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| Providing support to vulnerable children and families  An information sharing guide for registered community services (family services and out of home care services) in Victoria |
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Department of Health

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# Glossary

| Word/phrase | Meaning |
| --- | --- |
| Child | For the purposes of the relevant parts of the *Children, Youth and Families Act 2005*, this is a person who is under 17 years of age or, if subject to a Protection Order, under 18 years of age. |
| Child in need of protection | A child who has suffered, or who is likely to suffer, significant harm, physical injury, emotional or psychological harm, neglect or abandonment, and where the parents have not protected or are unlikely to protect them. This may be the result of one abusive or neglectful incident, or the cumulative result of many instances, or a general pattern of behaviour or circumstances. |
| Child FIRST | A team run by a registered community service in a local area (for example, two or three local government areas) that can receive confidential referrals about a child of concern. It does not have any statutory powers to protect a child but can refer matters to family services or other services who will then try to engage the child or family. Such other services include disability, family violence, mental health and drug or alcohol treatment services. |
| Child protection | The Victorian Government agency that protects children at risk of significant harm and that is provided by the Department of Human Services from regional offices. Child Protection has statutory powers and can use these to protect a child. |
| Children’s court protection order | An order made by the Children’s Court when a child is found to be in need of protection. The order may specify such things as where the child lives, what services the child and family must receive, and what actions they must take. |
| Community service (worker) | A registered family service or out of home care service. |
| Family service | A registered community service that provides advice, support and assistance to children and their families. This may include family support services, counselling services, parent education, and practical and other assistance. |
| Mandatory report | A report made to Child Protection by a mandated reporter (medical practitioner, nurse, teacher, principal, police) that is based on a reasonable belief that a child is in need of protection from sexual abuse or physical injury. |
| Out of home care service | A registered community service that provides foster care or residential care for children away from home. |
| Statutory power | A power conferred by an Act of parliament. For example, the *Children, Youth and Families Act* empowers Child Protection workers to take action to protect a child by placing a child in a safe place until the matter can be heard in the Children’s Court. |

# Summary of the guide

As a community service (family service or out of home care service) worker, you must:

* give priority to children’s best interests, including consideration of the need to protect children from harm, protect their rights and promote their development
  + only share information as authorised by privacy legislation (such as the Information Privacy Act 2000), where you are not specifically authorised to share information by the Children, Youth and Families Act 2005, as described in this guide

As an out of home care service worker you must:

* + ensure that carers are provided with all known information necessary to assist them in deciding to take on the care of the child, including any known medical information that will enable them to ensure the child is provided with appropriate care.

As a community service worker you should:

* seek consent, where this is possible, before sharing information and where this does not place the child or another person at risk
* exercise professional judgment – use your professional skills, knowledge and experience – in deciding what action to take in regard to a vulnerable child
* consult with your manager where you are unsure what to do and, if necessary, seek the advice of your professional association or union
* consider consulting with a Community Based Child Protection worker or Child FIRST worker where you have a significant concern for a child’s wellbeing or where you believe that a child may be at risk
* make a report to a Community Based Child Protection worker or directly to your regional Child Protection Unit where you form a reasonable belief that a child is in need of protection
* share relevant information with Child FIRST or Child Protection workers to help them complete the assessment of a referral or report they have received
  + share relevant information with Child Protection where a child is subject to Child Protection investigation, Child Protection intervention or a Children’s Court Protection Order.

As a community service worker you are:

* + protected when you share information in good faith with Child FIRST or Child Protection as authorised. You cannot be successfully sued or suffer formal adverse consequences in your work. Your identity will be protected, unless you consent to its disclosure or disclosure is required by law.

Please note that, except in very urgent situations, you should generally consult with your manager before disclosing information about a child or their family without their consent.

This guide is written for community service workers in general. A family service worker can receive a referral under sections 31 and 32 of the *Children, Youth and Families Act 2005*, and Child FIRST teams will perform that function. Child FIRST workers therefore have the following additional authorisations:

As a Child FIRST worker you must:

* never disclose the identity of a referrer, except to Child Protection
  + make a report to Child Protection if you form a reasonable belief that a child is in need of protection.

As a Child FIRST worker you can:

* receive referrals from any member of the community, and these referrals may be confidential if they are based on a significant concern for a child’s wellbeing (referrals may also be made prior to the child’s birth)
* consult with Information Holders, Child Protection, a Service Agency or other community services to help complete an intake risk assessment
  + consult with Child Protection, a Service Agency or other community services to determine which agency is best able to respond to the referral.

