

#### Research Paper

Law

# RELATIONSHIP BETWEEN CONFIDENTIALITY AND EMPATHY ON THE OPENNESS OF CLIENT IN A COUNSELLING SESSION

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#### **ABSTRACT**

This study investigated the relationship between confidentiality and empathy on the openness of clients in a counselling session. Relevant and related literatures which acted as theoretical background to the study were examined. Three research/hypothesis were developed for the study. The descriptive survey research method was adopted for the study.

The population for the study comprised of all secondary school students in Ethiope East Local Government Area of Delta State. The instrument used for the student a questionnaire titled CONFIDENTIALITY AND EMPATHY ON THE OPENNESS OF CLIENT (CEOC). The instrument was developed using the 4 point likert scale of SA, A, SD, D. There was a total of 30 items in the questionnaire. The data from the respondents were analysed using regression analysis. The results indicates that confidentiality and empathy are strongly correlated to openness of clients in a typical counselling session. The conclusion therefore was that counsellors should try to assure their clients through effective empathic behaviours and skills that the information shared with them in the process of counselling will be kept safe and secret. This will ensure that openness of clients is achieved

#### KEYWORDS: RELATIONSHIP, CONFIDENTIALITY, EMPATHY, OPENNESS, CLIENT, COUNSELLING

#### INTRODUCTION

Counselling is a relationship between a concerned person and a person with a need. This relationship is usually person to person, although sometimes it may involve more than two people. It is designed to help people to understand and clarify their views, and learn how to reach their self-determined goals through meaningful, well-informed choices and through the resolution of emotional or interpersonal problems (Mojoyinola, 2008). Counselling is an-individualized and personalized assistance to persons whose personal, educational, vocational, social, emotional and spiritual problems are analysed and solution sought often with the assistance of a specialist, school and community resources and personal interview in which the Counsellor is sought to make his own decision.

The very heart of counseling is the relationship which develops between the client and the counsellor. It is through this relationship, that the client is able to tell his or her own story. This is dependent to a large extent on the conduciveness of the counselling environ ment. The conduciveness of the counselling environment is depend ent on a number of factors amongst which are confidentiality and empathy. Empathy is the ability to see the world through the others eyes. In other words, it is sensitivity to current feelings of the client, and the verbal ability to facilitate and communicate this to the client. This is speaking a language attuned to the client's being. Thus, as the counsellor explores the client's life and relationships in the counsel ling interview, it will be the counselors empathy that overcomes the alienation and isolation which the client experiences. Confidentiality is one of the ethical codes of conduct of the practice of counseling. Confidentiality is the process of keeping the client's information, personal data, and personal discussion private without divulging them. It can also be defined as the condition of the counsellor keeping all transactions between him and his client secret.

A client undergoing therapy who knows that personal, private and intimate information shared with the counsellor or psychotherapist is held in confidence, is more likely to feel at home about self-disclosure. The client will also feel more able to trust the counsellor and will want to open up and discuss issues, concerns and difficulties more readily. Without the assurance of confidentiality, the client counsellor relationship will have no foundation. It is a counsellor's responsibility to make the client feel at home with the counselling process. Build ing rapport and creating a counselling relationship that uses trust as a solid foundation is a key requirement and this is an open door to the client to be able and willing to open up to the counsellor about relevant and current issues.

Confidentiality is one of the most important ethical guidelines or principles that are associated with several professions such as coun selling, law, medicine, military, and psychologist. It is a practice which requires that information shared by the client with the Therapist in the course of treatment or counselling is not shared with others (Wel

fel, 2010). Confidentiality is a situation in which you trust someone not to tell secret or private information to anyone else. It is the trust someone puts on a person who he/she has disclosed information or told a secret not to tell another person.

Confidentiality refers to the condition of the counsellor keeping all transactions between them and their clients secret. Helgin and Whitbourne (2003) refers to it as an information revealed during coun selling as "entrusted secret" and should be strictly kept secret. This is to protect the client from injury and also to protect the integrity of the Counsellor. Any Counsellor that carelessly reveals such entrusted secret is not adhering to the most basic of ethical guidelines and not respecting the rights of the clients.

Confidentiality presupposes trust between two people. For example, confidentiality occurs when two people decide to restrict the communication of information between them in order to prevent it being communicated to a third person or more people. In counselling process, confidentiality is one of the potent therapeutic weapons or tools used by Counsellors to build concrete confidence on clients. Clifford (2004) stressed that clients usually would want to approach someone who will understand and share the problems and anguish which they are experiencing without making things known to others.

