



IDENTIFICATION

Department	Position Title	
Northwest Territories Health and Social Services Authority	Territorial Privacy Specialist	
Position Number(s)	Community	Division/Region(s)
07-14994	Yellowknife	Quality, Risk and Client Experience/HQ

PURPOSE OF THE POSITION

The Territorial Privacy Specialist is accountable for working collaboratively with stakeholders to manage and ensure the *Health Information Act*, the *Access to Information and Protection of Privacy Act*, and other relevant legislation that addresses privacy matters are complied with in the delivery of Northwest Territories Health and Social Services Authority's (NTHSSA) programs and services and is an expert advisor on all aspects of privacy and health information incident investigations.

SCOPE

Reporting to the Territorial Risk Manager (Manager) of the NTHSSA, the Privacy Specialist (Specialist) is located in Yellowknife and is responsible for researching, analyzing, developing, implementing and in-depth investigation into all patient safety incidents, critical incidents and unusual occurrences where personal health information has been impacted while promoting programs and services to support a health privacy culture across the Northwest Territories (NWT) health and social services systems.

The NTHSSA is the single provider of all health and social services in the Northwest Territories (NWT), with the exception of the Hay River and Tẖcẖ regions, and was established to move toward one integrated delivery system as part of the government's transformation strategy. Health and social services includes the full range of primary, secondary and tertiary health and social services.

While the Tẖcẖ Community Services Agency (TCSA) will operate under a separate board and the Hay River Health and Social Services Agency (HRHSSA) will also operate under a separate board in the interim, the NTHSSA will set clinical standards, procedures, guidelines and

monitoring for the entire Northwest Territories. Service Agreements will be established with these boards to identify performance requirements and adherence to clinical standards, procedures, guidelines and policies as established by the NTHSSA.

The Department of Health and Social Services (DHSS) plays an important role in the connectivity between the NTHSSA, the TCSA and the HRHSSA because it establishes the common policy framework and common standards for the entire system. Operational consistency and collaboration across these three authorities is required to provide a quality, integrated Health and Social Services system for the NWT.

The Specialist works within a legislative, regulatory and policy framework that includes the *Hospital and Social Services Administration Act*, the *Mental Health Act*, the *Public Health Act*, the *Medical Professions Act* and Medical By-laws of the NTHSSA, the *Nursing Professions Act*, the *Child and Family Services Act*, the *Access to Information and Protection of Privacy Act* and the *Health Information Act*, as well as GNWT, DHSS and NTHSSA policies and procedures.

The Quality, Risk and Client Experience Division promotes and supports safe, quality patient/client centered care and services through leading in-depth investigations into all patient safety incidents, critical incidents and unusual occurrences while providing subject matter expertise and education, minimizing risk and facilitating the implementation of best practices and system knowledge.

There is a significant shift to approaching risk management with a proactive lens. This requires the Specialist to not only consider current policy, procedure, and system impacts, but ensure a forward look for future opportunities for quality care and safety improvements into health information across the NWT. The Specialist is the NTHSSA's source of expert advice and information on managing patient and client health information and is responsible for conducting in-depth investigations into all patient safety incidents, critical incidents and unusual occurrences impacting personal health information, and to monitor, analyze, provide advice, recommendations and/or improvements in the quality of client care clients and patients receive in the Northwest Territories that ensure the standards for care outlined by Accreditation Canada are met.

With advancements in information technology and information services and the Health and Social Services integrated approach to service delivery, there is a greater sensitivity to issues of confidentiality, privacy, the security of information, and related risks and liabilities, amongst clients/patients, as well as providers and the organization.

The Specialist leads, plans and evaluates privacy breach investigations, legal reviews, coroner's investigations, potential litigation incidents and all patient safety incidents, critical incidents and unusual occurrences related to personal health information, which can require immediate and accurate attention. Many of the issues that arise from these investigations are unique, complex, very personal and of a highly confidential nature, and generally relate to patients/clients, staff, physicians and/or the business operations of the organization. Consequently, the nature of these investigations will require the incumbent to develop therapeutic, client centered relationships with individuals who have experienced traumatic

events as a result of system errors. Given the nature of these investigations some patients, clients and/or staff may become abusive.

