

THE SENSITIVE

REFERENCE INTERVIEW

Staff Development Day

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THE SENSITIVE REFERENCE INTERVIEW

What is the “Sensitive Reference Interview?”

sen | si | tive

- a. easily affected or influenced or hurt or offended;
- b. an especially keen or delicate capacity for feeling or for responding to an external influence;
- c. having or involving access to secret or classified information.

ref | er | ence || in | ter | view:

interaction in which a librarian or library staffer elicits information from a person seeking help in order to satisfy the patron’s information need.

During the sensitive reference interview, any of the following might come into play:

The *sensitive* patron: vulnerable or easily susceptible person seeking information.

The *sensitive* patron request: focused on a highly personal situation and/or on an unconventional topic and/or requiring expertise or access to proprietary information beyond that of a librarian.

The *sensitive* librarian: sympathetically reactive to a patron and/or patron’s request.

The *sensitive* librarian reply: response to the patron’s request obtained within the parameters of the library’s resources and policies, and delivered with respect for the patron’s beliefs and right to privacy.

Special Considerations in Providing Medical, Legal, and Business Reference Service

The Reference and User Services Association (RUSA), a division of the American Library Association provides a document entitled *Guidelines for Medical, Legal, and Business Responses* (<http://www.ala.org/rusa/resources/guidelines/guidelinesmedical>) for librarians to use (fully explained on page 5).

Privacy vs. Confidentiality Definitions

“In a library, the right to privacy is the right to open inquiry without having the subject of one's interest examined or scrutinized by others. Confidentiality exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf.” (“Questions and Answers on Privacy and Confidentiality,” 2012). Issues relating to either privacy or confidentiality, or both, may come into play when a patron discloses proprietary information or personally identifiable information during a sensitive reference interview.

Sample Privacy/Confidentiality Statements

Peabody Institute Library | Reference Procedures and Guidelines for Desk Service | Confidentiality

“Reference staff must be respectful and discreet in the handling of sensitive inquiries including but not limited to medical and legal questions. The provision of information is to be kept in confidence, discussed only in a professional context and must not be repeated.”

Part of **Service Guidelines**

“If the patron’s question deals with a sensitive topic the library staff member should conduct the reference interview in a sensitive manner using a quiet tone of voice or moving to a more quiet location if possible.”

Questions Not Answered:

Staff do not interpret statistical, medical, tax or legal information either over the phone, by email, fax, and correspondence or in person. Staff provide factual information and limit suggestions to the search strategy, information resources available and not the subject or content of the request. (Peabody Institute Library, n.d.).

Boston Public Library | Patron Privacy Policy

The Boston Public Library is committed to user confidentiality. The confidentiality of library records is a core part of library ethics and the Boston Public Library follows the Code of Ethics of the American Library Association.

Confidentiality and your library record

Under the Massachusetts General Laws, Chapter 78, Section 7 “That part of the records of a public library which reveals the identity and intellectual pursuits of a person using such library shall not be a public record...”

Confidentiality extends to information sought or received, and materials consulted, borrowed, **and includes** database search records, **reference interviews**, circulation records, interlibrary loan transactions, registration records, and all other personally identifiable uses of library materials, facilities, or services. (Boston Public Library, 2004).

Santa Monica Public Library | Privacy Policy

Santa Monica Public Library makes every effort to protect the privacy of library users. The Library adheres to the American Library Association Code of Ethics that states in Article III:

"We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted."

This policy establishes guidelines for the protection of personally identifiable information contained in library records or accessible in the library or through its computer systems.

Santa Monica Public Library | Confidentiality of Library Records

In keeping with the American Library Association's Policy on Confidentiality of Library Records and Policy Concerning Confidentiality of Personally Identifiable Information About Library Users and State of California Government Code §6267, Santa Monica Public Library staff will not respond to any informal request by a third party for personally identifiable information about any library user. Such information includes database search records, reference interviews, email requests for information, circulation records, interlibrary loan records, and other personally identifiable uses of library materials, facilities, or services.