Confidentiality thus ensures that all disclosures by the clients, all discussions and suggestions are held in strict secrecy or privacy. The counsellor is thus not obliged to disclose any information to a third party without the consent of the client. In fact, the counsellors are not obliged even to make it known that a client is a client. The confidentiality in counselling tends, therefore, to protect the relationship between the two and more importantly the person of the client (Okorodudu, 2004).

Confidentiality is the agreement of the Counsellor not to share anything that is said or done in the counselling room with anyone else without the express permission of the client. The counselling relation ship must be built on the understanding that whatever is discussed will remain a private issue until the client decides otherwise. Confidentiality is crucial to the success of the counselling process. It is one of the most important issues in a counselling situation. For example, as health workers are bound by the Hippocratic Oath to maintain the highest standards of confidentiality, it becomes part and parcel of their standard medical practice to which all patients have a right. Trust is the most important factor in the relationship between Counsellor and the person being counselled. Any breach of the Confidentiality especially in the context of HIV Counselling and test result may be serious.

Rogers(1975) is of the view that the client who receives empathic

understanding will be better able to trust, understand and be-will ing to make behavioral changes that will resolve current problems. In Rogers' opinion, no matter how unacceptable a clients behaviour might be, he/she still deserves to be treated with respect and acceptance. In his client-centered theory, the counsellor should provide the growth-promoting climate. This will enable the client to have a sense of freedom and able to discover and grow in ways that are expected and acceptable. Some specific skills that will make the above possible include active listening, empathy, acceptance, (unconditional positive regard) and genuineness.

More scientifically, confidentiality refers to trust, faith, and a sense of assurance. It also relates to legal rules and ethical standards that protect an individual from unauthorized disclosure of information. From a legal confidentiality is an exchange of information between two people in a professional situation where confidential relationship has been expressly recognized by statute of common law. Again con fidentiality not only safeguards the client from being judged or-dis criminated by others but also allows risk taking which is essential for change to occur.

Empirical evidence also shows that client's perceive confidentiality as an important tool that helps their willingness to self-disclosure. This is buttressed by the works of (Mc Guire, K.N. 1991) who stated that confidentiality in counselling is a vital means of creating and maintaining a secure space which enables the clients to experience themselves and express themselves with as great degree of freedom as possible. It is a key that opens the door to an effective counselling interview. Therefore, confidentiality between a client and a counsel lor establishes a bases for developing a feeling of belongingness and warmth which allows the client to freely tell their stories knowing that their secretes are being kept safe. This brings a balance of trust between the counsellor and client. Thus confidentiality brings about a good relationship between the client and counsellor which creates an atmosphere where the client can easily express his/her self.

Therefore confidentiality in counselling is Important because it provides a safe environment for the clients to share their concerns and stretch themselves without fear of incurring harm. Many clients are n a vulnerable state and do not know what is expected of them in therapy, or what their rights are. It is important for a counsellor to make these things known to the client, as well as explaining the legal obligations, rights and responsibilities of the counsellor. Developing a relationship where the client trust and rely on the counsellor with their confidences is a major step in recovery. Having clear rules of confidentiality will help to develop this type of relationship.

Empathy is feeling like the other person, having the same understanding of the problem of the client like the client. Empathizing with the client entails the counsellor's expression of his feelings, regards and concern for the client in relation to the clients stated problems (content and feelings). Empathy implies the counsellor placing him self in the client position as if he is the one experiencing the problems of the client

Empathic understanding is therefore another important skill that must be acquired by a counsellor. Empathic understanding will en able the client to feel accepted, observe the warm reception of the helper, feel the warm reception of the helper, be comfortable, feel that the helper cares and trust the helper. These feelings will of course facilitate the client's expression of his problem to the helper.

A basic assumption when using multiple ways of knowing in Counsel ling is that, a definition of empathy involves understanding the emotional meanings of a client from a broad perspective. In keeping with current terminology in counselling (Ivey, & Zalaquett, 2010), a comprehensive definition of empathy also conveys the essence of classic formulations. With these assumptions in mind the following definition of empathy would seem to have a counselling use: "attainment with the feelings and meanings of an individual's experience from an immediate or extended perspective," (Clark, 2007).

Empathy is most often defined by the metaphors of 'standing in someone else's shoes or seeing through someone else's eyes. After combining and synthesizing the different ways the word is used, here are the four basic acts of empathy that I have come up with. The em

pathy literatures characterized by debate regarding the nature of the phenomenon.

