

CHAPTER 7 CONFIDENTIALITY

COUNTY OF SAN DIEGO HEALTH AND HUMAN SERVICES AGENCY EMPLOYEE CONDUCT STANDARDS

The Health and Human Services Agency believes that each employee occupies a position of public trust that demands the highest ethical standard of conduct. The following policies apply equally to all employees. They are meant to safeguard the public trust and protect employees from inadvertently causing harm to themselves, the Agency, or the public.

Zero Tolerance For Fraud

The Board of Supervisors has mandated a policy of zero tolerance toward internal and external fraud. It is the responsibility of every employee to immediately report to the appropriate authority information indicating possible fraudulent activity by applicants/recipients, contractors, vendors, volunteers, or employees of the Agency.

All suspected fraudulent activity by an employee or volunteer should be reported to the Internal Security Section. All other fraud should be reported using the process specific to the program. Fraud reporting procedures have been established to protect the integrity of both the employee and the client. You are expected to be familiar with and follow the established procedures.

Confidentiality

Employees are prohibited from the unauthorized disclosure of information obtained during the course of employment with the Health and Human Services Agency. This policy is intended to protect the privacy rights of employees, clients, and other persons involved in Agency activities. This policy is mandated in Welfare and Institutions Code 10850. Violation of this Code is a misdemeanor in the State of California.

Physical County Records, County Equipment & Property

Physical work records, including case files, reports, ledgers, materials, etc., are not to be removed from the workplace without prior authorization.

County equipment and property are intended for County business. Usage not reasonable related to County business is prohibited. The Agency reserves the right to access, inspect, review, and retrieve County equipment and property for reasonable, work-related reasons.

Such equipment and property include, but are not limited to: telephones/voice-mail, faxes; computer equipment, systems, software, e-mail; work records and files; work stations, desks, and file cabinets; photocopy equipment, supplies; county cars; and electronic equipment.

Employee Privacy

The Department of Human Resources retains the permanent employment files for all County employees. The Health and Human Services Agency Personnel Services Division maintains necessary personal and work-related information and files on Agency employees, volunteers, and contract staff. Certain information may also be kept at the employee's work site. Such information shall be treated as confidential and outside inquiries shall be directed to the

Personnel Services Division. Access to such information and files is limited to job-related reasons.

To ensure accurate employee data record-keeping, employees are responsible for informing their managers and Personnel Services of changes in name, residence/ mailing addresses, home telephone number, and emergency contact information within thirty days of the change.

Automated Systems Access

Access to Agency and non-Agency automated systems is restricted to information needed to enable the user, at any level; to complete his/her assigned work. Users are prohibited from looking up information on family, friends, neighbors, acquaintances, business relations, etc., to satisfy personal curiosity, to initiate contracts, for personal use or to assist anyone other than the clients the user serves. Users are restricted to using their own user ID to access systems. Passwords are never to be shared. Access problems must be elevated to a supervisor or manager.

Solicitation (s)

Employees will exercise care when advising non-Agency individuals of Agency policies and procedures, and federal, State, and County regulations relating to public assistance or services programs managed by the Agency. “Soliciting”, or the intentional act of advising applicants how to answer questions, conceal information or provide false or fraudulent information in order to establish eligibility, obtain a greater benefit or prepare for a fraud investigations, is a misdemeanor in the State of California.

Employees, when unsure of how to respond to questions about Agency programs or services, should talk with their supervisor or manager for further guidance.

Conflict Of Interest

Conflict of interest occurs when an employee is involved in an activity that is in conflict with the duties and responsibilities of the employee’s assignment; or that could be used for the employee’s private gain or advantage; or that could influence the judgment or decision-making authority of the employee. The following describes some examples of unacceptable activities that are considered clear conflicts of interest.

⇒ Use of Agency time, facilities, equipment, or materials for private gain –

Example: an employee with an outside business cannot receive or make personal business phone calls or see customers at the employee’s work location.

⇒ Use of the position, prestige, or influence of Agency employment to solicit and/or accept personal loans, gifts, business, compensation, or favors from applicants/recipients of public assistance or services, public jurisdictions, private business firms, contractors, or other agents who have a relationship with the Agency –

Example: social workers who have an outside counseling business are prohibited from referring their own clients to their business for therapy.

⇒ Outside employment or activity where it is perceived the employee's judgment could be impaired while performing Agency duties or the employee could disclose confidential information learned on the job –

Example: an employee involved in the bid process for a contract with the Agency cannot work for a prospective vendor.

⇒ Maintaining a social or economic relationship with clients, vendors, or contractors that the employee may be involved with through his/her work assignment –

Example: an employee who owns rental property must report when they knowingly rent property to someone receiving public assistance or services.

Example: an employee is prohibited from dating a client in their caseload.

Disclosure

Employees are required to complete Disclosure cards on a semi-annual basis. Employees are expected to use these cards to disclose all outside employment and continue reporting this activity on the Disclosure cards twice a year.

Employees are also required to report any other activity or source of income which could conflict with their work assignment. Several examples are described above. Disclosure must occur, in writing, to the employee's manager upon participation in the activity.

Employee/Client Relations

Employees are required to report to their manager, in writing, when they have knowledge that a relative or friend is an applicant or recipient. Cases for these individuals may be maintained in a "secured" caseload, meant to protect both the employee and the client from concerns of inappropriate case access. Employees may also report other types of relationships for secured caseload consideration. Examples of other appropriate relationships to report: an eligibility technician's tenant who is on AFDC or an IHSS social worker's tenant who is an IHSS provider.

Employees are prohibited from advocating on the behalf of relatives, friends, acquaintances, business relations, etc., or involving themselves in actions taken by the Agency impacting those individuals.

Recipient/Payee Of Public Assistance And/Or Services

If you apply for, are now, or become a:

- Recipient
- Payee
- Authorized Representative
- IHSS Provider
- Conservator
- Foster Parent
- Adoptive Parent

- Key Person

of public assistance/services administered by this Agency, you must:

- Report truthfully and fully all information required on public assistance/services reporting forms.
- Notify your Eligibility Worker and/or Social Worker IMMEDIATELY that you are an Agency employee.

The case file can be transferred to a specialized caseload. The records of employees who have or currently receive aid or services are assigned to confidential files. Physical case files are maintained securely. Computer records are visible to users of information systems. If you have concerns about the confidentiality of your records, notify the Deputy Director of your section, who may make alternate arrangements for your case maintenance.

Telecommute/Outstation Assignment

Employees on a telecommute schedule or in an outstation assignment will adhere to specified policies regarding personal accountability, work record transport and use outside of the work area, and electronic access to automated systems.

Specific Departmental Policies

Each Department within the Health and Human Services Agency has additional policies and procedures specific to Departmental activities. These policies and procedures will be provided to you upon assignment to your position. Refer questions about proper methods for meeting established guidelines to your supervisor or manager.