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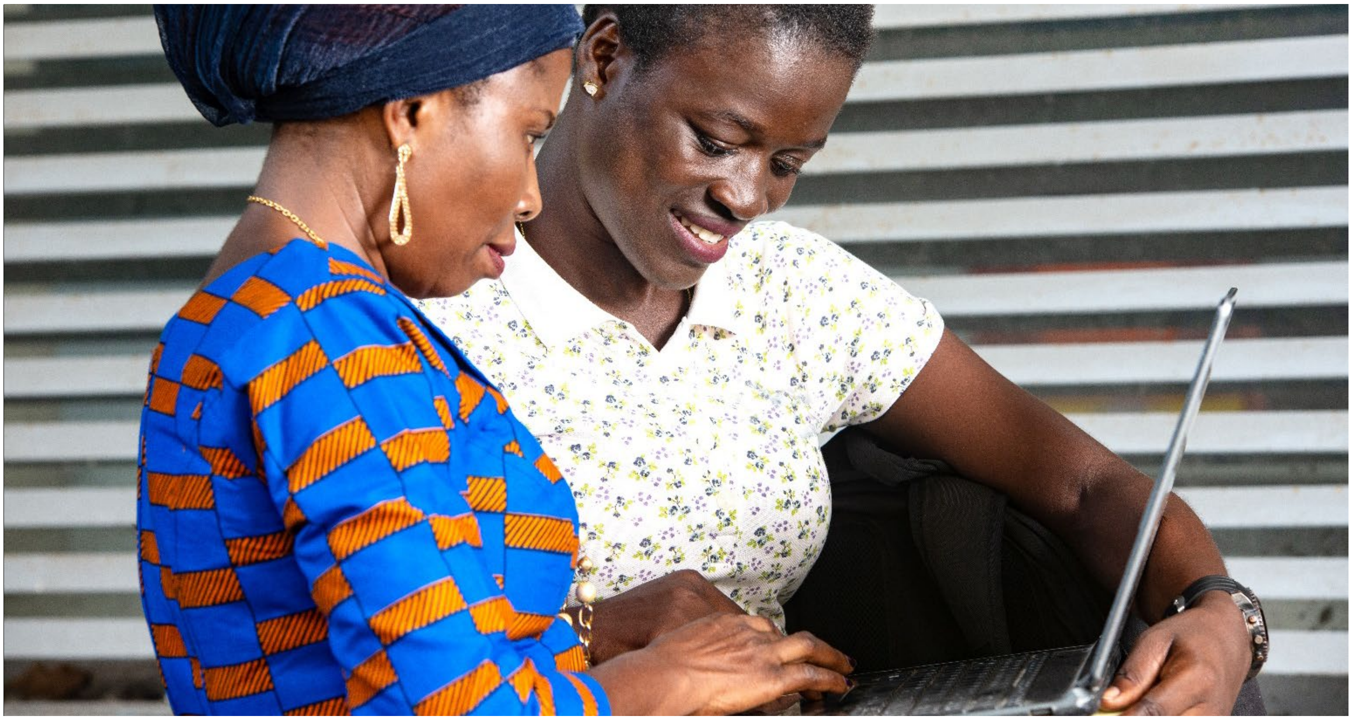

# Discussing Client Rights and Responsibilities

By recognizing and respecting the rights of clients in an ethical and transparent manner, refugee service providers can improve client services, care, and outcomes. This information guide explains the benefits of discussing rights and responsibilities policies with clients and offers suggestions for making the discussion meaningful.

*Note: the information in this guide is relevant to client services generally. The sample language provided is not intended to address the specific compliance requirements of individual grants or programs. Several types of services, particularly immigration legal services, require specific policies on client rights, responsibilities, and confidentiality that are not discussed here.*

## Why Review Rights and Responsibilities with Clients?

Having a client rights and responsibilities policy is critical for educating clients on service expectations in the U.S., establishing feelings of safety and trust, and laying a foundation for successful work together. Discussing rights and responsibilities:

- Signals to clients that you respect them and care about their wellbeing.
- Helps restore a sense of safety and trust in clients who may have had their rights previously violated.

A **client rights and responsibilities policy** describes the ways that clients are entitled to be treated in the context of programs and services, as well the ways that clients are obligated to treat service providers, partners, and other clients.

- Educates clients about what to expect from your organization and other service providers in the United States.
- Empowers clients and informs them of their options by letting them know what they can do when their rights are violated.
- Tells clients exactly what you do with their information, which can decrease distrust or misunderstandings.
- Helps clients make informed choices about what information to share, and what will happen to certain information if they choose to share it.
- Proactively sets expectations for how clients are expected to engage with programs, services, and staff, which can contribute to fewer negative events for both staff and clients.
- Provides staff and clients with a shared foundation of understanding, which can be helpful if staff have to break confidentiality (privacy) or hold a client accountable because of certain behaviors.

## Who Should Be Involved in the Discussion?

Client rights and responsibilities should be reviewed with all adult clients entering services; with youth clients who are entering services independently; and with the parents, guardians or caregivers of children and youth who are entering services with parental consent. In general, use the following guidelines:

- **Adults over age 18** – Review with each individual who is entering services (not with each case or family as a whole).

- **Youth aged 13 to 17** – Review with each individual who is entering services independently (where parent/guardian/caregiver consent is not needed to enter services). If the youth is entering services with parental/guardian/caregiver consent, review with both youth and parent/guardian/caregiver.

- **Children under age 13**– Review with parent/guardian/caregiver.

## Sample Scripts

"Before I ask you any questions today, I want to make sure you understand your rights. It is important to me and to [Organization Name] that you know what you can expect from us, what we expect from you, and what you can do if you have any concerns. If you have any questions or concerns, or if you don't understand something, please let me know."

