

I cultivate rights

The right to confidentiality

In order to make this 8th annual event a success, Vigi Santé and the Residents' Committee of each of its centres have put their collaboration to good use during the thought process and the promotion of the rights of the residents. This year, the RIGHT TO CONFIDENTIALITY is the right that takes centre stage during the Residents' Rights Week.

In a world where information circulates rapidly and the boundary between private and public life thins, the right to privacy and the protection of personal information are topics worthwhile discussing. What is privacy? There is little information that is more personal and intimate than the one related to our health condition. It is the reason why several legal and ethical guidelines regulate practices within health care settings. In an environment where a person's home is also a health care environment, the respect for privacy carries its own set of challenges.

Watch for your centre's program and learn about the various activities that will take place.
Come cultivate with us!

*"From a confidence to an indiscretion
there is just the distance from a mouth to an ear."*

Amédée Pichot



WHAT THE LAW SAYS....

Several legal guidelines govern the respect of privacy. The Charter of Human Rights and Freedoms considers the right to privacy a fundamental right. It thus grants everyone the right to privacy (Article 5) and the right to professional secrecy (Article 9).

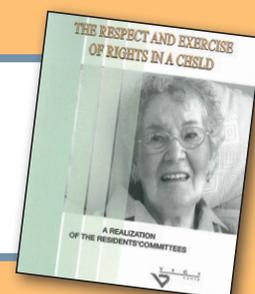
The Act Respecting Health Services and Social Services addresses confidentiality in several respects. First, Article 19 emphasizes the confidentiality of medical records, as well as the need for consent of the resident in order to access it. Article 17 addresses the right of every capable user to access their file. However, access to medical records is governed by strict policies and procedures. Everyone, including a resident, who wishes to consult a medical record, must make a formal request with the centre. When the residents themselves make the request, they are not required to give reasons why they wish to have access to their file. In the case of a resident's legal representative, they must justify their request by proving that obtaining this information is important in the performance of their function as representative.

The various professional orders that govern the rules of practice in CHSLDs all address privacy policies via their deontology. This is true for nurses, psychologists, social workers, doctors, occupational therapists, physiotherapists, etc. The Professional Code also states the same rule (Article 60). However, it also states that professional secrecy can be overridden if the professional has reasonable cause to believe that there is a risk of serious and imminent danger (violence, suicide, etc.) directly related to the communication of the information they hold. They can therefore communicate this information to the people concerned to prevent these events from occurring, without the consent of the individual in question. However, those are exceptional measures.

It is worth remembering also that, although the medical record contains the interventions from all the professionals as well as all the confidential information, professionals have access only to information relevant to their duties. Needless to say, everyone must exercise discernment.

At Vigi Santé, the code of ethics emphasizes the confidentiality and integrity of personal information entrusted to all staff, volunteers and visitors. In addition, the code of ethics insists on the importance of always selecting an appropriate and discreet location for discussions.

We invite you to view the video
"The respect and the exercise of rights in CHSLDs"
available on Vigi Santé's website at
www.vigisante.com





*It is reassuring to confide
in someone we trust.*



WAYS TO CONTRIBUTE TO A “CULTURE OF CONFIDENTIALITY”

As a resident or visitor in a CHSLD, you are asked to share the living environment of other residents. Obviously, everyone must be vigilant to ensure the principles related to confidentiality.

Here are simple actions to adopt to contribute to an environment of quality and free of indiscretions.

- Avoid addressing employees in places that are not appropriate for conversation or to ask for confidential information.
- Do not take a picture with a camera or a mobile device without the written consent of the people in the photo or legal representative
- Do not request information on the status and condition of residents other than those you represent.
- Report any breach of confidentiality to the people in charge of the center.

For more information, please consult the
“Between You and Me”, no. 27:
Confidentiality, a shared responsibility.



A WORD FROM THE SERVICE QUALITY AND COMPLAINTS COMMISSIONER OF VIGI SANTÉ

A COMPLAINT IS CONFIDENTIAL

People who exercise their right to complain are assured of a responsible, confidential and diligent examination of their complaint, without risk of reprisal. However, the complainant is clearly informed that the cooperation of the persons or parties concerned with the situation will be necessary to process their complaint. Furthermore, the Manager or any person who is questioned during the investigation of the Service Quality and Complaints Commissioner must act with the utmost discretion and remains bound to their obligation towards confidentiality.

In addition, the complaint file is confidential. The complaint file remains separate from the resident's file and any reference to the complaint must not be found in the medical record or within the notes of professionals unless the complainant has themselves mentioned it.

For more information about the complaint review system, including a new video clip, please visit the website of Vigi Santé at:

www.vigisante.com





TRUE OR FALSE

	True	False
1 It is my mother's birthday, and she is a resident of the CHSLD; I can take a picture at the monthly birthday party without the written consent of the other residents who appear in the photo.	<input type="checkbox"/>	<input type="checkbox"/>
2 When I give care to a resident, I can speak freely about the health status of another resident since the door is closed.	<input type="checkbox"/>	<input type="checkbox"/>
3 As a daughter/son, I automatically have access to my mother's medical file.	<input type="checkbox"/>	<input type="checkbox"/>
4 In a living environment such as a CHSLD, confidentiality goes beyond the information contained in the medical record.	<input type="checkbox"/>	<input type="checkbox"/>

PUZZLE

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Masculin is used in this publication for the sole purpose of ease of reading and without any discrimination.



“I cultivate the right to confidentiality”

Theme of Rights Week in all Vigi Santé’s CHSLDs Autumn 2015

Come cultivate with us, the harvest will only be better!

VISIT OUR WEBSITE AT:

www.vigisante.com

News, publications, and other information are available.

The Residents’ Committee of the CHSLD contributes to the promotion and respect of your rights. Do not hesitate to ask for their assistance.



Local Complaints and Service Quality Commissioner: Bonnie Helwer

By telephone : 514 684-0930, ext. 1439

By mail : 197 Thornhill Street, Dollard-des-Ormeaux (Québec) H9B 3H8



For more information, ask for our brochure “Your satisfaction is important to us”

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- Your CHSLD’s Residents’ Counsellor
- Vigi Santé’s Complaints and Service Quality Commissioner
- Vigi Santé’s Vigilance and Quality Committee
- Vigi Santé’s Director of Quality and General Management



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Une version française de ce feuillet est disponible sur demande.

ANSWERS - TRUE OR FALSE

- 1 FALSE :** The written consent of the resident or representative is required in order to take their picture.
- 2 FALSE :** As an employee, I cannot at any time share information about a resident.
- 3 FALSE :** Only the legal representative has access to the medical records of a resident, and only according to the procedure provided for this purpose.
- 4 TRUE :** The same applies to the information to which we have access in regards to the residents’ privacy. Let’s be discreet.

ANSWERS - PUZZLE : I have the right to confidentiality.