

Information Sharing Scheme **Practice Guide**

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The Child Information Sharing Grants Program project has been undertaken and overseen by the Catholic Education Commission of Victoria Ltd (CECV) in consultation with each Victorian diocese. These resources have been developed by the CECV in consultation with the four dioceses. Religious Institute Ministerial Public Juridic Person (RI/MPJP) organisations are welcome to utilise this resource.

Purpose of this guide

This guide is to be used by staff in Victorian Catholic education to help put into operation both the Victorian Child Information Sharing Scheme (CISS) and the Victorian Family Violence Information Sharing Scheme (FVISS) (the Schemes).

The Schemes are a Victorian Government initiative, introduced in response to Royal Commissions, coronial inquests and independent inquiries over the past decade that identified poor information sharing as a barrier to service collaboration with detrimental outcomes for children and families.

The purpose of this guide is to provide further guidance for Victorian Catholic schools in how to practically apply key elements of the Schemes and should be read in conjunction with other support guidance material, including those provided to schools by their school governing authorities. Throughout this guide, links are included to external and internal resources.

The CECV acknowledges the support of the Victorian Government under the Child Information Sharing Capacity Building Grants Program.

The Victorian Department of Education (DE) are the leaders of the information sharing reforms. The DE has developed a number of tools that can be used by Victorian Catholic schools, alongside tools developed by the CECV and school governing authorities. To access some of these tools, or training on information sharing, visit the DE's [Child and Family Violence Information Sharing Schemes – Resources](#) page.

CECV's commitment to information sharing

The CECV holds the care, wellbeing and safety of children and young people as a central and fundamental responsibility of Catholic education. This commitment is drawn from and inherent to the teaching and mission of Jesus Christ, with love, justice and the sanctity of each human person at the heart of the gospel.

The CECV has a universal expectation for the protection of children and young people. It is resolutely committed to ensuring that all those engaged in Catholic education in Victoria promote the inherent dignity of children and young people, and their fundamental right to be respected and nurtured in a safe school environment. Catholic schools have a moral, legal and mission-driven responsibility to create nurturing school environments, where all children and young people are respected and have agency, their voices are heard, and they are safe and feel safe.

Every person involved in Catholic education has a responsibility to understand the important and specific role they play individually and collectively to ensure that the wellbeing and safety of children and young people is at the forefront of all they do and every decision they make.

The [CECV Statement of Commitment to Child Safety](#) can be found on the CECV website.

Information sharing is part of our child safety commitment

The Schemes are an additional tool that will help Victorian Catholic schools and system bodies embed and maintain a commitment to the protection of children and young people, providing an expanded ability to share information with other Information Sharing Entities (ISEs) to promote the wellbeing or safety of children and young people or to assess or manage family violence risk.

The Schemes do not replace current reporting obligations and frameworks, such as the Victorian Child Safe Standards, Mandatory Reporting, or the Reportable Conduct Scheme. In addition, they work in conjunction with current obligations under privacy or criminal laws, allowing the sharing of information when done under the Schemes.

How to use this guide

This guide incorporates three sections:

1. **Introduction to the Information Sharing Schemes**

This section covers some high-level background on the Schemes, how the Schemes work together and interact with other privacy laws.

2. **The Schemes in practice**

This section breaks down into detail some of the key requirements of sharing, requesting and responding to requests, as well as other key information to put into operation the Schemes for professionals within Victorian Catholic schools.

3. **Information sharing decision trees**

This section provides diagrams for how to share, request and respond to a request for information under the Schemes.

Introduction to the Information Sharing Schemes

How do the Schemes work together?

Both the CISS and the FVISS have distinct purposes for which they should be used to share information to promote the wellbeing and safety of children and young people and prevent harm to children, young people and their families. The following scenarios determine which Scheme applies:

1. Where you wish to share information to promote a child/children's wellbeing or safety and family violence is not believed to be present, use the CISS.
2. Where family violence is believed to be present and a child/children is at risk, use the FVISS to assess and manage family violence risk to the child/children.

Both Schemes prioritise the wellbeing or safety of a child or young person over any individual's privacy. Under the FVISS, child victim survivors' safety takes precedence over a perpetrator's privacy. As a result, consent is not required under either scheme to share information to keep a child safe.

