
 <p>Registered Nurses Association of the Northwest Territories and Nunavut</p> <p>Page: 1 of 6</p>	<p>Administration General Policy</p> <p>Policy Description: Privacy</p> <p>Policy Number: AG8</p>
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<p><b>Effective Date:</b> September 2020</p> <p><b>Signature:</b> </p> <p><b>Review Date:</b> September 2023</p>	<p><b>New Policy</b> _____</p> <p><b>Revision:</b> Partial <input checked="" type="checkbox"/> Complete _____</p>
<p><b>Applies To:</b> All RNANT/NU Board of Directors, Committees, Executive Director and staff.</p>	
<p><b>Purpose:</b> This policy outlines the general principles of collection, use, disclosure and protection of personal information by RNANT/NU.</p>	

**Policy:**

The Registered Nurses Association of the Northwest Territories and Nunavut (RNANT/NU) is committed to protecting personal information provided to us by our members and members of the public. Personal information is information about an identifiable individual. Examples include age, gender, home address, educational background, work experience, and opinions or evaluations about an individual.

The *Personal Information Protection and Electronic Documents Act, SC 2000, c 5 (PIPEDA)* sets out the general principles of how private sector organizations in Canada, such as RNANT/NU, may collect, use or disclose personal information in the course of commercial activities. Not all activities carried out by RNANT/NU may be considered commercial in nature and *PIPEDA* may not apply.


Where *PIPEDA* does not apply, certain provisions in this Privacy Policy may not be applicable. However, RNANT/NU remains committed to promoting the *PIPEDA* fair information principles and providing individuals with transparency of how their personal information may be handled within our organization.

**(1) Identifying Purposes**

*For Members and Applicants*

Personal information (e.g. personal contact information, written references, educational history, licensing examination results, and financial information) is collected mainly through the registration, reinstatement and renewal process to determine eligibility for registration, to perform regulatory functions, and to provide membership benefits. RNANT/NU usually collects personal information directly from members or applicants to be used as follows:

- a. to perform regulatory functions required by the *Nursing Profession Act, SNWT 2003, c 15 (Nursing Professions Act (2003))*, including processing and approval of applications for examination and review of conduct;

	<p>Registered Nurses Association of the Northwest Territories and Nunavut</p> <p>Page: 2 of 6</p>	<p>Administration General Policy</p> <p>Policy Description: Privacy</p> <p>Policy Number: AG8</p>
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- b. to communicate with members about registration, discipline, or other matters relating to the regulation of the profession;
- c. to facilitate payment of registration fees;
- d. to maintain the public register, and the “Find A Nurse” service available at <https://portal.rnantnu.ca/>;
- e. to provide membership benefits through RNANT/NU including distribution of the RNANT/NU newsletter, annual report, registration reminders and other communications;
- f. to provide members of RNANT/NU with membership to the Canadian Nurses Association (CNA). RNANT/NU pays a fee to CNA on behalf of each member and provides names and addresses of all members to the CNA for the purpose of distribution of the CNA Journal, and other official CNA communications with its members;
- g. to provide members of RNANT/NU with liability protection through the Canadian Nurses Protective Society (CNPS). RNANT/NU pays a fee to CNPS on behalf of each member and provides names, contact information and membership information of all members with CNPS in order for members to access its services;
- h. to provide non-identifying statistics to the Canadian Institute of Health Information (CIHI);
- i. to comply with a request from a member to provide verification of their membership registration status to other regulatory or educational bodies and/or employers;

Personal information that is provided to CIHI, CNA and CNPS may also be governed by their respective privacy policies and procedures of those institutions, and any legislation they may be subject to.

### *Members of the Public*

When an individual makes a complaint against a member, RNANT/NU exercises its authority under the *Nursing Professions Act (2003)* to collect personal information relating to the complaint. RNANT/NU may collect personal information belonging to the individual, the member, or a third party. This personal information is used for the purposes of processing the complaint, reviewing the conduct of the member, and resolving the complaint.

