



## Confidentiality Statement Implementation Guide

<b>Policy Name:</b> ONTARIO CONFIDENTIALITY STATEMENT IMPLEMENTATION GUIDE		<b>Date of Approval:</b> 2023-12-20	<b>Activation Date:</b> 2024-02-01
<b>Approved by:</b> Ontario Human Rights Tribunal Hockey Canada Ontario Members	<b>Linking To:</b> 1. Ontario Dressing Room Policy 2. Ontario Dressing Room Policy Implementation Guide 3. Member Dressing Room Supervision Policy 4. Ontario Confidentiality Statement 5. Hockey Canada Gender Expression/Gender Identity Policy	<b>Replacing Previous Versions</b> Member Confidentiality Statement Implementation Guide 2016-09-07	
<b>Review Cycle:</b> Ontario Members Meeting at Hockey Canada Winter Congress.			

### 1. INTRODUCTION

- 1.1 The Ontario Confidentiality Statement outlines the necessary standards that must be met in order to ensure a safe, respectful, and inclusive environment for all players. This implementation guide acts as a useful 'step-by-step' guide to the Confidentiality Statement. The guide is divided into two main sections: proactive steps and reactive steps towards safety, equity, and inclusivity.
- 1.2 Please refer to the Ontario Confidentiality Statement for all other definitions utilized within this document.

**Important Note:** new concepts and practices require an open mind, time, a willingness to ask questions, and patience. Learning how to navigate issues of confidentiality and privacy with respect to the Ontario *Human Rights*

*Code's* (1990) Protected Grounds is not a simple or straightforward process. It is important that you give yourself the space, time, and compassion to learn, practice, and ask questions.

## **2. WHAT IS CONFIDENTIALITY**

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- 2.1 Team officials play a very special role in the lives of players. As trusted instructors and mentors, team officials are in a unique position to provide support, safety, and encouragement to players. For this reason, it is very likely that a player will disclose private information to a team official and will do so for a variety of reasons, including seeking accommodations and/or seeking emotional support. As private information is often sensitive and extremely personal, it is important that every effort be taken to ensure the information is kept confidential.

