

Academic Discipline Of Psychology And Counselling.

Professional Relationships.

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This essay will be critically discussing the implications of confidentiality agreements when working within a professional clinical team and will be looking into where there are an expectation and a need to share information, there are quite a lot of reasons and evidence surrounding when there are an expectation and a need to share information out there so this is what this essay is going to address. In the first section of this essay, it will look into how confidentiality is so important in a counselling setting and looking into what problems may arise if there was to be no confidentiality put in place during therapy sessions, how that would affect the therapeutic process and relationships? it will be exploring contracts and looking into what the BACP policies are on contracts and how important it is to have one in place in every professional clinical team and in every counselling setting. Another point that will be addressed is when confidentiality has to be broken and what are the outcomes when it is, it will be looking at all the different types of reasons for why it has to be broken and the outcome it could have on the therapeutic process. Some organisations need to know certain information about clients so this essay will explore that further to how and what they need to know. The main point that is to be made and to be carried out throughout the essay is looking into research and evidence which backs up how sharing information about clients and when there is a need to share information is right to do so for the safety and well being of the client.

Firstly this is essay is going to start off by exploring about confidentiality and its importance during therapy sessions and the therapeutic relationship, without confidentiality in place clients may not want to open up so much about their issues and their personal information to the counsellor as without confidentiality in place it could be exposed to anyone and everyone if the counsellor was to share it their friends or family, if this was the case then the client could feel exposed that their personal information is out there for the world to know when they only wanted the counsellor to

know it. So with confidentiality being in place, it's there to make sure that whatever is said in the room between the counsellor and the client, it is to stay there and not to be mentioned outside of the room to friends and family. With this being in place, it makes the client feel safe and feel that no one else outside of the room is going to know their problems. However although its confidential in the room and the counsellor is not allowed to go and repeat what the client has exposed in confidence there are some cases where information that is revealed cant always be kept confidential, this will be addressed further on in the essay. As a counsellor bounded by the BACP, they should follow the rules to protect the confidentially and privacy of the clients here is a couple that they expect to be followed:

‘Actively protecting information about clients from unauthorised access or disclosure and informing clients about how the use of personal data and information that they share with us will be used and who is within the circle of confidentially, particularly with access to personally identifiable information.’

(BACP, 2018, pp. 21)

Every client that goes into counselling should be made aware what personal information will be disclosed as you can see from previous in this essay, not everything is confidential as some may think, for example, counsellors are to have an hour and a half supervision each month and during this time they will talk about a client they have, however, they will not expose the name of the client by the clients initials will be used, as stated by the BACP ethical framework regarding confidentiality:

“Informing clients about any reasonably foreseeable limitations of privacy or confidentiality in advance of our work together, for example, communications to ensure or enhance the quality of work in supervision or training, to protect a client or others from serious harm including safeguarding commitments, and when legally required or authorised to disclose”

(BACP, 2018)

In every counselling setting a contract is a very important part of the starting relationship and process, with this in place both client and counsellor know what to expect from the sessions and if anything was to go wrong then the contract is there to look back on and to refer back to. In a contract it would include information such as the fee's of the session, how many sessions the client is allocated, where the sessions will be held, if they were to cancel what they would need to do and how much notice to give before cancelling, confidentiality and when it can be broken and information about the organisation and how they keep their records. With this in place, the client can decide if they want to continue with the sessions and sign as they have no everything in writing and have a contract between themselves and the counsellors, the contract can be discussed and anything that the client is unsure of can be addressed, by doing this the client has the choice of what they would like to do with continuing and can make them feel as though they have a voice which can be very important for certain clients. From starting the session off with already making the client feel heard “This can have the effect of instilling hope in the client, along with the sense of personal power, both of which are identified as being factors involved in successful therapy outcome (Asay and Lambert 1999; Duncan and Miller 2000).” *

However although so far this essay has been saying how important confidentiality is and how important it is not to break it, in some cases, it does have to be broken to protect the client and people who are surrounding the client, this could be for a variety of reasons that will be looked into in further detail. Professional clinical teams such as The Exchange may need to know some information about the clients such as their name, age and issues they are being referred to counselling for, most professional clinical teams will have to know this information about their client. This will be made aware to the clients during the contract stage which again highlights just how important a contract is as without this at the start the client would not be aware that the organisation would know this information about them if this was to happen then the organisations would be going against the data protection act 2018. If there was to be a disclosure and breach of confidentiality then at The Exchange they have policies in place to follow, they state that “final decisions concerning the treatment of clients including any disclosures will rest with the TCS Clinical manager.” (The Exchange 2019)

