

Manitoba Developmental Centre

Effective Date: February 11, 1998	TITLE: CONFIDENTIALITY	POLICY NO. II-35 RAD
Review Date:		PAGE <u>1</u> OF <u>1</u>
Revision Date: March 14, 2022	SUBTITLE:	

OBJECTIVE

Care providers of the Manitoba Developmental Centre (MDC) are aware of the requirement for confidentiality of information.

POLICY:

1. Prior to commencing employment, all care providers must sign a Pledge of Confidentiality form (A.80) and the Oaths of Allegiance and Office.
2. The MDC recognizes the residents' and care providers' rights to privacy and expects all information relating to residents and care providers to be treated as confidential. Discussions on resident care or of sensitive information must not take place in public places nor in public areas of the MDC such as hallways, lobbies, elevators, etc.
3. The business and operational activities of the MDC will be treated as confidential and sharing this information is a breach of confidentiality. These activities include but are not limited to: employment, performance, discipline, financial transactions, budgets, committee deliberations and decisions.
4. Care providers are required to respect and maintain in confidence, all information concerning residents, other care providers, business and operational activities except to persons authorized to receive same in the normal course of their duties.
5. Any breach or suspected breach of confidential information must be reported to the supervisor immediately who in turn will inform the Health Information Services Coordinator (PHIA/FIPPA Coordinator).
6. Access, handling and release of resident information will be done in accordance with Policy I-35 Access to Health Records, Policy IV-50 Confidential Health Record Information: Release of and Policy I-10 Electronic Networks Usage.
7. Access, handling and release of information in personnel files will be done in accordance with Policy II-30 Employee File Access.
8. Violation of this policy may be considered misconduct and can result in a fine up to \$50,000 in accordance with *Personal Health Information Act* and *Freedom of Information and Protection of Privacy Act* and/or disciplinary action up to and including dismissal for Civil Servants, term and casual employees, termination of contract or educational/volunteer placement.
9. Care providers who leave the employ of the MDC should be aware that there may be legal action taken in the event of a breach of obligations regarding the maintenance of confidentiality.

PROCEDURE:

1. Information and records shall be kept in a secured area and not left unattended in areas accessible to unauthorized individuals.
2. Unauthorized care providers will not read or rearrange papers on other desks or in other locations in an office.
3. Care providers will handle confidential information in a way that prevents indiscriminate and unauthorized access to such information.
4. All vendors who contract to provide services to the MDC, will be provided with a copy of the policy and a stipulation that confidentiality shall be maintained will be included in the contract.
5. Where a violation of the policy has occurred, breaches of confidentiality will be reviewed/investigated immediately and an Incident/Risk Report (A.90) will be completed.
6. Immediate supervisors shall provide clarification and information regarding the application of this policy to care providers.
7. Care providers may request information regarding application and/or clarification of this policy as it pertains to their specific position responsibilities.

REFERENCES:

3.2.1 Conflict of Interest Policy, Civil Service Commission
2.5.3 Oath of Office - Directive, Personnel Policies and Procedures, Civil Service Commission
Manitoba Government Employees Master Agreement, Employee Files Article 56
Manitoba Developmental Centre, Policy and Procedures I-10, I-35, II-30 and IV-50
Freedom of Information and Protection of Privacy Act (FIPPA)
Personal Health Information Act (PHIA)
Council on Accreditation (COA) CA-RPM Risk Prevention and Management
Department of Families Privacy Breach Policy