The American Art Therapy Association Ethics Committee provides this series of “best practice” papers as non-binding guidelines to help art therapists interpret and apply the Ethical Principles for Art Therapists.

Informed Consent:
Documenting, Sharing, and Presenting Artwork by Clients

“14.1 Art therapists, upon acceptance of clients, provide informed consent that includes, but is not limited to: client rights, confidentiality and its restrictions, duty to report, roles of both client and art therapist, expectations and limitations of the art therapy process, fee structure, payment schedule, session scheduling arrangements, emergency procedures, complaint and grievance procedures and how client artwork will be documented and stored.”

"4.2 Art therapists obtain written informed consent from clients or, when applicable, legal guardians, in order to keep client artwork, copies, slides, or photographs of artwork, for educational, research, or assessment purposes.”

"2.7 Art therapists maintain client treatment records for a reasonable amount of time consistent with federal, state, and institutional laws and regulations and sound clinical practice. Records are stored or disposed of in ways that maintain confidentiality.”

U.S. federal law requires health professionals to provide written informed consent at the onset of treatment. In addition to the obligatory areas and required content areas, art therapists also need to indicate how client produced artwork will be documented in progress notes and charts. The informed consent also describes how artwork will be stored, whether actual art, photographs, or digital images (Atkins, 2007). The following provides sample language for inclusion in the informed consent:

Storage and Documentation of Artwork: You will probably accumulate a number of artworks over the duration of art therapy. Generally, you will be asked to keep all artwork in the studio/office during the course of your therapy for periodic review. Since there is limited storage space for large items and sculptures, you may be asked to take larger pieces home with you. At the end of art therapy all of your artwork will be returned to you. In the event that you either prematurely end treatment or are unable to take artwork with you, you and your art therapist will discuss the amount of time that your work will be retained after which it will be disposed of in a way that maintains your confidentiality. As a matter of professional record keeping, your art therapist may retain digital photographs or copies of your art. In addition, she/he may ask for your written permission to use these photographs or copies of your art for the purposes of educational presentations, research, publications or for sharing with other healthcare professionals who you designate.

References: