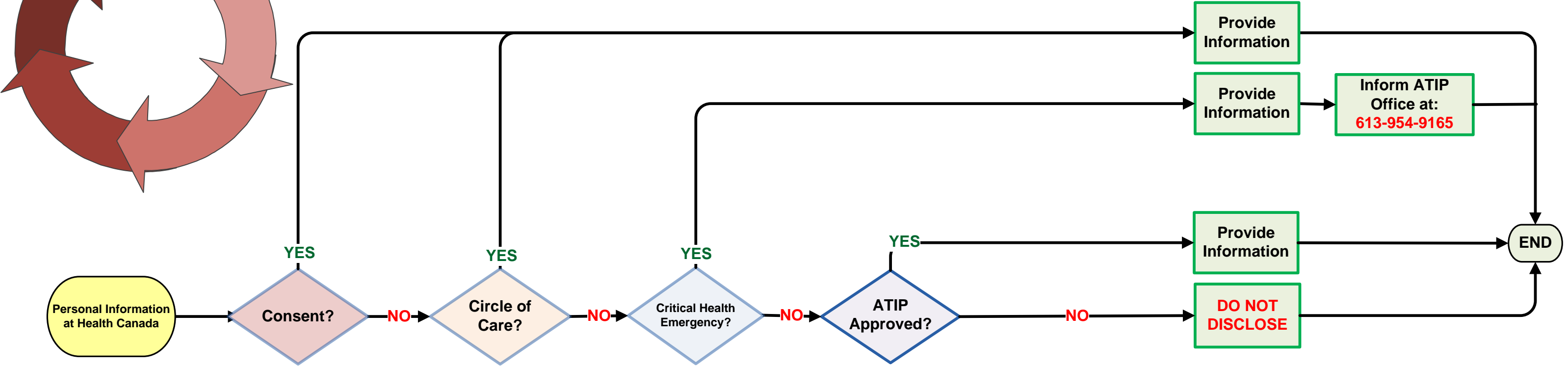


Privacy Standard Operating Procedures –
‘Circle of Care’ Disclosures of Personal Information



- Personal information protected by the Privacy Act is information, recorded in any form, about an identifiable individual or for which there is a serious possibility of re-identification.
- Personal information protected by the Charter is information over which a person has a reasonable expectation of privacy.
- HC employees must comply with the Department's obligations under the Charter and Privacy Act when disclosing personal information.

- Personal information of an individual may be disclosed with the individual's consent
- Record any disclosure based on consent in the appropriate client file (example; the file from which information was taken)

- The term 'circle of care' refers to health care providers directly involved in the care and treatment of a particular patient in a specific case.
- The circle of care is contextual; it may include the physician, nurses, specialists or other health care practitioners referred by the primary care or public health provider.
- The 'circle of care' does not include other health care providers who are not part of the direct or follow-up treatment of an individual.

- Emergency is defined as an *immediate*, urgent and critical health situation of a temporary nature, regardless of its cause, which may seriously endanger or threaten the life, health or safety of the individual
- Would a reasonable person agree that an *immediate* release of this personal information was necessary?
- Does the disclosure avert or minimize an imminent danger to the health or safety of any person?
- Is the disclosure to occur within a timeframe that makes it impossible to receive concurrence from the ATIP coordinator?

- As a result of the Privacy Act and a 2007 Delegation Order of the Minister of Health, the discretion to disclose personal information without the consent of the individual to whom the information relates must be exercised by the Minister of Health or the ATIP Coordinator.
- Contact the ATIP office to receive concurrence and/or guidance:
613-954-9165
The ATIP office will:
 1. Assist officials to ensure all applicable legal and policy requirements are followed
 2. Consult with Legal Services Unit to ensure disclosures will not violate individuals' Charter rights to privacy

- Following an emergency disclosure of personal information, staff are obligated to immediately inform Health Canada's ATIP office at:
613-954-9165
- In all cases of disclosure, ensure that the information to be released is accurate, disclose the least amount of information possible, and withhold third party information that should remain confidential.

