

# Confidentiality Statement

## 1.0 Introduction

[Name of Minor Hockey Association] is committed to providing a safe, respectful, inclusive, and equitable environment for all players, staff, volunteers, and parent/guardians.

This confidentiality statement is written in accordance with Ontario's *Human Rights Code* (1990), which prohibits the discrimination of all people on a number of protected grounds: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, and disability.

## 2.0 Definitions

In this statement document:

**Sex/Assigned Sex:** The classification of a person as male, female or intersex based on biological characteristics, including chromosomes, hormones, external genitalia and reproductive organs. Most often, sex is assigned by a medical professional at birth and is based on a visual assessment of external genitalia.

**Gender:** A system that operates in a social context to classify people, often based on their assigned sex. In many contexts this takes the form of a binary classification of either 'man' or 'woman'; in other contexts, this includes a broader spectrum.

**Gender Identity:** A person's deeply felt internal and individual experience of being a man, woman, or another gender entirely. A person's gender may or may not correspond with the sex assigned at birth. Since gender identity is internal, one's gender identity is not necessarily visible to others.

**Gender Expression:** The way a person presents and communicates gender within a social context. Gender can be expressed through clothing, speech, body language, hairstyle, voice, and/or the emphasis or de-emphasis of bodily characteristics or behaviours, which are often associated with masculinity and femininity. The ways in which gender is expressed are culturally specific and may change over time. May also be referred to as gender presentation or gender performance.

**Gender Diverse (*adj*):** An umbrella term for gender identities and/or gender expressions that differ from cultural or societal expectations based on assigned sex.

**Transgender (*adj*):** A person who does not identify either fully or in part with the gender associated with the sex assigned to them at birth—often used as an umbrella term to represent a wide range of gender identities and expressions.

**Transition:** Refers to a variety of social, medical and/or legal changes that some trans people may pursue to affirm their gender identity. There is no checklist or average time for a transition process and no universal goal or end point. Each person decides what meets their needs.

**Branch:** not-for-profit Ontario corporation incorporated under The Corporations Act, R.S.O. 1990 c.38 that has responsibility to administer hockey within a defined portion of the Province of Ontario.

**Minor Hockey Association:** [self defined by each MHA to include all staff, volunteers, and parents/guardians]

**Player(s)** refers to any individual who is registered as a participant with a hockey team.

**Private Information** refers to the personal information about an identifiable individual that may or may not be a Protected Ground and/or recorded on documentation.

They, them, their and themselves are used as third person, singular, gender neutral pronouns.

### 3.0 Statement

All players of the [Name of Minor Hockey Association] have the right to have private information kept confidential, including information related to their sex/assigned sex, gender identity, and transition.

The [Name of Minor Hockey Association] can only disclose private information about a player:

- a. at a player's request;
- b. with the consent of the player; and
- c. for the purpose for which the private information was collected.

### 3.1 Requesting and Obtaining Consent

Requesting and obtaining consent to collect, record, keep, and/or disclose private information must be conducted in a safe and confidential setting. A player has the right to deny a request for disclosure without fear of discrimination or reprisal from the [Name of Minor Hockey Association]. While a player must be allowed and enabled to have a parent/guardian support them when discussing issues of consent with the [Name of Minor Hockey Association], the involvement of a parent/guardian may not always be appropriate and is not required.

## 3.2 Collection of Private Information

### 3.21 Conditions for Collection

Collecting refers to the acquisition of private information that may or may not be recorded in a written document. Private information should only be collected by the [Name of Minor Hockey Association] when reasonably justified based on:

- a. relevancy to the specific situation;
- b. with the consent of the player(s); and
- a. ability to ensure a safe, respectful, inclusive, and equitable environment for players in accordance with the By-laws, Regulations, and Policies of the [name of Minor Hockey Association]

### 3.22 Record Keeping

Recording refers to the written documentation of collected private information. Recording should only be conducted by designated staff or volunteers under a strict confidentiality agreement of the [Name of Minor Hockey Association] when the recording of private information is reasonably justified based on:

- a. relevancy to the specific situation;
- b. consent of the player(s); and
- c. ability to ensure a safe, respectful, inclusive, and equitable environment for players in accordance with the By-laws, Regulations, and Policies of the [name of Minor Hockey Association].

Documentation containing recorded private information should be held in a secure location for a predetermined period of time and by designated and confidential personnel of the [Name of Minor Hockey Association]. Documentation must be destroyed at the end of the predetermined storage period.

### 3.23 Conditions to Access Recorded Private Information

Recorded private information should only be accessible to other staff and volunteers within the [Name of Minor Hockey Association] when reasonably justified based on:

- a. relevancy to the specific situation;

- b. ability to ensure a safe, respectful, inclusive, and equitable environment for players in accordance with the By-laws, Regulations, and Policies of the [name of Minor Hockey Association]; and
- c. the level of authority within a team (ex. coach, bench staff, etc).

### 3.3 Voluntary Disclosure

All voluntary disclosures of private information by player(s) should be treated with the same level of privacy and confidentiality as requested disclosures.

### 3.4 Disclosure of Child Abuse and Emergency Situations

The [Name of Minor Hockey Association] personnel have the responsibility to disclose incidents of child abuse as per the [Name of Minor Hockey Association's policy on child abuse] and do not require the consent of the affected player. Disclosure of information pertinent in emergency situations also does not require the consent of players as is outlined in [Name of Minor Hockey Association procedure on emergency situations].

### 4.0 Complaints

It is the responsibility of the [Name of Minor Hockey Association] to have a complaint process for addressing player grievances.

### 5.0 Review

The three Ontario Branches will review and revise its record keeping and registration protocols annually, in relation to protecting the privacy and confidentiality of all players, including their transgender or gender diverse status.