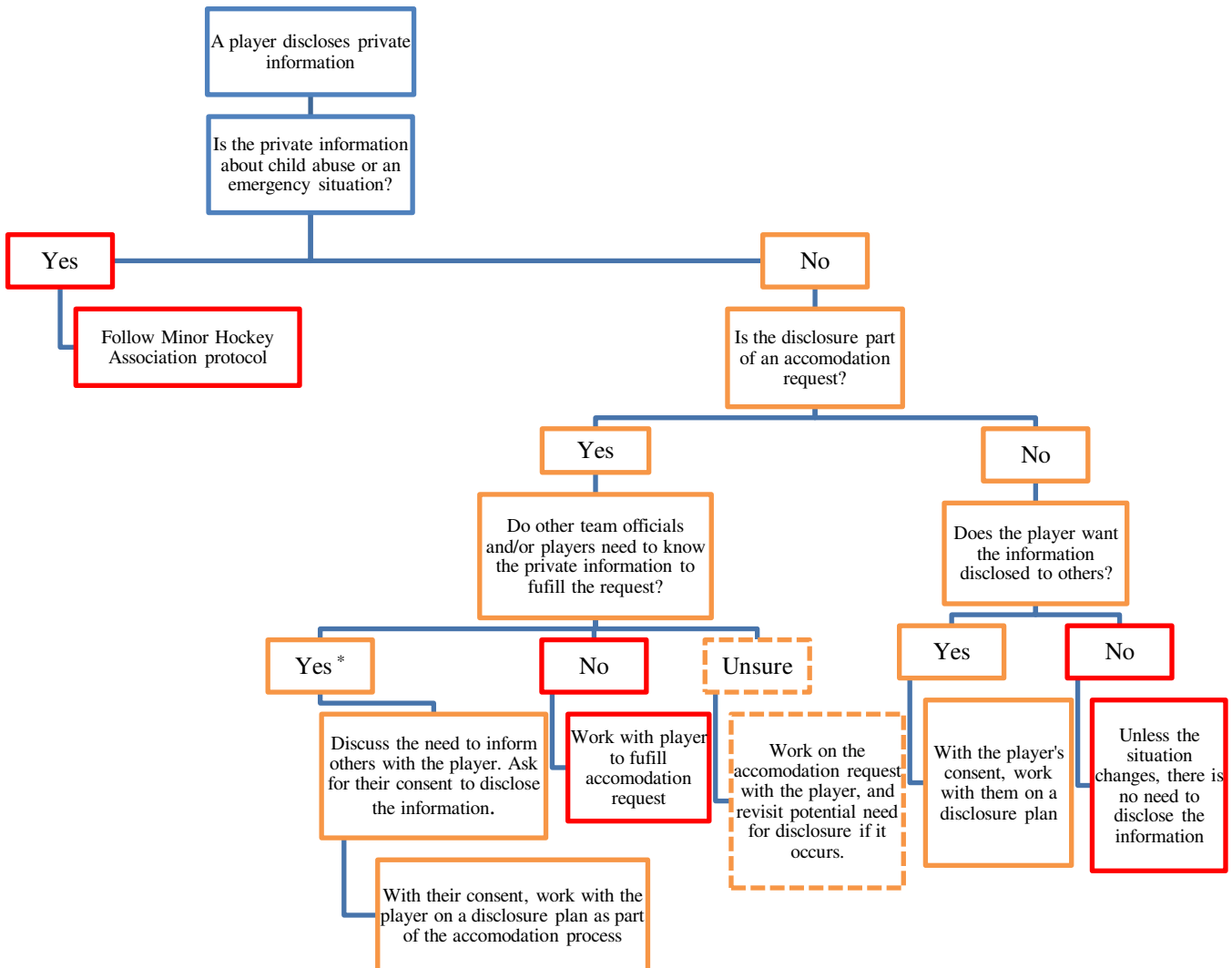
## **3. WHEN TO BE CONFIDENTIAL**

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- 3.1 To be confidential means keeping information about an individual, particularly information related to one of the Protected Grounds, restricted to:
  - 3.1.1 at a player's request;
  - 3.1.2 with the consent of the player; and
  - 3.1.3 for the purpose for which the private information was collected.
- 3.2 Being confidential often means not discussing specific information about players with their parents and/or guardians. This may be particularly important for a player who identifies as transgender or gender diverse who may have parents and/or guardians who are not, or are perceived by the player to not be supportive of their gender identity. While it may feel strange not to share information about a player to their parent and/or guardian it is most important to ensure players feel safe and know they have support.
- 3.3 Example #1:
  - 3.3.1 A player on your team has disclosed to a team official that they are feeling a lot of pressure to excel as a hockey player. The player expresses that they are afraid to confront their family for fear that they will cause disappointment. The player, however, felt it was important that the team official know why they have been struggling lately. In this scenario, the team official is acting as a safe and supportive resource for the player, offering a confidential space for the disclosure of private information. To discuss this disclosure with the player's parent/guardian would mean breaking confidentiality and going against the wishes of the player.
- 3.4 Example #2:
  - 3.4.1 A player on your team has disclosed to a team official that they identify as transgender and require dressing room accommodations in the form of a private changing area in order to feel safe and comfortable while changing pre and post game. During this discussion, the player also mentions that they do not want their family finding out about their gender identity as they do not feel the information will be received well. In this scenario, it is important to respect the player's need for confidentiality and work with the player to provide appropriate and equitable accommodations while also being honest about the inability to promise total confidentiality once the information is made known to other players on the team. It is also important to discuss with the player whether steps may need to be taken to prevent potential harassment. For example, you may request the player's consent to remind the rest of the team about their duty to adhere to the anti-harassment policy.

## 4. DISCLOSING PRIVATE INFORMATION

- 4.1 The disclosure of private information can significantly impact the health and wellbeing of a player. For this reason, it is important to consider whether disclosure is absolutely necessary before requesting it and to work with the player to ensure they consent to the disclosure and are comfortable with the way the information will be disclosed. Use the following diagram to help your decision making process:



\*It may be that some officials need to know that there is a request, and the nature of the request/accommodation requirements, but not the personal details behind the request.

