

CHILD AND FAMILY VIOLENCE INFORMATION SHARING SCHEMES PROCEDURE

1.0 INTRODUCTION

This Child and Family Violence Information Sharing Schemes Procedure applies to all primary and secondary Catholic schools managed and operated by Diocese of Sale Catholic Education Limited (**DOSCEL**) in the State of Victoria (**Schools**). This Procedure also applies to the DOSCEL Secretariat.

DOSCEL is a not for profit organisation that carries on and promotes the charitable activities of the Diocese of Sale in connection with education, in particular to support and advance Catholic education through its operation of Schools.

2.0 PURPOSE

The purpose of this Procedure is to support DOSCEL and its Schools to request and share information under the Child Information Sharing Scheme (**CISS**) and Family Violence Information Sharing Scheme (**FVISS**) (together, **Information Sharing Schemes**).

3.0 BACKGROUND

The Information Sharing Schemes provide prescribed Information Sharing Entities (**ISEs**) with an expanded ability to share confidential information with other ISEs to promote the wellbeing or safety of children or to assess or manage family violence risk.

- DOSCEL and its Schools are prescribed ISEs for the purposes of the Information Sharing Schemes, and can therefore request and share information in accordance with those schemes.
- The Information Sharing Schemes complement existing obligations and frameworks.
- DOSCEL and its Schools must continue to comply with any existing obligations, such as obligations arising under the Child Safe Standards, mandatory reporting requirements, privacy or criminal law and the Reportable Conduct Scheme.
- ISEs must meet a range of requirements when using the Information Sharing Schemes to request and share information.
- This Policy is intended to assist DOSCEL and its Schools to comply with their obligations under the Information Sharing Schemes.

4.0 PREPARING FOR THE INFORMATION SHARING SCHEMES

To prepare for the Information Sharing Schemes, DOSCEL and its Schools must do the following:

4.1 Identify Staff

The following DOSCEL staff are responsible for making decisions under the Information Sharing Schemes about the sharing of confidential information on behalf of DOSCEL and requesting and sharing information under the schemes on behalf of DOSCEL:

- In DOSCEL Schools, professionals nominated by the Principal (information sharers), who have completed the Professionals training. This can include the Principal themselves.
- In the DOSCEL Secretariat, professionals nominated by the Executive (information sharers), who have completed the Professionals training.

School principals must identify staff who will be responsible for making decisions under the Information Sharing Schemes about the sharing of confidential information on behalf of the School.

Before identifying a staff member as having responsibility for making decisions under the Information Sharing Schemes about the sharing of confidential information, the principal must be satisfied that the staff member:

- is an employee of DOSCEL or is otherwise contracted by DOSCEL (other than on a voluntary basis)
- is sufficiently competent in the use of the Information Sharing Schemes and in the appropriate, sensitive and compliant management of confidential information — has appropriate skills, understanding and experience in the identification and management of student wellbeing or safety, and the appropriate and sensitive management of confidential information
- wherever possible, has regular engagement with students and families whose information may be shared or requested, and/or the children in whose interest information may be shared or requested.

Note: *This point does not prohibit principals from identifying appropriate staff members who do not have direct contact with students and families.*

Appropriate professionals whom principals may identify as having responsibility for making decisions under the Information Sharing Schemes about the sharing of confidential information on behalf on the School include (but not limited to):

- year level coordinators
- student wellbeing coordinators
- teachers
- mental health in schools practitioners

- psychologists employed by DOSCEL.

Professionals and other school connected roles who should **not** be identified as those who can make decisions under the Information Sharing Schemes and share confidential information on behalf of the School include:

- private psychologists
- non-staff members of School council
- School administration staff members
- volunteers.

The examples above do not limit who can perform other functions under the Information Sharing Schemes (for example, administration, or contributing relevant information to identified school staff about students or their families, or having conversations with students and their family members about the sharing of their information).

4.2 Complete professional learning

DOSCEL and its Schools must ensure that any staff who are identified as having responsibility for making decisions under the Information Sharing Schemes about the sharing of confidential information on behalf of DOSCEL/the School undertake appropriate professional learning in relation to the operation and application of the Information Sharing Schemes.

The Department of Education and Training provides online access to a range of professional learning opportunities relating to the Information Sharing Schemes: [Training for the information sharing and MARAM reforms | Victorian Government \(www.vic.gov.au\)](https://www.vic.gov.au/training-for-the-information-sharing-and-maram-reforms).

A toolkit training resource is available to all Victorian schools and centre-based education and care services on the Department of Education and Training [PROTECT](https://www.vic.gov.au/protect) website.

4.3 Establish initial point of contact for information sharing requests

DOSCEL and its Schools must establish an initial point(s) of contact at DOSCEL/in the school to receive information sharing requests made by other ISEs under the Information Sharing Schemes and to pass on such requests to those staff who have been identified by DOSCEL/the principal as having responsibility for making decisions under the Information Sharing Schemes about the sharing of confidential information on behalf of DOSCEL/the School, as appropriate.

DOSCEL and its Schools should ensure that office staff responsible for answering telephone calls and managing emails to any generic email address/es are aware of the initial point of contact for information sharing requests under the schemes.

DOSCEL and its Schools should keep their websites updated with the appropriate initial point of contact information.

