



SIERRA VISTA CHILD & FAMILY SERVICES

CODE OF ETHICS

I. PRINCIPLE OF CONFIDENTIALITY

Staff shall embrace, as a primary obligation, the duty of protecting the privacy and legal rights of others to promote trust and openness in all professional relationships.

No official, staff or contracted services provider of Sierra Vista Child & Family Services shall knowingly disclose confidential, client or patient information except as authorized or required by law, or otherwise use information except as authorized or required by law, or use such information for personal gain, benefit, or entertainment.

A. Special protection for the confidentiality of Sierra Vista Child & Family Services is provided by law. The following sections apply to the functions of all agency staff that have access to information about clients of Sierra Vista Child & Family Services.

1. No information about a client shall be communicated to any other person or agency unless the following conditions have been met:
 - a. A signed release of information has been obtained from the client for the purpose of transferring necessary and germane information.
 - b. There is no signed release, but the discussions, reports, and medical records pertaining to a client receiving services is limited only to those individuals within Sierra Vista Child & Family Services who have a clear involvement with the client's case and the need for the information. (Welfare & Institutions Code Section 5328)
 - c. There is no signed release, but a condition described in Welfare & Institutions Code 5328 that allows or requires release of confidential information has been met, and such a release is appropriate.
 - d. Staff providing services to clients pertaining to alcohol and drugs must adhere to the confidentiality sections of 42 Code of Federal Regulations.
 - e. Outpatient mental health records will not be released unless any applicable provisions of Civil Code sections 56.104 are also met.
2. Client information may be used in clinical discussions that are not directly related to treatment, and for training purposes, only when the identity of the individual has been appropriately and effectively disguised.
3. Exception to the confidentiality rules exist when an immediate danger exists to the client and/or others, (as mandated by law). This includes the reporting of suspected child abuse, the duty to warn of intended harm to others, and suicidal ideation/intent. Information should be given to appropriate professional and civil authorities after consultation with a supervisor. If a supervisor or on-call administrative manager is unavailable in an emergency situation, the involved staff member will act upon his/her own best judgment and report the disclosure and circumstances of the disclosure to his/her supervisor as soon as possible.

4. The client shall be informed, to the extent possible, about the disclosure of confidential information and the potential consequences, when feasible, before the disclosure is made. This applies whether staff discloses confidential information on the basis of a legal requirement or with client consent.
 5. With the exception of the circumstance listed above, staff shall under no circumstances purposely view client records of individuals not under their care or treatment, or for consultation or quality management purposes. Doing so may result in disciplinary action, up to and including termination.
- B. Staff shall protect the confidentiality of the client's written and electronic records and other sensitive information. They shall take reasonable steps to ensure the client's records are stored in a secure location and that those records are not subject to unauthorized access. Furthermore, precautions shall be taken to maintain the confidentiality of information transmitted by other parties through the use of computers, e-mail, fax machines, telephones, telephone answering machines, or any other electronic device or means.
- C. Records kept for clinical purposes shall contain no reference to behaviors not relevant to treatment and diagnosis. Subjective value judgments are not appropriate in clinical records. It is imperative to describe specific areas of problematic behavior without recording personal value judgments about this behavior.

II. PRINCIPLE OF RESPONSIBILITY TOWARD CLIENTS

Staff's primary responsibility is to serve the client. Staff shall perform their duties in a manner that assures the client's interests are being served above staff self-interests. **DO NO HARM.**

- A. Staff shall, through words and actions, respect and support the client's right to self-determination. Staff shall respect and respond to the client's right to individual choice regarding treatment.
- B. Staff shall, through words and actions, support the recovery of the clients served by the agency.
- C. Staff shall not physically, verbally or emotionally abuse any client.
- D. Any sexual contact or intimate touching by staff with persons to whom services are provided is prohibited. Staff will not engage in sexually seductive or harassing behavior and will not encourage such behavior in clients they serve. This prohibition also includes the client's family members involved in treatment.
- E. Staff shall not use, provide, or purchase illicit drugs for a person to whom they provide services or they have reason to believe is provided services by the agency. This prohibition also includes the client's family members involved in treatment.
- F. Staff shall inform clients of any risks, benefits, or other concerns or issues concerning a potential or existing treatment or treatment relationship that might affect the decision to enter or continue that treatment. This information will be given in terms and in the language that can be understood by the client and is sensitive to cultural diversity and special needs.
- G. Staff shall inform the client before treatment begins of the client's right to make decisions and participate in their treatment planning. This includes the procedures contemplated, medications involved, financial responsibilities, and the anticipated outcome and possible concomitant reactions and consequences.