Both Schemes recognise the importance of seeking the views and promoting the agency of children, young people and adults (who are not perpetrators of family violence) wherever appropriate, safe and reasonable to do so.

What if the information can already be shared under another law?

All organisations and services should continue to share information as appropriate in accordance with other laws. The Schemes do not replace these other permissions to share, including privacy laws, workplace safety laws and the *Children, Youth and Families Act 2005*, rather, the Schemes may expand professionals' ability to share information.

The Schemes provide additional permissions for ISEs to share information with other ISEs to promote the wellbeing or safety of a child, young person or a group of children or young people, and to assess or manage family violence risk, provided the relevant requirements are met.

What happens if information sharing is restricted under other laws?

There are various requirements for sharing under both Schemes, the final requirement being ensuring that the information is not excluded information, of which restrictions under other laws are included. For more information, please see the [What is 'excluded information'?](#) and [What if I can't share information under the Schemes?](#) sections of this guide.

The Schemes in practice

What are prescribed Information Sharing Entities and Risk Assessment Entities?

An ISE is an organisation that is prescribed under the Schemes. Only organisations that are prescribed as ISEs are able to share information under the Schemes. A detailed list of all ISEs can be found on the [Victorian Government's ISE List](#). You can search the list to determine if an organisation is a prescribed ISE.

Examples of ISEs include, but are not limited to:

- Education Workforces
 - Victorian Catholic schools
 - Government schools
 - Independent schools
 - Kindergartens
 - Long day care
 - Before and After School Hours Care providers
 - Relevant non-government school system bodies
 - DE funded/delivered student disengagement and wellbeing programs and services
- Health Workforces
 - General practitioners
 - Public hospitals
 - Ambulance Victoria
 - Community health services
 - Early parenting centres
 - Supported playgroups
- Other bodies
 - Victoria Police
 - Child Protection
 - Integrated family services (Child Services)
 - Out-of-Home Care
 - Maternal and Child Health services
 - The Orange Door
 - Specialist family violence services and Risk Assessment and Management Panels (RAMPs)
 - Sexual assault services
 - Designated mental health services
 - Alcohol and other drug services
 - Department of Families, Fairness and Housing (DFFH) and selected homelessness services
 - Youth Justice and Youth Parole Board
 - Justice Health
 - Victim's Support Agency and Victim Assistance Programs
 - Multi-Agency Panel for Youth Offending (MAPs)
 - Registry of Births, Deaths and Marriages.

Please note the following bodies are **not** prescribed ISEs under the Schemes:

- private practice health practitioners
- family day care providers
- TAFEs who provide VCAL Subjects.

An organisation or service who is an ISE may also be classified as a Risk Assessment Entity (RAE) under the FVISS.

ISEs can share information relevant for a family violence **assessment** purpose with RAEs only. Information can be shared with all ISEs for a family violence **protection** purpose. Victorian Catholic schools **are not** RAEs.

ISEs that are also RAEs are:

- State funded specialist family violence services (including Men's Behaviour Change Programs, refuges, family violence counselling services and therapeutic programs)
- Risk Assessment and Risk Management Panels (RAMPs)
- State funded sexual assault services
- Child Protection and Child FIRST
- The Orange Door
- Victims Support Agency
- Victoria Police.

How does the CISS define ‘promoting wellbeing and safety’?

At all times, the ongoing wellbeing and safety of children and young people will be the primary focus of decision-making. The terms ‘wellbeing’ and ‘safety’ have not been defined to allow for professional judgement. However, they can be understood within a human rights framework, which includes the rights of a child to: develop to their full potential, access services to support their health and education, participate in their communities and be protected from harm.

For a child or young person to experience wellbeing they need to be safe. Promoting safety means protecting children and young people from risks of harm or incidents of harm.

The concept of wellbeing is broader than safety alone and requires more than the absence of harm or risks of harm. Promoting wellbeing involves supporting a positive state that includes factors such as:

- physical, psychological and emotional health
- access to and engagement with supportive services
- engagement in supportive relationships with adults, other children, young people and community
- involvement in activities that will foster development
- access to age-appropriate learning and development
- access to safe accommodation and nourishment
- a safe and stable environment in which to live, learn and grow.

