

Sign-in Sheets

In order to ensure that the names, addresses, e-mail addresses, and phone numbers of individuals attending LLLC Group meetings remain confidential, Leaders are now required to use a standard sign-in sheet with no contact information (and therefore no personal information that is subject to legislation). Personal information is to be collected on a separate sheet and kept in a secure location. Only Leaders, Group volunteers, and the National Office may access this information.

Please burn or shred sign-in sheets with names and addresses collected on or before December 31, 2000. LLLC sign-in sheets with no personal information can be retained indefinitely. The Personal Information pages do contain personal information and must be stored in a secure location for a minimum of 2 years and a maximum of 3 years after a woman ceases to attend meetings. If a Group disbands, sheets with personal information must be sent to the National Office along with Leader's name, Group name and account number.

Personal Information Forms

Personal information can be collected on these individual forms so the Leader can reach the mother. This information is also sent to the National Office when a mother buys a membership. The privacy statement is on each form.

Donations and Donor Information

Prior to sending donor information to the National Office for the processing of income tax receipts, Leaders need to keep this information in a secure location. No copy is to be retained by the Leader.

Walk Pledge Forms

Leaders are asked to use the revised Walk pledge form that is now available from the National Office and on the LLLC web site. The form contains a privacy statement regarding the collection of personal information. Leaders who retain copies of the pledge forms for their own records must keep them in a secure location and should burn or shred them after 5 years.

What happens if La Leche League Canada staff or volunteers do not comply with the legislation?

Provincial legislation and consequences vary. At this time, PIPEDA is a complaints-based act. Therefore, if a complaint was lodged against LLLC, the Office of the Privacy Commissioner would undertake an investigation and the Privacy Commissioner would make a decision. Fines cannot be levied, but if the complaint is taken to the next level of review (the Federal Court) damages may be awarded to the complainant. The consequences of non-compliance could also include the negative impact on LLLC's ability to deliver services or to fundraise if violations were published in the media or on the Privacy Commissioner's web site.

Privacy Officer

Leaders are asked to contact the La Leche League Canada Privacy Officer for questions about these guidelines or the LLLC Privacy Policy.

Sheila Munro
La Leche League Canada Privacy Officer

La Leche League Canada
P.O. Box 700
Winchester, ON K0C 2K0

Phone: 1-613-774-4900 Fax: 1-613-774-2798

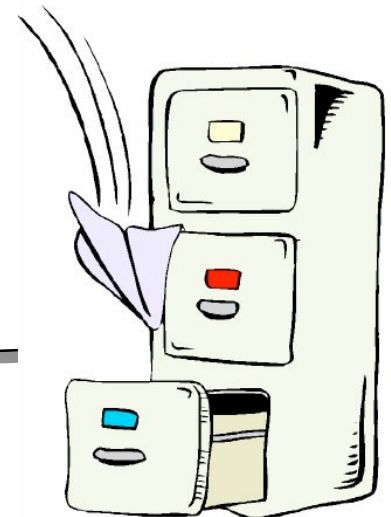
Email: adc@lllc.ca

La Leche League Canada

August 2004

La Leche League Canada

A guide to handling private information



Privacy Legislation and La Leche League Canada

La Leche League Canada (LLLC) is moving towards changing how we collect and store personal information. These changes come as a result of current and anticipated privacy legislation in Canada. On January 1, 2004, the federal *Personal Information Protection and Electronic Documents Act* (PIPEDA) came into effect. PIPEDA applies to commercial activities (such as LLLC's catalogue sales business), but non-profit organizations are also beginning to change how they collect and store personal information in anticipation of broader legislation. Some provinces and territories already have privacy legislation and others (such as Ontario, where LLLC's office is located) are developing legislation.

LLLC now has procedures in place to protect the privacy of catalogue customers and has implemented changes to protect all personal information in databases and files at the National Office. Leaders, as volunteers and representatives of LLLC, are also responsible for taking steps to protect personal information that they collect and store. This pamphlet provides guidelines on how Leaders can comply with privacy standards.

Does La Leche League Canada have a policy on privacy?

Yes. In February 2004, the LLLC Board passed the following policy that articulates the principles upon which LLLC wishes to operate. Further policy development on privacy issues will be based on these principles.

Policy 11. Privacy.

La Leche League Canada is committed to protecting the privacy of the personal information of its employees, Leaders, members, donors and other stakeholders. We value the trust of those we interact with, and of the public, and recognize that maintaining this trust requires that we be open and accountable in how we treat the information that is shared with us.

What is considered "personal information?"

PIPEDA defines personal information as "information about an identifiable individual" (not including the name, title or business address or telephone number of an employee of an organization). The Act also defines "personal health information," which may apply to information collected in the course of doing telephone and e-mail helping: (a) information concerning the physical or mental health of the individual; (d) information that is collected in the course of providing health services to the individual; or (e) information that is collected incidentally to the provision of health services to the individual (for the complete definition, see: http://www.privcom.gc.ca/legislation/02_06_01_01_e.asp)

How will complying with the LLLC privacy policy and privacy legislation affect my work as a Leader?

PIPEDA is based on the ten principles of the National Standard of Canada Model Code for the Protection of Personal Information (1996): (1) accountability (2) identifying purposes (3) consent (4) limiting collection (5) limiting use, disclosure, and retention (6) accuracy (7) safeguards (8) openness (9) individual access (10) challenging compliance. These principles require that LLLC have policies and procedures for protecting information and that we identify an individual who has overall responsibility for privacy. For Leaders, the main impact of more attention to privacy is on how information is collected, used, and stored, as follows:

Leader Logs

Whether or not in legislation, LLLC is considered as a "custodian" of health information, it makes sense for LLLC Leaders to be aware of how personal information is collected during phone calls or e-mail interactions and of the sensitivity of the information that may be collected and documented in Leader's Logs.

When you are helping a mother, it is important to share information with her so that she knows the information she gives will be kept private.

In your own words, let her know that:

You are writing down the information she gives you; the information is confidential and will not be shared with anyone else without her permission. You will keep the information in a secure place and destroy it after five years.

One way to give her this information would be to read the following statement at the beginning of the call:

"All Leaders must fill in a Leader's Log for each phone call. This information helps us to organize the personal information you share and allows us to carefully track the progress of you and your baby. This information is confidential and will not be shared without your permission. This information will be securely stored and destroyed after the required time for retention has passed."

If she seems receptive, you might want to ask her (perhaps at the end of the call) if she would be interested in having her name and address sent to the National Office to be informed about LLLC services, special events and appeals. Let her know that we do not lend, rent, sell or trade our mailing lists.

If you would like a statement to read, you could say:

"La Leche League Canada is a non-profit, self-supporting organization. If you have found this conversation helpful, may I send your name and address to our National Office to keep you informed of LLLC services, special events and occasional appeals? LLLC does not lend, rent, sell or trade our mailing lists."

The caller may be entitled to see what is written down so care needs to be taken to write only factual information, not opinion or speculation, unless it is clearly identified as such. Leader's Log sheets should be kept together in a secure location and kept for a minimum of 3 years and a maximum of 5 years. Leaders should shred or burn any Leader's Log sheets dated December 31, 1998 or before, and when Leader's Log pages become older than 5 years, burn or shred. When a Leader retires, she must send her Leader's Log sheets that are less than 5 years old to the National Office along with her name, the Group name and Group number.