

Subject:	Privacy	Date Approved:	December 15, 2008
Approved by:	Board of Directors	Date Revised:	January 20, 2016
Specific to:	Board of Directors, Staff, Students, Volunteers	Next Review Date:	September 2017

**PURPOSE:**

The North Huron Family Health Team (NH FHT) is dedicated to quality patient care and improving the health status of our communities. A patient’s right to privacy is balanced with the NH FHT’s obligation to provide effective health care treatment. NH FHT has a legal and ethical responsibility to protect the privacy of patients, residents, clients and their families, staff, students, volunteers & affiliates, and to ensure that confidentiality is maintained.

**POLICY:**

NHFHT considers the following types of information to be confidential:

- Identifiable personal information and personal health information regarding patients / clients and their families;
- Identifiable personal information, personal health information, confidential employment information, and compensation information regarding staff and affiliates; and
- Information regarding the confidential information of the organization, which is not publicly disclosed by the organization.
- Information obtained by a staff, student or volunteer member or a board member as a result of their role with the organization.

This policy applies whether the information is verbal, written, electronic, or any other format.

The North Huron Family Health Team is responsible for the personal information and personal health information under its control. The NH FHT will in good faith endeavour to ensure that all personal information will be maintained private, confidential and secure.

NH FHT employees are accountable for maintaining confidentiality and privacy of all information collected, accessed or disclosed during and after their employment or professional contact.

All employees of NH FHT are entitled to the rights of personal privacy. Employees are under no obligation to reveal their age, race, religion, political alliances, ancestry, place of origin, ethnic origin, citizenship, creed, sex, sexual orientation, marital status, same-sex partnership status, family status, disability or the receipt of public assistance.

All information collected, used, accessed or disclosed is protected as referred to in the following principles. These principles are closely interrelated and should be interpreted as so.

**Principle 1 – Accountability for Personal Information**

The NHFHT is responsible for any personal information in its possession including information that has been transferred to a third-party for processing.

The Executive Director will oversee the compliance to the policy, related procedures and legislation. The identity and contact information of this person will be made known to the public.

### **Principle 2 – Identifying Purposes for Collecting Personal Information**

Personal information related to patients and clients is collected, used, disclosed and retained for:

- Direct patient care,
- Administration of the health care system,
- In research, teaching, statistics fundraising, and
- To meet legal and regulatory requirements.

Patients imply consent when they present for treatment and receive an explanation. Unless a new purpose is legally required, consent must be obtained before the information can be used. A patient's name and address is the only personal information made available and will only be withheld with the patient's express request.

### **Principle 3 – Consent for Collection, Use and Disclosure of Personal Information**

The knowledge and consent of the individual is required for the collection, use or disclosure of personal information, except where inappropriate.

The NHFHT will inform its patients and clients and make reasonable effort, through reasonable means (i.e. signage, information brochures etc.), the purposes for which the NH FHT will be using their personal information.

Note: In certain circumstances personal information can be collected, used, or disclosed without the knowledge and consent of the individual. For example, legal, medical, or security reasons may make it impossible or impractical to seek consent. When information is collected for detection and prevention of fraud or for law enforcement, obtaining consent may defeat the purpose of collecting the information. Obtaining consent may be impossible or inappropriate when the individual is a minor, seriously ill, or mentally incapacitated.

Personal information that has been collected for a purpose not previously identified will be made known prior to its use. Unless the new purpose is required by law, consent will be obtained prior to the use of the information.

### **Principle 4 – Limiting Collection of Personal Information**

The NHFHT will limit the amount and the type of information collected to that which is necessary to fulfill the purposes identified. All information will be collected by fair, lawful and indiscriminate means.

### **Principle 5 – Limiting Use, Disclosure, and Retention of Personal Information**

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

Personal information will be retained only for as long as is necessary for the fulfillment of those purposes or as required by law (i.e. legislative requirements with respect to retention periods of personal health records).

### **Principle 6 – Accuracy of Personal Information**

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

### **Principle 7 – Safeguards for Personal Information**

The NH FHT has security safeguards in place to protect personal information against loss, theft, unauthorized access, disclosure, copying, use, or modification regardless of the format in which it is held. Care will be used in the disposal or destruction of personal information, to prevent unauthorized persons gaining access to the information.

#### **Principle 8 – Openness about Privacy Policy**

The NHFHT will make available to its patients and clients, information regarding the policies and practices relating to the management of personal information in a format that is generally understandable.

#### **Principle 9 – Individual Access**

Upon request, an individual will be informed of the existence, use and disclosure of personal information and will be granted access to that information, unless the Executive Director deems that access to that information could be harmful to the patient or a third party.

#### **Principle 10 – Challenging Compliance with the Privacy Policy**

The Executive Director will investigate all complaints. If a complaint is found to be justified, appropriate measures will be taken, including amending its policies and practices if necessary.

#### **Risks**

Breaches in the privacy or in the protection of personal information at NH FHT could lead to:

- Adverse consequences for the individual whose privacy has been breached,
- Adverse consequences for the staff member,
- Breach of ethical guidelines and standards and NH FHT's Mission and Values,
- Breach of professional ethics and standards of practice, and/or
- Liability to the NH FHT.

#### **Responsibilities/Accountabilities**

NH FHT employees are responsible and accountable to protect the privacy, confidentiality, and security of personal information of patients. It is understood that there are locations within the facility where health care providers perform their duties that are “public” in nature and are open and accessible by the public. It is the employee's responsibility to take reasonable and practical means to maintain confidentiality and privacy of the individual. The employees must review the NH FHT's policy and procedures with regards to security of such privacy and refer any questions to the Executive Director.

All employees, Board Members and associated agencies are required to sign the Confidentiality and Non-Disclosure Form on an annual basis, to confirm that they have reviewed this policy and agree to its terms and conditions. This form can be accessed by clicking on the link below while pressing the “control” button.

<..\..\FHT Forms\Staff & Admin Forms\CONFIDENTIALITY AND NON.docx>

#### **Photography in the Workplace**

North Huron Family Health Team prohibits the unauthorized taking of pictures (by employees or patients/clients) on our premises or in our business at any time and by any means (camera phone, digital camera etc.) without specific written or verbal authorization from the person or persons of which the photograph is being



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taken. Pictures taken on or inside of the North Huron Family Health Team premises can be posted or published with authorization and/or within the guidelines as set out in the following policies:

- Media Contact Policy,
- Use of Personal Social Media, and
- Social Media Corporate policies

Any approved use of photography must comply with applicable privacy legislation. Any pictures that are taken, even if they have been approved, must be used only for the intent which was specified upon authorization. If a patient/client is taking pictures and he/she does not have authorization, the patient/client will be asked to cease the activity.