



ADMINISTRATION

Policy & Procedure

Title	AUDIO, VIDEO, AND PHOTOGRAPHIC RECORDINGS	Date Effective	March 31, 2016
Document #	AD-01-65	Date Reviewed	April 12, 2024
Scope	ALL EMPLOYEES	Date Revised	December 19, 2024
Approved By	EXECUTIVE LEADERSHIP COUNCIL	Signature	<i>Original signed by R. Sewda</i>
Managed By	REGIONAL PRIVACY & ACCESS OFFICER		

Table of Contents

PURPOSE	1
DEFINITIONS	1
POLICY STATEMENT(S)	5
RELATED DOCUMENTS	12
REFERENCES	12
REVISION AND REVIEW DATE(S)	13

1.0 PURPOSE

- 1.1 To provide guidance to Northern Health Region (NHR) employees, to assess and manage situations where clients, natural supports, media, or third party wish to make recordings of NHR employees, other clients, natural supports, or third parties in NHR facilities.
- 1.2 To establish effective and efficient processes in order to clarify the situations where recordings may be made in relation to NHR sites.
- 1.3 To outline the process for obtaining consent for the purpose of making recordings where such recordings are permitted.
- 1.4 To protect clients, employees, and other parties from unauthorized recordings; and to ensure compliance with [The Freedom of Information and Protection of Privacy Act](#) (FIPPA), [The Personal Health Information Act](#) (PHIA) and [The Workplace Safety and Health Act](#).

2.0 DEFINITIONS

- 2.1 **Alternate Decision Maker (ADM):** a person who has the decision-making capacity and is willing to make decisions on behalf of a client who does not have the capacity to make a decision. An ADM may be legally authorized (i.e., healthcare proxy, committee, substitute decision maker or public trustee) or may be a person designated (i.e., family member) in the absence of a legally authorized individual. Refer to [AD-07-130 Alternate Decision Maker](#).
- 2.2 **Client:** an individual who accesses or receives healthcare related services from a Northern Health Region (NHR) facility or program. A client may be a patient in an acute care setting, a resident in a personal care home (PCH), or client in a community program or facility.

- 2.3 **Clinical Recordings:** an audio or video recording, photograph, or other image that is personal health information used as part of the provision of a client's clinical care. Examples of these recordings include, but are not limited to
- diagnostic or intervention recordings generated by medical equipment for medical purposes such as, X-rays, ultrasound images, echocardiogram recordings, endoscopy images, or micro/macro pathology images;
 - assessment recordings used for assessing and documenting the initial or ongoing status of injuries, wounds, disease progression, or treatment progress; or
 - client safety recordings used for medication administration, client teaching, or for client protection (i.e., image of a client prone to wandering).
- 2.4 **Consent:** express or implied consent by an individual for the Use and Disclosure of Personal Health Information. Consent must
- be related to the purpose for which the information is used or disclosed;
 - be knowledgeable;
 - be voluntary; and
 - not be obtained through misrepresentation.
- 2.5 **Employee:** unless otherwise specified, refers to all employees, medical staff, students, volunteers, board members, contractors, contract workers, agency personnel, and other individuals performing work activities within or on behalf of the Northern Health Region (NHR).
- 2.6 **Healthcare:** any care, service or procedure provided to diagnose, treat or maintain an individual's health; provided to prevent disease or injury or promote healthcare; or that affects the structure or a function of the body and includes the sale or dispensing of a drug, device, equipment, or other item pursuant to a prescription.
- 2.7 **Healthcare Facility:** a hospital, personal care home, psychiatric facility, medical clinic, laboratory, CancerCare Manitoba, community health centre, or other facility in which Healthcare is provided and that is designated in the PHIA regulations.
- 2.8 **Health Record:** personal health information compiled by individuals authorized to make entries on approved health record forms and maintained by facilities, sites, or programs of the NHR as the official record of healthcare provided to a client. Health records, including electronic records and paper-based health records, are the physical property of a facility, site, or program of the NHR. For the purposes of this policy, health records include clinical records as defined in [The Mental Health Act](#).
- 2.9 **Media:** any individual, group, institution, or organization engaged in the business of gathering or transmitting information for publication or broadcast.
- 2.10 **Medical Staff:** any prescribers (this includes physicians, nurse practitioners, clinical assistants, midwives) that have prescribing privileges in the regional facilities
- 2.11 **Natural Support:** a person (family member, friend, significant other, elder, etc.) who plays a significant role in offering support to an individual. A natural support is not necessarily a part of the formal support system and is not remunerated for offering support. This may include persons from a broad network of social support, (i.e., friends, clergy, elder etc.) and is defined by the individual. Natural supports may or may not be the same as the individual's identified Next of Kin.

