

Procedure Title:

# Privacy Procedures

University Classification & Procedure Number:

TBD

Approval Body:

University Administration

Responsible Designate:

Vice-President, Finance & IT | Procedure Document ID: P-1 | MCID 42 BDC TT0 1 Tf0.016 Tc -0.016 Tw 9.96 -0 0 9.96 72 41

**Activity:** any particular transaction, act, or conduct or any regular course of conduct of commercial character, including the selling, bartering, or leasing of donor, membership, or mailing lists.

**Applicable or Eligibility Information:** the following Personal Health Information about an

- a unique identifier – not including a social insurance number or, except as provided above, any other pre-existing identifier – assigned to an individual by a Trustee for its own purposes, when accessed by any Trustee, and
- a non-Canadian unique health identification number.

**2.03 Department:** a University faculty, department, office, centre, or other unit.

**2.04 Electronic Health Information System:** a computer system or systems delegated to host PHI.

**2.05 Information Manager:** an individual, corporate organization, business, or association that processes, stores, or destroys PI or PHI, or provides information management or information technology services to or on behalf of the UO.289 0 T.4 (r)1.5 (a)5.7 (ti)4.9 (o)0.5 cr1 (i)3.1 (c)-8 (e)8.4 (v)4 (i)3.1 (c)-8



**3.03.03** The Use and Disclosure of PI or PHI shall be in a manner and location that ensures the security, accuracy, Integrity, and confidentiality of the information, to the extent that it is reasonable to do so.

**3.03.04** The Use and Disclosure of PI or PHI shall be limited to the minimum amount of information necessary to accomplish the purpose for which the information is Used or Disclosed and that a reasonable person would consider appropriate in the circumstances.

**3.03.05** PI or PHI shall not be Disclosed to any person, unless the individual to whom the information relates has provided consent for the Disclosure, or Disclosure is otherwise authorized under FIPPA or PHIA as cited in Table 1 above.

**3.03.06** Before Using or Disclosing PI or PHI, UW Community Members shall take reasonable steps to ensure that the information is accurate, up-to-date, complete, and not misleading.

**3.03.07** Disclosure to an Information Manager may only be made as permitted under s.44.1 of FIPPA ([Hyperlink](#)) or s.25 of PHIA ([Hyperlink](#)).

**3.03.08** Disclosure for research may only be made as permitted under s.47 of FIPPA ([Hyperlink](#)) or s.24 of PHIA ([Hyperlink](#)) and in compliance with any applicable University Human Research Ethics Board-approved Protocol.

**3.03.09** If Using or Disclosing PI or PHI in the course of Commercial Activity, the consent of the individual to whom the information relates is required, unless:

- a. Use or Disclosure without consent is permitted under sections 7 to 7.4 of PIPEDA ([Hyperlink](#)),
- b. it is impossible or impractical to seek consent, or
- c. the PI or PHI is not sensitive and the individual to whom the information relates would reasonably expect that consent is implied.

### **3.04 Consent for Collection, Use, and Disclosure of Personal or Personal Health Information**

**3.04.01** Where consent is required for the Collection, Use, or Disclosure of PI or PHI, that consent shall:

- a. be in writing or otherwise electronically or manually recorded;
- b. relate to the purpose for which the information is Used or Disclosed;
- c. be knowledgeable, so that it is reasonable to expect that an individual to whom the University's activities are directed would understand the nature, purpose, and consequences of the Collection, Use, or Disclosure of the PI or PHI to which they are consenting, including the implications of withdrawal of consent where applicable;
- d. be voluntary; and
- e. not be obtained through misrepresentation.

### **3.05 Administrative Safeguards**

**3.05.01** All PI and PHI shall be protected in accordance with the Information Security Policy and related Procedures.

**3.05.02** The University may require employees to complete training focused on privacy and information security.





### **3.11 Exercising Rights of Another Person**

Any right or power conferred on an individual by this Policy may be exercised by another person pursuant

**3.14.02** The sign, poster, brochure, or similar type of notice must be prominently displayed in as many locations and in such numbers as the Responsible Administrator reasonably considers adequate to ensure that the information is likely to come to the individual's attention.

#### **4.0 Relevant Legislation**

- x *The Freedom of Information and Protection of Privacy Act (FIPPA)*
- x *The Personal Health Information Act (PHIA)*
- x *Criminal Code of Canada*

#### **5.0 Related Policies, Procedures and Institutional**



