

POLICY COVER SHEET

Policy Development and Management

Type:	Departmental Policy and Procedure
Last Review Date:	
Next Review Date:	30 September 2025
Responsible Officer:	Sue Porter
Department:	Community Wellbeing
Trim No:	
Title:	Information Sharing Policy and Procedures
For:	MCH, Supported Playgroups and OoHC

Conflicts of Interest

No conflicts of interest identified.

1. Purpose

To comply with legislation regarding the sharing of information with other prescribed organisations to support child safety and wellbeing.

2. Rationale

The objective is to give direction and clarity to specific Council programs around the procedures for sharing and requesting information from other prescribed organisations. The aim is to be able to provide better care options for vulnerable families in the community.

3. Scope

This policy covers legislative requirements for DFFH funded programs to share and be able to request relevant information about the families they work with. This includes Maternal and Child Health, Supported Playgroups and children in Out of Home Care.

4. Definitions

Reference Term	Definition
Adolescent who uses family violence	Under the Family Violence Information Sharing Scheme, a young person from the ages of 10 to 17 who chooses to use coercive and controlling techniques and violence against family members, including intimate partners is described as an adolescent who uses family violence. Adolescents who use family violence often coexist as victims of family violence and therapeutic responses should be explored.
Alleged perpetrator	The term most commonly used in Victoria to describe a person where there is not sufficient information for an Information Sharing Entity to form a reasonable belief that a person poses a risk of family violence. Under the Family Violence Information Sharing Scheme, information about alleged perpetrators can only be shared with Risk Assessment Entities (RAE) for a family violence assessment purpose.

Child	All Victorian children under the age of 18 years, as well as unborn children who are the subject of a report to Child FIRST or Child Protection.
Confidential information	For the purposes of the Information Sharing Schemes, the term 'confidential information' includes: <ul style="list-style-type: none"> • health information and identifiers for the purposes of the Health Records Act 2001 (Vic) • personal information for the purposes of the Privacy and Data Protection Act 2014 (Vic), including sensitive information (such as a criminal record), and unique identifiers • personal information for the purposes of the Privacy Act 1988 (Cth), including sensitive information
Family violence	Family violence is defined in the Family Violence Protection Act 2008 as: <ul style="list-style-type: none"> • behaviour by a person towards a family member that: <ul style="list-style-type: none"> ○ is physically or sexually abusive ○ is emotionally or psychologically abusive ○ is financially abusive ○ is threatening or coercive ○ in any other way, controls or dominates the family member and causes that family member to feel fear for the safety or wellbeing of that family member or that of another person. • behaviour that causes a child to hear, witness or otherwise be exposed to the effects of any behaviour referred to above. <p>Aboriginal community definitions of family violence include extended family, kinship networks, elder abuse and exclusion or isolation from Aboriginal culture and/or community by non-Aboriginal perpetrators.</p>
CISS	Child Information Sharing Scheme. (See Information Sharing Schemes below)
FVISS	Family Violence Information Sharing Scheme. (See Information Sharing Scheme below)
Information Sharing Schemes	Different organisations are subject to different information sharing obligations in Victoria. The law requires or allows, in certain circumstances, some organisations to share confidential or sensitive information about a person with each other, often to support safety or wellbeing. Information sharing schemes in Victoria include the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme.
ISE	Information Sharing Entity. Only organisations or services that are prescribed as Information Sharing Entities can share information under the Information Sharing Schemes. Prescribed organisations are those that have been determined under the child wellbeing and safety regulations or family violence protection regulations to be authorised to request and share information and are required to respond to requests for information from other Information Sharing Entities when relevant requirements for sharing are met.
MARAM Framework	Multi-Agency Risk Assessment and Risk Management Framework. The Framework has been used by many professional groups and specialists who come into contact with people experiencing family violence, to build a shared understanding of, and responsibility for, identifying, assessing and managing family violence risk.

Perpetrator (FVISS)	Under the Family Violence Information Sharing Scheme, perpetrator is the term most commonly used in Victoria to describe a person if it is reasonably believed that there is a risk they may commit family violence. Aboriginal and Torres Strait Islander peoples and communities may prefer to use the term 'person who uses family violence' over perpetrator.
Risk Assessment Entity (RAE)	Under the Family Violence Information Sharing Scheme, there is also a subset of specialist Information Sharing Entities known as Risk Assessment Entities (RAEs) that are able to request and receive information for a family violence assessment purpose.
Third party	Any person other than the child or the child's family members when using the Child Information Sharing Scheme or the victim survivor or perpetrator when using the Family Violence Information Sharing Scheme. Third parties include friends, neighbours, colleagues or workmates whose confidential information may be relevant to promoting the wellbeing or safety of the child or group of children (the CISS) or is relevant to assessing or managing risk of family violence (the FVISS).
Victim survivor (FVISS)	Under the Family Violence Information Sharing Scheme the term victim survivor is used to describe a person about whom it is reasonably believed that there is a risk they may be subjected to family violence. This includes adults or children who have disclosed family violence or who have been identified as affected by family violence. Aboriginal and Torres Strait Islander peoples and communities may prefer to use the term 'person experiencing family violence' over victim survivor.

5. Policy

The Information Sharing Schemes were introduced in response to Royal Commissions, coronial inquests and independent inquiries over the past decade that identified poor information sharing as a barrier to service collaboration with detrimental outcomes for children and families. The Information Sharing Schemes enable Information Sharing Entities (ISE) to access and share relevant information to promote the wellbeing or safety of children or to assess or manage family violence risk.

The Family Violence Information Sharing Scheme commenced in February 2018 for a select group of organisations. Phase One of the Child Information Sharing Scheme and Family Violence Information Sharing Schemes commenced in September 2018 and included key frontline professionals, such as Maternal and Child Health. From 19 April 2021, as part of Phase Two, universal services such as Supported Playgroups and Out of Home Care are authorised to request and share information using the Information Sharing Schemes.

The MARAM Framework supports prescribed organisations and services to assess and manage family violence risk to better protect victims and hold perpetrators to account. The Framework will also assist prescribed organisations and services to understand their roles and responsibilities in the system.

Under the Information Sharing Schemes, organisations that are prescribed as Information Sharing Entities:

- must acknowledge they have received a request for information
- must respond to requests for information and provide all relevant information to other Information Sharing Entities that meets the requirements of the scheme it was requested under and do so in a timely manner
- must consider the information sharing legislative principles for the schemes
- if declining to share all or part of a request for information, must advise the requesting information sharing entity in writing

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- can request information from other Information Sharing Entities
- can proactively share information with other Information Sharing Entities
- must meet the record keeping requirements of the Information Sharing Schemes.

