

**Customer Information Confidentiality Policy for the  
Northeast Ohio Consortium Council of Governments  
Workforce Innovation and Opportunity Act Policy C-01**

**I. Purpose.**

To establish a policy on privacy and confidentiality for the staff of the Area Workforce Board, provider, and partners, who come into contact with customer information.

**II. Effective Date.**

August 5, 2015.

**III. Background.**

In accordance with the WIOA and other Federal and State Laws and Regulations governing privacy and confidentiality of customer records and information, the Area Workforce provides the following policy guides.

**IV. Requirements.**

- All staff will respect customers' rights to privacy. All staff shall only use and view private information from customers when it is essential to providing oversight and monitoring for programmatic and fiscal purposes. Once private information is received, standards of confidentiality apply.
- Staff may disclose confidential information when appropriate, and with valid consent from a person legally authorized to act on behalf of a customer.
- Staff will protect the confidentiality of all information obtained in the course of professional service, except for compelling professional reasons. The general expectation that staff will keep information confidential does not apply when disclosure is necessary to prevent serious, foreseeable, and imminent harm to a customer or other identifiable person. In all instances, staff will disclose the least amount of confidential information necessary to achieve the desired purpose; only information that is directly relevant to the purpose for which the disclosure is made will be revealed.
- Staff will inform customers, to the extent possible, about the disclosure of confidential information and the potential consequences, when feasible before the disclosure is made. This applies whether a member of the staff discloses confidential information on the basis of a legal requirement or consent.
- Staff will discuss with customers and other interested parties the nature of confidentiality and limitations of customers right to confidentiality. Staff will review with customers the circumstances where confidential information may be requested and where disclosure of confidential information may be legally required. This discussion will occur as soon as

possible in the relationship and as needed throughout the course of the relationship.

- When staff members provide services to a group, these members will not solicit confidential information from members of the group.
- Staff will not disclose confidential information to third-party unless the customer authorized such disclosure in writing. **See Appendix A to be used as a release.**
- Staff will not discuss confidential information in any setting unless privacy can be ensured. Staff will not discuss confidential information in public or semipublic areas such as hallways, waiting rooms, elevators, and restaurants.
- Staff will protect the confidentiality of customers during legal proceedings to extent permitted by law. When a court of law or other legally authorized body orders staff to disclose confidential or privileged information without a customer's consent and such disclosure could cause harm to the customer, staff will request that the court withdraw the order or limit the order as narrowly as possible or maintain the records under seal, unavailable for public inspection.
- Staff will protect the confidentiality of customers when responding to requests from members of the media.
- Staff will protect the confidentiality of customers' written and electronic records and other sensitive information. Staff will take reasonable steps to ensure that customers' records are stored in a secure location and that clients' records are not available to others who are not authorized to have access.
- Staff will take precautions to ensure and maintain the confidentiality of information transmitted to other parties through the use of computers, electronic mail, facsimile machines, telephones and telephone answering machines, and other electronic or computer technology. Disclosure of identifying information will be avoided whenever possible.
- Staff will transfer or dispose of records in a manner that protects confidentiality and is consistent with statutes governing records.
- Staff will take reasonable precautions to protect confidentiality in the event of the staff's termination of employment, incapacitation, or death.
- Staff will not disclose identifying information when discussing customers for teaching or training purposes unless the customer has consented to disclosure of confidential information or there is a compelling need for such disclosure.
- Staff will protect the confidentiality of deceased customers consistent with the preceding standards.



Appendix A--Release