

PRIVACY POLICY

COMMITMENT TO PRIVACY AND CONFIDENTIALITY

Clients' privacy and the confidentiality of client information are important to BMS Thunderbird Management & Lifestyle Consulting, Ltd.

BMS Thunderbird Management & Lifestyle Consulting, Ltd.'s relationship with clients is based upon trust. The consultant places the utmost priority on maintaining client privacy, on guaranteeing the confidentiality of information about clients, and on ensuring confidentiality of information gathered on behalf of clients.

BMS Thunderbird Management & Lifestyle Consulting, Ltd. respects, supports and protects clients' rights to both privacy and confidentiality to the fullest extent of existing federal and provincial (Ontario) legislation.

In carrying out obligations under privacy and confidentiality legislation, BMS Thunderbird Management & Lifestyle Consulting, Ltd. ensures all employees and subcontractors under authority of BMS Thunderbird Management & Lifestyle Consulting, Ltd. are trained to meet privacy and confidentiality requirements and expectations.

NOTIFICATION OF PRIVACY POLICY

To better protect client's privacy and confidentiality, BMS Thunderbird Management & Lifestyle Consulting, Ltd. provides this notice explaining BMS Thunderbird Management & Lifestyle Consulting, Ltd.'s information practices and the choices clients can make about the way any personal information is collected, used and disclosed.

ACCOUNTABILITY FOR PRIVACY AND CONFIDENTIALITY

BMS Thunderbird Management & Lifestyle Consulting, Ltd. is responsible for personal information under their control. BMS Thunderbird Management & Lifestyle Consulting, Ltd. is responsible for compliance with all federal and provincial or where applicable municipal privacy legislation.

CONSISTENT WITH FEDERAL AND PROVINCIAL LEGISLATION

This privacy policy is set out to be consistent with the requirements of applicable federal and provincial (Ontario) legislation, regulations, standards, guidelines and best practices. Minimally, this privacy policy reflects the requirements as laid out in the *Personal Health Information Protection Act 2004* (PHIPA) and the *Personal Information Protection and Electronic Documents Act 2000* (PIPEDA). The privacy policy aims to meet the standards of the *Canadian Standards Association Model Code for the Protection of Personal Information*.

This privacy policy does not create or confer upon any individual any rights or impose upon BMS Thunderbird Management & Lifestyle Consulting, Ltd. any rights or obligations outside of, or in addition to, any rights or obligations imposed by Canada's federal and Ontario's provincial privacy laws, as applicable. Should there be, in a specific case, any inconsistency between this privacy policy and Canada's federal and Ontario's provincial privacy laws, as applicable, this privacy policy shall be interpreted, in respect of that case, to give effect to and comply with such privacy laws.

CONSISTENT WITH OCAP

This privacy policy intends to be consistent with the principles of OCAP (Ownership, Control, Access and

Possession) which apply to research and clinical data at any level of intervention, analysis and development including individual, family, agency, community or aggregate data particularly data about or affecting First Nations, Métis, and Inuit communities. In meeting the terms of reference for services by BMS Thunderbird Management & Lifestyle Consulting, Ltd., once negotiated and entered into, any information gathered, analyzed, communicated or otherwise reported and distributed remains the intellectual and/or cultural property of the client, except where prohibited by federal or provincial (Ontario) law including copyright, trademarks and patent laws. Otherwise, the client retains all rights to ownership, control, access and possession of its information both any raw data and any composite data in the form of community visioning documents, clinical and community needs assessments, agency/community branding, strategic plans, program/service models, individual plans for clinical or community development interventions, communications frameworks and strategies, evaluation templates, databases, and other such information products developed by BMS Thunderbird Management & Lifestyle Consulting, Ltd. to meet the terms of reference of a contract once negotiated and entered into.

