

## Lower 9<sup>th</sup> Ward Homeownership Association

### Confidentiality Policy

All information concerning applicants, clients and former clients (collectively referred to as “clients”), present and former staff and volunteers (collectively referred to as “staff”), and all financial data and business records of the Lower 9<sup>th</sup> Ward Homeownership Association (collectively referred to as “organizational information”) is confidential. “Confidential” means that you are free to talk about the Lower 9<sup>th</sup> Ward Homeownership Association (L9WHA) and about your program and your position, but you are not permitted to disclose clients’ names or talk about them in ways that will make their identity known and you are not permitted to disclose organizational information.

No information may be released without appropriate authorization. This is a basic component of client care and business ethics. The board of directors, staff and our clients rely on paid and volunteer staff to conform to this rule of confidentiality, both during and after your service.

The Lower 9<sup>th</sup> Ward Homeownership Association expects you to respect the privacy of clients and to maintain their personal and financial information as confidential. All records dealing with specific clients must be treated as confidential. General information, policy statements or statistical material that is not identified with any individual or family is not classified as confidential. Board members, staff members and volunteers are responsible for maintaining the confidentiality of information relating to staff in addition to clients.

Failure to maintain confidentiality may result in termination of your employment or volunteer service, and/or other corrective action. This policy not only protects confidential information, it also protects you, because in extreme cases, violations of this policy may result in personal liability.

#### *Rationale:*

Confidentiality is the preservation of privileged information. By necessity personal and private information is disclosed in a professional working relationship. Part of what you learn is necessary to provide services to the client; other information is shared within the development of a helping, trusting relationship. Therefore, most information gained about individual clients through an assignment is confidential in terms of the law, and disclosure could make you legally liable. Disclosure could also damage your relationship with the client and make it difficult to help the person.

Before you begin your assignment as a staff member/volunteer, you should be aware of the laws and penalties for breaching confidentiality. Although the agency is liable for your acts within the scope of your duty, giving information to an unauthorized person could result in the agency's refusal to support you in the event of legal action. Violation of the state statutes regarding confidentiality of records is punishable upon conviction by fines or by imprisonment or by both.

### Certification

I have read the Lower 9<sup>th</sup> Ward Homeowners Association policy on confidentiality and the Statement of Confidentiality presented above. I agree to abide by the requirements of the policy and inform my supervisor immediately if I believe any violation (unintentional or otherwise) of the policy has occurred. I understand that violation of this policy will lead to disciplinary action, up to and including termination of my service with Lower 9<sup>th</sup> Ward Homeowners Association.

Signature \_\_\_\_\_ Name \_\_\_\_\_ Date \_\_\_\_\_

**Lower 9<sup>th</sup> Ward Homeownership Association**  
**Board of Directors Code of Ethics and Confidentiality Policy**

**Code of Ethics and Confidentiality:**

It is the policy of the Board of Directors of the Lower 9<sup>th</sup> Ward Homeownership Association that each present and former director, staff member and volunteer shall keep confidential any and all information relating to discussions at its meetings unless compelled by legal process to disclose such information, or as otherwise agreed by the Board. While Board members are free to discuss the result of Board action items, disclosing any information of or relating to such items is strictly prohibited.

Board members acknowledge that any violation of this policy could cause harm to the organization and frustrate Board deliberations. Therefore, any Board member who violates this policy shall be subject to termination of his/her Board position.

In order to ensure compliance with applicable laws and to protect the Lower 9<sup>th</sup> Ward Homeownership Association, its members, officers, directors, committee members, staff and volunteers from potential legal problems regarding conflicts of interest and violation of fiduciary obligations, Lower 9<sup>th</sup> Ward Homeowners Association endorses and adopts the following statement of policy:

**I. Confidentiality of Board Discussions and Board Documents**

In order to encourage and foster open and candid discussion at its meetings, the Board of Directors of Lower 9<sup>th</sup> Ward Homeownership Association believes confidentiality must be maintained. Therefore, it is the policy of the Board of Directors that each director and staff member shall keep confidential any and all information relating to discussions at its meetings, including any and all materials, e.g., correspondence, reports, etc., unless compelled by legal process to disclose such information, or as otherwise agreed by the Board. While Board and staff members are free to discuss actions adopted by the Board, disclosing or distributing any information of such items is strictly prohibited.

