

Information sharing and MARAM

Introduction

The Victorian Government is progressing three interrelated reforms that are integral to reducing family violence and promoting child wellbeing and safety. The reforms permit Information Sharing Entities (ISEs) to share confidential information under Part 6A of the Child Wellbeing and Safety Act 2005 and Part 5A of the Family Violence Protection Act 2008 in order to promote child wellbeing and to keep families safe.

The reforms have been implemented in phases, commencing from February 2018. In April 2021, additional organisations became prescribed under the reforms as ISEs, including Community Housing Organisations (CHOs).

The three reforms are:

- **Child Information Sharing Scheme (CISS)**

CISS enables authorised organisations and services to share information to promote the wellbeing or safety of children. Find more information on the [Child Information Sharing Scheme](#).

- **Family Violence Information Sharing Scheme (FVISS)**

FVISS enables authorised organisations and services to share information to facilitate assessment and management of family violence risk to children and adults. Find more information on the [Family Violence Information Sharing Scheme](#).

- **Multi-Agency Risk Assessment and Management Framework (MARAM)**

MARAM sets out the responsibilities of different workforces in identifying, assessing and managing family violence risk across the family violence and broader service system. MARAM will guide information sharing under both information sharing schemes wherever family violence is present. Find more information on the [MARAM Framework](#).

It is essential to know how your organisation is prescribed under the Schemes and to verify the same for prescribed organisations you share information with. The ISE list can be found [here](#).

In the context of family violence, both FVISS and CISS must be used in conjunction with the Family Violence Multi-Agency Risk Assessment and Management (MARAM) Framework. The MARAM Framework underpins and guides information sharing under both schemes when family violence is present.

Read the [Ministerial guidelines](#) for these Schemes.

Aligning with CISS

CHOs are in a unique position to identify and respond to child wellbeing matters across their tenancies. Often tenancy workers will be the first to identify areas of concern within families, be it through property damage, neighbour complaints, reports of anti-social behaviour or during routine inspections. CHOs have a responsibility to support their renters to sustain their tenancies, prevent homelessness and a duty of care to respond in a way that promotes wellbeing and safety. As such, it is important that CHOs know how to identify and respond to child wellbeing and safety needs, including family violence.

As ISEs, CHOs have an obligation to align their policies, procedures and documents with information sharing and MARAM reform. The Victorian Government recognise that this will take time, however CHOs need to be making progress towards alignment. In order to support these changes, the Victorian Government has created a number of [information sharing](#) and [MARAM](#) resources that can be found on their website. Helpful resources include an Information Sharing and [MARAM planning template](#) and a [MARAM alignment checklist](#).

To further support CHOs, CHIA Vic has developed this document, that provides a housing specific information and tools, and updated consent document templates, record keeping documents and the CISS decision tree (Appendix 1). Further resources, such as updated policies and templates can be found on the [CHIA Vic website](#). There is also training available, see the Resources section of this document and monitor the CHIA Vic website for further details.

If your organisation requires further support, contact infosharing@familysafety.vic.gov.au

For any queries related to policy, implementation or training, or for technical issues with the online learning modules, please email CISandFVIS@education.vic.gov.au or phone 1800 549 562.

How to share information under CISS

Information Sharing Entities are permitted to voluntarily, or in response to a request, share information related to the safety and wellbeing of children with other prescribed ISEs.



*A Decision Tree to help you decide if you can share information under CISS is available under Resources.

How to share – the process

When an external agency requests information under the Information Sharing Schemes, your organisation should take the following actions:

- Identify the agency that is best placed to respond to the request for information.
- Check your organisation's internal policies. Some organisations have elected that all information sharing requests be coordinated through one or two key personnel, often through a centralised email that is closely monitored. The elected staff members will then collect relevant information (from key records and relevant staff members) and respond to the request. However, in some organisations the requests may be coordinated by the worker that has received the request. In this instance, it is good practice that once you have received the request, to seek your team leader support in responding to ensure you have followed the necessary steps.

It is important to remember that the information request should be responded to in a timely manner. It is also important to note that there is no specific requirement that the information must be responded to in writing, it is also ok to provide information verbally if the below criteria have been met.

- ☐ Ensure the person requesting the information is from a prescribed ISE
<https://iselist.www.vic.gov.au/ise/list/>
- ☐ Make sure the request complies with legislative requirements - that the information is being collected for the purpose of child safety and wellbeing
- ☐ Ensure the information is not excluded information
- ☐ Seek views and wishes of the child or the parents, if safe, appropriate and reasonable to do so
- ☐ Collate the requested information, from review of the file and discussion with relevant staff
- ☐ Provide the collated information to the requesting ISE
- ☐ Follow the record keeping protocols as per your organisation (see appendices for a template).



Knowing which information sharing scheme to use – case studies

Sometimes it can be challenging to know which Information Sharing Scheme you should use. In some cases, you may use both CISS and FVISS. It is important to know if you are sharing information in relation to family violence, child wellbeing, or both.

Decision tree for CISS is available in the Resources section of this document; the FVISS decision tree can be found [here](#). Below are case studies relating to the use of CISS.

Case Study 1: When a request is made to your CHO from an Information Sharing Entity (ISE)

Scenario

Northern Suburbs Primary School has contacted your CHO for information on the wellbeing of a nine-year-old child Josh, who lives with his mother Miranda in a home managed by your CHO. The school is concerned about Josh's patterns of attendance and his withdrawn behaviour during class time, and when they try to contact his mother, the phone numbers they have are disconnected.

The school contacts the CHO to confirm that Josh still lives at the address they have listed and asks for a contact number under the Child Information Sharing Scheme.

In preparing for your response to the request for information sharing by the school, you see that you have a scheduled tenancy visit at the residence in the coming days. During the visit you notice that Josh is home during school hours. Miranda tells you that Josh has been getting into a few fights at school with some of the other kids, so she's keeping him at home for a few days.

Seeking views and wishes

Based on your discussion with Miranda, you think back to your CISS training and remember to seek Miranda's views and wishes to share this information, if it's safe, appropriate, and reasonable to do so.

You ask her if the school knows what's been happening, and she says she has not felt comfortable approaching Josh's teacher. As Miranda's community housing officer, you have an established relationship with her. You reassure her that it is okay to reach out to the school's wellbeing officer instead and that you can support her with next steps.

You ask Miranda if she is happy for you to share information and her current contact details with the school, so they can support her further. Even though it is not required to obtain her consent under CISS, you believe that it is safe, appropriate and reasonable to seek her views and wishes in sharing information, which will support Josh's wellbeing. Miranda is thankful for your support and says she understands the benefits of sharing information with the school.



Point of contact – you confirm that Northern Suburbs Primary School is an ISE and you can share information with their wellbeing officer under CISS. You let your manager know that you are responding to the CISS request and supporting Miranda to engage with the school's wellbeing officer.

Threshold for sharing – You reasonably believe that sharing the information with the school will promote the wellbeing of Josh and help him settle back into school.

Excluded information – You check that only information that is necessary will be shared and there is no excluded information that can't be shared that you are aware of.

Sharing Information - You respond to the information sharing request by calling the school, confirming that Josh lives at the same address, providing the new phone number and advising that Miranda is happy to be contacted by the school's wellbeing officer, and you advise that you have learnt that Josh has been getting into fights at school.

Record keeping - You review the documentation to ensure you have documented:

- The ISE you shared information with
- Miranda's views and wishes on sharing the information
- How the threshold for sharing information was met
- The date the information was requested by the school and the date it was provided
- The information that was shared.

This is stored in Miranda's file, in a secure location.

Case Study 2: Proactively sharing information from your CHO with another Information Sharing Entity (ISE)

Scenario

Kate is a Housing Tenancy worker at Housing Solutions, a prescribed Information Sharing Entity. Kate has several properties that she is responsible for and has a busy day of carrying out inspections. Kate arrives at one property to undertake a routine inspection. Kate knows that this family has previously had support services involved to help with parenting and other practical supports.

During the inspection, Kate notices that the primary renter, Sally, seems irritable, distracted, and tired. Though the property shows no sign of damage and is in decent condition, it is messy with dishes in the sink, toys strewn across the house and there are open windows even though it is a cold and miserable day. Kate observes a school aged child and toddler in the house who appear dirty and are not dressed warmly.

Kate asks Sally how she has been and Sally replies that she is ok, but the kids have been sick lately and it has been hard to buy food as her Centrelink has recently been cut off. Sally says she will get this sorted, it's just a rough patch.

Seeking views and wishes



Kate asks Sally if support services are still involved, Sally said she doesn't think so, no one has been around in a while. Kate asks if it's ok if she calls the support service to check, maybe they can help. Sally says she doesn't want to bother anyone and prefers Kate didn't contact the support service.

Assessment

Kate leaves the inspection and confirms:

1 Point of contact – Sally's support service is authorised as an ISE and so Housing Solutions and the support service can share information with each other.

2 Threshold for sharing – Kate believes sharing the information proactively with the support service will promote the wellbeing of Sally's children and assist the support service to manage any needs and risks regarding Sally's children. Kate is able to share this information even in the situation where Sally would prefer the support service wasn't contacted. Kate also confirms that the information she will disclose is not excluded information under the Act.

Decision

Kate follows Housing Solution's Information Sharing Scheme protocol and finds out that the support service is still involved with the family, however, they have had a difficult time engaging with Sally and she hasn't answered their calls in a while.

In this instance, Housing Solutions decide to proactively share their observations with the support service to support Sally and promote the wellbeing and safety of the children. With the information shared from Housing Solutions, the support service decides to conduct a home visit to Sally the next day, advising they have been attending the local area to check in and offer more intensive support where needed. The support service agrees to keep Housing Solutions updated, and if needed make a child protection report.

Under the Child Information Sharing Scheme, if you believe information sharing promotes a child or children's wellbeing, you are legally obliged to share information, without consent. In this situation, Kate believed it was in the wellbeing interests of Sally's children that the support services be contacted, and the information be shared proactively. Kate sought Sally's views and wishes as it was appropriate, safe, and reasonable to do so.

Record keeping

Kate reviews her documentation and keeps a secure record of the information she has shared with the support service including Sally's views on sharing the information, the scheme used to share information (CISS), how the threshold for sharing was met, the date the information was sent and the information that was shared.

Outcome



Over the next few weeks, Kate receives updates from the support service advising they have engaged with Sally and 'things are getting back on track'. By proactively sharing information and taking an early intervention approach Kate has:

- Prevented possible issues escalating and a tenancy breakdown
- Noticed an improved, collaborative approach between services
- Ensured Sally and her children now have appropriate services to support their needs.

Case Study 3: Declining an Information Sharing Request

Scenario

Melissa is a Team Leader at Housing Solutions and received an email request for information from Northern Support Services. The request is for information related to Elizabeth who is renting a property through Housing Solutions and lives with her child, Noah. Northern Support Services has previously been engaged with Elizabeth and Noah. They ask for Elizabeth's new address so they can 'keep their files up to date'. Northern Support Services also asks for 'any other information you have' and state that they are making the request under CISS.

Assessment

Melissa confirms:

1 Point of contact – Melissa confirms she can respond to the request and that Northern Support Services is authorised as an ISE, so Housing Solutions and the support service can share information with each other.

2 Threshold for sharing – In this instance, Melissa decides that this request does not reach the threshold for information sharing as there is no information regarding a child's wellbeing or safety.

Decision

Melissa informs Northern Support Services of this in writing and records the information request and the reason for declining the information sharing request.

Northern Support Services responds to Melissa's decision, agreeing that in this instance they did not reach the threshold and they would try and contact Elizabeth directly to obtain her new address.

Outcome

Melissa has protected Elizabeth's right to privacy and ensured her information was not shared inappropriately. By Melissa not sharing the requested information, there was no risk to the child's wellbeing or safety. Northern Support Services have received a response in a timely manner and are aware that in this instance it is not appropriate to share the requested information.



Declining an information sharing request

There are a range of circumstances where an ISE may decline a request for information under Part 6A of the Child Wellbeing and Safety Act. Instances in which information will not be shared is if the [Information Sharing threshold has not been met](#), or if the Information is 'Excluded Information'. Excluded Information is information, that if shared, could be reasonably expected to result in any of the following outcomes:

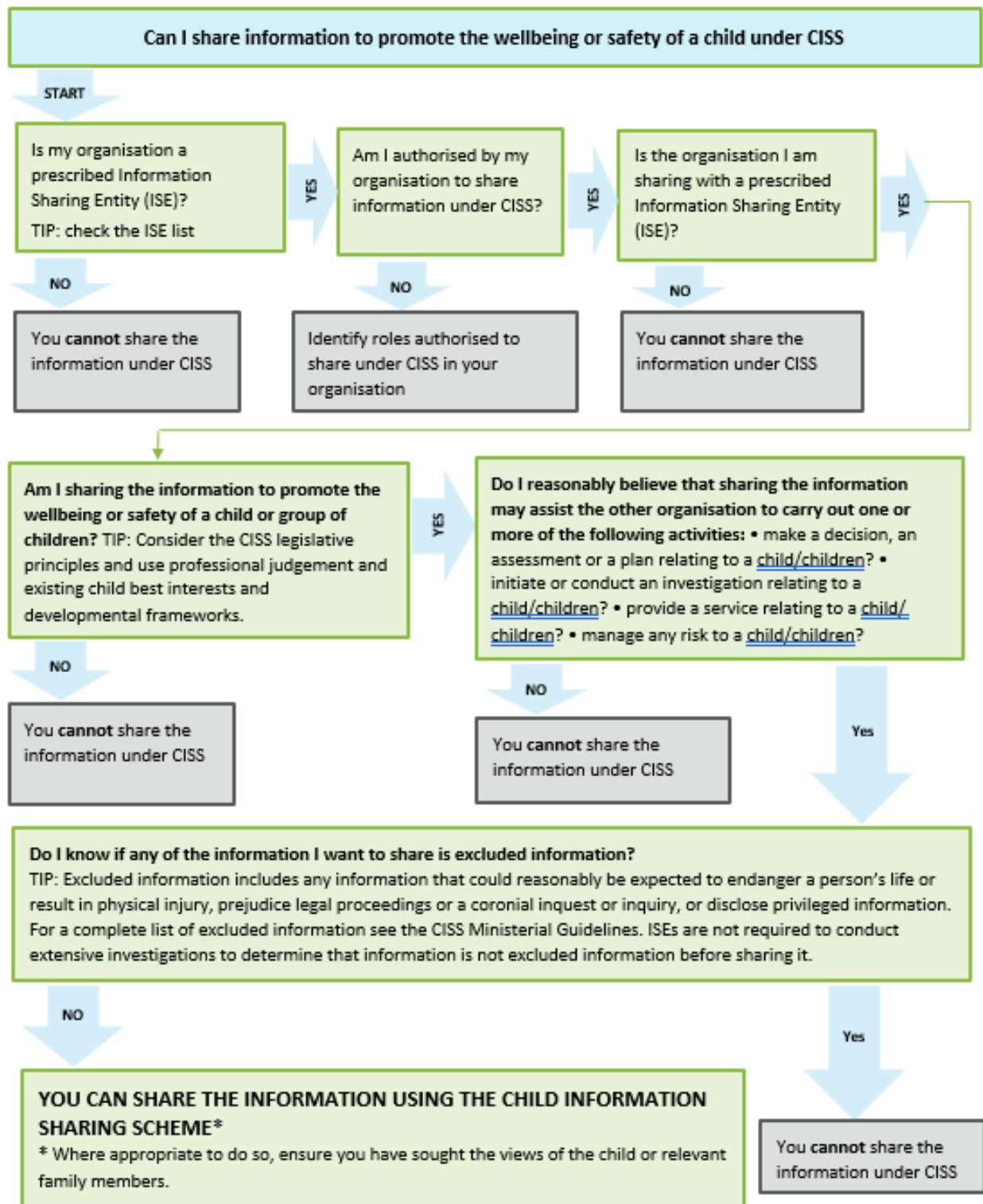
- Endanger a person's life or result in physical injury. (e.g. the address of the victim-survivor could alert a person known to pose a threat to their whereabouts, then this info should not be shared).
- Prejudice the investigation of a breach or possible breach of the law, or the enforcement or proper administration of the law in a particular instance. (e.g. information reveals the details of a police investigation).
- Prejudice a coronial inquest or inquiry, the fair trial of a person or the impartial adjudication of a particular case. (e.g. information was cited as evidence in a closed session of the court).
- Disclose the contents of a document or a communication 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. (e.g. information is known only to a particular person, their identity as a confidential source could be ascertained if that information was shared).
- Contravene a court order or a provision made by or under the Child Wellbeing and Safety Act or any other Act that:
 - Prohibits or restricts, or authorises a court or tribunal to prohibit or restrict, the publication or other disclosure of information for or in connection with any proceeding; or
 - Requires or authorises a court or tribunal to close any proceeding to the public. For example, if information is part of a closed court proceeding.
- Be contrary to the public interest. For example, revealing information about covert investigative techniques.

If the information sharing request does not comply with the legislation, or is excluded information, the organisation must inform the requesting ISE of the reason that they do not feel it complies and record the request and the reason for declining. A template for requesting and responding to information sharing request is available at the Resources section of this document.

If the ISE requesting the information disagrees, and feels the information is important for child wellbeing and safety, discuss with further management. If necessary, re-contact the ISE and explain why the information is essential for child wellbeing and safety.



Appendix 1: Decision tree - Can I share information under CISS?



Further Assistance

Should you have any questions or comments in relation to the information in these resources please email leadingpractice@chiavic.com.au.

These resources will be periodically reviewed and continually updated based on sector feedback.

