COLLEGE OF
LICENSED PRACTICAL NURSES
OF ALBERTA

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INTERNAL OPERATIONS

PRIVACY POLICY

Our commitment to the protection of privacy

The College of Licensed Practical Nurses of Alberta (CLPNA) is committed to safeguarding the personal information entrusted to us by our members. We manage your personal information in accordance with the Personal Information Protection Act (PIPA) and other applicable laws.

The CLPNA is committed to following the guidelines set out in PIPA to ensure that personal information about our members is protected. This Privacy Policy outlines the principles and practices we follow in protecting your personal information.

What is 'personal information'?

Personal information is information that identifies an individual. It includes information such as personal characteristics (for example, gender, age, home address, home phone number, home e-mail address), educational background, work experience, and opinions or evaluations. Personal information is distinguished from business contact information (for instance, position name or title, business telephone number, business address, business e-mail address, business fax number), which is not protected by PIPA where it is used to contact an individual in relation to the individual's business responsibilities.

What personal information does the CLPNA collect?

The CLPNA collects the information that it requires in order to carry out its functions as a regulatory body under the Health Professions Act (HPA), the Regulations, and its Legislative instruments.

Examples of personal information that the CLPNA might collect about our members includes:

- Personal contact information, including home address and telephone number.
- Information submitted when applying for membership with the CLPNA, or renewal of membership, such as written references, Security Clearance, educational history, and examination results.
- Financial information, such credit card numbers, if annual fees were paid by credit card.
- Information received and obtained as a result of a complaint.

How does the CLPNA collect personal information?

Usually, the CLPNA will collect personal information directly from our members. CLPNA will only collect information from a third party with obtained consent of member or applicant, or if the CLPNA is authorized by law to collect personal information from a third party.

The CLPNA may be required to collect information from third parties in certain circumstances. For example:

- Individuals who wish to be registered must provide the names of referees. We collect letters of reference from these individuals.
- CLPNA also collects information from third parties if there is a complaint made against a member. In such circumstances, the CLPNA exercises its authority under the HPA to collect information from individuals, such as the complainant, or potential witnesses.

How does the CLPNA use personal information?

The CLPNA uses personal information to fulfill its mandate to regulate the profession of Licensed Practical Nursing under the HPA, Regulation, and Legislative instruments. Examples of how personal information is used are:

- To assess whether applicants meet the initial requirements for registration with the CLPNA.
- To complete entries in the CLPNA's Register of members.
- To assess whether applicants are eligible to have their practice permit renewed or reinstated.
- To communicate with members about registration, discipline, or other matters relating to the regulation of the profession.

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- To provide information, newsletters, and notices to our members.
- To facilitate payment of fees.
- To facilitate complaints.
- To carry out the CLPNA's regulatory duties under the HPA, including regarding inspections and reviews.

Is personal information shared with anyone other than the CLPNA's employees and volunteers?

For the most part, the CLPNA uses personal information for internal purposes. Therefore, it is primarily the CLPNA's employees or Committee members who will have access to personal information about members.

External consultants or contractors may also have access to personal information, if access is necessary for the performance of their duties. For example, the CLPNA's accountants may have access to information about our membership when they conduct their annual audit. In addition, our computer consultants may have access to personal information from time to time.

We contract with companies outside of Canada to provide services on our behalf, such as with companies located in the United States who provide email services, conference registration services, and survey services. These companies and their affiliates may store personal information outside of Canada. For further information regarding storage of personal information outside of Canada or regarding the CLPNA's policies and practices regarding storage of information outside of Canada, please contact the CLPNA's Privacy Officer whose contact information is listed at the end of this Privacy Policy.

In some instances, the CLPNA will be required to disclose information to third parties in a manner consistent with the uses described above. For example, information provided to the CLPNA by a member or about a member may need to be verified by the CLPNA. An example of this is the CLPNA may have to verify employment information of an applicant or member. If so, information may need to be disclosed to a third party for this purpose. The CLPNA may also disclose personal information to researchers where there are sufficient measures in place to protect personal information.

The CLPNA may also be required to disclose personal information to an external party without first obtaining consent for disclosure, where such disclosure is required or permitted by PIPA, or other legislation. For example, disclosure of personal information may occur during the complaints and discipline process. As well, verification of registration is also provided to employers and the public through the CLPNA's website. Disclosure without consent can only occur if it is authorized by PIPA, or by another statute, Regulation or Legislative instrument, such as the HPA.

The CLPNA may also disclose personal information as permitted by law, including under the following circumstances:

- In response to a subpoena, warrant, or court order.
- Pursuant to a lawful request by a government agency.
- To report fraudulent activity or other deceptive practices to another professional regulatory body, or to a governmental or law enforcement agency.
- To act in urgent circumstances to protect the personal safety of members or of the public.

How do we protect your privacy?

We take every reasonable effort to prevent unauthorized access, loss, misuse, disclosure, or modification of personal information.

One way that we protect personal information is by training our staff to appreciate the importance of privacy and the confidentiality of personal information.

In addition, we ensure the security of the personal information in our possession by taking the following measures:

- We implement physical safeguards of personal information, including ensuring that areas in which information is stored are secure.

