

**POLICY ON CONFIDENTIALITY**

**I. Access to Confidential Records**

In order for Big Brothers Big Sisters of Flathead County to provide responsible, professional service to clients, it is necessary for volunteers, clients and parents or guardians of clients to divulge extensive personal information about themselves and their families. The agency respects the confidentiality of client and volunteer records. Such personal information about clients and volunteers shall be shared only among the agency professional staff, with the exception of the specific situations described below.

Limits on Confidentiality

1. Except as otherwise provided herein, confidential information concerning volunteers, clients and parents or guardians of clients may be released to or obtained from other organizations or persons only upon written consent to release/obtain such information by the affected volunteer, client or parent/guardian. Information will be shared in summary form. Duplicates of agency records will not be shared.
2. Identifying information concerning volunteers and clients may be used in agency publications or promotional material upon consent, written or oral, by the volunteer or client.
3. For purposes of program evaluation, audit or accreditation, and with the prior written approval of the Board of Directors, certain outside bodies, such as Big Brothers Big Sisters of America, may be granted access to client and volunteer records. These outside bodies shall follow this Agency policy on confidentiality. Outside bodies shall use such information only for the purpose(s) stated in the approval action of the Board of Directors.
4. Client and volunteer information shall only be provided to law enforcement officials or the courts by the Executive Director pursuant to a valid subpoena.
5. Montana law mandates the reporting of suspected child abuse by professional persons and officials listed in Section 41-3-201, MCA(1991). The agency's professional staff shall report suspected child abuse to law enforcement authorities when the staff knows or has reasonable cause to suspect that a client is an abused or neglected child. Such report shall be made to the Montana Department of Family Services, 2282 Highway 93 South, Kalispell, Montana, or the Flathead County Attorney's Office, 920 South Main, Kalispell, Montana.

In addition, if the alleged offender is a Big Brother or Big Sister, the board president, legal counsel, BBBSA, and the agency's insurance carrier will be notified. The match will be suspended immediately.

6. Should the agency professional staff receive information that a client or volunteer may be dangerous to self or others, the Executive Director may authorize any Agency worker to take steps necessary to protect threatened individuals, including but not limited to making a medical referral or a report to law enforcement authorities. Clients and volunteers shall consent to this provision.
7. The Board of Directors shall have access to volunteer or client records only upon authorization by motion of the Board. Such motion shall state who shall be authorized to review records, the specific purpose for such review and the period of time authorized for such review. Any member of the Board granted such authorization shall be bound by this policy on confidentiality. A violation of this policy shall constitute good cause for removal from the Board.

Nothing in this policy shall be interpreted as preventing the Executive Director from presenting a monthly program report to the Board of Directors. The program report may identify volunteers and children by name only throughout the match process from inquiry to closure. The Executive Director may summarize other information about the program not otherwise subject to the policy on confidentiality.

8. Volunteer and client information shall be provided to the agency’s legal counsel in the event of litigation or potential litigation involving the agency. Information provided to counsel shall be considered privileged pursuant to Section 26-1-803, MCA (1991).
9. At the time a child or volunteer is considered as a match candidate, information may be shared between the prospective match parties. However, the identity of the prospective match mate shall not be revealed until the parent and volunteer agrees to meet.

Each match party shall have the right to refuse the proposed match based on the anonymous information provided. The information to be shared may include:

- A. Volunteer: age, sex, race, religion, interests, hobbies, marriage and family status, sexual preference, living situation, reasons for applying to the program and a summary of why the individual was chosen for the particular match.
- B. Child: age, sex, race, religion, interests, hobbies, family situation, living situation, a summary of the client needs assessment and expectations for match participation.

## **II. Safekeeping of Confidential Records**

All case files and case notes, both active and closed, shall be kept in locking file cabinets. No files may be removed from the premises without approval of the Executive Director. Closed files will be retained by the Agency for a minimum of seven (7) years, or until the child reaches the age of twenty one (21), whichever comes first, after which time basic demographic information will be saved, and the remainder of the record may be destroyed.

## **III. Violations of Confidentiality**

Violations of confidentiality by agency personnel may result in disciplinary actions, including warnings, suspensions, or termination. Violations of confidentiality by volunteers and parents will result in warnings and if necessary, match closure.

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I understand the agency policy with respect to confidentiality of client and volunteer records.

I agree to program participation under the conditions it sets forth.

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Volunteer/Parent/Guardian Signature

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Date