



# Health Professions Review Board

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## NOTICE (for Complainants and Registrants)

### Withholding Information in the Record from a Party (Section 42 application)

#### Fairness and Transparency

An important part of a fair review process is for all parties to have access to the same information.

#### The College's Record of Investigation

When the Review Board reviews how a college dealt with a complaint, it obtains a copy of the college's record of investigation (see [Practice Directive 2 Duty of a College to Produce the Record](#)). The Review Board then distributes it to all the parties.

#### Withholding Information

The Review Board always obtains a complete copy of the college's record of investigation in accordance with the [Rules of Practice and Procedure](#). However, in exceptional cases, a party to the review (most often the college itself) might believe the Review Board should withhold certain information in the record from another party. For example:

- documents that disclose financial information that is not relevant to the review
- information that may bias a reviewer (for example, sexual health information or mental health information which does not relate to the subject of the complaint)
- information about a third party (such as names, statements, or personal information about family members that are not relevant to the review)
- information that should be withheld from a party to protect personal safety or security

## How to Apply

Write to the Review Board **no later than 14 days from the day you receive this notice**. If no requests are received, the Review Board will distribute the Record to all parties in full.

Your application must be in writing, and must:

1. describe the information that should not be disclosed, and which party it should not be disclosed to;
2. explain why the information should not be disclosed;
3. be sent to all other parties. **If copying the parties would defeat the purpose of the application, please contact your case manager.**

If you have any questions or need help, contact your case manager.

References:

[Practice Directive 3 Section 42 Applications Under the Administrative Tribunals Act \(Inquiry Committee Disposition Reviews\)](#)