BMS Thunderbird Management & Lifestyle Consulting, Ltd. MAY ACT AS AN AGENT OF AN INFORMATION CUSTODIAN, THE CLIENT OR AFFILIATES OF THE CLIENT

Once entering into a service agreement on behalf of a client who is or may be a health or personal information custodian AND consistent with the agreed terms of reference for the service agreement as negotiated and entered into with a client; BMS Thunderbird Management & Lifestyle Consulting, Ltd. acknowledges, accepts and complies with the duties and obligations in being an AGENT of the information custodian. As such, under authority of the client (if duly authorized in the capacity of a personal or personal health information custodian), BMS Thunderbird Management & Lifestyle Consulting, Ltd. may agree to collect, use, disclose or retain information only once full and informed consent, either direct or implied, is obtained by the information custodian and direction is provided verbally or in writing to BMS Thunderbird Management & Lifestyle Consulting, Ltd. by the information custodian.

INFORMATION

Personal information is any information that identifies an individual, or any information by which an individual's identity could be deduced and as defined by the applicable legislation or case law decisions in regards to the applicable regulatory bodies. Generally, personal information does not include what is generally considered to be business contact information, including name, title and position, address, telephone number or facsimile number of businesses, agencies and public institutions.

BMS Thunderbird Management & Lifestyle Consulting, Ltd. may directly or indirectly collect personal information in completing the terms of reference for a service agreement. This may include but is not limited to clinical and community needs assessments, service satisfaction surveys; clinical, agency and community profiles; service and provider evaluations, agency/community strategic plans, and communications strategies, and other such information that may be required to complete the terms of reference for a service agreement once negotiated and entered into between BMS Thunderbird Management & Lifestyle Consulting, Ltd. and a client. Clients may be individuals, families, organizations, private businesses, municipalities, or First Nations communities (bands) as defined under the *Indian Act*.

Personal health information: This privacy policy adopts the definition of personal health information as set out in subsection 4 (1) Parts (a) (b) (c) (d) (e) (f) (g) of the *Personal Health Information Protection Act 2004* as that section might apply to BMS Thunderbird Management & Lifestyle Consulting, Ltd. once engaged by a client to act as an AGENT of any client who is a health information custodian as set out in the *Personal Health Information Protection Act 2004* subsection 3.

Sensitive information is a special category of personal information. It is information or opinion about racial, ethnic, or community origin; political opinion; membership of a political association or religious beliefs, affiliations or philosophical beliefs; membership of a professional or trade association or membership of a trade union; sexual preferences or practices; criminal record; health or disability (at any time), expressed wishes about the future provision of health services; and community assessment or other needs assessment information, etc.

PURPOSES FOR WHICH INFORMATION IS COLLECTED

The purposes for which personal information is collected shall be identified by BMS Thunderbird Management & Lifestyle Consulting, Ltd. at or before the time the information is collected and/or within the terms of reference for a verbal or written service agreement.

BMS Thunderbird Management & Lifestyle Consulting, Ltd. collects, uses and discloses information to provide management and lifestyle consulting including direct-to-client counselling, community-based and organizational training; and social marketing products and services to clients; to administer client billing; and to include clients in any activities intended to inform clients about new services or any changes in consulting, counselling, outreach, community development, and business practices, policies and tools.

BMS Thunderbird Management & Lifestyle Consulting, Ltd. also collects, uses, and discloses information to establish and maintain client relationships; to advocate as authorized by clients and on behalf of clients once so authorized; to provide advice; to avoid conflicts of interest; any purpose required to comply with any legal or regulatory requirements or provisions; and for any other purposes for which the client's consent has been obtained verbally or in writing by BMS Thunderbird Management & Lifestyle Consulting, Ltd.

INFORMED CONSENT

The knowledge and verbal or written consent of the individual are required for the collection, use or disclosure of personal information, except when appropriate.

If BMS Thunderbird Management & Lifestyle Consulting, Ltd. is contracted to collect personal information on behalf of a client, that client is assumed to have taken reasonable and appropriate steps in keeping with the applicable legislation to obtain the prior and voluntary informed consent, direct or implied, of the persons or entities about whom information is to be collected.

