

OFFICE OF THE CHIEF OF STRATEGIC PLANNING

Client Data Protections and Client Data Dignity

Policy

The Department of Children and Families (DCF) shall utilize a Data Governance process to review and approve all DCF client level data sharing agreements, related processes, and data integration efforts. DCF espouses an anti-racist framework to ensure that all work reflects our commitment to racial justice and equity. Congruent with these values, DCF shall ensure the ethical, non-discriminatory and equitable use of data that it collects or may disseminate internally or externally. Further, DCF shall ensure that all department functions that collect client data and/or use such data for decision-making are assessed to determine the risks and benefits to persons served by DCF. DCF shall make this assessment cognizant of the disproportionate representation of persons of color and economically disadvantaged persons in DCF and other public data systems. Therefore, DCF shall err on the side of caution when using and sharing data that may contribute to or cause bias, disproportionality or disparity.

Legal reference: C.G.S. sections 17a-3(b), 17a-6(o)

Data Collection, Monitoring and Analysis

DCF shall only collect the client data necessary to comply with, monitor, and evaluate achievement of its state, internal DCF and federal mandates. The analysis of DCF client data for internal and external decision-making and evaluation shall routinely be disaggregated by key demographics, including but not limited to race and ethnicity.

This shall occur to monitor, determine and assess the equity of impacts and effect, and eliminate racial and ethnic disproportionality and disparity. DCF shall promulgate and implement small number suppression rules to mitigate or eliminate deductive or other disclosures of its client data. Whenever possible, DCF will provide client-level datasets to which federal Safe Harbor standards have been applied to de-identify such datasets prior to transmission.

Further, DCF shall discuss in its annual statutory reporting requirements its practices, policies, and activities to use and protect DCF clients' data in a racially equitable and just manner.

Legal reference: C.G.S. section 17a-6(e); 42 C.F.R. Sect. 1001.952

Data Use, Sharing and Integration

DCF shall only use and allow the use of its data to support and effectuate equitable, positive outcomes for its clients. Recognizing that persons of color and economically disadvantaged people are over-represented in public data systems, DCF shall not use, release, share or integrate its client-level data in ways or for purposes that will or is likely to contribute to the compromise of client's current or future rights, liberties, self-determination, agency, privacy or dignity.

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Data Use, Sharing and Integration (continued)

In addition, such agreements and arrangements must not undermine the principles and values of DCF's anti-racist framework and commitment. Therefore, DCF shall not use, release, share or integrate its client-level data in ways or for purposes that will or is likely to contribute to, exacerbate or result in bias, disproportionality, disparity or structural and institutional racism.

Absent state or federal legislative mandates, DCF shall not enter into client level data sharing or data integration agreements or arrangements unless they comport with DCF's data governance policies, principles and values including the work of the Committee for the Protection of Human Subjects (CPHS). All such agreements and arrangements must be approved by the DCF Commissioner, or the Commissioner's designee, based upon a documented comprehensive assessment of risks and benefits conducted by the Data Governance Committee using the anti-racist framework. CPHS, the Data Governance Committee and DCF Commissioner documented decisions shall be archived in SharePoint or another electronic repository that is accessible to DCF staff at all levels.

Said documents must, at a minimum, detail the following:

- title of the data sharing / data integration activity,
- entities that are parties to the agreement,
- purpose of the project/activity,
- term of the agreement,
- summary of the terms of agreement,
- potential risks and benefits,
- racial justice assessment and equity conformance, and
- summary of risk mitigation, data security, privacy and client-data use protection provisions

Any agreements or activities with parties external to DCF that propose to or will use identifiable DCF client level data must detail a plan and process to notify impacted clients and seek their informed consent. Said plan and process must be reviewed by the DCF Data Governance Committee, shared with and approved by the DCF Commissioner, or the Commissioner's designee, before any such client data may be provided and/or used.