- H. Staff shall inform the client of the client's right to consent to or refuse treatment, unless there is a legally defined emergency or legal determination of incapacity. If the client is a minor or otherwise lacks capacity to act on their own behalf, the parent or legal guardian of the client shall be informed of circumstances, which may influence the relationship between the client and the treatment provider.
- I. Any research study or project involving the participation of clients must be presented to Sierra Vista Child & Family Services. Prior approval from the Clinical Director and Executive Director is necessary in order to protect client's rights, privacy, and confidentiality. After approval from Sierra Vista Child & Family Services is given, the client must be informed by the researcher as to the nature, extent, and duration of the research, as well as the risks and benefits involved in participating. Researchers will then obtain voluntary written consent from each client who participates and inform the participants of their rights to withdraw at any time without penalty. Other specific permissions may be required for programs receiving contract funding.

III. PRINCIPLE OF RESPONSIBILITY TOWARD FAMILY MEMBERS

Family is at the core of a successful family and child therapy. Sierra Vista Child & Family Services recognizes that individuals often lack consistent family and social supports. We value family involvement. We acknowledge families as a valuable resource and encourage family involvement in order to improve service outcomes. In addition, we recognize that in caring for their loved one, family members may need our support and assistance as well. We also respect a client's right to refuse family involvement in their care. There are two exceptions to a client's right to refuse family involvement: exceptions exist when the client is a minor (except when the client is twelve years of age or over and consenting to receive alcohol and drug counseling services), and when the client is a conservatee.

- A. We define "family" broadly to include relatives, caregivers, peers, friends, and significant others as determined by the individual client.
- B. As legally appropriate, our clients determine the role of their families in the client's treatment. This requires staff to balance the benefit of family involvement against a client's right to privacy and control over their own clinical, behavioral or drug and alcohol services.
- C. Staff will pursue family involvement and support at every opportunity without compromising the rights of individual clients. Under law, clients have the right to confidentiality and privileged communication during their involvement with Sierra Vista Child & Family Services (with the two exceptions noted above). It is incumbent upon the staff of our programs to respect and protect this right.
- D. Family involvement will be promoted in all aspects of service planning and delivery, and families will be given, with clients, the continued opportunity to participate in the development of service planning. This participation will be with the client's consent, and will be encouraged at intake and continue throughout a client's involvement in our programs.
- E. Staff will provide resources and support to family members related to the challenges of care giving, and accessing Sierra Vista services and advocacy. In addition, time should be taken with family members to inquire about their needs with regard to the behavioral health problems their loved one may be experiencing: it is not uncommon for family members to experience a sense of crisis when their loved one is ill.
- F. When contacted by family members (except the legal guardian/parent of a child), a client must sign a Consent to Release Information form in order for staff to give client-specific information to family. Staff should determine what specific information the client is willing or unwilling to share rather than categorically releasing, or, in the event a client declines to give consent to communicate about their care, refusing to release all information.

IV. PRINCIPLE OF RESPONSIBILITY OF STAFF TOWARD ONE ANOTHER

Effective service requires working with others in a cooperative manner based on trust and respect. Thus staff shall treat others with the same dignity and respect with which they would like to be treated themselves. Staff shall maintain the highest standards of professional behavior and responsibility.

- A. Continuity is an important aspect of treatment. Staff will take appropriate steps to ensure positive contacts and referrals.
- B. Feedback or concern regarding a staff person's individual job performance should be directed first to the individual. If it is perceived that the staff person has not taken adequate steps to address the issue, the concerned staff person shall contact their immediate supervisor or the immediate supervisor of the fellow staff person. Staff should follow the chain of command for complaints. Complaints that jump levels will be directed back to their immediate supervisor.
- C. Staff shall treat each other with respect and shall represent accurately and fairly the qualifications, views, and obligations of fellow staff persons. Staff shall avoid negative criticism of fellow staff in communication with clients and each other. This includes demeaning comments that refer to a staff person's level of competence or individual attributes such as race, ethnicity, national origin, language, color, gender, sexual orientation, age, marital status, political belief, religion, and mental or physical disability.
- D. Staff shall not use illicit drugs, provide illicit drugs, or purchase illicit drugs.
- E. Respect for the rights and privacy of staff shall be maintained. It is possible that, at any given time, agency staff may have been clients of Sierra Vista Child & Family Services or the recipients of other mental health or substance abuse treatment services. Because of concerns that these may be perceived as actual imbalances of power, or the potential misuse of power, the goal of Sierra Vista Child & Family Services shall be "power-equity" which allows for shared goals to be achieved.
 - 1. In situations where it becomes known that a staff person is or was a recipient of mental health or substance abuse treatment services, Sierra Vista Child & Family Services is responsible to ensure that adequate safeguards and accommodations are in place to ensure that they are able to perform their duties. In addition to reasonable accommodations as required by law, clear roles and boundaries shall be developed and documented with assistance from supervisory staff.
 - 2. SVCFS does not allow staff to obtain counseling services at the Agency during their employment. Other arrangements for needed counseling services should be made. Staff members should not attempt to provide counseling services for their co-workers, supervisees, or supervisors. Such dual relationships are prohibited at SVCFS.
 - 3. In circumstances where a staff member may have a family member or loved one in treatment with another staff member, both staff members must refrain from discussions of that person's treatment.