## 5. LIMITS TO CONFIDENTIALITY – EMERGENCY SITUATIONS

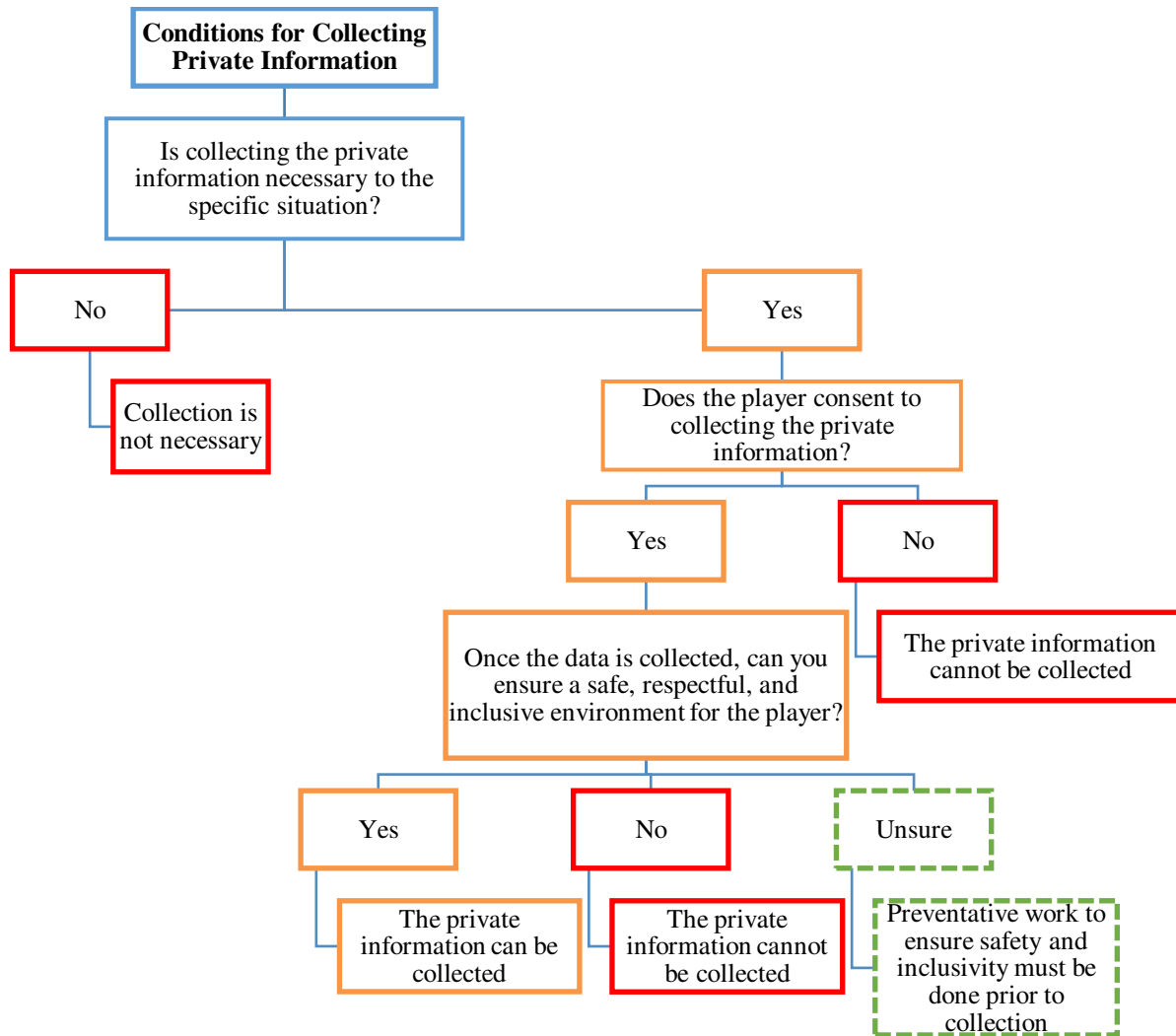
- 5.1 Minor Hockey Association in emergency situations may have limits to confidentiality. These include:
- 5.1.1 Reports of child abuse; and
  - 5.1.2 Disclosure of harm to self or others (thoughts or behaviours).

5.2 If a player discloses private information of this nature, it is your responsibility to report, intentionally breaking confidentiality. It is important to ensure the player understands why you need to break confidentiality and ensure they have the support needed to manage this difficult situation. For further guidance on how to respond to disclosures of this nature, please contact your Member.

