

# US Department of Health and Human Services

## Privacy Impact Assessment

**Date Signed:**

10/17/2016

**OPDIV:**

ACF

**Name:**

National Child Abuse and Neglect Data System

**PIA Unique Identifier:**

P-3967808-369711

**The subject of this PIA is which of the following?**

Minor Application (stand-alone)

**Identify the Enterprise Performance Lifecycle Phase of the system.**

Operations and Maintenance

**Is this a FISMA-Reportable system?**

Yes

**Does the system include a Website or online application available to and for the use of the general public?**

Yes

**Identify the operator.**

Contractor

**Is this a new or existing system?**

Existing

**Does the system have Security Authorization (SA)?**

No

**Indicate the following reason(s) for updating this PIA.**

PIA Validation

**Describe in further detail any changes to the system that have occurred since the last PIA.**

There are no changes to the system that have occurred since the last PIA

**Describe the purpose of the system.**

The mission of the U.S. Department of Health and Human Services (HHS) is to enhance the health and well-being of Americans by providing for effective health and human services and by fostering sound, sustained advances in the sciences underlying medicine, public health, and social services. As an Operating Division (OPDIV) of HHS, the mission of the Administration for Children and Families (ACF) is to promote the economic and social well-being of children, youth, families, and communities, focusing particular attention on vulnerable populations such as children in low-income families, refugees, and Native Americans. ACF directly supports HHS' Strategic Goal 3: Advance the Health, Safety and Well-Being of the American People, further supporting the three Secretary's Priorities: 1) Put Children and Youth on the Path for Successful Futures, 2) Promote Early Childhood Health and Development, and 3) Ensure Program Integrity, Accountability and Transparency.

The Children's Bureau (CB), as a Program Office within ACF, partners with federal, state, tribal and local agencies to improve the overall health and well-being of our nation's children and families. With an annual budget of almost \$8 billion, the Children's Bureau provides support and guidance to programs that focus on: strengthening families and preventing child abuse and neglect; protecting children when abuse or neglect has occurred; and ensuring that every child and youth has a permanent family or family connection.

The purpose of National Child Abuse and Neglect Data System (NCANDS) is to collect data on reports of child abuse and neglect, including characteristics of children and their perpetrators from all 50 states including District of Columbia and the Commonwealth of Puerto Rico. The data are submitted by States to the Children's Bureau (CB), via a contractor (WRMA, Inc.), on an annual basis. WRMA receives the data directly from the States, and is responsible for maintaining a library of submissions, the software used for data validation, and the data extracts used for analyses. NCANDS is comprised of the Portal and the Data Warehouse.

**Describe the type of information the system will collect, maintain (store), or share.**

State child welfare agencies submit two files annually 1) Child File containing case-level records for each report of alleged child abuse and neglect that received a child protective services response and 2) Agency File containing aggregate counts. States submit data about the number of maltreatment allegations received, allegations that received agency response, characteristics of victims and their perpetrators, and whether services were provided. To ensure confidentiality each state encrypts its identifiers. The final algorithms are held only by the state. No actual case or individual identifiers are submitted. The only PII data included in the NCANDS Child File is date of birth, military status (coded field), and military family member status (coded field). Each state ensures that its data meets a standard of encryption. The Child File is an American Standard Code for Information Interchange (ASCII) file, which includes 150 data elements. The Agency File includes 26. The Child File includes the following types of data: Report, Child, Maltreatment, Child Risk Factors, Caregiver Risk Factors, Services Provided, Staff Data, Perpetrator Data, and any new fields added to the Child File subsequent to its creation in 2001.

The data collected in the Child, Staff, and Perpetrator sections include encrypted alphanumeric IDs, numeric coded fields (e.g. sex is reported either as "1" or "2" for male or female), and numeric date fields in mm/dd/yyyy format.

ACF does not collect NCANDS information directly from these individuals, the states submit data via an Internet portal established for secure transmission of state data. A state can only navigate to its own state-specific site; and access to other state sites is blocked. Connections between the states' and the contractor's system meet FISMA standards for secure file transfer. For the NCANDS Portal, NCANDS state user's names, phone numbers, email addresses, office addresses, and user credentials are collected from authorized users and only for purposes of multi-factor authentication and internal contact management. The data are not used in analyses nor connected to the case-level NCANDS data.

