

## Custody and Transfer of Records Policy

**Purpose:** This Custody of Records Policy will govern the custody and transfer of records from Contractor to Contractor, from the WPWDB to Contractors, and from Contractor to the WPWDB.

### File Transfer from Contractors to the Board:

- The contractor must provide a list indicating all active participants by full name, program and location.
- The contractor must provide a list indicating the inactive participants by full name, program and location.
- The contractor must provide an updated VOS Client Listing Report that indicates all the participants who should be active in the program at the time of the transfer.
- The contractor must indicate in writing an explanation of any missing files.
- A chain of custody document must be completed indicating the date of transfer, the recipient entity and any problems incurred during the transfer, i.e., missing files. Have the chain of custody signed by all parties representing the contractor and the board.
- The contractor will retain the signed original chain of custody document with a copy going to the board.

Once participants have exited the program and follow up has concluded (fourth quarter after exit), participants' files will be stored at the board office for the required three years (for state and federal auditing purposes). When these files are transferred (or handed over) to the board, the steps mentioned above must be followed.

After the required three years have lapsed, the board is responsible for shredding these files.

### File Transfers from the Board to Contractors:

- The board must provide a list of all the participant files that will be transferred to the contractor.
- The board must print out and provide a current client listing report with all active participants as of the date of transfer and give the contractor a copy.
- The client listing report will be compared with the actual files to be transferred and any missing files or unaccounted for files should be indicated on the chain of custody report.
- Complete the chain of custody document indicating the date of transfer, the recipient, the number of files being transferred and an explanation for any missing or unaccounted for files.
- The chain of custody must be signed by the board and recipient contractor with the board retaining the original and a copy going to the contractor.

### Other:

- All official files of the Board and board-related program files will be maintained at the board office for three years.

File Transfer from Contractor to Contractor:

Should a Program Operator cease operation or if another Program Operator is awarded a contract to provide service delivery in lieu of the former Operator, the following participant files/records storage and/or transfer provisions will apply.

- A. The current Program Operator is responsible for the completeness/accuracy of all participant files/records until such time as those records are turned over to the WDB. The Operator will be required to sign a statement, provided by the West Piedmont Workforce Development Board, attesting to the completeness/accuracy of all participant files/records in their possession that will be transferred to the West Piedmont Workforce Development Board. Even after transfer, the Program Operator retains responsibility and liability for all activities that occurred during the period functioning as a Program Operator for the West Piedmont Workforce Development Board. If for any reason files cannot be located, the Program Operator must indicate in writing an explanation of missing files.
- B. The West Piedmont Workforce Development Board will secure all participant files/records providing the Program Operator with an acceptance receipt. The West Piedmont Workforce Development Board will be responsible for the security and storage of all files/records obtained from the Program Operator.
- C. In the event that a new Program Operator has been awarded a contract to deliver services previously performed by the former Program Operator, the new Operator assumes responsibility and liability for all actions occurring once they are in receipt of the files/records. The West Piedmont Workforce Development Board will ensure that original documents for all active participants are provided to the new Operator and copies of those documents are placed in the original file secured from the former Operator and retained in storage. The new Operator will sign an acceptance letter provided by the WDB, listing all files/records that have been provided to them by the West Piedmont Workforce Development Board and accepting responsibility/liability for the maintenance of those files/records. Prior to accepting the previous Operator's files, the new Program Operator will be responsible for reviewing the files of the previous program Operator. The new Operator will be provided with an opportunity to correct or reject any of the files maintained by the previous Operator. Once the files have been accepted by the new Program Operator, the new Operator will be responsible for any problems identified after the transfer and for making the needed corrections, if possible. For participants who have excised and are no longer receiving any services, including follow-up, all files/records for those participants will remain in storage. The former Program Operator will provide the following at time of transfer:
  1. A full client list.
  2. A separate list differentiating active and inactive participants by name and state ID number
  3. A chain of custody document signed by all parties including date of transfer, recipient entity and any transfer issues.
- D. All secured participant files/records will be retained by the West Piedmont Workforce Development Board for a minimum of three (3) years following completion of the last clean audit. Financial records will be retained for a minimum of five (5) years. The West Piedmont Workforce Development Board will also be responsible for destruction of documents once the required retention period has expired. Should any issues arise concerning records transferred to the new Operator, the West Piedmont Workforce Development Board will act as a mediator between both Operators to insure that a resolution to the issue is achieved in a timely manner. Operators shall properly mark records before placing in storage as follows:

- All current exited files need to have the outside of the file marked with the client exit date and the program the client participated in (DLW, Adult, Youth, etc...). This process also applies to all client files currently being exited and those files that are currently in follow-up.
- Client files that are no longer in follow-up services need to be stored by Exit Date and placed in alphabetical order.
- Client files in storage should have the exit date (program year), program participation (DLW, Adult, Youth, etc...) and the alpha letters (A-D, E-J, etc...) of the client files contained within marked clearly on the outside of the filing cabinet or file box that the files are stored in.

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Approval Signature:

A handwritten signature in black ink, appearing to be 'A. J. S.', written over a horizontal line.

Revision Date: June, 2017