

# Information Sharing Quick Reference Guide

## PURPOSE




This document provides guidance for SchoolsPlus staff and departmental and agency partners, to allow them to make decisions on how and when to share information about children, youth, adults, and families.

## VISION

Integrated Service Delivery under the SchoolsPlus Program, using authorized and effective information sharing, provides the best treatment for youth at risk.

## LEGISLATION

There are two major pieces of privacy legislation in Nova Scotia, the *Freedom of Information and Protection of Privacy Act* and the *Personal Health Information Act*. There may be other applicable legislation (e.g., *Youth Criminal Justice Act*, *Education Act*, *Children and Family Services Act*) and policies pursuant to those laws.

 <b>Green Light</b>	 <b>Yellow Light</b>
<p>Generally speaking, pursuant to the <i>Freedom of Information and Protection of Privacy Act</i> and the <i>Personal Health Information Act</i>, personal information and personal health information <b>can be shared</b> under the following circumstances:</p> <ul style="list-style-type: none"><li>• with written consent, <b>or</b></li><li>• to avert or minimize imminent danger to the health or safety of the youth or other person(s), <b>or</b></li><li>• to report a youth who might need intervention under the <i>Children and Family Services Act</i>, <b>or</b></li><li>• by order of the Court</li></ul> <p>Generally speaking, pursuant to the <i>Personal Health Information Act</i>, personal health information <b>can also be shared</b> by a “custodian” (as defined by the Act) to a “custodian” involved in the individual’s health care, if the disclosure is reasonably necessary for the provision of health care to the individual, and the individual’s consent to disclose the information has not been revoked or withdrawn.</p>	<p>In the following circumstances, obtain more information and/or get advice from a supervisor, consultant, or lawyer:</p> <ul style="list-style-type: none"><li>• when consent is not provided or refused, but where there may be a health or safety issue for an individual or groups, <b>or</b></li><li>• to report criminal activity to police, <b>or</b></li><li>• where there is a demand or request to produce information for a legal proceeding, <b>or</b></li><li>• when a professional code of ethics may be perceived to limit disclosure</li></ul>
	 <b>Red Light</b>
	<p>Information can <b>never be shared</b> if there is</p> <ul style="list-style-type: none"><li>• a legislative requirement barring disclosure, <b>or</b></li><li>• no consent and no need to know, nor overriding health/safety concerns, <b>or</b></li><li>• consent but no need to know, nor overriding health/safety concerns</li></ul>

## Resources

*Nova Scotia Freedom of Information and Protection of Privacy Act and Personal Health Information Act*  
<http://nslegislature.ca/legc/~office.htm>

*Youth Criminal Justice Act*  
<http://laws-lois.justice.gc.ca/eng/index.html>

## For more information, contact:

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