**Provide an overview of the system and describe the information it will collect, maintain (store), or share, either permanently or temporarily.**

State child welfare agencies submit two files annually 1) a Child File containing case-level records for each report of alleged child abuse and neglect that received a child protective services response and 2) an Agency File containing aggregate counts. The Child File is an American Standard Code for Information Interchange (ASCII) file, which includes 150 data elements and include sections include encrypted alphanumeric IDs, numeric coded fields (e.g. sex is reported either as "1" or "2" for male or female), and numeric date fields in mm/dd/yyyy format. No actual case or individual identifiers are submitted. No identifying data, such as name, address, or Social Security number, are collected.

For the NCANDS Portal, NCANDS state user's names, phone numbers, email addresses, office addresses, and user credentials are collected from authorized users and only for purposes of multi-factor authentication and internal contact management. The data are not used in analyses nor connected to the case-level NCANDS data. All 50 states, the District of Columbia, and the Commonwealth of Puerto Rico submit data to NCANDS.

The NCANDS Child and Agency files are permanently stored for the purpose of data analysis and publication of national and state information about child maltreatment as per the 1988 Child Abuse and Treatment Act amendment (42 U.S.C. 5101 et seq.), to establish a national data collection and analysis program, which would make available state child abuse and neglect reporting information. During 1996, CAPTA was amended to require all states that receive funds from the Basic State Grant program to work with the Secretary of HHS to provide specific data, to the extent practicable, about children who had been maltreated. These data elements were incorporated into NCANDS. The CAPTA Reauthorization Act of 2010 reaffirmed existing and added new data collection requirements.

NCANDS Child File and Agency File data are a critical source of information for many publications, reports, and activities of the federal government, child welfare personnel, researchers, and others. Data are maintained and permanently stored in the database to conduct analyses of individual states performance over time.

**Does the system collect, maintain, use or share PII?**

Yes

**Indicate the type of PII that the system will collect or maintain.**

Date of Birth

Name

E-Mail Address

Mailing Address

Phone Numbers

Military Status

Military Family Member - provided by state agencies not users of the system.

Dates of birth, military status, and military family members only are provided by state agencies not users of the system.

Names, work phone numbers, work email addresses, office addresses, and user credentials are only collected from authorized NCANDS state users and only for purposes of multi-factor authentication and internal contact management. The data are not used in analyses nor connected to the case-level NCANDS data.

**Indicate the categories of individuals about whom PII is collected, maintained or shared.**

Business Partner/Contacts (Federal/state/local agencies)

Dates of birth, military status, and military family members are provided by state agencies only not users of the system.

**How many individuals' PII is in the system?**

1,000,000 or more

**For what primary purpose is the PII used?**

The NCANDS files are collected for the purpose of data analyses and publication of national and state information about child maltreatment as per the 1988 Child Abuse and Treatment Act amendment (42 U.S.C. 5101 et seq.), to establish a national data collection and analysis program, which would make available state child abuse and neglect reporting information. A major product of NCANDS is the annual Child Maltreatment report (available on the Children's Bureau website).

These national reports have been published annually since 1992 and are the United States' primary source of information about maltreated children who were known to child protective services agencies. NCANDS data are used to assess states' performance on national child welfare outcomes as per the Adoption and Safe Families Act of 1997 (P.L. 105-89), NCANDS data were incorporated into the Child and Family Services Reviews, which ensures conformity with State Plan requirements in titles IV-B, and IV-E of the Social Security Act. Also, the NCANDS data serves the mission of the Department to enhance and protect the health and well-being of all Americans.

Additionally, user credentials are collected to control system access.

**Describe the secondary uses for which the PII will be used.**

The NCANDS data are a critical source of information for many publications, reports, and activities of the federal government, child welfare personnel, members of Congress, and researchers. One example of the use of NCANDS data is its use to assess improvement in three measures of the Maternal, Infant, and Early Childhood Home Visiting Program (MIECHV), which was created from the Patient Protection and Affordable Care Act (P.L. 111-148). We also can analyze NCANDS data in conjunction with other case-level information collected on children reported in the Adoption and Foster Care Analysis and Reporting System. PII information is not needed or retrieved from these systems during data analysis. No direct access to data for these federal activities, analyses are conducted by contractors.

