	Scope: Clinical
	Document Type: Policy Approved on 18/03/15 Next Review Date: 19/03/15
Client Privacy and Confidentiality Policy	Version 1

1.0 Introduction


The right to personal privacy, including the protection of confidential information, is viewed as both a legal and moral right in Canadian society. With only a few limitations (e.g., mandatory reporting laws, acting to prevent serious harm to others), assurance of confidentiality in the provision of mental health services is expected and normative. Clients need to be able to trust that the privacy of the information given or accumulated as part of receiving service will be protected. On the other hand, the provision of service through an organization often means that persons other than the direct service provider(s) may have access to confidential information, due to the need to receive consultation or supervision, to coordinate service between multiple service providers within the organization, to conduct organizational affairs efficiently and in response to legal requirements (e.g., maintenance of client records), and to learn from its activities in order to continuously improve the quality of its services. These procedures have been developed to operationalize maximum respect for personal privacy within the service environment of an organization.

2.0 Definitions

Confidential Information:	Activities, facts, opinions, diagnoses, advice, or instructions that are collected or maintained in any form (e.g., client record, logs, rough notes, computer file) by the Centre that can be identified as information about a specific infant/ child/ youth, family, organization, or member of an organization that applied, has been referred to, is receiving, or has received service from the Centre, or about identifiable third parties known to the child, family, or organization (e.g., extended family, neighbours, other member of an organization).
Disclosure or Release:	The divulgence, in any form (e.g., written, spoken, by observation, video) of confidential information regarding an identifiable individual.
Informed Consent:	With respect to the disclosure or release of information, means that the person giving consent has the capacity to understand and appreciate the nature and consequences of giving or withholding consent to disclose the information; knows the nature and content of the information to be disclosed, to which persons or organization the information is to be disclosed, and for what purpose; and, has been advised that he/she may obtain independent advice if he/she wishes.

3.0 Policy/Procedure

1. SickKids CCMH policies and procedures for the collection, use, storage, and release of client information shall protect client privacy and confidentiality and shall be consistent with the Ontario Personal Health Information Protection Act (PHIPA) and with applicable regulations under the Ontario Regulated Health Professions Act.
2. Client records shall contain only that information which is needed to provide service.
3. Unless there is a clear and imminent danger to the health and safety of the client or another person, or the law requires or allows disclosure, confidential information shall be released only when informed consent is obtained in writing from the client or the client's legal designate.
4. Confidential information shall be released according to specific operational procedures and with the approval of the Privacy Officer.

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5. All paper files, reports, computer records, video and audio recordings, DVD, and other means of storing confidential client information are the property of the SickKids CCMH, which has an overriding responsibility and discretion to control access.
6. Appropriate operational procedures shall be established for safeguarding the security of all confidential client information against unauthorized access, regardless of the form in which it is stored or transmitted (e.g., paper, computer files, video, audio, fax, cellular phone, e-mail).
7. Authorized disclosure of client information is limited to the amount and type of information present in the client's record.
8. Only specified persons, employed by or officially affiliated with SickKids CCMH, shall have internal access to client information.
9. Access to client records will be granted for auditing, licensing, or accrediting purposes. However, identifiable client information may not be removed from SickKids CCMH premises for these purposes.
10. At the beginning of their employment or official affiliation with SickKids CCMH, all persons shall be informed of, and agree to, the Centre's policies and procedures pertaining to client privacy and confidentiality.
11. Any breach of confidentiality shall be reported immediately to the Privacy Officer or designate, and appropriate action shall be taken.



Approved By: _____

Christina Bartha
Executive Director

Date: March 16, 2018