

Information for Clients and Users of Psychological Services

Issued by: The Nova Scotia Regulator of Psychology | March 2026

Confidentiality and Its Limits

Psychologists have strict ethical standards and guidelines that require them to keep the information you share private and confidential. A failure to do so can result in a complaint against the psychologist and potential disciplinary action.

However, there are specific situations based on Nova Scotia law and professional ethics where a psychologist may be required or permitted to disclose your personal information without your expressed permission.

Situations Where Information May Be Disclosed

While this list is intended to be inclusive, it may not cover every unique legal situation. Provincial legislation and NSRP Standards always take precedence.

1. **Child Protection:** Under the *Children and Family Services Act*, psychologists must disclose information if they believe a child is at risk of harm.
2. **Adult Protection:** Under the *Adult Protection Act*, psychologists must disclose information if they believe an adult who cannot protect themselves is being abused (physically, sexually, emotionally, or financially).
3. **Risk of Self-Harm or Harm to Others:** * If a psychologist believes someone is threatening serious bodily harm to another, they may take protective actions, such as notifying the potential victim or the police.
 - If a psychologist believes someone is at risk of harming themselves, they may be obligated to seek medical treatment or contact family/authorities to provide protection.
 - Under the *Personal Health Information Act (PHIA)*, information may be shared to avert or minimize a significant danger to the health or safety of any person.
4. **Safe Driving:** Under the *Motor Vehicle Act*, psychologists may report to the Registrar of Motor Vehicles if a mental or emotional disability may interfere with the safe operation of a vehicle.
5. **Workers' Compensation:** Under the *Workers' Compensation Act*, psychologists must provide requested information regarding a worker claiming compensation.
6. **Child Pornography:** Under the *Child Pornography Reporting Act*, any person who reasonably believes material is child pornography must report it a police department.

7. **Court Orders:** Psychologists may have to release a file if they receive a subpoena, notice to produce, or a court order.
8. **Minors (Under Age 19):** Information may be shared with parents or guardians unless a confidentiality agreement is in place or the child is determined to be a "mature minor" under the *common law Mature Minor Doctrine*.
9. **Professional Misconduct:** Under the *Regulated Health Professions Act (RHPA)*, psychologists must report another health professional if they have grounds to believe that person has engaged in misconduct or is a danger to the public, even if this is learned during a confidential session.
10. **Supervision:** Psychologists-in-training or those receiving supervision may share clinical files with their supervisor to ensure appropriate care. Supervisors are also bound by confidentiality.
11. **Circle of Care:** If the psychologist is part of a treatment team, it is understood that relevant information will be shared among team members to provide the best care, unless you explicitly instruct otherwise.
12. **Third Parties:** If you have consented to allow a third party such as an insurer, employer, or legal representative to access your records, the psychologist will provide only the information you authorized.
 - 12a. **Third-Party Retaining Assessments:** If a court, employer, or legal party has arranged for a psychological assessment, they are the primary client for that assessment. This means the psychologist's report will be provided to the party that requested it. The psychologist is required to explain this to you before the assessment begins, including who will receive the report and what it will contain.
13. **Collection Agencies:** Minimally required information may be shared with a collection agency if there is an unresolved debt, after other attempts to resolve it have failed.
14. **Complaints or Practice Reviews: Complaints or Practice Reviews:** If a psychologist is subject to an investigation or a practice review by the NSRP, relevant client files may be examined by an investigator or practice reviewer to ensure professional standards are being met.

Legal and Ethical References

Note: While efforts are made to keep these references current, links and legislation are subject to change. Please refer to the [Nova Scotia Legislature](#) for the latest official versions.

1. Children and Family Services Act

- **Source:** [Statute](#)
- **Duty to Report (Section 23 [1]):** "Every person who has information, whether or not it is confidential or privileged, indicating that a child is in need of protective services shall forthwith report that information to an agency."

2. Adult Protection Act

- **Source:** [Statute](#)
- **Duty to Report (Section 5 [1]):** "Every person who has information, whether or not it is confidential or privileged, indicating that an adult is in need of protection shall report that information to the Minister."

