

CONFIDENTIALITY POLICY

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PERFORMANCE OBJECTIVE: A client's confidentiality is a family's right to the protection of personally identifiable information (PII) shared with an agency for the purpose of receiving services. Confidentiality is an ethical obligation of every Head Start/Early Head Start staff member, as well as a program requirement. Head Start families must feel assured that their privacy will be respected by all employees of the agency. All staff, consultants, and volunteers abide by the program's standards of conduct. They will follow program confidentiality policies concerning information about a child, family, and other staff members (**HSPPS 1303.201303.24**).

PROCEDURE:

Location of Personally Identifiable Information

1. A participant's personally identifiable information (PII) will be protected at all times. The majority of participant PII is stored in the program's online child tracking system, Child Plus.Net. A small number of forms required by Missouri Childcare Licensing that have PII are kept in a binder at each center and will be kept in a locked file cabinet, when not in use.
2. The program's online child tracking system has several security measures in place. Participant records are protected and maintained according to current industry security standards.
3. Staff who utilizes agency computers to provide services for Head Start/Early Head Start participants must ensure that the participant's information is protected. Computers located at a Head Start/Early Head Start center or site that are utilized by persons other than agency employees, must have a password-protected screensaver. Only agency employees will have access to the password.
4. Staff who sends email correspondence that contains participant personally identifiable information must include an email confidentiality statement as part of the correspondence and if the material is related to health, mental health, or the child's development the program will maintain a record in the participant's file or in the data tracking system of the disclosure.

Internal Confidentiality

5. Parents will be informed by Head Start/Early Head Start staff that information shared by the family will remain confidential within the Head Start/Early Head Start program, but may be shared with other staff members within the agency and consultants to the program.
6. Staff will have access to information they need to understand a child's behaviors, be sensitive, and be available to offer support and new services as needed.
7. Staff will not discuss the children and families enrolled in Head Start/Early Head Start with their personal friends or family.

8. Staff will not discuss the children and families enrolled in the program with volunteers or visitors that participate in the program. Employees who need to share information with other employees (either formally or informally) will not exchange information in the presence of volunteers or visitors.
9. The Policy Council, Grantee Board, and other policy committees may at times need facts and data, but care will be taken to not share specific names, addresses, and other personal identifiers of children and families enrolled in the programs.
10. Fax machines/scanners will be located in secure areas of the centers. These secure areas will be limited to staff access only.
11. Information that is entered strictly for data entry purposes will be disposed of in a confidential manner by central office staff.

External Confidentiality

12. Parents will be informed that before any information can be shared with another agency (including names, addresses, and phone numbers), the legal guardian of the child must sign an Authorization of Disclosure of Confidential Information. Only information specifically outlined in the release will be shared with the receiving agency. Parents are to be informed of the amount of time the release will remain valid and are instructed that the release may be revoked by the parent before the expiration date, by informing the program in writing.
13. Use of a Confidential Information Cover Sheet will be used when faxing information regarding personally identifiable information.
14. If an agency requests information from a participant's file, the legal guardian will be informed and an Authorization of Disclosure of Confidential Information must be signed by the legal guardian before information will be shared with the requesting agency. Exceptions to this would include:
 - a. information required through a legal subpoena or judicial order
 - b. situations that pose an immediate or serious health and/or safety risk for the family, program staff, or partnering agencies
 - c. legal obligations, such as the reporting of suspected child abuse and neglect, and cooperation with case workers and police officers
 - d. official representatives of governmental agencies requiring information for funding and services provided, including the Department of Health and Human Services and the Child and Adult Care Food Program (CACFP)
 - e. persons responsible for the agency's audit
 - f. legal action initiated by the agency against a participant or vice versa
15. If information was released and/or faxed to an agency by mistake, Head Start/Early Head Start staff will notify the legal guardian as soon as possible of the error.

16. Information in a participant's file that originated from another agency will not be released by the program, unless the information is to be released to a contracted partner of Head Start/Early Head Start.
17. Acknowledgement, verification and other information regarding a child's enrollment and/or education record in the HS/EHS program will only be shared when a release of information has been signed by the legal guardian or under limited conditions specified by law and proof of identity has been obtained from the inquiring party.

Education records include: handwritten material, information in print, computer media, video or audio tape, film, and microfilm/microfiche.

For more information regarding policies related to access to children enrolled in the EHS/HS program, please refer to the Child Drop Off, Pick Up and Visitation Policy.

Head Start and Early Head Start Partners/Consultants

18. Agencies, businesses, and consultants who have written partnership/consultant agreements with Head Start/Early Head Start are required to protect participant confidentiality as identified in this policy, and in accordance with laws connected to the partner/consultant's specific area of expertise.
19. A parent has the right to review any Head Start written agreement with third parties.

Mental Health Consultants

20. Start/Early Head Start classrooms and Early Head Start partners will receive regular consultation with a Mental Health Consultant (MHC). Legal guardians will be notified of this shortly after enrollment to ensure they are aware of the role of the MHC in the classroom. Classroom observations made by Mental Health Consultants will be entered into ChildPlus.Net or sent in written form to the Coordinator/Manager responsible for mental health services. Only staff identified by the Director will have access to the observations. Individual child/family mental health consultations, set up by HS/EHS staff, will be entered into ChildPlus.Net or sent in written form as well. The notes will be entered into the individual child's record, therefore access will be available only to staff who work directly with the child/family. Session information with families who continue to see the MHC as private clients are not provided to HS/EHS staff.

Child Abuse & Neglect reporting forms

21. Child Abuse & Neglect (CAN) report forms are kept in the program's electronic participant database. Only staff who work directly with the child or identified management staff have access to CAN report forms.