Promoting wellbeing often includes prevention and early support measures, which may avoid the escalation of wellbeing issues into safety concerns. The CISS provides a tool for professionals to promote the wellbeing of a child, young person or group of children or young people through the sharing of information that previously may have not qualified under requirements such as Mandatory Reporting.

It is intended that professionals will use their professional judgement when assessing whether information sharing meets the threshold for promoting the wellbeing or safety of a child, young person or group of children or young people.

There may be instances where information needs to be shared to promote the wellbeing or safety of more than one child, including where one child poses a risk to another. In such cases, professionals should exercise their judgement to consider and balance each child’s wellbeing and safety to achieve the best possible outcomes for each child. For example, siblings in a family.

For more information on wellbeing, see the DE’s [Child Information Sharing Scheme Wellbeing Animated](#) video.

Worked example

For the past four months, Affan and his family have been working with Klara, a mental health worker at the local Community Health Centre, to understand and manage Affan’s behavioural issues.

Affan is a student at a Victorian Catholic primary school. Klara would like to request and share information with Affan’s teacher, to help them both support Affan’s behavioural progress and emotional regulation.

Klara talks with Affan and his family about sharing some information about Affan with his school and her reasons for doing so. Affan’s parents express some privacy concerns which Klara documents and lets them know that she has decided to share the information in the interests of Affan’s wellbeing.

Klara contacts the school and speaks with the Office Manager who is the school’s designated initial point of contact for information sharing. She tells Klara that she will pass on her details to Simeon, the school’s nominated person supporting the oversight of the CISS in school and who has undertaken training on information sharing.

Simeon confirms the Community Health Service is an ISE then contacts Klara to talk through what she proposes to share. They also discuss Affan and his family's views about sharing his information.

Simeon determines the threshold for sharing has been met, as it is to promote Affan's wellbeing by assisting his learning and development, and documents the request, noting the wishes of Affan and his family. Simeon then discusses the request with Affan and his family to seek their views and wishes, before deciding to share the information. Simeon passes on the request to Sue, Affan's classroom teacher, who is best placed to give Klara the information. Sue contacts Klara.

Klara shares Affan's behaviour management strategy with Sue, who also shares her observations with Klara about Affan's behaviour and progress at school. Both document the information they have shared and received and ensure that it is stored securely. They agree to stay in touch as required.

What is 'excluded information'?

Information sharing under the Schemes cannot include 'excluded information'. Excluded information is information that, if shared, could reasonably be expected to do the following:

- endanger a person's life or result in physical injury
- prejudice legal proceedings, a police investigation, coronial inquiry or interfere with the enforcement or administration of the law
- contravene a court order or another law
- be legally privileged
- reveal a confidential police source
- be contrary to public interest.

Schools are not required to conduct extensive investigations to determine whether information is excluded information before sharing it. However, if schools are aware that information falls within an excluded category then they are not permitted to share that information.

For further detail on excluded information, see the [Child Information Sharing Scheme Ministerial Guidelines](#).

If you require further assistance or have questions regarding excluded information, please contact your relevant diocesan office. RI/MPJP schools should consider contacting their governing body for further advice.

Is consent required when using the Schemes?

CISS

Under the CISS, ISEs do not require consent from any person to share relevant information. However, it is important to note that a professional should seek and take into account the views of the child or young person and their relevant family members where it is appropriate, safe and reasonable to do so. As supported by the legislative principles, it is critical to maintain constructive and respectful engagement with children, young people and their families.

FVISS

Under the FVISS, consent is not required from any person (including the child, young person, a parent who is not a perpetrator or any other person) to share their information if it is relevant to assessing or managing the risk of family violence for a child or young person victim survivor. However, ISEs should seek the views of child, young person and adult victim survivors when sharing their information unless it is not safe, appropriate or reasonable to do so.

Consent is not required from an alleged perpetrator (for a risk assessment purpose) or a perpetrator (for a risk assessment purpose or protection purpose), including adolescents who engage in family violence, when sharing information under the FVISS to assess or manage risk of family violence to a child, young person or adult victim survivor.

