



## **Informed consent and confidentiality issues to be considered for online therapy**

This resource has been developed by the PACFA Ethics Committee to guide counsellors and psychotherapists who provide online therapy. It covers some important points to be considered in order to provide online therapy services safely and ethically.

- You can use your usual consent form for face to face counselling but note the modality on the form (e.g. Online Counselling/Psychotherapy process)
- Get email addresses well before your first session with enough time to email the consent form to your client. Inform them you will go through this at the start of the session and that they can ask questions if they wish. Ask them to sign and email back to you before the next session. Note in your records that the process has been followed.
- Set up a system for receiving payment – either via an EFTPOS machine or direct bank transfer. Obtain payment while your client is online, at the end of the session as you would if they were seeing you face to face.
- Make sure you get an emergency contact from your client in case you identify issues of risk during the session
- Ensure your internet connection is strong enough and have a backup source in case it drops out. Inform the client at the start of the session what you will both do if one of you drops out e.g. contact by SMS
- If internet connections are not good, both you and the client could switch off your cameras, so you are effectively doing a voice only session. This reduces the bandwidth and might result in a better connection.

Issues of privacy and data security also need to be considered when engaging in online counselling/psychotherapy. These include:

- Implementing physical privacy conditions: If you are both using the camera, they see some of the room you are in. Ensure the background they see looks professional. Explain: you are alone, using headphones (or not), door closed, you may be taking notes during the session etc.
- It is your responsibility to demonstrate that reasonable steps have been taken to ensure that online technologies meet privacy obligations. As part of informed consent procedures, the possibility of potential electronic security breaches should be discussed with your clients, as well as strategies clients may employ to secure their own devices and connection such as using virus protection software, ensuring they are alone, no one can hear the session, using headphones if possible.
- Counsellors/psychotherapists should also take reasonable steps to secure data, such as using separate devices for business and personal use, keeping security software up-to-date and encrypting personal data. Make sure your client knows you are taking these steps to keep information private and confidential.
- Online technologies such as Zoom have recording facilities which sometimes occur automatically. You must make sure these are turned off.
- You must ensure you practice in accordance with the privacy and legal requirements (e.g., mandatory reporting) for the jurisdictions in which services are both provided and received. For example, if a Queensland-based practitioner delivers services to a client residing in the Northern Territory, the practitioner must practice in accordance with laws and requirements in both jurisdictions.

The Australian Government's digital mental health gateway, Head to Health, provides resources for clients and practitioners using digital technologies in their practice. To access these resources, go to <https://headtohealth.gov.au>.