

# “I CAN’T CONFIRM OR DENY”

- Understanding and ensuring your client’s confidentiality

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# Presentation Goals:

- ▣ Discuss the importance of client confidentiality
- ▣ Determine what information is considered confidential
- ▣ Discuss confidentiality in the workplace and how it applies to the work you do
- ▣ Discuss confidentiality pitfalls
- ▣ Put confidentiality practices into action
- ▣ Identify how to develop a culture of confidentiality in your agency

What does  
confidentiality  
mean to you?

<https://www.youtube.com/watch?v=9AzbTkZYDcE>

# Why do I need to worry about confidentiality?

- ▣ To build a trusting working relationship
- ▣ Respect and Dignity
- ▣ Client information is no different than our own
- ▣ Agency Respect
- ▣ Valuing people for who they are, not their situation
- ▣ Better able to identify and meet client's needs
- ▣ Sharing of their story is an honor
- ▣ The client's job to decide who knows their story
- ▣ Even a small detail could be sharing too much
- ▣ Breaches can put your agency and your client relationship at risk

# Why talk about confidentiality?

- ▣ To prevent complaisance
- ▣ To remind us to talk to our direct reports
- ▣ To ensure compliance with policies and procedures
- ▣ The more we are prepare the better we can handle challenging situations
- ▣ To ensure confidentiality is an important part of your agency's culture

# What information is considered confidential?

- ▣ ANY AND ALL INFORMATION YOU RECEIVE/GATHER FOR BUSINESS
  - Name, Birthdate, Address, SS#
  - Family Dynamics – Family size, siblings
  - Income Bracket
  - DHHS Involvement/ Abuse and Neglect
  - Services they receive
- ▣ BUSINESS INFORMATION
  - PERSONNEL information
  - Information related to program development, bids in process and contract negotiations

# Confidentiality and how it applies to your work

- ▣ Remembering client information is sensitive and theirs to share
- ▣ Confirming or denying we provide services is always a breach
- ▣ Information can only be shared with a specific Release of Information – Unless there is a significant risk of harm
- ▣ Being respectful of clients receiving multiple services (mutual clients)
  - ▣ We want to respect confidentiality, but not to the detriment of the client
  - ▣ Be sure sharing information within programs is out of necessity to meet the client's needs, ensuring we aren't creating barriers
  - ▣ Get permission - use a warm hand off, written release, etc.
- ▣ Remember where you are, what conversations you are having, and who you are having them with

**\* LISTEN TO YOUR INSTINCTS \***

# When does confidentiality not apply?

- ▣ Know your agency and state policies
- ▣ **Mandated Reporter** - person who, because of his or her profession, is legally required to report any suspicion of child abuse or neglect to the relevant authorities

# Confidentiality Pitfalls

- ▣ Become comfortable with each other and the clients we serve
- ▣ We are helpers by profession and sometimes can disclose too much trying to help
- ▣ Oversharing to relate to the clients we serve about ourselves or other clients
- ▣ Not wanting to be rude when someone asks a question
- ▣ Not being cognizant of your audience
  - Who
  - Where
  - Why
  - What

# Breach or Not A Breach...

You got a new student into your classroom that reminds you of another child from several years ago. You get home that night and tag your old coworker in a post on Facebook saying, "You won't even believe it. That little red head from 2 years ago has a clone!!! How is this town so lucky to have another one just like him. Most entertaining 6 hours of my life!! Brings me back to the good old days...Wish you were here to help me through, not sure how I will survive these next two years without you!!!"

- ❖ Facebook profile states - Childcare Provider at ABC CAP

# Breach or Not A Breach...

You're a receptionist in the front of an office and a coworker asks how things are going. You tell them how hard it is to hear the old people coming in for their benefits appointments and sometimes they smell awful. You begin to share a story about a specific client yesterday when other clients walk in and are waiting in line.

- ▣ What if the coworker asked if it was the one she saw waiting at 10 am?
- ▣ Is that the one I work with every week?

# Breach or Not A Breach...

A client who currently receives services ended their appointment and before leaving asked the receptionist if Jane Doe still worked here. Before the receptionist could answer the question, another employee overheard and stated, “We are sad she left here, but “Counselors R Us” is so happy to have her!”

# Breach or Not A Breach...

You are on your lunch break in the break room with a coworker from the same program. You decide to have a working lunch and begin a case review. You set up some ground rules, such as not using clients names, as you recognize you are in a more public space than your office. You begin to review the client files at the table, but redirect each other if you accidentally use the clients name. Another employee comes in and sits at a table next to you.

# Our Responsibilities

- ▣ When confidentiality is broken?
  - Address it
  - Seek supervision
  - Talk about confidentiality regularly
  - Bring it people's attention
  - Own it with the client
  
- ▣ Role model for our staff and clients

# Confidentiality Challenges

- ▣ Facebook/Snap Chat/Social Media
- ▣ Mutual Clients
- ▣ Knowing clients personally
- ▣ Seeing clients in the community
- ▣ Phone calls from clients with another program
- ▣ Second hand breaches
- ▣ Personal Cellphones
- ▣ Working from Home

# Creating A Culture of Confidentiality

- ▣ When confidentiality is broken?
  - Address it
  - Seek supervision
  - Talk about confidentiality regularly
  - Bring it people's attention
  - Own it with the client
  
- ▣ Role model for our staff and clients

# Questions or Comments