If there's a risk to an adult survivor with no child present, a different set of requirements exist. See [Sharing to manage a family violence risk to an adult victim survivor](#).

Worked example

Olivia has been enrolled at a Victorian Catholic secondary school since Year 7. From her commencement at the school, staff have made the following observations:

1. Olivia has had a significant number of days absent due to sickness. When she is present, staff have observed frequent use of the bathroom, Olivia appearing physically uncomfortable and making complaints about stomach pain.
2. Olivia has extreme learning and behavioural difficulties, and staff consider that they have identified numerous indicators of diagnosable disorders, including autism spectrum disorder (ASD) and attention-deficit hyperactivity disorder (ADHD).

Olivia's year level coordinator, Sam, raised concerns about potential learning and behavioural difficulties with Olivia's father, Tim. Tim became very aggressive and adamantly refused that Olivia had any physical, learning or behavioural concerns. Tim provided the name of Olivia's paediatrician, who works at the Royal Children's Hospital. Tim advised that the paediatrician had assessed Olivia and did not identify any concerns. Tim stopped engaging with the school.

Olivia's mother, Mary, used to engage regularly with the school when Olivia commenced in Year 7. However, in the last year, despite multiple attempts, staff have not been able to contact Mary. When they call her mobile telephone, Tim answers.

After the discussions with Tim about Olivia's needs, staff have also started to observe indicators of family violence through their conversations with Olivia and the stories she has shared about events at home.

Sam has contacted the school's nominated person, Jane, to support the use and oversight of the CISS and FVISS to discuss their concerns of Olivia's wellbeing and safety.

Jane considers whether the information regarding Olivia would pass the threshold tests for sharing under the CISS and FVISS and determines that these are met.

Jane decides that there may be a family violence safety risk and under the FVISS contacts DFFH Child Protection and Victoria Police as RAEs. She provides the information and observations from the school to request that a family violence risk assessment is undertaken.

Jane also uses the CISS to proactively share with Olivia's paediatrician information regarding Olivia's physical health, learning and behaviour difficulties. She also makes a request under the CISS for any relevant information (including any diagnosable disorders) that may help the school better support Olivia with her learning and behaviour. Once it is established that family violence is present and that support and appropriate management are in place, Jane proactively contacts Olivia's paediatrician again. This time she proactively shares information under the FVISS for the purpose of Olivia's protection and to assist the management of any ongoing risk.

Each time Jane shares information, she verifies that the organisation is a prescribed ISE or RAE. When sharing under the CISS, Jane determines, using her professional judgement, to **not seek the views or wishes of Olivia's family before sharing information to any ISE**, given the views expressed by Tim in relation to Olivia's medical needs, and in the context of family violence concerns.

Additionally, when sharing under the FVISS, **Jane does not need to obtain consent** to share information as the purpose is to manage a family violence risk to Olivia, as well as sharing information about Mary in order to lessen or prevent a serious threat to an individual's life, health, safety or welfare.

Jane contacts the ISE to understand their requirements for receiving information before providing the information to the ISE. After sharing, Jane records what has been shared as well as the

information that has been requested. This is added to Olivia's school record, which is kept in a secure place.

Following the sharing of information, the school was able to coordinate information from various stakeholders, including Olivia's paediatrician, resulting in increased care for Olivia's learning and behavioural difficulties. Furthermore, Victoria Police were able to conduct welfare checks on Mary and confirm her safety. The family have effectively engaged with a specialist family violence service to receive the support they need, and the risk is being managed effectively.

What common information do schools hold that can be shared?

Schools hold many key pieces of information that, through sharing under the Schemes, can improve the safety or wellbeing of a child or young person. Examples of the key information schools may hold include:

- absenteeism
- academic performance
- behavioural support and safety documentation
- behaviour tracking or changes
- counselling attendance
- eating habits
- learning data
- medical centre attendance
- observed behaviour of a child's parents
- Personalised Learning Plans (PLPs)
- Program Support Group (PSG) notes
- wellbeing strategies.

What are key 'opportunities for information sharing'?

