



## PRINCIPLE IV: THE SOCIAL WORK AND SOCIAL SERVICE WORK RECORD

The creation and maintenance of records by social workers and social service workers is an essential component of professional practice. The process of preparation and organization of material for the record provides a means to understanding the client and planning the social work and social service work intervention. The purpose of the social work and social service work record is to document services in a recognizable form in order to ensure the continuity and quality of service, to establish accountability for and evidence of the services rendered, to enable the evaluation of service quality, and to provide information to be used for research and education. College members ensure that records are current, accurate, contain relevant information about clients and are managed in a manner that protects client privacy and in accordance with any applicable privacy and other legislation.<sup>1,2</sup>

### Interpretation

#### 4.1 Record Content and Format

- 4.1.1 Recorded information conforms with accepted service or intervention standards and protocols within the profession of social work and social service work, relevant to the services provided, and is in a format that facilitates the monitoring and evaluation of the effects of the service/intervention.<sup>3</sup>
- 4.1.2 College members do not make a statement in the record, or in reports based on the record, or issue or sign a certificate, report or other document in the course of practising either profession that the member knows or ought reasonably to know is false, misleading, inaccurate or otherwise improper.
- 4.1.3 College members keep systematic, dated, and legible records for each client or client system served.
- 4.1.4 The record reflects the service provided and the identity of the service provider. Members use the designation "RSW", or one of the titles "Social Worker" or "Registered Social Worker", in the case of a social worker, or the designation "RSSW", or one of the titles "Social Service Worker" or "Registered Social Service Worker", in the case of a social service worker, and comply with any requirements set out in any applicable legislation, in documentation used in connection with their practice of social work or social service work, as the case may be.<sup>3,1</sup>



- 4.1.5 College members document their own actions. College members do not sign records or reports authored by any other person, except in accordance with Interpretation 4.1.5.1 or 4.1.5.2.
- 4.1.5.1 A College member may sign a record or report authored by another person where the College member co-signs that record or report, together with the author,
- (i) in the College member's capacity as a supervisor of the author of the record or report; or
  - (ii) in the College member's capacity as an authorized signing officer of a professional corporation, where the author of the record or report is an employee, shareholder, officer or director of that professional corporation; or
  - (iii) in College member's capacity as a member of a multi-disciplinary team that participated in providing the observations and recommendations contained in the record or report, where the author of the record or report is also a member of that multi-disciplinary team.
- 4.1.5.2 A College member may sign a record or report authored by another person where the author is unable to sign the record or report due to illness, disability, absence or other good cause, provided that:
- (i) the content of the record or report is within the member's scope of practice;
  - (ii) the author expressly authorizes the member to sign the record or report on the author's behalf or, if such authorization is not reasonably available, the member takes steps to ensure the currency and accuracy of the information and recommendations contained in the record or report; <sup>4</sup> and
  - (iii) the member clearly indicates the capacity in which he or she is signing the record or report. <sup>5</sup>
- 4.1.6 Information is recorded when the event occurs or as soon as possible thereafter.
- 4.1.7 College members may use a documentation by exception system provided that the system permits the total record to capture the minimum content as set out in Footnote 3.