V. PRINCIPLE OF RESPONSIBILITY TO THE PUBLIC

As representatives of a public entity, all staff carry the public trust as they execute their duties. In accordance with this, staff has the responsibility to avoid the appearance of any conflicts of interest, as well as having the responsibility to avoid any actual personal benefits, which may influence the

performance of their duties. This is especially true concerning services to clients and resulting financial benefits to staff or their families and significant others.

All paid and unpaid staff should:

- A. Never provide special favors or privileges or accept favors or benefits under circumstances which may be construed by reasonable persons as influencing the performance of one's duties.
- B. Make no private promises of any kind that conflict with one's public duty and responsibilities.
- C. Engage in any business activity which is inconsistent with the conscientious performance of one's duties.
- D. Never enter into any contractual agreement in which the staff person may benefit, or appear to benefit, even if the staff person is not directly involved in the development of the contract. If the staff person could influence execution of a contract either directly or indirectly to promote their personal interests, this would be a violation of the California Government Code, Section 1090, as well as a violation of the public trust. In any such situations, the affected staff person shall disclose their interest to their supervisor and shall refrain from participating in any and all discussions concerning the matter in which the staff person has a financial interest.
- E. Never use any confidential information received in the performance of one's duties for private profit or personal benefit.
- F. Never engage in outside activities that are incompatible with the objective performance of their duties or delivery of service.
- G. Promote only decisions that benefit the public interest.
- H. Faithfully comply with all laws and regulations applicable to Sierra Vista Child & Family Services and impartially apply them to everyone.
- I. Demonstrate the highest standards of personal integrity, truthfulness, and honesty in all public activities.

In the event a staff person conducts a private business related to their work as a staff person at Sierra Vista Child & Family Services (such as a private psychotherapy practice, a Residential Care Facility, or a consultation/case management service), the staff person will take care to maintain a clear separation between duties performed in their capacity as a Sierra Vista Child & Family Services employee and activities performed in their private business. This shall include not providing counseling, treatment, residential, linkage, or any other business services to individuals first met in the staff person's professional capacity as a Sierra Vista Children's employee. SVCFS requires that staff inform the agency of private practice work to ensure no conflict of interest or violation of agency policies.

(In compliance with California Government Code Section 1126 ©, in the event the agency becomes aware of a staff person engaging in any activity which is considered a conflict of interest, the staff person shall be notified of this, and disciplinary action up to and including termination may be taken against that staff person. The staff person may appeal, in writing to the Executive Director, in such a determination.)

VI. PRINCIPLE OF NON-EXPLOITATION:

Staff/Client Relationships

Sierra Vista Child & Family Services recognizes that the staff employed at the Agency have a genuine caring and commitment to the clients we serve. The Agency also recognizes that staff often wish to be generous of their own time and resources in which to benefit our children/families.

SVCFS has a strict policy regarding dual relationships between staff and clients. Dual relationships are defined as involvement with a client that goes beyond the usual service-provider relationship. Dual relationships can be social, financial, personal, and or sexual. For the protection of the clients and staff members, SVCFS strictly limits all forms of dual relationships between staff and the clientele of SVCFS. Specifically staff are prohibited from

1. Socializing with the clients/client families of SVCFS outside of the work environment.
2. Becoming an Agency foster home, receive agency children into their homes on a foster or adoptive basis.
3. Having a sexual relationship with clients and family/caregiver.
4. Fostering any personal relationship with clientele outside of the work environment.
5. Singling out clients/families for special favors or gifts. (The agency provides opportunities for staff to contribute to needy children and families in various giving programs).
6. Loan or borrow money from clients/families.

SVCFS recognizes that staff may have a pre-existing or unavoidable relationship with a client of the Agency such as membership in the same organization/neighbor/friends/relative/etc. When such a relationship exists, staff should immediately inform their supervisor. Under no circumstances should a staff person provide agency services directly when such a relationship exists.