**II. Conflicts of Interest**

Another fiduciary obligation of a Lower 9<sup>th</sup> Ward Homeownership Association officer, director, staff, and committee member is to avoid "conflicts of interest". Board members will therefore comply with the Lower 9<sup>th</sup> Ward Homeownership Association's Conflict of Interest policy

**III. Fiduciary Obligations as to Lower 9th Ward Homeownership Association Opportunities**

Another fiduciary obligation prohibits an officer or director of the Lower 9<sup>th</sup> Ward Homeownership Association from seizing a "corporate opportunity" for his or her company's benefit or his or her personal benefit of for another nonprofit organization he or she is associated with. This means that such an individual may not take advantage of a business opportunity in which the officer or director knows the Lower 9<sup>th</sup> Ward Homeownership Association has a genuine interest and where such an Association opportunity would be consistent with the Lower 9<sup>th</sup> Ward Homeownership Association's purposes, mission and

goals as a non-profit corporation. Further, if the officer or director becomes aware of such an opportunity, he or she is obliged to so inform the Board and await Board deliberation prior to any further action.

#### **IV. Participation in Deliberations and Actions**

In any case in which there is a question of conflict of interest, or corporate opportunity raised, the officer or director shall not participate in the meeting for the entire time the matter is discussed and voted upon.

I have read and understand the above expectations for the position of Director for the Lower 9<sup>th</sup> Ward Homeownership Association, including the separate Conflict of Interest policy referred to above, and agree to abide by this Code of Ethics and duty of confidentiality.

\_\_\_\_\_  
Board Member's Signature

\_\_\_\_\_  
Date

**Lower 9<sup>th</sup> Ward Homeownership Association**  
**Notice of Rights/Confidentiality Form**

As an applicant or recipient of services from the Lower 9<sup>th</sup> Ward Homeownership Association, you have the following rights regarding the confidentiality of your personal information and communications with the Lower 9<sup>th</sup> Ward Homeownership Association staff and volunteers:

1. The information that you provide to the Lower 9<sup>th</sup> Ward Homeownership Association will be kept confidential to the greatest extent allowed by law.
2. You may choose what information you want to provide to the Lower 9<sup>th</sup> Ward Homeownership Association.
3. The information that you provide to the Lower 9<sup>th</sup> Ward Homeownership Association, including your name, address, phone number, and other personal information will not be shared with other individuals or agencies without your permission.
4. Lower 9<sup>th</sup> Ward Homeownership Association staff may be required by law to report certain situations even if you don't give them permission to share or report the situations, such as suspected child abuse or neglect. Even when these reports are made, The Lower 9<sup>th</sup> Ward Homeownership Association should not share information beyond what is required by law.
5. Some general information about the types of services provided and overall demographics (e.g., age and income ranges, average number of children, race or ethnicities) of people that use The Lower 9<sup>th</sup> Ward Homeownership Association services is sometime required to be shared with the agencies that fund The Lower 9<sup>th</sup> Ward Homeownership Association. However, information that specifically could identify **you** as someone who used the Lower 9<sup>th</sup> Ward Homeownership Association services will never be shared unless specifically authorized by you.
6. After your intake with the Lower 9<sup>th</sup> Ward Homeownership Association, you may choose to be referred to other agencies for additional help and support. You can decide how much or how little of your personal information the Lower 9<sup>th</sup> Ward Homeownership Association will or will not share with each partner agency. You should also understand that the release of some information may be required to receive services. If you later decide that you don't want the information you have provided to be shared with any of the Lower 9<sup>th</sup> Ward Homeownership Association's partners, let us know and we won't share any more information with those partners. This may have an effect on the services we are able to offer you.
7. If you have any questions or concerns about this notice or your rights, or if you have a concern that your confidential information was not treated appropriately, please contact us at (504) 943-6000.

Applicant/Recipient of Services: I, \_\_\_\_\_, have received notice of my rights to confidentiality.

Date: \_\_\_\_\_

L9WHA Representative: I, \_\_\_\_\_, have explained this notice to the client.

Date: \_\_\_\_\_