2.12 **Non-Clinical Recordings:** recordings used for purposes related to activities and services within the NHR other than the provision of clinical care. These recordings include any individual and may or may not include personal health information or personal information. The recordings may be used for, but are not limited to, the purpose of:

- Education or Health Promotion: recordings used for the development of employee education and training, client education, or health promotion material intended for clients or the public for use within or outside of the NHR. This material may include procedures, Power point presentations, brochures, client handbooks, digital media (i.e., social media, videos), etc.
- Facility or Program Activities including Recreation Activities: recordings used as part of facility or program services and activities, including recreation activities. These services and activities may include newsletters, posters, display boards, digital media use (i.e. social media, video platforms) that include recordings of special occasion celebrations, acknowledgements, recreational activities, or gatherings.
- Research: Recordings that are required and form part of a research project.
- Legal Evidence or Investigation: NHR recordings that are required for the purpose of collecting evidence or are part of an investigation.
- Evaluation or Monitoring: NHR recordings that are required for the purpose of delivering, evaluating, or monitoring a program that relates to the provision of healthcare.
- Publications: recordings that may be captured for inclusion in publications such as healthcare journals, textbooks, or on websites or Internet-based platforms.
- Public Relations or Communications: recordings may be captured for use as part of employee or public relations. These recordings may include newspaper or Internet articles, brochures, newsletters, videos, digital media use (i.e., social media, video platforms), etc.

2.13 **Personal Information (PI):** recorded information about an identifiable individual including

- the individual's name;
- the individual's address, telephone or facsimile number, or e-mail address;
- information about the individual's age, sex, sexual orientation, marital, or family status;
- information about the individual's ancestry, race, color, nationality, or national or ethnic origin;
- information about the individual's religion or creed, or religious belief, association or activity;
- personal health information about the individual;
- the individual's blood type, fingerprints, or other hereditary characteristics;
- information about the individual's political belief, association, or activity;
- information about the individual's education, employment or occupation, or educational, employment, or occupational history;
- information about the individual's source of income or financial circumstances, activities, or history;
- information about the individual's criminal history, including regulatory offences;
- the individual's own personal views or opinions, except if they are about another person;
- the views or opinions expressed about the individual by another person; and
- an identifying number, symbol, or other particular assigned to the individual.

- 2.14 **Personal Health Information (PHI):** recorded information about an identifiable individual that relates to
- the individual's health, or healthcare history, including genetic information about the individual;
 - the provision of healthcare to the individual; or
 - payment for healthcare provided to the individual;
- and includes;
- the PHIN (personal health identification number) and any other identification number, symbol, or particular assigned to an individual; and
 - any identifying information about the individual that is collected in the course of, and is incidental to, the provision of healthcare or payment for healthcare;
- and for further clarity includes:
- personal information such as financial position, home conditions, domestic difficulties or any other private matters relating to the individual which have been disclosed to the trustee;
- and for the purpose of the [AD-07-10 Confidentiality](#):
- any personal health information exchanged verbally about an identifiable individual.
- 2.15 **Personal Representative:**
- an executor or executrix named in a deceased individual's will; or
 - a court appointed administrator or administratrix of an individual's estate.
- 2.16 **Persons Permitted to Exercise the Rights of an Individual:**
- any person with written authorization from the individual to act on the individual's behalf;
 - a proxy appointed by the individual under [The Healthcare Directives Act](#);
 - a committee appointed for the individual under [The Mental Health Act](#) if the committee has the power to make healthcare decisions on the individual's behalf;
 - a substitute decision maker for personal care appointed for the individual under [The Adults Living with an Intellectual Disability Act](#) if the exercise of the right relates to the powers and duties of the substitute decision maker;
 - an attorney acting under a power of attorney granted by the individual, if the exercise of the right or power relates to the powers and duties conferred by the power of attorney;
 - the parent or guardian of an individual who is a minor, if the minor does not have the capacity to make healthcare decisions; or
 - if the individual is deceased, their personal representative.

