

1.5.3 Client Access to Records

Policy

It is policy of KW Counselling Services to: 1) inform each client at the beginning of service that a case file will be kept which documents all service contacts with the Agency; 2) provide a client aged 12 years or older with access to their case file; 3) permit a client to add to or correct case file information, as a duly noted addendum to the original entry, which must remain in the case file; 4) insert a statement in response to a client's addition or correction of case file information only with the client's knowledge and opportunity to review the statement; and 5) inform clients of these rights.

Procedure

A document acknowledging that the client has been informed of the rights outlined in this policy, the Welcome Information Form, signed and dated by the client and the counsellor, must be placed in the client's case file.

A client who requests that a statement of correction be added to their case file may do so in writing using the Agency's Client Request - Correction of Case File form. The client's counsellor may respond using the Agency Response - Correction of Case File form, which also will be appended to the original documents.

A client who requests to review a case file may do so in writing using the Agency's Client Request - Access to Case File form. When client access to a case file is granted, a notation in the case file must indicate the portions of the case file reviewed, the date the information was reviewed, and the name of the Agency employee who witnessed the viewing. The client may retain a copy of the portions of the case file to which access is granted after reviewing them, if requested, using the Client Request - Copy of Case File form. In this case, another form is required, the Release of K-W Counselling Services from a Commitment to Protect the Confidentiality of Personal Information Released to a Client form.

Where possible, case file information will be shared in summary and with oral interpretation by the counsellor providing service to the client who is qualified to explain the information to the client and to deal with possible reactions.

When a client requests access to their case file, the counsellor will first remove confidential information related to other persons or their sessions, if held in conjunction with case, unless prior permission from those persons, now 12 years of age or older, has been obtained in writing.

When a child under 12 is seen individually, or in a children's group, the parent(s) or legal guardian(s) of the child may, upon written request, access information regarding the child's clinical record. When a child 12 to 16 years of age has been seen individually or in a children's group, the confidentiality of the child's case file will be protected and will not be made available to the parent(s) or legal guardian(s) without the child's written consent, unless the welfare of the child



requires this or unless harm to some person cannot be avoided otherwise. If the child is between the ages of 12 and 16 years, the counsellor is required to advise the child of the desirability of involving the child's parent(s) or legal guardian(s). The child's file must contain documentation indicating that the counsellor has so advised the child, relevant issues discussed, and the conclusion and the reason(s) for the conclusion. Parent(s) or legal guardian(s) have no right of access to the case file of a youth aged 18 years or older.

Personnel providing the service, in consultation with their supervisor, may deny or otherwise limit access to all or part of a case file for the following reasons:

- the case file no longer exists, since the legislated file retention period has elapsed;
- the case file contains information from or about a 3rd party where authorization has not been granted;
- serious harm is likely to ensue as a result of granting access to the information.

In the latter case, where harm is likely to ensue, the reason(s) for denying or otherwise limiting access to all or part of a case file must be duly noted in the case file by the counsellor.