

CAJ

{ *the provision
of professional
assistance and
guidance in
resolving personal
or psychological
issues* }

COUNSELLING

defining

Part 1

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Book reviews



Confidentiality and record keeping in counselling and psychotherapy (3rd ed)
By Barbara Mitchell and Tim Bond

Reviewed by
Anne Gilbert

Every therapist will face issues regarding confidentiality and record keeping at some point in their career, but how up to date is our knowledge of the law that governs these areas? First published in 2008, with a second edition in 2015, the third edition of this book provides a wide-ranging whistle stop tour of the field. It aims to help therapists and trainees understand the legalities, values and ethics of confidentiality and record keeping. Basic issues – such as confidentiality from the viewpoint of clients and therapists, and how long records should be retained – are explored.

This edition encompasses recent legal changes, including the EU General Data Protection Regulation. In addition, it includes some of the changes to practice invoked by COVID-19, such as working online and storing data electronically, as well as recent changes in mental health and child protection law. I particularly enjoyed section five, which deals with common dilemmas therapists might encounter in their practice. The authors pose pertinent questions to guide readers through a process of decision-

making appropriate for complex situations.

Written in a clear and easy-to-digest style, the book is well organised and brimming with useful information. Numerous case examples and vignettes bring the text to life. There are also plentiful details of further resources, case law examples and check lists. No doubt trainees and many therapists will enjoy reading this book from cover to cover, but it's also an indispensable reference book for dipping into. I highly recommend it to anyone working in the field of therapy or allied professions such as coaching.

About the reviewer
Anne Gilbert is a gestalt psychotherapist and supervisor based in the UK.

© First published in *Therapy Today*, the journal of the British Association for Counselling and Psychotherapy (BACP). This review has been edited for Australian readers.



Attachment, relationships and food: from cradle to kitchen
By Linda Gundy (editor)

Reviewed by
Dr Linda Hanson PhD

Certainly not a book for light reading, this is best read with pen and paper for note taking. The nine chapters, individually authored, address many different perspectives of – as the title says – attachment, relationships and food from cradle to kitchen. While there are too many references to study in detail, the cited studies offer opportunities for exploration into the philosophy of attachment and food. The references are placed at the end of the appropriate chapter to avoid an overwhelming bibliography. There is also a comprehensive index.

The age-old necessity of feeding has altered drastically in relation to food itself, and how it is prepared and consumed (Chapter 3). Do these changes reflect or dictate the mental and emotional impact of attachment and relationships? From birth to death, this book explores different perspectives of this most important attachment to food, the process and the outcomes.

Attachment is vital for survival. Acceptance into the group meant protection of the tribe (Chapter 40), a better chance at survival and a successful, reasonably safe and healthy life. Rejection meant death – being put outside the

palisades and left to die from hunger or illness, and threatened by wild animals or hostile tribes (Chapter 1). Is it possible that attachment problems are the innate drive for survival? The generational memory is one of being rejected, triggering the fear of death; challenging the degree of confidence in being able to survive alone; or questioning the expectations of success or failure behind the palisades of being 'good' enough in order to stay loved and protected; living with the stress of always having to demonstrate certain behaviors to remain accepted and attached ... and safe.

Food, in all its aspects, tastes and purposes, has changed (Chapter 7). Previously, the flavour of the finished meal was only part of the eating process in community settings. All these once-familiar gatherings of family and friends have been relegated, somewhat reluctantly, to treasured memories in the current stressful environment of fear and separation (Chapter 4).

A significant number of family meals have been relocated from the warmth and aromas of family kitchens to restaurants and takeaway businesses. Intimate attachment has been transferred from the beloved home cook to the menus of different culturally based restaurants. Now, prospective diners recommend places, not people. No longer



Note-taking: the ins and outs

It is extremely important that professional supervisors have a good knowledge of what is appropriate and what is not with regard to note-taking. Not only do professional supervisors need to be aware of their own notes, but they also need to ensure their supervisees are keeping appropriate notes. Notes can be subpoenaed and, therefore, if they are not correctly written, the conduct of the supervisee and their professional supervisor will be brought into contention. Notes need to be legible, concise and accurate (Despenser, 2004; Presser & Pfrost, 1985).

