

1. Purpose

It is necessary to have a file and information maintenance policy in place to ensure that Friendship Centres and Delivery Sites are meeting their legal and ethical obligations with respect to handling personal information. In addition to obligations outlined in the Personal Information Protection and Electronic Documents Act (PIPEDA) and the Personal Health Information Protection Act (PHIPA) with respect to securing informed client consent, there are often related pieces of legislation that require specific policy and procedural documents with respect to file and information maintenance.

2. Scope

This policy applies to all staff who have access to, or knowledge of, information, either electronic or hard copy, related to clients enrolled in programs sponsored or administered by the OFIFC and Ontario Friendship Centres and Delivery Sites. This policy and subsequent procedure does not apply to the data or information stored in the OFIFC Integrated Database.

3. Responsibilities

3.1 OFIFC:

- 3.1.1 Assists in the implementation and supports the ongoing use of the File and Information Maintenance policy in Friendship Centres and Delivery Sites to protect the confidentiality and security of client information.
- 3.1.2 As directed by contribution agreements, service contracts, or the like with funding agencies, will, when required, retrieve client files from discontinued program sites. The OFIFC will, in these cases, be responsible to ensure the electronic and hard copy files and information are/is safe, secured, boxed (if applicable), and destroyed according to the applicable legislation.
- 3.1.3 The OFIFC will be responsible to maintain and follow rigorous standards in the use and protection of all the OFIFC Integrated Database data collected from Friendship Centres. As such, the policy and procedures applicable to the electronic data collected through the OFIFC Integrated Database govern the OFIFC's management of said data.

3.2 Friendship Centre/Delivery Site Board of Directors:

- 3.2.1 Ensures that all policies and procedures are in place to protect the confidentiality and security of client information and the effective operation of the Friendship Centre/Delivery Site.

The Friendship Centre/Delivery Site is the owner of the client file, electronic and hard copy, and must have a letter of authorization or consent signed by each client to establish a client file containing personal information. Board members do NOT have access to client files.

However, the Board of Directors is responsible to ensure all relevant legislative requirements are met with respect to file and information maintenance.

3.3 Management:

3.3.1 Clarifies the role of management in file and information maintenance, what is the process for supervision in regards to file or information maintenance, and defines a policy for access to client files and information.

3.4 Program Staff:

3.4.1 It is the program staff's responsibility to open, maintain and close client information files while maintaining client confidentiality.

3.5 Information Technology (IT) Staff:

3.5.1 The IT staff will provide regular scheduled back-ups of all files and information maintained on the Friendship Centre/Delivery Site shared drive system. IT staff will have no reason or cause to initiate access to any electronic client related document created by the Friendship Centre/Delivery Site. However, in the instances where IT support is required to recover or discover missing electronic documents, it must be noted that they are required to maintain confidentiality.

Further, access in these processes are limited and supervised by the program staff making the original request.

4. Client File Ownership

4.1 Client files opened, maintained, reviewed and/or stored by the Friendship Centre/Delivery Site, either electronically or in hard copy form, for the provision of program and services, remain the property of the Friendship Centre/Delivery Site. They may not be removed from the premises, either by the client or the program worker. Based on contribution agreements, service contracts, or the like, original client files or information, electronic or hard copy, may be required to be provided to the OFIFC upon formal written request. This excludes data entered into the Integrated Database.

4.2 Under the guiding principles outlined in the PIPEDA and PHIPA, clients have a right to access information contained in their client files. Specifically, one principle contained in the guideline states:

4.2.1 Individual Access: Upon request, an individual shall be informed of the existence, use and disclosure of his or her personal information and shall be given access to that information. An individual shall be able to challenge the accuracy and completeness of the information and have it amended as appropriate.

4.3 As noted above, clients may review their electronic or hard copy file and they may receive copies of information contained within the file. It is recommended that the program worker obtain such a request in writing, signed by the client.

