

Leads Employment Services Personal Information Policy & Procedures

Introduction

Leads Employment Services (“Leads”, “we”, “our”, the organization) respects the privacy of our employees, our partners, and our clients and ensures that the personal information we collect about or on behalf of the aforementioned remains secure and protected. In order to operate effectively, there are times where personal information must be shared with an interested third party. In such circumstances, Leads will not release any personal information without first advising of its intended use and obtaining the permission to do so from the affected individual.

Personal information is defined under the *Personal Information Protection and Electronic Documents Act* (PIPEDA) as information about an identifiable individual. It does not cover information about an individual that is available from a public source, such as a telephone directory, court record, or land registry office. It also does not cover aggregated data, used for statistical and reporting purposes, from which data the client’s identity cannot be determined.

Our policy is designed to meet or exceed the requirements of Canadian Federal and provincial privacy laws. We are committed to constant self-evaluation of our practices and procedures and to maintaining the highest standard in this regard.

Policy 1 - Accountability

We are responsible for all personal information under our control and will designate one or more individuals who will be accountable for the organization's compliance with the policies and procedures outlined in this document.

Procedures

1.1 The individual appointed to be accountable for the compliance of this Privacy Policy will be known as our *Privacy Officer*. We will appoint an appropriate person in this capacity that has sufficient authority within the organization to ensure compliance.

1.2 Leads' Privacy Officer may be contacted as follows:

Title: Privacy Officer
Name of Organization: Leads Employment Services
Address: 171 Queens Avenue,
London, Ontario
N6A 5J7
Telephone: (519) 439-0352
Fax: (519) 439-7502
E-mail: privacyofficer@leadsservices.com

1.3 Leads' Privacy Officer will review any new processes, procedures or practices affecting the privacy of our employees, our partners, and our clients to ensure they are compliant with our Privacy Policy.

1.4 Leads' Privacy Officer commits to being aware and knowledgeable about any changes in the Canadian Provincial privacy legislation and to ensuring Leads consistently meets or exceeds the Provincial privacy requirements.

1.5 Our commitment is to:

- Protect personal information;
- Allow individuals to request information, seek amendments to their personal information, and file complaints with our Privacy Officer;
- Train and educate staff on the organizations' policies and procedures; and
- Develop information which explains those procedures to the public.

1.6 We will use reasonable means to ensure that client personal information is given a comparable level of protection while being processed by a third party. If not practical to obtain written assurances, we may choose to make a written notation in our own file(s).

Policy 2 – Identifying Purposes

We will identify the purpose for which we collect personal information at or before the time the information is collected.

Procedures

- 2.1 We will identify the purpose for which we collect personal information to affected individuals at or before the time of collection.
- 2.2 We may choose to identify such purposes *orally* or in *writing*. Written notification will be used whenever practical to do so. Common purposes for collection include:
- Enabling our Employees to acquire payroll and benefits;
 - Assisting the Client and assessing his/her ongoing needs for employment;
 - Assessing the Clients need for other assistance, such as referrals to other agencies;
 - Performing a risk assessment of Clients to ensure the safety and well-being of our employees;
 - Ensuring that Client information is accurate and up-to-date
- 2.3 We may choose to orally explain to clients the purposes for which personal information is being collected and then place a note in the client's file indicating that this has been done. Alternatively a consent form may be used.
- 2.4 We will identify any *new* purposes that arise during the course of dealing with personal information – and obtain prior consent for this new use – even if we have already identified certain *initial* purposes. However, we will only do this when the intended new purpose truly constitutes a "new" use, i.e., when the purpose now being proposed is sufficiently *different* from the purpose initially identified.

Policy 3 – Consent

We will obtain the appropriate consent from individuals for the collection, use, or disclosure of their personal information, except where the law provides an exemption.

Procedures

- 3.1 We may obtain *express* consent for the collection, use, or disclosure of their personal information or we may determine that consent has been *implied* by the circumstances.
- 3.2 *Express* consent is a specific authorization given by the individual, either *orally* or in *writing*. *Implied* consent is one in which Leads has not received a specific authorization but the circumstances allow us to collect, use, or disclose personal information.
- 3.3 Express *written* consent includes a client/employee:
 - Signing a consent form (see attached forms);
 - Providing a letter, application form or other document authorizing certain activities; and
 - Providing an authorization electronically (through a computer).
- 3.4 Express oral consent can be given in person or over the telephone. If we obtain an express *oral* consent, we will make note of that consent in the clients file and a signed consent to follow.
- 3.5 We will often seek express consent at the onset of a new business relationship. However we may determine that by an individual seeking employment supports/services through our organization, consent has been implied for us to collect, use and disclose personal information in a reasonable manner.
- 3.6 Subject to legal exceptions and reasonable notice, consent may be withdrawn at any time. We generally require such withdrawal to be in writing. There may be serious consequences to failing to provide or withdrawing consent, such as our inability to offer services to the Client, or the inability for Employees to acquire payroll and benefits.
- 3.7 Depending on whether a *new purpose* is identified during the course of dealing with a client's personal information, we may choose to seek a new consent. We do not consider a regular updating of information in a client's file to be a new purpose and, therefore, we will not seek a new consent for this purpose.
- 3.8 *Exceptions* – there are circumstances in which we are not required to obtain an individual's consent or explain purposes for the collection, use or disclosure of their personal information. These include but are not limited to:
 - Collection – We may collect personal information without consent where it is in the individual's interest and timely consent is unavailable, or to investigate a breach of an agreement, or a contravention of law.
 - Use – We may use personal information without consent for similar reasons as those listed beside "collection" above, and also in an emergency situation in which an individual's life, health, or security is threatened.
 - Disclosure – We may disclose personal information without consent for law enforcement and national security purposes, for debt collection, to a lawyer representing our organization, and in an emergency situation in which an individual's life, health or security is threatened.

Policy 4 – Limiting Collection

The personal information we collect will be limited to that which is necessary for the purposes we have identified and is collected by fair and lawful means.

Procedures

- 4.1 We only collect personal information for specific, legitimate purposes. We will not collect personal information indiscriminately.
- 4.2 We will only collect information by fair and lawful means and not by misleading or deceiving individuals about the purpose for which information is being collected.
- 4.3 Our policies and procedures relating to the limitations on collection of personal information will be regularly communicated to our staff members who deal with personal information.

Note – There may be situations in which we collect personal information for legitimate purposes not identified to the individual, including those situations outlined under paragraph 3.8 “Exceptions” in *Policy 3 – Consent*.

Policy 5 – Limiting Use, Disclosure, and Retention

Personal information will 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. We will only retain personal information as long as necessary for the fulfillment of those purposes.

Procedures

- 5.1 We will only use or disclose information for legitimate, identified purposes.
- 5.2 We will retain personal information only as long as necessary for the fulfillment of the purposes for which it was collected. Leads has set mandatory retention timeframe limits based on Provincial Employment and Labour Standards and will retain personal information only as long as is outlined in the applicable legislation.
- 5.3 Personal information that has been used to make a decision about an individual will only be retained long enough to allow the individual access to the information after the decision has been made. This period will not exceed applicable industry standards.
- 5.4 Personal information that is no longer required to fulfill identified purposes will be destroyed, erased, or made anonymous. See Policy 7 – Safeguards, paragraph 7.7.

Note - There may be situations in which we use, disclose or retain personal information for legitimate purposes not identified to the individual, including those situations outlined under paragraph 3.8 “Exceptions” in *Policy 3 – Consent*.

Policy 6 – Accuracy

The personal information we collect will be accurate, complete, and up-to-date as is necessary for the purposes for which it is to be used.

Procedures

- 6.1 Leads Employment Services will, on an on-going basis, ensure the accuracy and completeness of personal information under our care and control.
- 6.2 Individuals who provide their personal information to us must do so in an accurate and complete manner.
- 6.3 We consider a *regular updating of client and employee personal information* to be necessary to ensure the accuracy of client and employee files and to provide appropriate services to our clients and staff.
- 6.4 Our goal is to minimize the possibility that inappropriate information may be used to make a decision about any individual whose personal information we process.
- 6.5 The process for ensuring accuracy and completeness will involve:
 - Initial collection from clients and employees;
 - Verification of accuracy and completeness from clients and employees;
 - Regular reviews; and
 - Verification of accuracy by contacting third parties.
- 6.6 As more particularly described in *Policy 9 – Individual Access*, we will provide recourse to individuals who appear to have legitimate corrections to make to their information on file. Once significant errors or omissions have been identified, we will correct or amend the information as appropriate. Where necessary, we will send such corrected or amended information to third parties who have had access to the information in question.

Policy 7 – Safeguards

We will safeguard the security of personal information under our control in a manner that is appropriate to the sensitivity of the information.