Council, as a provider of prescribed services, is required to comply with the requirements under the CISS and FVISS. We will also be able to request information from other ISEs to protect victims of family violence more effectively or promote child safety and wellbeing.

Staff identified to request and share information under the Information Sharing Schemes are as follows:

- MCH Coordinator
- MCH Nurses
- Playgroup Facilitator
- Children's Services Coordinator
- Other staff as directed by above.

6. Related Policies, Strategies and Legislation

Family Violence Protection Act 2008

Family Violence Protection (Information Sharing) Regulations 2018

Child Wellbeing and Safety (Information Sharing) Regulations 2018

Child Wellbeing and Safety Act 2005

Children, Youth and Families Act 2005

Family Violence Protection Act 2008

Child Safety and Wellbeing Policy 2022

Code of Conduct

7. Management and Review

This policy will be reviewed every three (3) years or earlier if there are legislative or procedural changes. Policy will be reviewed by stakeholders in MCH and Children's Services

8. Consultation

Reference to legislation and user guide manuals from:

- Child Information Sharing and FV Reforms Toolkit (Maternal and Child Health) – Department of Education and Training
- Child Safe Standards and Practice Guide - MAV
- Information Sharing and Family Violence Reforms Toolkit – Department of Education and Training

Consultation with the community is not required.

9. Human Rights Charter

This policy has been developed with consideration of the requirements under the Charter of Human Rights and Responsibilities.

10. Procedure

The Child Information Sharing Scheme (CISS) aims to assist professionals to better support positive child wellbeing and safety outcomes. It does this by enabling specified government agencies and service providers, known as Information Sharing Entities (ISE), to share information about children (personal, health or sensitive information), their families or relevant third parties that will:

- Improve early risk identification and intervention

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- Change a risk-averse culture in relation to information sharing
- Increase collaboration and integration between child and family services
- Support children's participation in services.

The Family Violence Information Sharing Scheme (FVISS) enables prescribed Information Sharing Entities (ISE) to share relevant information to assess or manage risk of family violence to children and adults. Consent is not required from any person, including third parties, to share information to assess or manage family violence risk to a child. Information can be shared with other Information Sharing Entities for the management of family violence risk. Only Risk Assessment Entities, a specialist subset of Information Sharing Entities, can request and receive information to assess for family violence risk.

Any personal, health and sensitive information (that is not excluded information), such as observations and other records, that is relevant to promoting the wellbeing or safety of a child or group of children or assessing or managing family violence risk about a perpetrator, victim survivors (adult or child), or a third party can be shared. (See Appendix A and B for information that is excluded)

Sometimes sharing information occurs via email or verbally, especially in urgent cases. In these cases, normal record keeping procedures will need to be used in case notes. (See Appendix C and D for checklist of information to be kept)

If the request for information meets the requirements for sharing, to the extent necessary all relevant information held must be shared in a timely manner. Services should work with the requesting Information Sharing Entities to determine the timing and urgency of the request. (See Appendix E for requirements for sharing for CISS and Appendix F for FVISS)

The Information Sharing Schemes complement and expand upon existing information sharing and child protection laws and do not replace existing authorisations to share information such as the Child Safe Standards, reporting to Child Protection or Victoria Police, the Reportable Conduct Scheme and other privacy and information sharing laws.

Child Information Sharing Scheme: principles for sharing

The following legislative principles must be considered when using the Child Information Sharing Scheme:

- Give precedence to the wellbeing and safety of a child or group of children over the right to privacy.
- Seek to preserve and promote positive relationships between a child and the child's family and people significant to the child.
- Seek to maintain constructive and respectful engagement with children and their families.
- Be respectful of and have regard to a child's social, individual and cultural identity, 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 connections of children who are Aboriginal, Torres Strait Islander or both.
- Seek and take into account the views of the child and the child's relevant family members, if it is appropriate, safe and reasonable to do so. Where possible it is ideal to obtain consent prior to sharing although this is not required.
- Consider the specific requirements of Aboriginal or Torres Strait Islander people, people with disabilities, people from culturally and linguistically diverse backgrounds, older people, people from lesbian, gay, bi-sexual, trans, gender diverse and intersex communities or people from regional, rural and remote communities.
- Take all reasonable steps to plan for the safety of all family members believed to be at risk from family violence.
- Only share confidential information to the extent necessary to promote the wellbeing or safety of a child or group of children, consistent with the best interests of that child or those children.

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- Work collaboratively in a manner that respects the functions and expertise of each Information Sharing Entity.

Child Information Sharing Scheme Summary and Excluded Information – See Appendix A

Family Violence Information Sharing Scheme: principles for sharing

The following legislative principles must be considered when using the Family Violence Information Sharing Scheme:

- Information Sharing Entities should:
 - work collaboratively to coordinate services in a manner that respects the functions and expertise of each Information Sharing Entity
 - give precedence to the right to be safe from family violence over the right to privacy
 - only collect, use or disclose a person's confidential information to the extent that the collection, use or disclosure of the information is necessary:
 - to assess or manage risk to the safety of a person from family violence
 - to hold perpetrators of family violence accountable for their actions.
 - collect, use or disclose the confidential information of a person who identifies as Aboriginal or Torres Strait Islander in a manner that:
 - promotes the right to self-determination and is culturally sensitive
 - considers the person's familial and community connections.
 - have regard for and be respectful of a person's cultural, sexual and gender identity and religious faith.
- When sharing any person's information to assess or manage risk to a child, we should:
 - promote the agency of the child and other family members at risk of family violence by ensuring their views are taken into account (having regard for the appropriateness of doing so and the child's age and maturity)
 - take all reasonable steps to ensure the information is shared in a way that:
 - plans for the safety of all family members at risk of family violence
 - recognises the desirability of preserving and promoting positive relationships between those family members and the child.
 - take into consideration Aboriginal or Torres Strait Islander people, people with disabilities, people from culturally and linguistically diverse backgrounds, older people, people from lesbian, gay, bi-sexual, trans, gender diverse and intersex communities or people from regional, rural and remote communities

Family Violence Information Sharing Summary and Excluded Information – See Appendix B

Applying the Threshold Tests –

Requirements must be met for sharing before using the Schemes to share information. The requirements for sharing are different depending on the purpose for sharing.