5. File Maintenance Rationale

5.1 A complete file is important:

- 5.1.1 In setting obtainable goals and objectives with the client. The worker is then able to see documentation on client progress and this in turn will assist the worker with establishing treatment plans.
- 5.1.2 In ensuring proper case notes are completed during the visit, and will assist with the establishment of a plan of care. Case notes should include date of contact and issues which were discussed during the visit. Proper case notes also provide the next worker with a documented client history profile. It is important to note that personal names not be used in case notes, to protect confidentiality.

Case notes should use words or phrases like “the client” or “the worker”.
- 5.1.3 In maintaining a record of client information in their file for reference, if there was an emergency and the client had misplaced their personal information. Never keep original copies in the client files - only copies.
- 5.1.4 In ensuring that proper information and documentation that substantiates the reports which have been submitted, in the event of a case audit review.
- 5.1.5 In ensuring that documentation exists which might serve as evidence in the proceeding, in the event that a client file is subpoenaed for court.
- 5.1.6 In that the transfer of client information into the computerized data base program ensures the existence of comprehensive information which would assist with the documentation of cycles and trends, which in turn would assist the worker with creating plans of action based on community needs.

6. One Client File

- 6.1 Only one official client file of information shall be maintained by the program with one electronic back-up file, if the file is maintained electronically, and this client file shall be kept in the program staff office in a secure file cabinet or under password if maintained electronically. Program and other staff are discouraged from keeping informal files or information on clients.

7. Retention of Records

- 7.1 The minimum retention period for client files and information is that the files and information should be kept for as long as needed to allow an individual client to exhaust any legal recourse regarding a request for access. This means that the minimum retention period for client files and information varies by the type of record.
- 7.2 As a best practice, client files and information should be kept for a minimum of two (2) years after the last date of contact with the client or the date the client last accessed the program or services of the Friendship Centre/Delivery Site.
- 7.3 When it is determined that the requisite period for file and information retention has passed, the clients file and information must be destroyed in a manner that protects and preserves the confidentiality of the client.

8. Destruction of Records

- 8.1 Friendship Centres/Delivery Sites must have procedures to securely dispose of client files and information so that the file or information cannot be retrieved.
 - 8.2 For hard copy records, secure disposal may mean crosscut or burning them; and for electronic records, secure disposal may include either physically destroying the media they are stored on (such as a CD) or magnetically erasing or overwriting the information in such a way that the information cannot be recovered.
 - 8.3 Friendship Centres/Delivery Sites must keep a record of disposal dates and the names of clients whose records were disposed of.
 - 8.4 Great care should also be taken to secure client files and information when moving offices. Files should not be left behind or tossed in the garbage without first being securely destroyed. If computers are to be sold, all client files or information must first be erased in such a way that it cannot be recovered.
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FILE MAINTENANCE

1. Introduction

File maintenance is an important aspect to maintaining the confidentiality of service delivery. As a standard of all OFIFC delivered programs, there is a requirement to track participant and client interactions and ongoing case management. As such, the File Maintenance Procedure provides the manner in which the Friendship Centre/Delivery Site handles and protects the outlined information.

2. Objective

The objective of the File and Information Maintenance Procedure is to maintain client and participant confidentiality while allowing for the collection, use, and disclosure of information.

3. Definitions

- 3.1 Information Custodian: An authorised individual, who collects, stores or transmits electronic information pertaining to the Friendship Centre/Delivery Sites activities.
- 3.2 Information User: An authorised individual who accesses electronic information pertaining to the Friendship Centre/Delivery Sites activities.
- 3.3 Data sets: Data related to a specific purpose or topic.
- 3.4 Critical Electronic Files
 - 3.4.1 Critical Electronic Files are highly sensitive and confidential information where the unauthorised disclosure would seriously and adversely impact the Friendship Centre/Delivery site, its employees, its Board of Directors and the, OFIFC, and access to which is strictly limited.
 - 3.4.2 Critical Information is information that, if compromised, would place the Friendship Centre/Delivery Sites in breach of its legal and regulatory responsibilities.

