

AR1000 - Photography, Videotaping & Audio-Recording in IH Owned Facilities or Served Care Areas

Interior Health would like to recognize and acknowledge the traditional, ancestral, and unceded territories of the Däkelh Dené, Ktunaxa, Nlaka'pamux, Secwépemc, St'át'imc, Syilx, and Tšilhqot'in Nations, where we live, learn, collaborate and work together.

Interior Health recognizes that diversity in the workplace shapes values, attitudes, expectations, perception of self and others and in turn impacts behaviors in the workplace. The dimensions of a diverse workplace includes the protected characteristics under the human rights code of: race, color, ancestry, place of origin, political belief, religion, marital status, family status, physical disability, mental disability, sex, sexual orientation, gender identity or expression, age, criminal or summary conviction unrelated to employment.

1.0 PURPOSE

To provide direction to Interior Health (IH) staff, Agents and physicians in situations where a Patient or their friends, visitors, family members or members of the public wish to take photographs, video or audio recordings in any IH Facility or Served Care Area.

To comply with legislation including the BC Privacy Act¹, Freedom of Information and Protection of Privacy Act² (FIPPA) and the Workers Compensation Act³.

2.0 DEFINITIONS

TERM	DEFINITION
Agent	Any individual or organization that has a business relationship with IH, including but are not limited to, physicians, contracted health care providers, researchers, volunteers, students, contractors, sub-contractors, vendors/suppliers or any individuals directly or indirectly associated with IH.
Audio Recording	A voice capture by any form of electronic and/or tape recording device (e.g. tape recorder, digital recorder).
Business Contact Information	Information to enable an individual at a place of business to be contacted and includes the name, position name or

¹ http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_96373_01

² http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/96165_00

³ https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/19001_00

Policy Sponsor: VP, Clinical & Corporate Services		1 of 5
Policy Steward: Leader, Information Privacy		
Date Approved: April 2016	Date(s) Reviewed-r/Revised-R: May 2019 (R), January 2023 (R)	
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	title, business telephone number, business address, business email or business fax number of the individual ⁴ .
Facility	Includes all IH owned, operated, leased or contracted facilities, grounds, and vehicles, where care is provided by IH staff, Agents and physicians.
Patient	Patients, clients, or residents in IH acute care facilities or other settings where IH is providing care or services
Personal Information	Recorded information about an identifiable individual other than Business Contact Information. This includes but is not limited to: <ul style="list-style-type: none"> • the individual's race, national or ethnic origin, color, or religious or political beliefs or associations; • the individual's age, sex, sexual orientation, marital status or family status; • an identifying number, symbol or other particular assigned to the individual; • the individual's fingerprints, blood type or inheritable characteristics, images of the person, or identifiable audio recordings; • information about the individual's health care history, including a physical or mental disability; • information about the individual's education, financial, criminal or employment history; • anyone else's opinions about the individual, and • the individual's personal views or opinions, except if they are about someone else.
Photograph	Any still image captured by any form of electronic or photographic equipment (e.g. cell/smart phone, digital film camera, standard camera).
Privacy	Refers to the right of an individual to determine with whom their personal information is shared, under what circumstances and to know of and exercise control over the collection, use, disclosure and access to any personally identifiable information collected about them.

Policy Sponsor: VP, Clinical & Corporate Services	2 of 5
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Recording Equipment	Refers to any type of technology used to audio record, photograph or video record, including but not limited to electronic or photographic equipment (i.e. cell/smart phone, digital film or video camera, standard camera), electronic and/or tape recording device (e.g. tape recorder, digital recorder).
Served Care Area	Includes any location outside of IH Facilities, such as client homes, where health care services may be provided by Staff, Agents, and/or physicians.
Staff	A person currently employed by IH who is active on the payroll.
Therapeutic Value	Any action or service that a clinician determines may provide more positive benefits than potential harm for a client or patient.
Video Recording	A still or moving image captured by any form of electronic and/or film recording device (e.g. video camera, cell phone, digital film camera).

3.0 POLICY

3.1 Rationale

People occasionally wish to take photographs, video-record or audio-record interactions with care providers or Patients in settings where IH is providing care or services. The BC Privacy Act requires the individuals taking photographs, video or audio recording to obtain consent from any individuals including but not limited to Patients, visitors, Staff, Agents and physicians, who could potentially be captured in the images or recordings. Failure to do so violates the personal privacy, possibly the safety of others and if done willfully and without authorization, such “surveillance” is an actionable offense under that Act.

Part of IH’s responsibilities, under Section 30 of the FIPPA, is to establish reasonable safeguards to protect the confidentiality of all Personal Information in its custody and/or control. Photographs, Video Recordings and Audio Recordings of individuals taken by Staff, Agents and physicians are subject to FIPPA and must only be taken for authorized purposes and using authorized means/processes as per IH Policy AR0400 – Privacy and Management of Confidential Information.

Policy Sponsor: VP, Clinical & Corporate Services	3 of 5
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Furthermore, IH must also provide a safe workplace, where Staff, Agents and physicians are not subjected to harassment or intimidation, as required by WorkSafe BC regulations⁵.

3.2 Scope

This policy applies to any situation where a Patient or their friends, visitors, family members or members of the public wish to take Photographs, Video Recordings or Audio Recordings in any Facility or Served Care Area.

This policy does not apply to Photographs, Video Recordings or Audio Recordings by Staff, Agents and physicians, or to media or other third party requests. IH Policy AR0400 – Privacy & Management of Confidential Information addresses these situations.

4.0 PROCEDURES

Staff, Agents and physicians have the discretion to permit or prohibit Photograph, Video Recording or Audio Recording interactions with care providers or Patients in Facilities, or Served Care Areas on a case by case basis.

Staff, Agents and physicians will:

- determine whether or not to permit or prohibit the proposed activity, based on the context and nature of the situation;
- use their best judgment along with the related *AR1000 Decision Support Tool Guideline* and seek additional support, assistance and guidance as required to inform their decision;
- document in the Patient’s health or service record, any situation where the proposed activity has been prohibited and whether the Patient or visitor continues to pursue their Photography, Video Recording or Audio Recording. They may seek assistance from IH Protection Services and/or Risk Management as required; and
- report in a timely manner unauthorized recordings of individuals to IH’s Information Privacy (IHPrivacy@interiorhealth.ca) office.

⁵ https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/296_97_01#section22

Policy Sponsor: VP, Clinical & Corporate Services	4 of 5
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Staff, Agents and physicians will NOT:

- be involved in obtaining consent or permission of third parties, on behalf of people who wish to take Photographs, Video Recordings or Audio Recordings;
- remove cameras, cell phones or other recording devices belonging to people who record activities without permission, or attempt to erase information from this equipment, without the owner’s permission.

5.0 REFERENCES

1. [AR0400 – Privacy and Management of Confidential Information](#)
2. [AR1000 Decision Support Tool Guideline](#)
3. [AR1000 Poster](#)
4. [AV2500 – Violence Prevention](#)
5. [Pixalere Photograph Guidelines](#)
6. [Photo Consent – Clinical Purpose](#)
7. [Photo Consent – Communications/Media](#)

Policy Sponsor: VP, Clinical & Corporate Services	5 of 5
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