

Victim Counselor Training:

Confidentiality, Ethics, & Documentation



Confidentiality, Ethics, & Documentation

Why they matter

Applicable laws & standards

Skill-building/ Practice

confidentiality

*Why is it
important?*

“

It is not easy to share experiences of sexual violence; it requires a lot of courage and trust.

It is an honor for advocates to witness survivors breaking the silence of sexual violence.

- RESOURCE SHARING PROJECT

BUILDING TRUST




TERMS TO KNOW


- PRIVACY**
Survivor's right to make decisions about how much information to share with anyone
- CONFIDENTIALITY**
Duty to protect someone else's information
- PRIVILEGE**
Special legal protection for advocates and survivors so that communication can remain confidential
- P.I.I.**
Any data that could potentially identify a specific individual

Iowa Code 232.69

MANDATORY REPORTER

"...Persons enumerated in [232.69] **SHALL** make a report of abuse of a child who is under 12 years of age and **MAY** make a report of abuse of a child who is 12 years of age or older."





PERMISSIVE REPORTER

"Any other person who believes that a child has been abused **MAY** make a report as provided in section 232.70."

**ADVOCATES ARE
PERMISSIVE
REPORTERS**

**WHY WE DON'T REPORT OR
SHARE ANY INFORMATION
ABOUT A SURVIVOR:**

IOWA CODE 915.20A
VAWA, VOCA, FVPSA
WHY ELSE?

**When is it ok to
break
confidentiality?**



IMMINENT DANGER

REQUESTED BY SURVIVOR

**STATUTE OR COURT
COMPELS YOU**


INFORMED

WRITTEN

REASONABLY TIME-LIMITED

SPECIFIC

**Release of
Information
Forms**



Confidentiality/Documentation
relating to services for:
**Minors and individuals
with legal guardians**

A minor or a person with a legally appointed guardian who is permitted by law to receive services without the parents' or guardians' consent may release information on their own without additional parental or guardian consent.

**What questions do you have
about documentation?**

MENTI.COM



INTAKE FORMS & CLIENT NOTES/FILES

Who owns the contents?

- RIGHT TO DECIDE WHAT INFORMATION TO PROVIDE
- RIGHT TO REQUEST A COPY OF THEIR FILE OR VIEW IT
- RIGHT TO ANONYMITY
- LIMIT OTHERS' ACCESS TO FILE

WHAT SHOULD BE AVOIDED:

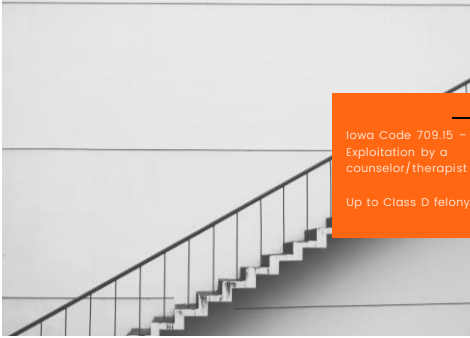
- OPINIONS, SUBJECTIVE INFORMATION
- VICTIM'S VERBATIM STATEMENTS
- CLINICAL DIAGNOSIS, SPECULATIONS, OR MEDICAL INFORMATION
- DETAILS OF ASSAULT
- INFORMATION FROM OTHER SOURCES

Ethics**DEFINITION**

Moral code, or philosophy, that guides a person's choices and behaviors throughout their life.

ETHICAL CONSIDERATIONS

SEXUAL EXPLOITATION
DUAL RELATIONSHIPS
SELF-DISCLOSURES
ACCEPTING GIFTS
PUBLIC ENCOUNTERS



Iowa Code 709.15 - Sexual
Exploitation by a
counselor/therapist

Up to Class D felony in some cases.



Your child's teacher calls the
hotline and wants to make an
appointment to discuss services.

DUAL RELATIONSHIP



A client asks about your
personal history, stating that
they believe that only survivors
of sexual assault or domestic
violence truly know how to help
other survivors.

SELF DISCLOSURES

PROPERTY OF IOWACASA
DO NOT DUPLICATE

Accepting Gifts

GENERALLY, ADVOCATES SHOULD NOT ACCEPT GIFTS. SERVICES ARE FREE AND DONE SO WITHOUT EXPECTATION OF ANYTHING IN RETURN.

Gift giving is an ancient and universal way to express gratitude, appreciation, altruism and love.

Rejecting a gift may mean a rejection or disrespect to an individual who's culture stresses hospitality.

Thank you gifts are an acknowledgement of your role, but keep in mind that the survivor has done all the work.



Public Encounters:

What should survivors know and when?

IowaCASA

IS HERE TO HELP.

Complex Cases

Provide resources

Review Agency Forms

Trainings

Resources

Iowa Code: <https://www.legis.iowa.gov>

VAWA FAQ: <https://www.justice.gov/ovw/page/file/1006896/download>

VOCA FAQ: <https://www.ovc.gov/VOCA-Administrators/VOCA-Rule-FAQs-508.pdf>

Confidentiality Toolkit: <https://www.techsafety.org/confidentiality>

CCR Toolkit: <https://www.victimrights.org/sites/default/files/CCR20Toolkit.pdf>

915.20 A

Victim counselor privilege

709.15

Sexual exploitation by a counselor

232.69

Mandatory & permissive reporting

Iowa Code References

