

READY WILLING & ABLE PRÊTS DISPONIBLES & CAPABLES

Ready, Willing & Able's The Compass Privacy Policy

Document Version: 2.0

May 6, 2020

TABLE OF CONTENTS

TABLE OF CONTENTS	2
INTRODUCTION	4
READY, WILLING & ABLE: DESCRIPTION OF SERVICES.....	4
PRIVACY LEGISLATIVE AUTHORITY	4
PURPOSE.....	5
SCOPE & APPLICABILITY	5
IN SCOPE	5
OUT OF SCOPE	6
10 PRIVACY PRINCIPLES	7
1. ACCOUNTABILITY	7
<i>Delegation of Responsibilities</i>	7
<i>Third Parties</i>	7
2. IDENTIFYING PURPOSES	8
3. CONSENT	8
<i>Revoking Consent</i>	8
4. LIMITING COLLECTION	9
5. LIMITING USE, DISCLOSURE AND RETENTION	9
<i>Use and Disclosure</i>	9
<i>Retention</i>	9
<i>Data Destruction</i>	9
6. ACCURACY.....	9
<i>Correction of Third Party Records</i>	9
7. SAFEGUARDS	10
<i>Safeguard Methods</i>	10
<i>Third Party Service Providers</i>	10
8. OPENNESS	10
<i>Availability of Information</i>	10
9. INDIVIDUAL ACCESS	11
10. CHALLENGING COMPLIANCE.....	11
<i>Complaints Related to RWA Privacy Practices</i>	11
REGULATORY OBLIGATIONS	12
BREACH NOTIFICATION.....	12
DESCRIPTION OF SERVICES, SAFEGUARDS, DIRECTIVES, GUIDELINES AND POLICIES	12
PROVISION OF ACCESS LOGS	13
RESTRICTIONS ON EMPLOYEES AND THIRD PARTIES	13
WRITTEN AGREEMENTS WITH PARTICIPATING ORGANIZATIONS	13
RWA NATIONAL TEAM ROLES & RESPONSIBILITIES	14
PARTICIPATING ORGANIZATIONS	14
THIRD PARTY SERVICE PROVIDERS	14
COMPLIANCE	15
COMPLIANCE TO THE PRIVACY POLICY	15

EXCEPTIONS..... 15
POLICY MAINTENANCE..... 15
DEFINITIONS 15

Document Owner:	Ready, Willing and Able's National Team
Review Frequency:	This document will be reviewed every two years

INTRODUCTION

READY, WILLING & ABLE: DESCRIPTION OF SERVICES

Ready, Willing and Able (RWA) is a national partnership of the Canadian Association for Community Living (CACL) the Canadian Autism Spectrum Disorders Alliance (CASDA), and their member organizations. It is a three-year project (September 2019-March 2022) funded by the Government of Canada designed to increase the workforce participation of people with an intellectual disability or Autism Spectrum Disorder (ASD) across 20 communities in Canada. RWA is designed to connect and support employers, persons with an intellectual disability or Autism Spectrum Disorder (ASD), and local, provincial and national community agencies, in an effort to build a more inclusive workforce.

Ready, Willing & Able operates "The Compass," an online questionnaire and database designed to create a pipeline to a broader group of individuals with an intellectual disability or ASD who are looking to connect to post-secondary supports, employment supports and/or paid employment opportunities. The Compass collects personal information (PI) from individuals in order to match them with necessary services and supports as well as potential employment opportunities.

Data custodianship for the Ready, Willing & Able's The Compass is assigned to the Canadian Autism Spectrum Disorders Alliance. All personal information and data collected through The Compass, as well as through other means, are under the custodianship of CASDA, which is a coalition of autism organizations working with the federal government on behalf of families affected by ASD. Ready, Willing & Able is the governing body for the program's information held under CASDA; within the RWA program, the RWA National team ("RWA National") oversees compliance with applicable privacy legislation and controls how personal information collected through the program is stored, disclosed, and shared within CASDA.

As RWA implements tools to provide employment support services to individuals with ASD, the program is committed to respecting personal privacy, keeping data safe, and letting individuals know how their information is being used or shared.

