

# Process for Requesting Information

## Family Violence Information Sharing Scheme and Child Information Sharing Scheme

NCN Health has developed a process for Information Sharing Entities (ISEs) to request relevant information under the Family Violence Information Sharing Scheme (FVISS) and the Child Information Sharing Scheme (CISS).

To request information from NCN Health under either scheme, complete the Family Violence and Child Information Sharing Request form and email it to [ncnhealth@ncnhealth.org.au](mailto:ncnhealth@ncnhealth.org.au)

After hours please call: (Weekend, Public Holidays and between 5pm - 830am each day)

**Nathalia – 5866 9444, Cobram - 0459895214, Numurkah – 5862 0519**

Copies of this form can be found on the NCN Health website

Please note: The onus is on the requesting ISE to seek and gain consent where required under Legislation. Specific detail must be provided as to why information is being sought under FVISS or CISS

### PROCESS FOR FVISS AND CISS REQUESTS

Complete the NCN Health Family Violence and Child Information Sharing Request form. Ensure that the thresholds for sharing have been met, including consent requirements (if applicable)

Email the form to (e.g.)

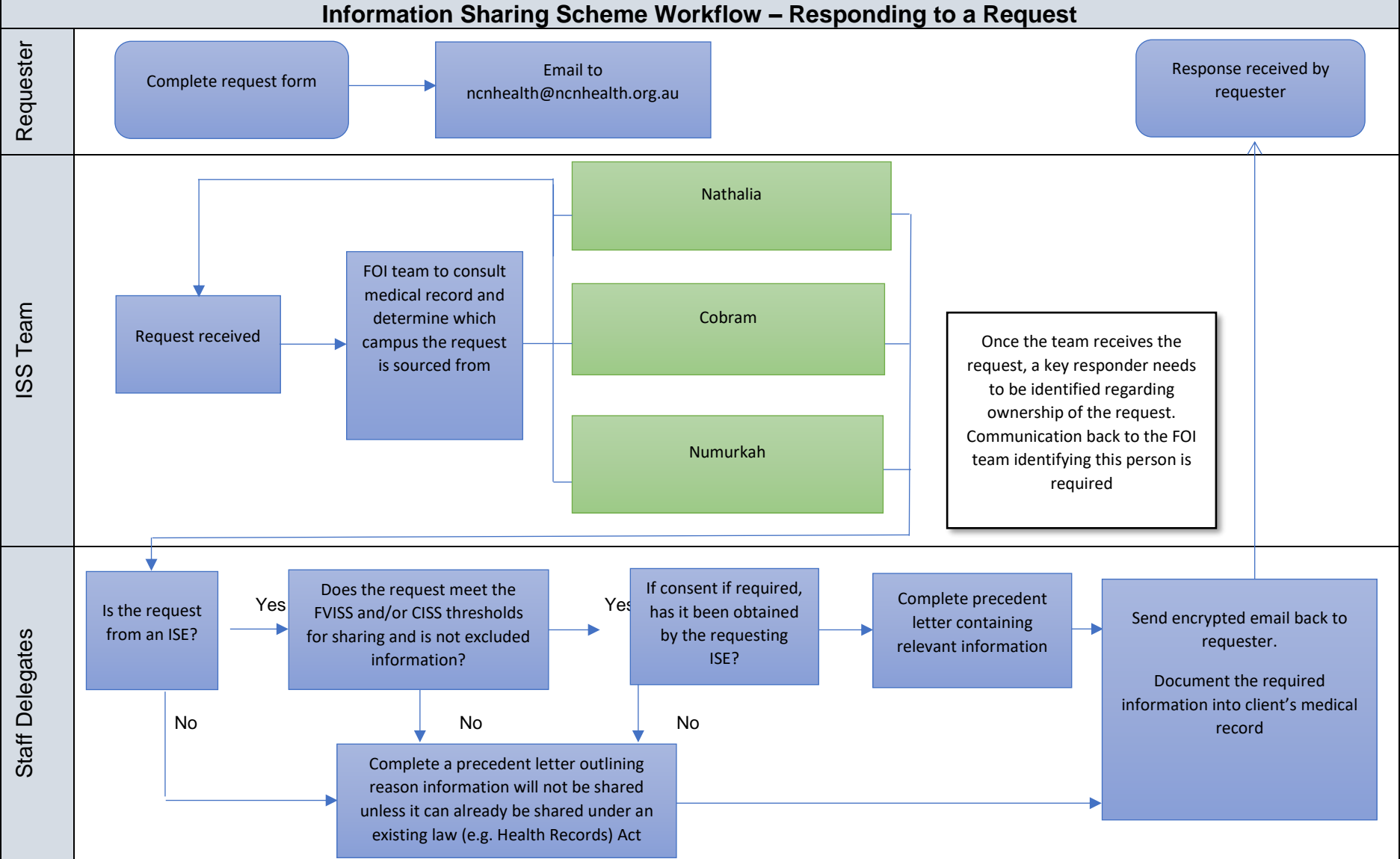
[ncnhealth@ncnhealth.org.au](mailto:ncnhealth@ncnhealth.org.au)