# Section 1

## Providing support to vulnerable children and their families

The *Children, Youth and Families Act* 2005

The Victorian Government believes in a society where every child thrives, learns and grows, is respected and valued, and becomes an effective adult member of the community – a community in which the safety, stability, health, development and learning of every child is protected and promoted throughout childhood.

The *Children, Youth and Families Act* came into effect in 2007 and provides the legislative basis for the system of services that provide support to vulnerable children[[1]](#footnote-1) and their families and, where necessary, protect children from significant harm.

The service system includes a range of prevention and early intervention services that help to ensure vulnerable children and their families receive the assistance they need, so that children can develop in a healthy way, and so that situations do not deteriorate to the point where a child is harmed.

All children and families rely on community support – relatives, friends, neighbours and informal networks. They also rely on services such as maternal and child health services, child-care services, medical services, dental services and school education services.

Some children and families need services, such as foster care, family violence support, or a parenting skills service, that are specifically provided for the most vulnerable in our community. It is these children and families who you are authorised to share information about, as described in this guide.

Further information about services available in Victoria for vulnerable children and their families can be found at: [Department of Health and Human Services](http://www.providers.dhhs.vic.gov.au/) [http://www.providers.dhhs.vic.gov.au/]

## Sharing information to promote children’s safety and development

One feature of the *Children, Youth and Families Act* 2005 is that it provides for clear and flexible information sharing arrangements between professionals and those services that support families and protect children.

As a community service worker[[2]](#footnote-2) in Victoria, you have a key role to play in ensuring that vulnerable children are protected and supported. This involves sharing information about children’s safety and development where authorised by legislation to do so.

The legislation allows you to share relevant information about a vulnerable child in specified circumstances without needing to be concerned about legal or professional consequences, provided you do so in good faith. It is important for you to know, however, when and how you can share this information, and when you may need the consent of a child or their parents.

This guide is designed to help you make the right decisions when sharing information about a vulnerable child or their family.

#### Case study

Mary is a family service worker in Melbourne’s suburbs. Recently, she has become concerned about Joshua. Joshua was reported to Child Protection four months ago and referred to Mary’s agency to provide support to this mother.

At six months old, Joshua is underweight for his age and appears to be constantly unsettled. Mary suspects that the baby is not getting the care he needs and that his mother may be suffering from post-natal depression.

Mary explains her concerns to Joshua’s mother, Chris, and suggests that Chris should talk to her doctor about depression. Chris says she will.

Chris does not go to her doctor, and her depression appears to get worse, although she claims to be doing alright.

Joshua continues to cause concern. Mary tells Chris she is very concerned and that she will be seeking advice on what to do about her concerns.

Mary consults with the Community Based Child Protection worker, who agrees to come and meet with Chris. Following this meeting, Chris reluctantly agrees to see her doctor and also join a young mother’s group.

## What’s new about information sharing in the Children, Youth and Families Act 2005?

As a community service worker, there are a number of new aspects of the legislation that you should know about when considering information sharing. These new aspects of the legislation are in addition to authorisations carried over from previous legislation for you to make reports to child protection, and to assist child protection when they are undertaking an investigation.

* As well as being able to make a report to child protection when you believe a child is in need of protection, you can now make a referral to your local Child FIRST team. You should contact Child FIRST if you have a significant concern for a child’s wellbeing but do not believe the child is in need of protection. Child FIRST can then arrange for appropriate services to be provided to the family Child FIRST is primarily intended for community members and professionals such as doctors and teachers, but you may still, as a community services worker sometimes contact Child FIRST for reasons described in the following pages.
* The Children, Youth and Families Act focuses strongly on preventing harm to children through earlier intervention. As a result, a referral or report can now be made prior to the birth of a child. This means that if you have a significant concern for the future wellbeing of an unborn child, you can now make a referral to Child FIRST or a report to Child Protection about this child, providing your concern relates to the child’s wellbeing after it is born. The purpose of this aspect of the legislation is to provide the mother of the unborn child with assistance before the baby is born and to enable appropriate planning to ensure the child’s safety, stability and development after it has been born.
* As a community service worker, you can consult with Child Protection at any stage of your involvement with a child or their family. This will usually take the form of a consultation with a Community Based Child Protection worker.
* As a community service worker, you can now be consulted by either Child FIRST or Child Protection when they are deciding how best to respond to a referral or report they have received, and if you have some knowledge of the child or their family. You may provide any relevant information you have about the child in question and the child’s family at this time (see pages 16-20 for more information).
* As well as being allowed to share information with Child Protection during an investigation, you are now authorised to share information with Child Protection when they have assessed that a child is in need of protection and are working with the child and family

# Section 2

## Important things to know about information sharing

## Why should I share information?

As a community service worker, you are encouraged to share information about a vulnerable child who may need help by making a referral or report to Child FIRST or Child Protection, or sharing information in other circumstances where you are authorised to do so. This may involve discussion with a supervisor or colleagues, referral or consultation with other services, or consulting with or reporting to Child Protection.