PRIVACY LEGISLATIVE AUTHORITY

CASDA's data protection practices are governed by the Personal Information Protection and Electronic Documents Act (PIPEDA), the federal privacy law that oversees the collection, use, and disclosure of personal information in all provinces except BC, Nova Scotia, and Quebec; the law applies to charities, non-profit organizations, associations, and other similar organizations that manage personal information in the course of their activities. To the extent that a non-Canadian based service provider has a real and substantial connection to Canada, and collects, uses or discloses personal information in the course of a commercial activity, the provider will also act in keeping with PIPEDA.

In certain instances, Ready, Willing & Able collects health information from individuals. While the information is not collected for the purposes of providing health care, RWA

will follow best practices when handling this information, referring to Ontario's Personal Health Information Protection Act (PHIPA) as a source. PHIPA applies to health information custodians and protects personal health information (PHI), and outlines data protection requirements for agents and service providers working on behalf of custodians.

PURPOSE

The purpose of this Privacy Policy is to define the directives employed by RWA to protect personal information and personal health information hosted in the RWA online database and RWA operations. In particular, this Policy aims to promote the following objectives:

- Ensure compliance with appropriate jurisdictional authorities and privacy legislation regarding personal information handling practices.
- Define a privacy framework and requirements for the collection, use, storage, protection, disclosure, and disposal of personal information hosted in RWA systems, including The Compass
- Educate individuals involved in the program's operation regarding their roles and privacy responsibilities

The Privacy Policy only applies to The Compass. As a data custodian, CASDA is subject to and governed by the Policy for its operations associated with RWA; CASDA may have practices unrelated to RWA, to which this Policy does not apply. Parties participating in the RWA program (e.g., provincial partners) must sign a Data Sharing Agreement, which will bind them to the terms and obligations outlined in this Policy.

Ready, Willing & Able's The Compass Privacy Policy is based on best practices found in the Ontario Personal Health Information Protection Act (PHIPA). RWA may not be considered a health information custodian, but the confidentiality and medical nature of certain aspects of the information it collects should be treated with appropriate levels of discretion.

SCOPE & APPLICABILITY

IN SCOPE

This Policy applies to all Ready, Willing & Able's employees, third party providers, operators and administrators of RWA's network and computing facilities including contractors and suppliers and their respective agents, contractors and employees. It is applicable to CASDA's data protection practices only within the scope of the RWA program.

These policies describe what RWA does to protect the privacy of individuals whose PI or PHI is collected, used or disclosed through RWA.

Third party providers and organizations that sign a Data Sharing Agreement with RWA must abide by the terms and conditions set out in this Policy.

OUT OF SCOPE

This Policy does not apply to the collection, use and disclosure of personal information by associated or partnered organizations over the course of activities unrelated to RWA.

10 PRIVACY PRINCIPLES

This section defines the requirements for the implementation of fair information practices to support compliance with regulatory obligations (i.e. PIPEDA and other provincial legislation). Requirements are defined in terms of the 10 Privacy Principles set out in Schedule 1 of PIPEDA and the Canadian Standards Association (CSA) Model Code for the protection of personal information (PI) and privacy best practices. This section describes how Ready, Willing & Able's National team fulfills its obligations under these fair information practices and principles.

Ready, Willing & Able's National team is responsible for the protection and fair management of personal information at all times, throughout the organization and by any third parties to which information is disclosed. Care and transparency in collecting, using and disclosing personal information are built into its privacy policy.

1. ACCOUNTABILITY

RWA National is responsible for the personal information under its control and will designate an individual or individuals who are accountable for the compliance with privacy principles and statutory requirements defined in this Policy.

This personal information collected by RWA includes responses stored in The Compass.

DELEGATION OF RESPONSIBILITIES

The *RWA National Team* oversees privacy compliance of data under the custodianship of CASDA.

Accountability for compliance with applicable privacy legislation rests with one of the members of the National Team. Radha MacCulloch, RWA's National Program Manager, Policy & Resource Development acts as the point person within RWA's National Team for ensuring compliance with applicable privacy legislation. Upon cessation of the RWA program or at the request of CASDA, accountability for compliance with applicable privacy legislation will be transferred to a board-appointed privacy officer position within CASDA.

