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Approval Date:

## Consent Policy

### Policy Statement

This policy details guidelines for program staff working with individuals accessing supports within the homeless-serving sector to ensure informed consent for sharing personal information through the Coordinated Access System.

### Purpose

This policy ratifies informed client consent and privacy provisions in Hamilton's Coordinated Access System through the Homeless Individuals and Families Information System (HIFIS).

### Applicability

All HIFIS users within Hamilton's Homeless-serving System.

### Provision of Consent

There are three types of consent:

1. Coordinated Access + Explicit
2. Declined
3. Inherited

Individuals must provide consent to have their personal information to be shared among agencies within Hamilton's homeless-serving system and stored in the Homelessness Management Information System (HIFIS 4.0 and the BNL). All new clients are required to review and sign the *Consent to Share Personal Information with Hamilton's Homeless-Serving System*. Signing this consent form confirms the client's Coordinated Access + Explicit consent to have their information entered into HIFIS and appear on the By-Name List (BNL).

Indigenous identifying clients are not required, but may choose, to consent to their information being stored in HIFIS and on the By-Name List.

Staff will explain how, why, and with whom personal information will be shared in order to support the client through Coordinated Access. Clients will be informed of their autonomy over their personal information in HIFIS and availability to access it upon request.

In cases of declined consent, no information shall be added to HIFIS and the client's name will not appear on the By-Name List. Staff will make every attempt to progressively engage clients to help them understand the benefits of participating in the

	<p>Coordinated Access system of care and to obtain consent.</p> <p>Progressive engagement to obtain consent should be conducted in a way that is culturally considerate and respects individual autonomy. Consent must be provided in order for a client to be known to the homeless-serving system and referred to Coordinated Access housing supports, such as non-Indigenous Rapid Rehousing and Intensive Case Management programs. However, clients who decline consent still have full access to emergency sheltering, outreach, and drop-in services without restriction. Referrals of Indigenous clients who do not consent to be added on HIFIS but <b>do</b> consent to their information being shared with the City and/or a specific program, can be made through the City of Hamilton based on the Urgent Health and Safety or Missing/Inaccurate Information criteria in the <a href="#">Coordinated Access Prioritization Policy</a>.</p> <p>The use of declined consent in HIFIS is used in exceptional circumstances and requires City approval. Agency staff are required to email <a href="mailto:hifis@hamilton.ca">hifis@hamilton.ca</a> with the subject line “HIFIS declined consent.”</p> <p>Inherited consent applies when a parent or guardian provides explicit consent for collection and sharing of personal information on behalf of their accompanying dependent(s) (aged 16 or under). Detailed information will be recorded and retrieved from the <i>Head of Family</i> record. Unaccompanied youth accessing homelessness support services and youth over 16 are required to sign their own consent form.</p>
<p><b>Storage of Consent</b></p>	<p>For all new clients who sign the <i>Consent to Share Personal Information with Hamilton’s Homeless-Serving System</i>, staff will scan the signed copy of the consent on a secure scanning device and upload it to HIFIS when setting the client up in HIFIS for the first time. If a signed consent form is being added after the client is set up in HIFIS, it can be done through the <b>Documents module</b>.</p> <p>Once the signed consent is uploaded to HIFIS, the physical signed copy of the consent is to be retained by the agency for one year or for a duration in alignment with organizational records retention policies, whichever is longer. Client consent forms must be stored in a securely locked cabinet accessible only to designated staff working with clients. Electronic copies of consent should be deleted from secure devices after it has been uploaded to HIFIS.</p>

<p><b>Verbal Consent</b></p>	<p>In cases where new clients are being referred or booked into shelters or hotel overflow over the phone, staff are required to inform the client of the full <i>Hamilton’s Homeless-Serving System Consent for the Collection and Sharing of Personal Information</i>.</p> <p>Verbal consent will be accepted until such time that staff are able to follow up with the client in-person to complete a signed consent. It is important to flag in HIFIS by setting up a Watch Concern, located under “Client-Variou Factors”, that a signed consent is still required. The Watch Concern will alert staff working with the client to have this completed as soon as possible.</p> <p>See Hamilton’s <a href="#">Verbal Consent Policy</a> for full details.</p>
<p><b>Withdrawn Consent</b></p>	<p>A client may withdraw consent at any time. In the event that a client withdraws consent for their information to be collected and shared, agency staff will:</p> <ul style="list-style-type: none"> <li>• Obtain the client’s signature on a new consent form with “For Withdrawing Consent” selected as the consent option.</li> <li>• Report the withdrawal of consent to the City through the <a href="mailto:hifis@hamilton.ca">hifis@hamilton.ca</a> e-mail account and attach the signed copy of the form signed “For Withdrawing Consent”.</li> <li>• City staff will upload a copy of the form in Documents in HIFIS.</li> <li>• City staff will expire the client’s previous consent form on HIFIS with an expiration matching the withdrawal date. City staff will hide the client’s file, making it inaccessible to everyone except City of Hamilton HIFIS Administrators.</li> </ul>
<p><b>Deceased Client</b></p>	<p>When a client passes away, service providers must contact <a href="mailto:hifis@hamilton.ca">hifis@hamilton.ca</a> to notify the administrators of the event and any additional verifying information. Administrators will add an end date to any cases or housing placement records open in the client’s file. They will then update the client’s status to “deceased” and will hide the client file. Only HIFIS administrators are able to access hidden files.</p>
<p><b>Definitions</b></p>	<ul style="list-style-type: none"> <li>• <b>Entry Points:</b> the engagement points for persons experiencing a housing crisis (e.g. drop-ins, emergency shelters, outreach, City of Hamilton, Housing Help Centre)</li> <li>• <b>By-Name List:</b> includes the names of individuals and families who are known to be actively experiencing</li> </ul>

homelessness and have provided consent to be included in the Coordinated Access Homelessness Management Information System.