Consent to collect, use, disclose or retain client's personal information is required and can be accepted orally or in writing, depending on the circumstances. In some cases, a client's consent will be implied through their conduct for example when engaging in a Circle of Care as defined by PHIPA; or as part of a staff group as defined by terms of reference in association with service agreements between clients and BMS Thunderbird Management & Lifestyle Consulting, Ltd.

BMS Thunderbird Management & Lifestyle Consulting, Ltd. will re-obtain a client's consent where BMS Thunderbird Management & Lifestyle Consulting, Ltd. intends, or is directed by a service agreement or any change in terms of reference within a service agreement, to use the client's personal information for a purpose which varies from the purpose for which the personal information was initially obtained.

WITHDRAWAL OF CONSENT

A client can withdraw their consent subject to reasonable notice and legal and contractual obligations. A client is assumed to have obtained the necessary legal advice on any and all implications of their withdrawal of consent.

ACCURACY OF INFORMATION COLLECTED, USED AND DISCLOSED

Personal information shall be as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used.

AUTHORIZATION FOR COLLECTION, USE, DISCLOSURE AND RETENTION

Except as prohibited by federal or provincial (Ontario) privacy laws, the terms of reference, as set out in the contract negotiated between BMS Thunderbird Management & Lifestyle Consulting, Ltd. and any client, will form the basis, direction, and authority for defining what information will be collected; the entities where information will be collected (e.g., individual, family, group, organization, municipality, Indian band, or

community); whether such information will be personally identifying, non-identifying, or aggregate; how the information will be collected and stored; and how any information once collected will be used or disclosed.

SITUATIONS WHERE BMS Thunderbird Management & Lifestyle Consulting, Ltd. IS AN AGENT OF A HEALTH INFORMATION CUSTODIAN

Where a client who is a health information custodian authorizes and any service agreements' terms of reference obligates BMS Thunderbird Management & Lifestyle Consulting, Ltd. to act as an agent of that health information custodian, the consultant will take every reasonable and appropriate precaution to guarantee BMS Thunderbird Management & Lifestyle Consulting, Ltd. full and accurate knowledge, understanding and compliance with the applicable legislation; including any limits, restrictions and prohibitions on the collection, use, disclosure or retention of personal health information.

BMS Thunderbird Management & Lifestyle Consulting, Ltd. does not collect, use, disclose or retain any client (personal) information beyond that which is agreed and required within the terms of reference for a service agreement once negotiated and entered into including where the client is or may be construed as a personal (personal health) information custodian. BMS Thunderbird Management & Lifestyle Consulting, Ltd. will collect, use, disclose or retain as little personal information as needed in the circumstances; and will not collect personal information if other information would suit the purpose or meet the objectives; and will not collect, use, disclose or retain personal information when other (e.g., aggregate) information is available.

LIMITS ON COLLECTION, USE, DISCLOSURE AND RETENTION

Information shall be collected by fair, lawful and reasonable means.

The collection of personal information shall be limited to that which is necessary for the purposes identified by BMS Thunderbird Management & Lifestyle Consulting, Ltd. or to complete the terms of reference for a service agreement as defined by a client.

BMS Thunderbird Management & Lifestyle Consulting, Ltd. will collect, use, disclose or retain personal information only for the purposes that a reasonable person would consider are appropriate in the circumstances.

Personal information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the individual or as required by law.

Personal information shall be retained only as long as necessary for the fulfillment of those purposes.

A client's information will not be disclosed to any party unless such parties are under a contractual obligation to maintain the privacy and confidentiality of the information supplied by BMS Thunderbird Management & Lifestyle Consulting, Ltd. This limitation on disclosure applies both to the client's information and to information the client may hold or come to hold in the capacity of a health information custodian.

Sensitive information can, except where required by federal or provincial legislation, only be disclosed with prior and informed consent of the client and / or affected parties.

Personal and sensitive information may be collected and published in meeting the terms of reference for a service agreement and not without the prior and informed consent of entities consulted for the purposes of meeting the terms of reference for a service agreement once negotiated and entered into.

