



## **FAMILY COUNSELLING & SUPPORT SERVICES CONFIDENTIALITY & RELEASE OF INFORMATION POLICY**

### **Introduction**

This policy aims to protect the confidentiality of the client's record of the client-worker relationship without unduly impeding smooth working relationships with other services, community resources, professionals or creditors. This policy aims to assure that information released is in the client's best interests.

The confidentiality of the client-worker relationship is the cornerstone of professional practice. Confidentiality is necessary for the full and satisfactory maintenance of the client-worker relationship. Clients must have the confidence that communication with their worker will be without prejudice. They must feel free to discuss every aspect of their situation.

### **1) POLICY**

It is the responsibility of all staff, as well as the Board Committee members and Volunteers, to ensure the confidentiality of the client's records and of all communication between client and Agency.

Confidentiality is deemed to exist between the client and the Agency as a whole. Any member of the staff may access client records if access is necessary in order for them to perform their assigned responsibilities. Access to individual client records by volunteers or by members of the Board or Committees of the Board requires client consent.

The release of written information outside the Agency requires a properly completed Release of Information form. Verbal reporting may be undertaken if it is judged to be in the best interest of the client in order to co-ordinate and/or obtain services and/or resources.

### **2) LIMITATIONS**

Confidentiality is not a legal right of clients. All clients will be informed of the limits to confidentiality. These limits are:

#### **a) Subpoenaed Records:**

In this case the record will be released in a sealed envelope with the explicit endorsement: *"This envelope contains a file pertaining to (client's name). The contents are confidential and are the property of Family Counselling & Support Services."*

**b) Child and Family Services Act, RSO 1990, c. C11, Section 72(1):**

All persons who perform professional or official duties at FCSS must comply with the CFSA and those sections under the heading "Duty to Report". At the beginning of service all clients should be informed of the obligation to report suspected child abuse. Staff, Contractors, Volunteers and Interns should inform a supervisor immediately, or a manager or director if a supervisor is not immediately available, of a potential need to report suspected child abuse to Family and Children's Services (F&CS) unless notifying a supervisor, manager, or director would delay informing F&CS and put a child at greater risk. When child abuse is suspected every reasonable effort should be made to fully inform the clients, with sensitivity, of the duty to report. Preferably this should be done prior to reporting to F&CS unless doing so might put the child at further risk, endanger the worker, or conflict with the obligation to report the abuse without delay

**c) Client and/or Others at Risk:**

When the client is a danger to himself or others, release in this case will be to police and/or medical personnel, and, if possible, to the threatened person. Release shall be undertaken only on approval of the Executive Director or designate for the release.

**3) STORAGE**

All records and notes shall be maintained in locked files within the Agency or branch offices. Files may not be removed from the Agency without the permission of the Executive Director.

**4) ACKNOWLEDGEMENT OF REFERRALS**

A letter, which acknowledges the completion of the first interview, shall be sent for all professional referrals. This is not viewed as a violation of confidentiality. It is undertaken in order to maintain good working relationships with the professional community of which this Agency is a part.

**5) USE OF VIDEO AND/OR AUDIO TAPES OR ONE-WAY MIRRORS**

The use of recording and/or observation is undertaken in order to improve services to clients. Verbal or written consent is required before any use of recording and/or observation. Service will not be denied if consent is not granted unless, in the opinion of the Executive Director, the use of recording and/or observation is essential for effective treatment. Recordings shall only be used internally.

**6) THIRD PARTY ACCESS**

In the event that funding or accreditation bodies require access to client records, such access shall be granted only on the approval of the Board of Directors. All persons granted such access should sign a statement agreeing to abide by the Confidentiality Policy.

**AGREEMENT TO ADHERE TO CONFIDENTIALITY POLICY**

I have read the Confidentiality and Release of Information Policy. I understand the Agency's philosophy of confidentiality and agree to adhere to the conditions set out in this policy.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Witnessed by: \_\_\_\_\_ Date: \_\_\_\_\_