

DISCLOSING PERSONAL INFORMATION FOR HEALTH AND SAFETY REASONS

In normal circumstances, personal information may be disclosed as follows:

Internal disclosure: This is disclosure of personal information to other VIU employees, volunteers or service providers. As a rule, internal disclosure is permitted by law on a “need-to-know” basis.

External disclosure: This is disclosure of personal information to somebody outside VIU. External disclosure is tightly restricted by law and generally requires the written consent of the individual to whom the information pertains.

However, the above rules do not apply if it is necessary to disclose personal information to protect health or safety. **Health and safety trumps privacy.** Staff and faculty members may have an obligation to disclose personal information to the extent necessary to avert harm to the health, safety or welfare of people, property or infrastructure.

Disclosing information for Health & Safety Reasons

VIU is authorized to disclose personal information in the following circumstances:

- a. the information is necessary for the protection of the health or safety of an employee;
- b. compelling circumstances exist that may affect others’ health or safety; and/or
- c. the next of kin or a friend of an injured, ill or deceased individual may be contacted.

VIU is also legally required to disclose personal information, without delay, in the following circumstances:

- a. there is a risk of significant harm to the environment or to the health or safety of the public or a group of people; and/or
- b. there is reason to believe that a minor (anyone under the age of 19) has been or is likely to be abused or neglected.

The following principles guide the decision about whether staff and faculty members should disclose personal information for health or safety reasons:

- a. there must be reasonable grounds to believe that there is a risk of harm to health or safety;
- b. releasing personal information must be the only reasonable way to avert this harm; and,
- c. the benefit of disclosing the information must outweigh the harm to the privacy of the individual in question.

Consent

Consent is not necessary in order to disclose personal information to other VIU staff or faculty for health and safety reasons (internal disclosure). Where possible, however, VIU should not disclose personal information outside VIU (external disclosure) without the consent of the individual to whom the information pertains. However, if it is impossible or impracticable to get consent, information may still be released if necessary for health or safety reasons.