The Specialist provides expert advice and support relating to access to information and protection of privacy matters. In addition to the development and monitoring of privacy policy across the NTHSSA, the Specialist also conducts research and analysis to ensure privacy practices and policies are current and in line with best practices identified at the territorial, national and/or international level. The Specialist facilitates the establishment and implementation of a Territorial-wide privacy training program in collaboration with key managers and Quality Specialists throughout the NTHSSA.

The Specialist is considered the expert on health privacy, confidentiality, and information sharing throughout the NTHSSA and provides advice and guidance aligned with legislation, policy and procedure. The Specialist will enforce the respectful use of client/patient health information, and be responsible for recommending and implementing operational policies across the NTHSSA.

The Specialist will contribute to the implementation, monitoring and evaluation of the NWT Health and Social Services Privacy Framework. The Privacy Specialist will aid in the identification and provide advice on privacy policies and procedures

The Specialist ensures effective communication and tracking of requests for health information in order to comply with standards, and plays a lead role in the development and implementation of training for staff on privacy, confidentiality, information sharing and related matters. The Specialist reviews Privacy Impact Assessments (PIAs) and Threat Risk Analysis (TRAs) relating to new technologies and information systems that offer support for the NTHSSA, TCSA, and HRHSSA, and provides recommendations for consideration and approval.

The Specialist develops and maintains productive partnerships with colleagues and stakeholders throughout the NTHSSA, TCSA, HRHSSA, and DHSS. The Specialist is required to actively promote a high-quality, friendly, respectful workplace that is safe, healthy, supportive and client-centered. The Specialist fosters respectful, compassionate, culturally appropriate care that is responsive to the needs, values, beliefs and preferences of the clients and their family, supporting mutually beneficial partnerships between clients, families and health care providers.

A variety of duties are assigned to the Specialist and the incumbent must effectively assess and prioritize projects in order to achieve a successful outcome.

RESPONSIBILITIES

- 1. Provides subject matter expertise throughout the NTHSSA on access to health information and privacy incident investigation.**
 - Provides advice and subject matter expertise on all patient complaint and concerns regarding personal health information, investigations into all patient safety incidents,

critical incidents and unusual occurrences impacting personal health information, the interpretation of legislation and regulations, the development of policies and procedures and the implementation of best practices in the areas of privacy, breaches, access to health information, and policy development.

- Provides advice on responses to the requests for information coming directly to the NTHSSA from the Information and Privacy Commissioner, to ensure compliance to privacy legislation, policy and best practice.
- Participates in a variety of planning meetings and activities, including the Territorial Privacy Committee, throughout the NWT, ensuring that all processes, procedures and decisions are reviewed and analyzed for potential privacy risks and plans for mitigating the risks are developed.
- Utilizes subject matter expertise to participate in investigations and advise on all privacy and confidentiality incidents throughout the NTHSSA. Uses expertise to proactively review incidents, identify areas of risk or quality improvement, and provide insights and recommendations to NTHSSA, TCSA, HRHSSA and the DHSS.
- Utilizes collaboration and expertise to act as a liaison between the DHSS and the NTHSSA to ensure any questions on joint HIA review requests are processed and handled in a timely and consistent manner.

2. Leads, investigates, coordinates and evaluates all patient safety incidents, critical incidents and unusual occurrences related to personal health information throughout the NTHSSA, in collaboration with the Manager, Director of Quality Risk and Client Experience, COO's, Territorial Managers, Regional Managers and other stakeholders.

- Proactively leads the intake and investigation of all patient safety incidents, critical incidents and unusual occurrences impacting personal health information. This includes an initial discussion and disclosure of the incident to the patient, client or family. The incumbent is usually the first point of contact for patients experiencing grief or trauma as a result of system errors and offers the apology, under the Apology Act, to the patient, client or family.
- Throughout these investigations, the Specialist is required to maintain a therapeutic relationship with the patient, client or family and provide them with frequent updates, referrals, advice and be their advocate throughout the process.
- The Specialist is responsible to ensure a thorough analysis of all details surrounding all patient safety incidents, critical incidents and unusual occurrences impacting personal health information is completed including conducting interviews with staff, practitioners, patients, clients and families, as well as other stakeholders as deemed necessary to ensure due diligence (RCMP, Legal Advisors, GNWT Risk Management, Information and Privacy Commissioner, Chief Privacy Officer of Health, etc.).
- Ensures the chain of evidence and continuity of incident investigations are maintained.
- The Specialist is responsible for ensuring a qualitative report is completed for all patient safety incidents, critical incidents and unusual occurrences impacting personal health information, that the results are professionally and sensitively provided to the patient, client or family and that all recommendations are acted upon.

