Concepts addressed in class: Confidentiality and privacy

Specifically, students should review:

Ethical responsibilities and behaviors that one must or must not engage in. Ethical responsibilities are clear-cut and are spelled out in the Code of Ethical Conduct (for example, early childhood educators should never share confidential information about a child or family with a person who has no legitimate need for knowing).

Confidentiality and Information Sharing

Service Integration
- Fill gaps in services
- Provide continuity and consistency
- Reach beyond specific labels: more effective services

Obstacle
- Confidentiality provisions that restrict agencies from working together
- Agencies can share info while respecting rights & interests of children & families

Ways to Share Information
- Informed consent
- Informal exchange
- Safeguards
- Computerized info

Informed Consent
- Release of personal info:
  - Name of subject
  - Name of agency sharing info
  - Name of agency receiving info
  - Reasons for sharing
  - Kind of info shared
  - Signature of subject and date signed
  - Statement of revoking release
  - Expiration date
  - Notice of subject to receive copy of release
- Notice to students/families
- Critical to process of obtaining consent
- Purposes and extent of consent
- Inform family of rights, promote trust

Releases
- Routine
  - Initial interview: routine information
  - Specific info through supplemental release later
- Multi-agency
  - Comprehensive release, coordinate services
  - Available in some states
Obstacles to Informed Consent
- Person should understand who, purpose, benefits
- Minors and legal “incompetence”
- Language and culture
- Consequences of refusing to give consent

Penalty for Violation:
- Criminal & civil liability: agency & individual
- Loss of federal or other funds
- Rare: benefits family
- Make clear to workers that families have legitimate interest in protecting personal info

Other Methods of Sharing Information
- Statute & regulation: sharing info common in state statutes
- Interagency agreements/memoranda of understanding: what, how, who, purposes, assurances, other requirements
- Court orders
- Informal exchanges of info

Ensuring Compliance with Provisions
- Foster respect for families & privacy
- Gatekeepers
- Confidentiality oaths
- Staff training

Working with Computerized Information
- Purpose of system (system or individual)
- Cooperation of all participating agencies
- Thorough security procedures (physical env., on-line data, mask personal identities)
- Train staff carefully
- Provide notices to families