

Child protection privacy and information sharing

Whilst you are permitted to share certain information about a child who has been impacted by abuse, this document provides guidance on the specific information sharing requirements.

Sharing information to support child wellbeing and safety

Information sharing with staff

Privacy laws allow AllU, affiliated partner organisations and/or school staff to share a child's personal and health information to:

- support the education of the student, plan for individual needs and address any barriers to learning
- support the social and emotional wellbeing and health of the student
- fulfil duty of care obligations to the student, other students, staff and visitors
- make reasonable adjustments if the student has a disability, including a medical condition or mental illness
- provide a safe and secure workplace.

Therefore, you are permitted to share certain information about a child with other relevant adults, without the consent of a parent or guardian and without breaching privacy laws.

What kind of information can be shared?

The type of information that may be appropriate to share about a child who is impacted, or suspected to be impacted by child abuse may include:

- that the child is in a difficult situation
- that the child should be monitored and may need support
- the content of any Student Support Plan, including any signs or symptoms that the child may display when they are in need of support, and any strategies or support services that have been put in place to support the child while they are at school and on student exchange.

Information sharing with DFFH and Victoria Police

Privacy legislation permits you to disclose personal information about a child to Child Protection Services if:

- it is authorised or permitted by law
- or if it is necessary to lessen or prevent a serious and imminent risk to health, safety or welfare of any person.

Reporting suspected child abuse to Child Protection Services or the Police does not constitute a breach of privacy laws because these disclosures are specifically permitted under the Children Youth and Families Act 2005 and the Privacy and Data Protection Act 2014, or the equivalent legislation in other jurisdictions.

Disclosure of information to Child Protection Services in good faith does not constitute unprofessional conduct or a breach of professional ethics. This means that you cannot be successfully sued or suffer formal adverse consequences in your work.

If you've made a report or referral your identity will be protected, unless you consent to its disclosure, or the disclosure is specifically authorised by a Court or Tribunal.

Request of information from Child Protection Services or the Police

If you receive a request from an officer from Child Protection Services or the Police for information relating to a child who has been impacted (or is suspected to have been impacted) by child abuse, you should:

- obtain the request for information in writing
- ensure that the written request includes the following information:
 - the name of the officer, the organisation in which they work, and their contact details
 - description of the information and documents that are being sought
 - the reasons why the information and documents are being sought
 - what authority the person or their organisation believes that they have to access the requested information and documents.

In these cases, you may be permitted to share the requested information and documents, but you are not compelled to do so.

Information sharing with family services

Once any relevant service agency commences providing services to a child, you can only share information with this agency with the consent of the child's parents/carers (and the child if they are old enough to consent).

This is because service provision in these circumstances is by voluntary agreement between the child (or parents/carers) and the service provider.

Information sharing with school or wider community

Planning and care should be taken before providing any information about child abuse to the school or wider community. Please be aware that that even confirming the existence of an allegation can lead to the identification of a victim.