



Privacy Policy

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1.0 BACKGROUND

While performing its regulatory functions the College of Respiratory Therapists of Ontario (CRTO) may collect, use, disclose or retain personal information about applicants for registration, Members of the profession, their patients/clients, CRTO employees, its Council and Committees, and members of the public. The personal information being collected is critical to the CRTO's ability to effectively regulate the profession in the public interest.

2.0 POLICY STATEMENT

The CRTO is committed to protecting the privacy and confidentiality of all personal information it collects, uses and/or discloses while carrying out its regulatory activities. The CRTO fulfils its commitment to protecting personal information by complying with its statutory obligations under the *Regulated Health Professions Act, 1991* (RHPA), and by voluntarily adopting the privacy provisions outlined under this Policy.

3.0 PURPOSE

The purpose of this policy is to establish a mechanism through which the CRTO can provide appropriate privacy rights to individuals involved in its regulatory functions and operational activities while still enabling the CRTO to meet its statutory mandate under the RHPA and the *Respiratory Therapy Act, 1991* (collectively referred to in this document as "the Legislation").

4.0 APPLICABILITY AND SCOPE

The Privacy Policy applies to any personal information that may be collected, used and disclosed by the CRTO in the course of carrying out its regulatory activities. This may include information about applicants for registration, Members of the CRTO, their patients/clients, CRTO employees, persons elected or appointed to serve on the CRTO Council and Committees, and members of the public.

The Privacy Policy is not intended for use by Members of the CRTO in connection with their obligations under the *Personal Information Protection and Electronic Documents Act (PIPEDA)* or the *Personal Health Information Protection Act (PHIPA)*".



5.0 RESPONSIBILITIES

The Registrar is responsible for making sure the CRTO follows this Privacy Policy and any related procedures. The CRTO's Privacy Officer oversees the organization's information-handling practices in compliance with the Privacy Policy.

Individuals who are employed, retained or appointed by the CRTO, as well as every member of the CRTO Council or Committee are required by section 36 of the RHPA to preserve secrecy with respect to all information that comes to their knowledge in the course of their duties.

6.0 COLLECTION, USE, DISCLOSURE AND RETENTION OF PERSONAL INFORMATION

The purpose for which the CRTO collects, uses, and discloses personal information is to perform its regulatory functions and to meet its statutory obligations. This includes, but is not limited to:

- Processing applications for registration and reinstatement
- Maintaining the Public Register of Members
- Investigating complaints regarding the conduct or actions of Members of the CRTO
- Assessing whether a Member continues to meet the standards of the profession
- Administering the Quality Assurance Program
- Compiling aggregate statistics and data analytics for reporting purposes
- Carrying out CRTO's operations, and meeting auditing, legal and regulatory requirements.

Personal information may be collected in several ways, for example, when a person submits an application for registration, or when a member of the public submits a complaint about a Member of the CRTO. The CRTO will make a reasonable effort to specify the identified purposes to the individual from whom the personal information is collected, except where to do so would defeat the purpose of the Legislation or be inconsistent with the Legislation.

Under the Legislation, the CRTO must keep all personal information that comes to its knowledge confidential and is not permitted to disclose this information to any other person unless the information is public and/or the CRTO is required or permitted by law to share the information.

The CRTO will retain personal information for as long as necessary to fulfill its legal or business purposes and in accordance with an established record retention schedule.

6.1 Information Sharing Requests

The CRTO may assist an individual or organization with a data sharing request (for example, for a research study) if it is determined that:

- The request aligns with the CRTO's public interest mandate
- The data will not be used for commercial purposes



- The information is available, and it is feasible for the CRTO to provide the information (e.g., the CRTO has the resources to provide the data); and
- There is no significant risk associated with providing the data.

All data sharing requests must be submitted in writing to the CRTO using Data Request Form (Appendix 1).

7.0 CONSENT

The CRTO will make a reasonable effort to specify the identified purposes to the individual from whom the personal information is collected, as described in section 6.0 above. In some instances, the CRTO may collect, use, or disclose information without consent, for example, in the course of a Professional Conduct investigation or as part of the Quality Assurance Program. In such cases, personal information will only be collected, used and disclosed without the knowledge and consent of the individual when it is permitted or required by law.

8.0 ACCURACY

It is in the best interest of the public that the CRTO collect, use and disclose only accurate personal information in regulating the profession. The CRTO therefore will make every effort to ensure that the personal information it holds is accurate, complete and up to date. If there is a reason to believe information is inaccurate, the CRTO will take reasonable steps to verify the accuracy of the information.

9.0 PRIVACY SAFEGUARDS

The CRTO will take reasonable steps to ensure that the personal information it collects, and uses is protected against theft, loss or misuse. The safeguards will vary based on the degree of sensitivity of the information; however, in general the CRTO security measures include:

- Restricting access to personal information to authorized personnel
- Providing and accessing information on a “needs to know” basis only
- Ensuring that personal information is stored in a secure manner. For example, physical files are under lock and key and access to electronic files is restricted
- Providing an orientation and ongoing training to CRTO employees, Council and Non-Council Committee members and consultants regarding the CRTO’s privacy requirements and their confidentiality obligations
- Ensuring that personal information that is no longer required to be retained is disposed of in a confidential and secure fashion
- Conducting regular reviews of internal procedures to protect personal information.

10.0 CRTO WEBSITE PRIVACY

The CRTO is committed to protecting the personal privacy of individuals who access the CRTO’s website. The following outlines the information that may be collected from individuals accessing the CRTO website:



- **Personal Information**

The CRTO does not use the website to gather any personal information, such as names, phone numbers, email addresses, etc. unless it is necessary for the purpose of regulating the profession in the public interest. This includes collecting personal information through online forms used to address Members' and the public's needs.

The CRTO aims to protect the security of personal information during transmission to the CRTO when using the website [e.g., submission of an online request or a form using encryption such as Secure Socket Layer (SSL) protocol when transmitting personal information].

- **Internet Protocol (IP)**

The CRTO tracks the Internet Protocol (IP) addresses of users who access its website. The information is strictly used for statistical purposes and to observe user traffic through various website areas. Information gathered from logging IP addresses may include the type of browser used, date and time of visit, and pages/documents viewed. No information can be obtained from IP logging that could identify individual users.

- **Cookies**

The CRTO's website stores a random string of text in a cookie to track each unique user session on the website. Cookies used by the CRTO's website do not store any personal information and expire when the Internet browser is closed. Any information obtained as a result of the website's use of "cookies" is kept confidential.

External Links and Social Media

The CRTO strives to use external links to reputable organizations that provide information that is relevant to CRTO Members and members of the public. The CRTO does not accept any responsibility for the third party's privacy practices. Users accessing other sites through the CRTO electronic media should note that each organization has its own privacy policy, and the CRTO's privacy policy does not apply to other organizations.

The CRTO uses certain social media sites such as Twitter™, Facebook™ and LinkedIn™ to communicate with its Members and the public. Users who choose to interact with the CRTO via social media are advised to read the terms of services and privacy policies of the relevant platforms.

11.0 ACCESS TO PERSONAL INFORMATION

Individuals can make a written request for access to their personal information held by the CRTO. Requests for access must be submitted in writing to the Privacy Officer using the Request for Access to Personal Information Form (Appendix 2).

The CRTO shall allow access to an individual's information unless providing access could reasonably be expected to interfere with the administration or enforcement of the Legislation, or it is impracticable or impossible for the CRTO to retrieve the information.



The CRTO will make every effort to respond to the request for access to personal information within thirty days. In the event the CRTO refuses to provide access to all of the personal information it holds, then the CRTO will provide reasons for denying access.

In cases where the personal information forms part of a record created by another organization, the CRTO will refer the individual to the organization that created the record (unless it is inappropriate to do so) so that the individual may obtain access to the personal information from the organization rather than the CRTO.

12.0 AUTHORITY & MONITORING

The CRTO collects, uses and discloses personal information under the general authority of the RHPA, the *Respiratory Therapy Act*, 1991 the regulations under the Act and the CRTO By-laws.

The CRTO is not engaged in commercial activities, and as such, its collection, use and disclosure of personal information is not covered by the *Personal Information Protection and Electronic Documents Act* (PIPEDA), which identifies regulatory Colleges like the CRTO as an “Investigative Body.” This has the effect of allowing an organization or person to disclose personal information to the CRTO without the consent of the individual to whom the information relates, in order to initiate or facilitate an investigation and allows an investigative body to disclose personal information to another organization.

13.0 CHALLENGING COMPLIANCE

Complaints or questions regarding the CRTO's compliance with the Privacy Policy should be directed to the Privacy Officer. The CRTO has a formal privacy complaints procedure in place for managing any privacy-related concerns to ensure that they are responded to in a timely and effective manner. The Privacy Officer oversees the complaints, investigation and corrective actions for all privacy breach situations.

14.0 CONSEQUENCES FOR NON-COMPLIANCE

Individuals who breach the provisions under 36 of the RHPA face fines of up to \$25,000 for a first-time offence and up to \$50,000 for a second or subsequent offence. In addition, personal information handled by the CRTO is subject to the provisions of this Privacy Policy.

15.0 RELATED DOCUMENTS

- Confidentiality Policy
- Privacy Procedure
- *Regulated Health Professions Act, 1991*
- *Health Professions Procedural Code*
- *Respiratory Therapy Act, 1991*



16.0 DEFINITIONS

Legislation - the CRTO operates under the *Regulated Health Professions Act, 1991* (RHPA) and the Respiratory Therapy Act, 1991. The Health Professions Procedural Code, Schedule 2 to the RHPA, sets out the CRTO's regulatory functions (objects). The RHPA and the Respiratory Therapy Act, are collectively referred to in this document as "the Legislation."