- The Specialist is responsible for providing the patient, client or family with the final apology and disclosure at a final disclosure meeting that includes the appropriate program or service representative. The incumbent is responsible for ensuring that the communication at this meeting is professional, respectful and that the family is provided with the support, resources and referrals necessary.
 - Facilitates and supports regional systems review processes and investigations in response to critical incidents, adverse events and complaints impacting personal health information, including the development of reports and recommendations on necessary quality improvements.
 - Tracks and trends Quality reviews, incident investigations and unusual occurrences impacting personal health information.
 - Assists in the preparation and submission of all potential lawsuits and insurance claims for the Insurer and Legal Counsel, in a proactive, timely and concise fashion.
3. **Supports the planning, developing, implementing, maintaining and continuously evaluating of the NTHSSA Privacy Framework and compliance with ATIPP and HIA.**
- Completes the analysis and evaluation of ATIPP and HIA requests, ensuring that senior management is aware of significant requests and outlining the implications and advisability of possible options. Assists with communication strategy development around requests and breaches as required.
 - Participates in the evaluation, review and revision of contracts, protocol agreements, and information sharing agreements drafted by divisions within the NTHSSA to ensure compliance with ATIPP and HIA. Reviews and collaborates with Territorial staff on any new programs including software, policies and procedures that may impact client privacy, including the development and submission of Privacy Impact Assessments.
 - Develops, implements, and evaluates the standardized system-wide privacy orientation and training for new hires, existing employees, volunteers and contractors of the NTHSSA and assists with the establishment of strategies to communicate with the clients and the public about their privacy rights.
 - Assists in the reporting of all privacy breaches to the Information and Privacy Commissioner and the Chief Health Privacy Officer in an expeditious fashion and that all details around the investigation of the breach are organized and tracked.
 - Evaluates and tracks data pertinent to the access of patient records and recommends to senior leadership processes and practices that prevent unnecessary access.
 - Processes requests for information in collaboration with Release of Information Clerks, from receipt of the request to disclosure of the records, ensuring that the request is completed as identified in the Act.
 - Supports program areas in developing PIAs and TRAs, and provides recommendations to limit privacy risk exposure to clients, service providers and the NTHSSA
4. **Supports the development of internal and external communication plans related to privacy and any implications or impact that may exist from the HIA and/or ATIPP.**
- Supports the development/delivery of best practice, education, and training legislation and policy, territorial privacy initiatives, privacy impact assessments, and threat risk assessments

- Prepares HIA and ATIPP presentations for all stakeholders as required.
- Collaborates with the Communications team on the development of public messaging and public awareness campaigns regarding privacy information.

5. Develops and implements new and updated privacy policies, procedures, practices, and protocols.

- Develops, implements, and ensures privacy policies are in alignment with existing HIA and ATIPP legislation, as it relates to the collection, storage, and sharing of personal information or personal health and social services information.
- Conducts regular research and maintains current knowledge of changes to legislation to update, change, or develop privacy policy and protocol.
- Monitors legislative changes and other developments that prompt an amendment to current policies and practices, and develops/designs updated processes for approval.
- Provides advice on changes or updates to policy, and areas of potential risk or noncompliance.
- Promotes clients' and families' involvement in planning and service design, including quality improvement activities in the area of privacy.

WORKING CONDITIONS

Physical Demands

No unusual demands

Environmental Conditions

No unusual demands.

Sensory Demands

Daily the incumbent is required to develop therapeutic client centered relationships with impacted and traumatized individuals, while actively listening, communicating with and observing patients, clients and families for cues to determine their mental and emotional status and intervene as necessary.