Personally identifiable information may be released only to a law enforcement agency after presentation of an order by a court of competent jurisdiction issued in proper form (a court issued subpoena or search warrant) and/or under the provisions of the USA Patriot Act. (Italics mine)

The USA PATRIOT Act

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act) became law on Oct. 26, 2001. Under provisions of the act, the Federal Bureau of Investigation (FBI) and law enforcement officials may seek court orders for Library records for investigations relevant to national security or terrorism. Libraries or librarians served with these search warrants may not disclose, under penalty of law, the existence of the warrants or the fact that records were produced as a result of the warrants. Patrons cannot be told their records were given to law enforcement agencies or that they were the subjects of FBI investigations.

Santa Monica Public Library | Personally Identifiable Information

Santa Monica Public Library will collect only the information needed to contact library users, such as mailing address, email address, phone number, etc., in order to ensure the proper notification, lending, and return of library materials and the collection of fines. Records will be retained for the shortest length of time necessary to facilitate library operations.

Individuals may submit their name, email address, postal address, telephone number or other identifying information in order to receive library services such as borrowing privileges, access to Internet stations, ***receiving personal responses to questions***, receiving Library promotional materials, or being added to specific mailing lists. The Library does not sell, rent or otherwise distribute information to outside parties except for possible uses related to the recovery of materials. However, ***library records may be subject to disclosure to law enforcement officials under provisions of the USA PATRIOT Act . . .*** and under some circumstances librarians may be forbidden to disclose that certain records have been requested or obtained

Email reference questions submitted to the Library will be retained for no more than twelve months. Questions are retained only for the purpose of statistics and to assist with follow up queries from clients. The questions themselves and any personal information such as names, email addresses, telephone and fax numbers submitted with the questions are confidential and are treated as other library user information under provisions the Confidentiality of Library Records policy above.

(Santa Monica Public Library, n.d.)

University of Georgia | Privacy Policy

I. Legal and Ethical Considerations

Privacy is the right to open inquiry without having the subject of one's interest examined or scrutinized by others. A confidential relationship exists when a library is in possession of personally identifiable information about users and keeps that information private on their behalf.

The University of Georgia School of Law Library respects a library user's right to privacy and confidentiality regarding information sought or received and materials consulted or borrowed or services provided. The library complies with the Official Code of Georgia regarding confidentiality of library user records. The relevant statute states [cites directly from the Georgia Code 24-9-46] :

OCGA § 24-9-46 Confidential nature of certain library records

(a) Circulation and similar records of a library which identify the user of library materials shall not be public records but shall be confidential and may not be disclosed except:

- (1) To members of the library staff in the ordinary course of business;
- (2) Upon written consent of the user of the library materials or the user's parents or guardian if the user is a minor or ward; or
- (3) Upon appropriate court order or subpoena.

(b) Any disclosure authorized by subsection (a) of this Code section or any unauthorized disclosure of materials made confidential by that subsection (a) shall not in any way destroy the confidential nature of that material, except for the purpose for which an authorized disclosure is made. A person disclosing material as authorized by subsection (a) of this Code section shall not be liable therefor.

Official Code of Georgia Annotated § 24-9-46 Confidential nature of certain library records (2009)
Official Code of Georgia Annotated § 24-12-30 Confidential nature of certain library records (2012)

Guidelines and Principles for “Sensitive” Situations

The American Library Association has a long-standing set of guidelines for librarians to consult when faced with questions related to medical, legal, and business questions. The guidelines are maintained and updated by the Reference and User Services Association (RUSA, 2001). They apply to public library and non-specialized academic libraries. In special libraries – those libraries with exclusive clientele who practice law or medicine, or who administer corporations and corporate dealings – the librarians who oversee their information services become integral parts of those cultures. In effect, special librarians do not perceive work-related reference questions as sensitive. Therefore, the guidelines summarized in the remainder of this document, apply to non-special librarians – those in public and academic libraries who may encounter patrons with specialized questions. Beyond the question itself, the patron may show signs in demeanor or behavior of being in distress or in a highly emotional state.

