

Subject: Privacy	Date Approved: December 15, 2008
Approved by: Executive Director	Date Revised:
Specific to: All Staff	Next Review Date: January 2012

PURPOSE:

The North Huron Family Health Team is dedicated to quality patient care and improving the health status of our communities. A patient's right to privacy is balanced with the NHFHT's obligation to provide effective health care treatment.

POLICY:

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

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

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 NHFHT 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 NHFHT 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 NHFHT 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 NHFHT's Mission and Values,
- Breach of professional ethics and standards of practice, and/or
- Liability to the NHFHT.

Responsibilities/Accountabilities

NHFHT 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 NHFHT’s policy and procedures with regards to security of such privacy and refer any questions to the Executive Director.