

TOWN OF BLOOMFIELD POLICY MEMORANDUM

SUBJECT: Social & Youth Services' Confidentiality Policy **NO:** 710721.01
DISTRIBUTION: Social & Youth Services Staff **DATE:** October 29, 2013
AMENDED:
BY: Camilla Jones, Director

APPROVED: *Silvia K. Schenck*, 11/7/14

I. PURPOSE

Bloomfield Social & Youth Services is committed to maintaining the privacy of client information and complying with all applicable laws and regulations relating to such information. The purpose of this policy is to define the extent to which our clients' protected information (including but not limited to case files, contact information and demographics) will be kept private and confidential by Bloomfield Social & Youth Services' employees, interns and volunteers.

These policies and procedures apply to Bloomfield Social & Youth Services and its employees, volunteers, interns and other members of its workforce. They govern all forms of protected information, regardless of form or storage medium, collected, maintained and processed by Bloomfield Social & Youth Services.

II. RESPONSIBILITY

Issuance revisions of Confidentiality Policy will be the responsibility of the Director of Social & Youth Services. Department staff are responsible for implementation of the policy.

III. FORMS

Employees' signatures are required confirming receipt and understanding of policy.

IV. DEFINITIONS

Client: An individual who is the subject of the protected information that is in the possession or control of Bloomfield Social & Youth Services. This includes his or her duly authorized personal representative(s).

Protected Information: Individually identifiable information relating to past, present or future physical, mental health or condition of a client; or the past, present or future services provided to a client. Demographic information is also included in this definition.

Individually Identifiable Information: Information that identifies a client or with respect to which there is a reasonable basis to believe that the information can be used to identify the client.

Authorized Representative: A person who has authority under applicable law to make decisions related on behalf of an adult to the person, health care or financial; or an emancipated minor; or a parent, legal guardian, or other person acting in the place of the parent who is authorized under law to make decisions related to the person, health care or financial on behalf of an un-emancipated minor.

Third Party: Any individual, agency, group or other departments within the Town of Bloomfield.

Electronic Communications: The exchange of information through the use of facsimile, email, text messages, video, internet, or other forms of electronic communication.

Social Media: The means of interactions among people in which they create, share, exchange and comment contents among themselves in virtual communities and networks (including but not limited to Facebook, Instagram, My Space, Twitter, Blogs, You Tube, Skype, etc.)

V. POLICY/PROCEDURE

- A. Protected information may not be used without the written consent or authorization of the client or the client's authorized representative. The client's protected information may not be used or disclosed except for a proper purpose; such as case consultation with a supervisor and/or staff of Bloomfield Social & Youth Services. No more than the "minimum necessary" amount of information to accomplish the intended purpose should be released. Reasonable precautions will always be taken to prevent inadvertent or unnecessary disclosures.
- B. Staff should respect clients' right to privacy. Staff should not solicit private information from clients unless it is essential to providing services.
- C. Staff should protect the confidentiality of all information obtained in the course of professional service, except when disclosure is necessary to prevent serious, foreseeable, and imminent harm to a client or other identifiable person or to comply with mandatory reporting statutes. In all instances, staff should disclose the least amount of confidential information necessary to achieve the desired purpose; only information that is directly relevant to the purpose for which the disclosure is made should be revealed.
- D. Staff should inform clients, to the extent possible, about the disclosure of confidential information and the potential consequences, when feasible before the disclosure is made. This applies whether staff discloses confidential information on the basis of a legal requirement or client consent.
- E. Staff should not disclose confidential information to third-parties unless clients have authorized such disclosure.
- F. Staff should not discuss confidential information in any setting unless privacy can be ensured. Staff should not discuss confidential information in public or semipublic areas such as hallways, waiting rooms, elevators and restaurants. This also includes use of speaker phone or conference calls.
- G. Bloomfield Social & Youth Services' Notice of Privacy Rights must be given to the client, parent/legal guardian or personal representative on or prior to his or her first date of service. Copies of the Notice must be kept available in the main reception area for clients who request a copy to take with them. For clients involved in crisis services, the

Privacy Notice will be presented at the first opportunity when the circumstances are stabilized.

- H.** Bloomfield Social & Youth Services' Notice of Privacy Rights must be posted in a clear and prominent location in the office.
- I.** Bloomfield Social & Youth Services' Notice of Privacy Rights will be posted on the Town's website in a prominent location and made available electronically through our website. The Notice may be transmitted by Email if a request for e-mail notice is submitted to the Director of Social & Youth Services.
- J.** The Notice of Privacy Rights will be maintained and updated so that it continues to be in compliance with all applicable state and federal laws and reflects any changes in such laws. In the event that there is a change in the client privacy rights or in Bloomfield Social & Youth Services' privacy policies, the Director of Bloomfield Social & Youth Services will revise and redistribute.
- K.** The Director of Bloomfield Social & Youth Services, or designee, is responsible for updating and redistributing the Notice of Privacy Rights and maintaining an accurate file of Notice of Privacy Rights that have been issued.
- L. Electronic Communications and Social Media**
 - 1. The only subjects that are appropriate for these mediums are use of social media sites set-up by the department to communicate programs and services to the public. All other uses can lead to crossing professional boundaries by extending availability beyond what might be appropriate.
 - 2. Staff should take precautions to ensure and maintain the confidentiality of information transmitted to other parties through the use of internet, electronic mail (e-mail), facsimiles, voicemail and other electronic or computer technology. Disclosure of identifying information should be avoided whenever possible.
 - 3. Staff should never store or save client information in personal electronic devices (i.e. cell phones, computers, etc.) or personal files.
 - 4. Bloomfield Social & Youth Services' employees, volunteers, interns and other members of its workforce should never accept friend requests on their personal social media sites from clients or former clients unless this is a component of a sanctioned program. Further, employees, volunteers, interns and other members of its workforce with social media pages/accounts are encouraged to make sure their privacy settings are high so that clients may not discover their personal information for their safety. Such activity can lead to crossing professional boundaries by extending availability beyond what might be appropriate.

M. Case Documentation and Storage:

- 1. Case files may be sought by the client, family, or legal authority so records should be up to date, accurate, and free of subjective and speculative material.

2. Case information that is stored in the database shall be accessible by authorized personnel only.
3. Case files should be up to date to enable emergency coverage of a case in the event of absence or incapacity of the assigned staff person.
4. All case files shall be maintained in secured file cabinets on the premises of Bloomfield Social & Youth Services pursuant to the *State of Connecticut Record Retention Policy*. Staff should never store case files/documentation in their personal possessions (i.e. electronic devices such as cell phones, computers, etc. or at home).
5. Staff shall protect the confidentiality of clients' written and electronic records and other protected information. Staff should take reasonable steps to ensure that clients' records are stored in a secure location and that clients' records are not available to others who are not authorized to have access.

N. Authorization For Release Of Information

1. Client Protected Information will not be disclosed to any Third Party for any purposes unless we have express written authorization; except when disclosure is necessary to prevent serious, foreseeable and imminent harm to a client or other identifiable person; or to comply with mandatory reporting statutes.
2. The client or his/her authorized representative may withdraw consent at any time by written notice to the individual or the office in which the original consent was filed.

Should any employee have any questions about these policies and procedures or their application to particular circumstances, they should contact their supervisor or the Director of Bloomfield Social & Youth Services.

My signature below confirms that I have read, understand and agree to abide by the Confidentiality Policy & Procedures for the Town of Bloomfield Social & Youth Services.

Employee Signature

Date

Director's Signature

Date