## 4.2 Record Maintenance

- 4.2.1 College members comply with the requirements regarding record retention, storage, preservation and security set out in any applicable privacy and other legislation. College members employed by an organization acquire and maintain a thorough understanding of the organization's policies with regard to the retention, storage, preservation and security of records. Self-employed College members and College members who are responsible for complying with privacy legislation establish clear policies relating to record retention, storage, preservation and security.<sup>6</sup>
- 4.2.2 College members take necessary steps to protect the confidentiality and security of paper records, faxes, electronic records and other communications.<sup>7</sup>
- 4.2.3 College members ensure that each client record is stored and preserved in a secure location for at least seven years from the date of the last entry or, if the client was less than eighteen years of age at the date of the last entry, at least seven years from the day the client became or would have become eighteen. Different periods of storage time may be required by law. Longer periods of storage time may be defined by the policies of a member's employing organization or by the policies of a self-employed member or a member who is responsible for complying with privacy legislation.<sup>8</sup> Such policies should be developed with a view to the potential future need for the record.<sup>9</sup>
- 4.2.4 Self-employed College members, and College members who are responsible for complying with privacy legislation,<sup>10</sup> who cease practice may (i) maintain their client records in accordance with Interpretation 4.2.3, or (ii) make arrangements to transfer the records to another College member and make reasonable efforts to give notice to their clients of the future location of their records, unless they are required, under any applicable privacy or other legislation, to obtain their clients' consent to such transfer, in which case they obtain their clients' consent. College members comply with the requirements regarding transfer of records set out in any applicable privacy and other legislation. The College member to whom such records have been transferred complies with the principles regarding retention, storage, preservation and security with respect to the transferred records.
- 4.2.5 Client records may be destroyed following the time frames outlined in Interpretation 4.2.3. College members dispose of record contents in such a way that ensures that the confidentiality of the information is not compromised.



### 4.3 Access and Correction of a Record

- 4.3.1 College members comply with the requirements regarding access to and correction of client information including personal information in a record as set out in applicable privacy and other legislation.<sup>11</sup> College members employed by an organization acquire and maintain an understanding of the organization's policies regarding access to and correction of information in a record. Such policies pertain to access requests by the clients themselves. Self-employed College members and College members who are responsible for complying with privacy legislation<sup>12</sup> establish clear policies regarding access to and correction of information in a record.
- 4.3.2 College members inform clients of their policies regarding access to and correction of information in a record.
- 4.3.3 A College member provides the client or his or her authorized representative with access to the client's information contained in the record in accordance with any applicable privacy and other legislation, unless prohibited by law or the member is otherwise permitted to refuse access.<sup>13</sup> In the absence of any applicable legislation, a College member provides the client or his or her authorized representative with reasonable, supervised access to the client's record or such part or parts of the record as is reasonable in the circumstances. The client has the right to receive appropriate explanations by the College member of the information about the client in the record.
- 4.3.4 Where a member is prohibited by law from providing access to information in a record or is otherwise permitted to refuse access to information in a record, the College member complies with the requirements regarding a refusal to provide access set out in applicable privacy and other legislation. In the absence of any applicable legislation, the College member informs the client of the reason for refusal of access and of the recourse available to the client if he or she disagrees. When the record includes information that pertains to more than one client, and providing access to a record could therefore mean disclosing information about another person, a College member provides access to information that pertains only to the individual who has requested access unless the other person(s) has consented to the disclosure of information about the person.
- 4.3.5 College members preserve the integrity of client records. If a client disagrees with the accuracy or completeness of information in a record and wishes the record amended, the member shall comply with the requirements of any applicable privacy and other legislation with respect to the correction of the record. In the absence of any applicable legislation, if a client disagrees with the accuracy or completeness of a record and wishes the record amended, the member may incorporate into the record a signed statement by the client



specifying the disagreement and the client's correction. The member shall not obliterate any incorrect information in the record.