THIRD PARTIES

RWA National is responsible for the personal information that is used by agents acting on behalf of RWA, and/or PI that is transferred or used by third party service providers to perform services RWA is overseeing. Agents include Autism Outreach Coordinators in British Columbia, Alberta, Nova Scotia, and New Brunswick. Third party service providers include Simple Survey, which powers The Compass. RWA also partners with local and provincial community agencies across the country.

RWA uses contractual or other means to ensure that a comparable level of protection is applied when PI is handled by these parties. Agents are required to sign a confidentiality agreement. Partner organizations are required to sign a Data Sharing Agreement that binds them by the RWA Privacy Policy, as well as a confidentiality agreement.

2. IDENTIFYING PURPOSES

The purposes for which personal information is collected will be identified by RWA at or before the time the information is collected. Depending upon the way in which the information is collected, this can be done orally or in writing. When personal information that has been collected is to be used for a purpose not previously identified, the new purpose will be identified prior to use, unless the new purpose is required by law.

RWA collects personal information for the purpose of connecting individuals to post-secondary supports, employment supports and/or paid employment opportunities.. RWA aims to:

1. Engage and support small, medium, large, and national-scale employers to recruit, hire and support people with an intellectual disability and ASD;
2. Promote awareness among employers and the general public to promote hiring of people with an intellectual disability and ASD;
3. Modernize the community employment supports delivery system to be the effective bridge- builders that small, medium and large-scale employers need.

The personal information collected through The Compass includes:

- Personal information about an identifiable individual, such as name, age, gender, phone number, mailing address
- Information that relates to health (The Compass does not explicitly collect personal health information however, as an outreach tool it is designed to connect specifically with individuals with ASD)
- Employment history and work experience

3. CONSENT

The knowledge and consent of the individual are required for the collection, use, or disclosure of personal information by RWA. RWA will make a reasonable effort to ensure that the individual is advised of the purposes for which the information will be used when seeking consent.

Prior to collecting personal information, RWA shares the Terms of Use for The Compass then seeks explicit consent in The Compass questionnaire. Individuals are made aware of the purposes to which their information will be used.

REVOKING CONSENT

Subject to certain exceptions (e.g., the personal information is necessary to provide the service or product, or the withdrawal of consent would frustrate the performance of a legal obligation), individuals can withhold or withdraw their consent for RWA to use their personal information in certain ways. An individual's decision to withhold or withdraw their consent to certain uses of personal information may restrict RWA's ability to provide a particular service or product. If this is the case, RWA will explain the situation to assist the individual in making the decision.

Consent can be withdrawn at any time by contacting Radha MacCulloch, National Program Manager, Policy & Resource Development with RWA's National Team at rmacculloch@cacl.ca.

4. LIMITING COLLECTION

The collection of personal information will be limited to that which is necessary for the purposes identified. Information shall be collected by fair and lawful means. RWA will work to ensure the amount and the type of information collected will be limited to that which is necessary to fulfill the purposes identified.

Ready, Willing & Able collects only the data points required to support individuals for job seeking purposes. This includes employment and work experience, as well as contact information.

5. LIMITING USE, DISCLOSURE AND RETENTION

Personal information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law. PI will be retained only as long as necessary for the fulfillment of those purposes.

USE AND DISCLOSURE

RWA will only use and disclose the personal information in its custody where necessary to fulfill the purposes identified at the time of collection. RWA will not use or disclose personal information for any additional purpose unless further consent is obtained.

RWA does not sell personal information to other parties.

RETENTION

RWA will document the Retention Schedule for personal information that is stored within its systems. Data will be retained for 5 years before it is disposed of.

DATA DESTRUCTION

RWA will ensure information that is no longer required or has reached its retention period is securely removed from RWA systems and databases. Data will be destroyed or disposed of after 5 years, or upon request (if legally appropriate).

6. ACCURACY

Personal information will be as accurate, complete, and up to date as is necessary for the purposes for which it is to be used.

RWA will make reasonable efforts to ensure that personal information about individuals is accurate and complete where it may be used to make a decision about the individual or disclosed to another organization.

CORRECTION OF THIRD PARTY RECORDS

RWA will assist in the correction of individual records when informed of inaccuracies. RWA will make reasonable efforts to ensure personal information that is used on an ongoing basis, including information that is disclosed to third parties, will generally be accurate and up-to-date.