If it is reasonable to believe that no person listed above exists or is available, the adult person listed first below who is readily available and willing to act may exercise the rights of an individual who lacks the capacity to do so

- the individual's spouse, or common-law partner, with whom the individual is cohabiting;
- a son or daughter;
- a parent, if the individual is an adult;
- a brother or sister;
- a person with whom the individual is known to have a close personal relationship;
- a grandparent;
- a grandchild;
- an aunt or uncle; or
- a nephew or niece.

- 2.17 **Ranking:** the older or oldest of two (2) or more relatives described in any clause in this section is to be preferred to another of those relatives.
- 2.18 **Recording:** an audio, video, or photographic record in any form that is recorded, transmitted, or stored in any manner, or on any medium (including but not limited to cameras, smartphones and portable electronic devices), or by any means, including film, tape, analog, digital, graphic, electronic or mechanical means
- a recording may or may not contain Personal Health Information or Personal Information;
 - a recording includes live audio or video streaming through the Internet; and
 - a record made by medical equipment that serves a medical purpose such as, but not limited to, x-rays, CT scans, MRIs, ultrasounds, EKGs, and pharyngograms are not included in the definition of recording.
- 2.19 **Recording Medium:** include cameras, video and audio recorders, webcams, cellular or smart phones, other portable electronic devices (i.e., laptops, notebooks, netbook, tablet, etc.) or any device or equipment with the technology to capture recordings.
- 2.20 **Recording Management:** includes all aspects of identification, storage, retention, destruction, and disclosure of recordings.
- 2.21 **Site:** a healthcare facility, community health center, or community office within the NHR.
- 2.22 **Secure Location:** a designated place for temporary or permanent storage of or the use, processing, or transport of confidential information that is:
- not readily accessible by unauthorized individuals;
 - supervised or monitored by authorized individuals;
 - keyed or coded to allow entrance to authorized users only;
 - locked when authorized users are not in attendance;
 - protected by controls to minimize loss, destruction, or deterioration caused by fire, water or humidity damage; and
 - proper containers and adequate labeling are used to reduce accidental loss or destruction.
- 2.23 **Third Party:** a person, group of persons, business, or organization other than the client, ADM, client's natural support, or the NHR. This may include foundations, auxiliaries, visitors, and Law Enforcement.
- 2.24 **Transitory or Working Document:** recorded information which is of greatest value at the time that the care is being delivered, but whose use and value rapidly diminishes following the current episode of care. Personal health information in this category may include raw data that is used to create primary documents. Transitory records should be destroyed at the end of each episode of care. (i.e. Kardex, DPIN, SBAR).

3.0 POLICY STATEMENT(S)

- 3.1 The NHR is committed to protecting the privacy of our clients, employees, and members of the public and ensures the collection, use, disclosure, and retention of all recordings is in accordance with applicable law and NHR policy, in the interest of not detracting from a positive healthcare environment.

