

# CONFIDENTIALITY POLICY

## EXAMPLE

**Instructions:** This document is intended as an aid to assist non-State entities in establishing a confidentiality policy. It is not intended to be used verbatim, but rather to serve as a template for nongovernmental organizations as they craft their individual confidentiality policy. This example includes definitions of what is considered unacceptable, and the consequences of any breaches thereof. Each organization that chooses to use this template should take care to make changes that reflect the individual organization. For example, anywhere “the Organization” is used should be replaced with the name of your organization.

Employees, volunteers, and board members of Organization are bound by ethical and legal codes to protect the confidentiality and privacy of our clients and to protect and maintain the confidentiality of all information learned about clients, their family members and acquaintances in the course of providing services to them. Confidential communications include conversations, reports, forms, correspondence, and computer generated communications with, about or involving in any way any client of Organization. Minors are entitled to confidentiality also, and only the guardian of the minor can waive the confidentiality. Access to documentation shall be limited to an “as needed/need to know” basis.

### Storage of Records

Organization and its employees have an ethical and legal obligation to respect the privacy of our clients, and to protect and maintain the confidentiality of all information that we obtain about clients, their friends, acquaintances and family members in the course of providing services to them.

Client records are legally protected confidential records and must be treated as such. This means that client records maintained by Organization must be kept in a locked file at all times except when being reviewed or updated. Client records should always be maintained in office only.

It is unethical to discuss clients with family or friends, unless you are ordered to do so by a court or otherwise required by law. If someone insists on obtaining information and the client has not authorized it, immediately notify the Executive Director.

## **Areas of Confidentiality**

Confidential communications include conversations, correspondence, forms, reports and computer generated communications with, about, or involving in any way any clients.

Client confidentiality will be broken only under certain conditions.

1. When the client is a threat to others or self. Under NC law, if you have any reason to suspect a child is being sexually, physically, or psychologically abused or neglected, then you are required to report the situation to Child Protective Services.

NC General Statute 7A-543 – Duty to report child abuse, neglect, dependency , or death due to maltreatment.

Any person or institution who has cause to suspect that any juvenile is abused, neglected, or dependent, as defined by G.S. 7A-517, or has died as the result of maltreatment, shall report the case of that juvenile to the Director of the Department of Social Services in the county where the juvenile resides or is found. The report may be made orally, by telephone, or in writing. The report shall include information as is known to the person making it including the name and address of the juvenile; the name and address of the juvenile's parent, guardian, or caretaker; the age of the juvenile; the names and ages of other juveniles in the home; the present whereabouts of the juvenile if not at the home address; the nature and extent of any injury or condition resulting from abuse, neglect, or dependency; and any other information which the person making the report believes might be helpful in establishing the need for protective services or court intervention. If the report is made orally or by telephone, the person making the report shall give the person's name, address, and telephone number. Refusal of the person making the report to give a name shall not preclude the Department's investigation of the alleged abuse, neglect, dependency, or death as a result of maltreatment.

2. If client files are subpoenaed.