



CONFIDENTIALITY POLICY AND PROCEDURES

I. CONFIDENTIALITY STATEMENT

All agency staff, board members, and volunteers will be held accountable for maintaining Mission Granbury's Confidentiality Policy and Procedures. All staff, board members, and volunteers will be required to sign the Confidentiality Agreement at the time they become employed by or affiliated with Mission Granbury and prior to delivering direct client services. This signed agreement will be placed in staff personnel file, board member, or volunteer files. The confidentiality agreement applies to all staff, board members, and volunteers during their employment and/or affiliation with Mission Granbury and after employment and/or affiliation is terminated in perpetuity.

All policies and procedures apply to both open and closed client files and records.

All client files and records are the property of Mission Granbury Inc. and must be treated as such by staff and volunteers.

Any situations that fall outside the boundaries of the Confidentiality Policy must be referred to the Executive Director for advisement.

It is the policy of Mission Granbury that the following items be considered confidential, to be disclosed only in the manner outlined in Section III of these procedures:

- A. All communication between clients, staff or volunteers. For the purpose of this policy, communication is defined as any written or spoken information shared between the client and agency. The information that is exchanged is considered confidential and should be kept as such by all staff and volunteers at all times. This communication should be held confidential after termination of services with client and should remain confidential to all staff and volunteers after employment or services by volunteers have ended.
- B. All observations between clients, staff and volunteers in the course of service delivery or agency relationship with the client.
- C. All information about a client received by staff and volunteers.
- D. The telephone number, address and location of Mission Granbury's emergency SHELTER facility and safe homes.
- E. All staff and volunteers must not release any personal information such as telephone number, address, personal finances, family knowledge and social history.
- F. All business conducted at Mission Granbury of any kind.
- G. All staff and volunteer documentation will be confidential. Rules of confidentiality will remain constant after employment has ended either voluntary or involuntary. Only the direct supervisor and



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the Executive Director will have access to these records. This includes:

- Personnel files
- Form 1-9
- All health and medical information
- Complaints and investigation documents of fair employment laws
- Employee information in response to Public Information Act request
- Background check information
- Rate of pay
- Performance evaluations
- Disciplinary actions
- Drug test results

II. MAINTENANCE AND ACCESS TO FILES/RECORDS

A. Files and record Maintenance

Mission Granbury maintains records of client contact for statistical purposes, to provide data to funding sources, for research purposes, to aide in evaluating programs and facilitate service delivery between staff and clients.

Client files and records must be at all time be kept on the agency premises, unless approved for release by the client, direct supervisor or Executive Director.

Client files and records cannot be faxed to any agency or individual, except to and from the Mission Granbury shelter facility and the resource center, without consent for release or written permission from the client.

Client file entries will not reflect legal conclusion s except as those made by attorneys acting as counsel for the client.

Court testimony will only be allowed by a subpoena. Only the Victim Assistance Director or Executive Director will be giving direct case file information to the attorney and courts. No evaluation or assessments, opinions or personal beliefs should be discussed on the client's behalf.

Statements of evaluation or opinions will be kept to a minimum in client files/records. Entries of evaluation about drug or alcohol abuse may be made by licensed or certified (i.e. CSW, LCDC, and LPC) staff or volunteers only. Staff not licensed or certified to make clinical evaluation or assessments must have such entries approved by the appropriate supervisor. Staff making entry must initial all file entries.

Any client file entry made by a volunteer must be approved and initialed by the staff on duty or the



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appropriate supervisor at the time of the entry is made.

Client files will be maintained in such a manner that the staff is prepared to have the client read the file and should he or she request review and/or copying of the file.

Other types of information such as recordings, photos, or interviews are considered part of the client's file or record and are confidential.

Client files will be retained with all information for seven years after services have been terminated. After seven years, the client files will be destroyed by shredding.

B. Access to Files and Records

Staff Access - Staff and volunteers are approved to access the files and records of clients who are receiving their direct services. When a staff or volunteer seeks access to a client record and is not delivering direct client services to that individual client, such access must be approved by the Victim Assistance Director or Executive Director.

Client Access - All agency clients are approved to have access to their personal client file. The client's request to examine his or her file must be made in writing and will be honored. Before reviewing the file, staff will remove any confidential materials given by third parties. The file must be reviewed in the presence of the staff. This file review will be noted in the file including the date of the review, any action taken as a result of the review, and whether initialed by the staff or the client.