## **(2) Consent**

Consent from individuals for the collection, use or disclosure of their personal information will be in keeping with the reasonable expectations of the individual, the circumstances of the collection, and the sensitivity of the information collected.

There are certain instances where RNANT/NU will be able to collection, use, and disclose personal information without consent pursuant to the law. For example, a collection may be required by territorial or federal legislation, or the use of the personal information may be needed in an



emergency that threatens the life, health or security of an individual. Disclosure of personal information may be required to comply with a subpoena or warrant made by a court.

#### *Membership Applications*

At the time of completing an application form for membership to RNANT/NU, individuals will be asked to provide their consent to RNANT/NU's collection and use of their personal information for the purposes noted under section 1 (e), (f) and (g) of this Privacy Policy. Application forms will make prospective members aware of the primary purpose of the collection of their personal information and inform them that their information will be shared with CNA, CNPS and CIHI.

Individuals may withdraw their consent from allowing RNANT/NU to collect, use, or disclose their personal information for these purposes. Upon receiving notification of withdrawal, RNANT/NU's Privacy Officer will contact the individual to discuss the consequences of withdrawal and assist with maintaining services like CNA and CNPS membership.

#### *Public Register*

RNANT/NU is obligated to provide information upon public inquiries about the registration status of nurses within the Northwest Territories and Nunavut pursuant to section 20 of the *Nursing Profession Act* (2003) and RNANT/NU Bylaw 23: Public Register.


#### *Research*

RNANT/NU occasionally participates in nursing research that meets policy guidelines. When surveys are administered:

- For paper versions, RNANT/NU will label and mail the materials from our office, on behalf of the surveyors, but will not provide member information to the researchers. Members are then free to participate or not as they choose.
- For electronic surveys, RNANT/NU will send an email with a survey link to members who have consented to receive electronic messages or post a link to the survey on the RNANT/NU website.

#### *Disclosure of Member Information for Other Purposes*

With the consent of the member, RNANT/NU may release information to third parties that participate in research relevant to nurses, provide information on career opportunities, information on services or products, and advisories applicable to the nursing profession, or to receive information and be contacted by a specialty practice group.

 <p>Registered Nurses Association of the Northwest Territories and Nunavut</p> <p>Page: 4 of 6</p>	<p>Administration General Policy</p> <p>Policy Description: Privacy</p> <p>Policy Number: AG8</p>
--	---

*RNANT/NU Consultants or Contractors*

RNANT/NU may share personal information with external consultants and contractors. For example, information technology consultants may need access to personal information from time to time in order for RNANT/NU to carry out its functions.

**(3) Limiting Collection, Use, and Disclosure**

Personal information will be collected for the identified purposes only and will be limited to the amount necessary to carry out the purpose. RNANT/NU will not use or disclose personal information for purposes other than those identified at or before the time of collection unless additional consent has been received, or where such use or disclosure is required or permitted by legislation or law.

Personal information collected will be retained only as long as necessary to satisfy the identified purposes or where otherwise required by legislation or law.

**(4) Accuracy of Information and Access**

RNANT/NU will make every effort to maintain all records of personal information accurate, complete, and up-to-date. Members are expected to provide updates to RNANT/NU with any relevant changes to their personal information.

Members and applicants can request updates or changes to personal information by contacting the RNANT/NU Registration Coordinator.

Where *PIPEDA* applies, individuals may seek access to their personal information, and information about how their personal information has been used and disclosed. In certain circumstances, RNANT/NU may not be able to provide access to all the personal information it has collected about an individual. For example, the information may contain information protected by solicitor client privilege, or may contain confidential commercial information.