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- We implement technical safeguards such as password protection to secure personal information that is stored in electronic form.
- We implement administrative safeguards by restricting access to personal information to those with a need to access the information.
- All the CLPNA staff coming into contact with personal information are trained to safeguard the information and follow strict confidentiality policies.
- We maintain information only for as long as we require it. Information about our members is retained indefinitely, although some identifiable information may be rendered non-identifying, or destroyed. 'Non-identifying' means instead of destroying the information the CLPNA may, in some instances, want to render it non-identifying by removing components that would identify a particular individual although would retain the statistical data.

We use security measures when destroying personal information. We destroy paper files containing personal information by shredding them. We destroy electronic information by permanently deleting it and by ensuring that hardware is discarded in accordance with commonly accepted security standards.

Accessing and correcting personal information

Individuals have a right to access records containing their personal information. The CLPNA will give individuals access to the personal information we hold about them subject to certain lawful restrictions (such as where your information would reveal personal information about another individual, or where the information is being collected for an investigation pursuant to the HPA).

In addition, you may request correction of an error or omission in personal information held by the CLPNA. We make every reasonable effort to ensure that our member information is accurate and complete. We rely on our members to notify us if there is a change in their personal information. If an individual requests that the CLPNA correct an error or omission, we will correct the information as soon as is reasonably possible, subject to legal limitations. The CLPNA is not required to correct professional opinions we may have formed.

All requests for access and correction must be in writing and must set out in sufficient detail the scope of the request. Requests should be delivered or mailed to the CLPNA's Privacy Officer. Our Privacy Officer will assist individuals asking for access to or for correction of their personal information and will respond (as accurately and completely) within the time limits specified in PIPA.

Compliance with Canada's Anti-Spam Legislation (CASL)

In addition to its obligations under PIPA, the CLPNA is also required to comply with CASL. CASL and the regulations made under it are a set of federal laws guiding the way organizations can send commercial electronic messages (CEM). A CEM means any electronic message that encourages participation in a commercial activity. Messaging includes:

- Emails
- Text messages
- Instant messaging

An activity can be considered commercial whether or not there is an expectation of profit. For example, an electronic message promoting the purchases of goods and services of another organization that is affiliated with the CLPNA would be considered a CEM. Commercial messages sent through regular mail, or communicated by telephone are not CEMs and are not regulated by CASL.

Consent Requirements Compliance with Canada's Anti-Spam Legislation (CASL)

The CLPNA will obtain either express or implied consent from an individual before a CEM is sent. Express consent can be collected in either oral or written form. Written consent can be collected in a paper form, or electronically, which may include asking individuals to click and 'check' an electronic box, or may include asking individuals to enter and submit their email address in a field. The CLPNA will not rely on 'opt-out' mechanisms to gather consent for the purposes of CASL.

When express consent is being sought, individuals will be advised that they can withdraw their consent at any

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point after it has been given. Once express consent is obtained by the CLPNA, it is not time limited. This means that the CLPNA can continue to send CEMs to the individual until they withdraw consent. If the CLPNA receives notice that an individual has withdrawn consent and would like to stop receiving CEMs, we will stop sending CEMs within 10 business days from the date that the notification to withdraw is received.

The CLPNA will have implied consent to send CEMs in a number of instances, including when:

- There is an existing business relationship between the CLPNA and the individual.
- The individual has 'conspicuously published' his or her business contact information. In these situations, the CLPNA will only send CEMs to the individual when they have not indicated a desire not to receive unsolicited CEMs, and the CEM relates to the individual's business, role, functions, or duties in their business or official capacities.

The CLPNA may not be required to obtain either express or implied consent to send a CEM in some instances. This may occur when the CLPNA is:

- Responding to a request for a quote or estimate for products, goods or services that it provides.
- Facilitating, completing, or confirming a transaction that was previously entered into by the individual to whom the CEM is being sent.
- Providing safety and security information about products, goods, or services that the individual uses, has used, or has purchased.

Content Requirements for CEMs

Each CEM that is sent by the CLPNA will contain content identifying the CLPNA as the sender, providing a mailing address, and either a telephone number, email address, or web address of the CLPNA. If the CEM is being sent on behalf of another organization, the CLPNA will identify that organization and provide their contact information. An unsubscribe mechanism will also be included to allow the recipient to withdraw consent and stop receiving CEMs from the CLPNA in the future. To unsubscribe, the recipient will be directed to an electronic address or a link will be provided to the unsubscribe page.

Excluded CEMs

There are some CEMs that are excluded from the application of CASL. These exclusions include instances when the CEM is sent:

- Internally within the CLPNA between employees and the message concerns the activities of the CLPNA.
- In response to a request, inquiry, complaint or other is otherwise solicited by recipient.
- To the recipient to satisfy a legal obligation or to enforce a legal right.

If the CLPNA is sending a CEM that falls under one of the above categories, the CLPNA is not obligated to obtain consent and the CEM does not have to include any of the content that would typically be required to be included under CASL.

We Will Respond to Your Concerns

The CLPNA has designated a Privacy Officer to answer your questions and respond to your concerns. Our Privacy Officer can be contacted through email privacy@clpna.com or at 13163-146 Street, Edmonton, Alberta, T5L 4S8, or at 780-484-8886.

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