

This guideline will inform panel members of their obligations in regards to protecting the personal information of appeal parties and provide procedures for communicating with the Tribunal and other panel members, given the need to maintain confidentiality.

Confidentiality and Privacy Obligations

1. All appeal information and documentation – hard copy and electronic - must be protected from being viewed by anyone other than the panel members or the parties to the appeal (s.88 EAR).
2. Panel members must ensure all appeal documents and information submitted to them respecting the hearing of an appeal are kept confidential and in a secure location at all times (s.88 EAR and s.30 FOIPPA).
3. Determinations of a panel must not be disclosed by the panel chair or panel members to any person other than the Tribunal Chair (s.88 EAR).
4. Appeal proceedings before a panel are confidential and the hearing is not open to the public (s.88 EAR).
5. Within 5 business days of the panel making its determination (s.86 EAR) which is when the Tribunal accepts the panel's decision, panel members must send all printed appeal documents to the Tribunal.
6. Within 5 business days of the panel making its determination (s.86 EAR) which is when the Tribunal accepts the panel's decision, panel members must delete all electronic copies of appeal documents that may exist on their personal devices and send an email confirmation stating what has been deleted and when it was deleted.

Communication Procedures to Protect Personal Information

Panel members may use different forms of communication, such as the telephone, email, fax, Member Portal or mail when communicating with the Tribunal. The form of communication chosen will depend on the task being performed and different procedures may apply.

Panel members are to refer to the communication matrix and applicable communications etiquette when communicating with the Tribunal.

Decision review is to be conducted using the Member Portal. However if the Member Portal is unavailable panel members must follow the procedures on page three for saving, protecting and submitting the decision by email.

Communication Matrix

Task	Phone	Member Portal	Email	Fax	Mail
Advising of urgent matters, such as an accident, illness or inability to attend a hearing	✓		✓		
Confirming availability to sit on a hearing	✓		✓		
Confirming Conflict of Interest	✓				
Sending a decision extension request to the Tribunal		✓	✓	✓	
Sending the first page of the decision to the Tribunal (password protection only required if using email)		✓	✓	✓	
Sending the draft body of the decision to panel members		✓	✓		
Sending the draft body of the decision to the Tribunal for review, including revisions		✓	✓		
Sending authorization for panel chair to sign on behalf of a member to the Tribunal			✓		
Sending the last page of the decision to the Tribunal		✓	✓	✓	
Sending the Request for Increased Remuneration Form to the Tribunal		✓	✓	✓	
Sending an Adjournment Request at Hearing form to the Tribunal		✓	✓	✓	
Sending a Panel Rescheduling Hearing form.		✓	✓	✓	
Sending documents submitted at hearing to the Tribunal					✓

Sending the Return Package to the Tribunal					✓
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Saving, Protecting and Submitting the Decision by Email – used when the Member Portal is unavailable.

Note: Do not reference the appellant’s name in the name of the file or in emails. The body of the decision must not contain any personal identifiers – this will eliminate the need to add password protection to the body of the decision. See *Avoiding Personal Identifiers* on page 8 for examples.

Saving and Protecting the First Page of the Decision

The first page of the decision contains personal identifiers and therefore must be password protected and sent separately from the body of the decision when it is emailed to the Tribunal.

1. Complete the first page and save as follows: appeal number FirstPage. For example, 2018-00123FirstPage.
2. **Apply password protection if submitting it by email.** (See page 6 and 7 for assistance with applying password protection.) Send the password in a separate email with the same file name referenced in the subject line.
3. Submit the first page by email.

Saving the Body of the Decision

The decision template will allow decisions to be temporarily saved to the hard drive. This will allow further edits to be made after feedback on the draft decision is received.

1. Under File, click “Save As”.
2. Under File Name, insert the appeal number and the number of the draft you are currently working on. For example, 2018-00123draft1.0.
3. If edits are made, save the file with a revised file name to avoid confusion over documents versions.
4. Once a decision is accepted, save the file as follows: **appeal number Final**. For example 2018-00123Final.
5. Submit by email.

Signing and Saving the Last Page

The last page may be completed in three ways:

1. Sign the last page electronically; see the Electronic Signature Guideline for assistance (preferred method). Save the last page as follows: appeal number LastPage. For example, 2018-00123LastPage.

2. Sign the last page manually (wet signature), scan, save and submit it to the Tribunal. The panel chair may sign the last page on behalf of the other panel members with consent; see [Expressed Consent Guideline](#) for assistance.
3. Submit by email.

Mailing the Return Package (all appeal related documents)

Within five days of receiving notification from the Appeal Coordinator that the decision is accepted:

1. Package the documents into the *Xpresspost* envelope provided by the Tribunal.
2. Seal the envelope promptly.
3. Follow the instructions on the back of the Bill of Lading.
4. Deliver the Return Package to an authorized Canada Post Outlet.

Note: do not combine return packages from different appeals. All parcel return labels contain a unique tracking number and barcode, which allow return shipments to be tracked.