See Appendix G – Applying the Threshold Tests

Identifying staff

In identifying staff to request and share information under the schemes, the following should be taken into account.

- a. The staff member is employed or otherwise contracted to Council (not a volunteer)
- b. Is sufficiently competent in the use of Information Sharing Schemes

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- c. has appropriate skills, understanding and experience in the identification and management of child wellbeing or safety, and the appropriate and sensitive management of confidential information
- d. wherever possible, has regular engagement with children and families whose information may be shared or requested, and/or the children in whose interest information may be shared or requested.

The initial point of contact for receiving requests for information should be:

- MCH Coordinator for all matters relating to MCH, and
- Children's Services Coordinator for all other matters.

Requests will then be directed to relevant staff member to complete.

Record keeping obligations

Accurate records are to be kept of all information shared under Part 6A of the Child Wellbeing and Safety Act 2005 (Vic) and/or under Part 5A of the Family Violence Protection Act 2008 (Vic).

See Appendix C for CISS Record Keeping Checklist

See Appendix D for FVISS Record Keeping Checklist

Assessing Family Violence Risk

See Appendix H for Evidenced Based Risk Factors for Family Violence

Making a request for information to assess or manage child wellbeing and safety.

When making a request for information to help you manage the wellbeing and safety of a child or group of children, you should make sure that:

- Your organisation is prescribed as an Information Sharing Entity (ISE)
- The information you are requesting is for the purpose of promoting the wellbeing or safety of a child or group of children
- You are requesting information from a prescribed ISE
- You have considered the principles and specific requirements when sharing information about specific cohorts ie Aboriginal or Torres Strait Islander people, people with disabilities, people from culturally and linguistically diverse backgrounds, older people, people from lesbian, gay, bi-sexual, trans, gender diverse and intersex communities or people from regional, rural and remote communities.
- You have considered the co-occurring family violence risks to the child and family members and whether you need to request further information to address these.

See Appendix I for sample request form

Making a request for information to assess or manage family violence risk.

When making a request for information to help manage family violence risk to a client or family member, officers should make sure that:

- Your organisation is prescribed as an ISE
- The information you are requesting is for a family violence protection purpose
- You are requesting information from a prescribed ISE
- You have considered the principles and specific requirements when sharing information about specific cohorts ie Aboriginal or Torres Strait Islander people, people with disabilities, people from culturally and linguistically diverse backgrounds, older people, people from lesbian, gay, bi-sexual, trans, gender diverse and intersex communities or people from regional, rural and remote communities.
- You have considered the co-occurring safety and wellbeing needs of any child and whether you need to request further information to address these

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See Appendix I for sample request form

Responding to a Request for Information to Manage Child Wellbeing and Safety Checklist.

See appendix J – Responding to a request for information form

Responding to a Request for Information to Manage Family Violence

See Appendix J – Responding to a request for information form

Refusing a request for information

When declining to share information under the Schemes, you must record the details of the request and why it was refused. In these instances, you should start a dialogue with the requesting ISE so they understand what can be shared if any of the requirements are not met.

Under the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS), Information Sharing Entities (ISEs) must decline a request for information from another ISE or a Risk Assessment Entity (RAE) in writing.

See Appendix K – Refusing an Information Request form

Training

All staff identified as being able to request or share information under the scheme should have the relevant training on how the scheme operates and their responsibilities. Training is available online through the Victorian Government at [Training for the information sharing and MARAM reforms | Victorian Government \(www.vic.gov.au\)](https://www.vic.gov.au/training-for-the-information-sharing-and-maram-reforms)

Staff will also have current Child Safety and Wellbeing training, including indicators of harm in children. (as per Child Safety and Wellbeing Policy)

Complaints

Complaints can be made verbally or in writing and should be directed to the contact mentioned in staffing above, in the first instance.

All complaints will be taken seriously and dealt with fairly and in the spirit of improving practice. All complaints will be dealt with as quickly as possible.

Any entity dissatisfied with the result of a complaint can refer to the matter onto the Manager of Community Wellbeing.

Breaches of privacy are breaches of Council Code of Conduct and will be dealt with accordingly. Complainant will be notified in writing of decisions or outcomes of their complaint.

ISEs may receive complaints from a wide range of individuals. These may include:

1. Individuals in relation to privacy breaches. For example, if the ISE has:
 - misidentified an adult victim survivor as a perpetrator and shared information about them without consent
 - shared information that is not relevant to the purpose for which it was shared.
2. Individuals in relation to any other conduct under the Schemes. For example, if the ISE has:
 - not sought the views of a child and/or relevant family member and the complainant believes it was safe, reasonable and appropriate to do so
 - in the view of the complainant, failed to foster positive relationships between a child and significant people in the child's life, in the way they applied the Schemes.
3. Other ISEs in relation to how the ISE is sharing information under the Schemes. For example, an ISE may make a complaint about:
 - another ISE refusing to share relevant information that should be shared
 - the timeliness of responses.

When updating complaints policies and procedures, ISEs should:

- ❖ contact their privacy officer in the first instance for an assessment

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- ❖ consider whether affected individuals should be notified of possible privacy breaches, how that privacy breach should be dealt with given the nature of the breach and any relevant risk factors associated with the breach
- ❖ consider any relevant existing Memorandum of Understanding or agreements with other services that should be followed when resolving complaints
- ❖ consider the nature of the complaint and the best way to address the complainant's concerns, particularly the different approaches that may be relevant where the complaint is from a child, family member or another organisation
- ❖ ensure that there are appropriately authorised and trained personnel to investigate complaints
- ❖ consider whether an external mediator should be used to resolve some complaints
- ❖ provide advice on expectations for how complainants should be treated, including:
 - reassurance that the complaint is being treated seriously
 - that the nature of the complaint is understood
 - that the complainant will be kept up to date about the progress of the complaint.
- ❖ provide advice on proposed responses to complaints (e.g. apology, changes in operational practices, change in organisational policies and procedures to address systemic issues, compensation, upskilling of staff in identified areas)
- ❖ consider the timeliness of responding to complaints, taking into account the nature of the complaint and any risk factors, and provide guidance on the expected timeframes within which the organisation should respond to complaints
- ❖ ensure protocols are in place for how a complainant should be notified of an outcome
- ❖ ensure that the policies and procedures allow for complainants to respond to a decision
- ❖ ensure that there is a process for referring any unresolved complaints to the relevant Commissioner
- ❖ ensure that record keeping obligations in relation to complaints are included.

