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To: Directors  
Employment and Income Assistance

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Subject **Matching Participant Information with Justice**

An information sharing protocol between Corrections and Employment and Income Assistance (EIA) has been signed to ensure that EIA benefits are not paid when a participant is residing in a provincial correctional facility.

The EIA program provides income assistance to participants who meet the eligibility criteria as set forth in *The Employment and Income Assistance Act and Regulations* and thereby has a prescribed mandate to ensure benefits are only paid to eligible individuals.

The purpose of the information sharing is to detect and prevent abuse of the EIA program in circumstances where benefits would not have been provided if we were aware that the offender/participant is in custody at the same time that the person is in receipt of EIA benefits. Therefore, the personal information exchanged under the terms of the Protocol will only be utilized by EIA for the purpose of verifying eligibility.

Corrections will disclose personal information to EIA when there is an electronic match of information between the Corrections Offender Management System (COMS) and EIA's electronic database (SAMIN). The following are the criteria for the match;

- (a) exact social insurance number: or
- (b) exact last name, and exact birth date plus one of the given names (the given name will be considered a match irrespective of its order in SAMIN and COMS, and if SAMIN just has an initial it will match to a name in COMS that starts with that initial).

In any of the above circumstances, the reference to "name" includes the offender's/participant's alias.

**Note:** In each of the matches, the period of incarceration will coincide with the period of enrolment on income assistance (CED). The only time the CED will not apply is if a participant is incarcerated after they turn 18. An example of this would be a participant who received benefits as a 5 1 F and then the category was changed to a GA when the participant turned 18. The case effective date shown on the report in this situation will be the day the participant turned 18.

Personal information provided by Corrections will be limited to the applicants/recipients of income assistance and their spouses enrolled in the Program under clause 5(1)(a) (persons with disabilities and the aged), (b), and (c) (sole support parents) and section 5.1 (general assistance) of *The Employment and Income Assistance Act*, where the person is at least 18 years of age.

The decision was made to eliminate participants from the match if their incarceration was for three days or less. An example would be, a participant was incarcerated on September 1<sup>st</sup> and was discharged on the 3<sup>rd</sup>, then the participant would not show on the report.

### **How the matching is done**

EIA will provide Corrections with an electronic file of participant information. Corrections will then electronically compare the information with the offender information contained in its (COMS) system. An electronic file will then be returned to EIA that includes only those offenders/participants who meet the matching criteria and who are over eighteen years of age.

Following receipt of the information from Corrections a hard copy report will be produced and forwarded through interdepartmental mail to the District Director for follow up by the case coordinators/counselors.

### **Young Offenders**

The match is not intended to report on Young Offenders as federal legislation limits the disclosure of this information. However, on occasion a person may have a conviction as a Young Offender, and is released prior to the completion of their sentence. If the person re-offends after their 18<sup>th</sup> birthday, and is once again incarcerated due to the young offender charge (either in an adult facility or a Youth facility), they will appear on the report as being in custody. As the offender is now over the age of 18, staff should follow through with adjusting the case or closing the case as they would in any other situation.

### **Information on and frequency of reports provided to EIA staff**

The initial report produced on November 20<sup>th</sup> 2002 identifies all participants who have been incarcerated since the case effective date in SAMIN. As a result, the first report contains a far larger number of participants than is anticipated for future reports.

Subsequent reports will be produced on a monthly basis around the twelfth of the month (effective January 2003) and will **exclude** the offender/participant from being reported again unless any of the information provided by Corrections is different than previously reported. This means that if a participant is incarcerated after the last match was completed and the report was produced, then the name will appear on the monthly report.

### **Confidentiality under *The Freedom of Information and Privacy Act***

Staff are reminded that due to the personal nature of information printed on the reports, the guidelines on participant confidentiality must be appropriately honoured at all times. Information provided to staff on the report is only to be used to verify eligibility for income assistance.

To limit the disclosure of information, only one participant will appear on each page of the report, with the intention that only staff managing a case will have the information. The page of the report must not be duplicated.

No separate files or office tracking systems is to be maintained. Under the terms of the Information Sharing Agreement a central tracking system will be maintained at Central Directorate.

If there is any breach respecting confidentiality of information, or procedures in this document, the Director must be immediately advised. It is then the responsibility of the Director to immediately advise the Director of Field Services of the breach.

