



8. Violating Confidentiality

By James D. Craig, PhD, LMFT

The following vignette is an excerpt from an upcoming book by Dr. Craig. It is designed to give pastors, professional therapists, and pastoral caregivers options for dealing with ethical challenges. It is copyrighted and may not be duplicated, edited, or transmitted in any form without the written permission of the author. If you would like to duplicate or transmit any of this material, contact James D. Craig at jcraig@northernlightcc.com.

Case Study

Her two children were up all Thursday night, coughing and running low-grade fevers. Sally knew they would not be able to go to school Friday morning. Still, she needed to meet a customer at the office and turn in her weekly expense report.

Sally called her neighbor Frieda—a sweet older lady who also attended Pleasant Grove Community Church—and asked her to sit with the kids for a couple of hours. Frieda came over immediately, reassuring the harried young mother that she was happy to back her up. “Don’t worry, honey” she said soothingly, “Take your time, and I’ll handle things until you get back.” Sally hated to take advantage of her elderly neighbor, but she also hated the idea of losing a sale that would meet next month’s house payment.

On the way to work, Sally touched up her lipstick and recited her sales presentation. Primed and pumped, she pulled into the parking lot and strode confidently toward the sales office. As she got closer, she noticed a yellow piece of paper taped to the glass door. It was a handwritten note from the receptionist saying the customer had rescheduled the appointment for Monday afternoon.

Angry she had wasted time and money driving over, and feeling freshly guilty for abandoning her sick children and taking advantage of poor Frieda, she got back in her car and headed home. As she unlocked the front door and began to open it, she saw Frieda stepping quickly from the den into the living room. Sally thought it was odd her neighbor would be in the den, a small room Sally used as her home office. The bathroom and her children’s bedrooms were down the hall, and the kitchen was on the other end of the family room, so there was really no reason for her neighbor to be in the den. For an instant, she considered the possibility that Frieda might be going through her things.

Pushing her suspicion aside, she greeted the smiling older woman and thanked her profusely for watching the kids. Frieda graciously reminded her “This is what neighbors are for.” Sally let her out the front door and watched until she was safely across the street.

Frieda unlocked her front door and hurried to her telephone. While rummaging through the papers on Sally’s desk, she had accidentally bumped the computer mouse. The screen saver popped off, revealing an email Sally had read but forgot to close. The email was from Jennifer, the assistant minister’s wife. The old busybody did not know how to scroll down the page, so she had read only half the email—the part where Jennifer expressed fear that her husband Dave was attracted to other women.



Frieda told herself her discovery was purely accidental—perhaps even God’s will. She also rationalized, as most church busybodies do, that the information should be disseminated so people could *pray specifically* for Dave and Jennifer. Not knowing the content of the second half of the letter—the part where Jennifer confessed her irrational fears and insecurities and praised Dave for his faithfulness—Frieda added a bit of speculation. Within an hour, the story was circulating that Dave was involved with other women, and that his wife was counseling with Sally about the best way to file for divorce. Jennifer was shocked when a friend told her the story, complete with details that must have come from the email she sent to Sally.

At the next church board meeting, an understandably enraged and broken Dave resigned his ministry, stating that false rumors had ruined his reputation. He also accused Sally of breaking confidences and spreading rumors—a charge the circumspect lady denied vehemently.

The board was divided. Two members suggested that Sally be asked to resign as a small/support group leader until the source of the leak was found. Most defended Sally, affirming her character and stressing that someone else must have generated the rumors. At the end of the four-hour meeting, a majority agreed to accept Dave’s resignation. Larry, the board chairman, assured the young minister he would receive a generous severance package and a positive letter of reference *if he left town immediately*.

The Problem

The contents of counseling sessions are confidential. Neither verbal information nor written records can be shared with anyone without the written consent of the counselee or the counselee’s legal guardian. The goal is to promote trust.

Though a state agency may not be able to pull their licenses, pastors and other church-centered counselors know they should not divulge information gained in counseling sessions. Even so, they are often tempted to disclose confidential information to hungry listeners. For pastors, detailed stories from counseling sessions add crowd-pleasing realism to sermons and lessons. For volunteer caregivers, revealing inside information makes them feel important and needed.

Pastors and volunteer caregivers often leak confidential information in the form of prayer requests. This is a major problem, especially in a small congregation that expects its pastor to know everyone personally. For example, I recently attended a prayer service where the pastor announced, “We have a lady who has asked us to pray as she undergoes surgery.” Someone from the congregation called out “Are you talking about Mary’s breast cancer or Susan’s hysterectomy?” The pastor immediately answered in a somber tone, “Actually, Mary had a needle biopsy that showed her lump is benign. But Susan is not out of the woods yet—the doctors are worried she has cancer.”

I was alone in gasping at this egregious violation of confidentiality. Apparently, this was business-as-usual for a congregation that expects its pastor to discover and disseminate such information publicly.



Medical details are not the only confidential data routinely circulated through prayer requests. Impending divorce filings, adultery, drinking, gambling, and teenage drug, and other intensely personal data are often aired during open prayer times. Proponents believe such communication allows the church to function as a timely, effective need-meeting organization. Opponents (like myself) believe such “sharing” is unethical, vulgar and counterproductive.

Details disseminated through prayer requests effect a congregation like a serious automobile accident effects passing drivers. Everyone slows to get a voyeuristic peek at the carnage, ostensibly concerned about the victims yet secretly glad it happened to someone else. This process creates an illusion of intimacy. Participants get a sense of being personally involved with people they don't know or care enough to contact. In the mean time, truly troubled people quickly learn not to reveal their problems unless they want to be featured in the church bulletin or during the next prayer session.