Deleting the First Page of Decision

After the decision is accepted by the Appeal Coordinator, the first page must **always be deleted** as it contains identifying information. You may retain a copy of the body of the decision on your hard drive for your personal reference.

Communication Etiquette

Email

Generic Inbox: info@eaat.ca

- Emails intended for the Tribunal are sent to the generic inbox.
- Do not email appeal related documents or communications directly to Appeal Coordinators.

Telephone

1-866-557-0035 or 250-356-6374

- Telephone inquiries are to be made through the main switchboard (reception).
- Do not leave voicemails for Appeal Coordinators due to potential absences.

Fax

1-877-356-9687 or 250-356-9687

- Faxes must include a coversheet which includes the appeal file number as reference.

Member Portal

<http://members.eaat.ca/>

- Decision review is conducted using the Member Portal. Directions on how to use the Member Portal and Workspaces are found in the Member Portal Guide.

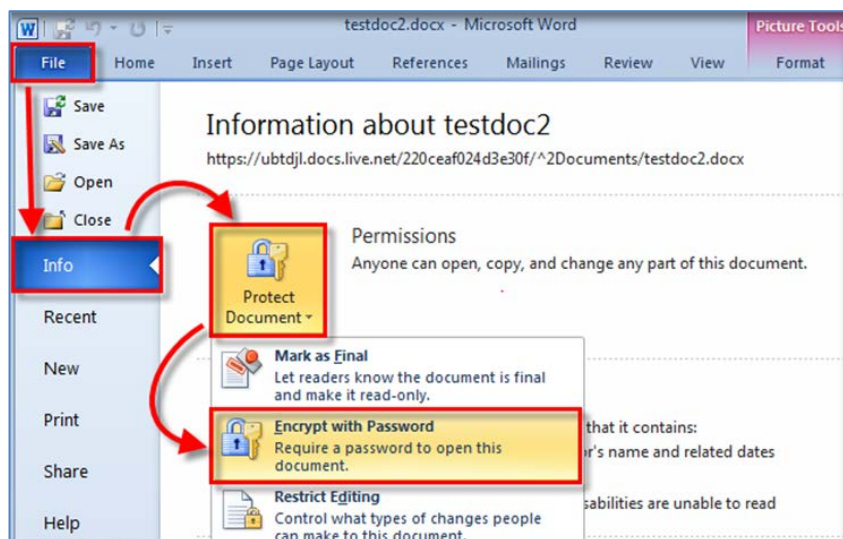
Mail

- Return packages and original signature pages are returned to the Tribunal using the *Xpresspost* envelope and Bill of Lading provided to you by the Appeal Coordinator.

Password Protection – First Page

Microsoft Word 2010:

1. On the **File** button, select **Info**.
2. From the **Permissions** icon, select **Encrypt with Password**.
3. An **Encrypt Document** window will open.
4. Type a password, and then click **OK**.
5. You will be prompted to re-enter password.
6. Type the password again, and then click **OK**.



Microsoft Word 2007:

1. On the **Office** button, select **Prepare**.
2. From the **Prepare** tab, select **Encrypt Document**.
3. An **Encrypt Document** window will open.
4. Type a password, and then click **OK**.
5. You will be prompted to re-enter password.
6. Type the password again, and then click **OK**.

Prior versions of MS Word:

1. On the **Tools** menu, click **Options**, and click the **Security** tab.
2. In the **Password to open** box, type a password, and then click **OK**.
3. In the **Re-enter password to open** box, type the password again, and then click **OK**.

Word on a Mac:

1. Open the document that you want to help protect.
2. On the Word menu, click Preferences.
3. Under Personal Settings, click Security.
4. In the Password to open box, type a password, and then click OK.
5. In the Confirm Password dialog box, type the password again, and then click OK.
6. Click Save.
7. Tip: To remove a password, select all contents in the Password to open box, and then press DELETE .

If using a different word processing program, use that program's **Help** function to find out how to add a password to a document.

Avoiding Personal Identifiers

Decisions must not contain personal identifiers as they are posted on the website.

Instead of:	Use:
Ms. Green	the Appellant
John Smith	the Appellant's husband or Mr. S.
Ministry worker Paul Smith	The Ministry
Dr. Apple	the Appellant's physician, the Appellant's physiotherapist or the Appellant's psychologist, etc.
the Appellant's neighbor, Mrs. Brown	Ms. A, and, if there are multiple people to refer to, Ms. B, Mr. C, etc.
123 Jones Street	the Appellant's residence, the Appellant's former residence or the Appellant's current residence
Spring Medical Clinic	the medical clinic or doctor's office etc.
Apple Pie Employment Agency or the Apple Pie Workplace Skills Program	an employment agency or a workplace skills program
any specific rare medical condition that might identify the Appellant	chronic disease, multiple physical disabilities, mobility challenges
moved from Cranbrook to Victoria	moved from one city to another
the appellant's 3-year-old daughter	the appellant's young child

Updated January 24, 2018