



Information Sharing and High Needs Clients

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Overview

- The Methodist Mission
- Information Sharing in Social Services
- Research Method
- Conclusions
- Recommendations



The Methodist Mission

Serving Otago and Southland for over 125 years. Our programmes aim to make a lasting difference in the lives of families across the southern region.

The Mission's work develops **skills and resiliency** in the people we engage with and our purpose statement is ***Change that Works: Enough Support and Challenge for you to Risk a Better Future.***



Mission Programmes

- Client Support Services (social work)
- The Early Years Services Hub
- Little Citizens Early Learning Centre
- Parenting Through Separation
- Incredible Years
- Independent Advocacy Project
- Science Kids & Science Works
- Next Step Training
- Corrections Programmes
- Beyond 10 Streets Community Development
- Community Research Projects



Why Privacy Research?

- Information sharing important component of social service delivery.
- Respecting / protecting client privacy also important.
- Tension between privacy and information sharing has caused serious failures in both respects.
- Failures have led to tragic outcomes.
- Anecdotal evidence suggested many managers and practitioners lacked knowledge and confidence applying the key principles.
- The research was designed to learn more and develop practical recommendations and resources.



Example

- Sarah has a gambling addiction which has caused significant relationship issues and negatively affected her children's behaviour at school.
- The school notices children's behaviour and social worker (from the Social Worker In Schools programme) carries out a home visit.
- Referrals made to addiction services, budget services and family support services (wraparound).
- Best achieved when social worker has client consent and is able to adopt a multi-agency approach with information being freely shared



Social Investment & Information Sharing

- Social Investment – ongoing change in social service sector.
- For 30+ years the sector has supplied little client data and reported no real outcomes (just outputs).
- Govt. now requiring client outcomes data and client biodata.
- MSD Community Investment – will soon collect individual client data.
- Many in sector concerned / opposed– privacy often cited as a reason.
- Many privacy issues still to be resolved in service delivery and information exchange systems required to fully implement Social Investment.



Information Sharing and High Needs Clients

An assessment of practitioner, manager and organisational competency relating to privacy principles and the sharing of personal information of clients pursuant to principle 11 and part 9A of the Privacy Act 1993.

Full report and resources available at:

www.dmm.org.nz/index.php/privacyresources



The Privacy Act 1993

- The primary legislation that controls the protection and disclosure of information.
- 12 privacy principles govern the collection, storage, access and correction, accuracy, retention, use and disclosure of personal information.



Approved Information Sharing Agreements (AISAs)

- Privacy Act amended in 2013 to create a new legal framework - AISAs.
- Provides a mechanism for information sharing amongst certain government agencies.



The Research

- Funded by the Office of the Privacy Commissioner.
- Examined practitioner and organisational competency across a range of agencies.
- Specifically focussed on the sharing of personal information.
 - Principle 11: *Limits on disclosure of personal information*
 - Part 9A: *Information sharing (AISAs)*



Methodology

- Triangulated mixed-method.
- Insight at practitioner and operational level.
- Surveys:
 - one for practitioners.
 - the other directed at senior practitioners/managers.
 - 146 responses.
- 20 semi-structured interviews with both managers and practitioners.



Survey

- Descriptive statistical analysis.
- Circulated to:
 - Social services
 - Health
 - Education
 - Justice and legal
 - Other government



Interviews

- Participants included practitioners and managers from same sectors as surveys
- Rich understanding of the issues
- Thematic analysis



Requests and Sharing

- Majority of organisations received requests for client information.
 - Mostly from clients themselves and government agencies.
- Most practitioners have shared information with another organisation within the last year.
 - More than a third did so 21 or more times.



Training

- Nearly a third of practitioners report not being trained in the Act and principles.
- Of those trained, some considered the training inadequate.
- Not all organisations are training staff on when other legislation or formal MOUs 'trump' the Act.



Applying the Principles

- Few practitioners find the principles easy to apply.
- There is a mistaken belief by some practitioners and managers that they are complying with the Act by withholding a client's name even though they provide identifiable details.