Individuals can contact Radha MacCulloch, National Program Manager, Policy & Resource Development with RWA's National Team at rmacculloch@cacl.ca to view and correct personal information.

7. SAFEGUARDS

Personal information will be protected by security safeguards appropriate to the sensitivity of the information. The security safeguards will protect personal information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification.

SAFEGUARD METHODS

RWA will implement reasonable commercial standards of technical, operational and physical security controls to protect personal information from unauthorized access, loss, misuse, alteration or destruction.

THIRD PARTY SERVICE PROVIDERS

RWA will use contractual or other means to ensure that a comparable level of protection is in place, which will restrict the use, transfer and retention of personal information by retained third party service providers.

Storage of personal information collected through The Compass is provided by Simple Survey. Simple Survey has publicized its Terms of Use, which describes the privacy practices and protections offered for the data.

Simple Survey Privacy Statement:

<https://simplesurvey.com/faq/>

Simple Survey Terms of Use:

<http://form.simplesurvey.com/oss/external/msa.aspx>

8. OPENNESS

RWA shall make readily available to individuals specific information about its policies and practices relating to the management of personal information.

AVAILABILITY OF INFORMATION

RWA will make information about its information practices, privacy policies and directives freely available to the public and associated partners. RWA will post an online privacy policy on its website, readywillingable.ca, and make it accessible from the home page. All local agencies involved with RWA/The Compass should refer to

RWA's The Compass Privacy Policy on the RWA website through a link. The privacy policy will also be posted on the CASDA website with a link to the RWA website.

9. INDIVIDUAL ACCESS

Upon request, an individual can be informed of the existence, use, and disclosure of his or her personal information and shall be given access to that information. An individual will be able to challenge the accuracy and completeness of the information and have it amended as appropriate. Where appropriate, amended information will be transmitted to third parties having access to the information in question.

If RWA is unable to provide access to the information, the reasons for denying access will be provided. RWA will respond to all access requests within a reasonable time frame and provide information in a form that is generally understandable.

10. CHALLENGING COMPLIANCE

An individual can address a challenge concerning compliance with the above principles to the RWA National Team, who is accountable for RWA privacy compliance.

RWA National will investigate all complaints. If a complaint is found to be justified, RWA National will take appropriate measures, including, if necessary, amending its policies and practices. RWA National has internal procedures in place to receive and respond to complaints or inquiries about their policies and practices relating to the handling of personal information.

COMPLAINTS RELATED TO RWA PRIVACY PRACTICES

Any person may submit a concern or complaint regarding RWA's information practices to the RWA National Team. All complaints will be reviewed.

RWA National Contact Name:	Radha MacCulloch, National Program Manager, Policy & Resource Development
-----------------------------------	--

Contact Information:	rmacculloch@cacl.ca (416) 322-7877 ext 225
-----------------------------	--

A person may also submit a concern or complaint to the Ontario Information and Privacy Commissioner (IPC). They can do so by writing to:

Information and Privacy Commissioner/Ontario
2 Bloor Street East, Suite 1400
Toronto, ON
M4W 1A8

REGULATORY OBLIGATIONS

Ready, Willing & Able's privacy policies and personal information handling practices are governed by the provisions set out in PIPEDA. RWA treats the personal information in its custody using best practices for handling personal health information, in the spirit of Ontario's health privacy law PHIPA.

BREACH NOTIFICATION

In the event of a breach of security safeguards, the Ready, Willing & Able National team will take all necessary steps to reduce risks of harm to affected individuals.

With respect to liability, each party shall indemnify each other party and hold harmless. In the event of a breach, liability will be determined based on the location and the asset in question. CASDA will be accountable for any datacenter breaches or any operational breaches at its offices, for data associated with The Compass. Each participating party will be accountable for activities within its realm. As per PIPEDA, RWA will notify the Office of the Privacy Commissioner of Canada in the event of a breach of personal information under its control, if it is reasonable in the circumstances to believe that the breach creates a real risk of significant harm to an individual. This includes breaches related to the unauthorized access, use, disclosure, or disposal of personal information managed by RWA or its third party service provider(s). Local notification to individuals, if need be, shall be handled by the respective parties.

