

GROWING IDEAS

Confidentiality: Respecting the Privacy of All Families

Care and education professionals routinely receive confidential information about children and families as part of their work. Maintaining confidentiality is important both legally and ethically.

What is confidentiality?

Confidentiality involves the treatment of information that an individual has shared in a relationship of trust. Confidential information might include personal details about the lives of children and families, and/or details such as names, addresses, phone numbers, birth dates, health, Individual Education Plans (IEP) and employment information.

What does it mean to maintain confidentiality?

- Conversations, written documents and information, including photos or media about a child or family should be kept private.
- No information about a child or family should be shared with anyone without the written consent of the child's family or legal guardian.

Please note: exceptions include mandated reporting of child abuse required by law, and health conditions when the public health department must be notified.

Why is maintaining confidentiality important?

- Maintaining confidentiality demonstrates respect, which can support the development of a trusting relationship needed for successful family partnerships.
- Confidentiality is a legal protection and assurance of families' right to privacy.
- Practicing confidentiality assures the safety of children and families. It creates and maintains a reputation of high quality standards for the professional and the child care program.



How can care and education professionals honor their legal and ethical obligation to maintain family privacy?

- Know laws, regulations and guidelines on handling personal information.
- Do not give or receive records or other information about children or families without written permission from the parents or legal guardian.
- Understand that parental permission is voluntary and can be withdrawn at any time.
- Develop an internal program policy that guides information sharing among program staff, and with outside agencies and consultants.

Discuss confidential information in private locations, not in open or shared spaces (hallways, staff rooms, parking lots) where conversations can be overheard.

- Program policies describe how child records are secured, such as in a locked cabinet, who can access them and under what circumstances they can be shared.

Share policies regarding confidentiality practices.

- Review and distribute policies related to confidentiality during orientation for families and staff. Review with staff yearly, at least.
- If questions about family privacy arise, identify who in the program staff families should consult.

What procedures should be in place?

- Develop a parental consent for release form that gives the provider permission to share specific information about a child, such as an IEP, medical records, and/or observations.
- Informed consent means that when parents/guardians give consent to share information about their child, they understand why they are being asked to release these details, and the conditions that apply. Discuss parental consent for release forms carefully with parents/guardians.

Disclaimer: This information is for broad educational purposes only. It is not and does not take the place of legal advice for any specific situation nor is it offered as such.

Where to learn more:

See "[Confidentiality: Respecting the Privacy of All Families — Learning Links](http://ccids.umaine.edu/resources/ec-growingideas/confidentill/)" online at <http://ccids.umaine.edu/resources/ec-growingideas/confidentill/>

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