

# Board Governance Policy Manual

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## Confidentiality Policy

### Purpose

Board and committee members have a duty to maintain confidentiality with respect to all matters that come into their knowledge or possession while exercising a power or performing their duties on the Board, on any committee appointed by the Board, or in the course of performing any duties under the *Health Professions Act*, Regulations or Bylaws.

### General requirements

Members will recognize the responsibility to maintain confidentiality and will undertake to refrain from providing any information or discussing any matter expressed in board or committee meetings, except where:

- a. The facts are already in the public domain and are authorized by the Board for discussion;
- b. A consensus has been reached by the Board with respect to discussion of a particular matter;
- c. The matter is one of general principle (e.g. principles of penalty, recognized ethical and professional standards) where confidential information about an individual matter would not be disclosed;
- d. In response to a specific request by any board member, the Board authorizes the discussion or release of information; and
- e. As required by the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c.165.

Members must take reasonable steps to ensure that information relating to all matters that come into their knowledge or possession in the course of their duties on the Board, on any committee appointed by the Board, or in the course of performing any duties under the *Health Professions Act*, Regulations or Bylaws is not improperly disclosed or used. This includes properly securing the source or location of the information that is in the member's possession or control, specifics of which follow.

Members must not disclose information confidential to the College to family, friends, colleagues or others and must not use this information for their own advantage or for the gain or advantage of others.

Where any member is unclear about whether an inquiry can be responded to, the member should raise the matter before the Board or, if this would cause unreasonable delay and the matter is urgent, the member should contact the registrar or the president.

On many occasions the issues discussed by the Board or committees will generate debate and invoke differing opinions prior to a decision being reached. Once a decision is reached, members should limit their comments to the decision per se and to the principles governing that decision. Members must not discuss the varying opinions of individual members and, in particular, should not discuss their own opinion if this differs from the decision reached by the Board or committee.

Members will not solicit or engage in public interviews with the media, or agencies, governmental or otherwise, with respect to issues involving the Board, committees or matters before either. Members should refer the media or any agencies requesting information to the College's communications and public affairs department. For more information, refer to the Media Relations Policy.

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Members will not engage in discussion or activities which undermine the goals or the public perception of the Board or the College. Members will often be contacted by physicians or members of the public who wish to express their views on general or specific matters which have been reported in the media. In these situations, the response of all members shall be governed by these guidelines. Where appropriate, an offer can be made to bring the concerns to the attention of the Board for information and discussion purposes. In appropriate circumstances the Board may then direct that a response be made or a position stated.

Members will return to the College any information confidential to the College that is in their possession or control promptly upon ceasing to be a member or at the request of the College.

Members are bound by this duty of confidentiality during their term as a board member and this duty continues after their term ends.

Members will be required to sign a copy of this Confidentiality Policy as indicated below.

Members will be proactive in identifying and reporting any breach of this policy.

## **Electronic materials**

Electronic materials may be sent on an encrypted universal serial bus (USB) key. These materials may only be viewed on a personal computer which utilizes the Microsoft Windows 7 operating system or higher, and adhere to the following requirements:

- each USB key is encrypted
- each USB key is labeled
- each USB key has a password that is 10 characters in length and includes capital and lower case letters, numbers and special symbols
- documents saved on the encrypted USB key do not have to be password protected
- each USB key is assigned to a board/committee member who wishes to receive the committee materials electronically

Encrypted USB keys containing board and committee materials must be provided through a secure method of delivery including courier, registered mail or hand delivery. The decryption password shall be sent separately from the USB key.

USB keys shall be returned to the College at the end of each board/committee meeting for reuse or secure physical destruction.

Board and committee members may not copy or use “save as” to download confidential board and committee materials from encrypted USB keys to their personal or business computer hard drives or other mobile computing devices.

## **Printed materials**

Where USB keys are not in use, board and committee meetings may involve a large volume of printed material. Reasonable security arrangements should cover every aspect of the committee materials from the time of delivery to the time of disposition. Such printed materials must be under the control of the board or committee member at all times, especially when being transported. These materials should never be left unattended due to risk of loss, theft, or misdirection. If it is ever necessary for material to be out of a member’s care and control, reasonable efforts must be made to ensure that the materials

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are not accessed by unauthorized parties. Such efforts include sealing a box to be checked in cargo, and initialing the seal to ensure integrity and continuity.

Alternatively, if printed material is required to be transported to the College for a meeting, the College may arrange for courier transport on adequate notice. Unless otherwise directed, hard copies will be available at all meetings.

Printed materials that are no longer required will be securely destroyed by College staff following a meeting.

## **Mobile computing devices and email**

Board or committee members may have possession of or access to College mobile computing devices, such as laptop computers, tablets, or smartphones, on which will be stored confidential board or committee materials. These must be treated with the same security mindedness as paper materials, and not leave the member's control. The loss of such devices must be immediately reported to the College so that information may be deleted.

The use of personal mobile computing devices, including smartphones, must be approved by the College's IT department; such devices are subject to remote data deletion by the College in the event of loss or theft.

Travel across international boundaries may involve a request that a border guard review all information of a mobile computing device. The legality of these requests has been upheld. You may either decline to transport any such device containing confidential information, or delete information from the device prior to departure and restore it to the device after the border has been crossed.

## **Contravention**

Contravention of this policy will be reviewed by the Board, which may, by resolution passed by two-thirds of the members voting on the resolution, reprimand, suspend or remove that member from the Board or any committee. The principles of administrative fairness will be engaged with any such review.

## **Application**

This policy applies to board members, committee members, and any other individual representing or doing work for the College. This policy creates an ongoing obligation which will continue to apply to board members, committee members and any other individual representing or doing work for the College during the period of the work and continues after their duties have ended.

I acknowledge that I have read and understood the College's Confidentiality Policy and agree to conduct myself in accordance with it.

Signature \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_