4.4 Update school policies

Schools should ensure that any local school policies are updated so as to ensure alignment with the Information Sharing Schemes, where appropriate.

DOSCEL has updated the following policies which apply to DOSCEL and its Schools, to include additional information on the Information Sharing Schemes:

- Application for Early Age Entry to School Form
- Application for Enrolment Form
- Child Protection and Safety Policy
- Complaints and Grievances Management Policy
- Critical Incident Management Policy
- Critical Incident Management and Response Resource
- Duty of Care Policy
- Enrolment Handbook
- Enrolment Policy
- Guide to Reporting Conduct under the Reportable Conduct Scheme
- Health Care Needs Guidelines
- Health Care Needs Policy
- Mandatory Reporting Policy
- Mandatory Reporting Procedure
- Pastoral Care Policy
- Privacy Collection Notice
- Privacy Policy
- Protection of Children – Failure to Disclose Policy
- Protection of Children – Failure to Disclose Procedure
- Protection of Children – Failure to Protect Policy
- Protection of Children – Failure to Protect Procedure
- Resolving Parent Guardian Issues and Concerns
- School Attendance Policy
- Suspension, Expulsion and Negotiated Transfer Policy and Procedure
- Template Child Safety Code of Conduct
- Template Child Safety Risk Register.

5.0 REQUIREMENTS FOR SHARING INFORMATION UNDER THE INFORMATION SHARING SCHEMES

Under the Information Sharing Schemes, certain requirements must be met before relevant information can be shared between prescribed ISEs.

Information that meets these requirements:

- **must be shared, if requested** by another ISE and
- **may** be proactively shared with another ISE.

5.1 Requirements before sharing information under the Child Information Sharing Scheme

Child Information Sharing Scheme three-part threshold test

DOSCEL and its Schools must ensure the following three-part threshold test is met before using the CISS to share information with other ISEs.

- a) **The purpose of sharing must be to promote the wellbeing or safety of a child or group of children.**

DOSCEL and its Schools are expected to use their expertise and professional judgement to decide whether the sharing of particular information will promote the wellbeing or safety of a child or group of children. Judgement must also be applied to determine how much information should be shared in the circumstances.

In considering this issue, DOSCEL and its Schools should seek and take into account the views of the child and relevant family members, if safe, appropriate and reasonable to do so. The term 'wellbeing' is not defined in the legislation so that professionals can exercise their professional judgement.

Wellbeing might include (but is not limited to):

- protecting children from risk or incidents of harm and other safety concerns
- promoting positive wellbeing, such as:
 - good health
 - positive relationships with adults, other children and development
 - age-appropriate learning and development
- prevention and early intervention measures which may avoid the escalation of wellbeing issues into safety concerns.

Where more than one child is involved, DOSCEL and its Schools should exercise their judgement to consider and balance each child's wellbeing and safety to achieve the best possible outcomes for each child. This may require a particular focus on the needs of more vulnerable children.

b) The sharing of information must assist another Information Sharing Entity to undertake its activities.

The ISE disclosing the information must form a reasonable belief that sharing the confidential information may assist the receiving ISE to carry out one or more of the following professional activities:

- making a decision, an assessment or a plan relating to a child/children, such as an individualised learning plan or behavioural support plan for schools
- initiating or conducting an investigation relating to a child/children
- providing a service relating to a child/children
- managing any risk to a child/children.

Threshold questions 1 and 2 above can be used together. That is, DOSCEL/Schools can consider the activities the receiving ISE may use the information for (threshold question 2) in determining whether the information to be shared is for the purpose of promoting child wellbeing or safety (threshold question 1).

In line with the guiding principles set out in the *DOSCEL Child Information Sharing Schemes Policy*, DOSCEL/Schools should work with the receiving ISE, as required, to determine whether the information to be shared may assist them to promote the wellbeing or safety of a child or group of children.

Information must not be used by the receiving ISE to unlawfully limit, remove or prevent a child's or a relevant family member's access to services (for example, to screen a child before they are accepted for enrolment by a school). This would not promote the wellbeing or safety of the child.

c) The information must not be known to be 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 a police investigation or interfere with the enforcement or administration of the law
- prejudice a coronial inquest or inquiry
- prejudice a fair trial of a person or the impartial adjudication of a particular case
- disclose information that would be privileged from production in legal proceedings on the ground of legal professional privilege or client legal privilege
- disclose or enable a person to ascertain the identity of a confidential source of information in relation to the enforcement or administration of the law, such as revealing a confidential police source
- contravene a court order
- be contrary to the public interest
- contravene another law.

DOSCEL and its Schools are not required to conduct an investigation to determine whether or not information is 'excluded information' before sharing it. Rather, if DOSCEL/Schools are aware that information falls within an excluded category, then that information may not be shared under the CISS.

Where the three-part threshold test for sharing outlined above has been met, identified staff must still exercise their professional judgement in only sharing information to the extent necessary to promote the wellbeing or safety of a child or group of children.

