

Chapter 14: Administration of Income Support
(v) Retention of Records

Intent:	To clarify how Income Support records are stored and the Department's retention practices for these records.
Act: (if applicable)	N/A
Regulations:	N/A
Overview: (if applicable)	<p>Records are currently stored using two media:</p> <ul style="list-style-type: none"> • Physical (or paper) files • Electronic files <p>Client physical files are hard copies that are securely stored either in file rooms within offices across the province or in a secure storage facility. These files contain past records and generally pre-date the introduction of the electronic storage of files known as TRIM.</p> <p>Documents filed electronically can be found via the TRIM icon on Departmental computers with this access. These documents are complementary to records of client activity within CAPS. The legislative authority for all records management within the Province of Newfoundland and Labrador is defined in The Management of Information Act.</p> <p>Section 4 of this Act conveys "All records created by or received by a public body in the conduct of its affairs are the property of the Crown," and "records referred to in subsection (1) shall not be destroyed or removed from the ownership or control of the Crown unless the destruction or removal is authorized under this Act." The Office of the Chief Information Officer is responsible to oversee the directives and standards relative to this legislation.</p>
Policy:	<p>No client documents or files shall be destroyed by staff in the region under any circumstance unless:</p> <ul style="list-style-type: none"> • the documents are duplicate copies that have already been added to the TRIM system and/or • they are transitory records. Transitory records are defined as "records of temporary usefulness that have no ongoing value beyond an immediate/minor transaction, or for the preparation of a subsequent record." Examples of transitory records include paper copies of records that have already

been inputted into the CAPS such as a written telephone message, or a draft document when the completed copy will be/has been e-filed.

In both cases, the documents must be securely disposed of, either through shredding or placing the document into a **locked** shredding bin.

- In instances whereby staff believe that they may have records or files that require disposal, they should contact: The Manager of Records and Information of the Department at Confederation Building.
 - If it appears that the file may be appropriate for disposal, the Manager of Records and Information may require that it be sent to Provincial Office for review. Upon review, the Manager or designate will decide if the file should be stored, destroyed, or transferred to the Provincial Archives relative to the standards established in the [Management of Information Act](#).
 - Prior to contacting the Manager of Records and Information, staff should be aware of the following guidelines regarding file retention or disposal:
 - As [Section 24.\(2\) of the Income and Employment Support Act](#) denotes that “an overpayment shall be calculated for a retroactive period not more than 6 years from the date of its discovery,” a client record may be required for up to six years after an individual is no longer receiving Income Support benefits.
 - In instances when clients have accounts receivable balances but are no longer in receipt of Income Support, their file is still considered active.
 - Even when an accounts receivable balance is paid in full and a client is no longer in receipt of Income Support benefits, legislation requires that a client file must be maintained as inactive for a further six years before it can be destroyed.
 - Although there may be paper copies of client files that are quite old, these files may still be active as the client may still be in receipt of benefits with their records maintained electronically on the CAPS and
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	<p>TRIM systems; or have an accounts receivable balance.</p> <ul style="list-style-type: none"> ○ Both electronic and paper files are subject to the same legislative requirements ○ Copies of all documents sent to the Document Processing Unit (DPU) are maintained for six months from the date that they are received and are then destroyed as per our authorized retention schedule. The six month retention acts as an assurance that if a document is not properly added to the TRIM system, the paper format is still available to be added electronically. ● Staff may also refer to The Office of the Information and Privacy Commissioner's online policies and guidelines with reference to information management and the retention of records.
Procedure:	N/A
Authority Level:	<p>Client Service Officers:</p> <ul style="list-style-type: none"> • Review of client files to determine if they may require destruction/disposal as per the noted guidelines • Contact with the Provincial Manager of Records and Information regarding files that may require destruction/disposal <p>Provincial Manager of Records and Information:</p> <ul style="list-style-type: none"> • Destruction/disposal/storage of all Income Support files
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