

4. Tips for a conversation with a child and/or their parent about information sharing

Child and Family Violence Information Sharing Schemes

The Family Violence Information Sharing Scheme (FVISS) and Child Information Sharing Scheme (CISS) explicitly recognise that a child's safety takes precedence over any individual's privacy. When explaining the impact of these laws to children and/or a parent¹, it is important to highlight that the purpose of the schemes is to promote the safety of children and their families.

Consent is not required from any person prior to sharing information that is relevant to:

- assessing or managing the risk of family violence to a child, or
- promoting the wellbeing or safety of a child or group of children.

This includes information about a child, a perpetrator of family violence, the child's parent, or any other person².

In order to provide effective support it is crucial for service providers to build and maintain trusting relationships with a child and their parent. An important way of achieving this is through open and transparent communication. This means making it clear that new information sharing laws permit relevant information to be shared about any person, without consent, for the purpose of assessing or managing family violence risk to a child, or promoting the wellbeing or safety of a child. Professionals already have conversations about limitations around confidentiality in relation to sharing information under other laws, including the *Children, Youth and Families Act 2005* and privacy laws.

¹ All references in this resource to 'parent' are to the parent who is not a perpetrator. For a full definition of 'parent' please refer to the Schemes' Ministerial Guidelines.

² Under FVISS, consent is required from adults (victim survivors or third parties) when sharing information under Part 5A, unless there is a child at risk of family violence, or the person is assessed at serious risk. Please refer to the [Tips for conversations with adult victim survivors about consenting to information sharing](#) resource for your conversation with adult victim survivors, where there is no child at risk of family violence.

Although consent is not required, it is important to seek and take into account the views of the child and/or parent if it is appropriate, safe and reasonable to do so³.

Conversations with a child and/or their parent about information sharing

These conversation points should be considered as a guide to add to your conversation with a child and/or their parent about information sharing. These prompts can be adapted for professionals in a variety of roles. Not all points need to be addressed — your professional judgement is essential to determine how to discuss the schemes with clients in individual circumstances.

When having a conversation with a child or a parent, consider the following prompts:

“ Information sharing laws have recently changed. ”

The schemes

- Information sharing laws have recently changed.
- Under the new laws, information can be shared to assess and/or manage your (or your child's) risk of family violence, or to otherwise promote the wellbeing or safety of your child. These Schemes are in place to promote your safety (or the safety of your child).
- Information sharing allows organisations to work together to assess and manage your safety (or your child's safety), to reduce the burden on you,

³ See the [Family Violence Information Sharing Guidelines](#) and the [Child Information Sharing Guidelines](#) for more information.

and to promote your wellbeing (or the wellbeing of your child). This is a difficult time for you. The Schemes are in place to support you (and your child), not to create further stress.

General

- I recognise the steps you have taken to protect your child. These laws have been changed so that the right professionals can provide greater support to ensure your own and your child's safety.
- Sharing information is important to shifting the burden of managing the risks to your own and your child's safety to services that can provide the right support.

Consent

- If your information is relevant to assessing and/or managing your risk (or a risk to your child) or to promote your wellbeing or safety (or that of your child), your consent is not legally required to share information
- While your consent is not legally required, where it is appropriate, safe and reasonable to do so, your views will be sought over how and when your information is shared
- Wherever possible, you will be informed that your information has been shared

“ Wherever possible, you will be informed that your information has been shared. ”

Reassurance

- If it is not possible to speak with you before sharing your information, I will tell you as soon as possible afterwards

“ Information will not be shared with the perpetrator of family violence ”

- Information will not be shared with the perpetrator of family violence
- Information will only be shared by those services authorised to share information under the Schemes
- The safety of family members that are not perpetrators will also be taken into account in safety planning

Ensuring understanding

To check you have been understood, consider the following approaches:

- provide examples of when their information would be shared and for what purpose, to provide context to the discussion
- check in multiple times to confirm the child or parent who is not a perpetrator understands what has been said, possibly asking them to repeat the information if you are concerned they do not understand
- tailor this conversation to children or parents where English is their second language; where a cognitive impairment is present; and/or where capacity is impaired for any reason.

More information

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