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| <i>Policy & Procedure:</i> | PRIVACY AND CONFIDENTIALITY | | |
| <i>Performed by:</i> | Executive Director | | |
| <i>Approved by:</i> | | | |
| <i>Date Approved:</i> | | <i>Date Reviewed:</i> | April 2014 |
| HPCO Standard: Community and Residential Hospices have an ethical and legal responsibility to maintain the confidentiality and privacy of health information of any persons in their care. | | | |

Policy:

Hospice Care Ottawa employees and volunteers must adhere to the criteria outlined below to ensure the protection of personal information and must sign the Statement of Confidentiality and Privacy as a condition of employment/volunteering.

All providers, suppliers and contractors doing business or partnering with Hospice Care Ottawa who may have access to confidential information must sign the Hospice Care Ottawa Confidentiality Agreement prior to commencing work or partnering with Hospice Care Ottawa.

Violation of confidentiality or data security may result in disciplinary action, up to and including termination of employment, volunteer placement or contract for services in accordance with applicable privacy legislation and Hospice Care Ottawa policies and procedures.

Criteria:

Personal health information can be shared among health care team members to facilitate seamless and effective care (Personal Information Protection Act (PHIPA), 2004).

- The health care team consists of all those who are involved in the care of the person regardless of if they work for the same organization or not.
- Personal health information must be kept confidential and secure.
- Personal health information consists of :
 - Physical or mental health, including family health history;
 - Care previously provided (including the identification of people providing care);
 - Payments or eligibility for health care;
 - Donation of organs and tissue;
 - A person's health number;
 - The name of the person's substitute decision maker (SDM).
- According to PHIPA, Community Hospices are considered Health Information Custodians (HICs) i.e. an organization that provides care within the health care continuum. Staff and volunteers who receive health care information are agents of HICs and must comply with all legislation.
- All staff and volunteers must receive education on privacy and confidentiality and agree to sign a confidentiality agreement with the Hospice.
- Personal health information should only be collected as needed to address care needs of that person and used accordingly.

- All clients and volunteers are entitled to receive a copy of their personal health information and must expressly consent to the collection, use and disclosure of their health information.
- The Hospice strives to have access to assistive services when there is a barrier to communication (as identified by either the resident or the professional staff) in order to provide information which is understood by the client and their significant others.

Guidelines:

The following guidelines are intended to assist employees and volunteers of Hospice Care Ottawa in adhering to and complying with the protection of personal information.

1. *Employee, Volunteer and Donor Information*

- Hospice Care Ottawa regards all employee, volunteer and donor information as confidential and will respect their right to privacy. Employee, volunteer and donor information is held in secured files.
- Upon advance request to the Executive Director, employees, volunteers and donors may access their file for review should there be a need.

2. *Client Information*

It is the duty of all Hospice employees & volunteers to maintain the confidentiality of information belonging to or relating to Hospice Care Ottawa or its clients.

Confidentiality and the right to privacy of information is upheld in all forms of communication (verbal, written, electronic) at Hospice Care Ottawa. Staff and volunteers are to ensure confidentiality at all times by:

- a) Avoiding use of the names of patient/client/family/program participants except where relevant when discussing cases;
- b) Avoiding the discussion of cases or other confidential communications in communal spaces;
- c) Aiding each other in avoiding potential and actual breaches of confidentiality;
- d) Never discussing patients, clients, families or program participants outside of the organization including the fact that someone is a patient, client, family member or program participant. Avoiding any description of a client condition, age, diagnosis, family composition, even while withholding the name, which may link the client to HCO services; and
- e) All employees & volunteers are required to sign a confidentiality agreement upon hiring (see Appendix C).

3. *Use of Social Media*

The privacy and confidentiality policy applies to all social media platforms that include but are not limited to: Facebook, YouTube, Twitter, Google+, LinkedIn and Instagram and funeral sites; whether posts are made to web pages that are broadly accessible to the public (e.g. through a blog or on Twitter) or to web pages that are only accessible to a limited number of invitees (e.g. through a "friends only" Facebook page). It includes all forms of posting including but not limited to: articles, artwork, photographs, videos, graphic design, condolences pages, blogs and other such interactive media forms.

- The use of social media by Hospice Care Ottawa staff and volunteers must be consistent with all Hospice Care Ottawa policies and procedures, directives of professional colleges, and applicable legislation, including those concerning privacy, code of conduct, conflict of interest, harassment and discrimination in the workplace.
- Compliance to all copyright and/or intellectual property right laws must be upheld when publishing to a social media site.
- Slanderous, libelous or otherwise illegal content are not to be published on social media sites.

