

# **SASKATCHEWAN COLLEGE OF PHYSICAL THERAPISTS**

## **Personal Information and Privacy Policy**

SCPT recognizes the Saskatchewan College of Pharmacists and College of Physical Therapists Ontario in usage of portions of their privacy statements in creating this document.

### **PURPOSE**

The purpose of this policy is to voluntarily comply with SCPT's ethical obligations under the *Personal Information Protection and Electronic Documents Act* (Canada) and the *Health Information Protection Act* (Saskatchewan).

### **RATIONALE**

The Saskatchewan College of Physical Therapists is committed to keeping confidential personal information about its registrants (which includes professional corporations) and their clients. Personal information is information that identifies a registrant as an individual. It can include demographic, education, registration or membership status, practice, professional competency information; records of achievement and awards; records of service to the College; affiliations with professional and other organization; and, any other information deemed necessary to fulfill the College's obligations under the Act.

### **WHAT INFORMATION IS COLLECTED**

As part of our ongoing commitment, we want SCPT registrants to know why we ask for their personal information and how we use it. Some of the purposes for which registrant personal information is collected and used include:

- a) to fulfill statutory requirements under the Physical Therapists Act, regulatory bylaws
- b) for the purpose of registration and renewal of licensure
- c) for conducting affairs of the College that is required under federal and provincial legislation.
- d) for maintaining registers and records as required under legislation
- e) for determining eligibility for awards
- f) for physical therapy human resource or workforce planning and management
- g) for aggregate collection of information by the College, provincial and national physical therapist organizations, health organizations to be utilized for decision making on regulatory issues or concerns to the profession/public.
- h) to investigate complaints regarding the conduct or actions of a registrant of the college;
- i) to carry out the continuing competency and quality assurance programs of the College; including an assessment of the records and practice of its registrants
- j) to provide information about registrants to the public for regulatory purposes such as public register information and information about discipline hearings; and to administer or enforce the Legislation

The College may collect personal information from the registrant, employers and colleagues of the registrant, patients of the registrant and other persons, for the purposes set out above.

While every effort is made to state identified purposes in such a manner that an individual can reasonably understand how the information will be used or disclosed, the College does reserve the right to use and disclose the information for another regulatory purpose where it is in the public interest to do so.

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### **HOW IS INFORMATION USED**

The College may use personal information for the purpose of registration, renewal of licensure, maintaining registers and records to be kept by the College. The College may also use registration or membership status information for conducting the affairs of the College that is required under federal and provincial legislation and for human resource planning or workforce research purposes.

Consent of the registrant is not required for the collection, use and disclosure of personal information that the College is required to obtain by legislation. Personal information will only be collected, used and disclosed without the knowledge and consent of the individual for the purpose of the administration or enforcement of the Legislation in accordance with any applicable provisions of the Legislation.

The College will not disclose a registrant's home address, home telephone or fax number or personal email address without expressed written consent of the registrant for other purposes.

### **HOW IS INFORMATION DISCLOSED**

The Act requires the Registrar to comply with any request from any person to inspect the information contained in the Register established pursuant to the Act. This Public Register includes disclosing the name, address (practice or employment site only) and registration or membership category of every registrant. Under the Act, the College must annually file this public register with government to which we are required to include each registrant's initial registration date. To confirm identity as part of the membership category data the College also discloses the registrant name.

The College discloses registration or membership status information for a variety of purposes consistent with administration of the Act. One purpose is to publicize an order made by the Discipline Committee. Other examples include confirmation of registration and membership status to: universities; other regulatory authorities; third party payers or any registrant of the public or press.

The college discloses information to external public registry compilers for the purpose of ensuring the integrity of public registry databases. The College permits such compilers to only disclose the same information that appears in the "Public Register".

The College may release aggregate public register information to those who service the professional needs of the registrant or to those who can demonstrate a legitimate need for such information to serve the needs of the profession.

When a registrant ceases to be a member or is deceased, this information shall be recorded in the public register according to the manner in which the college is required to report such information pursuant to the Act. Under these circumstances, electronic and paper files containing personal information shall be archived for an indefinite period of time. Access to such archived files shall be permitted for legitimate purposes upon approval of the Registrar.

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With expressed written consent of the registrant, the College may disclose person information for the following purposes:

- a) professional development and education
- b) practice based information or research
- c) health promotion programs
- d) health Canada notices

NOTE: For the above situations where expressed written consent of the registrant is required, a registrant may at any time withdraw consent to the disclosure of personal information for the above purposes by giving written notice to the college. Such withdrawal of consent cannot be retroactive.

Consent of the proprietor of a physical therapy business is not required for the collection, use and disclosure of information that the College is required to obtain by legislation. The College may disclose without consent physical therapy practice information for the following purposes:

- a) professional development and education
- b) practice based information or research
- c) health promotion programs
- d) health Canada notices
- e) human resource or workforce research, planning and management

### **REGISTRANT'S ABILITY TO VIEW AND CORRECT INFORMATION**

A registrant has the right to access their personal information. Upon giving the College reasonable notice, a registrant may view their chart and any information on their chart. However, the right to view personal information will be denied when:

- a) Disclosure may result in significant risk of harm to the requestor of a third party
- b) Disclosure may defeat the purposes for which the information was collected
- c) Disclosure may result in personal information about another person being inadvertently disclosed
- d) Information cannot be disclosed for legal, security or commercial proprietary reasons
- e) Information is subject to solicitor-client or other privilege
- f) Information was generated in the course of a dispute or resolution process
- g) Information was collected or created in the course of an inspection, investigation, inquiry, assessment or similar procedure
- h) The request is frivolous, vexatious, made in bad faith or otherwise an abuse of process

The College will make every effort to correct any mistakes in factual information. However, there is no need to change a professional opinion, even if the registrant disagrees with the opinion. In such a circumstances, the written request to change the registrant's information will be noted in their file.

In situations when expressed consent is required, the registrant may place limits on how the College uses or discloses this information by submitting a request in writing. The College will keep such requests securely on file for the retention period defined herein. Any other inquires regarding the privacy of personal information and our privacy policies should be directed to the Registrar.

In cases where the personal information forms part of a record created by another organization (or person), the College will refer the individual to the organization that created the record (unless it is inappropriate or impossible to do so) so that the individual may obtain access to the personal information from the original source rather than the College.

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While the College's response will typically be provided at no cost or minimal cost to the individual, depending upon the nature of the request and the amount of information involved, the College reserves the right to impose a cost recovery fee. In these circumstances, the College will inform the individual of the approximate cost to provide the response and proceed upon payment by the individual of the cost.

### **CHALLENGING THE COLLEGE'S COMPLIANCE WITH THESE POLICIES**

A registrant may challenge the College's compliance with these policies by submitting a complaint to the Registrar. All complaints will be handled as confidential and the procedure followed will be similar to that of handling a professional conduct complaint.

Complaints that are not handled to the registrant's satisfaction may be appealed to the Council of the College.

### **PROCEDURE**

This policy will be reviewed yearly by the Executive in concert with the Executive Director in order to comply with Federal and Provincial Privacy laws in the province of Saskatchewan

A reference to this policy will be distributed within the Application for Membership Form so all registrants are aware of the policy and usage of information provided to the Saskatchewan College of Physical Therapists of Saskatchewan Inc.

Approved November 2001  
Revised November 24, 2005