For the supervisee, accurate notes are useful when debriefing with your professional supervisor, particularly if a difficult case was experienced several weeks before your professional supervision. Reading your notes the day after seeing a client can



Photo: Pexels/ Alex Green

also be enlightening – you may find you have been judgmental, or your own belief system is interfering with your objectivity. Read notes critically, but do not change them; learn from them (Dispenser, 2004; Presser & Pfof, 1985).

Taking notes is a contentious issue. Should you take notes, and if so, how much should you document and how should you reflect statements? What words are appropriate and what words will leave us professionally vulnerable? There is no real answer; but consider: will your notes be adequate and not incriminating if you are called upon by a court to divulge them, and will your client sue you after reading them? It is a good idea for professional supervisors to critique their supervisees' notes, particularly those of new supervisees.

Clarity in documentation

The following is an excerpt taken from the American Counseling Association and written by Robert W Mitchell, ACSW. This document, entitled *Documentation in Counseling Records*, is relevant for any professional who is required to take notes (Mitchell, 2000; see also Armstrong, 2006).

Mark Twain once said to would-be writers, "As to the adjective, leave it out." His words have meaning to us today. He meant that when you write an adjective, for better or for worse, you give an opinion. Adjectives must be carefully chosen, or even replaced, if language is to be clear and precise.

Examples of the need for clarity and precision are the focus of this article. Your written words are the only record of a session you have with a client, and those will count for nothing, for your agency's purposes or in a courtroom, if you have not written them down accurately.

Let's take an example: *The sky is blue ... no, the sky is generally blue ... no, the sky generally appears to be blue ... no, in some parts of the world, what is generally thought of as the sky sometimes appears to be blue.* We sometimes make things harder on ourselves when we go

to extremes. All we need to say is the sky is blue. In many instances, the work we do is simple and very straightforward; we don't need to mystify it with complicated or confusing words.

Here's another example: *Jerry is exhibiting signs of depression ... Jerry is depressed.* These sentences are grammatically correct, yet I am unsure what exactly is meant. An attorney would have a great time with either of those statements, saying the writer was judgmental, prejudiced. The client was simply a quiet, unassuming person whose behaviour produced unwarranted and false conclusions. To eliminate that possibility, all you need to do is add a simple clarifying phrase. If Jerry is depressed or showing depression, add something like 'because he lost his job'. If Jerry is repressing his emotions, add 'by not answering questions and by changing the subject'. What clues tell you Jerry is depressed? Add 'he said he has not been able to eat or sleep and is concerned about the crying spells'. Now your conclusions are supported with specifics.

Let's consider more examples:

- A favourite but inadequate phrase in records involves 'negative attitude'. Again, that is too vague and too judgmental. To make it clear, write something like: 'learn to discuss problems instead of throwing things'.
- A frequent goal is 'improve hygiene'. That's too vague because it doesn't tell you enough of a story. You must be specific. How about: 'brush teeth and shower each day'?
- Don't write: 'learn to become more independent'. What does that mean? Set up a business?

Leave a husband? The specific goal could be: 'get up in the morning and report to job on time'.

- 'Increase self-esteem' is another favourite goal, but it's difficult to really sink one's teeth into such a phrase. How about: 'will not be critical of self or personal decisions about disciplining children'. See the difference?
- The record may read: 'client participated in chalk talk'. What does 'participated' mean? Will every reader understand that a 'chalk talk' in this instance is a chemical dependency lecture? Did the client talk? Cry? Take a swing at another client? Or at you? Someone can participate in an active or a passive way. So one word doesn't tell much. To clarify 'participate', add for example, 'client revealed examples of how he had fooled himself about the increasing use of drugs. He reported denying the importance of wife's complaints. The group encouraged his willingness to open up.'
- Since part of our topic concerns communication, let's take the phrase 'communication problem'. Again, what does this mean? Why not list the exact problem; for example, 'stuttering', 'speaking too fast' or 'talking around the subject'.
- Is your client withdrawn? How do you know that? Write instead, 'Suzanne is withdrawn as evidenced by the fact that she spends all her time in her room and refuses to even eat meals with her family.'
- To characterise someone as 'aggressive' is not enough. Does the client fight? Push? Scream?

Kick? Do not leave room for interpretation. If the client described eventually takes you to court, the term 'aggressive' used alone could be interpreted by the attorney as a positive characteristic, not a negative one.

