



ARCS: 292-30
File: CFD-2011-01311

December 21, 2011

Sent via email:

Dear _____ :

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Children and Family Development. The Ministry has located additional information that pertains to your request for:

“Re: File _____ Any policy, procedure or documentation stating who has access to that file and under what circumstances access is permitted to government personnel or other individuals. Regarding Section 12.3.3 of the Information Management and Information Technology Management Policy, provide documentation setting out how the following statement has been implemented at the Ministry of Child and Family Development (MCFD) concerning respect for the privacy of clients of the Ministry, that policy states - ensure a proactive privacy framework, sound principles of privacy, security and confidentiality must be understood by all users of personal data and incorporated into daily practice within public bodies. This involves developing a culture where privacy is seen as design objective for information and technology not an obstacle to be overcome; Provide documentation demonstrating that privacy principles were and are taken into account during the design, implementation and evolution of programs, systems and services related to management of client records at the MCFD; Provide the MCFDs approved records retention and disposition schedules and asset management processes that apply; Provide the MCFDs internal records disposition procedures that apply to above named file; Provide documentation on how the MCFD will maintain that file in a manner that preserves its integrity and authenticity up to and throughout transfer to the government archives; Regarding Section 12.3.6, please provide any documentation stating whether the above named file is considered valuable at the MCFD and how they are viewed and managed as an asset that must be protected commensurate with their value; Provide documentation on privacy principles that have been incorporated into the design of the information systems that file in both its print and electronic aspects.”

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The Ministry believes this additional information responds to certain portions of your FOI request, including your inquiry in regards to:

Any policy, procedure or documentation stating who has access to a Family Services file and under what circumstances access is permitted to government personnel or other individuals.

- *A Family Services (FS) case management file contains information on all family members living within that household and is classified under the Ministry of Children and Family Development's Operational Records Classification System (ORCS) 30520-30.*
- *In accordance with Schedule 118669 and the Ministry's Records Retention Policy, a FS case management file is active as long as there is involvement with that family.*
- *Once the Ministry no longer has involvement with the family, the file is closed and remains in a field office for 16 months after the date it closed, in the 17th month the file is then transferred to offsite storage for 69 years. The storage facilities are all under contract with the Province and only those authorized to access can do so.*
- *If the FS case management file is not reopened, meaning the Ministry does not get involved with the family, it remains in storage for 69 years, Final Disposition is then applied and files of the same file type and closing years would be reviewed and a small selection is retained by BC Archives for corporate history. The selection process is random and the files that are not selected are destroyed.*

What is the Ministry of Children & Family Development's internal records disposition procedure for an FS file?

- *The Management Information System (MIS-SWS) Manual provides instructions on the management of an electronic case management file for a registered case management file and any personal information associated with an individual or family.*
- *The Family Service Client File Format Policy provides guidelines for consistent management of a physical file, including procedures on how to open, close, and reopen a physical FS file. Physical files when held in a MCFD field office are in a file room with limited access and is locked outside of business hours to ensure the confidentiality and privacy of clients.*

Provide documentation on how the Ministry of Children & Family Development maintains an FS file in a manner that preserves its integrity and authenticity up to and throughout transfer to the government archives.

- *Records Information Management policies set out procedures on how to manage access to records once they are transferred offsite. These procedures reside with the Information*

Access Operations Branch of Shared Services British Columbia. The policy on access authorization is covered under Core Policy 12.3.3., with specific instructions posted on the Ministry of Children & Family Development's intranet site.

Regarding Section 12.3.6, please provide any documentation stating whether the above named file is considered valuable at the Ministry of Children & Family Development and how they are viewed and managed as an asset that must be protected commensurate with their value.

- *Records that reach the final disposition date are selectively retained and transferred to BC Archives, and according to the current ORCS redraft, one box per year from one region, in a four year rotation, will be fully retained for corporate history while all other FS files will be destroyed.*

The Ministry hopes this additional information enhances the information you received in response to your FOI Request. Your file is now closed.

If you have any questions regarding your request, please contact Adam Skulsky, the analyst assigned to your request, at 250-356-8985. This number can be reached toll-free by calling from Vancouver, 604-660-7867, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to 250-356-8985.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

A handwritten signature in black ink, appearing to read "Hudson", with a stylized flourish at the end.

Vicki Hudson, Manager
Justice / Social Team
Information Access Operations

Enclosures

How to Request a Review with the
Office of the Information and Privacy Commissioner

If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250-387-5629 Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.