The client has the right to copies of all the topics of concern in his or her file, excluding any confidential materials that have been received by any third parties. Such request must be made in writing.

The client may request the correction or removal of inaccurate, irrelevant, out-dated or incomplete information from this file. Such request must be made in writing. This request will be granted except for any entry, documents or notations that are required by a funding contract to remain in the file. The file may be corrected to make it accurate.

The client may add information to the file. Any such additions must be dated and initialed by the client and the staff at the time of addition.

OTHER ACCESS - Should a client request that someone other than Mission Granbury staff or volunteer be allowed to review the client file, this review will not be granted until the client has provided a signed *Release of Information* and followed the procedures delineated under Section III.

III. RELEASE OF INFORMATION

A. With Consent - In order to release information with consent of the client involved, a signed Release



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of Information without written approval. This form should state what information is to be released, to whom it is to be released, and the purpose for such release. The Release of Information should be added to the file of the client involved, and remains valid until revoked in writing by the client.

- B. Without Consent and the Limits of Confidentiality - It is the Policy of Mission Granbury not to release confidential information without written approval of the client. However, in the following cases, information may be released, but only with the approval of the Executive Director. Under no circumstances should any release of confidential information be made without the approval of one of these two people. In all cases of nonconsensual release, the agency should attempt to notify the client involved prior to the release being made, and such attempt should be documented.

If a client is subpoenaed and it is a failure to comply with the subpoena would be illegal, the requested information will be released.

Disclosure may be made to another shelter or family violence program in order to accomplish the transfer of sheltering services for the client.

Disclosure of a client's file will be made to the legal guardian of any incompetent client.

Disclosure may be made where a medical emergency exists, the client is unable to provide relevant data and the information is required to save the life of a client.

Where staff have the reason to believe that a child has been sexually abused, a report of suspected child abuse must be made to the Texas department of Protective and Regulatory Services, a.k.a. Child Protective Services.

- C. Duty to Warn or Protect - Disclosure must be made, if a client informs staff or volunteer that he or she has committed or intends to commit a violent crime or felony, or harm themselves or others.
- D. Confidentiality within Families - Client information may not be released to client's family members without obtaining a signed release of Information from the client. Issues regarding the confidentiality rights of children will be addressed on an individual basis under the direction of the Executive Director.

IV. INFORMING CLIENTS OF AGENCY POLICY AND PROCEDURES

At the time of registration or enrollment for services, clients will be informed in writing of the agency's *Confidentiality Policy and Procedures* and the limitations to confidentiality (nonconsensual release). Additionally, at the client's first counseling session the staff or volunteer who is delivering



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direct services to the client will discuss the agency's policy. A copy of the *Confidentiality Policy and Procedures* will be made available to the clients at their request.

V. CONFIDENTIALITY OF MISSION GRANBURY BUSINESS

In addition to client-related confidentiality, all staff and volunteers are expected to treat all business conducted at Mission Granbury as confidential. This includes but is not limited to the following:

- All financial information
- All donor information
- All information about personnel
- Agency business discussed in writing and orally
- Any information discussed in writing and orally which is specially noted as confidential

Should an employee or volunteer receive queries about one of the topics itemized above or any other query not directly related to programs and services provided, those queries should be referred to the direct supervisor or executive director.

When in doubt about the confidentiality of a topic, don't discuss it or ask your supervisor beforehand.

All employees are expected to use professional judgment and avoid discussions with volunteers and other employees that are business-related and do not have a bearing on that person's work-related activities.

Consequences for breach of confidentiality may include termination.

VI. CERTIFICATION

Confidentiality is defined as the assurance that information regarding a client, staff, volunteer, and Mission Granbury business shall be strictly controlled. The violation of such control will be a breach of faith.

As a staff member or volunteer, I will consider all information regarding Mission Granbury's clients and business privileged, and I agree to keep this all in the confines of the agency.

Furthermore, I understand that staff and volunteer access to client files/records is limited and the limitations and procedures are defined in the Confidentiality Policy and Procedures.



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I hereby agree to follow the Confidentiality Policy and Procedures of Mission Granbury as stated above. My signature below certifies that I have read and understand this document. I agree to comply with all provisions in this document during my tenure with Mission Granbury, and I agree to comply with all of the provisions in this document should I terminate employment, board membership, and/or volunteer activities with Mission Granbury.

Staff/Volunteer Signature

Position/Title

Date