Procedures

- 7.1 We will protect the security of personal information regardless of the format in which it is held (i.e. against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification).
- 7.2 More sensitive information will be safeguarded by a higher level of protection. However, we will generally seek to achieve the highest level of security at all times.
- 7.3 In determining what safeguards are appropriate, we will consider the following factors:
- The sensitivity of the information;
 - The amount of the information held;
 - The parties to whom information will be disclosed;
 - The format in which the information is held; and
 - The way in which the information is physically stored.
- 7.4 When transferring client information to a third party, we will remove or mask any information that is not strictly needed by the third party.
- 7.5 Our methods of protection may include:
- Physical measures: locked filing cabinets and/or restricted access;
 - Organizational measures: such as security clearances and limiting access on a “need-to-know” basis; and
 - Technological measures: such as the use of passwords and encryption.
- 7.6 We will ensure that our policies and procedures on safeguarding personal information are clearly communicated and accessible to our employees by:
- Training staff on the subject of personal information protection; and
 - Having regular staff meetings in which we will review our procedures and revise where appropriate.
- 7.7 We will take precautions in the disposal or destruction of personal information to prevent unauthorized parties from gaining access to the information. These measures may include:
- Ensuring that no one may retrieve personal information after it has been disposed of;
 - Shredding documents before recycling them; and
 - Deleting electronically stored information.

Policy 8 – Openness

We will make readily available to individuals specific information about our policies and procedures relating to the management of personal information which is under our control.

Procedures

- 8.1 Individuals will be able to inquire about our policies and procedures without reasonable effort.
- 8.2 Our staff will be informed of who the designated Privacy Officer(s) is, so that members of the public can easily be informed.
- 8.3 We may choose to make information about our policies and procedures available in a variety of ways, for example:
 - Making this document available publicly;
 - Incorporating these policies and procedures into our website.
- 8.4 The information that we make publicly available will include:
 - The name or title, and the address of our Privacy Officer;
 - The means of gaining access to personal information held by the organization;
 - A description of the type of personal information held by the organization and a general account of its use;
 - Written information that explains our policy and procedures; and
 - A general list of the kinds of personal information made available by us to other organizations.

Policy 9 – Individual Access

Upon request, an individual will be informed of the existence, use, and disclosure of his or her personal information which is under our control, and may be given access to, and challenge the accuracy and completeness of that information.

Procedures

- 9.1 Upon written request, an individual will be informed as to whether or not we hold personal information about him or her. If we do hold such personal information, upon written request, we will provide access to the information, as well as a general account of its use.
- 9.2 The manner in which access will be given will vary, depending on the format in which the information is held (i.e. hard copy or electronic), the amount of information held, and other factors. For example, if there is a large volume of information, instead of providing a copy of the entire file, we may simply provide a summary of the information.
- 9.3 Upon written request, we will provide a list of third parties to whom we may have disclosed an individual's personal information. If we are unsure exactly which third parties may have received the information, we will provide a list of third parties *likely* to have received the information.
- 9.4 Individuals will be required to provide *sufficient information* to us to permit an account of existence, use, and disclosure of personal information.
- 9.5 The procedure for making a request is as follows:
- 1) All requests must be made in writing using a form such as the *Request/Complaint Form*.
 - 2) We will respond to a request *within 30 days after receipt of the request*, unless we first advise you that we need a longer period to respond.
 - 3) Reasons – If we refuse a request, we will inform the individual in writing of the refusal, explaining the reasons and any recourse the individual may have, including the possibility that they may file a complaint with the Privacy Commissioner of Canada.
 - 4) Deemed refusal – Notwithstanding sub-paragraphs (2) and (3), if we do not respond within the above time limit we will be deemed to have refused the request.
 - 5) Costs for responding – Leads may require payment of a modest fee to cover our administrative costs associated with preparing a response.
- 9.6 There are also *exceptions* which will prevent us from providing access, including where:
- Personal information about another person might be revealed;
 - Commercially confidential information might be revealed;
 - Someone's life or security might be threatened;
 - The information was collected without consent for the purposes related to an investigation of a breach of an agreement or contravention of the law; or
 - The information was generated during the course of a formal dispute resolution process.
- 9.7 When an individual successfully demonstrates the inaccuracy or incompleteness of personal information, Leads will amend the information according to the nature of the information being challenged (i.e. the correction, deletion, or addition of information) and transmitted to the appropriate third parties involved.
- 9.8 If a challenge is not resolved to the satisfaction of the individual, the substance of the unresolved challenge will be recorded by Leads in the clients'/employees' file, and when appropriate, the amended information will be transmitted to the third parties having access to the information in question.