## 6. CONDITIONS FOR COLLECTING PRIVATE INFORMATION

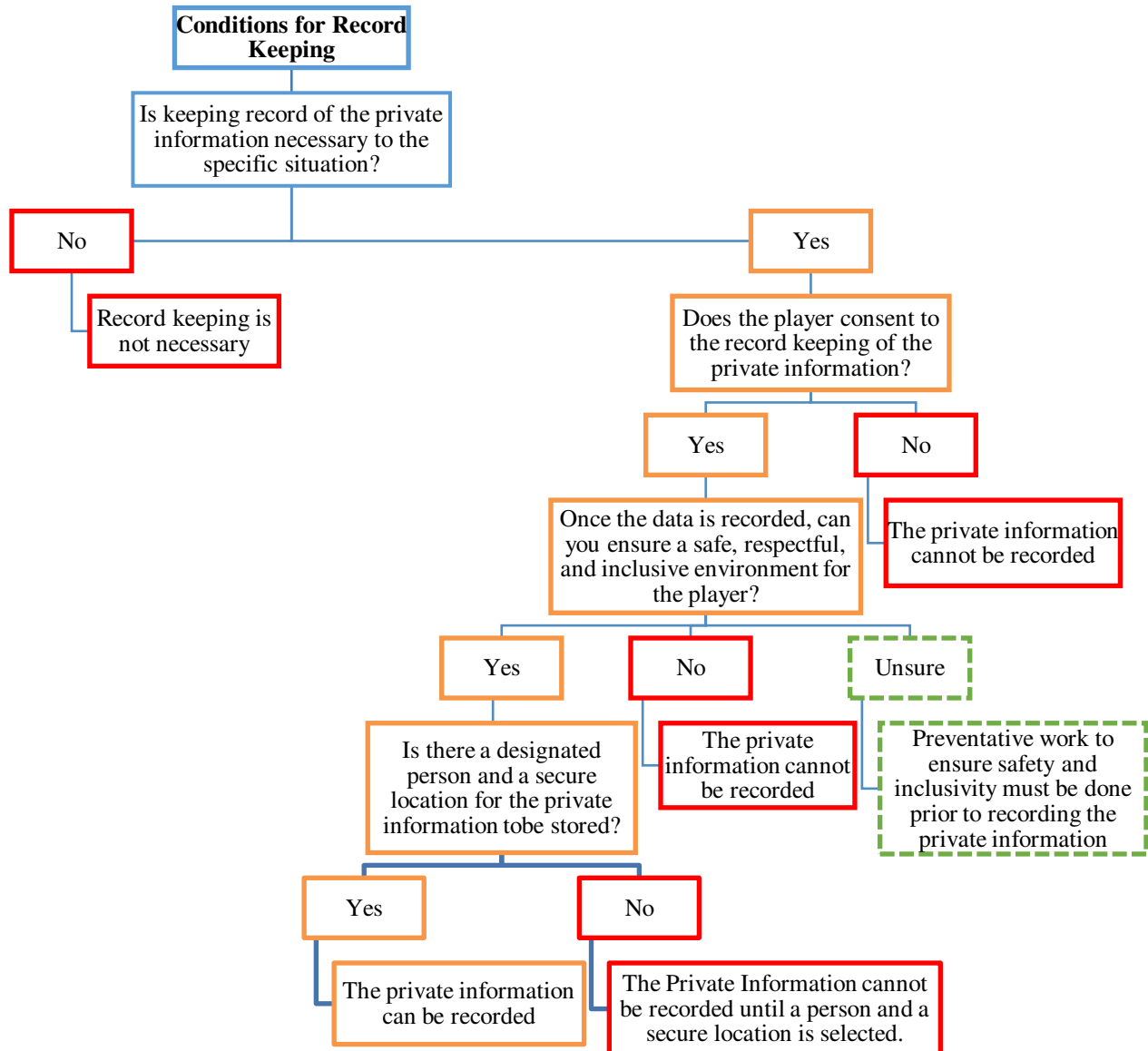
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6.1 It is important that private information about players is only collected if absolutely necessary, upon receiving consent from the player to do so, and if a safe environment can be guaranteed for the player following collection. Use the following diagram to help you decide whether collecting of specific private information is appropriate:



## 7. CONDITIONS FOR THE RECORD KEEPING OF PRIVATE INFORMATION

7.1 Once collected, it is important that private information about players is only recorded if absolutely necessary, upon receiving consent from the player to do so, and if a safe environment can be guaranteed for the player following recording. Use the following diagram to help you decide whether recording of collected private information is appropriate:



## 8. CONDITIONS FOR ACCESSING RECORDED PRIVATE INFORMATION

8.1 If private information is recorded, it is important that it only be accessible to those who absolutely require it based on the context of the situation, if a safe environment can be guaranteed for all players, and depending on the level of authority of the team official. Use the following diagram to help you decide whether accessing recorded private information is appropriate:

