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Position Statement on Homeless Data Collection and Reporting

General Statement on Homeless Data Collection and Reporting

The National Coalition for the Homeless accepts the collection and reporting of data about the incidence and prevalence of homelessness in the United States population and the socioeconomic and demographic characteristics, resource and service needs, service utilization patterns and outcomes of people experiencing homelessness.

The collection and reporting of reliable and valid data permits interested parties to engage in meaningful performance oversight, sound program evaluation, and informed decision-making. It helps interested parties better understand the magnitude of homelessness in the United States and what progress, if any we have made to end it, determine what unmet needs for resources and services persist, and measure the performance and outcomes of programs and services organized to prevent and end homelessness.

The National Coalition for the Homeless recognizes the obligation placed on units of government at all levels to collect and report data pertaining to homelessness, directly and by compelling or requesting organizations to participate in homeless data collection and reporting efforts as a condition of receiving public funds. As the nation's strongest voice for the protection of the civil rights of people experiencing homelessness, the National Coalition for the Homeless urges that this obligation not overtake the fundamental right to privacy and confidentiality of the individuals from whom data is being collected. Further, this obligation must not create an undue administrative and fiscal burden on the agents charged with collecting and reporting data.

Appropriate Collection and Uses of Homeless Data

The National Coalition for the Homeless recommends statistical sampling for determining the incidence and prevalence of homelessness in the United States. We also believe that there exist indicators to generate regional or local estimates of homelessness, including eviction rates, move out rates, public housing waiting list counts, losses in affordable housing units, foreclosure incidents, homeless children and youth numbers in school districts, and calls to centralized service assistance and domestic violence hotlines.

Data collection and reporting efforts regarding service utilization should concentrate on gathering information necessary for assessing the outcomes for persons served by such services, rather than the multitude of demographic and socioeconomic factors of such persons. Data collection and reporting authorities and agents should refrain from the inclination to collect information on unlimited factors about which they may be curious, and instead limit the scope of data collection to elements essential for performance and outcome measurement.

Authorities requiring the collection and reporting of data and interpreters of the data must honor the limits of the data source when making decisions how to apply the source to performance oversight, program evaluation, and decision-making. For example, data collection and reporting efforts designed to measure program efficacy and efficiency should not be then applied to measuring community-, regional- or national-level progress toward preventing or ending homelessness.

Authorities and interpreters of data that misuse data should be sanctioned for infractions, such as through a loss of funding or a suspension of payments until the misuse is corrected.

Privacy of Homeless Data

People experiencing homelessness and people at risk of homelessness have a fundamental right to privacy. They should enjoy the following rights with regard to participation or non-participation in any homeless data collection and reporting effort.

- The right to provide a signed consent or release before any information about a client is entered into a management information system.
- The right to decline consent to participate in a management information system.
- The right to receive assistance regardless of the person's decision to participate or not participate in a management information system.
- The right to revoke consent, the occurrence of which will obligate the agent to remove any and all personally identifiable information about the client from the management information systeme.
- The right to decide what information, if any, an agent may collect and enter into a management information system.
- The right to decline consent and to revoke consent to having all or some data shared among users of a management information system.
- The right to receive notice of the rights established in a language or manner that will be readily understood by the person prior to being asked for consent. This right shall include considerations such as literacy level of the persons affected, an oral reading of the notice to persons who are illiterate or otherwise impaired in reading, and presentation of written notices following consumer notice requirements on financial institutions issuing credit cards.
- The right to view and correct any information about them or to remove their data from the system at any time, with an assurance that the data collection agent shall remove the data in a timely manner.
- The right to file a grievance with and receive resolution of such grievances when an unlawful disclosure of personally-identifying information has occurred.

Data collection and reporting authorities and agents that fail to disclose to consumers of services the above rights and to protect those rights should be subject to sanctions, including a loss of public funds or a suspension of payment of funds until corrective action is completed.

Data collection and reporting authorities and agents should be prohibited from sharing personally-identifying information about any person without the informed, written (in the primary language of the person), time-limited consent of the person. All other forms of consent shall be invalid, including but not limited to oral consent, implied consent or implied assent.

Unless permitted by law, consumers of services should not have access to personally-identifying or non-personally-identifying data about other consumers. A parent or legal guardian's access to a minor's personally-identifying or non-personally-identifying data must be consistent with any applicable federal, state, or local laws.

Persons who have possession of or access to personally-identifying information the disclosure of which is prohibited by law and who willfully disclose the information anyway should be subject to criminal penalties, civil liability, and employer sanctions up to and including termination.

Authorities and agents operating management information systems should be subject to privacy impact assessments and privacy audits.

Obligations of and Limitations on Data Collection Authorities and Agents

Management information systems operated for the purposes of homeless data collection and reporting should meet the more protective of state or federal management information standards, such as data security and technical standards issued by the National Institute of Standards and Technology, and accountings of the date, nature, and purpose of each disclosure of a record to any person or entity as described in the Privacy Act.

Data collection and reporting authorities should be prohibited from requiring agents to assure a set level or percentage of consumer participation in the data collection and reporting effort. Data collection agents should not be punished by loss of funds or other sanctions based on rates of participation in the data collection and reporting effort.

Law enforcement shall have access to information within a management information system only when the access request is relevant to an ongoing investigation and with a specific warrant that reasonably identifies the individual on whom the data is sought.

Protections for Homeless Data Collection Agents

Agents charged with responsibility for collecting and reporting data must receive funding from the data collection authority for the data effort additional to any amounts awarded for service provision. All costs associated with the data collection and reporting effort must be covered entirely by the data collection authority, including, but not limited to, staff training, staff operations, system development, system modification, system maintenance, data collection, data conversion, data system interoperability, privacy assessments, and privacy audits.

Data collection agents should be allowed to accept self-attestation of information as sufficient evidence.