1. Staff are responsible for the ongoing assessment of any potential dual relationship and for taking necessary steps to protect clients they serve, colleagues, and themselves, from abuse and misuse of power.
2. Staff shall immediately inform their supervisor when a dual relationship exists or if they are uncertain as to the nature of the relationship in which they are involved.
3. Supervisors are responsible for assisting staff in avoiding dual relationship and in taking action as indicated.
4. Staff who serve clients in a therapeutic alliance shall maintain the professional distance appropriate to that therapeutic alliance.
5. Staff shall carry out his/her duties in a manner that assures the client's needs are foremost.

Staff/Staff Relationships

1. Staff shall not engage in dual relationships with colleagues where there is a risk of exploitation or potential harm. A dual relationship would be defined as a relationship interest that exists apart from, or in addition to, the usual staff roles.

VII. PRINCIPLE OF QUALITY SERVICE

Clients deserve and expect the highest quality service. It is the responsibility of all staff to maintain the highest standards of professional competence and quality.

- A. Staff shall continue to participate in ongoing training and continuing educational opportunities in order to acquire current information related to the services they provide.
- B. Staff shall offer services using techniques that are generally acceptable in terms of

protocol and effectiveness in the professional judgment of the agency and by the community served.

- C. Staff shall be responsible for recognizing the limitations of their own competence, providing only services for which they are thoroughly trained. Staff will seek clinical consultation and supervision when it is reasonably clear that the client's best interest would be served by doing so. If there are any questions in this area, staff should consult with their supervisors.
- D. When a staff member is confronted by an unusual or problematic clinical or case management situation, he/she shall consult with his/her supervisors.
- E. Clients will be promptly referred when the present staff or program cannot provide needed services. Staff shall actively advocate with the client to obtain needed services and/or assist clients in solving problems and complaints brought to his/her attention.
- F. Staff shall refrain from treatment of a client when his/her own personal problems are likely to lead to inadequate services or harm to the client. When personal problems are experienced to this degree, it is the responsibility of staff to seek appropriate assistance.
- G. Staff shall not misrepresent their profession, credentials, qualifications, affiliations, and functions. He/she also shall not misrepresent the institutions and agency with which he/she is associated.
- H. Cultural Competence and Social Diversity.
 - 1. Staff shall understand the importance of culture and language and their functions in Human behavior and society, recognizing the strengths that exist in all cultures.
 - 2. Staff shall have a knowledge base of his/her client's cultures and be able to demonstrate competence in the provision of services that are sensitive to client cultures and to differences among people and cultural groups.
 - 3. Staff shall obtain education about and seek to understand the nature of social diversity with respect to race, ancestry, national origin, color, sex, sexual orientation, age, marital status, political affiliation or belief, religion, medical condition and mental or physical disability.

VIII. PRINCIPLE OF MORAL AND ETHICAL BEHAVIOR

The integrity of Sierra Vista Child & Family Services is of paramount importance. Staff shall behave in a manner that brings credit to the agency.

- A. Staff shall be aware of and sensitive to the social, moral, and legal codes of the communities in which they work. This principle should not be construed as an intrusion into the private lives of staff, but rather as recognition of the need for discretion in judgment about the relationship between private and job related activities in a public agency. When acting as a private individual, a staff person will do everything within his/her means to distinguish and separate his/her actions from those of Sierra Vista Child & Family Services.
- B. Staff that are licensed and/or certified, are referred to his/her own professional ethical codes, scope of licensure and other State Board regulations that are hereby incorporated by reference. Staff are also referred to the agency's policy and procedures (e.g., Harassment Policy, Workplace Safety, Drug-Free Workplace).

- C. All staff shall review and understand Sierra Vista Child & Family Service's Code of Ethics
- D. The foregoing Ethical Policy shall be viewed as a working set of principles and guidelines for the clinical operations and conduct of Sierra Vista Child & Family Services. Any breaches of this Code shall be reviewed within the framework of the Personnel Ordinances and Policies of Sierra Vista. This Code will be modified or expanded as circumstances and additional data dictate. Comments, criticism, and suggestions are welcome and should be addressed to the Clinical Director/HR Director. Each accepted change to this Code of Ethics will be published over the signature of the Executive Director.
- E. Every Sierra Vista employee, volunteer, and contracted services provider will sign this Ethical Policy acknowledging understanding and acceptance of the full content of the policy.

Employee Signature

Date

Employee Signature

Date

Revised: 7/1/03