Policy 10 – Challenging Compliance

An individual may address a challenge concerning compliance with the above policies and procedures to our Privacy Officer.

Procedures

- 10.1 Upon request, individuals who wish to inquire or file a complaint about the manner in which we handled their personal information – or about our personal information policies and procedures – will be informed of our applicable complaint procedures.
- 10.2 To file a complaint, an individual must fill out a *Request/Complaint Form*, which requires basic information and a description of the nature of the complaint.
- 10.3 The procedure for filing a complaint about our organization is as follows:
 - A *Request/Complaint Form* must be filed with our Privacy Officer;
 - We will acknowledge the complaint right away;
 - We will assign someone to investigate;
 - We will give the investigator unfettered access to files and personnel, etc.
 - We will clarify facts directly with the complainant, where appropriate; and
 - We will advise the complainant in writing of the outcome of our investigation, including any steps taken to rectify the problems, if applicable.
- 10.4 We will document all complaints made by clients and staff, as well as our actions in response to complaints, by noting these details in the individual's file and also in a master privacy file.
- 10.5 If a complaint is found to be justified, Leads will take appropriate measures, including, if necessary, amending its policies and procedures.

Forms

STATEMENT OF RELEASE

I, _____ hereby authorize Leads Employment Services, to release all information pertaining to my employment barrier(s) to prospective employers. I fully realize that Leads Employment Services is acting as an advocate on my behalf when discussing employment possibilities with employers.

Client Signature

Date

Parent/Guardian Signature

Date

I, _____ hereby authorize Leads Employment Services, to sign my name by computerized script (example: *Jane Doe*) to cover letters in the event of an emergency that I would be unable to do so myself. I understand that Leads Employment Services is acting on my best behalf to help secure employment for me.

Client Signature

Date

Parent/Guardian Signature

Date

I, _____ hereby acknowledge that:

- Leads acts as an employment facilitator by generating information about job opportunities for people with disabilities;
- Agreement about the conditions of employment is between the employer and the job seeker at the time a job offer is made and accepted.

In that regard I understand and accept that Leads has no legal liability regarding the events following my acceptance in regard to this position. Leads has no responsibility for providing financial compensation for non-payment of wages by the employer or for the workplace environment provided by the employer.

Client Signature

Date

Parent/Guardian Signature

Date

Name of Witness

Witness Signature

Date

171 Queens Avenue, Suite 410 London, Ontario N6A 5J7
Phone: (519) 439-0352 TY/TDD: (519) 439-0367 Fax: (519) 439-7502
Middlesex Branch

GAIN Centre, Kenwick Mall, 51 Front St., E. Strathroy, ON N7G 1Y5 Phone: (519) 245-3900 ext. 101
Toll Free: 1-800-396-1708. TTY/TDD: (519) 245-6267. Fax: (519) 245-5065



London Branch

171 Queens Avenue, Suite 410
London, Ontario, N6A 5J7
Phone: 519-439-0352
Toll Free: 1-866-95-LEADS (53237)
TTY/TTD: 519-439-0367
Fax: 519-439-7502

Middlesex Branch

GAIN Centre, Kenwick Mall, 51 Front St, E
Strathroy, Ontario, N7G 1Y5
Phone: 519-245-3900 ext 101
Toll Free: 1-800-396-1708 ext 101
TTY/TTD: 519-245-6267
Fax: 519-245-5065

Email: info@leadsservices.com Web site: www.leadsservices.com

CONSENT TO RELEASE OF INFORMATION

I, _____ **D.O.B.** _____
(PRINT CLIENT NAME)

Of _____
(PRINT CLIENT ADDRESS)

AND/OR

I, _____
(NAME OF LEGAL GUARDIAN/ SUBSTITUTE DECISION MAKER (IF REQUIRED))

Of, _____
(ADDRESS OF LEGAL GUARDIAN/ SUBSTITUTE DECISION MAKER)

**HEREBY GIVE CONSENT FOR LEADS EMPLOYMENT SERVICES, TO:
OBTAIN INFORMATION, AND RELEASE INFORMATION TO**

_____ (NAME OF FACILITY, AGENCY, PERSON, ETC.)		
_____ (STREET)	_____ (CITY)	_____ (POSTAL CODE)

(SIGNATURE OF CLIENT)

(SIGNATURE OF WITNESS)

AND/OR

(SIGNATURE OF LEGAL GUARDIAN/
SUBSTITUTE DECISION MAKER)

(PLEASE PRINT NAME OF WITNESS)

DATED THE _____ DAY OF _____ 20_____

Leads Employment Services provides employment and skills development services for people with disabilities and/or barriers to employment.