Although people may think that the only breach of confidentiality is when someone exposes something that could be at harm to themselves or to others this is correct but there are other reasons why their personal information may have to be shared to other clinical teams or organisations, these could include the GP, police, primary care, secondary care, crisis teams or NHS, these organisations are important to work alongside with as if there was a client who needed urgent help from one of these organisations then the clients personal details would have to be given to these organisations so they can give further help to the client that a counsellor at an organisation such as The Exchange could not provide. The Exchange (2019) if there was a need for disclosure the organisation has procedures in place for the counsellor to follow, this has to be done to make sure everything is legal and putting the clients best interests first. The procedure that the counsellor would first have to carry out would be to inform the client of the counsellors concerns and explain how it will have to be exposed external,

it should be told to the client that only those who need to know will it won't be breached to anyone and everyone, the counsellor then needs to decide how urgent it is, if it's not so urgent then they are to contact the clinical manager but is seen as urgent then the appropriate person is to be contacted there and then. As can be imagined the therapeutic relationship could be damaged when a disclosure is made as the client may lose the trust to expose anything else in case it was to be breached again. Another reason why confidentiality may have to be breached is to do with safeguarding if there is a safeguarding issue raised then a different type of procedure will have to be done as it's involving a child or vulnerable adult.

So far it has been addressed how a breach of confidentiality has been dealt within an organisation such as The Exchange however from a counselling setting such as from the NHS they can have a different way of working through their procedures when they feel they need to breach confidentiality but the concerns and when to breach confidentiality is exactly the same as in any organisation or counselling setting.

In some organisation, client notes are available to be seen by the organisation this should be made aware to the clients in the contract that their notes are not just seen by the counsellor but the organisation can have access to the notes as if they have an issue with this then they are able to leave and not start sessions with the particular organisation. Different organisation and professional clinical teams store their notes differently, they can store them as handwritten notes, computer files, audio-tape, emails, diaries or even text messages. Storing client notes doesn't just mean the notes that are taken during the session about a client, information such as times and dates clients are coming for counselling whether that is from a text message between the counsellor and the client arranging the dates, emails about counselling, anything that can link the client to coming for

counselling shall all be stored in a safe and secure place. Bongar (1988) asserts that data storage is the most important weakness in client confidentiality.

However the NHS has a completely different way of storing their clients notes and this is IAPT, this means improving access to psychological therapies with this is place it will have high technology which will mean that all notes will be stored electronically and peoples information, that way clients phone numbers and information will be prevented from getting stolen.

As stated by the BACP (2019) referral letters and reports that the counsellor receives are considered to be client records so which means needs to be filed away like the other client notes under the data protection legislation, as like its been mentioned before in this essay anything that links the client to having counselling should be filed away and stored confidentially.

Although all this information is kept confidential and locked away or stored safely on hard drives, Data protection act (2018) the client can always have the right to access their notes. For the client to be able to access their client notes it will be for a fee, not only can the client access these notes as well as the organisation but stated by the BACP sharing records with clients, legal professionals and the courts in the context of the counselling professions:

The law may require compulsory disclosure under statute (e.g. terrorism legislation). The mere fact of the client's disclosure having taken place is sufficient to create a legal obligation to disclose the required information, but no more than the information required.

(BACP, 2019)

To conclude throughout this essay it has been addressed how important confidentiality is, it has addressed just how important it has to this in place in a professional clinical team or organisation, its explored how not having this in place could affect the therapeutic relationship and anyone and everyone can know the clients personal information, if this wasn't in place clients would not be able to have any trust or want to open up to the counsellor about their issues as there would be no guarantee that their information would go outside of the room but with confidentiality, in place, this stops that from happening and makes the therapy more authentic as the client knows their information will be kept secure, the only reason where there would be a breach in confidentiality would be if the client was at risk to themselves or to others which were addressed in the essay.

Another important part of the essay was data protection there's a lot of information surrounding this as it's very important that all case notes and anything to do with the client having counselling is stored in the correct and secure way otherwise information could get lost which could put the client in harm's way. The essay addressed how confidentiality is very important during therapy but there is a lot of the time where not all information can be kept between the counsellor and the client, such as client notes as some organisation do have access to this but this highlights the importance of contracting which without this the client would not be aware of what people can have access too, it protects the client and the counsellor which is a very important part of counselling.

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