

# Handout 01: Key Concepts: Privacy & Confidentiality

*(adapted from content developed by Toronto HIV/AIDS Network)*

## Privacy

- Privacy refers to an individual's right to be free from intrusion or interference by others. It is a fundamental right in a free and democratic society. Individuals have privacy interests in relation to their bodies, personal information, expressed thoughts and opinions, personal communications with others, and spaces they occupy.
- An important aspect of privacy is the right to control information about oneself. The concept of consent is related to the right to privacy. Privacy is respected if an individual has an opportunity to exercise control over personal information by consenting to, or withholding consent for, the collection, use and/or disclosure of information. *(Source: [www.pre.ethics.gc.ca](http://www.pre.ethics.gc.ca))*

## Confidentiality

- The duty of confidentiality may be a legal or ethical duty. It refers to the obligation of an individual or organization to safeguard entrusted information. The duty of confidentiality includes obligations to protect information from unauthorized access, use, disclosure, modification, loss, or theft. Fulfilling the duty of confidentiality is essential to the trust relationship. *(Source: [www.pre.ethics.gc.ca](http://www.pre.ethics.gc.ca))*
- However, there are bounds of confidentiality – essentially who is defined in the circle of care. The line should be drawn around the circle of care, not around the individual. Explaining this to a client is also essential to the trust relationship.
- And their *limits and exceptions* to confidentiality, defined by law or by ethics. Explaining those limits and when we may be compelled to breach privacy or where we may choose to do so to prevent harm or death is also essential to the trust relationship.

## Exceptions to Maintaining Confidentiality in Social/Health Service Organizations

- Health and safety of an individual/Risk of serious harm to person or group
  - Child abuse
  - Suicide risk
  - Imminent risk of serious bodily harm or death
  - Medical emergencies
- Compassionate circumstances that aren't about health & safety
- Disclosures to public health authorities
  - Reportable illness.

- Situations posing public health threats.
- Other legal obligations
  - Subpoenas
  - Search warrants

## Privacy & Confidentiality in Policy & Practice

Agencies should require each staff member and volunteer to read and sign a confidentiality agreement. This requirement is routinely included in agency policy and reflected in agency practice and forms.

The confidentiality agreement or form you complete and sign as a volunteer will probably cover numerous types of confidential information as well as various relationships which give rise to duties of confidentiality.

As a volunteer, your duty of confidentiality extends beyond clients' confidential information, and includes the agency and its staff and volunteers.

For example, the agreement or form you are asked to sign might state:

*Volunteers must maintain privacy and confidentiality of information they gain while volunteering, including information about:*

- *Clients and their families*
- *Staff and other volunteers, including Board members.*
- *Agency program decisions, business activities, funding, fundraising, finances, and governance matters*
- *Terms and conditions of agency partnerships*
- *Agency internal policies and procedures*

*Volunteers must not disclose any personal or confidential information they receive, either directly or indirectly, during the course of their volunteer duties. Volunteers must not disclose any confidential information even after they are no longer volunteering.*

*Exceptions would include...*

*Etc.*

## Handout 02: The Helper-Client Relationship

What constitutes a healthy helper-client relationship?

The following are key:

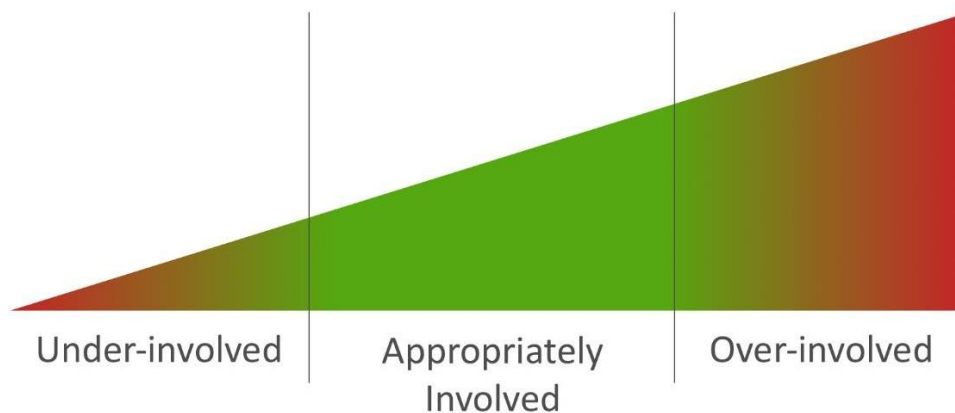
- Maintaining a professional relationship.
- Setting parameters on how services are delivered.
- Being aware of the inherent power imbalance.
- Being aware of your own potential conflict of interest: what are you getting out of helping?
- Being guided by what is in the best interest of the client, while not losing sight of how, ultimately...
  - You need to maintain self-care as the helper; and/ or
  - How your help to one particular client might affect the organization—in terms of risk, reputation & resource management.

