

Canon 5 Recommended Practices and Training

- 1) Determine whether appropriate policies, processes, and procedures are in place in your organization for reporting an ethical violation.
 - a. If “whistleblower” protections are not available in the organization, create them (see appendix B).
 - b. If policies exist, examine them to determine whether they adequately protect whistleblowers.
 - c. Hold a staff meeting to discuss with your data handlers whether they would feel confident reporting ethical violations if necessary. Offer confidential meetings with selected staff members who represent different roles and responsibilities in the organization to ensure that they can express their concerns without fear of retribution.
 - d. Train data handlers to understand the steps they need to take to report illegal, unethical, or incorrect behavior. Make sure that they understand that they are procedurally protected from retribution.
 - e. Establish mandatory ethics training courses for all staff members.
- 2) Establish guidelines for data use policies that are aligned with applicable laws, regulations, and best practices (see appendix A). This includes guidelines related to data collection, governance, access, use, exchange, and reporting.
 - a. Ensure that all guidelines are aligned with local laws, policies, and best practices.
 - b. Ensure that all guidelines are aligned with state laws, policies, and best practices.
 - c. Ensure that all guidelines are aligned with federal/national laws, policies, and best practices.
- 3) Establish and enforce data use agreements, including memoranda of understanding, nondisclosure agreements, and other mechanisms for ensuring appropriate data use (see appendix C).
 - a. Require all data handlers, including staff and external users, to sign data use agreements and/or nondisclosure agreements prior to being granted access to any data files that aren’t already publicly available.
 - b. Establish a process for evaluating complaints about inappropriate use. Identify who is authorized to determine whether data use policies have been violated, what criteria are used for such a determination, how the process will be conducted fairly, and reasonable consequences related to policy violations.
 - c. Establish and enforce sanctions for the violation of data use agreements. An agreement that is unenforceable or lacks consequences is rarely effective.
- 4) Train all data users to ensure that they understand how to report violations of ethical behavior.
 - a. Explain “whistleblower” protection policies to ensure staff feel confident that doing the right thing—reporting unethical behavior—will not negatively affect their job status or working conditions.
 - b. Review in detail the procedures for reporting a possible violation: who should be informed of the incident, what responsibilities the reporter may have for documenting the questioned behavior, what the repercussions could be to the observer who fails to report misconduct.
 - c. In training sessions, present hypothetical situations of both accidental and intentional data misuse to staff and encourage them to discuss how they would act if they became aware of them.