



## PGME Privacy Policy

<b>Category:</b>	Ethics, Privacy and Professionalism
<b>Responsibility:</b>	Associate Dean, PGME
<b>Approval:</b>	PGME Committee
<b>Date:</b>	Date initially approved: June 2022 Date(s) reformatted or revised: n/a

### Purpose:

The purpose of this policy is to ensure that the Postgraduate Medical Education Office complies with its obligations under [The Local Authority Freedom of Information and Protection of Privacy Act](#) to provide appropriate access to information and to protect the privacy of Personal Information that is in the possession or under the control of the PGME Office and/or the Residency Training Programs.

This document is intended to supplement the University of Saskatchewan's [Freedom of Information and Protection of Privacy Policy](#) and the PGME Resident Records & Access to Information Policy.

This policy is being written in accordance with the [CanRAC accreditation requirements](#).

### Principles:

All PGME and University policies and procedures are subject to and shall adhere to the provisions of the Act unless otherwise expressly permitted by law.

### Definitions:

**Act** refers to The Local Authority Freedom of Information and Protection of Privacy Act.

**Associate Dean, Postgraduate Medical Education (PGME)** the senior Faculty officer responsible for overall conduct and supervision of Postgraduate Medical Education within the Faculty in the College of Medicine. The Associate Dean, PGME reports to the Vice-Dean, Medical Education.

**Authorized Employee** refers to an employee, member of faculty or any other staff member of the University whose position and/or duties require regular or periodic access to Personal Information in the possession or under the control of the University.

**Members of the PGME Community** or **Member** refers to all employees, faculty or other staff as well as agents, contractors, persons or organizations acting for or on behalf of the Postgraduate Medical Education Office.

**Personal Information** refers to personal information about an identifiable individual that is recorded in any form, as defined by section 23 of the Act.

**Postgraduate Medical Education (PGME) Office** refers to the Associate Dean, PGME and the administrative personnel who are responsible for coordination and administration related to the oversight of the residency training programs.

**Program(s)** is the Royal College of Physicians and Surgeons of Canada or the College of Family Physicians Canada accredited residency training program at the College of Medicine.

**Regulations** refers to regulations made by the Lieutenant Governor in Council pursuant to section 57 of the Act.

**Resident** refers to postgraduate medical trainee enrolled in the RCPSC or the CFPC program.

**Third Party** refers to a person, group of persons or organization, including an unincorporated entity, other than an applicant or the University, and with respect to Personal Information, a person, group of persons or organization, including an unincorporated entity, other than the individual to whom the Personal Information relates.

**University** refers to the University of Saskatchewan.

## **Scope of this Policy:**

This policy applies to all Members of the PGME Community with access to Personal Information maintained by the University, PGME Office, or Programs. This policy applies to Personal Information recorded in any format.

Other PGME or University policies may complement this policy, particularly those governing access to institutional data and programs, systems, etc. that collect, use or disclose Personal Information. These may include, but are not limited to, the following policies:

- Information Technology Use
- Data Management
- IT Communications
- Management of PGME Records

# Policy:

## Protection of Privacy

### a) Collection of Personal Information

Personal Information will be collected only in the following circumstances:

- When it is necessary for the proper administration of the programs, services or general operations of the PGME Office or Programs.
- When it is expressly authorized or required by an enactment of the Government of Canada or the Province of Saskatchewan; or

Members of the PGME Community responsible for collecting Personal Information will be able to provide the reason(s) that the collection of such information is necessary.

To the extent that the Member collecting Personal Information is unable to answer questions regarding the reasons for collection, the person seeking clarification will be directed to another Member who is better suited to respond to the question(s) being asked.

Personal Information about an individual will be collected directly from that individual unless circumstances require that it be obtained from another source.

### b) Protection of Personal Information

The PGME Office and its Members will take reasonable and prudent measures to protect Personal Information from unauthorized collection, access, use, disclosure or destruction.

Personal Information will be accessed and stored in accordance with the PGME Resident Records & Access to Information Policy.

### c) Use of Personal Information

The PGME Office or Program may only use Personal Information:

- For the purpose(s) for which it was obtained or compiled, or for a use consistent with that purpose.
- For a purpose permitted, authorized or required by the Act; or
- For any other purpose provided that the explicit consent for such use has been provided by the individual to whom the Personal Information relates, or by someone duly authorized to provide such consent on behalf of that individual.

### d) Disclosure of Personal Information

The PGME Office or Program will only disclose Personal Information to Third Parties or allow it to be made public:

- For the purpose(s) for which it was obtained or compiled, or for a use consistent with that purpose;
- For a purpose permitted, authorized or required by the Act; or
- For any other purpose provided that the explicit consent for the disclosure has been provided by the individual to whom the Personal Information relates, or by someone duly authorized to provide such consent on behalf of that individual.

#### **e) Access and Correction of Personal Information**

The PGME Office will make reasonable efforts to ensure that all Personal Information in its possession or under its control is as complete and accurate as is required for the purpose(s) for which it was collected.

Subject to the PGME Residence Records & Access to Information Policy and any exemptions or restrictions set out in the Act, individuals shall have the right to access Personal Information about themselves which is in the possession or under the control of the PGME Office or Programs.

In the event that any of the Personal Information in the possession or under the control of the PGME Office or Program is incorrect, incomplete or otherwise inaccurate, the individual to whom that Personal Information relates has the right to request that it be amended or corrected. When such corrections have been requested, the University will review and confirm the corrections and provided that it is satisfied that a correction is warranted, the PGME Office or Program will make the correction as soon as reasonably possible.

#### **f) Retention and Disposal of Personal Information**

Personal Information will be retained by the PGME Office or Program in accordance with the PGME Residence Records & Access to Information Policy.

## **Responsibilities**

The University Access and Privacy Officer is available to advise on and coordinate freedom of information and protection of privacy matters.

The Program and Residents are expected to comply with the [Health Information Protection Act](#) and the policies and procedures of the PGME Office through which they're collecting, accessing, using or disclosing personal health information.

## **Non-compliance:**

Instances or concerns of non-compliance with this policy should be brought to the attention of the Associate Dean, PGME.

In consultation with the University of Saskatchewan, the PGME Office may take one or more of the following actions against anyone whose actions are in violation of the Act, other applicable privacy laws or this policy:

- Legal action that could result in criminal or civil proceedings; or
- In the case of Residents, disciplinary action under the Council regulations for Student Academic Dishonesty and/or the University of Saskatchewan Standard of Student Conduct; or
- In the case of employees, faculty or other staff, disciplinary action in accordance with applicable collective agreement(s), legislation and/or common law, up to and including immediate termination of employment.

## **Procedures:**

The PGME Office, in consultation with appropriate colleges, departments and administrative units, may establish guidelines and procedures arising from this policy as required.

Members of the University Community will contact the Access and Privacy Officer for guidance on complying with the Act and applying this policy and any related procedures.

## **References:**

This policy been adapted with permission from the [University of Saskatchewan Freedom of Information and Protection of Privacy](#) Policy.

## **Contact:**

Coordinator, Academic & Non-Academic Policies & Procedures, PGME Office  
Phone: 306-966-6145