Seeking consent

If the above three-part threshold test has been met, there is no requirement that DOSCEL and its Schools obtain consent from any person before sharing relevant information with other ISEs under the CISS. However, students and their families are often well-placed to understand their needs and risks. Before requesting and sharing information, DOSCEL and its Schools should:

- inform students and families (who do not pose a risk) of their obligation/ability to share information and inform them each time their information is shared – whenever it is safe, appropriate, and reasonable to do so, and
- seek and take into account the views of the student or the relevant family members about sharing their confidential information – whenever it is appropriate, safe and reasonable to do so.

Wherever possible, a person from the relevant School with an ongoing positive relationship with the student should be included in any such conversations. This may not always be a person who the principal has identified to make decisions about information sharing on behalf of the School.

Consideration should be given to how the conversation/s will be conducted, taking into account the particular circumstances, including who will be present during the conversation (and at what point in the conversation), and who will lead the discussion.

Where appropriate, DOSCEL and its Schools should take the views of the child or relevant family members into account when deciding whether, what, when and how much to share, and who to share with. Factors which may be relevant when taking into account a student's views include their:

- age
- maturity
- vulnerability
- ability to clearly express their views
- competence to understand the nature and consequences of particular decisions.

Schools must not seek and take into account views:

- **If it is inappropriate:** for example, if a student is living independently and family members no longer have access to their personal information.
- **If it is unsafe: for example, if it is likely to jeopardise a student's wellbeing or safety or** place another person at risk of harm.
- **If timeliness is an issue:** when there is an immediate risk, if DOSCEL/the School is assessing or managing risk to another person.
- **If it is unreasonable:** for example, if the student or their relevant family member does not have a service relationship with DOSCEL/the School (for example, if they are no longer enrolled in a DOSCEL School); if DOSCEL/the School is unable to make contact with them.

Where it is not safe, appropriate and reasonable to seek and take into account views, information sharing should continue.

NOTE: Once a student turns 18, DOSCEL and its Schools may not use the CISS to share information to promote that student's wellbeing or safety. In order to share the information, the School would need consent from the student unless it can be shared under other legislation. However, DOSCEL/Schools can share information using the CISS if this would promote the wellbeing or safety of a child, for example, to promote the wellbeing or safety of another student or a sibling of the student who is under the age of 18.

For further guidance about the circumstances in which information can be shared between ISEs using the CISS refer to the [Child Information Sharing Scheme Ministerial Guidelines, Information Sharing and Family Violence Reforms Contextualised Guidance and Toolkit](#)

Sharing information with a child or family member

The CISS permits ISEs to share information with a child, a person with parental responsibility for the child or a person with whom the child is living, for the more limited purpose of managing a risk to the child's safety.

DOSCEL and its Schools should consider the following when determining whether to share information with a child or relevant family member to manage a risk to the safety of a child:

- the nature and significance of the risk to the safety of the child and
- whether the information will enable the recipient to manage the risk to the safety of the child and, if so, what information will assist that person to manage the risk most effectively
- whether any of the information proposed to be shared is known to be 'excluded information' or restricted from sharing under other legislation.

Information shared with a child or their relevant family members cannot be further used or disclosed by that person unless it is for the purpose of managing a risk to the child's safety or as permitted by any other law.

5.2 Requirements for sharing information under the Family Violence Information Sharing Scheme

Family Violence Information Sharing Scheme: three requirements for information sharing

Under the FVISS, DOSCEL and its Schools may request or share with other ISEs information about a person that is relevant to assessing or managing a family violence risk.

Before sharing under the FVISS, DOSCEL and its Schools must ensure the following three requirements are met:

a) The purpose of sharing must be to assess family violence risk OR protect victim survivors from family violence risk

The two purposes for which information can be shared between information sharing entities are:

- **Family violence assessment purpose:**
 - establishing whether a risk of family violence is present
 - assessing the level of risk to the victim survivor
 - correctly identifying the perpetrator or victim survivor.

NOTE: Only ISEs that are also prescribed as RAEs under the FVISS may request and receive information from other ISEs for the purpose of undertaking a family violence assessment. While DOSCEL and its Schools are ISEs, they are not RAEs. This means that DOSCEL and its Schools may share (either proactively or on request) information with a RAE for the purpose of that entity conducting a family violence assessment, but they may not request or receive information for the purpose of conducting a family violence risk assessment. Refer to the section below on family violence risk assessments.

- **Family violence protection purpose:** once family violence risk is established, to manage the risk to the victim survivor. This includes information sharing to support ongoing risk assessment.

NOTE: All ISEs, including DOSCEL and its Schools, can proactively share, request and receive information from other ISEs for the purpose of family violence protection once family violence risk has been established (provided the following two requirements are also met) – refer to the section below on establishing family violence risk.

b) The applicable consent requirements are met

Under the FVISS, consent is not required from any person to share confidential information that is relevant to assessing or managing family violence risk to a child under the age of 18. In a majority of cases, DOSCEL and its Schools will be sharing information when a student under the age of 18 years is at risk. However, DOSCEL and its Schools should seek consent before using the FVISS to share information as outlined below.

Where a student is under the age of 18, including adolescents, and is a victim survivor:

- Consent is **not required** from any person to share information relevant to assessing or managing family violence risk to a child. However, you should seek and take into account the views of the child and family member that is not a perpetrator where it is safe, reasonable and appropriate to do so.
- Consent is **never required** from a perpetrator or alleged perpetrator.

