

## FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

### TIP SHEET FOR COUNSELLORS

- 1) **Personal Information** means recorded information about an identifiable individual, including:
  - the individual's name, home or business address or home or business telephone number;
  - the individual's race, national or ethnic origin, colour or religious or political beliefs or associations;
  - the individual's age, sex, marital status or family status;
  - an identifying number, symbol or other particular assigned to the individual;
  - the individual's fingerprints, blood type or inheritable characteristics;
  - information about the individual's health and health care history, including information about a physical or mental disability;
  - information about the individual's educational, financial, employment or criminal records where a pardon has been given;
  - anyone else's opinions about the individual, and
  - the individual's personal views or opinions, except if they are about someone else.
- 2) When writing reports, counsellors should ensure that whenever possible no other individual is mentioned by name. If a report contains personal information about another individual and the report is to be released, this third party information must be severed prior to its release.
- 3) Assume any record that you create may be read, particularly by the person or guardian of the person about whom you are writing. Avoid recording any personal information or opinions that cannot be supported. Stick to the basic facts.
- 4) If a record has been used to make a decision about an individual, that record and any accompanying information must be kept for a minimum of one year.
- 5) Access to student records, especially confidential files, should have a log indicating to whom and when the information was disclosed.

- 6) Counsellors have a desire to cultivate rapport and to maintain trust with students. Counsellors should **never** guarantee a student complete confidentiality. Rather, say to the student that you are more than willing to discuss any problem he or she has, and that you are willing and open to hear what he or she has to say, but that you cannot guarantee that you will not disclose the information to anyone.
- 7) An administrator/counsellor may refuse to disclose the existence of a student record or personal information in a student's record if the student's and/or anyone else's safety or health is threatened. In these cases, Child Welfare should be contacted.
- 8) In rare instances, an administrator/counsellor may refuse to disclose a student's personal information to the student if in the opinion of an expert (e.g. psychologist) the disclosure could reasonably be expected to result in immediate and grave harm to the student's health or safety. In these cases contact Student Services personnel and/or Child Welfare.
- 9) In light of the FOIP Act counsellors may feel that they do not want to share records (e.g. notes) with any other party. Counsellors should continue to record information regarding consultations with students.