- 3.2 Any person who is asked to participate, or where it is determined or suspected they are the subject of a recording may, at any time, choose to refuse to participate in the recording or revoke or modify their consent to be recorded. Any revoked or modified consent does not have a retroactive effect.
- 3.3 NHR recordings that contain personal information or personal health information are collected, stored, transmitted, transported, and destroyed in accordance with [AD-07-40 Security and Storage of Confidential Information](#).
- 3.4 Transitory and working records are deleted on a routine basis as determined by the department or program. For example, digital photographs are deleted promptly from an NHR-issued camera once they have been printed or uploaded.
- 3.5 In areas accessed by the public, NHR programs and services prominently display [Privacy Poster NHR_0093](#) which identifies the obligation to respect the privacy of all clients, employees, etc. and that recordings are not permitted without prior consent.
- 3.6 Recordings by media personnel are in accordance with [AD-02-40 Media Relations](#)
- 3.7 Recordings captured as part of NHR organizational security and safety monitoring are used and maintained in accordance with [AD-01-190 Video Surveillance](#).
- 3.9 **Recordings by NHR Employees**
- 3.9.1 **Consent**
- Prior to making a recording of a client, employees must obtain the written or verbal consent from the client who is the subject of the recording. In the event that [Consent for Photography, Videography and Audio Recordings Form # NHR_0738](#) is obtained, the consent is filed in the client's health record. In the event verbal consent is obtained, it is documented in the client's health record. The written consent and the documentation in the health record of verbal consent includes
 - the type of recording;
 - the purpose of the recording;
 - the subject matter of the recording;
 - that consent was obtained from the client or their ADM; and
 - the name of the person who obtained the consent
 - Clinical recordings require informed consent, if possible, and employees must document the discussion about the recordings with the client in the health record.
 - The client has the right to refuse to participate and this must be documented in the health record.
 - **Note-** Employees may be required to proceed with a recording, without discussing the purpose with the client, in emergency situations.
 - [Consent for Photography, Videography and Audio Recordings Form #: NHR_0738](#) must be completed by the client, natural support, or third party included in a non-clinical recording.
 - Verbal consent is required from the employee, excluding the following circumstances where consent is considered implied unless the employee refuses to be recorded
 - employee education sessions being delivered (including voice-over sessions) or posted for NHR or Provincial use only;
 - procedure development (i.e., safe work procedures) within programs or departments; or
 - submitted photos from an NHR employee for related activities or promotions.
 - An employee may withdraw consent to make or use a recording at any time.

- Recordings are only used for the specific purpose outlined on [Consent for Photography, Videography and Audio Recordings Form #: NHR_0738](#). Any significant change to the purpose or intended use of the recording requires a new consent.
- In the event that the recording is taken for educational or scientific purposes, employees where feasible, ensure that the identity of the client cannot be identified by taking reasonable steps to avoid the inclusion of identifying features or information.
- In the event that recordings are undertaken over the course of time, or the same recording may be used multiple times for the same purpose, employees are only required to obtain consent once prior to the first recording if the client, natural support, or third party is made aware of the intent to make recordings over the course of time. The consent is considered authorization for a period of up to one (1) year following the date the consent was obtained. Any significant change to the course of treatment, purpose, or intended use of the recordings, requires a new consent.
- Completed consents are stored within the client's health record, where applicable, or in a secure location within the appropriate program or department for other persons who are subject of the recording (i.e., employees or public). Completed consents that are part of a research study protocol are retained with the research documentation in a secure location.

3.9.2 Recording Mediums

- Use of devices to collect recordings containing personal information or personal health information is only permitted on NHR managed devices.
- All copies of information are deleted promptly after use (i.e., device album, computer the recordings are uploaded to, etc.) once the recording has been placed in its intended medium (i.e., printed photograph, secured file, etc.)
- Use caution when multiple client recordings are on one (1) recording device to avoid client identification risk.

3.9.3 Recording Management

- Clinical recordings that include personal health information must include client identifiers. These recordings are collected, accessed, used, and disclosed in accordance with NHR access and privacy policies. Exception – transitory recordings posted in a location for public or employee for an authorized purpose (i.e., photos of clients at risk of elopement placed at exit points or departments within a facility for patient safety purposes).
- Clinical recordings are maintained on the client's health record or in the applicable clinical information system, where available and applicable.
- Where the recording is made for the purpose of providing it to the client in accordance with a healthcare service or activity, the recording does not need to be retained by the NHR.
- Non-clinical recordings and associated consent forms are maintained in a secure location within the appropriate program or department
- Recordings and consents are retained and destroyed pursuant to [AD-09-10 Retention and Destruction of Personal Health Informations](#) or [AD-09-11 Retention and Destruction of Administrative Records](#) or any other applicable policy of the NHR regarding the retention or destruction of records.
- When the recording is intended for publication, copyright and reproduction rights remain with NHR to ensure the protection of the individuals included on the recording. As such, the recording is labeled with; *"This recording is the copyright of NHR and permission is granted for this publication only"*.

