CHILD INFORMATION SHARING AND FAMILY VIOLENCE REFORMS (the Reforms) POLICY

The wellbeing and safety of children is a priority for all early childhood professionals, and the Langwarrin Community Centre has well-established child safety frameworks and policies in place. We acknowledge that information sharing and collaboration are vital in identifying risks early and facilitating early and appropriately targeted support. The new Reforms do not change our child safety obligations rather; they will complement our existing policies to promote and improve the education and life outcomes of Victorian children and reduce family violence.

As an Information Sharing Entity (ISE), the Langwarrin Community Centre is authorised to request and share relevant information under the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS) and is required to respond to requests from other ISEs. Both schemes recognise the importance of seeking the views and promoting the agency of children and adults (who are not perpetrators of family violence) wherever appropriate, safe and reasonable to do so.

The Langwarrin Community Centre will use the Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM) to identify and guide the assessment and management of family violence risk.

It's OK to share, you could make a difference

[Victoria State Government]

Please note that the MARAM framework (including CISS and FVISS) is applicable to Victorian childcare services only.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is respected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision-making and operation of the service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
84	Awareness of child protection law
155	Interactions with children
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
172	Notification of change to policies or procedures
181-184	Confidentiality and storage of records

RELATED LEGISLATION

Child Wellbeing and Safety Act 2005 *(Vic.)*	Family Violence Protection (Information Sharing and Risk Management) Regulations 2018 *(Vic.)*
Child Wellbeing and Safety (Information Sharing) Regulations 2018 *(Vic.)*	Health Records Act 2001 *(Vic.)*
Children, Youth and Families Act 2005 *(Vic.)*	Privacy and Data Protection Act 2014 *(Vic.)*
Family Violence Protection Act 2008 *(Vic.)*	Crimes Act 1958

RELATED POLICIES

Child Safe Environment Policy Child Protection Policy Control of Infectious Disease Policy Cyber Safety Policy Dealing with Complaints Policy Enrolment and Orientation Policy Family Communication Policy Governance Policy	Incident, Injury, Trauma and Illness Policy Interaction with Children, Family and Staff Policy Medical Conditions Policy Privacy and Confidentiality Policy Record Keeping and Retention Policy Reportable Conduct Scheme Policy

PURPOSE

As an Information Sharing Entity (ISE), we are prescribed to implement the Information Sharing and Family Violence Reforms (referred to as the Reforms) in our workplace. This policy supports management and educators to understand their requirements to respond to requests for information to promote child wellbeing or safety and/or assess and manage risk of family violence.

SCOPE

This policy applies to children, families, staff, volunteers, educators, the approved provider, nominated supervisor, management, and visitors of Langwarrin Community Centre.

THE REFORMS

MARAM

The Family Violence Multi-Agency Risk Assessment and Management Framework (the MARAM Framework) is the policy framework describing best practice for family violence risk assessment, and management based on current evidence and research. MARAM establishes the foundations for a state-wide approach and shared legislative responsibility for identifying and responding to family violence. MARAM guides professionals across the service system (including ECEC services) to better understand their responsibilities to identify, assess and manage family violence risk.

CHILD INFORMATION SHARING SCHEME (CISS)

The Child Information Sharing Scheme (CISS) assists professionals and organisations to better perform their roles and responsibilities by expanding the circumstances in which they can share confidential information, to promote the wellbeing and safety of a child or group of children. The scheme facilitates services working together to identify needs and risks, promote earlier and more effective intervention and integrated service provision, and improve outcomes for children and families.

All Victorian children aged birth to 18 years are covered under the scheme. Consent is not required from any person when sharing under CISS. The CISS complements and supports child and family service reforms, and other child safety legislation including the Child Safe Standards and Reportable Conduct Scheme.

Sharing of information may assist the ISE to

- access and engage with supportive services
- access resources for learning and development
- make a decision, assessment or plan
- start or conduct an investigation
- provide a service relating to a child/children
- manage any risk to a child/children

FAMILY VIOLENCE INFORMATION SHARING SCHEME (FVISS)

The Family Violence Information Sharing Scheme (FVISS) enables the sharing of relevant information between authorised organisations for family violence risk assessment and risk management. ISEs can also share information relevant for a family violence assessment purpose with organisations who are classified as a Risk Assessment Entity (RAE). These include (but are not limited to)

- Child Protection and Child FIRST
- The Orange Door
- Victims Support Agency
- Victoria Police
- State funded specialist family violence services

The two schemes must be used together in conjunction with the MARAM framework. The key difference between the two schemes is the purpose for sharing. Each scheme has certain thresholds to meet before information can be shared.