The following information must be recorded if a complaint is received under the Schemes:

- ❖ the date the complaint was made and received
- ❖ the nature of the complaint
- ❖ action taken to resolve the complaint
- ❖ action taken to lessen or prevent the issue from recurring
- ❖ time taken to resolve the complaint
- ❖ if the complaint was not resolved, further action that was taken.

Record keeping template for complaints made under the Child Information Sharing Scheme (CISS) or the Family Violence Information Sharing Scheme (FVISS) Information sharing entities (ISEs) must meet record keeping requirements if a complaint is made about information sharing under CISS or FVISS.

Record keeping requirements that are mandatory under the Schemes are marked with an asterisk (*). This document does not replace the need to refer to the CISS and FVISS Ministerial Guidelines for information on complaints.

Checklist for recording complaints made under CISS and/or FVISS

- ❖ Date the complaint was made*
- ❖ Date the complaint was received*
- ❖ Details of the person who received the complaint – Name, Organisation, Role, Title, Contact Number, Email
- ❖ Details of the person or organisation that made the complaint. The complainant is a (tick all that apply):
 - Information Sharing Entity (ISE) including Risk Assessment Entity (RAE)
 - Third party
 - Child or family member
 - Victim survivor of family violence
 - Adolescent using family violence**
 - Adolescent at risk of using violence**

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- Perpetrator or alleged perpetrator**
 - **under FVISS consent is not needed to share the information of a perpetrator or alleged perpetrator of family violence, or adolescents using or at risk of using family violence.
- Name
- Organisation (if applicable)
- Role Title (if applicable)
- Contact Number Email Details of the complaint
- What was the nature of the complaint? (provide a summary of the complaint including any relevant details)* The nature of the complaint and relevant details must be recorded. An example of a complaint may be that your organisation did not respond to an information sharing request from another ISE in a timely manner.
- Action taken to address the complaint
- What action was taken to resolve the complaint?* Any action that was taken to resolve the complaint must be recorded. If the complaint could not be resolved, what action was taken?*
- If the ISE was unable to resolve the complaint, any further action (if any) that was taken must be recorded.
- How much time did it take to resolve the complaint?* The time taken to resolve the complaint must be recorded. Your organisation should acknowledge and respond to concerns or complaints in a timely and respectful manner.
- Is there necessary action that has been taken to prevent, or lessen, the risk of further similar complaints?*
- Any necessary action that has been taken to prevent or lessen the risk of further similar complaints, by addressing the reasons for the complaint, must be recorded. For example, if the complaint related to the timeliness of a response to an information sharing request from another ISE, the ISE receiving the complaint may have taken action to review and update its protocols for responding to requests under CISS/ FVISS.

ISE's and RAE's

The following types of organisations are prescribed as ISEs under one or more of the reforms from 27 September:

Organisations prescribed under MARAM, the FVIS and CIS Schemes:

- Alcohol and Other Drug Services
- Child FIRST
- Child Protection
- Community-based child and family services
- Designated mental health services
- Family violence specialist services
- Family violence perpetrator intervention programs or services
- Homelessness services that provide access point, outreach or accommodation services
- Housing services (Department of Health and Human Services provided only)
- Justice Health services (for children and young people)
- Maternal and Child Health services
- Out-of-Home Care services
- Risk Assessment and Management Panels
- Sexual assault services
- Sexually abusive behaviour treatment services
- The Orange Door (Support and Safety Hubs)
- Victims of Crime Helpline
- Victims Assistance Programs

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- Victoria Police
- Youth Justice and funded services
- Youth Parole Board Secretariat Organisations prescribed under the FVIS and CIS Schemes only:
- Commission for Children and Young People
- Disability Services Commissioner

ISEs that are also Risk Assessment Entities (RAEs):

RAEs are a subset of ISEs that have the power to request, collect and use information to establish and assess family violence risk.

The following organisations are identified as RAEs:

- The Orange Door (Support and Safety Hubs)
- Specialist women's family violence services
- Specialist men's family violence services
- Sexual assault services
- Community-based child protection services co-located in The Orange Door (Support and Safety Hubs)
- Child FIRST services (excluding broader family services)
- Victims Support Agency (including Victims Assistance Program providers and the Victims of Crime Helpline)
- Victoria Police
- Risk Assessment and Management Panels.

Appendix

- A. Child Information Sharing Scheme (CISS) Summary and Excluded Information**
- B. Family Violence Information Sharing Scheme (FVISS) Summary and Excluded Information**
- C. Record Keeping Checklist – CISS**
- D. Record Keeping Checklist - FVISS**
- E. Requirements for Sharing Information – CISS**
- F. Requirements for Sharing Information – FVISS**
- G. Applying the Threshold Tests**
- H. Evidence Based Risk Factors for Family Violence**
- I. Information request Form**
- J. Responding to a Request Form**
- K. Refusing an information request form**

Child Information Sharing Scheme (CISS) summary

This document is designed to assist professionals in the application of the Child Information Sharing Scheme. The *Child Information Sharing Scheme Ministerial Guidelines* detail the legal obligations of prescribed Information Sharing Entities (ISEs). Ministerial guidelines and additional resources are available at infosharing.vic.gov.au.

Who

Who can share and request information?

- Whenever the scheme's threshold is met, nominated professionals in ISEs must share relevant confidential information upon request, and they can request and proactively share information under the scheme.

Who can they share information with?

- Information can be shared with any organisation that is a prescribed ISE. An online ISE list is available at iselist.www.vic.gov.au/ise/list/
- ISEs can also share information with a child, a person with parental responsibility for the child or a person with whom the child is living, for the more limited purpose of managing a risk to the child's safety.

Whose information can be shared?

- Information can be shared about any person, whenever the scheme's threshold is met.

Why

What are the reasons that information can be shared?

Threshold part 1: Promoting child wellbeing or safety

An ISE can request or share information about any person for the purpose of promoting the wellbeing or safety of a child or group of children.

Threshold part 2: Sharing to assist another ISE

The disclosing ISE must reasonably believe that sharing the information may assist the receiving ISE to carry out one or more of the following activities:

- making a decision, an assessment or a plan relating to a child or group of children
- initiating or conducting an investigation relating to a child or group of children
- providing a service relating to a child or group of children
- managing any risk to a child or group of children.

What

What information can be shared?