An individual will be notified of any breach of security safeguards involving the individual's personal information under the organization's control if it is reasonable in the circumstances to believe that the breach creates a real risk of significant harm to the individual. The notification shall contain sufficient information to allow the individual to understand the significance to them of the breach and to take steps, if any are possible, to reduce the risk of harm that could result from it or to mitigate that harm. Notification shall be given as soon as feasible after the organization determines that the breach has occurred.

The RWA National Team will also investigate the privacy breach to identify root cause and mitigate outstanding risks of reoccurrence. A written report will be filed at the following points of the investigation:

1. **Incident Identification:** once the privacy breach is identified and contained.
2. **Incident Resolution:** once the investigation is completed and actions to resolve the incident and ensure it does not recur are identified.
3. **Post-Incident Review:** upon conclusion of the post-incident review and final report.

DESCRIPTION OF SERVICES, SAFEGUARDS, DIRECTIVES, GUIDELINES AND POLICIES

RWA will make available to the public a plain language description of services provided and the safeguards employed to keep personal information and personal health information secure and confidential.

RWA uses safeguards to prevent unauthorized access to its data. SSL encryption is used, and a two-step verification system is in place when signing on to access personal information. Third party providers review their physical and technical practices to guard against unauthorized access, and may only access personal information on a need-to-know basis. Agents of the third party service provider are subject to strict contractual confidentiality obligations.

RWA will ensure that the following are available to the public and key stakeholders on its web site:

- Privacy and Security Policies related to services provided.
- Description of services provided.
- Description of the administrative, technical and physical safeguards in place to protect personal information retained.
- Contact information for inquiries regarding RWA privacy practices.

Where a member of the public requests information on RWA's privacy program or practices it shall contact Radha MacCulloch with RWA's National Team.

PROVISION OF ACCESS LOGS

Ready, Willing & Able will make available, upon request, a list of individuals who may have access to personal information on file.

RWA does not track or audit individual accesses to personal information.

RESTRICTIONS ON EMPLOYEES AND THIRD PARTIES

All Ready, Willing & Able employees or third parties retained to perform services are bound by this Privacy Policy.

The use of personal information for the provision of services will be restricted to RWA staff (including third-parties) who require access in order to perform those services. To obtain access, staff will be required to:

- Sign a confidentiality agreement.
- Successfully complete privacy/security training, which describes the contents of this Policy and associated procedures/protocols.

Agreements with third-party service providers include equivalent controls and practices to ensure the confidentiality and protection of personal information that is shared with them.

WRITTEN AGREEMENTS WITH PARTICIPATING ORGANIZATIONS

CASDA will enter into a written user agreement with each participating organization (i.e., organizations involved in outreach and using The Compass) describing the services

provided, and the administrative, technical and physical safeguards in place to protect the confidentiality and security of the information.

RWA will ensure that user agreements with participating organizations include the following restrictions:

- The participating organization will not use personal information to which it has access in the course of providing services except as necessary in the course of providing these services.
- The participating organization will not disclose personal information to which it has access in the course of providing services.
- All RWA employees and third parties agree to comply with RWA's privacy and security requirements.
- RWA National will notify the applicable participating organizations at the first reasonable opportunity of any breach relating to the unauthorized access, use, disclosure or disposal of personal information by following RWA's Privacy and Security Breach Protocol.

RWA NATIONAL TEAM ROLES & RESPONSIBILITIES

Ready, Willing & Able is responsible for overseeing the program's data in the custodianship of CASDA. The RWA Executive Committee will oversee the RWA National Team to ensure the following roles and functions are fulfilled:

- An individual on the National Team will be assigned accountability for ownership of the RWA Privacy Policy, and is responsible for establishing the necessary authorities and resources for its implementation
- The following responsibilities are fulfilled:
 - Maintaining and updating this Policy at least once every two years.
 - Ensuring this Policy meets statutory obligations and industry best practices.
 - Monitoring compliance to this Policy.
 - Escalating issues and findings to the RWA Executive Committee for appropriate action.
 - Ensuring a program exists to educate staff on the requirements set by this Policy, if necessary.

PARTICIPATING ORGANIZATIONS

Participating organizations are responsible for:

- Ensuring they comply with the terms and provisions agreed upon through the Data Sharing Agreement and RWA's Privacy Policy
- Assigning a privacy officer or equivalent to oversee privacy matters related to the services provided by RWA.