Child Information Sharing Scheme

1: Promoting the wellbeing or safety of a child or group of children

2: Sharing may assist another ISE to carry out one or more specified activities

3: The information is not excluded information

Family Violence Information Sharing Scheme

1: Sharing is for a family violence assessment purpose or protection purpose - to establish or assess the risk of a person committing family violence, or being the subject of family violence

2: The applicable consent requirements are met to manage family violence risk, including via ongoing risk assessment (protection purpose)

3: The information is not excluded information

IMPLEMENTATION

Langwarrin Community Centre understands our legislative requirements to respond to all requests for information from other ISEs to improve children's wellbeing and safety under the CISS and information about families under the FVISS (Effective April 2021). We understand our statutory duty of care to comply with all legislative requirements to protect children from harm and respond to any allegation of child abuse.

Expanding on existing information sharing permissions

The Langwarrin Community Centre understands our moral and legal obligations to protect any child under our care and supervision from reasonably foreseeable harm. The CISS and the FVISS complement the existing privacy laws and child safety obligations embedded in our policies and procedures. Whenever we are using any of the following reporting schemes related to child wellbeing and safety, we will also consider using the CISS and/or FVISS to share information to promote child and family wellbeing and safety.

Reportable Conduct Scheme

All obligations under the Reportable Conduct scheme apply to Information Sharing Entities (ISE) prescribed under CISS. The Langwarrin Community Centre will investigate any report about a staff member's conduct in relation to a child under the Reportable Conduct Scheme and consider whether to use CISS to seek or share information in relation to the reported conduct.

Child Safe Standards

The Langwarrin Community Centre is committed to providing a child safe environment to protect children and young people from all forms of abuse. We aim to provide a culturally safe environment for all children and embed child safety into our everyday practice by complying with the Victorian Child Safe Standards.

Mandatory Reporting

As mandatory reporters we are required to make a report to Child Protection and /or Victoria Police if we have a reasonable belief that a child has been, or is at risk of significant harm as a result of physical or sexual abuse, and the child's parents have not protected or are unlikely to protect that child from that abuse.

Duty of Care

Refers to our responsibility to take reasonable steps to protect children under our care and supervision from harm. We will:

- act on concerns quickly and in the child's best interests
- protect the safety, health and wellbeing of children in our care
- seek appropriate advice or consulting when unsure (MARAM framework)
- share information with other ISEs upon request to protect and/or promote the wellbeing and development of a child
- provide ongoing support to a child and their family

Failure to disclose

All adults who work with children have a legal obligation to report to Victoria Police if they form a reasonable belief that another adult may have committed a sexual offence against a child under the age of 16. Failure to disclose is a criminal offence.

Failure to protect

Persons in a position of authority within an organisation who becomes aware that an adult associated with the organsisation (employee, contractor, visitor) poses substantial risk of committing a sexual offence against any child under the age of 16 under their care, supervision or authority, must take all reasonable steps to remove or reduce that risk. Failure to protect is a criminal offence.

Further information about reporting and legal obligations can be found at the below link -
Your reporting and legal obligations (education.vic.gov.au)

The Approved Provider/Nominated Supervisor/ Management will:

- complete professional learning about MARAM and the Information Sharing Schemes (e-Learning Modules)
- identify appropriate staff to request and share information on behalf of the Langwarrin Community Centre (establish an Implementation Team)
- ensure staff identified complete available professional learning on the Information Sharing Schemes
- provide additional training to other staff to understand and manage information under the schemes
- establish procedures for responding and managing sharing requests made under the Information Sharing Schemes
- establish procedures for responding to complaints made under the Information Sharing Schemes
- update policies and practices to align with information sharing and MARAM
- identify changes within the Langwarrin Community Centre required for change management (identification of family violence, response and information sharing, the promotion of children's wellbeing and safety, cultural safety)
- continue to evaluate and monitor the ongoing implementation of the reforms (record in QIP)
- meet record keeping obligations under the FVISS and CISS when sharing information with any other ISE or RAE
    - record requests to share information
    - date of request
    - the information requested
    - if refusing a request, the request and the reason why it was refused