We propose a unified theory of empathy divided into ultimate and proximate levels, grounded on the emotional link between individ uals on an ultimate level, emotional linkage supports group arm, vicariousness of emotions, mother-infant responsiveness, and the modeling of competitors and predators; these exist across species and greatly affect reproductive success. Proximately, emotional linkage arises from a direct mapping of another's behavioural state onto a subject's behavioural representations, which activate responses in the subject. This ultimate and proximate account parsimoniously explains different phylogenetic and ontogenetic levels of empathy.

As Counsellors, we are committed to helping others, and we often shy away from causing pain. As a result, many Counsellors confuse empa thy with being warm and sympathetic. Thus, a number of Counsellors who hope to be empathic wind up simply being nice instead. But eli ents do not change simply because someone has been relentlessly nice to them. Rather, true empathy involves not only emotional resonance but also "getting" the client from within the frames of reference that organize his or her subjective life.

Sympathetic impulse is one component of empathy and it involves feeling an emotion in response to someone else distress that moves him to want to alleviate another's suffering. This is a natural human response and part of our normal reaction to clients suffering, but it cannot be allowed to be the primary guide to our interventions as Counsellors.

A second component of empathy is the affective component, which involves feeling an emotional attainment that is called "Looking out the client's window". It is this attentive resonance that allows clients to go deeply into their pain with the participation of the Counsellor as a sensitive companion and compassionate guide. The Counsellor must not become either over activated or under activated by the client's distress, because then the client will disengage and re-enact past disappointments. The Counsellor must empathically be in tune, which is called the client's "Window of tolerance". When a Counsellor is not sufficiently responsive, clients conclude that the Counsellor does not care. More commonly, when the Counsellor losses the empathic stance and over identifies with the clients pain, the client concludes that expressions or certain aspects or sectioned o ffparts of self has the power to injure or damage the care giver.

The third or cognitive component of empathy, which allows the Counsellor to understand, validates and illuminates the client's inner world of meanings. This perspective taking allows the Counsellor to use accumulated knowledge of how the client is likely to respond to certain empathic interpretations and interventions. The art comes in the balance of challenge and support.

Openness involves six factors or dimensions including: Active im agination (fantasy) Aesthetic sensitivity, attentive to inner feelings, preference for variety and intellectual curiosity. Thus, openness can be viewed as consisting of a set of specific traits, habits, and tenden cies that come together to influence forms of interpersonal relation. It is the ability of an individual to express his or her self in thoughts, words or feelings towards a particular thing or situation.

Openness in this regard is a two way thing involving both the coun sellor and the client. On the part of the counsellor, it is that trait that challenges the client to be open in the counselling process If the counsellor is open minded and shows genuine empathy and uncon ditional positive regard, the client is likely to feel more relaxed and share his or her thoughts, feelings either verbally or non-verbally. Openness entails being part of the counselling sessions, although some clients are reserved and are scared to open up due to the fact that they feel that they will be judged by the counsellor or their servetes will be shared. It is then the duty of the counsellor to establish a basic rapport and principle assuring the client that his/her secretes are safe with him/her. By likewise showing empathic understanding, the client is likely to open up his bottled up feelings.

The importance of openness in a counselling interview may include: (1)It makes the client ease o ffhis emotional feelings thus making him less prone to illness out of emotional and psychological trauma. An empirical finding was done on the role of client's openness in therapy. A consumer reports (November, 1995) survey of roughly 4000 psychotherapy clients showed that the clients who "formed a real partnership with the therapist-by being open, even with painful subjects, and by working on issues between sessions, were more likely to progress" (p739). These findings resonate with the widely accepted belief that high levels of client's openness are therapeutic. (2) Openness brings about exposure to new ideas, experiences, new thoughts and a great change for both the client and the counsellor. (3) Clients who are receptively open to their internal experiencing also have been shown to have better outcomes (Elliot, Greenberg, and Lietaer, 2004; Hendricks, 2002, orlinsky et al. 2004). (4) When one opens up he/she is well emotionally, psychologically, mentally more adjusted because he/she has been able to express catharsis and this helps to lessen the pressure of hormones reacting in the individual's immune system. Such that bottled up emotions that can be cause anxiety, depression are being released and this in turn shapes the behavior of the client. (5) When a client is open in a counseling interview, the relationship between the counsellor and the client strengthens and thus because of the presence of empathy and confidentiality together with uncon ditional positive regard the client is also more willing to reveal darkest secrets to the counsellor. (6) Openness is important for the client so as to enable the counsellor tackle the areas which are problematic to the client. (7) Being open brings about ease, a feeling of being relaxed and thus peace to the inner mind. As being that there is someone ready to listen to you.