Even if these topics have been discussed previously, it can deepen trust and rapport to review them, particularly when a client enters a new program. For example, you might say, "When you entered services at [Organization Name], another staff member discussed our Client Rights and Responsibilities Policy with you. But I want to review a few things again so you know what you can expect from me and you have another opportunity to ask any questions."

Pause frequently and ask clients if they have questions. Sometimes it helps to use examples. For instance, when discussing confidentiality, you might say, "Confidentiality means I won't share your information unless you tell me in writing that it is OK. I won't share your information with your family members, other clients in our program, your boss, your friends, or anyone else."

Sometimes a client may disagree with or decline to sign the rights and responsibilities form. In this case, you might say: "I understand that you don't want to sign this form. I want you to know that I will sign my part, noting that I have discussed the form as required, and I will note that you have declined to sign. Please know that this may impact your participation in [Organization Name] services. Would you like to discuss this again at a later time?" Then, based on your program, organization, or funder policies, determine whether services can continue without the client's agreement on the Rights and Responsibilities Policy.

## When Should the Conversation Take Place?

It is helpful to review rights and responsibilities as early as possible: ideally at the initial intake meeting, orientation, or assessment. If a client is already enrolled in other programs, check whether rights and responsibilities have already been discussed by reviewing documentation in the client's file or your client database. Even when this information has already been discussed, it can sometimes be helpful to review again. Times when this might be useful include cases where:

- the client has questions about rights and responsibilities;
- the client has demonstrated that they may not understand the information previously discussed;
- a significant period of time has elapsed since the policy was last reviewed (including cases where a client entered services at a young age and has become of age to review and sign documents independently, or where the client is re-entering services after exiting them);
- there is a dispute related to rights and responsibilities (including cases where a client needs to exit services prematurely); or
- your Client Rights and Responsibilities Policy has changed.

## What Should the Discussion Look Like?

Your organization or program policies will determine the specific information you cover in discussions on client rights and responsibilities. Switchboard has developed a customizable Client Rights and Responsibilities Template that provides sample language that you can modify and use based on your needs and priorities. The box at top right summarizes the concepts covered in this template.

Regardless of the specific content you include, be sure to discuss rights and responsibilities in a warm and conversational manner. Clients may bring varied understandings and prior experiences with these concepts, so be patient and keep an open mind. You may need to repeat or rephrase certain ideas.

## Client Rights and Responsibilities Template

Switchboard's customizable Client Rights and Responsibilities Template discusses the following themes related to **client rights**:

- Respect
- Nondiscrimination
- Safety
- Language
- Confidentiality
- Photography and Recording
- Research
- Access to Services
- Records and Documents
- Feedback
- Termination of Services

It also discusses the following **client responsibilities:**

- Respect
- Nondiscrimination
- Safety
- Confidentiality
- Providing Information
- Reporting Changes
- Keeping Appointments
- Compliance

Use each talking point as an opportunity to educate or clarify expectations. Consider paraphrasing where appropriate, while still working to ensure all key points are understood.

Several terms covered in rights and responsibilities policies may be challenging to translate. Wherever possible, consult staff and interpreters who share clients' languages and cultures about the most appropriate ways to talk about key concepts. To improve consistency, it is ideal to translate forms into common client languages in advance, rather than rely on individual interpreters for sight translation.

There are several possible processes you might use to review information on rights and responsibilities. For some examples, see the flow chart below:

### Three Potential Options for Reviewing Client Rights and Responsibilities

1. Provide a translated written document in the client's preferred language → Provide a brief verbal review and give clients the opportunity to ask questions, either through a same-language staff member or a professional interpreter.

2. Play an audio or video file in the client's preferred language → Provide a brief verbal review and give clients the opportunity to ask questions, either through a same-language staff member or a professional interpreter.

3. Verbally discuss the full Rights and Responsibilities Policy with a client in their preferred language, either through a same-language staff member or a professional interpreter.

## Tracking Client Acknowledgement

Once you have discussed rights and responsibilities, ensure you track and document that the relevant policies have been reviewed and that the client understands them. This may be a compliance requirement of some grants or programs, but even if not required, documenting your efforts demonstrates program quality and a client-centered approach.

Consider obtaining client signatures on a paper form or via a virtual program such as DocuSign. If not possible to obtain client signatures, note on the form the day and time it was reviewed and that the client gave verbal acknowledgment. If an interpreter was used, note this as well.

If client declines to sign, and/or states that they do not agree with the Rights and Responsibilities Policy, document this as well. Then, based on your program, organization, or funder policies, determine whether services can continue.

Always ask clients if they would like a copy of the form they have reviewed or signed. If possible, give them a copy in English and one in their preferred language. File the signed document in the client's case file and document the interaction in case notes, referencing the date, time, and location of the discussion. Tracking this in your client database can also support reporting and monitoring of your organization's or program's efforts to inform clients of their rights and responsibilities.

## Resources

*Eye on Ethics: Client Rights*: This article from Social Work Today discusses a case example along with key tips related to client rights.

*Understand Your Rights & Responsibilities in the United States:* This poster, developed by the International Rescue Committee, describes important laws and rights that apply to everyone who lives and works in the United States. It is available in English, Dari, and Pashto.

*Role of the Resettlement Agency:* This activity bank from Cultural Orientation Resource Exchange (CORE) includes an activity on rights and responsibilities of refugees in the United States, along with other activities on working with resettlement agencies.

*Introduction to Working with Interpreters* and *Overcoming Challenges in Interpretation*: These e-learning modules from Switchboard are intended for providers who are new to working with interpreters. They provide guidance on communicating clearly, including minimizing idioms or other expressions that are difficult to understand.

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