

# Municipal Freedom of Information and Protection of Privacy Act, R.S.O., 1990 – B-G-012 Board of Health Policy

## 1.0 Policy Statement

- 1.1** The North Bay Parry Sound District Health Unit (Health Unit) abides by the directives of the *Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990* (MFIPPA).
- 1.2** The purposes of MFIPPA are:
- a)** To provide a right of access to information under the control of institutions in accordance with the principles that,
    - Information should be available to the public.
    - Necessary exemptions from the right of access should be limited and specific.
    - Decisions on the disclosure of information should be reviewed independently of the institution controlling the information.
  - b)** To protect the privacy of individuals with respect to personal information about themselves held by institutions and to provide individuals with a right of access to that information.
- 1.3** Personal information means recorded information about an identifiable individual including:
- Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation, or marital or family status of the individual.
  - Information relating to the education or the medical, psychiatric, psychological, criminal, or employment history of the individual, or information relating to financial transactions in which the individual has been involved.
  - Any identifying number, symbol, or other particular assigned to the individual.
  - Address, telephone number, fingerprints, or blood type of the individual.
  - Personal opinions or views of the individual except if they relate to another individual.
  - Correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the content of the original correspondence.
  - Views or opinions of another individual about the individual.
  - Individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.
- 1.4** The main use of personal information collected by the Health Unit is to plan, deliver, and evaluate appropriate public health care and services for individuals and communities. When necessary, personal information may be shared within the Health Unit to provide care and investigate and manage potential risks to others or to the population at large.
- Non-identifying information related to clients' care and services is used for administration, management, strategic planning, decision-making, research, and allocation of resources.

- 1.5 The Health Unit endeavours to make its information accessible to the public. Some records however contain information that is either private or privileged and protected from disclosure by MFIPPA.
- 1.6 Each request for information will be reviewed to ensure that personal information is not disclosed as required by MFIPPA.
- 1.7 Requests to access information must be made in writing to the Privacy Contact person at the Health Unit.

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Responses will be provided in accordance with the directives of MFIPPA.

- 1.8 The Health Unit cannot and will not give out any personal information without the consent of the individual, **or the person permitted under applicable legislation to give consent for the individual.**

The Health Unit will not use or disclose personal information for purposes other than those for which it was collected except if the law requires disclosure or authorizes sharing with others.

Personal information may also be shared with health care providers to plan and deliver health care or investigate and manage potential health risks to others.

Under the *Health Protection and Promotion Act*, the Health Unit can disclose personal information to other health units and to the provincial Ministry of Health and Long-Term Care.

- 1.9 The Health Unit will take reasonable steps to ensure that personal information that is used is as accurate, complete, and up-to-date as is necessary for the purposes for which the personal information is used.
- 1.10 Personal information is kept secure by the Health Unit. Paper records are stored in locked files and/or secured areas. Electronic records require a password for access. Electronic records and databases require a password for access and are protected by appropriate security software. Records are transferred to other health information custodians with consideration for the protection of personal information.
- 1.11 Individuals who wish to access or correct their personal information, or who have questions about how the information is collected, maintained, used, or disclosed can contact the staff member from whom he/she received public health services or the Privacy Contact Person.

## 2.0 Purpose

The purpose of this policy is to set out guidelines to ensure compliance with the *Municipal Freedom and Information and Protection of Privacy Act*.

## 3.0 Scope / Responsibility

- 3.1 This policy applies to members of the Board of Health, employees, volunteers, students, and third party contractors.

- 3.2 The Chairperson of the Board of Health ensures that all members of the Board are aware of and comply with this policy.
- 3.3 The Board of Health through the Medical Officer of Health/Executive Officer ensures this policy is implemented.
- 3.4 The Medical Officer of Health/Executive Officer reviews this policy with all new Board of Health members.
- 3.5 Board of Health members, employees, volunteers, students, and third party contractors of the Health Unit are responsible for recognizing and complying with the provisions of this policy.
- 3.6 The Board of Health is responsible to ensure that the Medical Officer of Health/Executive Officer implements a policy for staff, volunteers, students, and third party contractors of the Health Unit to comply with this legislation.
- 3.7 Supervisors are responsible for advising their employees of this policy.

#### 4.0 Procedure

- 4.1 Board of Health members are informed of this policy by the Medical Officer of Health/Executive Officer during their orientation session and by the Chair of the Board at subsequent meetings as required. Each member of the Board of Health is made aware of how to access the most recent version of the *Municipal Freedom of Information and Protection of Privacy Act*.
- 4.2 Upon appointment to the Board of Health, the Medical Officer of Health/Executive Officer reviews this policy with the Board member during his/her orientation.
- 4.3 The Health Unit employees, volunteers, students, and third party contractors are informed of this policy through the intranet, Employee Handbook, Privacy Disclaimer on data collection forms, and as part of their mandatory orientation/training sessions. Periodic reviews will be had with employees to ensure understanding of this policy and the related legislation as it applies to their job function.
- 4.4 A Board of Health member who is alleged to have violated this policy shall be informed in writing and shall be allowed to present his/her views of such alleged breach at the next Board of Health meeting. The complaining party must be identified. If the complaining party is a member, he/she and the respondent Member shall absent themselves from any vote upon resolution of censure or other action that may be brought by the Members of the Board of Health. Members who are found to have violated this policy may be subject to censure.
- 4.5 This policy shall apply to members of any Board of Health committees who are not members of the Board of Health.

#### 5.0 Records Retention

All records relating to this Policy are retained in accordance with the Records Retention and Management work instruction ([WI-HU-108](#)).

## 6.0 References

### Internal References

- a) North Bay Parry Sound District Health Unit, [Board of Health Bylaws](#).
- b) Board of Health Orientation Manual.
- c) [Quality Assurance Manual](#) (1999).
- d) Records Retention and Management – [WI-HU-108](#)
- e) Collection, Use, Protection, and Disclosure of Personal Information of Personnel - [WI-HU-031](#)
- f) Process for Addressing a Privacy Breach of Personal Information/Personal Health Information - [WI-HU-092](#)

### External References

- a) *Health Protection and Promotion Act*, R.S.O., 1990, c H.7. [Ontario E-Laws Website](#)
- b) *Municipal Freedom of Information and Protection of Privacy Act* R.S.O. 1990. C. M56. [Ontario E-Laws Website](#)

## 7.0 Summary of Revisions

Scheduled review. Minor revisions to sections 1.1, 1.3, 1.4, 1.5, 1.7, 1.8, 1.9, 1.10, 3.5, and 4.3.

2018-03-29 – Letterhead updated.

## 8.0 Board Policy Development Details

Author: **Dr. Jim Chirico, Medical Officer of Health/Executive Officer**

Reviewed by: **Paul Massicotte, Executive Director, Corporate Services and Privacy Officer**

Date Approved by Board of Health: **2018-01-24**

Resolution Number: **#BOH/2018/01/12**

Date Approved in Portal by Dr. Chirico: **2018-04-03**

Date Issued: **2018-04-16**

Date Due for Review: **2020-04-16**