



# SNS COLLEGE OF TECHNOLOGY



Coimbatore-35.

**An Autonomous Institution**

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**COURSE NAME : 19GET201 PROFESSIONAL ETHICS & HUMAN VALUES**

**IV YEAR/ VII SEMESTER**

**UNIT – IV Responsibilities and Rights**

**Topic: Confidentiality, conflicts of interest , occupational crime**

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# Confidentiality



Confidentiality can be defined as the ethical principle or legal right that a physician or other health professional will hold secret all information relating to a patient, unless the patient gives consent permitting disclosure.

## Confidential information

- **Information which is to be kept secret**
- Any confidential information should be kept in secret for the purpose of running the organization effectively



# Confidentiality



## Terms associated with confidential information:

### 1. Privileged information:

- Available only on the basis of special privilege such as the privilege consistent with an employee who is working on a special assignment
- It includes information that has not yet become to public or known within an organization

### 2. Proprietary information:

- Owned by a company
- Refers to a new knowledge established within the organization that can be legally protected from use by others



# Confidentiality



## 3. Trade secrets:

- Given limited legal protection against employee or contractor abuse (mis-treatment)
- Secrets may be about designs, technical processes, plant facilities, quality control methods, list of customers, business plans etc.

## 4. Patents:

- Patents differ from trade secrets
- Legally protect some specific products being manufactured and sold by other competitors without any written permission of the patent holder
- In case of trade secrets, the legal protection is limited to keeping relationships of confidentiality and trust



## Types of confidential information

### 1. Obvious information of confidentiality:

This refers to test results and data, information about the unreleased products, design of products, formulae for products and technical processes of the products etc.

### 2. Information of lesser confidentiality:

- Includes all business information such as the number of employees working on a project, the identity of suppliers, marketing strategies, production costs and production yields etc



## Justification and limit of confidentiality

- The confidentiality obligation can be justified at two levels.
- First level focuses on three moral considerations
  1. Respect for autonomy
  2. Respect for promises
  3. Respect for public or social well-being
- The second level is to appeal to the major ethical theories.
- There are different ethical theories which help to justify the rights in different ways. They are
  1. Right based theories
  2. duty-based theories
  3. utilitarian theories



# Confidentiality



## 1. Right-based theories:

- Justify employees obligations of confidentiality by appealing to basic human rights. Example: whistle-blowing

## 2. Duty-based theories:

- Stress the basic duties of employers and employees to upkeep the trust placed

## 3. Utilitarian theories:

- **Rule – Utilitarian** justified the rules of confidentiality only when such rules produce the most good for the general public
- **Act-Utilitarian** focus on each situation when an employer decides on some matters to be counted as confidential information



## *Conflicts of Interest*

- A conflicts of interest occurs when the employees have an interest to pursue.
- It prevent them from meeting their obligations to serve the interest of their employers or clients
- For example: an electronics engineer working for a state department of communications might have a financial interest in a company which has a bid on supply of instruments





# *Conflicts of Interest - Types*



## **1. Actual conflicts of interest:**

- Based on weaker judgment and service
- Refers to the loss of objectivity in decision making and inability to faithfully discharge professional duties to employers

## **2. Potential conflicts of interest:**

- Based on the difference between gifts and bribes
- Example: an engineer may find himself becoming a friend gradually with a supplier for his company
- This kind of potential conflicts also arise when accepting large gifts from the suppliers

## **3. Apparent conflicts of interest:**

- This may occur when an engineer is paid based on a percentage of the cost of the design and there is no incentive for him to cut costs.
- There are some other conflicts of interest. They are:
  1. Interest in other companies
  2. Moonlighting
  3. Insider information