#### 4.4 Disclosure of Information from a Record

- 4.4.1 College members inform clients early in their relationship of any limits of client confidentiality including with respect to the client record. When clients or their authorized representatives consent in writing, College members disclose information from the record to third parties within a reasonable time. The consent must specify, (i) the information that is to be disclosed, for example a partial record, the entire record, or a summary of the member's contact with the client, (ii) the party or parties to whom the information is to be disclosed and (iii) the term of validity of the consent. If, in the member's professional judgement, disclosure of information from the record to a third party could result in harm to the client, College members make a reasonable effort to inform the client of the possible consequences and seek to clarify the client's consent to such disclosure. Members may disclose information from the record to third parties without the client's consent only if disclosure is required or allowed by law. (See also Interpretations 5.3.5 and 5.3.6)
- 4.4.2 When College members receive a request from a third party to disclose information from a record that pertains to more than one client, for example a couple, family, group, community agency, government department, or other organization/business, College members obtain consent to the disclosure of information from all of the clients before information from such record is disclosed to the third party. When College members receive a request from a client to disclose information from a record that pertains to more than one client, College members provide access to information that pertains only to the client who has requested access (see Interpretation 4.3.3) and, before disclosing information that pertains to any other client, obtain consent to the disclosure from each of them.
- 4.4.3 College members who are served with a formal notice or subpoena to produce client records before a court and who are of the opinion that disclosure would be detrimental to the client, should themselves, or through legal counsel, advocate for non-disclosure to the court.<sup>14</sup>
- 4.4.4 College members comply with the requirements regarding use or disclosure of information for research or educational purposes set out in any applicable privacy and other legislation. In the absence of any applicable legislation, College members may permit client records to be used for the purpose of research or education, provided that any identifying information has been removed and clients' anonymity is protected.<sup>15</sup> (See also Interpretation 5.6)



4.4.5 College members to whom another member's client records have been transferred, comply with the aforementioned standards regarding access and disclosure with respect to the transferred records.

## FOOTNOTES

1. Social work and social service work records include any or all of the following: reports (handwritten, typed, or electronic); progress notes; checklists; correspondence; minutes; process logs; journals or appointment records; films and audio or video tapes. The tools or data used by the College member in developing a professional opinion may be or need not be included in the record. Such tools may be personal notes, memos or messages, test results, sociograms, genograms, etc. Once placed in the record, however, they become an integral part of that record. If they are kept separate from the record, the College member observes the same standards with respect to confidentiality, security and destruction as with the social work and social service work record.
2. An accurate record will:
  - (a) document the client's situation/problem exactly and contain only information that is appropriate and useful to the understanding of the situation and the management of the case;
  - (b) report impartially and objectively the factors relevant to the client's situation. The record clearly distinguishes the College member's observations and opinions from the information reported by the client;
  - (c) be easily understandable, avoiding vague, unclear or obscure language and symbols;
  - (d) identify corrections;
  - (e) be free of prejudice and discriminatory remarks;
  - (f) identify sources of data.
3. Information in the social work and social service work record with respect to each client includes the following:
  - (a) Identifying information regarding the recipient of services (individual, family, couple, group, agency, organization, community);

Depending on the nature of the services provided, identifying information may include:

    - i) name, address, telephone number of each client(s);
    - ii) date of birth of each client(s);
    - iii) where indicated in risk situations, name, address, and telephone number of a person(s) to be contacted in case of emergency;
    - iv) name, address, telephone number(s) of the main contact person or position, if different from i); and
    - v) sponsors, funders, accountability.
  - (b) The date, initiator, purpose of the social work or social service work referral, where relevant, and, if significant, the setting of the first professional encounter with the client;