The following can lead to—or are in and of themselves--boundary crossings or violations:

- Being too familiar with a client—emotionally or physically
- Blurring the lines between professional and friend.
- Intimate relationships—sexual or otherwise.
- Sharing personal information or experiences so that clients can relate – if those experiences are not firmly in the past, and resolved for you (otherwise, the client may feel you need support)

Being appropriately involved, ie. In the zone of helpfulness below (or, as Vikki Reynolds refers to it, “The Zone of Fabulousness”)

Being appropriately involved is about figuring out what is neither under-involved or over-involved—and ties back to the “ultimately” part of our key question, *“Is my behaviour appropriate and, ultimately, helpful?”*



# Handout 03 - Techniques for Creating & Maintaining Healthy Volunteer-Client Boundaries

*(content developed by THN)*

## Set clear boundaries with clients from the beginning of your volunteer role:

- Establish clear agreements with the client regarding your role as a service provider, your availability, and the best ways to communicate with you.
- Establish clear agreements about what to do if you see each other in public. Define the limits of your expertise (for example, clients should not have reason to confuse education about a prescribed HIV regimen with medical advice, or a sympathetic ear with psychotherapy).
- Be clear about the amount of time and energy you can give, especially if you are available to clients outside of normal working hours.
- Advise and periodically remind clients of any program requirements that limit the duration of support.

## Address issues as quickly as possible and rely on supervision.

- Consult with your supervisor if you are feeling uncomfortable talking with clients about boundaries.
- When boundary issues or warning signs appear, address these issues with the client quickly.
- Be sensitive to clients' feelings when doing this; emphasize the importance of, and your **commitment to maintaining healthy boundaries.**
- Use your supervisor as a sounding board, especially when boundary issues are impacting your ability to provide objective, compassionate care.

## Be empathetic and patient, and be prepared to repeat and check in.

- Realize that how a client interprets your words and actions might not match what you were trying to communicate:
  - You may need to frequently clarify your role and boundaries.
  - Ask the client to repeat back what you said to ensure that they understand.
  - Give the client an opportunity to ask clarifying questions.
- Dual & multiple relationships:
  - If you had a personal relationship with a client before becoming a volunteer with the agency, realize that you need to use your professional judgment when interacting with the client in social settings.
  - Pay particular attention to the client's confidentiality and their physical and emotional security.

## Power, care, and self-care

- Situations in which one person is in a position to hold power over the other person must be avoided if at all possible.
- Remember that you can't (and shouldn't) "do and be everything" for a client: you will not help them if they become dependent on you.
- Take care of yourself! Make sure you are getting enough sleep, eating well, spending time with friends and family, exercising, seeking supervision as needed, and leaving work at work!

## Think carefully about self-disclosure to clients.

- ❓ If you decide to tell a client something personal about yourself, ensure that the information is related to the client's goals.

Too much self-disclosure shifts the focus from the client to the volunteer and can confuse the client in terms of roles and expectation.

## Handout 04: Questions to Ask When Your Radar Beeps

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What questions should we ask ourselves if our radar beeps with clients and peers?

- Is this in the client's or peer's best interest?
- Is there a policy that guides this?
- Whose needs are being served? Mine or the client's/ peers?
- Am I benefiting from this situation?
- Am I treating this client or peer differently than others?
- Will this have an impact on the service I am delivering?
- How might this situation be viewed by the client's or peer's family?
- Should I discuss this with another volunteer, a staff, or my organizational supervisor?
- Might this be a liability issue for the agency?
- Is the client or peer drawing me into something that does not feel right?
- If I was the client or peer, would I want this?

What questions should we ask ourselves if our radar beeps with fellow volunteers?

- Does this situation feel right?
- Is there a policy that guides this?
- Am I being treated fairly?
- Am I benefiting from this situation?
- Will this have an impact on the service or task I am delivering?
- How might this situation be viewed by other volunteers, by staff or by people outside the agency?
- Should I discuss this with a fellow volunteer, or my staff supervisor?
- Might this be a liability issue for the agency?

## Handout 05: Resources to Help You & Your Organization Manage Boundaries

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The following resources are available to help your organization manage boundaries:

### Internal

- Volunteer job description
- Your Supervisor/ Manager of Volunteers
- Policies & procedures

### External

- Further training (Note that a version of this training is also available for Board Members)
- OODP individualized consults in more serious situations—or to develop policy – [oodp.ca](http://oodp.ca)
- Provincial legislation
- Federal legislation
- Professional guidelines
- Ethics-based tools and guidance - [www.careworkerethics.org](http://www.careworkerethics.org) will take you to a free decision-making tool, and orientation slides in English or French.