

Confidentiality of Information – B-G-004

Board of Health Policy

1.0 Policy Statement

Members of the Board of Health shall not during their term of office or at any time thereafter either directly or indirectly disclose or permit the disclosure of any confidential information of the North Bay Parry Sound District Health Unit (Health Unit) except as expressly authorized by the Board of Health in order to carry out their duties as a member of the Board of Health.

Members of the Board of Health shall not make use of any confidential information for personal gain or advancement, or to the detriment of the Health Unit.

2.0 Purpose

This policy describes the methods in use to ensure the confidentiality of information.

3.0 Scope / Responsibility

- 3.1** This policy covers the obligations of the members of the Board of Health resulting from their required duties while acting in the capacity of members of the Board of Health for the Health Unit. The handling of confidential information is dealt with as a matter of professional conduct on the part of every Board member.
- 3.2** The Chairperson of the Board of Health ensures that all Board members are aware of and comply with this policy, and understand and sign the Confidentiality Statement and Agreement.
- 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** Each member of the Board of Health has the responsibility to comply with this policy and related Confidentiality Statement and Agreement ([BF-G-004-01](#)).
- 3.6** Each member is responsible to disclose to the Chairperson any situation which violates, may violate, or could appear to violate the intent of this policy.
- 3.7** The Board of Health is responsible to ensure that the Medical Officer of Health/Executive Officer implements a confidentiality of information policy/agreement for Board members, staff, students/volunteers, and third-party contractors of the Health Unit.

4.0 Procedure

- 4.1** Members of the Board of Health of the Health Unit may receive confidential personal and/or privileged information and are responsible to maintain the confidentiality of this information. This information may include but is not limited to:
- Personal matters including personal information and personal health information about an identifiable individual
 - Personnel information about employee(s) of the Health Unit
 - The security of the property of the Board of Health
 - Proposed or pending acquisition of land, assets, or services for Board of Health purposes
 - Labour relations or employee negotiations
 - Litigation or potential litigation, including matters before administrative tribunals, affecting the Board
 - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose
 - Matters related to other Acts that may be closed for discussion by the Board of Health
 - Matters that relate to requests under the *Personal Health Information and Protection Act* or the *Municipal Freedom of Information and Protection of Privacy Act*.
- 4.2** Upon appointment of members 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** At the start of each new term (whether it be a municipal term or provincial appointment term), or as appointed as a new Board of Health member anytime throughout the term, Board members are required to read the Confidentiality Statement and sign the Confidentiality Agreement ([BF-G-004-01](#)). The Recording Secretary will keep record of the signed agreements.
- 4.4** The Board of Health can determine, by resolution, to go in camera to consider matters that deal with confidential information (Board of Health Bylaws, Section I, Item Number 10).
- 4.5** Confidential information is not to be shared outside the Board of Health as defined under this policy and Confidentiality Statement.
- 4.6** A member who is alleged to have violated the confidentiality policy of the Health Unit shall be informed in writing by the Board of Health 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.
- 4.7** 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) Confidentiality Statement and Agreement – [BF-G-004-01](#)
- c) Records Retention and Management – [WI-HU-108](#)
- d) Personal Health Information Protection Act – [B-G-011](#)
- e) Municipal Freedom of Information and Protection of Privacy Act – [B-G-012](#)
- f) Board of Health Orientation Manual.
- g) Collection, Use, Protection, and Disclosure of Personal Information of Personnel - [WI-HU-031](#)
- h) Process for Addressing Privacy Breach of Personal Information/Personal Health Information - [WI-HU-092](#)
- i) Collection, Use, and Protection of Client Personal Health Information - [WI-HU-095](#)

External References

- a) *Health Protection and Promotion Act*, R.S.O., 1990, c H.7. [Ontario E-Laws Website](#)
- b) *Personal Health Information Protection Act. 2004. S.O. 2004.c.3. Schedule A*. [Ontario E-Laws Website](#)
- c) *Municipal Freedom of Information and Protection of Privacy Act. R.S.O. 1990. c. M56*. [Ontario E-Laws Website](#)
- d) *Municipal Conflict of Interest Act. R.S.O. 1990. Chapter M.50*. [Ontario E-Laws Website](#)

7.0 Summary of Revisions

2020-02-11 – Updated letterhead and scheduled review with revisions to sections 3.2, 3.5, 3.7, 4.3, and 4.5.

8.0 Board Policy Development Details

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

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

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