Where a student is under the age of 18, including adolescents, and they are using or at risk of using family violence:

- The student's consent is **not required** to share their information under the Information Sharing Schemes.
- When no child is at risk, consent is **required** from adult victim survivors and any third parties to share their information, unless DOSCEL and its Schools can legally share under existing privacy laws.
- Consent is **not required** when sharing information is necessary to assess or manage family violence risk to a child.

Where a student is 18 years of age or older and is an adult victim survivor:

- When no child is at risk, consent is **required** from adult victim survivors and any third parties to share their information, unless DOSCEL and its Schools can legally share under existing privacy laws.
- Consent is **not required** when sharing information is necessary to assess or manage family violence risk to a child.

Where a student is 18 years of age or older and they are using or at risk of using family violence:

- their consent is **not required** to share their information under the Information Sharing Schemes.
- When no child is at risk, consent is **required** from adult victim survivors and any third parties to share their information, unless DOSCEL and its Schools can legally share under existing privacy laws.
- Consent is **not required** when sharing information is necessary to assess or manage family violence risk to a child.

c) The information must not be known to be excluded information

Excluded information is information that could reasonably be expected to:

- endanger a person's life or result in physical injury
- prejudice a police investigation or interfere with the enforcement or administration of the law
- prejudice a coronial inquest or inquiry
- prejudice a fair trial of a person or the impartial adjudication of a particular case

- disclose information that would be privileged from production in legal proceedings on the ground of legal professional privilege or client legal privilege
- disclose or enable a person to ascertain the identity of a confidential source of information in relation to the enforcement or administration of the law, such as revealing a confidential police source
- contravene a court order
- be contrary to the public interest
- contravene another law.

DOSCEL and its Schools are not required to conduct an investigation to determine whether information is 'excluded information' before sharing it. Rather, if they are aware that information falls within an excluded category, then that information must not be shared under the FVISS.

Information that is shared with ISEs should be as accurate and current as possible to best promote the wellbeing and safety of children. When sharing information that has been obtained from another source, DOSCEL and its Schools should advise that the information came from another source and when the information was obtained, if appropriate, safe and reasonable to do so. For example, it may be appropriate to advise that information is law enforcement data obtained from Victoria Police, if known.

d) Sharing for family violence risk assessment

Some ISEs are also prescribed under the FVISS as RAEs.

DOSCEL and its Schools can share relevant information proactively or on request with RAEs for risk assessment purposes. DOSCEL and its Schools must share information with a RAE if this is necessary to:

- confirm whether family violence is occurring
- enable the RAE to assess the level of risk the perpetrator poses to the victim survivor
- correctly identify the perpetrator who is using family violence or the victim survivor.

DOSCEL and its Schools can only share information with other ISEs that are not RAEs and request information from RAEs once family violence risk has been established and the identity of the perpetrator and victim survivors are known.

This is to prevent sharing that might escalate risk to a child or family member.

e) Establishing family violence risk

In the absence of a family violence risk assessment by a RAE, DOSCEL and its Schools may establish family violence risk if they form a reasonable belief that family violence is occurring through one or more of the following:

- receiving a disclosure from a child or family member that family violence is occurring
- noticing observable signs/indicators of family violence

- receiving information from another ISE or another person that family violence is occurring. For example, being notified of the existence of a Family Violence Intervention Order, a risk assessment or safety plan completed by a specialist family violence service or another ISE.

If DOSCEL or a School has formed a reasonable belief that family violence risk is occurring and the identity of the perpetrator or victim survivor/s is clear (for example, the victim survivor has identified the perpetrator) DOSCEL/the School may share information under the FVISS for a family violence protection purpose.

f) Sharing for family violence risk management (protection)

Once family violence risk is established, DOSCEL and its Schools can share information with other ISEs (including received from RAEs) if all information sharing requirements are met and DOSCEL/the School reasonably believes that sharing is necessary to:

- remove, reduce or prevent family violence risk
- understand how risk is changing over time
- inform ongoing risk assessment.

For further information about sharing information under the FVISS refer to: [Family Violence Information Sharing Scheme Ministerial Guidelines, Information Sharing and Family Violence Reforms Contextualised Guidance and Toolkit](#).

6.0 SHARING INFORMATION UNDER BOTH INFORMATION SHARING SCHEMES

The Information Sharing Schemes are designed to complement each other, to enable information to be shared to respond to a range of needs and risks facing students and families.

DOSCEL and its Schools may share information under both Information Sharing Schemes:

- to promote a child's wellbeing or safety under the CISS and
- to assess or manage family violence risk to a child or adult under the FVISS.

In order to share information under both Information Sharing Schemes, the information sharing requirements for each scheme must be met. If the requirements for one of the Information Sharing Schemes is not met, then information cannot be shared under that scheme, but may still be shared under the other scheme.

DOSCEL and its Schools should be mindful that sharing information in the context of family violence may pose particular and complex risks for students and other family members. When considering sharing to promote child wellbeing or safety, DOSCEL and its Schools should be alert to whether family violence risk may be present. When sharing information in a family violence context, DOSCEL and its Schools should take all reasonable steps to plan

for and maximise the immediate and ongoing safety of the child and all family members at risk of family violence.

