

MANUAL: <b>Community Based Primary Health Care</b>	APPROVED DATE: <b>2012</b>
SECTION 5: <b>Information Management</b>	REVISION DATE: <b>Oct 2014, March 2018</b>
SUBJECT: <b>5.1. Confidentiality of Client Information</b>	NEXT REVIEW DATE: <b>March 2022</b>

**POLICY:**

Seaway Valley Community Health Centre (SVCHC) is committed to the protection of the client's confidential information that is disclosed in the professional relationship. SVCHC's position is based on respect for the person and on professional accountability. All of SVCHC staff will ensure the client's right to privacy and confidentiality.

The privacy officer shall be responsible for overseeing SVCHC's privacy compliance and its privacy obligations in accordance with applicable legislation. The privacy officer will address the requirements for policies and practices regarding the collection, use and disclosure of personal information by SVCHC in conducting its business and for the handling of any complaints regarding the SVCHC's privacy practices.

**Definitions:**

A breach of privacy occurs when there is unauthorized access to or collection, use, disclosure or disposal of personal health information, or when there is theft or loss of personal information.

Confidentiality prohibits information about a client from being released to or obtained from anyone without the client's informed and written consent, except as required by law and with the understanding that client information may be disclosed for routine management and professional supervision, review and quality assurance purposes.

**PROCEDURE:**

The Executive Director will identify and appoint the Privacy Officer for SVCHC:

**Privacy compliance:**

- 1) ensure that SVCHC has policies and procedures which address the requirements as regulated in the Personal Information Protection and Electronics Act (PIPEDA, 2015), and for purposes of following best practices, the Ontario Personal Health Information Protection Act (PHIPA, 2004). However, SVCHC is not officially a "trustee" under PHIPA
- 2) There must be a clearly justifiable purpose for obtaining and storing information about a client, and all information collected must be relevant to the service(s) being provided
- 3) Confidentiality, or the right to privacy of information, is upheld in all forms of communication. Confidentiality equally applies to clients and colleagues in the workplace whether related to information disclosed or overheard by fellow workers
- 4) conduct an audit at least every four years, or more often if required, of the personal information policies and practices
- 5) review and analyze SVCHC's policies and practices for collecting, using and disclosing personal information regarding staff, clients and users
- 6) implement procedures to safeguard personal information
- 7) take appropriate action in response to any breach of privacy, in accordance with the Ontario Personal Health Information Protection Act (PHIPA, 2004)
- 8) ensure individuals have the right to access and correct any personal information about themselves held by SVCHC
- 9) implement a retention, storage and destruction of client information policy

- 10) act as a contact person for inquiries from the public or clients and ensuring that public access obligations are met regarding privacy and confidentiality policies
- 11) ensure that there is an established process of handling complaints about the SVHCH's information practices and/or alleged violations
- 12) train SVHCH's staff on mandatory legislated training on PHIPA, Privacy and Security Awareness.

### **Confidentiality Agreement:**

All staff are informed of the SVCHC's policy on confidentiality/privacy at the beginning of service and are required to sign a Confidentiality Agreement (See Forms and Appendices' Confidentiality Agreement). A copy of the signed Confidentiality Agreement is filed in the employee's personnel file.

### **Protecting Client Information and Confidentiality:**

- 1) All client information is reviewed and verified prior to handing documents to clients. Verify by asking the client their name and date of birth and double check this is what is indicated on the hard copy documents (e.g. the lab requisition).
- 2) All information regarding clients shall be kept in a secure, locked location with restricted access. For the purposes of confidentiality only, informal notes kept by staff shall be regarded as part of the client file and shall therefore be subject to the same expectations of secure safekeeping.
- 3) Only information essential to the provision of service shall be recorded in a client's records.
- 4) Informal notes on contact with a client shall be shredded as soon as the encounter has been charted.
- 5) All requests for an exchange of information between SVCHC and any external third party requires verbal consent from the client or the client's parent/legal guardian.
- 6) All clients are provided with SVCHC brochure which contains statements on client rights.
- 7) Interpretation services are provided for clients that have difficulties with the English language and/or with their level of literacy and/or due to visual impairment.
- 8) Further, under PHIPA, clients may provide express instructions to SVCHC not to use or disclose their personal health information for health care purposes without consent. These provisions have come to be referred to as the "lock-box" provisions. **When there is a request to use the "lock box" function, you can protect a portion or the whole client's chart from providers, staff or other health services providers.**
- 9) Faxing: The fax number will be verified in order to ensure that the personal health information is being sent directly to the individual/organization requesting the information.  
A cover page will be sent with all faxes containing personal information

Contact Privacy Officer for SVCHC: Debbie St.John-de Wit at [info@seawayvalleychc.ca](mailto:info@seawayvalleychc.ca) or 613-936-0306

### **Resources:**

Personal Health Information Protection Act, 2004, S.O. 2004, c. 3, Sched. A  
<https://www.ontario.ca/laws/statute/04p03>

PIPEDA legislation and related regulations  
[https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/r\\_o\\_p/](https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/r_o_p/)

Confidentiality of Personal Health Information  
<http://www.cpso.on.ca/Policies-Publications/Policy/Confidentiality-of-Personal-Health-Information>