The key pieces of information that schools hold can often be shared at a specific milestone or activity, referred to as 'opportunities for information sharing'. Potential 'opportunities for information sharing' include:

- when a child or young person moves between schools
- when a child or young person transitions from early childhood education to primary school or between primary school and secondary school
- for an allied health assessment, including by an external psychologist that is on the ISE list
- when requested by a government agency, including DFFH or the Department of Health.

These 'opportunities for information sharing' or milestones also provide an opportunity for staff to request information from other ISEs to support the wellbeing and safety of a child or young person.

Worked example

Angus commenced at a Victorian Catholic primary school at the beginning of the year, and Angus' mum, Pauline, informed the school that Angus had been diagnosed with ASD and significant anxiety.

The school has made significant progress with transitioning Angus into the school, and his additional needs are well managed through the implementation of additional supports to meet his needs arising from ASD.

During the school year, Angus' parents' divorce, leading Angus' mother to inform the school that she is moving to regional Victoria to be with her extended family. Pauline advises that she is removing Angus from the school and enrolling him elsewhere. Pauline provides the name and location of the new school Angus will attend to his current classroom teacher, Sanjay.

Sanjay decides to use the CISS to share information to Angus' new school around strategies the school has used to manage Angus' additional needs.

All Victorian schools are ISEs so Sanjay knows that Angus' new school is an ISE.

Sanjay then considers whether the information he wants to share meets the threshold criteria, determining that it does as it promotes Angus' wellbeing by assisting his learning and development.

Sanjay discusses the request with Angus and his family to seek their views and wishes. Through this discussion, Angus' family better understand how sharing information would help Angus and are supportive of the information being shared.

Sanjay contacts the ISE to understand their requirements for receiving information before providing the information to the ISE.

After sharing, Sanjay makes a record of what is shared. This is added to Angus' school record, which is kept in a secure place.

Record keeping requirements

In addition to regular record keeping requirements, under the CISS or FVISS following proactive sharing, requesting or responding to a request for information, ensure that the record includes:

- the Scheme(s) the information was shared under
- how the requirements for sharing were met under the Scheme(s)
- if the views and wishes of the child, young person or family were sought before sharing information, and if not, the reason why.

Schools may also refer to the Victorian Government [Information sharing guides, templates and tools](#) regarding record keeping.

What if I can't share information under the Schemes?

The Schemes provide professionals with additional permissions to share relevant information. Where information cannot be shared under the Schemes, there remains numerous other avenues to support children, young people and families, with existing obligations continuing to apply. This includes Mandatory Reporting, Reportable Conduct Scheme, Criminal Laws, Duty of Care, and the Victorian Child Safe Standards.

Sharing to manage a family violence risk to an adult victim survivor

Where no children or young people are involved, the FVISS can be used to share information to assess or manage family violence risk to adults. This could be a co-worker, including a teacher.

When sharing information about an adult victim survivor (a person an ISE reasonably believes that there is a risk that the person may be subjected to family violence), consent is required from the adult victim survivor prior to sharing their information unless there is a serious threat or there is a child or young person present.

Under the **FVISS**, there are circumstances in which information can only be shared with the consent of the person to whom the information relates.

Consent is required when assessing or managing risk to an adult victim survivor (where there is no child or young person present). Consent will be required from the victim survivor or a third party before their information can be shared under the FVISS. However, their information may be shared without consent where the sharing of that information is necessary to lessen or prevent a serious threat to an individual's life, health, safety or welfare.

Consent is also required to share information about a third party. A third party is any person whose information is relevant to assessing or managing family violence risk who is not a victim survivor, perpetrator or alleged perpetrator. This could include previous partners of either party, friends, acquaintances, neighbours or associates of a victim survivor, perpetrator or alleged perpetrator.

Information sharing decision trees

The information sharing decision trees below will help answer the following questions:

1. Can I share information using the CISS?
 - [CISS Proactive information sharing and responding to requests](#)
2. Can I request information using the CISS?
 - [CISS Requesting information](#)
3. Can I share information using the FVISS?
 - [FVISS Proactive information sharing and responding to requests](#)
4. Can I request information using the FVISS?
 - [FVISS Requesting information](#)