

 STANISLAUS COUNTY COMMUNITY SERVICES AGENCY	Developed by/Date: Per Old DSS Manual Prior to 2002, Kym Vieira 11/08, Rev. 5/09	Page: 1 of 3	Number: 1.5
	Reviewed by/Reviewed Date: CSA Exec Team 1/09	Replaces:	Category: Employee Conduct/Expectations
Title: CSA Confidentiality Policy		Approved: 5/09	

Policy
 Procedure
 Guideline

Purpose

To maintain a professional and secure environment, the Community Services Agency (CSA) hereby adopts the following policy regarding confidentiality and conflict of interest as it relates to all business conducted within the agency.

Definition

Confidentiality is necessary not only to comply with the law, but also to protect customers from public exposure, and to respect their rights as individuals.

Legal restrictions regarding confidentiality are defined in the Welfare & Institutions Code §10850, Section 502 of the California Penal Code, and 45 Code of Federal Regulation Part 164. These restrictions apply to all persons working in or on behalf of the Community Services Agency, whether employed staff, trainees, volunteers, contracted help, students, or any other person working on behalf of CSA.

Personal Identifying Information (PII) is information that can be used alone, or in conjunction with any other information, to identify a specific individual. PII is confidential. PII includes any information that can be used to search for or identify individuals, or can be used to access customer records. Examples of PII include but are not limited to a customer's name, social security number, date of birth, driver's license number or identification number. PII may be electronic or paper.

Procedure

- A. Care must be taken so casual conversation at work or elsewhere does not reveal confidential information. Customer names or any other identifying information should not be discussed outside of the work environment. In addition, customers should not be identified by name in discussions within the Agency, except as necessary for the administration of services or benefits. Only those staff directly responsible for case actions should be involved in such discussions.
- B. Records are available to Agency personnel on a "need-to-know" basis. This means customer information is available to Agency personnel only in the course of their assigned duties, and only to the extent necessary to perform these duties. No other

inquiry or review of customer information is permissible. This includes unauthorized access to information stored electronically. CSA is required to establish and maintain ongoing management oversight and monitoring to ensure that staff is not accessing records or areas in which there is no business need. Reports are being researched to ensure that CSA is in compliance with state and federal guidelines. Unauthorized access of agency records could result in a referral to the District Attorney's Office for the filing of criminal charges against the employee, in addition to any disciplinary action.

- C. It should be noted, customers or their authorized representatives generally have a right to review their own records. Restrictions and procedures for exercising such rights are further described in this policy, and should be discussed with a supervisor prior to disclosure.
- D. Any information stored in any CSA computer systems, including but not limited to C-IV, CWS/CMS, CMIPS, and various databases containing customer information is confidential. An employee is not authorized to access any information if there is not a business need to do so. **Furthermore, an employee is not authorized to access any information regarding themselves, a personal friend, relative, co-worker, neighbor, business associate, or someone they have personal knowledge of, that could lead to a conflict of interest.**
- E. A conflict of interest exists if a CSA employee processes or maintains or accesses the case of a relative, friend, neighbor, business associate, co-worker, etc. It is also a conflict of interest for an employee to access their own case record. In addition, if an employee is a customer or has a case with CSA, all services requested and provided must not occur during the employee's work time or in any general employee work area. The employee must take care of personal case related services as if they are a CSA customer. If a conflict of interest situation arises, the employee should notify their supervisor immediately for reassignment. The supervisor should reassign the case to another employee or another unit as necessary. If an employee is contacted by someone that would pose a conflict of interest to assist them with their case, they should stop the conversation immediately, notify their supervisor right away to alert them of the conflict and have the supervisor provide assistance. Supervisors should work with their manager to help identify and resolve conflicts of interest.
- F. Care must be taken to ensure that customer's information is not left unsecured. Do not leave information in open areas, such as the copiers, windows, conference rooms or interview rooms. Before leaving for the day staff must ensure that all paperwork with confidential information is locked up.
- G. Any paper containing confidential information, including PII must be shredded. All shredding must be placed in the locking shredding bins at the end of each day at a minimum.

- H. Confidential information, including PII, must not leave the agency unless there is a business need. If taken off site, it must not be left unattended at any times. This includes leaving information in vehicles.
- I. E-mails sent outside of the CSA GroupWise system which contain PII must be sent encrypted. When sending e-mail: avoid typing any PII in the subject line, limit the amount of PII in the e-mail, do not include the name and social security number together, and verify the e-mail recipient is correct.
- J. Faxes which contain PII must be sent with a fax coversheet containing the approved confidentiality statement. When sending a fax: limit the amount of PII sent in the fax, do not include the social security number, and verify the fax number for the recipient is correct.
- K. Staff must not duplicate, disseminate or disclose confidential information such as, PII except to perform functions directly related to administration of social services. Any person who discloses or uses confidential information in a manner or for purposes not authorized by a business need may be subject to disciplinary action up to and including suspension, demotion, termination and criminal conviction.