

FAQs about Photos, Videos and Audio Recordings at Unity Health Toronto

Please ask for permission before taking photos, videos or audio recordings at our sites. It is important to respect the privacy, confidentiality and security of other patients, visitors, physicians, staff, students and volunteers. Thank you for helping us to protect individuals' privacy.

1. Am I allowed to bring devices that have recording capabilities on hospital property?

Yes. Most smartphone devices contain audio and/or video recording applications and features. These devices are permitted within Unity Health Toronto locations.

2. Am I allowed to record on hospital property?

Audio and video recordings may be made within the hospital under specific circumstances. It is important to be mindful of the privacy of others, including patients, visitors, physicians, staff, students and volunteers.

Under Canadian law, **you must be part of the conversation being recorded in order to record it.** For example, recording a conversation between staff members, between another patient and a staff member or between a patient and a visitor without consent is not permitted.

If a patient or visitor is recording in a private or restricted area (e.g. staff break room, file room) **or in an area where there is an expectation of privacy** (e.g. bathroom, change room), the person will be asked to stop and, if help is needed in stopping and/or removing the person, Security will be contacted.

Note: If at any point in time, a recording is obstructive, disruptive, targeted or harassing towards a particular individual, Security will be contacted.

3. Am I allowed to record my own care?

Please discuss your wish to record your care with your care provider prior to beginning the recording. You have the right to collect your personal health information and to be supported as a participant in your care. If you are a patient's substitute decision maker (SDM), you have the same rights to collect the personal health information of the patient and to be supported as a participant in their care.

4. Are staff and physicians required to support me if I want to record my care?

Staff and physicians should support patients and their substitute decision makers (SDMs) in making recordings of their care, where a recording is the best method to support the patient's care and the recording is done in a respectful manner. Examples of recordings that may support a patient's care include:

- *A Memory Aid:* A patient or SDM may wish to record instructions that are being given to them by their care provider (e.g. how to take a medication). Where a recording may negatively impact care to the patient – or other patients – but the potential positive impact of the recording is clear, it may be suggested that the patient or SDM record only a specific portion of the interaction (e.g. five minutes at the end of a visit, where the outcomes or treatment options are summarized).
- *A Copy of Documentation:* A patient or SDM may wish to take photos of their health record for future reference or to share with others who are supporting their care (e.g. consent form).
- *Documentation of a Memorable Event:* Specific areas of the hospital (e.g. family birthing) have departmental policies to support the recording of certain events. Departmental policies must be referred to where relevant.

5. Can physicians, staff, students or volunteers help record my care interaction?

In most cases, physicians, staff, students and volunteers should not handle a patient or an SDM's personal device to make a recording.

6. What if a care provider does not consent to being recorded?

If a care provider is uncomfortable with being recording and the recording cannot be done at an angle that does not capture images that identify them – such as their face – they may postpone care, as long as it is safe to do so.

7. Can I share my recordings publicly?

It is a patient or SDM's choice to share their own personal health information publicly. If others are included in your recording, we ask that you please respect their privacy, confidentiality and security and not share the recordings publicly.

8. What happens if a patient or visitor is recording other patients or visitors?

Staff, physicians, students and volunteers can help protect the privacy of patients or visitors who are being recorded by other patients or visitors. If you discover that you are being recorded without your consent, please notify the nearest staff member. They can help support you by:

1. Asking the patient or visitor to stop and delete the recording.
2. Escalating to their supervisor to ask the patient or visitor to stop and delete the recording.
3. Calling Security to ask the patient or visitor to stop and delete the recording. If this isn't effective, Security may escort the patient or visitor off of hospital premises.

Note: If the staff member, physician, student, volunteer or supervisor does not feel safe to ask themselves, Security may be called immediately.

9. Can staff, physicians, students or volunteers record a patient or visitor without their consent?

When a need to record patients is identified, consent is required. This may include recording for care, quality improvement, research or to maintain the safety and security of activities taking place at the hospital.

In some areas of the hospital, consent is obtained through notice. For example, there are posters explaining that there are surveillance cameras in public areas of the hospital, which help to maintain a safe environment. Senior hospital leadership may approve rare exceptions to this rule.

For more information or non-urgent questions, please contact:

Unity Health Toronto's Privacy Office at privacy@unityhealth.to or 416-864-6088.