



As a community worker (i.e., shelter worker, housing worker, health care provider, etc.), I have a legal or ethical duty to keep a woman's HIV- positive status confidential even when others are sharing program and service space including washrooms and kitchens.



DISCUSSION QUESTIONS


- What are some reasons why it is important to protect someone's HIV-positive status in this scenario?
- What organizational policies, practices, and laws, exist that apply to this scenario? What benefits and challenges might emerge if this person's HIV-positive status is shared?
- What are potential strategies you as an individual worker can put in place to maintain the confidentiality of the people you're working with?
- What are some potential strategies that your organization can or has put in place to maintain the confidentiality of the people you're working with?




FACT

TIPS:

Protecting someone's private health information is not only an important part of building supportive and positive relationships with people accessing programs and services, but it is also a fundamental human right. Protecting people's private health information can contribute to positive health outcomes while infringements on their confidentiality can lead to people experiencing stigma and discrimination.

The *Personal Health Information Protection Act* in Ontario, human rights legislation, and professional college regulations (i.e., Ontario College of Social Workers and Social Service Workers, College of Nurses of Ontario) are important guidelines that outline community workers' responsibility to protect people's health information. These policies help us to do our work ethically while also creating a foundation for us to build relationships where people feel comfortable to share personal information. This is an important part of the work because it allows professionals to connect women with other supports in the community, often improving health outcomes. See the  **More Information** section for links to these resources.

Sometimes concerns emerge about how to best protect the safety and well-being of other people sharing the space. This may include shared residential spaces, community cooking programs, and other community, faith-based, or cultural programs where women interact together. Since HIV cannot be passed by casual contact (e.g., sharing cutlery, toilet seats, coughing and sneezing, etc.), there is no risk of HIV transmission for women sharing program and service space, and no professional responsibility to share someone's HIV-positive status.

If this is a concern at your workplace, consider ways to increase community awareness about HIV. See the  **More Information** resource within this toolkit for resources on HIV transmission. This can be beneficial for everyone, and can help to foster an



accepting and informed environment. Knowing about how HIV is transmitted, universal precautions, and privacy and confidentiality rules can help to reduce fears amongst those accessing your programs and any related stigma. Universal precautions are standard measures for infection prevention and should always be used if an accident happens to reduce the risk of disease transmission or infections. Organizations can learn more about the standards and how to apply them from the Canadian Centre for Occupational Health and Safety. See the [Q More Information](#) section to find out how to find this resource and other useful resources.

Harm reduction and safer sex information, resources, and supplies are helpful evidence-based strategies to reduce risk and increase safety. Examples may be having harm reduction supplies (i.e., safer injection or inhalation equipment) and safer sex supplies (i.e., condoms) available on site or a list of local places that provide these resources. It is also useful to have posters that encourage harm reduction including safer drug use and safer sex practices.

It may also be helpful to have information about the right to privacy, and universal precautions in program spaces (i.e. harm reduction spaces, faith based programs, drop ins, shelters and more). Sharing this information may help those accessing the programs to know their rights, how to respect the rights of others, while also dispelling myths about how HIV is spread.

Sometimes people may be concerned about the importance of disclosure given the realities of the criminalization of HIV non-disclosure in Canada. These laws are specific to someone disclosing their own HIV status to sexual partners. See the More Information section for details about these laws.

If you are concerned about whether you should be sharing someone's HIV-positive status, consider:

- Discussing your questions and concerns about activities that may increase risk with the woman herself.
- Checking with your supervisor regarding organizational policies, practices, and expectations.
- Contacting someone who is informed about the relevant laws and policies. For example, in Ontario you can contact the Information and Privacy Commissioner or others who are informed about the laws.



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