THIRD PARTY SERVICE PROVIDERS

Ready, Willing & Able uses Simple to perform services related to collecting and storing personal information entered into RWA's The Compass.

Simple Survey has publicized its Terms of Use, which describes the privacy practices and protections offered for the data.

Simple Survey Privacy Statement:

<https://simplesurvey.com/faq/>

Simple Survey Terms of Use:

<http://form.simplesurvey.com/oss/external/msa.aspx>

COMPLIANCE

COMPLIANCE TO THE PRIVACY POLICY

The Privacy Policy has been reviewed and approved by the RWA Executive Committee. Overall responsibility for enforcement of the Privacy Policy belongs to RWA National.

Compliance with this Policy is mandatory and applies to all entities (i.e. employees, contractors, business partners) as defined in the Scope and Applicability Section. Each user must understand his/her role and responsibilities regarding privacy and fair information practices.

Non-compliance with any part of this Policy may result in disciplinary action up to and including termination and possible prosecution under applicable Provincial and Federal laws. Ready, Willing & Able will take every step necessary, including legal measures, to protect its assets and personal information it holds. Depending on the violation, an incident report may be created describing the violation and the responsible entities involved. In addition, access privileges for user accounts involved in a compromise may be revoked during investigation into a suspected violation.

EXCEPTIONS

In general, there are no exceptions for this Policy. Compliance with this Policy may be waived only under exceptional circumstances only with appropriate authorization for the non-compliance. The governance committee for Ready, Willing & Able must approve such exceptions accordingly.

POLICY MAINTENANCE

While this Policy is expected to be long-term, changes will be needed to keep it up-to-date with the external environment, RWA's risk profile, and changes to PIPEDA and its regulations. The RWA National Team is responsible for carrying out a risk assessment and regulatory requirements review on a periodic (at least every two years) basis, which will drive any changes to this Policy.

DEFINITIONS

Availability – The accessibility of systems, programs, services and information to authorized users when needed and without undue delay.

Confidentiality – The property that information is not made available or disclosed to unauthorized individuals, entities, or processes.

Information Security – The application of security measures and safeguards to protect all types of information, processed in any form or operational environment. This includes the handling, storage, manipulation, distribution, or discussion of information processed on paper, in electronic or other technical forms, or verbally. Information Security is an all encompassing term that includes: physical security, personnel Security, procedural or administrative security, transmission security, information technology which in itself includes computer security, network security and encryption.

Personal Information – any information which is required to be protected pursuant to PHIPA or PIPEDA or any laws, rules or regulations, judicial decisions, administrative orders, or other decisions or enactments pertaining to the protection of personal, healthcare or insurance information as are in effect at this time.

Personal Health Information (PHI) – is a subset of Personal Information and has the same meaning as in PHIPA. Personal Health Information includes health card number, medical history, identity of a substitute decision maker, health care payments, payment eligibility, treatment plans and family health history.

PHIPA – The Personal Health Information Protection Act, 2004, S.O. 2004, c.3, Schedule A.

PHIPA Regulation – Ontario Regulation 329/04 made under PHIPA.

PIPEDA – The Personal Information Protection and Electronic Documents Act is a federal law that governs how organizations collect, use and disclose personal information in the course of commercial activities.

Privacy – The right of individuals to control or influence what information related to them may be collected and stored and by whom and to whom that information may be disclosed. Note: Because this term relates to the right of individuals, it cannot be very precise and its use should be avoided except as a motivation for requiring security.

Privacy and Security Breach includes the theft or loss of PHI as well as the access or modification of PHI by unauthorized persons.

CHANGES TO THE PRIVACY POLICY

This Privacy Policy may be revised from time to time. If we decide to change our Privacy Policy, we will post those changes on this page, and/or update the Privacy Policy modification date below. You should access and review this Privacy Policy frequently to ensure that you are aware of the most current version.

This policy was last modified on May 6, 2020.

CONTACT US

If you have any questions regarding The Compass Privacy Policy or wish to access or correct your personal information in the custody or control of RWA, you may contact us using the information below.

Ready, Willing and Able C/O Canadian Autism Spectrum Disorders Alliance (CASDA)

Radha MacCulloch
rmacculloch@cacl.ca

<http://www.readywillingable.ca>