

 Caring, Innovation Respect, Accountability	<b>POLICY</b>		<b>Ver. 3.3</b>
	Subject: Access and Privacy		Supersedes – 2019-03-07  Category: Board
<b>Ratified by:</b>	Waypoint Board of Directors	<b>Effective:</b> <b>Ratified on:</b>	2020-09-30 2020-09-10
<b>Review Facilitator:</b>	President & Chief Executive Officer	<b>Originated on:</b>	2010-01-07
<b>Audience:</b>	All Waypoint Board members and staff	<b>Disclosure Status:</b>	Open
<b>Cross Reference:</b>	See <a href="#">Cross References</a>		

## Purpose

To provide clear direction to Waypoint Centre for Mental Health Care Board members and staff in terms of the privacy and confidentiality of personal health information and/or personal information.

## Policy

Waypoint will provide access to recorded information that is in its custody, or under its control, in balance with the protection of personal privacy of individuals in a manner that is compliant with the [Freedom of Information and Protection of Privacy Act](#) (FIPPA) and its regulations as they apply to public hospitals.

Further, Waypoint will ensure (technical and administrative) safeguards such as policies and procedures, service agreements, etc., are in place to protect the privacy of personal health information and/or personal information under its custody and control in accordance with relevant legislations.

Consistent with the [Personal Health Information Protection Act](#) (PHIPA), the hospital's enterprise-wide approach incorporates the following ten privacy principles:

- Accountability – Designate a contact person to facilitate meeting Waypoint's access and privacy obligations and to deal with any access requests, privacy related inquiries and complaints, and Commissioner's investigations. For the purposes of FIPPA, the Chair of the Board as the head of the institution designates a contact person under the Delegation of Authority.
- Identifying Purposes – Inform all individuals (patients, employees, volunteers, affiliates, the public, etc.) of the purposes for which their personal health information and/or

personal information is collected, used and disclosed, unless otherwise exempted by PHIPA or FIPPA.

- Consent – Rely on implied consent, where appropriate, or obtain express consent from the individual (patients, employees, volunteers, affiliates, the public, etc.) when collecting, using or disclosing personal health information and/or personal information, unless otherwise exempted by PHIPA or FIPPA. Disclosure of personal health information and/or personal information requires the expressed consent of the individual to whom the personal health information and/or personal information relates if not being made by the requestor him/herself.
- Limiting Collection – Limit collection of personal health information and/or personal information to that which is necessary for the identified purposes or for purposes that PHIPA or FIPPA permits or requires.
- Limiting Use & Disclosure – Limit use and disclosure of personal health information and/or personal information to the identified purposes, unless further consent is obtained or use or disclosure is permitted or required by law.
- Accuracy – Take reasonable steps to ensure that personal health information and/or personal information is as accurate, complete and up-to-date as is necessary for the purposes for which it is used or disclosed. Advise the person to whom the information is disclosed of limitations on the accuracy, completeness or up-to-date character of the information.
- Safeguards – Implement appropriate technical, administrative and physical safeguards to protect privacy and confidentiality of personal health information and/or personal information. Ensure staff are informed of privacy and confidentiality requirements.
- Openness – Make visibly available a written statement on the hospital's information practices (e.g. collection, use and disclosure of personal health information and/or personal information).
- Access – In a timely manner, provide the individual (patients, employees, volunteers, affiliates, the public, etc.) access to, and the ability to correct, their personal health records and/or personal information in a manner consistent with PHIPA or FIPPA.
- Challenging Compliance – Develop and implement a procedure to allow individuals to register a complaint in relation to Waypoint's access and privacy practices.

**Definition(s)** – N/A

## **Roles & Responsibilities**

The Board of Directors delegates oversight responsibility and management for the hospital's access and privacy program to the to the President & CEO who will ensure that an annual report is prepared and submitted as part of the overall quality program, and consistent with regulatory reporting requirements.

**Procedure, Protocol or Guideline** – N/A

**Cross References**

[Confidentiality & Security of the Record of Personal Health Information](#)  
[FIPPA Access and Correction](#)  
[Scanning and Archiving Personal Health Information](#)  
[Privacy Program Governance](#)  
[Collection, Use and Disclosure of Personal Health Information](#)

**References**

[Freedom of Information and Protection of Privacy Act \(FIPPA\)](#)  
[Personal Health Information Protection Act \(PHIPA\)](#)

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**End of POLICY**

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Keywords:

**Initiated: January 2010**  
**Revised: October 28, 2011**  
February 5, 2015  
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September 10, 2020