- Requests for recordings required as legal evidence or as part of a legal investigation are disclosed in accordance with applicable policy (i.e., [AD-07-50 Disclosure of Personal Health Information to Police](#)); the requirements outlined in a court order or statutory disclosure provisions (i.e., [The Freedom of Information and Protection of Privacy Act](#) or [The Personal Health Information Act](#))
- Video surveillance recordings are disclosed in accordance with [AD-01-190 Video Surveillance](#)
- Recordings for research purposes are only permitted where projects or studies have been approved in accordance with [AD-01-150 Research](#)

3.10 Recordings by Clients, Natural Support, or Third Party

- 3.10.1 Requests from a client, natural support, or third party wanting to capture a recording are forwarded to the applicable program, department, or facility manager who obtains or grants the approval prior to any recording.
- 3.10.2 A client, natural support, or third party may be permitted to make a recording at a NHR facility if they obtain prior written or verbal consent from every person in the recording, but participants, including employees, may request that their consent be in writing and a copy provided for their record; therefore, [Consent for Photography, Videography and Audio Recordings Form # NHR 0738](#) is completed. Verbal consent from clients is documented in the health record, as applicable.
- 3.10.3 With the consent of all participants, a client or natural support may make a recording or authorize another individual to make a recording, as requested or arranged by the client or ADM (i.e., NHR employees, family, etc.) in the following circumstances
- the recording provides necessary information to the client related to their healthcare or any service or activity related to their healthcare that they are receiving or participating in;
 - the recording is of their own progress or other personal activities (i.e., family gathering) that are not related to NHR activities or services; or
 - the client has arranged for a member of their family or other individual to record the birth of the client's child where the recording is limited to the head of the bed. Recordings may be prohibited at the discretion of employees for certain procedures or scenarios. (i.e., epidurals, assisted vaginal deliveries, obstetrical, or neonatal emergencies, etc.).
- 3.10.4 The client, natural support, third party, or authorized individual are not permitted to make a recording where
- the recording would create a risk to the safety or health of the client or any other person;
 - the recording is disruptive to the provision of healthcare or any other service, or activity of the NHR;
 - the recording permanently or temporarily interferes with, or disrupts, the proper or safe operation of medical equipment as per [HR-04-110 Mobile \(Cell\) Phones - Personal Use While On Duty](#), or other electronic or mechanical devices or equipment being operated by or for the NHR;
 - information is being provided to inform a client or their ADM in respect to a critical incident pursuant to Part 4.1 Patient Safety of [The Health System Governance and Accountability Act](#); or
 - captures any information about a client, employee, or third party who has not provided or is unable to provide their consent to be included in the recording.
- 3.10.5 A client is not required to obtain consent and is permitted to make a recording of their own healthcare progress or other event unrelated to an existing service or activity of the NHR (such as a family or social gathering or celebration) where no

other client, employee, third party, or existing service or activity of the NHR is being captured in the recording.

- 3.10.6 Consent may be withdrawn at any time in respect to recordings by clients or their ADM.
- 3.10.7 Where a recording is taking place on NHR premises, a client home, or other non-facility or location where NHR services are being provided, employees, in consultation with their manager, must consider the purpose of the recording and may discontinue service where the employee, other clients, or members of the public are unwilling to give consent to being recorded and the client or their natural support insists on recording the service being provided.
- 3.10.8 Law enforcement officers are permitted to make their own photographic recording of a client for the purposes of identification. In the event the police make a photographic recording of a client for identification purposes, employees document the event in the client's health record. They may also be permitted to capture recordings without the consent of an individual where the recordings are pursuant to a court order (i.e., search warrant). The program, department, or facility manager reviews the court order to determine what recordings are required and may consult with the Regional Privacy & Access Officer, where applicable, or facilitates the capture of the recordings.

3.11 Recordings by the Media and Other Exceptional Circumstances

- 3.11.1 Media are permitted to make recordings of clients, employees, or members of the public at the NHR facility, or the provision of healthcare or other services and activities of the NHR provided that they follow the requirements of [AD-02-40 Media Relations](#) and obtain [Consent for Photography, Videography and Audio Recordings Form #: NHR_0738](#) prior written or verbal consent from every person who may be recorded.
- 3.11.2 The NHR CEO may permit recordings by any other person in exceptional circumstances on the condition that [Consent for Photography, Videography and Audio Recordings Form #: NHR_0738](#) is obtained from every person to be recorded
- 3.11.3 Consent may be withdrawn at any time in respect to recordings made by the media or in other exceptional circumstances.