**(5) Security Safeguards**

RNANT/NU will protect all personal information with appropriate administrative, technological, and physical safeguards to mitigate against unauthorized access, use, disclosure, copying or disposal. The nature of the safeguards used by RNANT/NU will depend on the level of sensitivity of the personal information. Safeguards include but are not limited to the following:



- Personal information contained within paper files will be permanently destroyed by physical shredding or other methods to render the personal information non-identifiable;
- Personal information contained within computer hard drives and other electronic devices will be wiped or permanently erased before they are disposed;
- All RNANT/NU staff and any volunteer committee members who have access to personal information will be required to review RNANT/NU's privacy policies and procedures, must agree to abide by such policies and procedures and swear an Oath of Confidentiality. Access to information will be limited on a need to know basis; and
- In instances where RNANT/NU transfers personal information to a third party service provider for processing or handling, RNANT/NU will use contractual or other means to provide a comparable level of protection while the information is being processed or handled by the third party.

#### **(7) Breach of Security Safeguards**


In the event of a breach of security safeguards involving personal information under the custody or control of RNANT/NU, RNANT/NU will determine if the breach creates a real risk of significant harm to the individual to whom the personal information belongs to. RNANT/NU will consider the sensitivity of the information involved in the breach, and the probability that the information may be misused.

If a real risk of significant harm exists, RNANT/NU will as soon as reasonably possible, notify the individual of the breach. The notification will contain information relating to the significance of the breach and if any steps should be taken to reduce the risk of harm or mitigate the harm that could result from the breach. Where PIPEDA applies, RNANT/NU will also provide a report to the Office of the Privacy Commissioner and other organizations or government institutions that may be able reduce the risk of harm or mitigate the harm that arise from the breach.

#### **(8) Privacy Officer and Accountability**

The Executive Director is named as the Privacy Officer for RNANT/NU. The Privacy Officer will be responsible for overseeing RNANT/NU's compliance with *PIPEDA* and other privacy legislation where applicable, ensuring the implementation of this Privacy Policy, and responding to any requests by members or members of the public concerning the collection, use or disclosure of their personal information or the general handling of their personal information. The Executive Director may be contacted at [ed@rnantnu.ca](mailto:ed@rnantnu.ca).

The Executive Director is accountable to the RNANT/NU Board of Directors, and ultimately to the membership, for the implementation of this Privacy Policy. The Executive Director may delegate any related administrative tasks to other RNANT/NU staff.

 <p>Registered Nurses Association of the Northwest Territories and Nunavut</p> <p>Page: 6 of 6</p>	<p>Administration General Policy</p> <p>Policy Description: Privacy</p> <p>Policy Number: AG8</p>
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## **(9) Inquiries and Complaints**

Concerns regarding RNANT/NU compliance to this Privacy Policy may be brought forth to the RNANT/NU Privacy Officer. The Privacy Officer will respond to the individual's concerns, and when appropriate, direct the individual to other resources or privacy regulatory authorities including the Office of the Privacy Commissioner of Canada.

## **(10) Third Party Websites**

The RNANT/NU website provides hyperlinks to third party websites operated by other regulatory organizations, government agencies, private businesses, and associations. Once a visitor uses the hyperlink and is redirected to the third-party website, this Privacy Policy no longer applies, and the collection, use, and disclosure personal information by the third-party website may be governed by their own privacy policy and procedures.

RNANT/NU has not reviewed and is not responsible for the content or actions of any third-party websites linked to or from the RNANT/NU website.

## **(12) Compliance with Canada's Anti-Spam Legislation**

Where commercial electronic messages (CEM) are sent, RNANT/NU will comply with Canada's Anti-Spam Legislation (CASL). CEMs include any electronic message (e.g. emails, text messages, and messages through social media) that encourages participation in a commercial activity. RNANT/NU will obtain either express or implied consent from an individual before a CEM is sent, unless otherwise permitted by law. Once consent is given, individuals will have the opportunity to withdraw consent in the future.

## **(11) Approval and Amendments**

This policy is approved under the authority of the RNANT/NU Board of Directors pursuant to the *Nursing Profession Act* (2003). The Board of Directors has the authority to amend this policy from time to time.

### **History:**

This policy replaces AG8: Privacy that came into effect in 2004.