3. Risk of Self-Harm or Harm

- **Canadian Code of Ethics for Psychologists (4th Ed)**
 - [Source Link](#)
 - **I.45:** Share confidential information only to the extent reasonably needed... except as required or justified by law, or in circumstances of possible imminent serious bodily harm.
 - **II.42:** Do everything reasonably possible to stop or offset actions likely to cause imminent serious bodily harm to self or others.
 - **II.43** Act to stop or offset the consequences of seriously harmful activities being carried out by another psychologist or member of another discipline, when there is objective information about the activities and the harm. This may include reporting to the appropriate regulatory body, authority, or committee for action, depending on the psychologist's judgment about the person(s) or body(ies) best suited to stop or offset the harm, and would be consistent with the privacy and confidentiality rights and limitations of the individuals and groups involved.
- **Personal Health Information Act**
 - [Source Link](#)
 - **Section 38 (1)(d):** A custodian may disclose information without consent if they believe on reasonable grounds that it will avert or minimize a significant danger to the health or safety of any person. (Note: "Imminent" is removed effective April 1, 2026).

4. Motor Vehicle Act

- [Statute](#)
- **Section 279 (8):** A registered psychologist may report the name of any person who is afflicted with a disability that may interfere with the safe operation of a motor vehicle.

5. Workers' Compensation Act

- [Statute](#)
- **Section 109 (1):** Every health-care professional consulted regarding a worker claiming compensation shall provide any information requested by the Board.

6. Child Pornography Reporting Act

- **Source:** [Statute](#)
- **Duty to Report (Section 3):** Every person who reasonably believes material is child pornography shall promptly report it to a reporting entity.

7. Court Orders

- Information regarding the disclosure of raw assessment data can be found in the [NSRP Position Statement](#).

8. Mature Minor Status

- Refer to the [Age of Consent Position Statement](#) and the [Legal Information Nova Scotia Guide](#).

9. Sexual Misconduct (RHPA & NSRP Standards)

In alignment with the [Regulated Health Professions Act \(RHPA\)](#), [NSRP Sexual Abuse and Misconduct Standard 4.1](#) mandates that a registrant:

- Must report to the Registrar if the registrant has reasonable grounds to believe that another registrant has engaged in sexual misconduct;
- Must report to the regulatory body of another health profession if the registrant has reasonable grounds to believe that a member of that profession has engaged in sexual misconduct; and
- Must report to an employer if the registrant has reasonable grounds to believe that a regulated or unregulated employee in the registrant's work setting has engaged in sexual misconduct.

10. Supervision

- Refer to the [NSRP Supervision Handbook](#).
- **Standard 17.C / 18:** Supervisory sessions include direct observation, review of reports, raw data, and clinical files.

11. Circle of Care

- Consult the [OIPC "Need-to-Know" Guide](#) and the [NSRP Circle of Care Statement](#).

12. Third Parties If a client consents to allow a third party to access their records, the psychologist will provide only the information authorized. See *NSRP Standards of Professional Conduct, Principles 5 and 7; Personal Health Information Act*.

12a. Third-Party Retaining Assessments In third-party retaining assessments (court ordered, employer-initiated, or otherwise arranged by an external party), the retaining party (court, Crown, defence counsel, employer, etc.) is the primary client for the purposes of the assessment. Registrants retain obligations to the individual being assessed, including clarifying the limits of confidentiality before the assessment begins. See *NSRP Standards of Professional Conduct, Principles 5 and 7; CPA Code of Ethics I.26; see also Section 7 (Court Orders) above*.

13. Collection Agencies

- **[NSRP Standards of Professional Conduct \(Principle 6\)](#)**: Registrants must reach an agreement on fees prior to service. Section 6.3 requires informing the client of the intent to use a collection agency and providing an opportunity for payment first.

14. Complaints or Practice Reviews

- **Regulated Health Professions Act (RHPA) General Regulations**
 - [Link to RHPA Regulations](#)
 - **Section 23 (1) & (4)**: Investigators may enter a place of practice and examine records relevant to an investigation, regardless of other health record confidentiality acts.
 - **Section 49 (2)(c)**: Registrants must permit practice reviewers to inspect and make copies of client records if deemed necessary.