- **By-Name Priority List:** a subset of the By-Name List that identifies those with the highest priority for matching to an available housing support resource based on community developed criteria.
- **Common Assessment Tool:** refers to a standardized tool used to assess client support needs, used across the homeless-serving system, which has been endorsed by the Community Entity and which agencies have been trained to use.
- **Community Entity (CE):** lead decision-making body that coordinates efforts to achieve federal, provincial, and local housing outcomes. The City, as Designated Community Entity, collaborates with the Indigenous CE in all areas of Coordinated Access planning, strategy, and service delivery to develop connections to housing and supports that are culturally appropriate and rooted in the spirit and actions of reconciliation that recognize the values of autonomy and self-determination.
- **Community Entity (Indigenous Funding Stream):** Coalition of Hamilton Indigenous Leadership (CHIL) is the lead decision-making body for the Indigenous funding stream that coordinates efforts to achieve Indigenous self-determination in local housing policy and programs.
- **Consent:** explicit permission for something to happen or an agreement to do something.
- **Coordinated Access:** is a client-centered, standardized process for intake, assessment, and referral to housing support services across Hamilton's Homeless-Serving System. Hamilton's Homeless-Serving System is a group of service providers, the Coalition of Hamilton Indigenous Leadership and the City of Hamilton staff that work together to support those experiencing or approaching homelessness to help them find and maintain appropriate housing and supports
- **Coordinated Intake:** a standardized approach, using a common assessment tool, to understand a person's current situation, the acuity of their needs, the services they currently receive and may require in the future. It considers background factors that contribute to risk and resilience, changes in acuity, and the role of friends, family, caregivers, community, and environmental factors.
- **HIFIS:** Homeless Individuals and Families Information System (HIFIS) is a web-enabled Homelessness

	<p>Management Information System (HMIS) that allows multiple service providers to implement coordinated access using real-time information about people experiencing homelessness and the resources they need to find and keep a home.</p> <ul style="list-style-type: none"> <li>• <b>Homeless Serving Sector:</b> comprises a range of local or regional service delivery components serving those who are homeless or at imminent risk of homelessness.</li> <li>• <b>Indigenous Identifying Clients:</b> First Nations (with or without status), Métis, or Inuit, or identify as having North American Indigenous ancestry.</li> </ul>
<p><b>Responsibilities</b></p>	<p><u>HIFIS Administrator</u></p> <p>As the designated HIFIS administrator, the CE is required to document and make available a policy for standardized intake and consent as well as to ensure the use of a common assessment tool across the system. It is the responsibility of the CE to make resources and training available to support agencies with the appropriate understanding of how to apply common intake, consent, and assessment in alignment with implementation of HIFIS and Coordinated Access.</p> <p>Ensure HIFIS consents are uploaded to <i>Client Information</i> and that <i>consent status</i> is “active” for every active client in the system through scheduled audits.</p> <p><u>Agency</u></p> <p>It is the agency’s responsibility to conduct the common intake and consent practices outlined above with every client and to report that data through HIFIS. Furthermore, the agency must follow client privacy protocols for their respective organizations to ensure personal information is secured.</p> <p>All HIFIS users are required to:</p> <ul style="list-style-type: none"> <li>• Complete HIFIS user training</li> <li>• Comply with requirements outlined in the <i>HIFIS Confidentiality and User Agreement</i> and HIFIS policies.</li> <li>• Comply with HIFIS data standards and data entry requirements.</li> </ul>
<p><b>Accountability</b></p>	<p><u>Community Entity (City of Hamilton)</u></p> <p>The CE is accountable for the creation of policies, standards, and processes for consent, collection, and retention of personal information in accordance with federal and provincial privacy legislation, including:</p>

- *Freedom of Information and Protection of Privacy Act (FIPPA)*
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*
- *City of Hamilton Consolidated By-law NO. 11-040: To Establish Retention Periods for Records (2011)*
- *Personal Health Information Protection Act (PHIPA)*

Agency

The agency is accountable to ensure every client is provided with fulsome information regarding their rights over collection and sharing of personal information within Hamilton's homelessness serving system and in accordance with federal and provincial privacy legislation:

- *Municipal Act 2001*
- *Freedom of Information and Protection of Privacy Act (FIPPA)*
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*
- *Personal Health Information Protection Act (PHIPA)*

**Related Documents**

- *Hamilton's Homeless-Serving System Consent for the Collection and Sharing of Personal Information*
- *Hamilton's Coordinated Access Process Guidelines*
- *Hamilton's Systems Planning Framework*
- *Coordinated Access Policies*
- *Revisiting Coordinated Access: Fostering Indigenous Best Practices Towards a Wholistic Systems Approach to Homelessness*
- *Urban Indigenous Strategy*
- *Hamilton's Housing and Homelessness Action Plan*