (access to these is through medical records or the individual provider's office).

If we deny your individual request for access to your personal information, we will advise you in writing of the reason for the refusal and you may then challenge our decision.

### **PRIVACY BREACH MANAGEMENT:**

If a significant breach of liability is identified, HIROC will be notified immediately. The St. Jacobs Midwives Privacy Officer will contact risk management, and legal experts (when applicable), to determine the appropriate next steps. Timely notification of the provincial information and privacy officer will occur. Any recommendations from investigations of privacy breaches will be monitored, and steps will be made to decrease the risk of reoccurrence.

### **PROVIDING RECOURSE: Respecting and Responding to Your Privacy Concerns**

We encourage you to contact us with any questions or concerns you might have about your privacy or our Privacy Code. We will investigate and respond to your concerns about any aspect of our handling of your information.

In most cases, an issue is resolved simply by telling us about it and discussing it. If you have any questions or concerns regarding this policy our Privacy Officer will attempt to assist you. The Privacy Officer for the St. Jacobs Midwives can be reached by:

mail: St. Jacobs Midwives, 2-9 Parkside Drive, St. Jacobs, ON N0B 2N0  
e-mail: [birth@stjacobsmidwives.on.ca](mailto:birth@stjacobsmidwives.on.ca)  
website: [www.stjacobsmidwives.on.ca](http://www.stjacobsmidwives.on.ca)  
telephone: 519-664-2542 (office), 519-664-1815 (fax)

Please be sure to include your name, address, preferred method of communication, the nature of your complaint, and relevant details, including your past communications with us. If the issue is still not resolved satisfactorily, we will provide information on other complaint procedures that may be available to you.

### **CONCLUSION**

Any changes to our Privacy Code and information handling practices shall be acknowledged in this Privacy Code in a timely manner. We may add, modify or remove portions of this Code when we feel it is appropriate to do so. You may determine when this Code was last updated by referring to the modification date found at the bottom of the page.

Last modified on the 24th day of June, 2015.