There are some micro counseling skills the counsellor can use to en hance the communication with clients. These skills enable a counsel lor to effectively build a working alliance and engage clients in discussion that is both helpful and meaningful.

#### These skills include; Statement of the Problem

Openness to the counseling process is a necessary prerequisite for attaining the goal of counselling, which is resolving issues presented by the client. It has been observed that opening up in a counselling process can be a very difficult task for the client. This is even made worse when counsellors do not show effective empathic behaviours which sends the message that they feel with the client and also that issues presented in the counselling process will be kept confidential. However if the counsellor does not show empathy towards the client the client feels reluctant to open up and the counseling process is cut short but if he shows empathy the counselling process is supported. Likewise confidentiality, when there is no confidentiality in the entire counselling process it threatens the client's disposition to openness but when there is confidentiality and empathy rings about openness and their absence damages the counseling process

### Research Questions/ Hypothesis Research Question 1 and Hypothesis 1

Research Question asked: what is the extent of relationship between confidentiality and openness of clients in counseling interview?

The Hypothesis 2: There is no significant relationship between confidentiality and openness of clients in counseling interview.

#### Research Question 2 and Hypothesis 2

Research Question asked: what is the extent of relationship between empathy and openness of clients in counseling interview?

The Hypothesis 2: There is no significant relationship between empa thy and openness of clients in

#### counseling interview.

#### Research Question 3 and Hypothesis 3

Research Question 3 asked: what is the extent of relationship between gender and openness of clients in counseling interview?

The Hypothesis 3: There is no significant relationship between gender and openness of clients in counseling interview.

#### METHOD OF STUDY

In this research the descriptive survey design was used for this study. This study is designed to look into the relationship between confiden tiality and empathy on the openness of client in a counseling interview. The population used for this study consists of all government secondary school students in Ethiope east local government area in Delta State. Out of the secondary schools in Ethiope East Local Government Area a total of (5) five schools were randomly selected for the purpose of this research. From each of the schools, 25 students were randomly selected which gave a total of 125 respondents for the study. The research instrument for this study is the questionnaire ti tled Empathy and Confidentiality On the Openness of Client (CEOC). The instrument was developed with using a 4 point likert scale of SA (Strongly Agree, A (Agree), SD (Strongly Disagree) and D (Disagree). It has two sections with a total of 30 items measuring the main variables of the study. It has content and face validity with a reliability level of 0.78 at .05 level of significance.

## PRESENTATION AND DISCUSSION OF RESULTS Research Question 1 and Hypothesis 1

Research Question asked: what is the extent of relationship between confidentiality and openness of clients in counseling interview?

The Hypothesis 1: There is no significant relationship between confidentiality and openness of clients in counseling interview.

To answer the research question and test this Hypothesis, a descriptive statistics and a linear Regression analysis was performed with confidentiality and openness of clients in counseling interview. The results are presented in Table 4.1.

Table 4.1: Means, Standard Deviation and Linear Regression Output of

Confidentiality and Openness.

	Mean	SD	Z	%	TI	R	R2	Adjusted R2	В	Т	р
					33.05	0.39	0.15	0.14			0.00
Confidentialiy	41.72	5.45	191	100							
Openness	23.79	5.06	191	100							
Variables in the equation											
						В	SEB				
Confidentialiy						0.36	0.06		0.39	5.75	0.00
Constant						8.83	0.06			3.37	0.00

df (1, 189), Significant (P< 0.05)

The data in Table 4.1 showed that there was significant relationship between confidentiality in counseling interview and openness of cli ents [F (1, 189) = 33.05, p< 0.05]. This positive relationship indicates that as confidentiality increases, the openness of clients during counseling interview increases. Hypothesis 2 is therefore rejected and the alternative hypothesis holds true. The adjusted R² value of 0.14 showed that only 14% of openness of clients was due to confidential ity. The Beta ( $\beta$ ) weight of 0.39 in Table 4.1 shows that confidentiality is a predictor of openness.

#### Research Question 2 and Hypothesis 2

Research Question asked: what is the extent of relationship between empathy and openness of clients in counseling interview?