When sharing under one scheme, DOSCEL and its Schools should consider whether sharing under the other scheme may also be beneficial.

7.0 RESPONDING TO REQUESTS FOR INFORMATION UNDER THE INFORMATION SHARING SCHEMES

DOSCEL and its Schools must respond to information sharing requests received from other ISEs. DOSCEL and its Schools should respond to a request from another ISE in a timely manner and prioritise any requests that relate to safety concerns.

Where a request for information is received from an ISE and the requirements for sharing under the CISS and/or the FVISS are met, DOSCEL/Schools **must** share the information, as requested.

When responding to a request for information under both Information Sharing Schemes, the requirements for information sharing under each scheme must be separately met.

If the requirements for one of the Information Sharing Schemes are not met, DOSCEL and its Schools cannot share the relevant information under that scheme, but may still share under the other scheme (provided the requirements for that scheme are met).

DOSCEL and its Schools are encouraged to have a conversation with the requesting ISE before declining to share information. The ISE may be able to provide further details that would satisfy DOSCEL/the School that the relevant requirements for sharing have been met.

DOSCEL and its Schools may also choose to voluntarily share information in addition to the information requested, where the additional information meets the requirements for sharing under the relevant Information Sharing Scheme.

7.1 Responding to a request for information under the Child Information Sharing Scheme

When DOSCEL or a School receives a request for information from another ISE under the CISS, the following steps must be taken:

1. verify the request has come from another ISE via the online [ISE list](#)
2. determine if the request meets the three-part threshold test. All items in the request that meet the threshold test must be shared
3. consider the CISS legislative principles before sharing information
4. seek and take into account the views of the child and/or family member before sharing their information, if appropriate, safe and reasonable to do so. If it is not safe,

appropriate and reasonable, information sharing should continue without the views being sought

5. respond to the request as follows:

- if all or parts of the information requested is going to be refused, the requesting ISE must be notified in writing as to the reasons for the refusal
- if the information will be shared, collate the information and provide it to the ISE in the manner determined by DOSCEL/the School (in writing or by phone). DOSCEL and its Schools are encouraged to consider any requests regarding the manner in which the ISE wishes to receive the information

6. Document the following:

- the ISE that requested the information
- date of request
- the information that was requested
- if refusing a request, information relating to the request and the reason it was refused
- the information that was shared
- the date information was shared
- with whom the information was shared
- relevant risk assessments or safety plans that have been prepared for a person at risk of family violence
- the scheme under which information was shared
- to whom the information related
- how the threshold was met.

If the information sharing relates to any child, a child's parent, or any third party, DOSCEL/the School must also record:

- whether it sought their views about sharing their information
- if their views were not sought, the reason why
- whether they were informed that their information was shared.

7. store the record securely. Take reasonable steps to ensure that records are kept secure and protected from misuse, loss and unauthorised disclosure.

For record keeping templates refer to: [Information Sharing Guides, Templates and Tools](#). Additionally, for an Integrated Record Keeping Checklist refer to: [Information Sharing and Family Violence Reforms Toolkit](#).

7.2 Responding to a request for information under the Family Violence Information Sharing Scheme

When DOSCEL or a School receives a request for information from another ISE under the FVISS, the following steps must be taken:

1. verify the request has come from another ISE via the online [ISE List](#)
2. determine if the request meets the three requirements for sharing, noting that:
 - for the first requirement relating to purpose of sharing:
 - all ISEs may request and receive information for the purpose of family violence protection
 - only ISEs that are also prescribed RAEs may request and receive information from other ISEs for the purpose of family violence assessment – refer to the online [ISE List](#) to determine if the ISE is also a RAE
 - where consent for sharing is not required because the victim survivor is a child, DOSCEL and its Schools should seek and take into account the views of the child and/or family member that is not a perpetrator as to whether the information should be shared, where it is safe, appropriate and reasonable to do so.
3. consider the FVISS legislative principles before sharing information
4. respond to the request as follows:
 - if all or parts of the information requested is going to be refused, the requesting ISE must be notified in writing as to the reasons for the refusal
 - if the information will be shared, collate the information and provide it to the ISE in the manner determined by DOSCEL/the School (in writing or by phone). DOSCEL and its Schools are encouraged to consider any requests regarding the manner in which the ISE wishes to receive the information.
5. document the following:
 - the ISE that requested the information
 - date of request
 - the information that was requested
 - the information that was shared
 - the date the information was shared
 - with whom the information was shared
 - if sharing about child or adult victim survivors or third parties where a child is at risk, whether their views about sharing their information were sought. If their views were not sought, the reason why
 - if sharing about child or adult victim survivors or third parties where a child is at risk, if they were informed that their information was shared
 - if sharing about adult victim survivors of family violence where no child is at risk, whether consent was sought and obtained from adult victim survivors and any third parties and whether the consent was written, verbal or implied. If the information was shared without consent, record the reason why
 - if the information was shared without consent, record if the person was informed that their information was shared without consent
 - copies of any supporting documents, such as safety plans developed for the student

- the scheme under which information was shared
 - to whom the information related
 - how the thresholds were met.
6. store the record securely. Take reasonable steps to ensure that records are kept secure and protected from misuse, loss and unauthorised disclosure. The record must also be only accessible with those who have a requirement to access or manage it.

For record keeping templates refer to: [Information Sharing Guides, Templates and Tools](#). Additionally, for an Integrated Record Keeping Checklist refer to: [Information Sharing and Family Violence Reforms Toolkit](#).

8.0 REQUESTING INFORMATION UNDER THE INFORMATION SHARING SCHEMES

As prescribed ISEs under the Information Sharing Schemes, DOSCEL and its Schools can request information from any other ISE to promote the wellbeing or safety of a child or group of children or to manage family violence risk.

When requesting information relating to family violence risk to a child (anyone under the age of 18 years old) this may be done under both Information Sharing Schemes, as managing family violence risk for children will also benefit their safety and wellbeing.

It is the responsibility of the ISE that receives the request to ensure that the requirements for sharing under either scheme are met before sharing the information. However, DOSCEL and its Schools should ensure that sufficient details are provided when requesting information from another ISE, so that the other ISE is able to properly assess whether the requirements for sharing are met.

If DOSCEL or a School makes a request for information from another ISE under the Information Sharing Schemes and that request is declined, DOSCEL/the School should seek to clarify the request and the reasons it has been declined with the other ISE. Depending on the reason for declining the request, it may be possible for DOSCEL/the School to provide further details in order to satisfy the other ISE that the requirements for sharing under the relevant Information Sharing Scheme have been met.

DOSCEL and its Schools should note that some ISEs have their own forms for information sharing request, such as

- [Victoria Police - online request form](#)
- [Corrections Victoria](#)
- Child Protection – DOSCEL and its Schools can request information from, or share information with, Child Protection at a local level. For example, with a Child Protection case worker currently involved with a student or family.

DOSCEL and its Schools should use these forms when requesting information under the Information Sharing Schemes from prescribed statutory organisations.

8.1 Requesting information from an Information Sharing Entity under the Child Information Sharing Scheme

When DOSCEL and its Schools want to request information from another ISE using the CISS, the following steps must be taken:

1. determine why the information is needed and how it will be used by DOSCEL/the School to promote a child's wellbeing or safety
2. consider the CISS guiding principles (see *DOSCEL Child Information Sharing Schemes Policy*) before requesting information, and take into account the views of the child and/or family member before requesting the information if safe, appropriate and reasonable to do so. If it is not safe, appropriate and reasonable, information sharing should continue
3. verify that the organisation from which information will be requested is a prescribed ISE using the online [ISE List](#)
4. contact the ISE from which information will be requested to determine whether it has any specific requirements in relation to requests for information under the CISS
5. keep a record of:
 - the date any request for information was made
 - the ISE the request was made to
 - how the three-part threshold for information sharing was met
 - the nature of the information requested.
6. store the record securely. Take reasonable steps to ensure that records are kept secure and protected from misuse, loss and unauthorised disclosure. The record must also be only accessible to those who need to access or manage it.

For record keeping templates refer to: [Information Sharing Guides, Templates and Tools](#). Additionally, for an Integrated Record Keeping Checklist refer to: [Information Sharing and Family Violence Reforms Toolkit](#).

8.2 Requesting information from an Information Sharing Entity under the Family Violence Information Sharing Scheme

When considering whether to make a request for information under the FVISS, DOSCEL and its Schools should consult the Family Violence Multi-Agency Risk Assessment and Management Framework (**MARAM**), which provides guidance about family violence risk assessment and management (amongst other things).

When DOSCEL and its Schools want to request information from another ISE under the FVISS, the following steps must be taken:

1. determine whether the request meets the three requirements for sharing for family violence risk management (protection)
2. consider the FVISS guiding principles (see *DOSCEL Child Information Sharing Schemes Policy*) before requesting information, and take into account the views of the child and/or family member (who is not a perpetrator) where it is appropriate, safe and reasonable to do so
3. verify that the organisation from which information will be requested is a prescribed ISE via the online [ISE List](#)
4. contact the ISE from which information will be requested to determine whether it has any specific requirements in relation to requests for information under the FVISS
5. keep a record of:
 - the date request was made
 - the information sharing entity the request was made to
 - how the three requirements for sharing were met
 - the requested information.
6. store the record securely. Take reasonable steps to ensure that records are kept secure and protected from misuse, loss and unauthorised disclosure. The record must also be only accessible to those who need to access or manage it.

For record keeping templates refer to: [Information Sharing Guides, Templates and Tools](#). Additionally, for an Integrated Record Keeping Checklist refer to: [Information Sharing and Family Violence Reforms Toolkit](#).

8.3 Requesting information for the purpose of a family violence assessment under Family Violence Information Sharing Scheme

Some ISEs are also prescribed as RAEs under the FVISS. RAEs can receive and share information for the purpose of establishing or assessing the risk of family violence in addition to the purpose of managing the risk to the victim survivor once risk has been established.

DOSCEL and its Schools are not RAEs. Therefore, they may only request information from other ISEs under the FVISS where the information sharing is for the purpose of family violence protection. This may only be done once DOSCEL/the School has formed a reasonable belief that family violence is present (i.e. family violence risk is established).

For guidance on establishing family violence risk, refer to *Establishing family violence risk* above.

9.0 PROACTIVELY SHARING INFORMATION UNDER THE INFORMATION SHARING SCHEMES

DOSCEL and its Schools may share information with other ISEs without a request, if the information they are sharing meets the three-part threshold test for the CISS, or the three requirements for sharing under the FVISS.

If DOSCEL/a School shares information proactively under the FVISS in order to manage family violence risk for a student under the age of 18, the information sharing will also come within the scope of the CISS. This is because the management of family violence risk for that student will also benefit the student's wellbeing and safety.

When sharing information under both Information Sharing Schemes:

- the three-part threshold test for information sharing under the CISS must be met for the parts of the information that are being shared to promote child wellbeing or safety (see *Requirements before sharing information under the Child Information Sharing Scheme* above) and
- the three requirements for information sharing under the FVISS must be met for the information being shared to assess or manage family violence risk (see *Requirements for sharing information under the Family Violence Information Sharing Scheme* above).

DOSCEL and its Schools may share proactively with ISEs that are also RAEs for a family violence assessment purpose. Assessment may be to establish if family violence is occurring, determine who the perpetrator is or determine the level risk.

9.1 Sharing information proactively with an Information Sharing Entity under the Child Information Sharing Scheme

When DOSCEL and its Schools want to share information proactively with other ISEs under the CISS, the following steps must be taken:

1. determine whether the information sharing meets the three-part threshold test (see *Requirements before sharing information under the Child Information Sharing Scheme* above)
2. consider the CISS guiding principles before sharing information (see *DOSCEL Child Information Sharing Schemes Policy*), and ensure that the views of the child and/or family member are taken into account whenever it is safe, appropriate, and reasonable to do so.
3. verify that the organisation to which the information will be provided is an ISE the online [ISE List](#)
4. contact the ISE to which the information will be provided to determine whether it has any specific requirements for receiving information under the CISS

5. provide the information to the ISE
6. document the following:
 - the ISE to which the information was provided
 - the date information was shared
 - the nature of the information provided
 - with whom the information was shared
 - the scheme under which the information was shared
 - to whom the information related
 - how the threshold was met

If sharing is about any child, a child's parent or any third party, DOSCEL/the School must also record:

- whether their views were sought in relation to the sharing of their information
 - if their views were not sought, the reason why
 - if they were informed that their information was disclosed
7. store the record securely. Take reasonable steps to ensure that records are kept secure and protected from misuse, loss and unauthorised disclosure. The record must also be only accessible to those who need to access or manage it.

For record keeping templates refer to: [Information Sharing Guides, Templates and Tools](#). Additionally, for an Integrated Record Keeping Checklist refer to: [Information Sharing and Family Violence Reforms Toolkit](#).

9.2 Sharing information proactively with an Information Sharing Entity when a child is at risk under Family Violence Information Sharing Scheme

When considering whether to proactively share information under the FVISS, DOSCEL and its Schools should consult the MARAM, which provides guidance about family violence risk assessment and management (amongst other things).

When DOSCEL and its Schools want to share information proactively with other ISEs under the FVISS, the following steps must be taken:

1. determine whether the information sharing meets the three requirements for sharing for family violence risk management (protection) (see *Requirements for sharing information under the Family Violence Information Sharing Scheme* above)
2. consider the FVISS guiding principles before sharing information (see *DOSCEL Child Information Sharing Schemes Policy*), and ensure that the views of the child and/or family member (who is not a perpetrator) are taken into account where it is appropriate, safe and reasonable to do so

3. verify that the organisation to which the information will be provided is an ISE via the online [ISE List](#)
4. contact the ISE to which the information will be provided to determine whether it has any specific requirements for receiving the information under the FVISS
5. provide the information to the ISE
6. document the following:
 - the ISE to which the information was shared
 - date when information was shared
 - the nature of the information that was shared
 - with whom the information was shared
 - the scheme under which the information was shared
 - to whom the information related
 - how the thresholds were met
7. Store the record securely. Take reasonable steps to ensure that records are kept secure and protected from misuse, loss and unauthorised disclosure. The record must also be only accessible to those who need to access or manage it.

For record keeping templates refer to: [Information Sharing Guides, Templates and Tools](#). Additionally, for an Integrated Record Keeping Checklist refer to: [Information Sharing and Family Violence Reforms Toolkit](#).

9.3 Sharing information proactively with a Risk Assessment Entity for a family violence risk assessment

When DOSCEL or a School want to share information proactively with a RAE for the purpose of the entity undertaking a family violence risk assessment, the following steps must be taken:

1. determine whether the information sharing meets the three requirements for sharing under the FVISS (see *Requirements for sharing information under the Family Violence Information Sharing Scheme* above)
2. consider the FVISS guiding principles (see *DOSCEL Child Information Sharing Schemes Policy*) and ensure that the views of the child and/or family member (who is not a perpetrator) are taken into account where it is appropriate, safe and reasonable to do so
3. verify that the organisation to which the information will be provided is a RAE via the online [ISE List](#)
4. contact the RAE to which the information will be provided to determine whether it has any specific requirements for receiving the information under the FVISS

5. provide the information to the RAE
6. document the following:
 - the RAE to which the information was provided
 - date when information was provided
 - the nature of the information provided
 - to whom the information was provided
 - the scheme under which the information was provided
 - to whom the information related
 - how the three requirements for information sharing were met
7. store the record securely. Take reasonable steps to ensure that records are kept secure and protected from misuse, loss and unauthorised disclosure. The record must also be only accessible to those who need to access or manage it.

For record keeping templates refer to: [Information Sharing Guides, Templates and Tools](#). Additionally, for an Integrated Record Keeping Checklist refer to: [Information Sharing and Family Violence Reforms Toolkit](#).

10.0 CONSIDERATIONS WHEN SHARING INFORMATION ABOUT DIVERSE AND AT-RISK COMMUNITIES

When sharing information to promote child wellbeing and safety or to identify and respond to family violence, DOSCEL and its Schools need to consider that some groups experience increased vulnerability to family violence. For example, some groups experience higher rates of and increased vulnerability as a result of their age, cultural background, location or socioeconomic status. DOSCEL and its Schools are required to have regard to, and be respectful of, a person's cultural, sexual and gender identity and religious faith, in recognition of the fact that these aspects of identity and experience may affect their response to information sharing.

DOSCEL and its Schools should consider both the individual circumstances of the student and parent/guardian/carer and also the different family and community contexts. This will improve their ability to engage with children and families.

11.0 COMPLAINT HANDLING UNDER THE INFORMATION SHARING SCHEMES

11.1 About complaints handling under the Information Sharing Schemes

Under the Information Sharing Schemes, ISEs and individuals (for example, parents, students and members of the community) may complain about how information was shared under the schemes.

Complaints can be made verbally or in writing. Complaints in relation to the Information Sharing schemes must be managed in accordance with DOSCEL's *Complaints and Grievances Management Policy*. Additionally, for a Template for Recording Complaints made under CISS and/or FVISS and a Complaints Checklist refer to: [Information Sharing and Family Violence Reforms Toolkit](#).

In responding to complaints, DOSCEL and its Schools should appropriately consider the circumstances and identity of the complainant and acknowledge and respond to concerns in a timely and respectful manner.

12.0 SAFEGUARDS WHEN SHARING INFORMATION UNDER THE INFORMATION SHARING SCHEMES

The Information Sharing Schemes provide safeguards for the authorised sharing of information.

Offences and penalties may apply where information is shared unlawfully under the Information Sharing Schemes. The Information Sharing Schemes include offences for unauthorised and intentional or reckless use or disclosure of confidential, and falsely claiming to be an ISE, or an authorised representative of an ISE – or knowingly allowing someone else to believe that you are.

When those who are responsible for making decisions under the Information Sharing Schemes act in good faith and with reasonable care when sharing information, they will:

- not be held liable for any criminal, civil or disciplinary action for providing the information
- not be in breach of any code of professional ethics, or considered to have departed from any accepted standards of professional conduct.

DOSCEL and its Schools must maintain confidentiality and treat private information properly, by complying with relevant legal obligations and DOSCEL policies relating to dealings with personal and health information.

Accurate and complete records must also be kept, in accordance with the requirements set out in parts 7, 8 and 9 of this procedure. For record keeping templates refer to: [Information Sharing Guides, Templates and Tools](#). Additionally, for an Integrated Record Keeping Checklist refer to: [Information Sharing and Family Violence Reforms Toolkit](#).

If DOSCEL or its School staff identify or suspect that the requirements of this procedure are not being complied with, they should immediately notify the relevant DOSCEL contact, school principal or an appropriate member of the school's leadership team.

13.0 RELATED POLICIES

- DOSCEL Child Protection and Safety Policy
- DOSCEL Duty of Care Policy
- DOSCEL Guide to Reporting Conduct under the Reportable Conduct Scheme
- DOSCEL Mandatory Reporting Policy
- DOSCEL Pastoral Care Policy
- DOSCEL Protection of Children - Anti-Grooming Policy
- DOSCEL Protection of Children - Failure to Disclose Policy
- DOSCEL Protection of Children - Failure to Protect Policy
- DOSCEL Protection of Children - Reporting Obligations Procedure

14.0 LEGISLATION AND RESOURCES

- Best Interests Framework for Vulnerable Children and Youth
- *Child Information Sharing Scheme Ministerial Guidelines*
- Child Safe Standards
- *Child Wellbeing and Safety (Information Sharing) Regulations 2018* (Vic.)
- *Children, Youth and Families Act 2005* (Vic.)
- *Family Violence Information Sharing Guidelines*
- *Family Violence Multi-Agency Risk Assessment and Management Framework*
- *Family Violence Protection Act 2008* (Vic.)
- *Family Violence Protection (Information Sharing and Risk Management) Regulations 2018* (Vic.)
- Framework for Improving Student Outcomes (FISO)
- *Health Records Act 2001* (Vic.)
- Information Sharing Entity (ISE) List
- *Information Sharing and Family Violence Reforms Contextualised Guidance*
- *Information Sharing and Family Violence Reforms Toolkit*
- *Information Sharing Guides, Templates and Tools*
- Mental Health Toolkit
- *Privacy Act 1988* (Cth)
- Victorian Early Years Learning and Development Framework (VEYLDF) for children from birth to eight

15.0 REVIEW

Implementation Date: August 2021

Updated: July 2024

Review Date: April 2025