**Identify legal authorities governing information use and disclosure specific to the system and program.**

NCANDS files are collected for the purpose of data analyses and publication of national and state information about child maltreatment as per the 1988 Child Abuse and Treatment Act amendment (42 U.S.C. 5101 et seq.), to establish a national data collection and analysis program, which would make available state child abuse and neglect reporting information.

**Are records on the system retrieved by one or more PII data elements?**

No

Not applicable

**Identify the sources of PII in the system.**

**Government Sources**

State/Local/Tribal

**Identify the OMB information collection approval number and expiration date**

0970-0424, 9/30/2018

**Is the PII shared with other organizations?**

Yes

**Identify with whom the PII is shared or disclosed and for what purpose.**

**Private Sector**

Cornell University

**Describe any agreements in place that authorizes the information sharing or disclosure.**

Sharing NCANDS data with Cornell University is authorized via two contracts: 1) National Data Archive on Child Abuse and Neglect (NDACAN) - HHSP233201550076A (contract between ACYF and Cornell University) and 2) National Child Abuse and Neglect Data System (NCANDS) Development, Implementation, and Technical Support Program - HHSP233201500042I (contract between ACYF and WRMA, Inc.).

**Describe the procedures for accounting for disclosures.**

Data are delivered on a DVD encrypted using AES-256 encryption and password. The date of delivery, mode of delivery, recipient information (name and address), and confirmation of receipt are tracked. A cover letter with intended recipient and purpose is also included.

**Describe the process in place to notify individuals that their personal information will be collected. If no prior notice is given, explain the reason.**

The data is sourced at the state/local level. The information collected by state child welfare agencies is on their clients and part of the work conducted by the state agency. For the NCANDS Portal, state staff are instructed to provide their name, work phone number, work email address, and office address via phone or email.

**Is the submission of PII by individuals voluntary or mandatory?**

Voluntary

**Describe the method for individuals to opt-out of the collection or use of their PII. If there is no option to object to the information collection, provide a reason.**

ACF does not collect information directly from individuals, rather all information is received from state child welfare agencies. The state child welfare agencies are able to opt out of reporting data due to reasons such as technical system limitations and resource issues.

State staff may opt out of having a user account to access the NCANDS Portal. If they do not provide the information they will not be granted access to NCANDS.

**Process to notify and obtain consent from individuals whose PII is in the system when major changes occur to the system.**

ACF does not receive this information directly from individuals. If there are major changes to the data collection, these notices are distributed by the CB Deputy Associate Commissioner to Child Welfare Directors and identified Program Managers at the state level. NCANDS is subject to the Office of Management and Budget approval process to renew the authority to collect data using existing data elements and to add new ones. This process occurs every 3 years. During the clearance and approval process the authority of NCANDS to continue to collect data and any potential changes are reviewed by the Office of Management and Budget, the ACF Clearance Officers, the states, and the general public.

**Describe the process in place to resolve an individual's concerns when they believe their PII has been inappropriately obtained, used, or disclosed, or that the PII is inaccurate.**

ACF does not collect information directly from individuals. Data is transmitted by a state and tribal agency. Data breaches of state child welfare information system are addressed according to state guidelines. Should the contractor system be breached, ACF would notify the respective state. However, since the information in the NCANDS database is associated with an encrypted number and contains only date of birth, it would be nearly impossible to identify an individual child. The majority of state staff information is publicly available on state websites. Any state staff person may contact an NCANDS team member with concerns about or updates to PII via phone or email.

**Describe the process in place for periodic reviews of PII contained in the system to ensure the data's integrity, availability, accuracy and relevancy.**

NCANDS Child File PII is not subject to periodic reviews in this system as it is information received from state child welfare agencies. Data accuracy is a responsibility of the state agency prior to transmitting the data to ACF. ACF maintains confidentiality of the NCANDS files by not requiring personally identifying information beyond a date of birth. Furthermore, the contractor ensures confidentiality and integrity of the files by meeting requirements for Federal Information Processing Standards (FIPS) 199 (as a "low" system) and all other cybersecurity requirements necessary to receive its Authority to Operate (ATO). State staff contacts NCANDS team members via phone or email to update their work emails, work phone numbers, and office addresses. The accuracy of state staff contact information is checked and updated annually. Outdated, irrelevant, and inaccurate accounts are removed from the system.