For more information on CAN please refer to the Child Abuse & Neglect Policy.

Review of Files

22. Parents have the right to review information regarding their family and child from their child's file. The program will ensure access to the child's electronic file within 2 weeks of the request. Parents may review the Family Services, Health, Immunizations, Disability, Birth, Transportation, Education, and Attendance tabs in their electronic file.

23. Due to Missouri Childcare Licensing requirements, certain licensing forms and program forms must be maintained in a binder/file for review by licensing representatives. A parent may review these forms upon request.
24. In the case of legally separated or divorced parents; each parent's personally identifiable information will be considered inaccessible to the other parent.
25. Head Start and Early Head Start staff will be available to parents to explain information in their child's electronic file and the childcare licensing forms.
26. After review of information in their child's electronic file, parents have the right to have those records corrected or amended, or if the parent and staff cannot agree, the parents' requests for change and explanations will be included as part of the permanent record. This correction/amendment will be included whenever the program discloses the portion of the record to which the statement relates.
27. The program will provide a parent, free of charge, an initial copy of child records disclosed to third parties with parental consent and, upon parent request, an initial copy of child records disclosed to third parties, unless the disclosure was for a court that ordered neither the subpoena, its contents, nor the information furnished in response be disclosed.

Objective reporting and recording of information

28. To ensure that Head Start and Early Head Start staff are entering objective and accurate information in a child's file, regularly scheduled reviews of the child's file are conducted by Area Supervisors, Component Coordinators, and the Assistant Director. At these reviews, deficiencies are noted and staff are given adequate time to investigate and correct the notation.
29. Information recorded must be factual, objective, and useful. Heresy, one-sided stories, erroneous details are not to be included. In addition, training and technical assistance are provided on a regular basis to assist staff with providing quality services to families.

Transporting participant information or "working files"

30. Staff who conduct home visits may need to transport "working files" that contain personally identifiable information of families on their caseload. This information must be kept in a locked area of the vehicle and only PII for the particular participant they are visiting will be allowed in a participant's home.

Records of children who have transferred, dropped, or transitioned

31. Records of children who have transferred, dropped, or transitioned are kept for three-ten years, unless other time constraints have been placed upon the program to keep the records for a longer period by the funding source. Electronic documents are accessible to the program, as long as a current contract is in place with the data management system. Once a contract ends, the data is either deleted or retained and anonymized based on the contract.

Videos, photos and social media

32. Parents may use video cameras, cameras and camera phones to film special events at Head Start and Early Head Start centers/sites, such as special events and socializations. At these events other parents are in attendance with their children and may choose to leave the area being filmed or photographed. Parents will be made aware that it is illegal to sell or distribute any recordings/photos without proper permission and any images taken must be for private use only. Parents may not video tape or take pictures of day-to-day classroom activities.
33. Program staff may take videos and photos of children for educational and programmatic purposes only. Some examples of educational purposes include: portfolios, classroom labeling, computer ID, family boards, classroom job board, transition book, and teacher/staff training needs. Photography and videography is not permitted in sensitive areas such as changing tables or bathrooms.
34. Photographs will be disposed of when a child exits the program. Videos are deleted every 2 weeks, unless a particular segment of the video is saved for educational or legal purposes. Photos and videos used for public relations will remain the exception to this practice, as long as authorization has been provided by the parent/guardian.
35. Staff **may not use** their own personal camera, cell phone or any other type of equipment to take pictures, post on social media, or make video recordings of children in the program. Each classroom will be provided agency equipment to use for educational and programmatic purposes. Placement of photos and/or any other information regarding children enrolled in EHS/HS on an employee's personal social media account(s) and/or email account(s) is strictly prohibited.
36. Parental/Guardian consent (from the Authorization of Disclosure of Confidential Information form) must be obtained before any video recording or photo of an EHS/HS child is placed on the agency website, Facebook page, YouTube, or any other type of social media. Full names of any child or adult in a photograph or video will not be used.
37. Parent(s)/Caregiver(s) of enrolled children will be invited to join a closed Facebook group by their assigned FRS or Home Visitor and will receive training on the Social Media Agreement (within the Standards of Conduct for parents) at their first home visit outlining their role in use of the page.
38. Only moderators selected by their Area Supervisor can post on the closed Facebook page. Staff may not post on social media on behalf of the agency outside of their working hours.
39. If online communication becomes inappropriate or negative, or presents an imminent threat, the identifying employee must immediately report it to their Area Supervisor for resolution.
40. Online activity of individual pages will be monitored quarterly by a Quality Assurance Team to ensure staff, parent(s), and/or caregiver(s) are establishing and maintaining policy procedures and protocol.

41. Parent(s)/Caregiver(s) can leave the closed group at any time. They will also be removed by program staff at the end of their child's enrollment.

42. Area Supervisors will monitor the day-to-day activities of classrooms through the review of the security cameras at each center. *Refer to the Video Use and Monitoring Policy for more information on this process.*

Training and Disciplinary Action

43. All new employees, volunteers, and consultants of Head Start/Early Head Start receive training on confidentiality policies and procedures annual.

44. If a legal guardian, volunteer, consultant, and/or staff member believe that a breach of confidentiality has been committed by a Head Start/Early Head Start staff member, they should contact the employee's supervisor.

45. Violation of a client's confidentiality will be taken seriously by the Head Start/Early Head Start program. Once an incident has been brought to the attention of the employee's supervisor, it will be the supervisor's responsibility to address the violation and ensure the employee understands the repercussions of his/her actions. Consultation with the Head Start/Early Head Start Director or Assistant Director will occur, if needed.