- Hospice Care Ottawa does not endorse any product, business, cause or political affiliation.
- Any concerns or issues that arise from the use of social media that is not addressed in the Social Media Policy are the responsibility of Hospice Care Ottawa's Executive Director and/or the Board of Directors.

Additional guidelines:

- Use your judgment. Take great care to avoid publishing anything that may harm your professional reputation or HCO's reputation and business. The use of social media technologies should do no harm to Hospice Care Ottawa. Post should be respectful of the intended target audience. Review and understand our Privacy Policy and take it into consideration when making decisions to publish information. Where your professional or accrediting organization includes standards related to privacy, confidentiality and social media communication review and understand those requirements. If you have any questions about the limits imposed, seek clarification BEFORE publishing.
- For staff, volunteers and Members of the Board, if you choose to identify yourself as a member of the HCO team when publishing information to the internet, you must also represent yourself and HCO in a responsible and professional manner and with due consideration for all policies which govern the provision of information.
- Do not disclose HCO information that is not generally available to the public. If you are in doubt about whether information is confidential, do not publish it.
- Do be respectful to service providers, governmental agencies, donors, suppliers and any other organizations that have a relationship with HCO. Strong opinions are more likely to conflict with HCO's interests than more reserved opinions. Negative or critical opinions can be very risky when published by someone who identifies themselves with the HCO, or who can easily be identified as associated with HCO.
- If in doubt about the appropriateness of publishing anything, ask the Executive Director or, for Board members, the Chair of the Board.
- Ensure that the amount of time you spend blogging and online networking does not interfere with your work responsibilities. Staff members that participate in social media sites must adhere to the code of conduct that is set forth in HCO's Employee Handbook.
- If you are maintaining a blog or other website that includes substantive content that relates to the services provided by HCO, for example hospice care, use some form of disclaimer that indicates that the views expressed are those of the author alone and should not be attributed to any organization with which the author may otherwise be associated.

Legislation

Hospice Care Ottawa complies with the Health Information Protection Act (November 2004), comprised of both the Personal Health Information Protection Act (2004) and the Quality of Care Information Protection Act (2004).

References Links

- [Personal Health Information Protection Act 2004](#)
- [Personal Information Protection and Electronic Documents Act](#)
- [Quality of Care Information Protection Act 2004](#)
- [College of Nurses of Ontario](#)
- [Hospice Palliative Care Ontario Community Residential Standards](#)

STATEMENT OF CONFIDENTIALITY AND PRIVACY

Hospice Care Ottawa seeks to protect the privacy of every employee's, volunteer's, client's and donor's personal information. I acknowledge and understand that I may or will have access to confidential information regarding employees, volunteers, clients, donors and other affiliates (non-employees of Hospice Care Ottawa).

It is my responsibility to safeguard any and all confidential information and ensure that it is used appropriately. Therefore, except as required by law and excluding information that can be released under federal, provincial legislation or Hospice Care Ottawa policies and procedures, I agree that I will not:

- Access data that is unrelated to my duties at Hospice Care Ottawa;
- Disclose to any other person who does not have a business "need to know" or allow any other person access to any information related to Hospice Care Ottawa that is proprietary or confidential. Disclosure of information includes, but is not limited to, verbal discussion, FAX transmissions, electronic mail messages, voice mail communication, written documents and social media communication platforms (e.g. Facebook, YouTube, Twitter, Google+, LinkedIn, Instagram, blogs);
- Remove or permit the removal of any materials containing confidential information from Hospice Care Ottawa premises, service delivery locations including client homes, or any other places of program delivery, except in permitted activities;
- Access my own records unless prior approval given by supervisor; and
- Share my user ID, passcode or any computer or phone access codes.

On request of Hospice Care Ottawa, I will return and relinquish access to any copies (original and/or duplicate) of any materials containing confidential information.

I understand I am responsible for reading, understanding and complying with all policies related to confidential information.

I understand that Hospice Care Ottawa and its employees, volunteers, clients, donors and affiliates may suffer irreparable harm by disclosure of confidential information and that Hospice Care Ottawa may seek legal remedies, including prosecution, available to it should such disclosure occur. Further, I understand that violations of confidentiality or data security may result in disciplinary action, up to and including, termination of my employment/volunteer placement in accordance with applicable privacy legislation and Hospice Care Ottawa policies and procedures.

I acknowledge having received a copy of Hospice Care Ottawa Privacy and Confidentiality Policy. I understand that a perceived breach must be acknowledged and declared as soon as possible.

Employee's signature

Date

Employee's name (printed)

Witness signature

Date