



## YSO Policy: Confidentiality

This is a policy from a Rape Crisis Center that applies to youth over age 12. For this policy, BE SAFE recommends the following:

- Utilize the youth-related portion of this policy if your organization exclusively serves youth.

### Policy:

Agency B believes in protecting the integrity of the counseling relationship between client and counselor by maintaining client privacy. All Agency B clients have a right to confidentiality. [State] law states that communications between sexual assault survivors and rape crisis counselors are privileged. A "privilege" means that any written or oral communication concerning client counseling with Agency B is confidential. In most instances, client private information will not be disclosed by Agency B to anyone outside of the Agency without the client's written consent.

There are three standard exceptions to this policy; these exceptions require Agency B counselors to disclose private information. Prior to disclosing any private information, Agency B will make every effort to inform clients of the concerns and decision and will assist clients in responding to that decision, unless such notification will jeopardize client safety or the safety of someone else. Here are the three exceptions:

- Suicidal or Homicidal Intentions

#### *Suicidal Intentions*

We believe that securing client safety is a primary responsibility. If an Agency B counselor believes that a client's life is in imminent danger, it is Agency B policy to intervene to ensure client safety. Agency B will only intervene if there is an expressed and specific lethal plan and available means to carry it out. Intervention may include arranging a psychiatric evaluation, contacting a significant other, or contacting the police.

#### *Assault or Homicidal Intentions*

If you express an actual threat to harm another person, or have a history of violent behavior, and a Agency B Counselor believes that other person's safety is in immediate jeopardy, it is Agency B's policy to intervene to ensure the safety of all involved. Intervention may include arranging a psychiatric evaluation, contacting a significant other or contacting the police.

- Abuse of a Child under 18 and Abuse of a Person with Significant Disability

Agency B Counselors are mandated by law to report abuse or neglect of a child, adults over 60, or a person with a disability. Physical, emotional, sexual abuse and neglect fall under this category. Agency B is mandated to report such abuse or neglect, as appropriate, to the Department of Children and Families, the Office of Elder Affairs, or the Disabled Persons Protection Commission. We will make every effort to talk with clients prior to contacting any of these agencies. If clients are in a hospital or long term care facility where abuse, neglect, mistreatment or misappropriation of your property has occurred, Agency B will also report to the Department of Public Health, Division of Health Care Quality.

- Court Orders for Agency B Client Records

Under [State] law, communications between sexual assault survivors and rape crisis counselors are privileged. A "privilege" means that information concerning client counseling is confidential and in most instances can not be





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disclosed in any court proceeding. To be able to protect a client's privacy, it is important for the client to consider their privilege before deciding to talk with others about coming to Agency B for counseling services. If the client is involved in any legal proceedings regarding personal sexual assault, or are planning to be involved, clients should inform their counselor. Agency B understands how important privacy is to many survivors, and Agency B will do everything within its power to prevent the court from ordering client records to be released.

Every attempt will be made to contact clients if Agency B receives notice that a legal effort to obtain client records is being made. If the Agency is unable to contact clients, it will invoke the privilege on the client's behalf.

- **In- Person Counseling**

In order to make the best assessment of client's needs, Agency B counselors may ask clients personal information about background, family and particular needs. Information clients provide will be held in the strictest confidence and in most instances will only be released with client written permission.

Agency B may require that clients sign a release of information for any of previous or current service providers. Additionally, for youth clients, counselors may ask youth's and parents or guardian to sign a written agreement that will outline the terms of communication between the counselor and youth client parents/guardian. This is so that Agency B may coordinate client care and provide clients with the best possible service.

- **Non- Discrimination in the Provision Services**

Sexual violence affects people from all walks of life. Agency B provides services to and welcomes survivors and significant others regardless of sex, race, physical and/or developmental disabilities, ethnicity, class, age (12 and over), religion, or sexual orientation or preference. If a client feels they have been discriminated against in the provision of any services, clients may file a complaint through Agency B's grievance procedure.