Mental Demands

On a daily basis the incumbent will be exposed to emotionally upsetting experiences while conducting investigations and providing advocacy, support, and resources to patients, clients, families, staff, lawyers and other stakeholders. On a daily basis the incumbent will be faced with potentially traumatic information as a result of the details revealed through the incident investigation process. The therapeutic relationship is initiated when the QRM-North discloses to the patient, client or family that trauma has occurred and offers an apology on behalf of the system. This relationship is then fostered by the QRM -North throughout the investigation,

which can take many months to complete. Given the nature of the loss or trauma being revealed to the patient, client or family, some patients/clients may become abusive.

On a weekly basis, the incumbent will be faced with numerous ethical dilemmas that will challenge their morals while investigating incidents.

Daily, the incumbent will be exposed to numerous interruptions, unknown factors, uncontrolled work flow and competing demands as a result of an incident occurrence. Weekly the incumbent may be required to adjust their work hours into the evening and weekends to complete incident investigations.

KNOWLEDGE, SKILLS AND ABILITIES

- Knowledge of all aspects of risk identification, loss prevention, and loss reduction in information privacy areas.
- Knowledge of federal and provincial privacy legislation
- Knowledge of legislation, policies and procedures that affect the delivery of health and social services in the NWT. ,
- Knowledge of policy development and implementation.
- Knowledge of the GNWT, the Health and Social Services Systems, and the overall privacy map to understand how privacy policy should be practically applied and adhered to
- Knowledge of legal aspects of health and social services programs including release of information, rules of confidentiality, legalities in medical chart documentation, consent law and other medico-legal healthcare areas.
- Ability to acquire and apply knowledge of health and social services legislation in the NWT, including the *Hospital Insurance and Health and Social Services Administration Act*, *Medical Profession Act*, *Nursing Profession Act*, *Guardianship Act*, *Public Health Act*, *Coroners Act*, *Access to Information and Protection of Privacy Act (ATIPPA)*, *Health Information Act (HIA)*, *RNANT/NU Bylaws*, *NTHSSA Medical and Professional Staff Bylaws*, *Mental Health Act*, *Child and Family Services Act*, as well as GNWT, DHSS and NTHSSA policies and procedures.
- Ability to apply a high level of sensitivity in responding to and handling client concerns.
- Knowledge of word processing programs and spreadsheets.
- Communication skills to influence others to comply to privacy policy and standards
- Analytical and problem solving skills used to deal with incidents, and assess areas for risk.
- Organizational, time management, facilitation, and presentation skills to manage multi-disciplinary responsibilities in a timely and effective manner.
- Ability to understand the geographical and cultural needs of the people and to apply sensitivity to how community and culture impact the delivery of health care.
- Ability to develop and maintain positive working relationships with individuals, agencies, elected community leaders, and employees in order to communicate program information, including the ability to obtain and respond to feedback from these individuals
- Ability to build solid partnerships and strategic alliances based on trust and to work with a variety of people from different backgrounds and personalities.

- Ability to apply creative and innovative approaches to policies and health to meet territorial needs.

Typically, the above qualifications would be attained by:

Completion of a Bachelor's Degree in a health-related discipline, law, public administration, or business administration, with a minimum of three (3) years' relevant experience in a policy and legislation setting.

ADDITIONAL REQUIREMENTS

Proof of immunization in keeping with the current public health practices is required.

Assets include:

- Certification or post graduate degree in risk management
- Direct working experience in the areas of privacy legislation, research
- Project planning, implementation and evaluation

Position Security

- No criminal records check required
- Position of Trust – criminal records check required
- Highly sensitive position – requires verification of identity and a criminal records check

French language (check one if applicable)

- French required (must identify required level below)

Level required for this Designated Position is:

ORAL EXPRESSION AND COMPREHENSION

Basic (B) Intermediate (I) Advanced (A)

READING COMPREHENSION:

Basic (B) Intermediate (I) Advanced (A)

WRITING SKILLS:

Basic (B) Intermediate (I) Advanced (A)

- French preferred

Indigenous language: Select language

- Required
- Preferred