

BOARD MANUAL

SUBJECT: Freedom of Information and Protection of Privacy Act (FIPPA) Delegation of Duties		NUMBER: 2-D-12
SECTION: Board Processes	APPROVED BY: Board of Directors	
DATE: December 7, 2020	REVISED/REVIEWED: April 28, 2021, April 27, 2022	

This policy is identical to Corporate Manual Policy 2-21. The Board endorses and adheres to the Corporate FIPPA Delegation Policy 2-21

Policy:

Section 2 (1) (a.1) of the *Freedom of Information and Protection of Privacy Act*, 1990 (FIPPA) defines “head” in the case of a public hospital, as the chair of the board of the hospital.

Section 62 (1) of FIPPA specifies that a head may, in writing, delegate a power or duty granted or vested in the head, to an officer of the institution.

The term “officer” is not explicitly defined in FIPPA and as such, is interpreted in this policy to mean an employee with oversight for the privacy program at Cambridge Memorial Hospital who holds the title Chief Privacy Officer.

The officer to whom the accountabilities are delegated must ensure:

- The Hospital responds to Freedom of Information (FOI) requests in compliance with FIPPA; and
- Personal information is collected, used, disclosed, retained, and disposed of in accordance with FIPPA.

Procedure:

1. Delegation under Section 62 (1) of FIPPA shall be made in writing as described in Appendix A. Changes to, or cancellation of a delegation must also be in writing.
2. A delegation is made to a position or title and not to a named individual. CMH has named the position Chief Privacy Officer as the delegated position and the position Privacy Officer as the alternate.
3. The Hospital maintains records of the delegation of duties for FIPPA in the CEO’s office

Developed in Consultation with:

- CMH Chair of Board of Directors
- CMH Chief Executive Officer

- Director Patient Experience, Quality, Risk, Privacy & IPAC; Chief Privacy Officer
- Senior Director Strategy, Performance and CIO

Appendix A

Delegation of the Chair of the Board's FIPPA Duties

I, David Pyper, as Chair of the Board of Cambridge Memorial Hospital, delegate all of my powers and duties under *Freedom of Information and Protection Act*, 1990 to the Chief Privacy Officer.

If the Chief Privacy Officer is not reasonably available (e.g. due to illness, vacation), then these powers and duties shall be delegated to the Privacy Officer until the Chief Privacy Officer is available.

David Pyper

Liane Barefoot

Board Chair

Director, Patient Experience, Risk & Quality

December 7, 2020

December 7, 2020 date to be updated

Witness Name

Witness Name

December 7, 2020

December 7, 2020