Privacy Officers

- Organisations must have a privacy officer - just over half do.
- Most practitioners do not know who the privacy officer at their organisation is.
- As well as dealing with information requests, the privacy officer is required to ensure and encourage compliance with the Act.



Consent

- Over a third of practitioners surveyed believe information should only be shared with the informed consent of the client even if allowed by the Act.
- This helps build and maintain a trusting and transparent relationship with the client.



Obtaining Information

- Nearly 50% of practitioners have experienced a lack of response when requesting client information from other organisations.
- Nearly 75% of organisations have a formal system for managing information requests but less than 50% have a system to ensure a response to an information request is made in the required timeframe.
- Less than 50% of organisations that participated are meeting the timeframe required.



Managing Requests

- Nearly three quarters of organisations have a formal system.
- Less than half have a system to ensure requests are responded to in the required timeframe.
- Less than half that participated are meeting the timeframe required.



Disclosing Information

- Most organisations require staff to consult with someone before disclosing information.
- Under half of the practitioners reported being required to consult with another staff member about whether client information can be disclosed.



Disclosing Information

- Appears to be a disconnect and possible non-compliance.
- If no or inadequate training, information may be mistakenly disclosed or withheld.



Privacy and Māori

- Māori providers suggested the Act is at times incongruous with a Māori worldview.
- Information collectively owned by whānau.
- The Act is often being breached because of this.



Primary Challenges

- Information withheld when it was believed sharing would benefit the client.
- Not knowing who to share information with.
- Some organisations and practitioners feared sharing information in case it places them in breach of the Act.
- Some situations where participants thought the Act was being used as an excuse to refuse information sharing requests.



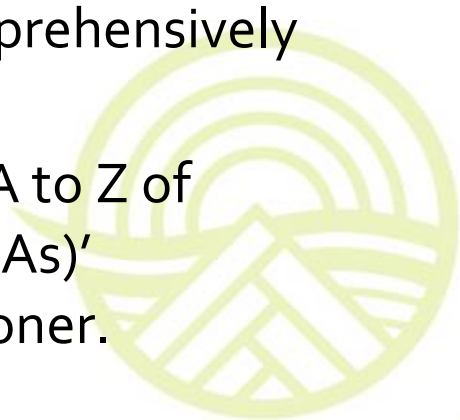
Recommendations

1. Appropriate staff training.
2. Explicit instruction be given to staff that informal information sharing is a breach of the Act and agencies implement processes to combat this.
3. Regular audits of IT security of client information and refer to the technology guidance section on the OPC website.
4. All agencies have a privacy officer and staff made aware of who the privacy officer is and their role.
5. Promote the benefits of having a privacy officer and the training available through the OPC.



Recommendations

6. Education at an operational level so agencies/practitioners know their obligations under the Act and incorporate them into policies and culture.
7. Agencies use resources on the OPC website as part of this process.
8. The issues raised regarding a Māori worldview and privacy warrant further exploration.
9. All staff members working under AISAs are comprehensively trained in their use.
10. Agencies and practitioners utilise the guide 'An A to Z of Approved Information Sharing Agreements (AISAs)' produced by the Office of the Privacy Commissioner.



Recommendations

11. Investment into a more useable system to allow for and encourage information sharing under AISAs.
12. The inclusion of NGOs as parties to the agreements be considered.
13. Short 'go-to' guides on information sharing and certain privacy principles are produced.
14. The guides be written so they are easy to understand, use case studies and possibly flowcharts and incorporate resources already available on the Office of the Privacy Commissioner website.



Conclusions

- Both agencies and practitioners are conscious about the need to protect client information (and consider this important) but there is some non-compliance.
- Various challenges faced at both organisational and frontline levels.
- Some challenges ameliorated by increased knowledge and training along with implementation of new systems.
 - Changes needed at macro, meso and micro-levels
- Comes back to striking the balance between protecting privacy and having all of the pieces of the puzzle.