Member means a Member of the CRTO.

Organization includes an individual, a corporation, an association, a partnership, and a trade union.

Patient/client is deemed to include an individual to whom an applicant or Member of the CRTO has purported to provide professional services.

Personal information means any information about an identifiable individual and may include the individual's name, contact information, birth date, educational background, work history as well as any sensitive information such as financial or health data.

Privacy Officer is a CRTO staff member, designated by the Registrar, accountable for compliance with the CRTO Privacy Policy and Procedure and whose specific responsibilities are outlined in the CRTO Privacy Policy Procedure; "Role of the Privacy Officer".

Public information under the Code and the CRTO By-laws, the CRTO must provide certain information on the Public Register. Public information includes, but is not limited to registration information, such as name, class of registration and any terms, conditions, or limitations that have been imposed on a certificate of registration, employment address, allegations of professional misconduct or incompetence that have been referred to the Discipline Committee, and results of discipline or incapacity proceedings.

17.0 APPENDICES

- Appendix 1 – Data Request Form
- Appendix 2 - Request for Access to Personal Information

18.0 CONTACT INFORMATION

**College of Respiratory Therapists of
Ontario**
180 Dundas Street West,
Suite 2103
Toronto, ON M5G 1Z8

Telephone: 416-591-7800
Toll-Free (in Ontario): 1-800-261-0528
Fax: 416-591-7890
General Email: questions@crto.on.ca



Appendix 1

DATA Request Form

Occasionally, researchers and/or third-party organizations contact the College of Respiratory Therapists of Ontario (CRTO) with requests for information about its Members. While the CRTO aims to be helpful in responding to data requests, it must ensure that the request aligns with the CRTO's public interest mandate and that any provision of information complies with its Privacy Policy.

All information requests for the purpose of third party studies/surveys must be submitted in writing using this Data Request Form. All data requests must be approved by the Registrar.

1. INSTRUCTIONS

- Please complete all applicable sections of this form
- Return the form by e-mail to officeofregistrar@crto.on.ca
- If your request is approved, we will e-mail you a data sharing agreement. To finalize your request, you will need to return the completed agreement form to our office.

2. REQUESTER CONTACT INFORMATION

FIRST NAME

SURNAME

ORGANIZATION

ADDRESS

PHONE No.

EMAIL

3. REQUEST DETAILS

Name of your project:

What is the purpose of the project?

What information regarding RTs registered with the CRTO do you want us to provide? List all the data elements needed (e.g., practice postal code, main area of practice, etc.)



Data type (e.g., aggregate or de-identified record-level data):


Preferred Format (specify the preferred format of the completed data e.g., Excel, CSV).

How do you intend to use the data?

Who will have access to the data?

List all the persons who will have access to the data (e.g., research assistants), their names, position titles, organizations and email addresses.

Other comments:

 **SIGNATURE** _____ **DATE** _____

NOTE

When reviewing data requests, the CRTO will consider factors such as:

- Purpose of the request
- Whether the request aligns with the CRTO public interest mandate
- Whether or not the information is available, and if so, how resource-intensive will it be to produce the data
- Any possible risks in sharing the data.

The CRTO collects its data during application and registration renewal. This information is self-reported by members and will be provided “As Is” without verification of the data.



Appendix 2

REQUEST FOR ACCESS TO PERSONAL INFORMATION

Individuals may make a written request for access to their personal information held by the CRTO. For more information, please see the Privacy Policy. All requests must be submitted in writing using this Request Form.

1. NOTES & INSTRUCTIONS

- Please complete all applicable sections of this form
- Attach a copy of two pieces of valid government-issued identification which include your date of birth and signature (e.g., driver's license, cared, passport or citizenship or permanent resident card).
- Return the form by e-mail to officeofregistrar@crto.on.ca or by mail to:
CRTO, Privacy Officer
180 Dundas Street West, Suite 2103
Toronto, Ontario M5G 1Z8
Canada
- Requests for access to personal information will be processed within thirty (30) days, failing which the applicant will be notified of the delay and the reason for it.
- Where the personal information forms part of a record created by another organization, the CRTO will refer the individual to the organization that created the record.

2. REQUESTER CONTACT INFORMATION

FIRST NAME

SURNAME

ADDRESS

PHONE No.

EMAIL

3. REQUEST DETAILS

Please provide details to identify the records being requested, including types of documents (if known) and dates:

- I certify that I am requesting access to my own personal information. I understand that copies of documents received from the CRTO become the responsibility of the requestor.



SIGNATURE _____

DATE _____