

6.01 Client Confidentiality and Access to Personal Information

Confidentiality

It is a matter of professional ethics, as well as Bayfield's policy, that the strictest confidentiality be maintained with regard to any information we obtain from or about the youth we serve. Anyone involved in the care, observation, assessment or treatment of our youth at Bayfield must not divulge any information regarding who is seen, cared for or treated.

The names, reasons for admission, diagnosis, treatment, and any other information about a youth or visitor are strictly confidential. All Bayfield employees must read and sign a confidentiality agreement that will be placed in their personnel files. Employees are to limit their access to the youth's personal information to only what is required to do their job. Any inquiry about or access to a youth's personal information for simple interest sake is strictly prohibited.

Employees, students, and other observers who participate in Bayfield activities for any purposes, or who use material for case presentation for teaching purposes, research, or other academic purposes, **MUST** encrypt all identifying data and all pertinent information which might identify the client. Material may not be photocopied, nor may files be removed from Bayfield's premises, without Bayfield's Privacy Officer's approval.

Caution must be exercised when discussing a client while on duty. Discussion of client affairs outside of Bayfield is a serious infraction of ethics. False, vicious, or malicious statements concerning any youth, their families and placing agencies or of an employee of Bayfield or its services will bring disciplinary action.

Access to Personal Information

All requests to access or correct information related to current and former youth that have received services at Bayfield must be processed and managed according to the Child, Youth and Family Services Act: Part X (Personal Information). This legislation is summarized and explained in the following guide created by the Information and Privacy Commissioner of Ontario: [Providing Access to Personal Information under the Child, Youth and Family Services Act A - Guide for Service Providers \(Providing%20Access%20to%20Personal%20Information%20under%20the%20Child,%20Youth%20and%20Family%20Services%20Act%20A%20-%20Guide%20for%20Service%20Providers\)](#).

Requests to access or correct information should be submitted using the [Access and Correction Form \(https://www.ipc.on.ca/wp-content/uploads/2019/12/2019-access-correction-form_partx.pdf\)](https://www.ipc.on.ca/wp-content/uploads/2019/12/2019-access-correction-form_partx.pdf), also created by the Information and Privacy Commissioner of Ontario. The response to information requests will be coordinated by Bayfield's Administrative Specialist, who will collect the respective information from personnel in the following roles:

Team Leaders

- Information related to Plans of Care, Client Progress Notes, Collaborative Planning Notes, Serious Occurrence Reports, etc.

Senior Clinician

- Information related to individual, group and/or family therapy and psychological assessments.

Medical Coordinator

- Information related to medical files, including psychiatric records.

School Principal

- Information related to OSSRs and the youth's education

Where there is uncertainty related to information that should be provided, Bayfield's Privacy Officer will be consulted. Where there are conflicting opinions related to information that should be provided, Bayfield's Privacy Officer will make the final decision. Complaints related to information requests and breaches of confidentiality will be heard and responded to according to the Child, Youth and Family Services Act: Part X (Personal Information) (<https://www.ontario.ca/laws/statute/17c14#BK380>), by Bayfield's Privacy Officer. Any privacy breaches will be reported as a Serious Occurrence.

Notes:

- 1. On January 12, 2022, there was a catastrophic fire at Bayfield's Administration Building (<https://globalnews.ca/news/8505314/prince-edward-county-fire-crews-bayfield-treatment-centre>) that destroyed all paper and electronic client files and records including, but not limited to, Plans of Care, medical information and reports, psychiatric assessments, legal records, Incident Reports, and psychological testing data and assessment reports. Those requiring any of these documents may be able to access them through their placing/funding agency that may have received a copy of the documents for their records. Late in 2019, Bayfield switched to a web-based digital information system, where client data is stored off-site. As such, client files for youth admitted on or before December 1, 2019 remain intact and are available via the above-noted access to personal information process.**
2. Consistent with O. Reg. 156/18: General Matters Under the Authority of the Minister (<https://www.ontario.ca/laws/regulation/180156>), files are only accessible for **20 years** after it was last amended or, if the resident dies, for at least five years after the death of the resident, after which paper records are shredded and electronic records are deleted by Bayfield's administrative support staff.
3. Only materials prepared at Bayfield may be released to outside sources. Copies of reports from other agencies/sources (i.e. referral information, psychological reports, etc.) accumulated in the Client Record may not be forwarded even though in some cases, it would appear expedient to do so.
4. The Program Managers will be responsible for the management of information requests in the GTA and any complaints will be heard and processed by the GTA's Director of Operations.