

## **CONFIDENTIALITY**

### **POLICY STATEMENT:**

Organizations are entrusted with information that is of a confidential nature. To be in compliance with privacy legislation, it is crucial that organizations maintain confidentiality and limit disclosure of such information. The right to maintain all confidential information constitutes a proprietary right which the Society is entitled to protect.

The high level of public support and respect that The Canadian Red Cross Society receives results not only from recognition of its humanitarian mission, but from the high degree of integrity, objectivity and professionalism of its delegates, employees and volunteers.

### **PURPOSE:**

It is the policy of the Society to limit the disclosure of confidential information that could be detrimental to the best interests of the Society, its beneficiaries or clients. The directives as defined within this policy are intended to enhance public confidence in the integrity of the Society and its employees, volunteers, delegates, students, and third party service providers.

### **SCOPE:**

This policy applies to all employees, volunteers, delegates, students, and third party service providers of the Society.

The duty to preserve the confidentiality of Society information extends beyond, and continues after the individual's termination of employment, engagement, or contract with the Society.

### **DEFINITIONS:**

***Confidential Information*** refers to information that, if disclosed without authorization, could be prejudicial to the interests of the Society and/or individual(s) in or associated with the Society. Confidential information includes but is not limited to the following:

- Any document which identifies a donor or a client by name.
- Any document which contains personal delegate, employee, or volunteer information beyond the name, title, business address, business e-mail and business phone number(s).
- In-camera (limited attendance by senior management and advisors who customarily attend meetings) minutes, or other minutes marked 'Confidential', resulting from Board meetings and/or their committees.
- Incoming and outgoing e-mails, hard-copy mail, and faxed document marked 'Private' or 'Confidential', including copies.
- Documents that contain trade secrets or proprietary information such that the sharing of said documents may assist a competitor(s).
- Any other document marked confidential by the sender. The sender will use discretion to identify what should be designated confidential in addition to the documents listed.

## **PROCEDURE AND APPLICATION:**

### A. Acknowledgment of 2.5 - Confidentiality

Before or upon assuming their official duties, all individuals will sign *2.5 - Confidentiality* certifying they have read and agree to abide by the standards as defined in this policy.

### B. Handling of Confidential Information:

Individuals employed by or engaged with the Society may, through the normal day-to-day provision of services, be entrusted with confidential information. Individuals are responsible for ensuring the privacy of confidential information and for exercising discretion in the handling of such information.

- i. Individuals will not knowingly, or willfully, directly or indirectly, misuse, disclose or disseminate to any third party any confidential information belonging to the Society which the individual acquired in connection with or as a result of their employment or engagement with the Society.
- ii. All records containing confidential information created or received by individuals must be protected against unauthorized access, collection, use, disclosure, retention or disposal through the use of reasonable security measures and effective records management. Refer to [2.9 - Privacy and Release of Information](#) for more information.
- iii. All delegate, employee and volunteer medical information will remain confidential except by written release or where the release is required by law. However, some types of insurance require the delegate, employee or volunteer to release information to insurer(s) in order to validate claims or eligibility.

### C. Disclosure of Confidential Information:

Employees, volunteers, delegates, students, third party service providers, clients, donors, and suppliers will be made aware that no information beyond that which is included on his or her business card (name, title, business address, email, phone number) will be disclosed to anyone outside the organization unless specific written authorization is given by the individual, or as required by law.

At all times, judgment and discretion must be used when asked to disclose confidential information. Unless required in the fulfillment of duties or with prior authorization, disclosure of confidential information (see definition above) to individuals outside the Society who are *not* authorized to receive such information, is strictly prohibited unless required by law.

### D. Breach of Confidentiality:

All individuals must comply with the following standards. Failure to do so will be considered a breach of confidentiality:

- i. Individuals must not place themselves in a position of obligation to persons who might benefit or appear to benefit from disclosure of confidential information.
- ii. Individuals must not benefit or appear to benefit from the use of information not generally available to the public and which was acquired during the course of their official Society duties.
- iii. Individuals must consult with their supervisor when they are requested to provide any information which may breach the confidentiality standards defined in this policy.
- iv. Individuals who receive unsolicited information, misdirected mail, or who have access to confidential information without authorization must notify their supervisor immediately.
- v. Any person working for/engaged with the Society, who for any reason, deliberately accesses or misuses confidential information not required in the performance of their duties is in breach of confidentiality, whether or not the information is disclosed to another person(s).

E. Termination of Employment/Engagement/Contract:

At the conclusion of their services, individuals must return all intellectual property, such as documents, papers, computer files and other materials in their possession or control that relates to the Society. Ownership of all documents, computer files and all other electronic or hard-copy material, will remain the property of the Society. Individuals are not permitted to make copies, in part or in whole, manually or electronically, of any confidential or proprietary information belonging to the Society.

The duty to respect the directives as defined within this policy continues after the individual's termination of employment, engagement, or contract with the Society. The Society shall have the right to enforce its lawful rights and seek legal remedies against any offending individual(s) who fail to comply with the directives as defined within the policy following termination of employment, engagement, or contract with the Society.

**BREACH OF POLICY:**

Individuals who fail to comply with this policy during the course of their employment, engagement, or contract with the Society or following the conclusion of their services, will be subject to disciplinary action, up to and including termination of employment, engagement, or contract with the Society, and/or legal action, as applicable.

**RESPONSIBILITIES:**

1. The National Director, Human Resources and Volunteer Services, in consultation with the Privacy Officer and the Legal Department, is responsible for advising stakeholders,

maintaining, monitoring, and revising this policy, for authorizing exceptions, and for adhering for the secure retention and destruction of confidential information.


2. Members of the Executive Management Committee (EMC) are responsible for applying and implementing this policy in each of their respective areas.

**INQUIRIES:**

All questions regarding this policy or the confidentiality of information must be directed to Human Resources or the General Counsel.

**REFERENCES:**

- 2.1– [Code of Conduct](#)
- 2.9– [Privacy and Release of Information](#)

Date Policy Approved:	July 31, 2013
Approved By:	 Tracey Pope <i>National Director, Human Resources and Volunteer Service</i>
Replaces Policy Number:	PO-HR-2.5-May05 ( <i>formerly Confidentiality and Conflict of Interest Procedure</i> )
Date of Last Revision:	May 2007
Date of Next Review:	July 31, 2014

*I have read and understood 2.5 - Confidentiality and agree to abide by the directives as stated within.*

\_\_\_\_\_  
*(Print name)*

\_\_\_\_\_  
*(Print witness's name)*

\_\_\_\_\_  
*(Signature)*

\_\_\_\_\_  
*(Witness's signature)*

\_\_\_\_\_  
*(Date)*

\_\_\_\_\_  
*(Date)*