

VCC ARBITER OF STUDENT ISSUES

PRIVACY & CONFIDENTIALITY STATEMENT & PARAMETERS

ASI TERMS OF REFERENCE-SECTION ON CONFIDENTIALITY (See TOR p.6)

CONFIDENTIALITY

The Office shall meet with persons or groups on a confidential basis and shall not intervene without their consent.

The Office shall communicate to a complainant the extent to which it can respect their request for confidentiality. The Office will outline to the complainant the necessity to disclose details that identify them should the complainant request the pursuit of an inquiry. Any disclosure shall be limited to those who have a need to know.

The Office will make use of and educate the College membership around the concepts of 'implied consent' and 'need to know' where consent is concerned.

Limitations to confidentiality are triggered:

- when there is perceived or imminent threat of harm to self or others or commission of a crime
- where the ASI has been harassed, bullied or discriminated against and disclosure of information is necessitated to inform the harassment, bullying or discrimination
- where the ASI becomes the subject of a complaint and disclosure of information is necessitated to answer the complaint
- where the law requires and dictates the release of information

Confidentiality will be respected even though acceding to such may prevent the resolution of a problem.

The Office will not be compelled to give evidence about anything learned in the exercise of its duties unless about and authorized by a specific complainant. The College will endeavour to protect the ASI from subpoena by others both inside and outside the College.

- Notwithstanding this standard, the Office may disclose a matter in order to establish grounds for conclusions or recommendations in a report provided the identity of the individual(s) involved is not made known or is made known