- ISEs can share any confidential information about any person, which includes sensitive, personal and health information. This can include case notes, observations, assessments, contact details, service engagement history, and any other information relevant to promoting the wellbeing or safety of a child or group of children.

What information cannot be shared?

- ISEs should not share information that does not meet the threshold of promoting the wellbeing or safety of the child or children in the particular circumstances. For example, irrelevant parts of a case file or health record should not be shared.
- ISEs must not share excluded information (see the *Child Information Sharing Ministerial Guidelines* for more information).
- ISEs must not share information that is restricted from sharing by another law.

When

When can information be shared or requested?

- Information can be shared or requested any time that the threshold of the scheme is met.
- ISEs can share proactively and request information whenever, in their professional judgement, the threshold of the scheme is met.
- ISEs must share information in response to a request whenever, in their professional judgement, the threshold of the scheme is met.
- ISEs should respond to requests for information in a timely manner (including when they are declining to provide information in response to the request).

How

How should information be shared or requested?

- Professionals must follow all data security requirements that apply to their organisation.
- The Victorian Information Privacy Principles (including data security requirements) apply to all organisations in relation to the handling of information that is collected under the scheme.

Excluded information under CISS

Excluded information is any information that, if shared, could be reasonably expected to do the following:

- a. Endanger a person's life or result in physical injury – this includes the child, their family or any other person. For example, if sharing the location of a child could be reasonably expected to pose a threat to the life or physical safety of the child or another person, this information should not be shared.
- b. Prejudice the investigation of a breach or possible breach of the law or prejudice the enforcement or proper administration of the law – including police investigations. For example, any information that could unfairly influence or reveal details of a police investigation or Commission for Children and Young People investigation.
- c. Prejudice a coronial inquest or inquiry. For example, information that could unduly influence a witness expected to give evidence before a coronial inquest.
- d. Prejudice the fair trial of a person or the impartial adjudication of a particular case. For example, if the information would unfairly influence the outcome of a proceeding.
- e. Disclose the contents of a document, or a communication, that is of such a nature that the contents of the document, or the communication, would be privileged from production in legal proceedings on the ground of legal professional privilege or client legal privilege. For example, if the information is legally privileged.
- f. 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. For example, if that information could reveal or be used to reveal the name of a person who has confidentially provided information to police.
- g. 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.
- h. Be contrary to the public interest. For example, revealing information about covert investigative techniques.

Family Violence Information Sharing Scheme (FVISS) summary

For more comprehensive information, see the *Family Violence Information Sharing Guidelines*.

Who

Who can share information?

Information Sharing Entities (ISEs) are authorised to share information. These ISEs are prescribed by regulations.

Who can they share information with?

Information can be shared with any organisation that is a prescribed ISE. An online ISE list is available at iselist.www.vic.gov.au/ise/list/.

Some ISEs are also prescribed as Risk Assessment Entities (RAEs) that can request information for a family violence assessment purpose.

Whose information can be shared?

Information can be shared about any person, that is relevant to assessing or managing family violence risk. Consent is not required from any person to share information that is relevant to assessing or managing family violence risk to a child, if there is a serious risk to any person or if sharing is permitted by another law.

If none of the above apply, consent is required to share the information of an adult victim survivor, including a student over 18 years of age, or a third party. Consent is never required to share information about a perpetrator, alleged perpetrator or adolescent using or at risk of using family violence.

Professionals should seek and take into account the views of the child and/or family member (who is not a perpetrator, alleged perpetrator or adolescent using or at risk of using family violence) before sharing their information, whenever safe, reasonable and appropriate to do so.

Why

Why can they share?

ISEs can share information for two purposes:

1. to establish and assess family violence risk (family violence **assessment** purpose)
2. to manage family violence risk, including via ongoing risk assessment (**protection** purpose).

All ISEs can share information for a protection purpose. Only ISEs that are also prescribed as RAEs can request information for a family violence assessment purpose. All ISEs can share proactively with RAEs for a family violence assessment purpose.

What

What information can be shared?

Only information that is relevant to assessing or managing family violence risk is permitted to be shared.

What information cannot be shared?

- ISEs must not share excluded information*
- ISEs cannot share information that would contravene another law that has not been specifically overridden by the scheme*
- ISEs cannot share information if the applicable consent requirements have not been met

*see the *Family Violence Information Sharing Guidelines* for more information.

When

When can information be shared?

If the information is not excluded and is relevant to assessing or managing family violence risk, an ISE:

- can **share proactively** with other ISEs, including RAEs, for a family violence protection purpose
- can share information relevant to a family violence assessment purpose with RAEs
- can request information from other ISEs, including RAEs, that is relevant for a family violence protection purpose
- must **respond to information requests** from other ISEs and RAEs and provide relevant information.

Excluded information under FVISS

Any information that could be reasonably expected to:

- a. endanger a person's life or result in physical injury (e.g. if sharing the address of the victim survivor could alert a person known to pose a threat to their whereabouts then this information should not be shared)
- b. 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. if information reveals the details of a police investigation)
- c. prejudice a coronial inquest or inquiry or the fair trial of a person or the impartial adjudication of a particular case (e.g. if the information was cited as evidence in a closed session of the court)
- d. 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
- e. 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. where certain information is known only to a particular person, their identity as a confidential source could be ascertained if that information was shared)
- f. contravene a court order or law 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
- g. contravene a court order or law that requires or authorises a court or tribunal to close any proceeding to the public (e.g. if the court closes proceedings under Section 30 of the Open Courts Act 2013 or Section 68 of the FVPA on the basis that an affected family member, protected person or witness may be caused distress or embarrassment, then an ISE would not be able to share information about the proceedings that took place in closed court)
- h. be contrary to the public interest (e.g. information that could reveal covert investigative techniques).

RECORD KEEPING REQUIREMENTS

The following checklists provide an overview of what information you need to record when sharing information with another organisation.

1. Record keeping checklist when sharing information to promote child wellbeing and safety

You are required to keep accurate records of all information shared under **Part 6A of the *Child Wellbeing and Safety Act 2005 (Vic)***.

The following checklist provides an overview of what information you need to record **when sharing information with another organisation**. These can be incorporated into existing organisational processes (for example, recorded through case notes).

When requesting information from another organisation, you are not required to record any specific information, although it is good practice to do so and a copy of the request should be kept for your records.

When you disclose confidential information under the Scheme you must record:

- The name of the person and organisation who requested information
 - What information was requested
 - The date the request was made
 - What information was shared
 - The name of person and organisation with whom the information was shared
 - The date the information was shared
 - If you have prepared a family violence risk assessment or a safety plan for a victim survivor (including a child) or perpetrator of family violence, or another member of the family. Keep a copy of that risk assessment or safety plan
 - Whether you sought the views of the child or their parent/guardian* and, if not, the reason why
 - Whether you informed the child or their parent/guardian* that their information was shared
- * Who is not the perpetrator or alleged perpetrator

*Remember, **consent is not required** from any person to share information under the Scheme. However, you are encouraged to take all reasonable steps to seek and take into account the views of the child and the child's relevant family members, if it is appropriate, safe and reasonable to do so.*

When refusing a request to share information:

You must refuse a request to share information if you do not believe it satisfies the threshold for sharing, or if the information is excluded information or cannot be shared because of another law.

When you refuse a request, you must record:

- What information was requested
- The reason why the request was refused

You must provide the requestor with a written reason for your refusal in a timely manner. The reason provided should be formulated with care and be appropriate to the situation so as not to increase any risks or inadvertently share excluded information.

2. Record keeping checklist when sharing information to assess and manage family violence risk

You are required to keep accurate records of all information shared under **Part 5A of the Family Violence Protection Act 2008 (Vic)**.

The following checklist provides an overview of what information you need to record **when sharing information with another prescribed organisation**. These requirements can be incorporated into existing organisational processes (for example, recorded through your case notes).

When **requesting information from another organisation**, you are not required to record any specific information; however, it is good practice to do so and a copy of the request should be kept for your records.

When you disclose information under the Scheme you must record:

- The name of the person and organisation who requested information
- What information was requested
- The date the request was made
- What information was shared
- The name of the person and organisation with whom the information was shared
- The date the information was shared
- If you have prepared a family violence risk assessment or a safety plan for a victim survivor (including a child) or perpetrator of family violence, or another member of the family, record a copy of that risk assessment or safety plan.

When you disclose information about a child victim survivor of family violence you must also record:

- Whether you sought the views of the child or their parent/guardian (who is not the perpetrator or alleged perpetrator) and, if not, the reason why
- Whether you informed the child victim survivor or their parent/guardian (who is not the perpetrator or alleged perpetrator) that their information was shared

*Remember, **consent is not required** from any person if a child is at risk of family violence. However, you are encouraged to take all reasonable steps to seek and obtain the views of the child and/or their parent/guardian who is not the perpetrator or alleged perpetrator, and to take those views into account where it is safe, appropriate and reasonable to do so*

When you disclose information about an adult, or any person whose information is relevant to family violence risk assessment or risk management:

- If you disclose information with consent, you must record details of that consent, whether written, verbal or implied
- If you disclose information without consent, you must record –
 - the reason why consent was not obtained (i.e. there was a serious threat or the information was to assess or manage risk for a child victim survivor)
 - whether the person's views were sought and obtained and, if not, the reason why
 - whether the person was informed that their information will be shared without their consent

*Remember, **consent is not required from:***

- a perpetrator or alleged perpetrator of family violence, this includes an adolescent who uses violence
- any person if there is a risk to a child
- any person if sharing is necessary to lessen or prevent a serious threat to a person's life, health, safety or welfare.

Consent is required from an adult victim survivor or third party (adult or child) when sharing information to assess or manage risk for an adult victim survivor, unless any of the above exceptions apply.

Refusing a request to share information

You must refuse a request to share information if you do not form a reasonable belief that the information requested is necessary for assessing or managing the risk of family violence, or if the information is excluded information or cannot be shared because of another law.

When you refuse a request, you must record:

- What information was requested
- The reason why the request was refused

Where there are circumstances where it would be inappropriate to provide details of the specific ground for the exclusion (e.g. where it would prejudice a criminal investigation), it is sufficient to refuse on the grounds that the information is excluded.

Decision tree: Can I share information under the Child Information Sharing Scheme (CISS)?

Can I share information to promote the wellbeing or safety of a child under the Child Information Sharing Scheme (CISS)?

Start

Is my organisation a prescribed Information Sharing Entity (ISE)?
TIP: Check the online ISE list

Yes

Am I authorised by my organisation to share information under CISS?

Yes

Is the organisation I am sharing with a prescribed ISE?
TIP: Check the online ISE list

Yes

1

No

You **cannot** share the information under CISS*

No

Identify roles authorised to share under CISS in your organisation

No

You **cannot** share the information under CISS*

1

Am I sharing the information to promote the wellbeing or safety of a child or group of children?
TIP: Consider the CISS legislative principles and use professional judgement and existing child best interests and developmental frameworks when determining whether information sharing promotes child wellbeing or safety. See the *Child Information Sharing Scheme Ministerial Guidelines* for further guidance.

Yes

No

You **cannot** share the information under CISS*

2

Do I reasonably believe that sharing the information may assist the other organisation to carry out one or more of the following activities?

- make a decision, an assessment or a plan relating to a child/children?
- initiate or conduct an investigation relating to a child/children?
- provide a service relating to a child/children?
- manage any risk to a child/children?

No

You **cannot** share the information under CISS*

Yes

3

3

Is any of the information I want to share excluded information or would sharing contravene another law?

TIP: For a complete list of excluded information and laws that continue to restrict sharing of certain information see the CISS Ministerial Guidelines. ISEs are not required to conduct investigations to determine that information is not excluded information before sharing it. Rather, if they are aware that information falls within an excluded category then they are not permitted to share that information. ISEs also cannot share information known to be restricted under another law.

Yes

You **cannot** share the information under CISS*

No

Have I sought and taken into account the views of the child and/or relevant family members?

TIP: Consent is not required from any person prior to sharing their relevant information. However, ISEs should seek and take into account the views of a child or relevant family members whenever it is safe, reasonable and appropriate, to do so.

YOU CAN SHARE THE INFORMATION USING THE CHILD INFORMATION SHARING SCHEME

***I can't share information under CISS. What should I do?**

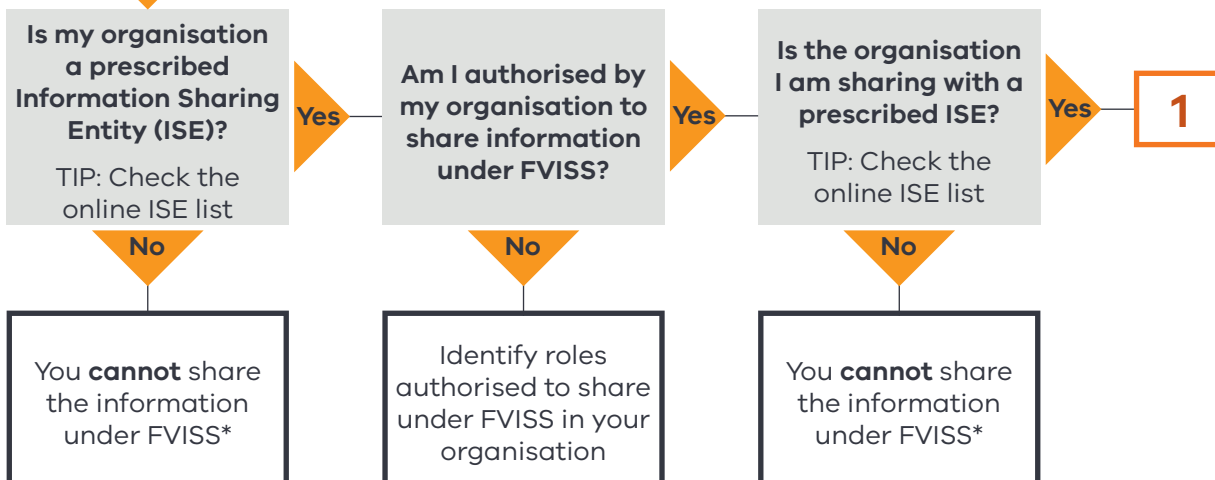
There is a range of information sharing mechanisms outside CISS.

Organisations and services should share information and collaborate as permitted by law. Privacy, child safety reporting and information sharing obligations continue to apply, including: mandatory reporting obligations, reporting to Child Protection if there is a significant risk of harm, and information sharing with Child Protection.

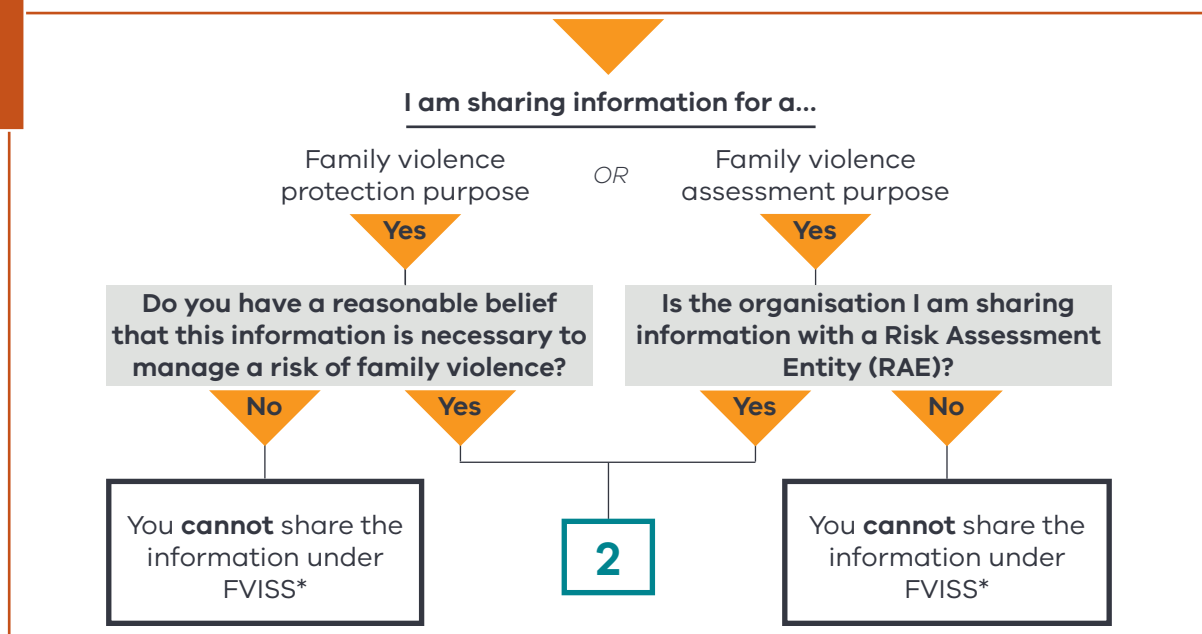
Decision tree: Can I share information under the Family Violence Information Sharing Scheme (FVISS)?

Can I share information to assess or manage family violence risk under the Family Violence Information Sharing Scheme (FVISS)?

Start



1



***I can't share information under FVISS. What should I do?**

There is a range of information sharing mechanisms outside FVISS. Organisations and services should share information and collaborate as permitted by law. Child safety reporting and information sharing obligations continue to apply, including: mandatory reporting obligations, reporting to Child Protection if there is a significant risk of harm, and information sharing with Child Protection.

2

I am sharing information to assess or manage risk to a...

Child victim survivor (under 18) or adult victim survivor (where there is risk to a child)

OR

Adult victim survivor (where there is no risk to a child)

Yes

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

However, if safe, reasonable and appropriate to do so, obtain the views of the child, and/or other family members at risk of family violence, or a relevant third party, prior to sharing their information.

3

Yes

I am sharing perpetrator or alleged perpetrator information

Yes

Consent is not required to share information

Yes

I am sharing adult victim survivor or third party information

Yes

Is it necessary to share information to lessen or prevent a serious threat to an individual's life, health, safety or welfare?

No

Has the adult victim survivor or third party provided consent to share their information?

Yes

No

3

Is any of the information I want to share excluded information or would sharing contravene another law?

TIP: For a complete list of excluded information and laws that continue to restrict sharing of certain information see the FVISS Ministerial Guidelines. ISEs are not required to conduct investigations to determine that information is not excluded information before sharing it. Rather, if they are aware that information falls within an excluded category then they are not permitted to share that information. ISEs also cannot share information known to be restricted under another law.

No

Yes

You **cannot** share the information under FVISS*

You **cannot** share the excluded information under FVISS*

YOU CAN SHARE THE INFORMATION USING THE FAMILY VIOLENCE INFORMATION SHARING SCHEME

Applying the threshold tests

You must meet the requirements for sharing before using the Schemes to share information. The requirements for sharing are **different** depending on the **purpose** for sharing.

Often you may be sharing for both purposes. In that case you must meet the requirements of the scheme you are sharing under.

