

# Child Information Sharing Scheme

## Background, Legislation and Aim

### Background

The Child Information Sharing Scheme (CISS) has been developed in response to numerous independent reviews and inquiries<sup>1</sup> which have identified the need to improve outcomes for children by promoting shared responsibility for their wellbeing and safety and increasing collaboration across the service system. They also identified the need to modify a risk-averse culture, which has resulted in some professionals being hesitant to share information even when it would benefit children to do so.

### Aim

The aim of the CISS is to:

- Improve outcomes for children by promoting shared responsibility for their wellbeing and safety and increasing collaboration across the service system
- Modify a risk-averse culture to sharing information

### What is Considered Child Wellbeing?

There is no agreed framework that outlines what is understood as child wellbeing. The degree of wellbeing and safety within families exists on a broad continuum.

The CISS makes it easier for professionals to support children, young people and families to get the help they need as early as possible and prevent future harm occurring.

### Legislation

These inquiries also recommended streamlining Victoria's information sharing arrangements and led to the amendment of the *Children, Wellbeing and Safety Act 2005 (Vic)* in 2018, which established the CISS.

The CISS has been designed to complement the Family Violence Information Sharing Scheme (FVISS). The CISS must be used in combination with the FVISS and the Multi Agency Risk Assessment and Management (MARAM) Framework, if it is believed that family violence risk to an adult or child is present.

## Legislative Principles of the CISS

When sharing information under the CISS, the nine legislative principles that an ISE requires to apply<sup>ii</sup>:

1. Give precedence to the wellbeing and safety of a child or group of children over the right to privacy.
2. Seek to preserve and promote positive relationships between a child and the child's family members and people significant to the child.
3. Seek to maintain constructive and respectful engagement with children and their families.
4. Be respectful of and have regard to a child's social, individual and cultural identity, the child's strengths and abilities and any vulnerability relevant to the child's safety or wellbeing.
5. Promote a child's cultural safety and recognise the cultural rights and familial and community connections of children who are Aboriginal, Torres Strait Islander or both.
6. Seek and take into account the views of the child and the child's relevant family members, if it is appropriate, safe and reasonable to do so.
7. Take all reasonable steps to plan for the safety of all family members believed to be at risk from family violence.
8. Only share confidential information to the extent necessary to promote the wellbeing or safety of a child or group of children, consistent with the best interests of that child or those children.
9. Work collaboratively in a manner that respects the functions and expertise of each information sharing entity.

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<sup>i</sup> Commission for Children and Young People annual reports and documents; Coroner Court of Victoria, 2015, Inquest into the Death of Baby D; Cummins, et al 2012, Report on the Protecting Victoria's Vulnerable Children Inquiry; Department of Health and Human Services 2016; Royal Commission into Family Violence, 2016, Report and recommendations; Victorian Auditor-General's Office, 2011, Early Childhood Development Services: Access and Quality; Victorian Auditor-General's Office, 2015, Early Intervention Services for Vulnerable Children and Families; Royal Commission into Institutional Responses to Child Sexual Abuse, 2017.

<sup>ii</sup> Child Information Sharing Ministerial Guidelines, Guidance for information sharing entities, Victoria State Government, Department of Health and Human Services, September 2018 <https://www.vic.gov.au/sites/default/files/2019-01/Child%20Information%20Sharing%20Scheme%20Ministerial%20Guidelines%20-%20Guidance%20for%20information%20sharing%20entities.pdf>