



Access to personal details

A public sector employee is concerned for his friend's mental health. How will he manage the situation?

The story

Michael works as a supervisor in Prosecution Services. Michael's role gives him access to confidential details such as the home addresses of the public.

One weekend he catches up for a beer with his friend, Paul, whom he hasn't seen or spoken to for nearly a year. Paul tells him that he is going through a tough time at the moment. He explains that his marriage has ended, and his estranged wife, Deanna, is not letting him have access to his 5-year old son. When Michael asks why, Paul says that Deanna is trying to get back at him for ending the marriage. Paul is practically weeping into his beer as he talks about how much he misses his son.

Paul mentions that Deanna has moved from her old address and has not provided him with the new address or phone number, so he can't even call his son or drop over to see him. Paul knows what Michael does for a living and begs him to find out Deanna's new contact details.

Michael is highly hesitant as he knows that provision of confidential information is contrary to the Code of Conduct and his organisation's policies. But his heart goes out to Paul, who is obviously in deep distress.

1. What are the ethical issues around this situation?
2. If this breach was to become public knowledge, what concerns might be raised?
3. What part of the ethical framework is relevant?
4. What strategies could be implemented to avoid this?

The information used in this scenario is not factual – we created it for education and discussion. Any likeness to actual persons or events is coincidental.

Addendum

In the end Michael decides to give Deanna's new details to Paul.

He finds out later that Deanna ended the marriage because Paul had started to drink heavily and had become violent in the last few years. She had a restraining order out against him due to threats he made and attempts to break into her home. She had moved so that she and her son could feel safe.

After being provided with her new details, Paul located Deanna and physically assaulted her.

Questions – Facilitator copy

1. What are the ethical issues around this situation?
 - ▽ improper use of information and resources: Michael has accessed the system and records inappropriately
 - ▽ breach of confidentiality resulting in injury: Michael could be charged as an accessory after the fact
2. If this breach was to become public knowledge, what concerns might be raised?
 - ▽ personal information not confidential
 - ▽ lack of trust in public sector organisation
 - ▽ lack of faith in restraining orders
3. What part of the ethical framework is relevant?
 - ▽ State Service Code of Conduct:
 - ▽ SSCoC 9 (1): an employee must behave honestly and ethically
 - ▽ SSCoC 9 (8): an employee must disclose any conflict of interest
 - ▽ SSCoC 9 (9): an employee must use Tasmanian Government resources in a proper manner.
 - ▽ SSCoC 9 (11): an employee must not make improper use of information gained or the employee's power or authority in order to advantage the employee or any other person.
4. What strategies could be implemented to avoid this?
 - ▽ clear and well circulated Code of Conduct
 - ▽ clear and well circulated Use of Resources policy



The Commission can help

We are available to provide support and assistance with identifying, reporting, investigating, managing and preventing misconduct: prevention@integrity.tas.gov.au or 1300 720 289.

For more Misconduct Prevention resources go to www.integrity.tas.gov.au/resources