The Hypothesis 2: There is no significant relationship between empathy and openness of clients in

	mean	SD	Z	%	П	R	R2	Adjusted R2	β	Т	P
					99.42	0.59	0.35	0.34			0.00
Empathy	36.17	5.46	191	100							
Openness	23.79	5.06	191	100							
Variables in the equation											
						В	SEB				
Empathy						0.54	0.06		0.59	9.97	0.00
Constant						4.10	1.99			2.06	0.04

counseling interview.

To answer the research question and test this Hypothesis, a descriptive statistics and a linear Regression analysis was performed with empathy and openness of clients in counseling interview. The results are presented in Table 4.2.

Table 4.2: Means, Standard Deviation and Linear Regression Output of Empathy and Openness.

df (1, 189), Significant (P< 0.05)

The data in Table 4.2 showed that there was significant relationship between empathy in counseling interview and openness of clients [F (1, 189) = 99.42, p< 0.05]. This positive relationship indicates that as empathy increases, the openness of clients during counseling interview increases. Hypothesis 3 is therefore rejected and the alternative hypothesis holds true. The adjusted R<sup>2</sup> value of 0.34 showed that only 34% of openness of clients was due to empathy. The Beta (β) weight of 0.59 in Table 4.2 shows that empathy is a strong predictor of open ness of clients during counseling interview.

	Mean	SD	Z	%	711	R	R2	Adjusted R2	β	Т	P
					0.02	0.01	0.00	-0.01			0.90
Male Female	23.85 23.75	4.22 5.49	68 123	35.6 64.4							
Openness	23.79	5.06	191	100							
	Variables in the equation										
						В	SEB				
Gender						-0.10	0.77		-0.01	-0.13	0.90
Constant						23.95	1.31			18.23	0.00

#### Research Question 3 and Hypothesis 3

Research Question 3 asked: what is the extent of relationship between gender and openness of clients in counseling interview?

The Hypothesis 3: There is no significant relationship between gender and openness of clients in counseling interview.

To answer the research question and test this Hypothesis, a descriptive statistics and a linear Regression analysis was performed with gender and openness of clients in counseling interview. The results are presented in Table 4.3.

Table 4.3: Means, Standard Deviation and Linear Regression Output of Gender and Openness of clients in counseling interview

df (1, 189), Significant (P< 0.05)

The data in Table 4.3 showed that there was no significant relation ship between the gender of clients [males (M=23.85, SD=4.22); females (M=23.75, SD=5.49)] and openness of clients to counselors during counseling interviews: [F (1, 189) = 0.02, p 0.05]. This rela tionship indicates that gender has no influence on the openness of clients. Hypothesis 6 is therefore accepted. The adjusted R2 value of -0.01 showed that less than 1% of openness of clients was due to their gender. The Beta (β) weight of -0.01 in Table 4.6 however shows that gender is not a predictor of openness of clients during coun seling interview.

#### DISCUSSION OF FINDINGS

The findings of research question and hypothesis one indicated that there is a significant relationship between confidentiality and open ness of clients towards counselling interview. The findings indicated here supports the positions that confidentiality can influence open ness of clients in a counselling session. Instance of such positions-in clude the works of (Mc Guire, K.N. 1991) who stated that confiden tiality in counselling is a vital means of creating and maintaining a secure space which enables the clients to experience themselves and express themselves with as great degree of freedom as possible. It is a key that opens the door to an effective counselling interview.

Furthermore the findings of research question/hypothesis two states that there was a significant relationship between empathy and open ness of clients towards counselling interview. This finding is con sistent with the positions that there is correlation between empathy and openness of client in a counselling session. That is why Okobiah (2004) stated that, when an empathic understanding is created by Counsellors, confidence will generate among clients which enables them to open up or disclose information in counselling or be honest and truthful about information being disclosed.

Also the outcome of the findings for research question and hypothesis three posited that there is no significant relationship between gender and openness of client in counselling interview. In the population studied, the implication is that being male or female is not the point in opening up in a discussion of this kind. There are more important variables that will determine level of openness as indicated earlier.

From this study it has been observed that openness of clients can be influenced and achieved under the right condition. Specifically, where there is sufficient reason for the client to trust and have con fidence in the process because of the ability of the counsellor to uti lise relevant skills to ensure openness. Also empathic understanding when shown by the counsellor can affect openness positively. Coun sellors should therefore recognise the need for them to ensure that they create confidence and shown deep empathic understanding so as to be able to ensure openness of client in a counselling interview.

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