3.12 Recordings for Safety, Security, or Crime Control Purposes

Refer to [AD-01-190 Video Surveillance](#)

4.0 PROCEDURE / RESPONSIBILITIES

4.1 Recordings by NHR employees

4.1.1 Clinical Recordings

- 4.1.1.1 Provide and document in the client's health record a clear explanation, where practical, to the client prior to the recording that includes;
- the purpose of the recording;
 - what is captured by the recording;
 - the approximate number of photos or images to be taken or the approximate length of time of the session or duration of the recording as the case may be;
 - the recording medium to be used (i.e., film, digital, audio or video);
 - the identity of those persons who may observe the recording, if known; and

- the possibility that the recording may be observed by others but only in accordance with the client's or their ADM's consent or applicable legislation.
- 4.1.1.2 Answer any of the client's or their ADM's questions concerning the recording.
- 4.1.1.3 Ensure the client or their ADM understand that they can refuse to provide or withdraw consent, have the right to stop the recording at any time, and that any decision in this regard does not impact in any way the service they are receiving.
- 4.1.1.4 Include a minimum of three (3) identifiers on recordings to ensure accurate identification and storage of the recording, where applicable. Exception-transitory recordings posted in a location for public or employees for an authorized purpose (i.e., photos of clients at risk of elopement placed at exit points or departments within facility).
- 4.1.1.5 Maintain clinical recordings on the client's health record or applicable clinical information system.
- 4.1.1.6 Delete recordings from the recording medium where the medium is a portable device once the recordings has been transferred to another medium (i.e., photograph)
- 4.1.2 Non-Clinical Recordings
- 4.1.2.1 Provide a clear explanation to the individual prior to proceeding with a recording that includes
- the purpose of the recording;
 - who views the recording;
 - what is captured in the recording;
 - the approximate number of images or length of recording; and
 - the type of medium that used.
- 4.1.2.2 Assist the individual(s) in completing the [Consent for Photography, Videography and Audio Recordings form # NHR_0738](#), where applicable, to ensure they fully understand the nature of the recording.
- 4.1.2.3 File the completed consent form in the client's health records, where applicable or in a secure location as determined by the program or department.
- 4.1.2.4 Delete the recordings from the recording medium where the medium is a portable device once the recording has been transferred to another medium (i.e., photograph) and store the recording securely as determined by the program or department

4.2 Recordings by Clients, Natural Supports, and other Third Parties

- 4.2.1 Employees who receive a request from a client, natural support, or third party to record must
- a) determine the purpose of the recording and any other relevant information from the requestor;
 - b) contact their manager to discuss the request and obtain approval from their manager prior to making arrangements for the recording;
 - c) advise the client, natural support, or third party of the requirement to obtain verbal consent or [Consent for Photography, Videography, and Audio Recordings Form #: NHR_0738](#) from all individuals including employees, who are included in the recording;
 - d) identify types of recordings that are authorized or prohibited in accordance with the policy;

- e) obtain consents and file in the client's health record, where applicable, or in another secure location;
 - f) make all arrangements with the client, natural support, or third party to proceed with the recording, where approved;
 - g) ensure the privacy rights of other clients or employees who have not consented are respected; and
 - h) be present at all times while a recording occurs, in order to ensure the recording continues to comply with this policy and all applicable laws.
- 4.2.2 In the event that employees are requested to provide consent to be recorded in a recording, employees must promptly advise their direct manager or supervisor of the request prior to any decision to permit the recording. Employees are not obligated to participate and must communicate their agreement or refusal to participate to the client, natural support, or third party.
- 4.2.3 In the event that a client, natural support, or third party obtains consent to make a recording in accordance with this policy, the written consent is filed with the client's health record, or an entry is documented on the client's health record confirming verbal consent.
- The consent indicates the following
- the type of recording;
 - the purpose of the recording (i.e., informed consent, diagnosis, demonstration, etc.);
 - the name of the person who performed the recording; the subject matter of the recording; and
 - that written or verbal consent was obtained from every person who was to be recorded.
- 4.2.4 In the event that employees observe a person making a recording contrary to this policy, employees must
- a) confirm with the client or ADM if a recording is happening;
 - b) ask the client or ADM to discontinue and delete the recording by clearly stating that the recording does not comply with NHR policy or applicable law;
 - c) advise them of this policy as it relates to recordings by clients or ADMs;
 - d) promptly advise their direct manager or supervisor of the situation; and
 - e) employees, including security personnel, cannot seize the recording device.