3.4.3 Examples of critical information:

- a. Health Information: Health information is highly sensitive and subject to a number of statutory controls, including, but not limited to, the Privacy Act and the Health Records Act. The accidental disclosure of health information could result in fines for breaches of data confidentiality requirements; and
- b. Client related details.

3.5 Database Maintenance

3.5.1 It is important to maintain an accurate and up to date electronic file system:

- a. For program records;
- b. For service to the client;
- c. To maintain confidentiality of information; and
- d. To accurately reflect and report caseloads.

3.5.2 Electronic file systems should be established under the following format:

a. *Active Electronic File*

- Active electronic file are opened for clients who intend to use program services more than once.
- Active electronic file are for clients who are currently in the system, or have been in the system during the past year, or while the Worker is monitoring or addressing the client's plan of care.
- These electronic file are entered according to the database entry form. The program database will automatically create the file name, which is to be used on the physical file as well.
- Electronic files should be reviewed and reassessed on a constant basis to ensure that the files are up to date and to ensure that clients are receiving follow up.

b. *Inactive Electronic Files*

- Inactive files are for clients that have been out of the system for one year;
- The program database will identify these files and mark them as inactive; and
- If a client with an inactive file enters the system again, their file should be transferred back into the active file section. When a file is reopened an intake form should be completed again to ensure that all the information is updated and to remind the reader that this person is re-entering the system.

c. *Closed Electronic Files*

- Files that have been inactive for more than one year or upon completion of the plan of care should be closed.

d. *One Time or Transient Services*

- One time or transient services are those delivered by program staff that sees the client only once, provide telephone contact and/or referral for information, or provide services to transients.
- Entry should include at minimum a date of birth and the client's first and last name
- If there is a pattern of the client coming in for different services three to four times per month an active file should be opened, and the intake form completed.

e. *Deceased Client Electronic Files*

- The files of deceased clients should be kept in a separate and in secure location

3.5.3 Further, it should be understood by all program staff with direct input to client files that documentation contained in a client file could serve or support statements provided in any court process.

3.6 Storage

3.6.1 Information, other than that stored on secondary backup devices, must be stored on non-transportable, non-removable storage devices under the control of Information Technology Services (ITS).

3.7 Access

3.7.1 Access to records and files must be restricted to specific positions, requiring authentication and password protection.

3.7.2 Repairs to storage devices must be undertaken onsite and under supervision of Friendship Centre/Delivery Site Executive Directors.

3.7.3 If the program worker is on extended leave or on vacation their filing authentication and password shall be left with the Executive Director.

3.7.4 Clients may request, at any time, to review and/or obtain copies of any items either electronically or hard copy from their program client file. In this case they are required to submit a written request with original signature to the Friendship Centre's/Delivery Site's Executive Director.

3.7.5 The client's request for the client file shall be kept in the client's file. No request may be refused.

3.8 Disposal

3.8.1 Electronic data must be removed before the storage device is retired or reused. If not able to be removed, the device must be destroyed.

4. Physical File Maintenance

4.1 Client Files

4.1.1 A Client file should contain the program specified information which may include the following information:

- a. A file folder with only the client code on the tab;
- b. "Universal Consent Forms", signed by the client, indicating they are aware:
 - That personal information is being collected and may be used and/or released, in confidence, for the purposes of reports, data collection, etc.; and
 - Of the potential risks associated with the activity and that the participant (or parent/guardians of minor participants) understands the risks and agree to assume the possible foreseen or unforeseen risks.
- c. A Client Intake form, with any additional program-specific forms, requirements or notes attached;
- d. "Client Eligibility Form";
- e. Hard copy of case notes, included in descending order;
- f. Referral forms to or from other service providers;
- g. Client activity sheet, which monitors and tracks all services provided to the client;
- h. Plan of care;
- i. Client medication chart, optional and/or as needed;
- j. "Client Refusal of Services Form",
- k. Correspondence; and
- l. Other relevant information.