By sharing information with agencies, a comprehensive assessment of a child’s situation can be developed, leading to better outcomes for the child and their family. Sharing information also enables multi-agency intervention and support, which is essential for families with complex needs.

In most instances, you will be able to discuss your concerns with the child and their family and any information sharing can occur with their consent. Sometimes it will not be possible to discuss your concerns properly with the child or their family, and you may need to share your concerns, for example, by discussing them with your supervisor, or by consulting with a Community Based Child Protection worker.

### When can I share information?

The Children, Youth and Families Act 2005 enables community service workers (and also other professionals as listed on page 22) to share information about a child in circumstances that may be prohibited by privacy legislation such as the Information Privacy Act 2000 and the Health Records Act 2001. This means you are now authorised by law to share information about a child in the circumstances described in this guide.

It is also important to note that where you are not authorised by the Children, Youth and Families Act to share information, you may only share information as authorised by privacy legislation. (Privacy legislation authorises information disclosure without consent in limited circumstances.) You should seek advice from your manager or your professional body for further information about privacy legislation.

### Should I allow my identity to be disclosed?

As a community service worker in Victoria, you may wish to keep your identity confidential when you share information with Child FIRST or Child Protection

Better outcomes may be achieved, however, if you are prepared to tell the child and their family that you have shared information with Child FIRST or Child Protection. By disclosing your identity or allowing your identity to be disclosed, the family is more likely to be able to focus on solving the problems at hand, rather than questioning why the agency is unable to confirm an identity that they can, in any case, often guess.

Identifying yourself also makes it easier for you to be part of the plan that is developed to help the child.

If you are sharing information with Child FIRST and are prepared for your identity to be disclosed to the family, you may do so by simply telling the Child FIRST worker.

If you are sharing information with Child Protection, and are prepared for your identity to be disclosed to the family, the Child Protection worker will need your consent in writing

#### Case study

Anthony is a family service worker in regional Victoria. Recently, Anthony has been visiting a family to help the mother and stepfather with parenting skills. There are two children in the family, 13-year-old Sarah, and 9-year-old Jack.

During his visits, Anthony has become increasingly concerned about Sarah. Sarah has become very withdrawn over recent weeks, and during his last two visits, Anthony has also noticed severe bruising around her legs.

Anthony suspects that Sarah is being physically injured, perhaps as a result of sexual abuse. As a community service worker, Anthony is not required by law to make a report to Child Protection but believes that he has a professional responsibility to do so, since he reasonably believes that Sarah is at risk of sexual abuse and physical injury.

Anthony makes a report to Child Protection.

## When should I seek the consent of a child or their parents to disclose information to Child FIRST or child protection?

Generally speaking, you should seek and gain consent from a child or their parents to disclose information to Child FIRST or Child Protection wherever possible, provided that doing so does not place the child or another person at further risk.

You should consider seeking consent when you first discuss your concerns with a child’s parents, if you believe that the disclosure of information may be necessary. If you have not had an initial discussion with a child’s parents, you should consider raising your concerns with them first, unless you believe this would place the child at risk of harm, or place yourself or another person at risk of harm.

Sometimes it is not necessary to seek consent. For example, consent is not necessary when you have a significant concern for a child’s wellbeing or a reasonable belief that the child is in need of protection, or where you are unable to contact a parent, or where it is clear from previous contacts that consent would not be given.

There is no definite age at which the consent of children should be sought. This depends partly upon the general maturity of the child, and partly on the child’s understanding of the particular issues involved.

Children over the age of 12 are generally considered increasingly able to give consent on many issues, and many younger children can at least express a view. You should therefore try to determine the views and wishes of a child where this is possible and appropriate. You may need to explain to the child the possible consequences of different courses of action.

In any case, you may report your concerns to Child FIRST or Child Protection, but you must seriously consider whether your concerns justify doing so against the child’s wishes, where these are known, bearing in mind the age and maturity of the child.