- (c) Where applicable, the key elements of the contract or working agreement, namely: client, contracted services, provider of services, fee, reimbursement schedule, and time period for completion of services;
  - (d) The time period of involvement if not specified in (c);
  - (e) The date of completion/termination, where relevant, and if significantly different from (c), an explanation for the difference;
  - (f) Particulars of the social work or social service work process, as applicable:
    - i) the history obtained by the member;
    - ii) assessment, diagnosis, formulation and plan;
    - iii) treatment and other interventions, e.g. facilitation, advocacy, transfer of skills, development of action plans;
    - iv) outcome or results, mutual review and evaluation;
    - v) referrals made by the member;
    - vi) recommendations; and
    - vii) other services, e.g. verbal and/or written reports/briefs/analyses, research studies and/or their individual components, presentations/speeches/lectures, management related services, stakeholder consultations and professional opinions.
  - (g) Consents, releases or authorizations pertaining to the intervention or the communication of information about the client;
  - (h) Fees and charges administered, if any.
- 3.1 For example, the *Social Work and Social Service Work Act, 1998* sets out the conditions that must be met in order for a member of the College who holds an earned doctorate in social work, as defined in subsection 47.3(2) of the *Social Work and Social Service Work Act 1998*, to use the title "doctor", a variation, abbreviation or an equivalent in another language (See also Footnotes 1 and 1.1 of Principle VII)
4. Where the member signs the record or report with the author's express authorization, the member shall sign the **author's name** (in quotation marks) to the record or report, followed by the member's name, and a statement indicating that the member is signing the record or report on behalf of the author, as follows:  
**[" author's name" ] by [member's name], on behalf of [author's name].**
- Where such express authorization is not reasonably available and the member has therefore taken steps to ensure the currency and accuracy of the information and recommendations contained in the record or report, the member shall sign **his or her own name** to the record or report.
5. See Footnote 4, above. By signing the report in his or her own name, the member is effectively endorsing the currency and accuracy of the information and recommendations in the record or report. In contrast, by signing the report in the author's name, with the author's express authorization, the member is **not** endorsing the currency and accuracy of the information and recommendations in the record or report, but is only signing on behalf of the author.
6. See Footnote 3 of Principle V for a discussion of "College members who are responsible for complying with privacy legislation".



- 7. Client records, whether they are paper files or electronic files such as computer diskettes, are kept in an area that is not accessible to persons who have no legitimate interest in the records, and where the privacy of the records may be secured by lock and key.

When sending faxes that contain client information, the College member ensures that the information is marked confidential and that the information has been received by the people for whom it was intended.

An electronic system containing social work and social service work records has the following security features:

- (a) In the event of a shared system, the College member has a private access code or password that provides reasonable protection against unauthorized access;
  - (b) The system maintains an audit trail that:
    - i) records the date and time of each entry of information for each client;
    - ii) indicates any changes in the recorded information; and
    - iii) preserves the original content of the recorded information when changed or updated;
  - (c) The system allows for the recovery of files, or otherwise provides reasonable protection against loss of, damage to, and inaccessibility of information;
  - (d) The system provides for a paper printout of the record.
- 8. See Footnote 3 of Principle V for a discussion of "College members who are responsible for complying with privacy legislation".
  - 9. Examples of situations in which records may be retained for longer periods include cases such as sexual abuse, accidents involving minors and situations where litigation may be ongoing or may arise in the future.
  - 10. See Footnote 3 of Principle V for a discussion of "College members who are responsible for complying with privacy legislation".
  - 11. Privacy legislation, such as the federal *Personal Information Protection and Electronic Documents Act* and the Ontario *Personal Health Information Protection Act, 2004*, sets out rules respecting the collection, use and disclosure of personal information or personal health information and an individual's right of access to personal information or personal health information about the individual.
  - 12. See Footnote 3 of Principle V for a discussion of "College members who are responsible for complying with privacy legislation".
  - 13. Determining whether a person is a client's authorized representative may depend on the governing legislation and the particular circumstances. For example, under the *Personal Health Information Protection Act, 2004* ("PHIPA") determining whether a person is authorized to exercise powers on someone else's behalf depends on the circumstances: whether the individual is capable and at least sixteen, whether the individual is deceased, whether the individual is mentally incapable of making decisions, whether the individual is a child under the age of sixteen, or whether an Act (provincial or federal) authorizes a person to act on behalf of another person. PHIPA provides rules on who is authorized to exercise powers on someone else's behalf in each of these circumstances.



14. College members comply with any specific requirements for disclosure of a record or other information pursuant to a summons, order, direction or similar requirement that are set out in legislation, such as the *Mental Health Act*, *Long-Term Care Act, 1994*, *Child and Family Services Act* and the *Criminal Code*.
15. 'Identifying information' means information that identifies an individual or for which it is reasonably foreseeable in the circumstances that it could be utilized, either alone or with other information, to identify an individual.