Church office workers can also be part of the problem. They often report who comes to see the pastor, and they have access to appointment books and computerized databases.

Counselees are part of the problem, too. They routinely blab everything that was said in counseling sessions to family and friends, embellishing the content and spinning the meaning to support their contentions. Often, their rendition of what was said is skewed and accusatory, e.g. “I went to the pastor for counseling, and he told me to get an abortion” or “I asked the counselor what to do and he advised that I leave my husband.” Pastors and counselors often feel they must defend themselves against such slander, as so are tempted to do so by revealing the actual content of the session.

Computers have taken the problem to a new level. With the widespread use of local area networks, disks, emails, scanners, attached files, and removable storage media, protecting confidential documents becomes even a greater challenge.

Violating confidentiality destroys trust. Counselors in a church setting who intentionally or carelessly release confidential information forfeit their credibility, multiply the counselee's shame by revealing information that is potentially humiliating and degrading, and in extreme cases, invite lawsuits.

The Solution

As hard as it is for some of us to believe, unauthorized snoops *will* be going through the trash, rifling desktops, and accessing computer files. They will also strike up conversations with pastors, small group leaders, and other caregivers, skillfully teasing out information they can pass along. Their selfish actions can destroy trust, ruin reputations and hamstring the work of the church.

Determined thieves can break into just about any church office, but they are usually looking for money or other valuables. The greatest threat to confidentiality comes from casual and accidental onlookers who glean information left out in the open. The church can adopt simple, inexpensive methods to frustrate these onlookers, such as providing a shredder for every office, locking offices



when staff members are out, limiting janitor access, and locking all giving records in fireproof filing cabinets.

Computer experts may be able to hack-in anyway, but using effective passwords is a great first step to protecting electronic and voice mail files. Sensitive information can be saved on internal hard drives rather than the network drive, and initials can be used on computer schedules to identify counseling clients. (Most scheduling software has a place for notes that do not appear on the daily schedule. People passing the terminal, even if the schedule is displayed, see only “RR” or “JC”. The names and phone numbers of clients are placed on a “note” and accessed only if needed.) Church boards should be prepared to terminate employees and remove volunteers who carelessly or willfully violate confidentiality.

Pastors and volunteer counselors must refuse to enter into conversation concerning their clients. This means refusing to even acknowledge they are counseling with someone. When asked to release information they have gleaned in a counseling session, they must be ready to respond firmly:

Actually, I can't discuss who I see or what is talked about in counseling. I want people to know they can come to me in complete confidence. It's a matter of basic trust and integrity. I know you would not want me to violate these principles.

Of course, confidentiality is not absolute. For example, laws require professional counselors, ordained clergy and lay volunteers to report suspected child abuse and other criminal behavior. Counselors are also required to report suicide threats, threats of violence, prenatal exposure to controlled substances, and professional misconduct to legal authorities. Parents and legal guardians always have the right to their children's records.

Pastoral Teaching Tip

Judging from biblical reports, the prayer services of the early church were a lot different than the “organ recitals” common in today's congregations. The scriptural record reflects a concern with more than material/physical issues. We know Paul prayed three times to have “the thorn in the flesh” removed from him (I think he suffered from malaria), and that God responded “My grace is sufficient for you, for power is perfected in weakness.” (II Corinthians 2:9) The apostle did not focus primarily on his disease, but on how it kept him humble, allowing God to be magnified rather than himself.

Early Christians were focused on public witness rather than personal wellness. They prayed for courage and boldness as they preached the gospel. For example, in Acts 4:24-30, we have a public prayer offered by Peter and John after being released from custody. Their prayer magnified God, explained the opposition they faced, led believers to accept God's will, and asked God for courage to speak with confidence. While healing was mentioned (vs. 30), it is listed along “signs and wonders” given to confirm their Holy Spirit-given authority to preach Christ.

One way to teach these principles dynamically is to change the format of public prayer requests. Instead of emphasizing disease, public prayer should emphasize the opportunities for witness and



corporate responsibility. For example, “Let’s pray that Mrs. Smith’s breast cancer surgery is successful” can become “Let’s pray that Mrs. Smith is able to face this trial with confidence, and that we have the courage to provide the love and support she needs to get through it successfully.” The first sees only the illness and the responsibility of the medical staff, while the second promotes a powerful testimony with congregational accountability. The first lends itself to empty symbolism and self-serving detachment, while the second generates a specific follow-up strategy and action.

Emphasizing Mrs. Smith’s breast cancer reveals information she might prefer be kept between herself and her doctor. It also sets the pace for subsequent, ever-more-explicit, competing requests. Mrs. Smith’s breast cancer will be followed by Mr. Jones’ heart attack suffered last Monday in the country club locker room, followed by Mr. White’s low sperm count that is making it virtually impossible for Mrs. White to conceive after three years of trying naturally to have a baby. Worshippers get caught in a one-up contest that requires gory details and invites judgmental cruelty. Did Mrs. Smith ever quit smoking? How can Mr. Jones afford a country club membership *and* build a new house this year? How often are the Whites “trying”, and have they considered the possibility that God might not want them to have a child?

Emphasizing Mrs. Smith’s courage and planning ways to support her show both a concern for her privacy and a desire to help her tangibly. It also sets the stage for subsequent requests that result in the sensitivity and discretion summarized by the word “confidentiality.”