BMS Thunderbird Management & Lifestyle Consulting, Ltd. does not distribute any personal information except as is required by a contract or by law as for the purposes of registering and reporting on the terms of reference of a service agreement once negotiated and entered into.

BMS Thunderbird Management & Lifestyle Consulting, Ltd. may also disclose the client's personal information when the client has consented for such disclosures and consistent with contracted duties duly authorizing BMS Thunderbird Management & Lifestyle Consulting, Ltd. to disclose personal information including where BMS Thunderbird Management & Lifestyle Consulting, Ltd. is acting as an agent of a client operating as a health information custodian.

SAFEGUARDING & SECURING CLIENT INFORMATION

BMS Thunderbird Management & Lifestyle Consulting, Ltd. does not collect, use, disclose or retain information other than for the purposes authorized in contracting with a client and as outlined in the terms of reference pertaining to a specific service agreement once negotiated and entered into.

To prevent unauthorized access, maintain data accuracy, and ensure the correct use of information; BMS Thunderbird Management & Lifestyle Consulting, Ltd. puts into place and maintains reasonable physical, electronic, and managerial procedures to safeguard and secure the information being collected and used in completing the terms of reference of a service agreement once negotiated and entered into.

In collecting information on behalf of a client, or in meeting the terms of reference for a contract once negotiated and entered into, BMS Thunderbird Management & Lifestyle Consulting, Ltd. protects any collected information from being lost, stolen or inappropriately accessed; as well as from unauthorized copying, modification and disposal.

These protections include restricted file access to information pertaining to and/or stemming from a service agreement; technological safeguards to prevent hacking, viruses and unauthorized computer access as much as is possible; implementing and employing as well as updating and protecting from tampering with internal password, encryption, and security policies; and storage of printed information in locked premises or containers.

BMS Thunderbird Management & Lifestyle Consulting, Ltd. informs the client as soon as possible if personal information that BMS Thunderbird Management & Lifestyle Consulting, Ltd. possesses or handles on behalf of that custodian is lost or stolen, or if someone accesses it without authority.

OPENNESS

BMS Thunderbird Management & Lifestyle Consulting, Ltd. shall make readily available to individuals specific information about its policies and practices relating to the management and security of personal information including information collected, stored, transmitted or disposed of by electronic means.

INDIVIDUAL ACCESS

Upon request, an individual or other entity shall be informed of the existence, use, disclosure or retention of his or her personal information and shall be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

CHALLENGING COMPLIANCE

An individual or other entity shall be able to address a challenge concerning compliance with this privacy policy. A challenge to compliance with this policy is to be directed to BMS Thunderbird Management & Lifestyle Consulting, Ltd. verbally or in writing. BMS Thunderbird Management & Lifestyle Consulting, Ltd. will respond to your concerns within a reasonable time and consistent with the applicable legislation. BMS Thunderbird Management & Lifestyle Consulting, Ltd. will take appropriate measures where the complaint is justified. Such measures may include making amendments to this privacy policy. BMS Thunderbird Management & Lifestyle Consulting, Ltd. will record the substance of any challenges that are brought forward whether or not resolved to the complainant's satisfaction. In the event that BMS Thunderbird Management & Lifestyle Consulting, Ltd. is unable to satisfactorily resolve a concern or complaint, a client or his/her representative is entitled to take the matter to the applicable privacy commissioner (federal or provincial).

AMENDMENTS TO THIS PRIVACY POLICY

BMS Thunderbird Management & Lifestyle Consulting, Ltd. reviews its policies and procedures and reserves the right to change this privacy policy at any time.

ACCEPTANCE OF THIS PRIVACY POLICY

By reading this statement and/or submitting your details to BMS Thunderbird Management & Lifestyle Consulting, Ltd. and/or engaging BMS Thunderbird Management & Lifestyle Consulting, Ltd. to collect, use, disclose or retain information (including personal or personal health information at an individual, family, group, organizational, municipal, Indian band, community or aggregate level) on your behalf, you are deemed to have accepted the Privacy Policy of BMS Thunderbird Management & Lifestyle Consulting, Ltd.