

Confidentiality

By Karen F. Carr

How many people do you know in the cross-cultural worker community whose trust has been broken by someone betraying a confidence? Often confidence is betrayed through a benign encounter of information sharing. Peer responders and leaders need to know what information to keep confidential and how to communicate the parameters of confidentiality to others.

Whenever feasible, any limits of confidentiality should be fully discussed with the person you are helping before they begin to disclose personal information to you.

Limits of Confidentiality

It is almost always preferable to get permission from the person before disclosing any personal information. This applies to teenagers as well as adults. Nevertheless there are certain circumstances where it is acceptable to disclose information even if you have not obtained permission. Remember that “confidential privilege ends where public peril begins.”

- **Any instance of child abuse or neglect** – to protect the child
- **Suicidal thoughts or behavior** – to protect the person from harm
- **Threats which are serious, imminent, plausible**, and directed against a specific person(s) – to protect others from harm
- **To obtain appropriate consultation or supervision** – amount of information disclosed is limited to that which would achieve the purpose of the consultation.
- **When an organization has requested a report or feedback.** This needs to be explicitly stated to the person before the interview begins. It is also respectful to obtain their written permission to send a report. Another way of promoting trust is to show the person exactly what has been written before it is sent on to the appropriate parties and to give them opportunity to correct any inaccuracies or ask questions for clarification of the content.
- **Each sending organization has its own expectations regarding moral standards and conduct.** A dramatic violation of moral or ethical standards has the potential to destroy the individual, a family, the reputation of the ministry, or a whole field’s ministry. Examples of this might include a current illicit sexual relationship, drug abuse, or covert intelligence activity. Depending on your role in the organization, you may be required to divulge certain information. Once again, this should be made explicit to the person you are helping at the beginning of contact. It is imperative that each peer responder has a clear understanding regarding any organizational expectations to report this type of behavior.

As a peer responder or leader, should I promise total confidentiality?

No. “When caregivers grant total confidentiality, they are granting something they have neither the right nor training to promise, and in doing so, may actually stand in the way of needed care being provided. They should not promise confidentiality, but discretion, and practice courtesy and respect.” Dan Weaver, 1999, SIL.

Can a counselor sometimes speak “off the record”?

No. “With regard to confidentiality, including responsibility to report certain acts, a counselor is always a counselor, and is a counselor with regard to all of the sensitive information he/she hears, whether as a counselor off duty, as a consultant, or as a friend.” Laura Mae Gardner, 1999, SIL.

Can I sometimes take off my leader “hat”?

No. “An administrator is an administrator even when off duty, before that administrator is a friend. A person needs to establish the boundaries of friendship and administrative responsibility when assuming an administrative role.” Laura Mae Gardner, 1999, SIL

When It Seems Beneficial

Sometimes a person may share information with you that you feel very strongly should be passed on to their administration, spouse, pastor, or another responsible party. Certain personal and private struggles may be impairing one’s work role, family life, and/or the credibility of the organization. This might include excessive use of alcohol, sexual struggles, abusive leadership, serious marital conflicts, medical conditions, or major depression. If you have not clarified in the beginning that you are obligated to share certain types of information with particular persons, then you must try to honor your commitment to confidentiality. What you can do, however, is work closely with the person to help them understand the benefits of informing a leader whom they trust within their sending organization.

Public vs. Private Information

Public information includes any details that the person has already revealed to a large group in written or verbal form without a request for privacy (e.g., in a prayer update someone talks about a recent carjacking experience). It might also include information for which the person has given permission for public release (e.g., a pastor announces that someone is in the hospital and would like visitors).

Private information might include specific aspects of the public information that are not known to many. For example, it might be public knowledge that a family is taking an early home assignment, but it might not be known that this is due to their teenage daughter’s pregnancy. As another example, it might be known that someone is grieving the death of his father, but it might not be known that his relationship with his father was strained.

Private information may also include the entire event. A traumatized person may need time before being ready for the broader community to know that they have experienced a certain type of crisis (e.g., an assault or rape). Who is told, when they are told, and how they are told should be within the control of the affected person as much as is reasonably possible.

Written Records

Any notes, correspondence, or reports related to your crisis response should also be kept confidential. This means that you need to make efforts to store, transfer, or dispose of these records such that they are not accessible to others. If you are keeping confidential information on your computer and it is shared by others, consider using password protection for those files. Use extreme caution with your e-mail correspondence.

Six Principles of Information Management

(Laura Mae Gardner, *Levels of Confidentiality*, 1999)

- Know the level of disclosure and the degree of confidentiality that fits the role you have been given.
- Know and observe the professional ethics and legal requirements that go with your role.
- Observe discretion and respect for all, in all situations
- Understanding that information is helpful, tell as much as is appropriate and pertinent to those who need to know, within the above limits.
- Do not allow yourself to be manipulated by the merely curious.
- Do not confess the sins or inadequacies of another person.

Sample: Release of Information

(Counselor or Peer Responder) has my permission to release to (Person receiving information) pertinent confidential information concerning (Name). The released information will inform the receiving agency or person about (e.g., services received, recommendations, summary of presenting issues) in order to assist this individual in receiving appropriate care. The authorization for release of confidential information is valid from the date the form is signed until (date). (Signature)