4.2 File Systems

4.2.1 It is important to maintain an accurate and up to date filing system:

- a. For program records;
- b. For service to the client;
- c. To maintain confidentiality of information; and
- d. To accurately reflect and report caseloads.

5.2.2 File systems should be established under the following format:

a. *Active Files*

- Active files are opened for clients who intend to use program services more than once.
- Active files are for clients who are currently in the system, or have been in the system during the past year, or while the Worker is monitoring or addressing the client's plan of care.
- These files should be kept in a separate file drawer in alphabetical order, based on the Unique Coding System presently being utilized. Where one exists, the program database will provide the coding for the physical file. Where a database does not exist the unique coding system as described here is to be utilised;

- Unique Coding System:

- . First and Last Initial of the First Name
- . First and Last Initial of the Last Name
- . Month, Day, Year of Birth
- . Gender = F or M
- . Friendship Centre Code (2 digits)

- . Program Code = 3 letters
- Example = Dakota Sweet grass, born Nov 26, 1900.
 - . DASS11261900FFCAAA

4.2.3 **Client names are not to appear on the outside of the file folders.**

4.2.4 Files should be reviewed and reassessed on a constant basis to ensure that the files are up to date and to ensure that clients are receiving follow up.

a. *Inactive Files*

- Inactive files are for clients that have been out of the system for one year;
- These files should be kept in a separate file drawer, in alphabetical order; and
- If a client with an inactive file enters the system again, their file should be transferred back into the active file section. When a file is reopened an intake form should be completed again to ensure that all the information is updated and to remind the reader that this person is re-entering the system.

b. *Closed Files*

- Files that have been inactive for more than one year or, upon completion of the plan of care, should be closed and moved to a location where all closed files are kept;
- There should be a local confidentiality policy developed that would limit access to the closed files to ensure integrity of information contained in the files and they should be placed in a locked and secure place. Friendship Centre/Delivery Sites may wish to consider storing closed files for all programs in the same locked and secure location; and
- After two years, as stated in the File Maintenance Policy, the closed files are destroyed in a safe and secure manner, recording the date and method used.

c. *One Time or Transient Services*

- One time or transient services are those delivered by program staff that sees the client only once, provide telephone contact and/or referral for information, or provide services to transients;
- An intake sheet, including at minimum a date of birth and the client's first and last name, should be completed to the best of the program staff's ability;
- One time or transient services are filed in a separate file for one time contacts;
- If there is a pattern of the client coming in for different services three to four times per month an active file should be opened, with all the one time service sheets placed in the active file; and
- After two years, as stated in the File Maintenance Policy, the one time or transient services files are destroyed in a safe and secure manner.

d. *Deceased Client Files*

- The files of deceased clients should be kept in a separate, secure location and destroyed two years after the death of the client.

- 4.2.5 Further, it should be understood by all program staff with direct input to client files, that documentation contained in a client file could serve or support statements provided in any court process.
- 4.3 Client File Access
- 4.3.1 The client file storage cabinet must be locked at all times in the absence of the program worker. The Executive Director should ensure that there are two sets of keys for the filing cabinets. One set for the program worker and one set for the Executive Director.
- 4.3.2 Client files must not be stored on the program worker's desk. Client files should be removed from storage only for review prior to, and during, a client visit, to update or review case notes or complete data storage processes, or, prior to, and during, a file review process, with respect to closed files, files of deceased clients or pending destruction of files.
- 4.3.3 If the program worker is on extended leave or on vacation, their filing cabinet access keys shall be left with the Executive Director.
- 4.3.4 Clients may request, at any time, to review and/or obtain copies of any items, either electronically or hard copy, from their program client file. In this case they are required to submit a written request with original signature to the Friendship Centre/Delivery Site Executive Director. The Friendship Centre/Delivery Site will have 30 calendar days from the date of the written request to provide access to the client file.
- 4.3.5 The client's request for the client file shall be kept in the client's file. **No request may be refused.**