NCN Health delegates will review the request and provide a response via secure email in (e.g.) two business days.

If you require an urgent response, please contact the above numbers for either Nathalia, Cobram or Numurkah

*Any confidential information provided under FVISS or CISS should be collected, used and disclosed in accordance with the Family Violence Protection Act 2008, the Child Safety and Wellbeing Act 2005, the Privacy and Data Protection Act 2004 and /or any other relevant state or Commonwealth law.*

### Information Sharing Scheme Workflow – Responding to a Request



## Information for Delegates/FOI team

### Verifying ISE/ RAE status

The ISE or RAE status of an organisation needs to be determined before there is further consideration of the request. To find out if an organisation is an ISE or RAE, an online list has been developed:

[iselist.www.vic.gov.au/ise/list/](http://iselist.www.vic.gov.au/ise/list/) .

### Confirming the client is linked to an ISE program

As not all departments within a health service will necessarily be classified as an ISE – it will need to be determined that the subject of the request is in fact linked to a prescribed program. There may be some instances where the subject of the request is not known to the health service at all, therefore the request cannot proceed under FVISS or CISS legislation.

### Excluded information

Information must not be shared if it falls within defined category of 'excluded information' or contravenes another law. A full list is available in both the [Family Violence Information Sharing Guidelines](#) and the [Child Information Sharing Ministerial Guidelines](#). Advice should be sought from the organisation's legal counsel if there is uncertainty.

Workers should not collect, use or share information that could reasonably be expected to:

- a) endanger someone's life or result in physical injury
- b) prejudice legal proceedings or a police investigation
- c) contravene a court order
- d) be subject to legal professional privilege
- e) disclose a confidential source of information
- f) be contrary to the public interest
- g) contravenes another law that has not been specifically overridden by this scheme.

### Consent

FVISS:

- a) Consent is **not required** from an **alleged perpetrator** (for an assessment purpose) or a **perpetrator** (for an assessment or protection purpose) to share relevant information to assess or manage risk of family violence to a child or adult victim survivor.
- b) Consent is **not required** to share relevant information **about any person** when assessing or managing a family violence **where children are involved** (including assessing risk to an adult where children are involved).
- c) Consent is **required** when sharing relevant information about an **adult victim survivor** **and there are no children involved**.
- d) Consent is **required** when sharing information about a **third party** **and there are no children involved**, however, **if children are involved consent is not required** from the third party.

CISS:

Under CISS, consent is not required from any parties as long as the thresholds for sharing have been met. However, you should seek the views of the child and/or parent, take these into account and notify them if their information is shared where it is appropriate, safe and reasonable to do so.

## *Documentation*

Under both Schemes, there is specified documentation that must be recorded in the medical records of the individual whose information is being shared.

FVISS:

The requirements under FVISS are outlined in detail within the [Family Violence Information Sharing Guidelines](#) (Chapter 10).

CISS:

Under CISS there are documentation requirements under the Child Wellbeing and Safety (Information Sharing) Regulations, which are outlined in the [Child Information Sharing Ministerial Guidelines](#) (Chapter 5).

## **Timeframes for responses**

The FVISS and CISS guidelines and legislation require for the time period allowed for responses under the scheme to be made in a timely manner. However, in the interest in promoting the safety of victim survivors and their children, and for the well-being or safety for children under CISS, an organisation may wish to specify their own timeframes within their policy – this will assist with process management and accountability.

For instance, it would be reasonable to expect that a response would be made within two business days, with escalation triggers in place if this is not achieved.