Guidelines for Patrons Who Need Social Services

“The fact is, people who suffer from mental illness are often more of a threat to themselves than to others, but even the most innocent of abnormal behaviors can become harmful” (Mosley, Tucker, & van Winkle, 2014, p. 78). Some common behaviors that may be symptoms of disorders of patrons who come to the reference desk for help include:

- Counting, touching, or tapping (obsessive-compulsive disorder)
- Exhibiting highly emotional responses with no apparent cause (schizophrenia)
- Acute sadness, hopelessness, self-destructive thoughts (clinical depression)
- Mood swings, rapid and/or loud speech, hyperactivity, may escalate to aggression (bipolar depression)
- Attacks caused by persistent fears that may leave the person cold, sweating, shaking, and feeling faint

Mosley et al. (2014) provide these guidelines on interacting with patrons who seem to be in mental distress:

- Remain calm.
- Use a quiet voice.
- Ask if you can help.
- Don't argue with them.
- Allow them to leave if they want to do that.
- Remember that their behavior is not deliberate.
- They may be experiencing symptoms not unusual to them.
- Have another staff member on alert in case you need help.

Establishing partnerships with social agencies in the community served by your library can be very helpful in situations where symptomatic persons are disruptive, especially if the disruptions become a pattern and the public and staff feel threatened.

The Consumer Health Reference Interview and Ethical Issues

“Finding quality health information is not always an easy process. Consumers often need assistance in locating appropriate resources to answer information requests. The consumer health librarian may face some important challenges during the reference interview, the initial point of interaction between the consumer and the librarian. Consumers have often consulted other sources before ever coming to the library. For example, many consumers search the Internet for health information and find information of varying degrees of quality. They often consult with family members or friends regarding health concerns. The library may actually be considered a "last resort" for some people searching for health information” (Liebermann & Ham, n.d.).

AALL Ethical Principles

The American Association of Law Libraries (AALL) developed a set of principles covering service, business relationships, and professional responsibilities (AALL, 1999).

Below is a set of practical tips on how to address legal reference questions developed by a public librarian:

Is your patron working from a printed document? Ask to see it.

If your patron presents you with an incomplete citation or something that sounds like a popular name (ERISA) ask for the context of the question.

When your patron requests you to "look up the law on..." ask for keywords/subject headings and jurisdiction (local, state, federal, international). If you can't match these terms with the subject headings listed in resources on laws/regulations/etc., invite the patron to use the materials.

If your patron is unfamiliar with his legal topic suggest a book/guide/FAQ written in plain language.

(adapted from a personal webpage by Lynne Oliver, Morris County Library, NJ, 11 February, 2000. Available at <http://www.gti.net/mocolib1/demos/legalref.html>)

References

American Association of Law Libraries (AALL). (1999). *AALL ethical principles*. American Association of Law Libraries. Retrieved from <http://www.aallnet.org/mm/Leadership-Governance/policies/PublicPolicies/policy-ethics.html>

Liebermann, J., & Ham, K. (n.d.). *The consumer health reference interview and ethical issues*. National Network of Libraries of Medicine (NN/LM). Retrieved from <http://nmlm.gov/outreach/consumer/ethics.html>

Mosley, S. E., Tucker, D. C., & van Winkle, S. (2014). *Crash course in dealing with difficult library customers*. Santa Barbara, CA: Libraries Unlimited.

Questions and Answers on Privacy and Confidentiality. (2012). Chicago: American Library Association. Retrieved from <http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/qa-privacy>).