### What sort of information can I share?

When you share information with Child FIRST or Child Protection, you are allowed to disclose any information that you believe is relevant to the safety, stability and development of a child. This may include information about the child or the child’s family

Types of information you may share include:

* the child’s or family’s progress towards achieving the goals of the case plan and of the service you provide
* the views and wishes of the child
* the views and wishes of family members
* any known history of the child suffering harm
* any periods the child has been cared for by other people
* any significant issues relating to the child’s brothers or sisters
* •he child’s physical health, including any medical treatment needs
* any psychological and emotional difficulties the child may have
* the child’s education, including any special educational needs
* any disabilities the child may have, including the care they may need as a result
* any known allergies and dietary requirements of the child
* any significant health problems of the child’s parents
* whether a parent has a mental illness, substance abuse problem, disability or a history of family violence
* whether a parent is receiving treatment for any of the above issues and the outcomes of this
  + information about a person who may pose a risk to the child

### What if I am unsure what to do?

Depending on the nature of the concerns, there may also be other information about a child that you are authorised to share, if it is relevant

Information is considered to be relevant if it relates directly to your concerns about the child or concerns held by Child FIRST or Child Protection. For example, information about a parent’s mental health is relevant only if you believe that it is having an adverse impact on the child’s safety, stability and development, or if that is the assessment of Child FIRST or Child Protection.

The information sharing process is therefore a two-way exchange. The Child FIRST or Child Protection worker must explain to you the concerns about the child before you share any information, so that you can determine what information is relevant to disclose.

If you are still unsure what to do after considering the information in this guide, you should generally consult your manager. Sometimes you may need to consult with your professional association or union.

There are two key issues to always bear in mind.

* You are expected to exercise professional judgment – that is, use your skills and knowledge – to guide your decisions.
  + When taking any action under the Children, Youth and Families Act 2005 (for example, when sharing information) you are required to act in the ‘child’s best interests’. In trying to determine what the child’s best interests are, you should always consider the need to protect the child from harm, to protect the child’s rights and to promote the child’s development. Child Protection, Child FIRST and other services taking action under the Act are also required to act in the child’s best interests.

## How am I protected when I make a referral or report, or share information with Child FIRST or child protection as authorised by legislation?

1. **Your identity is protected**

Information about your identity will be kept confidential unless you consent to it being disclosed.

1. **You are legally protected**

You are not subject to any legal liability in respect of the giving of information. For example, you cannot be successfully sued.

1. **You are professionally protected**

Authorised disclosure of information cannot be held to constitute unprofessional conduct or a breach of professional ethics. As a result, you cannot be disciplined by your professional body, or incur any formal professional negative consequences at your workplace.

You are protected in these ways provided you share information as authorised and ‘in good faith’. This legal term is open to interpretation but implies that you are acting honestly and reasonably, and in the belief that your actions will achieve an appropriate outcome – in this case, the protection and support of a child and their family.

# Section 3

## Sharing information with Child FIRST and child protection

## Information sharing authorised by the *Children, Youth and Families Act* 2005

The *Children, Youth and Families Act* 2005 contains a number of provisions about professionals sharing information with Child FIRST and Child Protection. As a health professional in Victoria, it is important that you know when and how you can share information, and when you may need the consent of a child or their parents to do so.

It is important to remember that, wherever possible, best practice requires that information sharing should occur with the knowledge and consent of the child or their parents. It is only where consent cannot be obtained, or where trying to obtain consent may place the child or another person at risk, that you should consider using the authorisations described in this guide to share information without consent.

Below is a short guide to possible information sharing scenarios. (These do not include reporting, which is covered in section 3.) You may also wish to consult the summary of information sharing guidelines (see page 26 ???).

### Referrals and reports – When should I contact Child FIRST, Child Protection or a Community Based Child Protection worker?

As a community service worker, you are able to consult with Child Protection at any stage of your professional involvement with a child or their family. The purpose of the consultation can be to seek advice on any aspect of your involvement with the family – for example, advice about the current level of risk and necessary action to address that risk, or advice about the need for additional services or better service coordination.

A consultation will usually be with a Community Based Child Protection worker located with your local Child FIRST team, although it could be with a Child Protection worker if the Community Based Child Protection worker is not available, or with a specific Child Protection worker who has previously worked with the family, if that is an agreed part of the case plan for the child and family.

Before consulting, you should discuss your concerns with your manager.

In other instances, you may make a referral to Child FIRST or a report to Child Protection like any other member of the community. The following advice explains how to decide which course of action to take.

**A referral to Child FIRST** may be the best way of connecting children, young people and their families to the services they need, where families show any of the following that may impact upon a child’s safety, stability or development:

* significant parenting problems that may be affecting the child’s development
* serious family conflict, including family breakdown
* families under pressure due to a family member’s physical or mental illness, substance abuse, disability or bereavement
* young, isolated and/or unsupported families
  + significant social or economic disadvantage that may adversely impact on a child’s care or development.

**A report to child protection** should be made in any of the following circumstances:

* serious physical abuse of, or non-accidental or unexplained injury to, a child
* a disclosure of sexual abuse by a child or witness, or a combination of factors suggesting the likelihood of sexual abuse – the child showing concerning behaviours, for example, after the child’s mother takes on a new partner, or where a known or suspected perpetrator has had unsupervised contact with the child
* serious emotional abuse and ill treatment of a child impacting on the child’s development
* persistent neglect, poor care or lack of appropriate supervision, where there is a likelihood of significant harm to the child or the child’s development
* serious or persistent family violence or parental substance misuse, mental illness or intellectual disability – where there is a likelihood of significant harm to the child or the child’s development
* where a child’s actions or behaviour may place them at risk of significant harm and the parents are unwilling or unable to protect the child
  + where a child appears to have been abandoned, or where the child’s parents are dead or incapacitated, and no other person is caring properly for the child.

If, having considered all the above, you are still unsure about who to report or refer to, you may contact either Child Protection or Child FIRST for further advice.

### Being consulted by Child FIRST or Child Protection

When Child FIRST or Child Protection receives a referral or report about a child, they may decide to collect more information about the child from other professionals (see list on page 22) to develop a comprehensive assessment of the situation before deciding what action to take, if any.

If Child FIRST or Child Protection contacts you for this purpose, you are allowed to give relevant information without the consent of the child or their parents. It is important that you give as much relevant information as possible at this time.

Before doing so, you may wish to take a phone number and call back, so as to confirm the identity of the person you are talking to.

By sharing information, you will help create a better outcome for a vulnerable child.

### Sharing information with family services (or other Service Agencies) when they are providing services to a family

Where another community service or other Service Agency is providing services to the child or their family, you may ordinarily only share information with that service where authorised by privacy legislation, such as the Information Privacy Act 2000 and the Health Records Act 2001 – for example, where you have the consent of the child’s parents and, if old enough, the child

### Sharing information with child protection during an investigation

When a report is made to Child Protection about a child, they may decide to conduct an investigation. As part of the investigation, Child Protection may share information with other people who know the child or their family.

As a community service worker, you are allowed to share relevant information with Child Protection during an investigation without the consent of the child or their parents.

### Sharing information with child protection after an investigation has been completed

After an investigation has been completed, the child’s family may be provided with a range of services to address any parental or family issues that may cause harm to the child. The child may also be provided with services, which will sometimes include out of home care.

As a community service worker, you are allowed to share information with Child Protection where they have ongoing involvement after an investigation has been completed, without the consent of the child or their parents, where this is relevant to the protection or development of the child.

In many instances, it will be possible (and where possible, it will be preferable) to do this with the knowledge and consent of the child and their family.

### Sharing information about a child subject to a children’s court protection order

Sometimes, a child who is in need of protection may have a Protection Order made about them by the Children’s Court.

Where there is a Protection Order, Child Protection will be responsible for ensuring the child’s safety, stability and development, and will contact you to check on the child’s progress in care, or the child or family’s progress at home.

You are allowed to share relevant information with Child Protection about a child who is subject to a Children’s Court Protection Order without the consent of the child or their parents.

In many instances, it will be possible (and where possible, it will be preferable) to do this with the knowledge and consent of the child and their family.

#### Case study

Mark is an out of home care worker in Melbourne. One day, Mark receives a call from Child Protection about Cameron, an eight-year-old-boy who he has recently helped place in foster care for a short period and on a voluntary basis. Child Protection tells Mark that they are currently conducting an investigation about Cameron. They ask Mark if he can tell them any information that may help their investigation.

Mark knows that he is allowed to share information with Child Protection during an investigation without the consent of Cameron or his parents. In order to help Cameron, he shares as much relevant information as he can with the Child Protection worker.

The investigation finds that Cameron was being physically abused by both his mother and his stepfather.