- If a client is unemployed, there may be more to the situation. Clarify your entry by adding something like 'has been fired from last three jobs for drinking and excessive absences'.
 - You can define the term 'nervous' by writing something like 'not eating; sleep is not restful; screams at children'.
 - Instead of 'feels bad', write 'history of high blood pressure and heart condition'. Remember: one can feel bad physically and/or emotionally. That holds true for another one-word problem: health. Enter something like 'asthmatic condition requires expensive medication, so the client does without'.
 - When the client is ambivalent, you need to know why. So does a record user. Enter something like 'She cannot make a decision about continuing in a marriage with an abusive spouse'.
 - We often think we are describing a behaviour when we say, 'Henry is lazy', or 'Laura is aggressive', or 'Karen is withdrawn'. These statements do not describe behaviours; they make undefined judgmental observations. That could be disastrous for a supervisee and the agency. What characteristics or symptoms give you cause to think the way you do? Write them down!
- As you are choosing words, remember, it is a complex task. Your



choice could convey, deliberately or not, a view that tends to be too negative. Consider these examples and decide which is better: dumb or limited intelligence; cheap or economical. It is vital that your words be clear and precise to satisfy your profession, external auditors, your client and attorneys, should the need arise. It is necessary to substantiate your observations and give them authority. Remember: good entries are precise and current.

There is also the matter of timeliness. The word 'current' is a directive to record information immediately. Waiting even one day can blur accuracy. Those who wait until the last minute to write their entries often suffer from fainting spells, anxiety attacks and acute writer's elbow – a heavy price to pay.

Your client should be an active participant in setting goals, writing staff notes and plans and document client participation, perhaps including the client signature. Set goals the client will understand,

agree with and accept. Objectives must be specific, measurable and meaningful to the client. Set a date for achievement of those goals. Define the methodology to be used in goal achievement. Do not create a reasonable doubt – that's a lawyer's job! Using words that are not specific or that create vague impressions could equate to an opinion, leaving room for reasonable doubt and the possible destruction of your credibility.

The writer's reasonableness and credibility can be assumed not only from the words but also from the readability and appearance of the record. Did you ever stop to think that a record's appearance affects a reader just as the appearance of a speaker affects a listener? There are several major factors that will influence the written word's credibility and clarity:

- Legibility. Scrawled, scratchy or sloppy handwriting, which is difficult or impossible to read, may make the writer appear irresponsible, fairly or unfairly.
- Spacing. Small writing that is

crammed into a small space not only says something about the writer's concept of what is important but also frustrates the reader, who may already be looking for a way to use the record against you.

- Format. Disorganised filing, half-completed forms and a rambling assortment of ideas leave too much room for doubt.

Not taking care of the appearance of a document may be construed as an indication of disregard for the client and a lapse in professional accountability. ■

Excerpted from:

ACA Legal Series: Volume 2:
Documentation in Counselling Records
Author: Robert W Mitchell, ACSW Series
Editor: Theodore P Remley, Jr, JD, PhD

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Being published is part of career advancement for most professional counsellors and psychotherapists, particularly those who wish to advance in academia.

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Counselling Australia is designed to inform and discuss relevant industry issues for practising counsellors, students and members of the Australian Counselling Association. It has an editorial board of experienced practitioners, trainers and specialists. Articles are invited to be peer-reviewed and refereed or assessed for appropriateness by the editor for publishing. Non-editorial staff may assess articles if the subject is of a nature as to require a specialist's opinion.

The quarterly journal is published every March, June, September and December.

Do you have a definition of counselling to share? We'd like to hear it.

**Email the editor
aca@theaca.net.au**

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Counselling Australia is committed to valuing the different theories and practices of counsellors. We encourage readers to submit articles and papers to encourage discussion and debate within the industry. Through their contributions, we hope to give contributors an opportunity to be published, to foster Australian content and to provide information to readers that will help them to improve their own professional development and practice. We wish to promote to readers the Australian Counselling Association and its commitment to raising the professional profile and status of counsellors in Australia.

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- Articles are to be single-spaced and with minimal formatting.
- Articles must be submitted with a covering page requesting a peer review.
- Attach a separate page noting your name, experience, qualifications and contact details.
- The body of the paper must not identify the author.
- Articles are to contain between 1500 and 5000 words.
- Two assessors, who will advise the editor on the appropriateness of the article for publication, will read refereed articles.
- Articles may be returned for rewording or clarification and correcting prior to being accepted.

Conditions

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