

ALS: Privacy Statement

Version 7

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ACCESSIBLE LEARNING SERVICES

Accessible Learning Services Privacy and Confidentiality Notice

Accessible Learning Services (ALS) is the department at Seneca responsible for supporting Seneca to fulfil its duty to accommodate students with disabilities who request accommodation. ALS provides accommodation services online, by phone and/or in-person to students with documented disabilities registered at Seneca College.

ALS collects information for the purpose of providing accessibility counselling and/or academic accommodations. ALS complies with privacy obligations set out in the Freedom of Information and Protection of Privacy Act (FIPPA) and, when applicable, the Personal Health Information Protection Act (PHIPA).

ALS employees are committed to collecting, using, and disclosing information responsibly and in accordance with applicable privacy laws.

Sharing Information Within Seneca

ALS may need to engage with campus partners as part of facilitating academic accommodations. Below is a list of examples of campus partners/services that ALS may be required to release/receive information to/from to facilitate student academic accommodations:

- Academic Unit (e.g. chairs, coordinators, academic advisors, instructors)
- Seneca Health Centre
- Seneca Test Centre
- First Peoples@Seneca
- Registrar's Office
- Student Awards and Financial Aid
- Seneca Residence
- Personal Counselling Services

Record Collection, Use and Disclosure

When you register with ALS, a confidential digital file will be created. This file will contain information related to your intake, appointments, accommodations, services and contacts with our office, as well as documentation of and related to your disability. The material and information that you share will be held in strictest confidence and no one outside the ALS office will have access to your file. Limited information will be shared with other individuals within Seneca when it is required to perform functions of their job and support the facilitation of your academic accommodations. Your information is compiled as aggregate data for data collection and statistical purposes. When reporting this information, only group data is used without names of individuals or personal identifying information.

ALS currently uses an electronic records keeping system called ClockWork. Access to ClockWork is restricted to ALS employees and information is protected through the use of technical and administrative safeguards such as restricted access permissions, multi-factor authentication and use of other industry standard security controls.

Limits of Confidentiality

Your consent must be obtained to release information, but there are some exceptional situations where ALS is permitted to disclose your information without your consent. The exceptions include:

1. If you intend to harm yourself

2. If you intend to harm another person

3. If you or your counsellor has a strong reason to think that a Seneca Community member may be at risk of harm based on information that you provided in your session

4. If there is a reasonable suspicion that a child (any individual up to their 18th birthday) is at risk of emotional and/or physical neglect or emotional, physical and/or sexual abuse. We are required by law to report this to the Children's Aid Society immediately.

5. If your record is subpoenaed by law.

6. If you have a complaint about a regulated health professional (e.g., doctor, nurse, psychologist, chiropractor, or massage therapist, etc.) with respect to their inappropriate sexual behaviour towards you, and you provide us with that individual's name, we are required to report this complaint to their regulatory body.

7. To facilitate contact with a close relative, friend of an individual who is injured, ill, or deceased.

8. In other limited circumstances where the disclosure is permitted under FIPPA or required by law

Secondary and Related Purposes

Like most organizations, we also collect, use and disclose information for purposes that are secondary but related to providing student accommodation. The most common examples of our related and secondary purposes are as follows:

- To advise students and others of special events or opportunities (e.g., a seminar, development of a new service, arrival of a new resource/technology) that we have available.
- To advise students that a resource/technology or service should be reviewed (e.g. to ensure a resource/technology is still functioning properly and appropriate for their current needs and to consider modifications or replacement).
- Our department reviews student files for the purpose of ensuring that we provide high-quality services, including assessing the performance of our management staff and professional staff. In addition, external consultants (e.g. ministry auditors, lawyers, practice consultants, voluntary accreditation programs) may on our behalf do audits and continuing quality improvement reviews of our services, including reviewing student files and interviewing our professional and administrative staff.
- Some of our ALS employees are regulated by a number of professional Colleges including: College of Psychologists of Ontario, College of Social Workers and Social Service Workers, College of Occupational Therapists Association, and other licensing bodies who may inspect our records and interview our professional staff as a part of their regulatory activities in the public interest.
- Our organization believes that it should report information suggesting serious illegal behaviour to the authorities. External regulators have their own strict privacy obligations. Sometimes these reports include personal information about our students, or other individuals, to support the concern (e.g. improper services). Also, like all organizations, various government agencies (e.g. Ministry of Colleges and Universities, Ombudsman Ontario, Information and Privacy Commissioner, Human Rights Commission, etc.) have the authority to request to review our files and interview our staff as a part of their mandates
- While you can choose not to be part of some of these related or secondary purposes (e.g. by declining to receive notice of special events or opportunities), there are others over which we have limited control (e.g. external regulation).

Protecting Student Information

We understand the importance of protecting personal and personal health information. For that reason, we have taken the following steps:

- paper information is either under supervision or secured in a locked or restricted area
- electronic hardware is either under supervision or secured in a locked or restricted area at all times
- access to electronic records is protected by the use of passwords and multi-factor authentication
- paper information is transmitted through sealed, addressed envelopes or boxes by reputable Seneca staff or companies
- electronic information is transmitted either through a secure provider, a direct line, has identifiers removed or is encrypted
- staff are trained to collect, use and disclose personal information only as necessary to fulfil their duties and in accordance with the applicable privacy law
- external consultants and agencies with access to personal information must enter into agreements which include provisions under which they agree to be bound by privacy.

Record Retention and Destruction

We retain personal information to ensure we can answer any questions you might have about the services provided and for our own accountability to

external regulatory bodies. We keep our student files for 10 years.

Student paper files/records stored under this provision are held securely off site, at our third-party storage company used by Seneca.

We destroy paper files containing personal information by shredding. We destroy electronic information by deleting it and, when the hardware is discarded, we ensure that the hard drive is physically destroyed

Student Access to Records

With only a few exceptions, students have the right to access their personal information. Students will be asked to make this request in writing to:

Accessible Learning Services Seneca College 1750 Finch Ave. East North York, Ont. M2J 2X5 Email: senecacnas@senecapolytechnic.ca Telephone: 416.764.9700

We can help you identify what records we might have about you. We will also try to help you understand any information you do not understand (e.g., short forms, technical language, etc.). We reserve the right to charge a nominal fee for such requests.

If we cannot give you access, we let you know the reason access has been denied. Requests are responded to within 30 days; however, there are limited circumstances where we are permitted to extend the time limit beyond 30 days.

If you believe there is an error in the information, you have the right to ask for it to be corrected. This applies to factual information and not to any professional opinions we may have formed. We may ask you to provide documentation that the information in the file is incorrect. Where we agree that an error has been made, we will make the correction and notify anyone to whom we sent this information. If we do not agree that an error has been made, we will still agree to include a brief statement from you in your file on the point and we will forward that statement to anyone else who received the earlier information.

Do You Have a Privacy Question Related to Your File within Accessible Learning Services?

Senior Manager

Accessible Learning Services 1750 Finch Ave. E. Room E2427

416.764.9700 senecacnas@senecapolytechnic.ca

Additional Questions/Complaints

If you have more questions after speaking with the Senior Manager in ALS, or if you wish to make a formal complaint about the department's privacy practices, you can do so in writing to our Privacy Officer. The Privacy Officer will attempt to answer any questions or concerns you might have.

The Privacy Officer will acknowledge receipt of your complaint, ensure that it is investigated promptly and that you are provided with a formal decision with reasons.

Privacy Officer

Seneca College 1750 Finch Ave. East North York, Ont. M2J 2X5

416.764.0400 privacyoffice@senecapolytechnic.ca

