

PETERBOROUGH YOUTH SERVICES

POLICY AND PROCEDURES

SECTION: CASE RECORDS	POLICY NUMBER: CR - 50
Duty to Respect Privacy	APPROVED or REVISED: AUGUST 8, 2017
APPLIES TO: CYMH	REVIEWED: OCTOBER 20, 2021

POLICY

Peterborough Youth Services is committed to respecting the privacy of clients and their families. Maintaining confidentiality is extremely important in the organization as it demonstrates respect and builds trust. All client and organizational records (including corporate records, board records, financial records and employment records) are stored securely. Staff treat as confidential all client information obtained in the course of their work and comply with all organizational policies, principles and procedures relating to the collection, storage, and release of client information.

PYS maintains the integrity of client information and meets the privacy standards established by relevant legislation including the Personal Health Information Protection Act (PHIPA), the Youth Criminal Justice Act and Child, Youth and Family Services Act. This privacy policy outlines why PYS collects personal information, how it is used, how it is protected and under what circumstances it will be disclosed.

PROCEDURE

Consent

A Consent for Service form is signed by each client (or guardian, depending on the age of the client) during their first meeting with a PYS staff person. In accordance with relevant legislation, if a youth is deemed “incapable” of providing consent then a substitute decision maker (most often a parent or guardian) will provide consent. At that time, staff are required to inform clients fully about the limits of confidentiality in a given situation, the purpose for which information is obtained, and how it may be used.

Collection and Use of Information

PYS collects and uses health information to:

- assess, counsel and treat clients;
- provide appointment reminders to clients;
- deliver PYS services, including staff supervision;
- evaluate PYS programs;
- meet quality assurance purposes, including accreditation; and
- fulfill other purposes permitted or required by law.

Information will only be used for the purpose for which it was collected, as outlined in the list above.

PYS maintains a confidential personnel record for each employee, student and volunteer which is stored and maintained in a secure manner in accordance with legislative requirement and agency policies and procedures.

All financial and corporate records will be kept in accordance with CRA standards and legislative requirements.

Communication and Access

Any messages left at a client's home or telephone answering machine must be discreet.

Staff will not conduct in home sessions or disclose their relationship with the client should other people be present at the residence without the consent of the client.

Clients must be seen in private rooms that protect their privacy when in session at PYS' main office.

Any supervision conversations about clients will take place behind closed doors.

When requested, clients are permitted to access their personal information, obtain a copy of their information and/or make a correction to their information.

In the event of theft, loss or unauthorized use or release of client personal information, all affected clients will be notified immediately.

Confidential personnel records are maintained in locked cabinets in the Executive Director's office and /or on the password protected computer system which may only be accessed by individuals authorized by the Executive Director. The normal supervisory process allows access to the personnel files for direct supervisors and senior managers. Employees and volunteers may access their own records at a mutually agreed upon time by the Executive Director or designate under the supervision of management personnel. Any other access to or release of information contained in the file is only with the written permission of the person to whom the file pertains.

When hardcopy files records are removed from their storage location, it is known who removed the file and the file is tracked.

All client and organizational records (including corporate records, board records, financial records and employment records) are kept on site. Only those who require access to the organizational files to fulfil their role and responsibilities have access to said files.

Disclosure of Information

Staff will not share with other agencies/professionals confidences revealed by clients, without their signed consent, except for legally required reasons. PYS may be required to share information with law enforcement agencies, in emergencies, where required by court order or search warrant, or to report suspected child abuse as required by legislation in all provinces and territories in Canada.

Withdrawal or Client Limits on Use of Personal Information

In the event that a client withdraws their consent for service, PYS terminates service and offers the client appropriate referrals to alternate service organizations. If a client withholds signed consent at Intake but expresses verbal agreement to take a place on the waiting list then they are included on the list, with a note added by the Counsellor indicating that a consent for service is still required. If a client requests limits placed on the use of their personal information then those requests are accommodated providing they do not inhibit the service from being provided or conflict with organizational policies and practices (for example, if a client does not want to be contacted

by phone but provides an email or alternate way to schedule appointments then that would be accommodated).

Security of Information

PYS takes all necessary precautions to ensure that personal information (in both electronic and hardcopy format) is secure and used only for the purpose(s) for which it was provided. See Policy A-50 for more information on the security of electronic information.

Files for clients being seen at the PYS office must remain at all times in the PYS office and may not be removed or transported outside the office, including to client residences.

Community Response Team files must be returned to the PYS office at the end of each work day.

Hardcopy information (including corporate records, financial records and the records of personnel and clients) must be kept in a locked cabinet (unless under the direct supervision of an authorized staff person) and unavailable to the general public. Staff persons will only have key access to hardcopy information required to fulfill their job responsibilities. Each staff person with access to the electronic client database will have a password protected login. After hours, a security alarm is activated and all interior and exterior office doors are locked.

Computers, tablets, cellular phones, voice-mail systems and electronic files are password protected and accessible only by authorized employees.

Transport of client information via portable electronic storage is not permitted.

Hardcopy information (including corporate records, financial records and the records of personnel and clients) are protected against loss and destruction by 1) ensuring the office complies with fire regulations; 2) installing fire alarms and smoke detectors; 3) not permitting smoking in the building; 4) ensuring all storage containers for records are strong, stable and non-flammable; 5) identifying all locations where water might penetrate the building and inspecting those locations regularly; 6) keeping a humidity meter in the file storage area, checking it regularly and running a dehumidifier when necessary; and, 6) assigning clear names to records and files so that they can be easily filed and retrieved.

Retention and Destruction of Records

All client documentation, notes, and records are kept for 25 years from the date of the last contact. Client paper files are kept in double locked storage. Closed files are moved to archived double locked storage.

Personnel files will be retained in double-locked files for three years following the date of termination of employment pursuant to Section 15, Subsection 5 of the Employment Standards Act. A list of former employees and volunteers will be retained after the file is shredded.

Both a hard and electronic copy of the general journal, accounts payable, accounts receivable, balance sheet, trial balance, statements of profit and loss and audited financial statement for the fiscal year will be kept indefinitely. Duplicate donations receipts will be kept for 10 years. Employees' payroll and T4 summaries, invoices and other financial documentation will be kept for a period of 7 years after which they will be destroyed in a secure and confidential manner (shredded in two directions). All financial records are stored in a safe and secure manner.

Complaints

PYS' Executive Director acts as the organization's Privacy Officer and is the representative available to respond to any questions or concerns about privacy:

Executive Director
Peterborough Youth Services
459 Reid St, Peterborough, ON K9H 4G7
(705) 743-1681

If concerns are not addressed satisfactorily, then those concerned can contact the Information and Privacy Commissioner of Ontario. The Commissioner can be reached at:

Information and Privacy Commissioner of Ontario
2 Bloor Street East, Suite 1400
Toronto, ON M4W 1A8
1-800-387-0073

or visit the IPC website via www.ipc.on.ca