Social Insurance Number (S.I.N.) WAIVER

Dated the _____ day of _____.

This is to certify that I decline at this time to provide my Social Insurance Number to Leads Employment Services. I do so with the understanding that if I am offered employment as a result of their assistance that I will be able and willing to provide my Social Insurance Number to the employer.

Signature of Applicant

Name Printed

for Leads Employment Services Position

Dated this _____ day of _____, 20_____.

Personal Information Detailed Consent Form - Staff

By this consent, I, _____ (“the Employee”) hereby confirm that I wish to obtain employment at Leads Employment Services (“Leads”).

I acknowledge that I have read the information set out in this form, and hereby consent to the collection, use, and disclosure of my personal information in the manner and for the purposes set out below by Leads Employment Services. I have placed an “X” in the box beside any item below for which I **do not consent** to the collection, use or disclosure of my personal information.

1. Personal Information

In order for Leads Employment Services to authorize individuals for employment, personal information about the employee needs to be collected. *Leads will only collect, use, and disclose such personal information in such a manner that a reasonable person would consider appropriate in the circumstances.*

2. Collection

Upon application for employment, Leads may collect the following information:

- Personal information such as SIN number, name, address, telephone number, residence status, education, language ability, and criminal record.
- Financial information, such as bank account number.

3. Purposes

Information collected under section 2 (“Collection”) may

be used for the following purposes:

- Payroll purposes, such as direct deposit of pay
- Insurance coverage, including life, health, and long-term disability
- Agency audit purposes

4. Disclosure

Employee personal information may be disclosed to the following third parties:

- ADP Canada
- MDM Insurance Services Inc.
- Green Shield Canada
- Davis Martindale
- David Purves & Associates Insurance Agency
- BMO Nesbitt Burns
- _____
- _____
- _____

5. Third Party Information

Leads may obtain Employee personal information from the following third parties:

- Provincial and municipal police departments

6. Withdrawal of Consent

The Employee may refuse to consent to the collection, use,

or disclosure of personal information. The Employee may also withdraw a previously given consent at any time. *However*, a refusal to provide consent or a future withdrawal of consent may result in the inability of Leads Employment Services to continue employment of the respective individual.

7. Accuracy

The Employee must provide Leads Employment Services with accurate and up-to-date personal information. The Employees’ failure to do so will inhibit or prevent Leads from properly distributing payroll and benefit purposes. The Employee must immediately inform Leads of any new or changed information.

8. Privacy Officer

Leads Employment Services is committed to applying relevant laws and principles regarding privacy and confidentiality of personal information. For more information on Leads’ privacy policy and procedures, please contact the “Privacy Officer”.

Employee: _____ (Signature)	Witness: _____ (Signature)
Date: _____	Print Name: _____

NOTE: The Personal Information Request/Complaint Form is to be used by staff and clients of Leads Employment Services who wish to inquire or file a complaint about the manner in which we handled their personal information, or about our personal information policies and procedures.

Personal Information Request/Complaint Form

Client/Employee Name: _____

Address: _____

Telephone Number: (Home) _____
(Office) _____

Fax Number (if any): _____

E-mail Address (if any): _____

Employment Specialist (Client)/
Manager (Employee) _____
Program: _____

I wish to file a request or complaint (check applicable box) regarding my personal information which is being or has been held or processed by Leads Employment Services.

(Please briefly state the nature of your request or complaint):

(Signature of Client/Employee)

(Date)

FOR OFFICE USE ONLY:

Date received: _____ By (print name): _____

Date acknowledged: _____ By (print name): _____

Date of response: _____ By (print name): _____

**Release Form for Participation in Marketing and Promotional Purposes of
Leads Employment Services**

I hereby grant Leads Employment Services ("Leads") the right to use my picture, and / or written or verbal testimonial for marketing and promotional purposes.

All rights therein and thereto shall be the exclusive property of Leads; to duplicate and distribute my photograph(s) by any medium, but for the sole purpose of marketing and advertising for Leads Employment Services.

I hereby waive any and all rights that I had, may have or shall have in the future regarding the use of the photograph(s) and my appearance therein in favour of the aforementioned organization.

I release Leads Employment Services from any and all actions, claims, demands and liabilities of any kind whatsoever that may arise from any use whatsoever of the photographs and/or the rights granted herein.

Name (Please Print): _____

Signature: _____

Date: _____