Reference and User Services Association (RUSA). (2001). *Guidelines for Medical, Legal, and Business Responses*. Chicago: American Library Association. Retrieved from <http://www.ala.org/rusa/resources/guidelines/guidelinesmedical>

Toot, L. (2008). Zen and the art of dealing with the difficult patron. *The Reference Librarian* 36, 217-233.

Sample Library Policies

Boston Public Library. (2004). Patron Privacy Policy. Retrieved from <http://www.bpl.org/general/policies/privacy.htm>

Peabody Institute Library. (n.d.). Reference Mission, Philosophy & Guidelines. Retrieved from http://www.danverslibrary.org/?page_id=3741

Santa Monica Public Library. (n.d.). Privacy Policy. Retrieved from http://smpl.org/About_Us/Policies/Privacy_Policy.aspx

University of Georgia. (2012). Communication – Confidential Records Policy. Retrieved from <http://www.libs.uga.edu/staff/confidentialrecordspolicy.html>

APPENDIX A

Handling Sensitive Reference Requests: An Abbreviated Checklist

Checklist points were adapted from the *Guidelines for Medical, Legal, and Business Responses* (RUSA, 2001) and *Crash course in dealing with difficult library customer* (Mosley, Tucker, & van Winkle, 2014).

During the interview:

- Use discretion.
- Minimize discomfort to the user.
- Make your role as a librarian clear.
- Ascertain the level/amount of information the patron can handle.
- Distinguish between personal convictions and professional duties.
- Avoid using humor, subjective comments, or long disclaimers on your role.
- Diplomatically decline invitations from the patron to become personally involved.

Making recommendations:

- Provide the most complete information available through your agency.
- Assist users in assessing the accuracy of information.
- Provide alternate sources for comparison or explanation.
- Advise users regarding the relative merits of sources, regardless of their medium.
- Make recommendations regarding library materials when appropriate.
- Do **not** attempt to interpret medical, legal, or business information.
- It's OK to politely inform patrons that you will provide the resource – they must do the “look-ups.” (see the next page for examples)

Making referrals:

- Refer questions beyond your level of competency.
- Refer questions in cases where no appropriate sources are available through your agency.
- Check access to other agencies before directing patrons to those sources.

Behind the scenes:

- Keep current in subject areas.
- Familiarize yourself with the most appropriate, current resources in a variety of formats.
- Learn what principles of privacy and confidentiality apply to a reference situation.
- Learn what your library's policies are and where those policies are documented.

The role of library administrators:

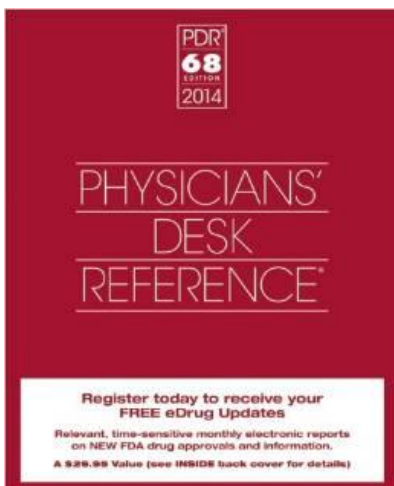
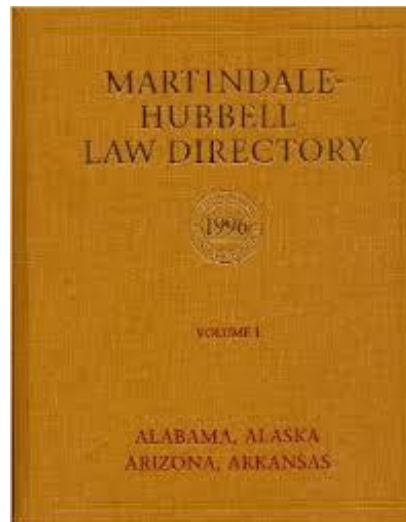
- Publish a policy on the librarian's role in answering sensitive-subject reference requests.
- Develop information service policies that include provisions for off-site requests.
- Have a policy on retention of requests for information relating to reference services submitted in writing.
- Provide a location for private reference consultations.

