

LANARK COUNTY COMMUNITY JUSTICE PROGRAM	POLICIES & PROCEDURES
SECTION: General Operations	APPROVED: March 20, 2014
SUBJECT: Confidentiality	HISTORY: April 12, 2004
<p>Policy: Lanark County Community Justice Program staff and volunteers shall observe these guidelines concerning confidentiality of all information, records and files that may be used to identify forum participants or potential forum participants. All information, records and files are considered confidential and must be protected in accordance with LCCJP's Agreement with the Ministry of the Attorney General pertaining to the <i>Safekeeping and Destruction of Confidential Information</i>; and the <i>Freedom of Information and Protection of Privacy Act</i>, as well as our own internal standards to protect the confidentiality of our clients, staff, students and volunteers.</p>	

PROCEDURE:

PART I - GENERAL

All facilitators, committee members, students, board members and other volunteers who may have access to confidential information shall be required to sign a *Confidentiality Statement* as a condition of their participation in our program. Protection of confidentiality is an important element of facilitator training.

PART II – CASE INFORMATION

A. Confidentiality of Case Information

1. All information and records pertaining to forum participants shall be kept confidential, whether the participants are adults or youth. Any information that may be used to identify forum participants or potential forum participants is considered confidential and must be protected. Confidentiality protections shall include:

- a) Adequate privacy protections on any email or cell phone communications that may contain identifying information (this includes the use of strong passwords on computers, e-mail programs, cell phones and other devices as well as measures to prevent access to any identifying information by other persons – for example, not leaving detailed phone messages, and not using a shared computer or cell phone);

- b) Avoidance of case discussions with anyone not directly involved in a forum;
- c) Avoidance of the use of participant names, location of incident/s and identifying information during LCCJP Board Meetings, Facilitator Meetings and YJC Committee Meetings;
- d) Avoidance of public places and the use of private meeting places with closed doors for all case discussions, forum preparation and forums (privacy issues such as the proximity of others, soundproofing and the possibility of interruption should be considered);
- e) Requirement for signed confidentiality agreements by forum participants;
- f) Securing of all files, notes & messages containing identifying information (for example keeping all materials in a single folder stored in a discrete location).

B. Forum Confidentiality

1. Agreements:
All participants in a community justice forum shall be required to sign a confidentiality agreement as a condition of their participation.
2. Observers: Observers who are not LCCJP volunteers or staff shall not be invited to observe LCCJP forums or forum preparation without the fully informed consent of the forum participants. LCCJP shall first inform forum participants of the identity and purposes of the observer, and any use to which the observer may put the information obtained. Observers shall be required to sign a confidentiality agreement.

C. Possession of case materials by Facilitators

1. Only those facilitators assigned to the case in question and staff shall have access to case file materials.
2. These materials and any copies shall be kept in a locked cabinet or locked case when not in use.
3. Where confidential Information is required for use, or is otherwise not locked in a filing cabinet or secure room, it will at all times be in the custody and under the personal supervision of a volunteer, staff member or student. Where confidential information is required for use, it will not at any times be left on display while unattended.
4. Facilitators shall gather all notes made by forum participants and return them to LCCJP for shredding immediately following every forum and delete all emails and numbers stored on cell phones pertaining to a case upon completion of a forum or return of a case.
5. Facilitators shall return all case materials and notes to LCCJP upon

- completion of a forum or return of a case.
6. Facilitators may have access to the file stored in the LCCJP office if issues arise subsequent to the forum that requires their involvement.
 7. Facilitators and staff shall not use names or identifying information about the participants in a forum during case discussions with other persons not assigned to that forum.
 8. Facilitators may have confidential discussions about cases, including the use of identifying information as necessary, with staff.

D. Possession of case materials by LCCJP

1. Facilitators' materials and notes shall be kept in the office file until completion of the agreement or return of case in accordance with the *Safekeeping and Destruction of Confidential Information* as delineated by LCCJP's agreement with the Ministry of the Attorney General.
2. As soon as possible after two years from the date on which the client ceased to participate in the Program LCCJP will:
 - a) Destroy all documents and all other materials containing or reflecting any confidential information, together with any copies, which are in its possession or control and which are in a form capable of destruction;
 - b) Use commercially reasonable efforts to expunge all confidential Information from any computer, word processor or similar device; and
 - c) Provide the Province with written confirmation of compliance with these requirements within 90 days of any destruction.

E. Communication with Forum Participants

1. Facilitators should not convey confidential information from one forum participant to another.

PART III – NON CASE RELATED INFORMATION

Volunteer Information

1. Personal information about volunteers including their names, contact information, applications, evaluations, and all other information contained in a volunteer's file may be viewed by the volunteer to whom it pertains upon request.
2. Staff shall have access to volunteer files for the purposes of program administration. With the exception of the above, volunteer information shall not be released to other volunteers, members of the corporation or

members of the public without the permission of the volunteer to whom it pertains.