

OFFICE OF THE CHIEF OF QUALITY AND PLANNING

Client Data Protections and Client Data Dignity

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Policy

The Department espouses a Family Strengthening Practice approach. This is operationalized through a racial justice and equity lens. Congruent with these values and the tenets of Public Act 18-111, the Department shall ensure the ethical, non-discriminatory and equitable use of data that it collects or may disseminate internally or externally. Further, the Department shall ensure that all DCF 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 the Department. The Department 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, the Department shall err on the side of caution when using and sharing data that may contribute to or cause bias, disproportionality or disparity.

Data Collection, Monitoring And Analysis

The Department 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. The Department shall also promulgate and implement small number (i.e., small "N") suppression rules to mitigate or eliminate deductive or other disclosures of its client data.

Further, the Department shall discuss in its annual reporting requirements under PA 18-111 its practices, policies and activities to use and protect DCF clients' data in a racially equitable and just manner.

Data Use, Sharing And Integration

The Department 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, the Department 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.

In addition, such agreements and arrangements must not undermine the principles and values of the Department's Practice Model and Racial Justice commitment. Therefore, the Department 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, the Department shall not enter into client level data sharing or data integration agreements or arrangements unless such comport with DCF Institutional Review Board (IRB) policy or are approved by the DCF Commissioner based upon a documented comprehensive assessment of risks and benefits, using a racial justice framework. IRB and DCF Commissioner documented decisions shall be archived in SharePoint or other electronic repository that is accessible to DCF staff at all levels.

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**Data Use,
Sharing And
Integration**
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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 the Department 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 shared with and approved by the DCF Commissioner or their designee before any such client data may be provided and/or used.

**Predictive
Analytics,
Artificial
Intelligence
+ Machine
Learning**

The Department shall consider the use of Predictive Analytics, Artificial Intelligence (AI), and Machine Learning from a racial justice and racial equity lens. Further, the best interests and safety of the children and families served by the Department 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 Predictive Analytics, AI, and Machine Learning. These potential solutions and innovations will only be utilized if they comport with DCF's policies, mission and values.

Furthermore, any of DCF's current or future use of Predictive Analytics, AI and Machine Learning will be assessed with respect to the following:

- Will it address and advance a legitimate and vital agency interest?
- Is it an issue that lends itself to abatement or amelioration?
- Is there a readily accessible and minimally intrusive intervention available to address the identified issue?
- Will there be an ability to explore whether structural inequities and historical practices may have created disproportional, and population, over-representative data; and
- Can we assure that the application of Predictive Analytics, AI and Machine Learning will neither contribute to nor result in profiling or disparate impact?

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 the Department is charged to serve.

The Department shall only apply Predictive Analytics, AI and Machine in a manner so as to maximize benefits to and for its clients, yet minimize and balance any reasonably foreseeable and preventable harm to children and families, consonant with its racial justice values and principles.

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Predictive Analytics, Artificial Intelligence + Machine Learning
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These tools and the attending data should be used to advance the Department's efforts to be a learning organization, support enhanced decision-making, improve practice, and to produce better and equitable outcomes for children and families. The Department will also utilize Predictive Analytics, AI 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.

The Department 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, Predictive Analytics, AI, Machine Learning and other emerging business intelligence applications, will be utilized in a tempered, racially just, and judicious manner to support these desired outcomes.

Similarly, the Department's use of actuarial decision making tools, including Structured Decision Making (SDM), shall be constructed, weighted, implemented and monitored using a racial justice lens. The Department 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.

Data Sharing And Integration Governance

All DCF client level data sharing and data integration efforts shall be reviewed by and approved by the Department's Executive Team Information Systems (IS) Governance body, or other similar Executive Team administered process. DCF involved or impacted data sharing and data integration projects, activities, and initiatives shall also be reviewed by the DCF Director of the Office for Research and Evaluation (ORE), the DCF Director of the Office of Multicultural Affairs and Immigration Practice (OMAIP), and the Statewide Racial Justice Workgroup (SWRWG) to assess impacts on persons of color and other diverse populations. The review and feedback from the ORE and OMAIP Directors and the SWRWG must be in writing and archived in SharePoint or other electronic repository that is accessible by DCF staff at all levels.

The Department shall also establish and implement a process by which ongoing review of any approved data sharing and data integration efforts occurs to monitor for and address any observable disproportionality, disparity or undue burden or negative impact on persons of color, economically disadvantaged persons and vulnerable populations.

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.