A staff person from Corrections has been identified as being responsible for the confidentiality of information at Corrections. The Director of Field Services or the Justice designate will follow-up on the breach to ensure the protection of personal information.

### **Format and handling of the report**

Information contained on the report and any follow up work or outcomes regarding eligibility for income assistance as a result of the match must be recorded in case notes. The page of the report pertaining to a participant in the case must be maintained on the hard copy file.

The report will be produced by District Office, by case coordinator in case number sequence.

The top third of the report lists EIA information. The second third provides Corrections data. The final third of the report identifies information on the incarceration, release dates and the type of match that was used (SIN, Name & Date of Birth).

The incarceration dates on the report will have the most recent or current incarceration listed first followed by release dates, expected release dates, type of match, and the date that the participant was transferred to a federal institution if applicable. When the report shows an expected release date, staff should be aware that if more than one incarceration is listed on the report, the expected release date might not be for the most recent incarceration.

Up to ten EIA aliases will be listed, and up to 5 aliases from Corrections will be listed. On occasion, the match will result in the participant's name showing as a name that we have in SAMIN as an alias. Therefore, staff must check the case number on the report and check in SAMIN to confirm that the information is accurate.

During the testing phase of this initiative, information was returned from Corrections showing additional aliases that we were not previously aware of. Staff must not enter this alias into the system until the participant has been contacted and the participant advises that they are also known under this name.

### **Reviewing cases on the report**

Following the review of the report, documentation of the results must be entered in case notes. Case coordinators/counselors must review the initial report and document the results in case notes no later than January 10<sup>th</sup> 2003. Subsequent (monthly) reports must be reviewed, and case notes entered on all participants listed within 30 days of the run date of the report.

For information prior to 1999, staff must review the hard copy file. From 1999, case notes can be used for completing the review.

Only after this review has been completed will staff be in the position to determine if benefits may have been issued for a period when the participant was incarcerated. In some situations, the worker may

have been aware of the incarceration and benefits may have been suspended for a period of time, or the incarceration may have been of a length that would not normally impact benefits.

When the dates in our records correspond with the information from Corrections then a case note must be added to indicate that the situation has been reviewed. If we were not aware of the incarceration and the possibility of assistance being paid inappropriately is identified, the case coordinator must meet with the participant to review the information that we have prior to taking any action. If the participant is currently incarcerated, benefits should be suspended pending contact with the participant.

Any case closures, budget reductions or overpayments as a result of the match with Justice must be handled following normal procedures.

### **Documenting information on case notes (IV Investigation/Verification case note)**

The results of the match with Corrections is being monitored centrally to determine both the cost saving to the Department and the prevention of abuse by notifying staff of an incarceration in a timely manner.

When documenting results of the review on case notes, the following are the procedures staff must follow. One of the headings listed below and also the reason for the decision must be documented on the case note. By using the heading, staff monitoring the results at Central Directorate will easily determine the outcome of the match.

#### Information already known

Participant or third party had advised the Department of the incarceration.

#### No Action Required

Case effective date equal to release date.

Incarceration was for a period of less than one month or less than an issue period for a flex case.

#### Case closed no O/P

Benefits were cancelled and the case closed.

No benefits were issued after participant was incarcerated.

Although there is no o/p on this case, the last monthly budget amount must be recorded in case notes.

#### Case closed with O/P

Record the date case was closed and the amount of the overpayment.

The last monthly budget amount is also required.

#### Case remains open with a reduced budget

The amount that the budget is being reduced by must be documented, as well as the reason for the reduction e.g. spouse was incarcerated

#### Case remains open with an O/P

The amount of the overpayment must be documented on the case note

#### Case remains open with overpayment and budget reduced

Enter the overpayment amount and the budget reduced by amount in the case note

To assist in the monitoring of the match with Corrections it would be helpful if workers could notify

Stella Bretecher at Central Directorate via e-mail once all their cases listed on the report have been reviewed and dealt with accordingly. Stella can then view the case notes and update her monitoring tool.

Due to the confidentiality of information being shared between EIA and Corrections it is important that Directors meet with their staff to review this Directive to ensure compliance with the Protocol between Corrections and EIA.