

Section: **Professional Practice** Section Number: **III** Page 1 of 1

Subject: **Privacy of Continuing Competence Documentation** Issued: **October 2015**
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INTRODUCTION

Currently, *The Midwifery Act* does not contain a provision that provides for the protection of documentation collected by registrants for the purpose of meeting the College's continuing competence requirements, ensuring the confidentiality of the documentation and that it cannot be used in any legal proceedings. Such a proposed amendment to *The Midwifery Act* will be based on a similar provision contained in *The Registered Nurses Act, 1988*. While the College cannot prohibit the use of this information in other legal proceedings, it can control the use of it in its own processes.

This policy governs the confidentiality of documentation prepared by a member in compliance with the requirements of sections 14(1)(d) and 17(1) of the *Midwifery Regulatory Bylaws* to maintain continuing competence through a self-reflective and peer-reviewed process that identifies areas of weakness and the development of plans to address them.

POLICY

1. Subject to section two of this policy, information obtained by the College from a member, in compliance with sections 14(1)(d) and 17(1) of the *Midwifery Regulatory Bylaws*, is confidential and shall not be disclosed to any individual or entity for any purpose other than for the purpose of determining that the member has complied with the requirements of these sections and is eligible to have their practising licence renewed.
2. Information provided by a member for the purposes of demonstrating compliance with sections 14(1)(d) and 17(1) of the *Midwifery Regulatory Bylaws*, that is incorrect or inaccurate may be used in professional discipline proceedings only to prove that the member provided false information in order to obtain the renewal of their licence to practise.