**Identify who will have access to the PII in the system and the reason why they require access.**

**Users:**

Federal users have access to information and can view state data including dates of birth.

**Administrators:**

System administrators for maintenance and updates to the system (access to date of birth and email addresses).

**Contractors:**

Contractor IT system administrators and developers for maintenance and updates to the system.

**Describe the procedures in place to determine which system users (administrators, developers, contractors, etc.) may access PII.**

Users include administrators, developers, contractors, Contracting Officer's Representative (COR), and data team. There are business rules established to address who may access the data. Federal users require access to the PII data in order to conduct their work; provide feedback on identified errors, and conduct data analysis for reports, program feedback, etc. Contractors including developers are required to sign data confidentiality agreements prior to accessing NCANDS data.

**Describe the methods in place to allow those with access to PII to only access the minimum amount of information necessary to perform their job.**

Access is limited to the functions and information which is essential to complete their job functions. Administrator access to systems are only provided to privileged access. Data storage access is restricted to authorized users. Computed aggregated data are provided instead of case-level data for users who do not need access PII data.

**Identify training and awareness provided to personnel (system owners, managers, operators, contractors and/or program managers) using the system to make them aware of their responsibilities for protecting the information being collected and maintained.**

NCANDS collects information from public agencies that have their own policies regarding training and system access. Federal staff and contract support staff are required to take annual security training. The training includes sensitivity to PII. Contract support staff are required to sign an additional confidentiality agreement that prohibits them from discussing CB business activities with their parent organization.

**Describe training system users receive (above and beyond general security and privacy awareness training).**

Not applicable

**Do contracts include Federal Acquisition Regulation and other appropriate clauses ensuring adherence to privacy provisions and practices?**

Yes

**Describe the process and guidelines in place with regard to the retention and destruction of PII.**

NCANDS records retention schedule is set based on NARA Transmittal 24, General Records Schedule (GRS) 4.3, Item 020, Disposition Authority DAA-GRS-2013-0001-0004. As noted in the transmittal the disposition of files is at the discretion of the agency if longer retention is required for business use. CB retains all data files transmitted by state child welfare agencies due to need for analysis of data over time. NCANDS data are maintained in the database in order to conduct analyses of individual states performance in serving children over time. To do this, the data must be permanently stored.

**Describe, briefly but with specificity, how the PII will be secured in the system using administrative, technical, and physical controls.**

Administrative controls, including but not limited to: System security plan (SSP), File backup/archive, User manuals, Contractor Agreements

Technical Controls: User Identification and Authorization, Passwords, Firewalls at hosting site, Monitoring and Control scans

Physical controls:

NCANDS Portal: The NCANDS server is hosted in a secure data center and can be physically accessed by only the authorized staff.

Enforcement of established physical security capabilities (management walk-throughs and assessment of security locks, doors, desks, storage materials, Security Guards employing access controls to individuals requesting facility access.

Physical access is strictly controlled both at the perimeter and at building ingress points by professional security staff utilizing video surveillance, intrusion detection systems, and other electronic means.

All visitors and contractors are required to present identification and are signed in and continually escorted by authorized staff. All physical access to data centers by employees is logged and audited routinely.

Physical containment and isolation of Systems, Data bases, and Storage assets that collect, maintain, store, and share PII. Secured and limited access facilities: data center access and information to employees and contractors who have a legitimate business need for such privileges. When an employee no longer has a business need for these privileges, his or her access is immediately revoked, even if they continue to be an employee. Compartmentalization and physical separation of system components (servers, cables, storage access, off-site backup facilities and storage) Employment of Locks, Fences, Geographic Isolation of physical system asset.

The NCANDS DW is hosted on the FedRamp certified Microsoft Azure Cloud platform.

**Identify the publicly-available URL:**

<http://ncands.net/project>

Note: web address is a hyperlink.

**Does the website have a posted privacy notice?**

No

**Does the website use web measurement and customization technology?**

Yes

**Select the type of website measurement and customization technologies is in use and if it is used to collect PII.**

Session Cookies that do not collect PII.

**Does the website have any information or pages directed at children under the age of thirteen?**

No

**Does the website contain links to non- federal government websites external to HHS?**

No

**Is a disclaimer notice provided to users that follow external links to websites not owned or operated by HHS?**

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