

## **PRIVACY POLICY – Neshama Therapy**

Privacy of personal information is an important principle to Neshama Therapy. We are committed to collecting, using and disclosing personal information responsibly and only to the extent necessary for the goods and services we provide. We also try to be open and transparent as to how we handle personal information. This document describes our privacy policies. Please read this document carefully because we want you to know that Neshama Therapy protects your personal information.

### **WHAT IS PERSONAL INFORMATION?**

Personal information is information about an identifiable individual. Personal information includes information that relates to their personal characteristics (e.g., gender, age, home address or phone number), their health (e.g., health history, health conditions, health services received by them) or their activities and views (e.g., opinions expressed by an individual, an opinion or evaluation of an individual). Personal information is to be contrasted with business information (e.g., an individual's business address and telephone number), which is not protected by privacy legislation.

### **WHO WE ARE**

Neshama Therapy, includes at the time of writing 1 massage therapist and 2 support staff (website manager, writer and editor and accountant). We use a number of consultants and agencies that may, in the course of their duties, have limited access to personal information we hold. These include website manager, writer and editor, accountant, credit card companies and a 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.

### **WE COLLECT PERSONAL INFORMATION: PRIMARY PURPOSES**

#### **About Clients**

Like all health care professionals, we collect, use and disclose personal information in order to serve our clients. For our clients, the primary purpose for collecting personal information is to provide massage therapy treatment. For example, we collect information about a client's health history, including their family history, physical condition and function and social situation in order to help us assess what their health needs are, to advise them of their options and then to provide the health care they choose to have. 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. It would be rare for us to collect such information without the client's express consent, but this might occur in an emergency (e.g., the client is unconscious) or where we believe the client would consent if asked and it is impractical to obtain consent (e.g., a family member passing a message on from our client and we have no reason to believe that the message is not genuine).

## **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. The most common examples of our related and secondary purposes are as follows:

- ❑ To invoice clients for goods and services that was not paid for at the time, to process credit card payments or to collect unpaid accounts.
  
- ❑ Massage therapists are regulated by the College of Massage Therapists of Ontario who may inspect our records and interview our staff as a part of their regulatory activities in the public interest. In addition, as professionals, we will report serious misconduct, in competence or incapacity of other practitioner, whether they belong to other organizations or our own. Also, our organization believes that it should report information suggesting serious illegal behaviour to the authorities. External regulators have their own strict privacy obligations. Sometimes these reports include personal information about our clients, or other individuals, to support the concern (e.g., improper services) Also, like all organizations various government agencies (e.g., Canada Customs and Revenue Agency, Information and Privacy Commissioner, Human Rights Commission, etc.) have the authority to review our files and interview our staff as a part of their mandates. In these circumstances, we may consult with professionals (e.g., lawyers, accountants) who will investigate the matter and report back to us.
  
- ❑ The cost of some good/services provided by the organization to clients is paid for by third parties (e.g., private insurance,). These third-party payers often have your consent to legislative authority to direct us to collect and disclose to them certain information in order to demonstrate client entitlement to this funding.
  
- ❑ Clients or other individuals we deal with may have questions about our goods or services after they have been received. We also provide ongoing services for many of our clients over a period of months or years for which our previous records are helpful. We retain our client information for a minimum of ten years after the last contact to enable us to respond to those questions and provide these services (our regulatory College also requires us to retain our client records for this period of time).
  
- ❑ If Neshama Therapy or its assets were to be sold, the purchaser 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 purchaser must provide a written promise to keep all personal information confidential. Only reputable purchasers who have already agreed to buy the organization’s business or its assets would be provided access to personal

information, and only for the purpose of completing their due diligence search prior to closing the purchase.

You can choose not to be part of some of these related or secondary purposes (e.g., by declining to receive notice of special events or opportunities, by paying for your services at date of service). We do not, however, have much choice about some of these related or secondary purposes (e.g., external regulations).

### **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.
- ❑ Paper information is transferred in sealed envelopes, marked private and confidential, sent by Canada Post or reputable courier.
- ❑ Electronic hardware is either under supervision or secured in a locked or restricted area at all times. In addition, passwords are used on computers. All cell phones are digital, which signals are more difficult to intercept.
- ❑ Electronic information is transmitted either through a direct line or is anonymized or encrypted.
- ❑ Future staff will be trained to collect, use and disclose personal information only as necessary to fulfill their duties and in accordance with our privacy policy.
- ❑ External consultants and agencies with access to personal information must enter into privacy agreements with us.

### **DISCLOSURE OF PERSONAL INFORMATION**

We are requested at times to supply a photocopy of a client's file to lawyers or insurance companies. This request is only granted when a formal request is accompanied by the client's signature in person agreeing to the release of their information to that particular lawyer/insurance company. The following are the rare exception to the above:

- ❑ To the organization's lawyer,
- ❑ For debt collection purposes,
- ❑ To comply with a subpoena, warrant or court order,
- ❑ At the request of a government institution for national security, law enforcement or administration,
- ❑ At the initiative of the organization, to provide information to a government institution or a specified investigative body relation to law enforcement or national security,
- ❑ At the initiative of a specified investigative body relating to law enforcement,
- ❑ Where disclosure is required by law.

## **RETENTION AND DESTRUCTION OF PERSONAL INFORMATION**

We need to retain personal information for some time to ensure that we can answer any questions you might have about the services provided and for our own accountability to external regulatory bodies. However, we do not want to keep personal information too long in order to protect your privacy.

We keep our client files for ten years. Our client and contact directories are much more difficult to systematically destroy, so we remove such information when we can, if it appears that we will not be contacting you again. However, if you ask, we will remove such contact information right away.

We destroy paper files containing personal information by shredding. We destroy electronic information by deleting it and, when the hardware is discarded, we ensure that the hard drive is physically destroyed.

## **YOU CAN LOOK AT YOUR INFORMATION**

With only a few exceptions, you have the right to see what personal information we hold about you. Often all you have to do is ask. We can help you identify what records we might have about you. We will also try to help you understand any information you do not understand (e.g., short forms, technical language, etc.). We will need to confirm your identity, if we do not know you, before providing you with this access. We reserve the right charge a nominal fee for such requests.

If there is a problem we may ask you to put your request in writing. If we cannot give you access, we will tell you within 30 days if at all possible and tell you the reason, as best we can, as to why we cannot give you access.

If you believe there is a mistake in the information, you have the right to ask for it to be corrected. This applies to factual information and not to any professional opinions we may have formed. We may ask you to provide documentation that our files are wrong. Where we agree that we made a mistake, we will make the correction and notify anyone to whom we sent this information. If we do not agree that we have made a mistake, we will still agree to include in our file a brief statement from you on the point and we will forward that statement to anyone else who received the earlier information.

## **DO YOU HAVE A QUESTION?**

Neshama Therapy

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We will attempt to answer any questions or concerns you might have.

If you wish to make a formal complaint about our privacy practices, you may make it in writing to Neshama Therapy. Neshama Therapy will acknowledge receipt of your complaint; ensure that it is investigated promptly and that you are provided with a formal decision and reasons in writing.