Predictive Analytics, Artificial Intelligence and Machine Learning

DCF shall consider the use of artificial intelligence (AI), predictive analytics, and machine learning from a racial justice and racial equity lens. Further, the best interests and safety of the children and families served by DCF are key guiding principles. These concepts must be at the center of DCF's decision making regarding which areas of the agencies business, practices and decision-making to designate as appropriate for the use and application of AI, predictive analytics, and machine learning. These potential solutions and innovations will only be utilized if they comport with DCF's policies, mission and values, and policies and procedures required by the CT Office

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Predictive Analytics, Artificial Intelligence and Machine Learning (continued)

of Policy and Management (OPM) that govern the development, procurement, implementation and ongoing assessment of such systems by state agencies.

These data must be undergirded by and used in conjunction with professional judgment, and cannot supplant, or negate DCF policy or best practice with respect to ensuring effective and quality care for all children and families for whom DCF is charged to serve.

DCF shall only apply AI, predictive analytics, and machine learning as aimed at maximizing benefits to and for its clients while minimizing and balancing any reasonably foreseeable and preventable harm to children and families, consonant with its anti-racist values and principles.

These tools and the attending data should be used to advance DCF's efforts to be a learning organization, support enhanced decision-making, improve practice, and to produce better and equitable outcomes for children and families. DCF will also utilize AI, predictive analytics, and machine learning to more effectively and equitably allocate resources, help identify appropriate intervention opportunities, assist with case prioritization and target decisions in the area of safety planning and permanency.

DCF has an obligation to make well-informed decisions in order to support the safety and well-being of the children and families whom we are mandated to serve. Therefore, AI, predictive analytics, and machine learning, and other emerging business intelligence applications, will be utilized in a tempered, anti-racist and judicious manner to support these desired outcomes.

Similarly, DCF's use of actuarial decision-making tools, including Structured Decision Making (SDM), shall be constructed, weighted, implemented and monitored using a racial justice lens. DCF shall also implement a process for ongoing review of its SDM data and data from any other actuarial tools that it uses, to assess for, and ameliorate through appropriate modeling approaches, overrepresentation of racial and ethnic groups across the instrument's various risk, safety, strength, needs and reunification assessments.

Legal reference: Public Act 23-16

Data Sharing and Data Governance

All DCF client level data sharing and data integration efforts shall be reviewed by and approved by DCF's Data Governance Committee. DCF has an obligation to ensure careful protection of all its data, including but not limited to data used in department operations, reports and analyses, and to guarantee that its data is commonly understood, trusted and secure.

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Data Sharing and Data Governance
(continued)

Through its data governance, DCF shall ensure that all data is:

- defined accurately
- secured and protected
- reliable
- governed to ensure quality
- shared and/or used appropriately

The Data Governance Committee shall help guide DCF in practicing ethical governance within an anti-racist framework, ensuring careful protection of its data, and facilitating a learning culture. The Data Governance Committee shall meet regularly (at least once per month).

Process to Request and/or Share Data

DCF recognizes its obligations as stewards of confidential information and public trust, and strict guidelines must be followed to ensure the protection of this data and information.

Data detail regarding the children and families who work with DCF cannot be shared without review and de-identification according to federal Safe Harbor policy (at a minimum). Sharing this protected data and information without appropriate safeguards, which may include signed releases depending on the circumstances, is a violation of state and federal privacy laws and the DCF's confidentiality policy. All data shared will include citation regarding the source(s) of the data as well as explanations of target population criteria and any analytical transformations.

All requests to use and/or share data from either DCF staff or external partners must be made using the CT GovQA website found here: [CT GovQA \(https://dcfct.govqa.us/WEBAPP/_rs/\(S\(re342c5awc1m3k4okks4a14q\)\)/SupportHome.aspx\)](https://dcfct.govqa.us/WEBAPP/_rs/(S(re342c5awc1m3k4okks4a14q))/SupportHome.aspx). This includes all types of data generated by DCF via LINK reports, ROM reports, PIE or any other type of data. This includes requests received by DCF Legal including Freedom of Information Act (FOIA) requests and media requests received by the Bureau of External Affairs.

In the event that data is shared without utilizing the data request process described above and/or if identifiable data is erroneously shared with external partners, DCF staff should immediately notify the Legal Division and Strategic Planning regarding the data disclosure. Legal and Strategic Planning staff will work to contact the parties in receipt of the data and correct the error.

Cross References

The DCF-2236, "Notice of Privacy Practices" describes how your medical information may be used and disclosed and how you can get access to this information.
