

Privacy and Collections Policy

The Superintendent of Health Profession and Occupation Oversight (the Superintendent) and the Health Professions Discipline Tribunal (the Discipline Tribunal) are committed to protecting your personal privacy. Together, the Superintendent and the Discipline Tribunal make up the Health Professions and Occupations Regulatory Oversight Office.

The Superintendent and the Discipline Tribunal collect, use, and disclose personal information in accordance with the [Freedom of Information and Protection of Privacy Act](#) (FOIPPA), the [Health Professions and Occupations Act](#) (HPOA), the [Administrative Tribunals Act](#) (ATA), and other applicable legislation.

This policy explains what personal information is collected, why it is collected, what is shared with participants and the public, and how your information is protected.

Under FOIPPA, "personal information" means recorded information about an identifiable individual, other than "contact information," which means information used to contact a person at a place of business.

1. What information is collected?

1.1 Information collected through the website

When you visit the website, some information about your visit is collected automatically through audit logs and cookies. This includes technical information such as your browser type, the date and time of your visit, the pages you accessed, and your Internet Protocol (IP) address. Cookies are small files stored on your computer by your web browser. Some cookies expire when you close your browser; others remain until they expire (no later than 18 months) or you delete them.

This information is collected under the authority of section 26(c) of FOIPPA. It is used to understand general visitor trends, improve the website, and protect against security threats. It is not used to identify you unless required as part of an internal investigation or another enforcement-related purpose, and then, only in compliance with FOIPPA. You will be notified through the website if cookies will collect any additional information beyond what is described above.

Your browser may allow you to disable cookies, but doing so may affect your ability to use the website. You cannot opt out of the information collected through audit logs.

1.2 Information collected by the Superintendent

In carrying out oversight and other functions under the HPOA, the Superintendent may collect personal information through:

- a complaint received from any person which may include a name, address, telephone number email address, and additional information that the complainant may share;
- an oversight process, including audits, investigations, and reviews of regulatory colleges (HPOA sections 468 and 469); which may include:
 - records and information in the possession or control of a regulatory college
 - from witnesses, experts, contractors, complainants, and other interested parties;
 - individuals participating in hearings, research, interviews or surveys.
- board appointment processes for regulatory college board member positions, including:
 - applications materials provided by candidates - this includes resumes, contact information such as names, addresses, telephone numbers and email addresses, and information relating to candidate experience and knowledge;
 - information provided by candidates during assessment stages, including interviews, personal attestations and conflict of interest disclosures.
- designation assessments of health service providers, including:
 - consultation and engagement under section 19(2) of the HPOA including with health service providers, licensees, regulatory colleges, Indigenous persons, employers, and post-secondary institutions;
 - submissions from anyone containing information relevant to the assessment;
 - public engagement, such as surveys.
- correspondence and inquiries from the public, licensees, regulatory colleges, and other participants; and

The Superintendent collects this information under the authority of the HPOA and section 26(a), (c) and (e) of FOIPPA.

1.3 Information collected by the Discipline Tribunal

In discipline proceedings and related processes under the HPOA, the Discipline Tribunal may collect a variety of personal information through submissions, applications, and records filed by parties and participants. This information may include:

- contact information for parties and their representatives, including names, addresses, telephone numbers, and email addresses;
- copies of requests for citation, consent resolution proposals, and supporting documents provided by regulatory colleges, including investigation records, investigation reports, regulatory complaints, and related materials;
- copies of applications, responses, and submissions filed by respondents and other participants;
- personal information about respondents, complainants, patients, and other individuals, including health information, financial records, disciplinary history, and employment information;
- accommodation requests and related supporting information;
- information about witnesses, including their contact information and anticipated evidence;
- expert reports and opinions;
- sensitive records, including records that contain personal or confidential information about an affected person and attract a reasonable expectation of privacy; and
- settlement information exchanged between a regulatory college and a respondent about a proposed resolution.

The Discipline Tribunal collects this information under the authority of the HPOA and section 26(a) of FOIPPA. Section 27(1)(c)(ii) of FOIPPA authorizes the Discipline Tribunal to collect personal information from sources other than the individual the information is about, for the purposes of a proceeding before a quasi-judicial tribunal.

Much of the personal information in a discipline proceeding is collected indirectly, meaning it comes from a regulatory college or another party rather than from the

individual the information is about. For example, investigation records filed by a regulatory college may contain personal information about patients, complainants, and witnesses. These individuals may not have direct contact with the Discipline Tribunal, and may not see this privacy policy before their information is collected. The HPOA and the Discipline Tribunal's practice directives include specific protections for this information, including provisions on confidentiality, identity protection, protection orders, and sensitive records.

2. How is my personal information used?

2.1 Superintendent

The Superintendent uses personal information for the purposes of:

- pre-screening and assessing complaints submitted by any person;
- conducting oversight processes of regulatory colleges, including audits, investigations, and reviews;
- assessing and recommending candidates for appointment as regulatory college board members – this process involves:
 - screening candidates for eligibility and assessing them for suitability to board member positions;
 - assessing and responding to inquiries and complaints about regulatory colleges;
 - selecting candidates based on findings from assessment; and
 - publishing information about which board members were appointed, including first and last names, their status as a professional or public member, term length, and regulatory college for which they are a board member.
- conducting designation assessments of health service providers, including:
 - assessing delivery of health services – this involves considering information relating to the risk of harm to the public and patients from health service delivery;
 - recommending designation of new health professions or health occupations under the HPOA;
 - managing sensitive records; and

- publishing recommendations.
- other duties and powers assigned to the Superintendent under the HPOA.

2.2 Discipline Tribunal

The Discipline Tribunal uses personal information for the purposes of:

- deciding requests for citation;
- assessing and deciding proposals for consent resolution;
- managing cases as they progress through the discipline process;
- conducting discipline hearings, including pre-hearing applications, hearing management, and evidentiary processes;
- making disciplinary orders and hearing costs orders;
- deciding applications for review of discipline panel orders;
- managing mediation and resolution management conferences;
- managing identity protection orders, protection orders, and confidentiality orders;
- managing sensitive records;
- publishing decisions, orders, and hearing lists; and
- other duties and powers of the Director of Discipline and discipline panels under the HPOA.

2.3 Contact information and surveys

The Superintendent and the Discipline Tribunal collect contact information in order to communicate with parties and participants in proceedings and processes under the HPOA.

The Discipline Tribunal may also collect and use contact information to conduct surveys to evaluate and improve its services under section 59.1 of the ATA.

3. When will my personal information be shared?

3.1 By the Superintendent

3.1.1 With regulatory colleges

The Superintendent may share information with regulatory colleges as required by the HPOA, including in connection with oversight processes such as audits, investigations,

complaints, and reviews. As part of an oversight activity, the Superintendent may provide advice and make recommendations to regulatory colleges on improving regulatory performance. Where possible, information shared will be provided in aggregate or anonymously but may include personal information, if necessary to convey findings that support rationale for recommendations.

3.1.2 With the Discipline Tribunal

The Superintendent may access, at any time, information or records of the Discipline Tribunal, including information or records that contain personal information (HPOA section 451). In sharing this information, the Discipline Tribunal will anonymize personal information unless necessary for the purpose of collection.

3.1.3 With the public

The Superintendent may make information available to the public in several ways:

- **Oversight reports** (HPOA section 475): The Superintendent may publish an oversight report on its website following the completion of an oversight process, including any advice and recommendations on improving regulatory college's performance. The Superintendent may choose not to publish a report if they believe it is not in the public interest to do so.
- **Designation reports** (HPOA section 23 (4)): the Superintendent publishes a report on its website following the completion of a designation assessment and a decision by the Minister, including recommendations on the designation of new health professions and health occupations.
 - The Superintendent may hold hearings as part of a designation assessment (HPOA section 20(1)(d)), and through this process, may order people to attend, give evidence and produce records. These hearings are open to the public unless the Superintendent decides that all or part of a hearing must be private to protect privacy, or for another reason (HPOA section 20(2)).
- **Special reports and public comments** (HPOA section 488): In performing any of its functions, the Superintendent may determine it is in the public interest to publish certain information.
- **Superintendent's annual report** (HPOA section 486): the Superintendent publishes an annual report on the exercise of powers and performance of duties and may include any other matters directed by the Superintendent or the Minister of Health. The annual report will also contain the annual report of the Discipline Tribunal (HPOA 486 (2)).

When publishing or communicating information with the public, the Superintendent will anonymize and aggregate personal information unless the personal information is necessary to support recommendations or rationale, or it is in the public interest to release it (HPOA section 435(2)(f)).

3.2 By the Discipline Tribunal

3.2.1 With participants in a case

Most information collected in a discipline proceeding is shared with the parties to the case (the regulatory college and the respondent). This is necessary for procedural fairness, because a respondent must know the case against them and a regulatory college must be able to respond. The Discipline Tribunal shares information with parties and participants as required by the HPOA, the practice directives, and any applicable orders.

For example:

- the Director of Discipline serves the citation on the respondent (HPOA section 164);
- the registrar of a regulatory college provides hearing records to the respondent, and to a complainant or other person with an interest on request (HPOA section 247); and
- the Discipline Tribunal provides notices and decisions to persons with an interest in a citation or discipline hearing (HPOA section 248).

Certain categories of information are not shared between participants unless specifically required:

- **Accommodation information.** The Discipline Tribunal treats accommodation requests as confidential. It discloses accommodation information to another party only if necessary to put the accommodation in place or to allow that party to respond to a contested request.
- **Settlement information.** Settlement information exchanged between a regulatory college and a respondent must not be disclosed or compelled for the purposes of a discipline hearing unless both the regulatory college and the respondent consent (HPOA section 181). Discussions in mediation and resolution management conferences are confidential and without prejudice.

3.2.2 With regulatory colleges

The Discipline Tribunal may share information with regulatory colleges as required by the HPOA, including information related to disciplinary orders and outcomes.

3.2.3 With the public

Discipline proceedings involve a degree of public transparency. The HPOA requires that discipline hearings generally be open, that decisions be published, and that regulatory colleges publish disciplinary orders. At the same time, the HPOA provides tools to protect privacy where necessary.

Open hearings. Discipline hearings are open to the public, subject to any identity protection order and any other order that may be made under the HPOA (HPOA section 175). The Discipline Tribunal provides public access remotely through a public gallery. A discipline panel may make an access order that limits public access to all or part of a hearing where justified. For example, the panel may exclude the public from specific information received at the hearing, or permit attendance subject to conditions. See Practice Directive 19: Public and Media Access to Discipline Hearings for details.

Hearing lists. The Discipline Tribunal maintains a public hearing list that usually includes the file number, the names of the parties, the hearing type, the hearing dates and times, and the hearing format. If an identity protection order applies, the Discipline Tribunal may use initials, a pseudonym, or a general description, or may omit identifying details.

Decisions. Discipline panel decisions and orders are available in writing for publication (ATA section 50, as applied by the HPOA). The Director of Discipline's decisions on applications for review are provided to persons with an interest (HPOA section 248). Published decisions generally include the names of individuals and may include personal information. The Director of Discipline's annual report is also published (HPOA section 485).

Publication by regulatory colleges. A registrar of a regulatory college must publish all disciplinary orders in a case, as well as any request for a citation (HPOA section 256). Practice Directive 22: Publication of Requests for a Citation and Disciplinary Orders provides guidance on what information must be included.

Access to records from a proceeding. The Discipline Tribunal may provide public access to records from a discipline proceeding in public versions, subject to statutory restrictions, orders, procedural fairness, and the integrity of the process. A member of the public may request access by sending a written request to the Discipline Tribunal. The Discipline

Tribunal will not provide access to internal working materials such as panel notes, draft reasons, or internal deliberation materials.

4. If you have safety or privacy concerns about your information

The HPOA includes several protections for privacy and safety in discipline proceedings. Depending on the circumstances, these may include:

- **Identity protection orders**, which can partially or fully protect a person's identity in connection with a discipline proceeding (HPOA sections 234 to 241). Eligibility to apply for an identity protection order is set out in section 236 of the HPOA.
- **Protection orders**, which can reduce the risk of trauma to a person in vulnerable circumstances during a discipline hearing (HPOA sections 183 to 186). See Practice Directive 16: Protection Orders.
- **Confidentiality orders**, which can restrict who may access specified information or impose conditions on its use or disclosure. See Practice Directive 4: Privacy, Confidentiality and Disclosure of Records.
- **Anonymization of decisions**, where a discipline panel or the Director of Discipline may anonymize or omit certain information from a published decision.

Not all protections are available to all participants. If you have concerns about your personal information or safety in connection with a discipline proceeding, contact the Discipline Tribunal at tribunal@hporoo.ca to discuss what options may be available to you.

5. How is my personal information protected?

The Superintendent and the Discipline Tribunal protect personal information by making reasonable security arrangements against risks such as unauthorized access, collection, use, disclosure, or disposal. Access to systems and data is restricted to authorized personnel.

The Discipline Tribunal manages confidential and protected information in discipline proceedings in accordance with its practice directives, including Practice Directive 4: Privacy, Confidentiality and Disclosure of Records, Practice Directive 16: Protection Orders, and Practice Directive 17: Sensitive Records.

6. How long is information retained?

Information collected through audit logs is retained for two years. Cookie retention periods are described above.

Information collected or created by the Superintendent or the Discipline Tribunal in relation to proceedings or processes under the HPOA is maintained in accordance with applicable records retention schedules and other legislative requirements.

7. Requests under FOIPPA

Records held by the Superintendent or the Discipline Tribunal may be subject to access requests under FOIPPA. You can also review personal information collected about you, or request corrections if you believe your personal information is inaccurate, by submitting a written request.

To make a request relating to the Discipline Tribunal, send an email citing FOIPPA to tribunal@hporoo.ca.

To make a request relating to the Superintendent, send an email citing FOIPPA to info@hporoo.ca.

8. Links to external websites

The website may include links to external websites. Once you leave the website, this privacy policy does not apply. The Superintendent and the Discipline Tribunal are not responsible for the privacy practices or content of external websites.

9. Contact

If you have questions about this policy, concerns about a specific situation, or complaints about a breach of privacy:

- For matters relating to the Superintendent, contact info@hporoo.ca.
- For matters relating to the Discipline Tribunal, contact tribunal@hporoo.ca.

This policy is effective April 1, 2026.