4.3 **Recordings by Media**

- 4.3.1 Media must abide by and follow the requirements of [AD-02-40 Media Relations](#)
- 4.3.2 In the event that media makes a recording of a client, employee, or members of the public, [Consent for Photography, Videography, and Audio Recordings Form #: NHR 0738](#) is maintained by the Communications Coordinator and includes
- the type of recording;
 - the purpose of the recording;
 - the subject matter of the recording; and
 - that consent was obtained from the client.

4.4 **Unauthorized Posting Online of Personal or Personal Health Information by clients, natural supports, or third party**

- 4.4.1 Where a client, natural support, or third party posts a recording that includes identifiable personal or personal health information of another individual, without consent, on a public medium such as social media, NHR may explore various options to have the content removed. These options include, but are not limited to
- communicating with the individual and requesting that the post be removed;
- or

- NHR recourse through the social media platform or site administrator requesting that the content be reviewed or removed for privacy reasons.

5.0 RELATED DOCUMENTS

- 5.1 [Consent for Photography Videography and Audio Recordings Form #: NHR_0738](#)
- 5.2 [Request for Video Surveillance Recordings Form #: NHR_0666](#)
- 5.3 [Privacy Poster Form #: NHR_0093](#)
- 5.4 [AD-01-190 Video Surveillance](#)
- 5.5 [AD-02-40 Media Relations](#)
- 5.6 [AD-07-130 Alternate Decision Maker](#)
- 5.7 [AD-07-40 Security and Storage of Personal Health Information](#)
- 5.8 [AD-07-50 Disclosure of Personal Health Information to Police](#)
- 5.9 [AD-09-10 Retention and Destruction of Personal Health Information](#)
- 5.10 [AD-09-11 Retention and Destruction of Administrative Records](#)
- 5.11 [AD-10-05 Information and Communications Technology \(ICT\) Acceptable Use](#)
- 5.12 [HR-04-110 Mobile \(Cell\) Phones – Personal Use While on Duty](#)

6.0 REFERENCES

- 6.1 Central Health. (2021). Audio, Video and Photographic Recordings
- 6.2 Government of Manitoba . (2024). *The Adults Living with an Intellectual Disability Act* C.C.S.M.c. A6.1
Retrieved from: <https://web2.gov.mb.ca/laws/statutes/ccsm/a006-1.php>
- 6.3 Government of Manitoba. (2022). *The Freedom of Information and Protection of Privacy Act* C.C.S.M.c.F175
Retrieved from: <https://web2.gov.mb.ca/laws/statutes/ccsm/f175.php?lang=en>
- 6.4 Government of Manitoba. (2024), *The Limitation Act* C.C.S.M. c. L150
Retrieved from: <https://web2.gov.mb.ca/laws/statutes/ccsm/l150.php>
- 6.5 Government of Manitoba. (2022). *The Missing Persons Act* C.C.S.M.c.M199
Retrieved from : <https://web2.gov.mb.ca/laws/statutes/ccsm/m199.php?lang=en>
- 6.6 Government of Manitoba. (2024). *The Mental Health Act* C.C.S.M.c.M110
Retrieved from <https://web2.gov.mb.ca/laws/statutes/ccsm/m110.php?lang=en>
- 6.7 Government of Manitoba. (2024). *The Personal Health Information Act*.C.C.S.M.c.P33.5
Retrieved from <https://web2.gov.mb.ca/laws/statutes/ccsm/p033-5.php?lang=en>

- 6.8 Government of Manitoba. (2024). The Health System Governance and Accountability Act *C.C.S.M.c H26.5*
Retrieved from: <https://web2.gov.mb.ca/laws/statutes/ccsm/pdf.php?cap=h26.5>
- 6.9 Interlake-Eastern Regional Health Authority. (2019). Photography, Videography and Audio Recordings
- 6.10 Prairie Mountain Health. (2019). PPG-00833 Audio, Video and Photographic Recordings
- 6.11 Shared Health. (2019). 310.160.100 Audio, Video, and Photographic Recordings
- 6.12 Southern Health Sante Sud. (2021). Audio, Video, and Photographic Recording, including Surveillance

7.0 REVISION AND REVIEW DATE(S)

Revised (R) December 19, 2024

reviewed (r) April 12, 2024