

Cambridge Rape Crisis Centre: Confidentiality policy

Cambridge Rape Crisis Centre (CRCC) offers a non-judgemental, free, confidential service. Strict confidentiality about individual service users, volunteers and staff applies as laid down in this policy.

Internal Confidentiality

The information shared between workers (paid and voluntary) and service users (helpline callers, email service users, Ch/ISVA clients and counselling clients) is confidential and should not be shared with any third party outside of CRCC. It is recognised however, that in some circumstances relevant matters concerning service users will be discussed internally with other workers, for example during supervision. Confidentiality is between the service users and the service, not between the service user and the individual worker. Such discussions should only be conducted on a 'need to know' basis.

Confidentiality Agreements

The confidentiality policy will be outlined to services users at the start of all face-to-face services, including counselling, Ch/ISVA and group work sessions.

Use of the confidentiality agreement within the Children and Young People's Counselling Service

A child is legally defined as someone under the age of 18, although children aged 16 or over are generally judged to be Gillick competent and can therefore sign the adult confidentiality agreement. Additionally, they are legally able to consent to therapeutic support without their parents' consent or knowledge.

Counsellors should use professional judgement when considering if a child between the ages of 13-16 is capable of consenting to CRCC's confidentiality policy. In cases where the client is deemed incapable or is aged 12 or under, a parent or guardian* should sign the confidentiality agreement in place of the child. There should be a clear written record of how this decision was reached.

If there is need to share confidential information that has been disclosed, consent will have to be granted by the person who signed the confidentiality agreement, in tandem with seeking the child's views on the matter. The Government guidance on Information Sharing states that practitioners should consider the following criteria when assessing whether a child or young person has sufficient understanding to consent, or to refuse consent, to sharing information about them:

Can the child or young person understand the question being asked of them? Has it been explained in a way that is suitable for their age, language, and likely understanding?

Do they have a reasonable understanding of what information might be shared; the main reasons that it might be shared; and the implications of sharing or not sharing that information?

Can they:

- a) appreciate and consider the alternative courses of action open to them;
- b) weigh up one aspect of the situation against another;
- c) express a clear personal view on the matter, as distinct from repeating what someone else things they should do; and
- d) be reasonably consistent in their view on the matter, or are they constantly changing their mind?

If the child is competent to consent, then their views must be respected even if their decision differs with the parents' or carers' views. In these circumstances the child should be encouraged to discuss their views with their carers or parents.

*The person signing the confidentiality agreement must have parental rights. In cases where parents are separated, the consent will usually be sought from the parent with whom the child resides. If the child is subject to a Care Order then the local authority will share parental rights for them with their parents and you should consult with the Counselling Coordinator who will contact the local authority in the first instance.

Written Records

We are registered under the Data Protection Act 1998 with the Information Commissioner's Office and abide by and adhere to their guidance on Data Protection.

All written records relating to service users will be kept at the centre, stored in a secure place and destroyed after seven years.

Breaching Confidentiality – Counselling service

Confidentiality can only be breached under specific circumstances as follows:

- If a client discloses information about a terrorist plan we are legally required to disclose to the Police.
- If a client informs you of their decision to kill or seriously injure another person this must be disclosed to the Police.
- If a client talks of known ongoing abuse of a named child (below the age of 18) we must encourage them to disclose, if they will not we must do so.
- We receive a court order requiring us to divulge information (see Court Summons Policy).

Any circumstances where confidentiality may be breached must be taken to the Counselling Coordinator in the first instance before any disclosure is made.

Breaching Confidentiality – Ch/ISVA service

Confidentiality can only be breached under specific circumstances as follows:

- If a client discloses information about a terrorist, plan we are legally required to disclose to the Police.
- If a client discloses their decision to commit suicide, this must be passed along to their GP or support worker, as appropriate.
- If a client informs you of their decision to kill or seriously injure another person this must be disclosed to the Police.
- If a client talks of known ongoing abuse of a named child (below the age of 18) we must encourage them to disclose, if they will not we must do so.
- If a client under the age of 18 discloses ongoing abuse and/or risk of abuse to themselves we must encourage them to disclose, if they will not we must do so.
- We receive a court order requiring us to divulge information (see Court Summons Policy).

Any circumstances where confidentiality may be breached must be taken to the Director in the first instance before any disclosure is made.

Breaching Confidentiality – Helpline and Email Service

Confidentiality can only be breached under specific circumstances as follows:

- If a caller below the age of 18 who is currently being abused chooses to give us their name and address, or if an adult caller chooses to give us the name and address of a child below the age of 18 who is currently being abused (see Child Protection Policy)
- We receive a court order requiring us to divulge information (see Court Summons Policy).

Any circumstances where confidentiality may be breached must be taken to the Named Responsible Person (see Child Protection Policy) in the first instance before any disclosure is made.

Anonymity – Helpline and Email Workers

All helpline and email workers are anonymous, and should not tell anyone other than close family and/or friends that they are a helpline/email worker. This anonymity continues after they have left the organisation. No-one involved in CRCC in any capacity should disclose the identity of or any information about helpline or email workers. This is so that callers are not put off from using either service because they are concerned that they will be speaking to someone that they know.

Helpline and email workers should never give away personal information to callers, except for their name or line-name if on the helpline. This preserves anonymity, ensures that the call is focussed on the caller and maintains boundaries.

For the same reasons, when speaking to a caller helpline workers must not disclose information about other individual callers, helpline/email workers or anyone else involved in CRCC.

After Leaving CRCC

Anonymity of helpline and email workers continues after they have left CRCC.

All volunteers and staff members should continue to maintain confidentiality about service users and CRCC policies and procedures after leaving the organisation. Current volunteers and staff members should not discuss service users or CRCC policies and procedures with former colleagues who have left the organisation.

CRCC Staff and Premises

Disclosures of information on any volunteer or staff member to any third party outside of CRCC can only take place with written authorisation of the worker concerned. This includes addresses or telephone numbers.

The location and address of the helpline, email service and counselling sessions will be kept confidential.

The location and address of the office should only be disclosed when necessary. The PO Box should be used for most correspondence.

All staff and volunteers (including both management committee and helpline and email volunteers) will be asked to sign a declaration which states that they agree to abide by the CRCC confidentiality policy.

Any volunteer or member of staff who breaches this policy will be subject to disciplinary proceedings and may be asked to leave the organisation (See Complaints Procedure).