

*This curriculum was developed by the Central Child Welfare Training Academy at CSU, Fresno. It may be used on its own or as a supplement to the material in the Standardized Core topic Fundamental Issues in Public Child Welfare.*

## **This training takes approximately 45 minutes**

### **– Confidentiality (Competency 1.8)**

In California confidentiality is mandated through statute. According to W&I Code 10850 all CWS records are confidential. The records are confidential regardless of whether a court case is ever filed. Workers should acknowledge the limits on releasing confidential information to third parties, to law enforcement personnel, or to other government agencies. Individual counties, however, determine who has access to CWS/CMS information and some counties include law enforcement as accessors!

- ◆ Discuss the dilemma this creates for counties and for social workers.  
Emphasize that access to CWS/CMS is a county by county issue.
- ◆ Discuss the exceptions to confidentiality rules (page 43 in student binder).

In addition, confidentiality is discussed in the NASW Code of Ethics. Standard 1.07, sections a – r delineate many different aspects of confidentiality to which a worker should adhere. These standards of confidentiality can be found in the NASW Code of Ethics handout found in the student binder.

## **Confidentiality & Multidisciplinary Teams**

Special provisions are made in the Welfare and Institutions Codes 18986.40 and 18986.46 that allow for sharing of information in multidisciplinary teams working on CWS cases. (The complete text of these codes can be found in the Module I appendix in the student binders.) Specifically, the code allows for sharing of information with members of other disciplines to jointly provide to children, their families, or both, two or more of the services listed in W&I Code 18986.40. Members can share information about the children and their families in their unified efforts to provide a service. A single authorization that gives a knowing and informed consent, in writing, can be used for all parties of the multidisciplinary team. This authorization **does not include** adoption records. The regulations state all members of multidisciplinary teams are to be trained on confidentiality policies and protocols.

Counties implementing programs such as Family to Family, CalWORKs/Child Welfare Partnership (Linkages), and other community-based programs should be

establishing clear confidentiality policies and procedures on confidentiality.  
Workers should check with their counties to determine their specific protocols.

- ? Discuss the need for sharing appropriate information in multidisciplinary teams
- ? Discuss “need to know” versus breach of confidentiality



Some trainers have developed exercises or games around the issue of confidentiality. An example of one is included in the handout section, p. 5