In order to protect Cameron from further harm, Child Protection makes a Protection Application to the Children’s Court and he is placed back in the same foster care placement.

A few days later, Mark receives another call from Child Protection. Although the investigation is now complete, the Child Protection worker asks Mark to provide more information about Cameron. Mark knows that he can share information with Child Protection after an investigation has been completed without the consent of Cameron or his parents where there is ongoing Child Protection involvement. Once again, he shares relevant information with the Child Protection worker

## Authorised professionals and agencies

Any person can make a referral to Child FIRST or a report to child protection.

Community service workers (registered family services or out of home care services) are authorised to share information with Child Protection and Child FIRST.

### Professionals (Information Holders)

Following is the list of professionals who are authorised to share information with Child Protection and Child FIRST to help them make an initial assessment, and with Child Protection to assist in investigation and intervention.

1. Police
2. Government department employees
3. Registered school teachers and principals
4. Registered medical practitioners
5. Registered nurses
6. Registered psychologists
7. Person in charge of a relevant health service
8. Person in charge of a relevant psychiatric service
9. Person in charge of a children’s service
10. Person in charge of a disability service
11. Person in charge of a drug or alcohol treatment service
12. Person in charge of a family violence service
13. Person in charge of a sexual assault support service
14. Person in charge of a parenting assessment and skills development service
15. Person in charge of a local government child and family service that is not registered as a community service with the Department of Human Services
16. Person in charge of a placement support service for children in out of home care.

### Service Agencies

Following is the list of agencies with which Child Protection and Child FIRST may discuss the possibility of the agency following up on a referral or report received by either Child Protection or Child FIRST.

1. A Victorian Government department
2. A relevant health service
3. A relevant psychiatric service
4. A disability service
5. A drug or alcohol treatment service
6. A family violence service
7. A sexual assault support service
8. A parenting assessment and skills development service
9. A local government child and family service that is not registered as a community service with the Department of Human Services
10. A placement support service for children in out of home care.

The precise meaning of these terms – e.g. in relation to other relevant legislation – is more clearly defined in section 3 of the *Children, Youth and Families Act* 2005.

## Other sources of information:

[Department of Health and Human Services](http://www.providers.dhhs.vic.gov.au/) [http://www.providers.dhhs.vic.gov.au/]

This website provides information about legislation, policy and services for vulnerable children and their families.

#### Disclaimer

The information in this guide is specifically relevant to community service workers in Victoria, and intends to provide a broad understanding of the Children, Youth and Families Act 2005 as it applies to community service workers

#### To obtain guides for other professionals, please visit:

[Department of Health and Human Services](http://www.providers.dhhs.vic.gov.au/) [http://www.providers.dhhs.vic.gov.au/]

## Summary of information sharing guidelines and how they apply to you

| Action | Is this authorised by the *Children, Youth and Families Act* 2005? | Is my identity protected by the *Children Youth and Families Act* 2005?\* | | Am I protected from negative legal and professional consequences by the *Children, Youth and Families Act* 2005? |
| --- | --- | --- | --- | --- |
| Making a referral to Child FIRST | Yes | Yes | | Yes |
| Making a report to child protection | Yes | Yes | | Yes |
| Sharing information when you are consulted by Child FIRST or child protection | Yes | No but it will be held in confidence upon request | | Yes |
| Sharing information with other community services when they are providing services to a family | No | No | | No |
| Sharing information with child protection during an investigation | Yes | Yes | | Yes |
| Sharing information with child protection after an investigation | Yes | No but it will be held in confidence upon request | Yes | | |
| Sharing information with child protection on request when a child is subject to a children’s court protection order | Yes | No but it will be held in confidence upon request | Yes | | |

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| --- | --- |
| Making a mandatory report to child protection | Community service workers are not legally mandated to report, although they have a professional duty to do so. |

\* You are encouraged to allow your identity to be disclosed, even where it is protected by law (i.e. when making a referral or report, or assisting an investigation). Your identity will be treated in confidence, if that is your wish, except where disclosure is required by law (for example, if directed by a court).

1. As in the relevant parts of the *Children, Youth and Families Act*, the terms ‘child’ or ‘children’ in this guide refer to children and young people under 17 or, if subject to a Children's Court Order, under 18. [↑](#footnote-ref-1)
2. Within the meaning of the *Children, Youth and Families Act 2005*, you are a community service worker if you work for a registered family service or an out of home care service [↑](#footnote-ref-2)