



New Hampshire Division for Children, Youth and Families Policy Manual

2770 RESTRICTED INFORMATION

Chapter: General Administrative Operations

Section: Information

Approved:

Joseph E. Ribsam, Jr., DCYF Director

Policy Directive: **22-31**

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References Of Note

Federal Authority: [42 USC 671\(a\)\(8\)](#)

Statutes: [RSA 169-B](#), [RSA 169-C](#), [RSA 169-D](#),
and [RSA 170-G](#)

Administrative Rules:

Case Law:

This policy outlines practice for restricting access to Division records when appropriate to ensure confidentiality or the integrity of the Division's involvement.

Required Practices

Any deviations to the following information must be documented with Supervisory Approval.

- I. In accordance with policy [1051 Professionalism and Ethics](#), employees must report any conflicts of interest (real or perceived) with a DCYF referral, CPS Assessment or case, or JJS Needs Assessment or case, to their Supervisor in a timely manner. This includes referrals, CPS Assessments, JJS Needs Assessments, or cases involving:
 - A. The employee or the employee's immediate family (spouse/significant other, child, sibling, or parent);
 - B. Others with whom the employee has a close personal relationship (extended family, close friends, etc.);
 - C. Other professionals with whom the employee has a close working relationship (law enforcement, service providers, etc.); and
 - D. Any other persons with whom the employee has a direct or indirect connection that could create a real or perceived conflict of interest.
- II. Any referral, CPS Assessment, JJS Needs Assessment, or CPS/JJS case involving a DCYF employee will be restricted once it is learned that a participant is a DCYF employee, to protect the confidentiality of the employee and the integrity of DCYF's involvement.
 - A. Associated Child and Adolescent Needs and Strengths (CANS) assessments maintained in the CANS database will also be restricted.

- III. Consideration of restricting information must also be given to all other potential conflicts of interest with an emphasis on protecting the integrity of DCYF's involvement, as well as the integrity and confidentiality of the employee.
- IV. In high-profile situations, DO Supervisors (or other designated Supervisors) will consult with their immediate Field Administrator/Administrator to determine if it is appropriate to restrict any current and prior referrals, CPS Assessments, JJS Needs Assessments, cases, or CANS assessments.
 - A. Restrictions for high-profile situations in an Assessment conducted by SIU are approved by the Bureau Chief of Professional and Strategic Development or the Director.
 - B. All other restrictions for high-profile situations are approved by an Associate Bureau Chief, the Bureau Chief of Field Services, or the Director.
 - C. The DO Supervisor (or other designated Supervisor) will immediately make the appropriate restrictions upon administrative approval.
- V. Employees for whom a restriction is made must conduct themselves in a manner that does not risk the integrity of DCYF's involvement.
 - A. The employee must not seek access to any electronic or paper files.
 - B. The employee must not attempt to influence the outcome of DCYF's involvement.
- VI. Access to a restricted referral, CPS Assessment, JJS Needs Assessment, or case will be granted to the assigned Child Protective Service Worker (CPSW) or Juvenile Probation and Parole Officer (JPPO), as well as those with high-level clearance:
 - A. Designated Supervisors (including On-Call) and Supervisors who are assigned to the Assessment/case;
 - B. DCYF Administrators;
 - C. DCYF Attorneys;
 - D. DCYF Central Intake Supervisors and designated CPSW IVs; and
 - E. Other DCYF employees as determined essential by the Supervisor or administration (support staff, Permanency CPSWs/Permanency JPPOs, Fiscal Specialists, Risk and Safety Consultation (RSC), etc.).
- VII. Adoption cases transferred to the Permanency and Adoption Unit are automatically restricted in a manner that only employees assigned to that unit have access.

- VIII. Conflicts of interest involving an employee with high-level clearance will be addressed in a manner that ensures confidentiality and integrity.
 - A. Conflicts of interest for CPSWs or Supervisors assigned to Special Investigations or the Adoption Unit will be addressed in the same manner.
- IX. Employees with access to a restricted referral, CPS Assessment, JJS Needs Assessment, or case must not disclose restricted information to others, including other DCYF employees, with the following exceptions:
 - A. DCYF employees with the appropriate clearance who have a professional role in the referral, CPS Assessment, JJS Needs Assessment, or case; and
 - B. Others with whom information needs to be shared for the purpose of assessing abuse/neglect allegations, conducting a JJS Needs Assessment, providing case management, providing services to the family, assisting with permanency planning, or providing legal counsel.
- X. Any discussion with an employee for whom a restriction was implemented shall be limited to the gathering/sharing of relevant facts to the degree the same information would be shared with other individuals involved with DCYF under similar circumstances.
- XI. All paper and electronic files will be managed in a manner that maintains the confidentiality and integrity of all involved.
- XII. Associated prior reports, CPS Assessments, JJS Needs Assessments, cases, and CANS assessments will be restricted, as determined through consultation with the Field Administrator/Administrator, to:
 - A. Protect subjects of reports or incidents;
 - B. Ensure due process for persons allegedly responsible; and
 - C. Protect DHHS and third-party information from unauthorized disclosure.
- XIII. The reason for any restriction will be documented in the Assign screen comment/narrative box of the most recent CPS Assessment, JJS Needs Assessment, or case, and will include the name and position of the person completing the restriction.
 - A. If the restriction pertains to a DCYF employee, the name of that employee will also be noted in the Assign screen.
- XIV. The NH Support Center may provide assistance to restrict these documents.
- XV. Restricted information will remain restricted upon closing the electronic record unless otherwise approved by an Administrator.

Standard Operating Procedures

SOP	Title	Applicable Disciplines
2770.1	Restricting Information - Intake	All
2770.2	Restricting Information - Assessment	CPS
2770.3	Restricting Information - CPS Case	CPS
2770.4	Restricting Information - JJS Case	JJS
2770.5	Restricting Information - JJS Needs Assessment	JJS
2770.6	Restricting Information - Special Investigations	CPS

Glossary and Document Specific Definitions

[A - B](#) [C - D](#) [E - F](#) [G - I](#) [J - L](#) [M - N](#) [O - Q](#) [R - S](#) [T - V](#) [W - Z](#)

For the Purpose of this Document:

"High Profile Situation" means a situation that, based on the circumstances or individuals involved, may be elevated to the offices of the Commissioner or Governor, or which might attract media attention.

Document Change Log

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