- when sharing information (either proactively or on request)
    - record what scheme you are sharing under (FVISS, CISS or both)
    - know and record whose information is being shared
    - record how the threshold for sharing was met
- record
    - the information that was shared
    - the date on which the information was shared
    - who the information was shared with
    - relevant risk assessments or safety plan that have been prepared for a person at risk of family violence
    - any complaints made about information sharing under CISS or FVISS

Refer to - Child Information Sharing Scheme Ministerial Guidlines - Guidance for information sharing entities.pdf (www.vic.gov.au)

Educators and staff will:

- read and adhere to the *Child Information Sharing Scheme & Family Violence Information Sharing Scheme Policy*
- participate in training about the Child Information Sharing, Family Violence Reforms and Family Violence Multi-Agency Risk Assessment Management Framework (MARAM)
- promote and protect children's wellbeing and safety
- consider the child's best interests at all times
- maximise the immediate and ongoing safety of all family members at risk of family violence in line with MARAM
- engage specialist services as required, and promote collaborate practice around children and families
- give precedence to the wellbeing and safety of a child or group of children over the right to privacy
- preserve and promote positive relationships between a child and a child's family members and persons of significance to the child
- be respectful of and have regard to a child's social, individual and cultural identify, the child's strengths and abilities and any vulnerability relevant to the child's safety or wellbeing
- promote the cultural safety and recognise the cultural rights and familial and community connects of children who are Aboriginal, Torres Strait Islander or both
- seek to maintain constructive and respectful engagement with children and families
- work collaboratively with other services to support the wellbeing and safety of children and families

Complaints

Any complaints or grievances relating to the sharing of information in relation to the Child Information Sharing Scheme or Family Violence Information Sharing Scheme are documented and responded to as per our *Dealing with Complaints Procedure*.

The Langwarrin Community Centre complaints procedure for families ensures a fair opportunity for all stakeholders to be heard. We consider the nature of the complaint and consider the best way to address the complainant's concerns.

Any complaint related to CISS or FVISS will be investigated by staff who have been appropriately authorised and trained in the Reforms.

Families are advised that consent is not required for the Langwarrin Community Centre to share information with other Information Sharing Entity (ISE) under the Child Wellbeing and Safety Act (2005) or the Family Violence Protection Act (2008).

Record keeping requirements for any complaint made about information sharing under CISS or FVISS will be met. If a complaint cannot be resolved the Office of the Victorian Information Commission (OVIC) or the Office of the Australian Information Commissioner (OAIC) may be contacted for further investigation.

Source

Education and Care Services National Law Act 2010. (Amended 2023).
Education and Care Services National Regulations. (Amended 2023).
Victoria State Government. (2023). *Child Information Sharing Scheme Ministerial Guidelines. Guidance for information sharing entities*
Victoria State Government. (2023). *The Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM)* MARAM practice guides and resources
Child Wellbeing and Safety Act (2005)

REVIEW

POLICY REVIEWED BY	Carol Hopkins	CSO	Sept 2026
POLICY REVIEWED	Sept 2026	NEXT REVIEW DATE	Sept 2028
VERSION	• V3 09.26		
MODIFICATIONS	• biennial policy review • sources checked and updated as required • no major changes to policy		
APPROVED BY	Tania Bernardo		

POLICY REVIEWED BY	Carol Hopkins	CSO	OCT 2024
POLICY REVIEWED	OCT 2024	NEXT REVIEW DATE	OCT 2026
VERSION	• V2 10.24		
MODIFICATIONS	• annual policy review • updated Victorian Child Safe Standards link and sources as required • no major changes to policy		
APPROVED BY			

POLICY REVIEWED BY	Samantha Neeman	Manager	May 2022
POLICY REVIEWED	MAY 2022	NEXT REVIEW DATE	MAY 2023
MODIFICATIONS	• new policy draft		
APPROVED BY			

POLICY REVIEWED	PREVIOUS MODIFICATIONS	REVIEW DATE