APPENDIX B

Customized Reference Look-Ups

If the policy of your library is that patrons must do their own “look ups” when that task involves lists and/or requires personal judgment in choosing entries or answers, then have a standard response prepared for those types of reference requests. All reference librarians should be comfortable with delivering the message.

Resources that typically require look-ups and personal review of the information are directories such as the ones below. These sources are pricey because they contain proprietary data that is generally not available all in one spot on the Internet. Keeping these sources current is a “must” in terms of providing accurate information. If your library owns these sources only in print, and you feel that a patron needs to personally review content, then explain the importance of a personal review and direct the patron to its exact location (e.g., perhaps only the central library owns that resource).



APPENDIX C

Sensitive Reference Vignettes

MY MEDICATION

A patron asks the librarian to find information about a new medication her doctor gave her that day. In the course of the reference interview, the patron discloses that she can't read or write in English. She hands the librarian several prescription bottles and asks the librarian to look up the medication for her. What should the librarian do?

ASIAN TREATMENT

An Asian patron asks you to find information on a folk ointment recommended by a Chinese herbalist for her arthritis. She has the recipe with her, but not the name of the treatment. What do you do?

HORSE WHISPERER

A patron asks the librarian what the city ordinances are for keeping farm animals within the city limits. In the course of the reference interview, the patron discloses that his neighbor is pasturing a horse in a very small enclosure in his backyard. The enclosure borders on the patron's yard, and he has easy access to it. The patron has a plan to rescue the horse by removing it to a "good home" when the neighbor is away. Patron's final question: Could I be arrested? How should the librarian respond?

TEEN SEEKING LEGAL ADVICE

A teenager tells you that he is seeking advice on divorcing his parents. How will you react? What information will you provide?

COMPUTER MONSTERS

A well-dressed patron approaches the reference librarian asking for a print out of the 1040 tax form. The library's policy is to help the patron locate the form on the IRS website. When the librarian turns the computer screen towards the patron to guide her to the website, the patron covers her face. "I can't look" is her response "I see monsters." What should the librarian do?

PARANOID PATRON

A patron hands the reference librarian a paper that asks the librarian to find a book on whistleblowers. When the librarian tries to find out more about the patron's information need, he stops her and states very seriously: "Shhhh . . . the FBI and CIA are everywhere. This has to be our secret." How will you proceed?

VIRTUAL PRIVATE INFORMATION DISCLOSURE

You receive a reference request on your library's IMS from a member of the Better Business Bureau. She is on a committee reviewing franchise requests from several companies. She lists the franchises and asks you to provide financial information on each one – last year's profits, etc. How will you respond? What happens to the request that contains this sensitive information?

CHILD FILM STAR

A young girl – not older than 12 - approaches you in the children's section of the library. She tells you that she is trying to find a video her uncle made of her. She overheard her uncle tell her mother that the video would appear on the Internet and they would "make a lot of money." She shows you how she typed in her name and her uncle's name, but did not get to the video. At this point, you can see the names of the girl and her uncle. What will you do?

DISAPPEARING MOTHER

Part 1. It's the beginning of June. A patron who periodically brings her three children to children's programs approaches you after one of these programs. The children are looking disheveled that day and mom has an almost desperate demeanor. She tells you that she wants to relocate to another town with her children. She doesn't want to re-enroll them in school this late in the year, so she asks you to help her find a school district within the state where the school year has already ended. You help the mother look up school calendars. Mom narrows the list to three locations, prints them out, and asks you what you know about these three towns. What do you do?

Part 2. The next week, a police detective approaches the librarian asking questions about the family. When was the last time they were in the library? Did the mother say anything about moving? Does the librarian have any idea where the mother might have gone? The librarian is not sure of the mother's privacy rights in this situation or whether confidentiality of personally identifiable information applies to the printout of the towns she saw. What would you do?