Under CISS

The *Child Information Sharing Scheme Ministerial Guidelines* provide detailed guidance about the circumstances in which information can be shared between professionals. All ISEs are bound by the guidelines.

There is a three-part threshold test that must be met before any information sharing under CISS can occur:

Relevant information can be shared when the CISS requirements are met:

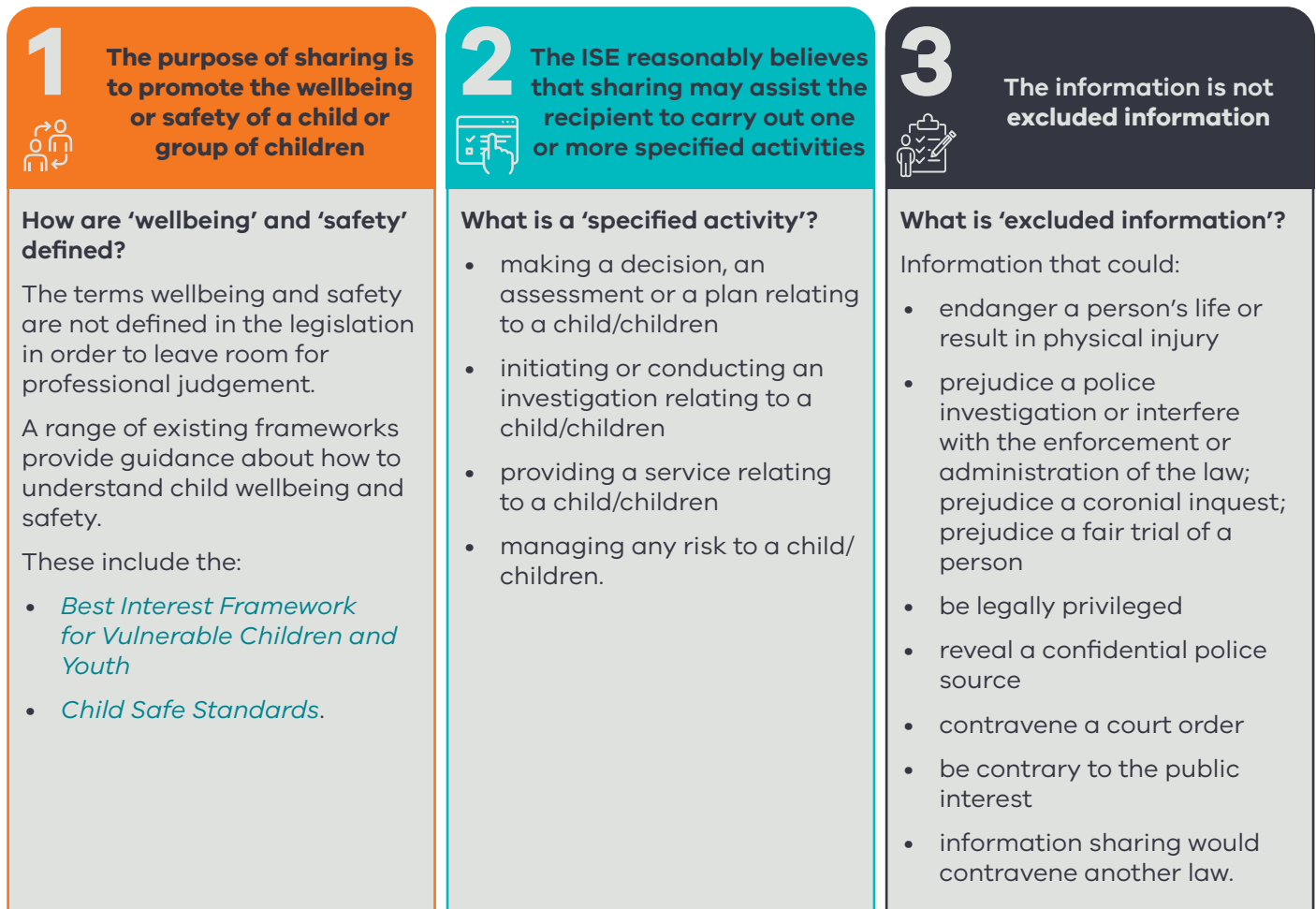


Figure 1: Diagram showing the three-part threshold test for CISS

Under FVISS

The *Family Violence Information Sharing Guidelines* provide detailed guidance about the circumstances in which professionals can share information to assess or manage family violence risk to adults or children. All ISEs are bound by the guidelines. In summary:

Relevant information can be shared when the FVISS requirements are met:



Figure 2: Diagram showing the three requirements for FVISS

Evidence-based risk factors for family violence

The tables below list risk factors and explanations that are relevant to child and adult victim's circumstances as well as risk factors and explanations for child and adult victim survivors caused by perpetrators behaviour.

- Factors that are emerging as evidence-informed family violence risk factors are indicated with a hash (#).
- **Serious risk factors, those which may indicate an increased risk of lethality, are highlighted in orange text.**

These tables, along with further information, can be found in the [MARAM Foundation Knowledge Guide](#).

Further contextualised practice guidance about MARAM for education and care workforces will be made available over time.

Table 1: Risk factors specific to children's circumstances

There is evidence that the following child circumstance factors may indicate the presence or escalation of family violence risk, and they should be considered as a prompt to undertake assessment or during assessment of risk for children.

RISK FACTORS	EXPLANATION
History of professional involvement and/or statutory intervention #	A history of involvement of Child Protection, youth justice, mental health professionals, or other relevant professionals may indicate the presence of family violence risk, including that family violence has escalated to the level where the child requires intervention or other service support. ¹
Change in behaviour not explained by other causes #	A change in the behaviour of a child that can't be explained by other causes, may indicate presence of family violence or an escalation of risk of harm from family violence for the child or other family members. Children may not always verbally communicate their concerns, but may change their behaviours to respond to and manage their own risk, which may include responses such as becoming hyper vigilant, aggressive, withdrawn or overly compliant.
Child is a victim of other forms of harm #	Children's exposure to family violence may occur within an environment of polyvictimisation. Child victims of family violence are also particularly vulnerable to further harm from opportunistic perpetrators outside the family such as harassment, grooming and physical or sexual assault. Conversely, children who have experienced these other forms of harm are more susceptible to recurrent victimisation over their lifetimes, including family violence, and are more likely to suffer significant cumulative effects. Therefore, if a child is a victim of other forms of harm, this may indicate an elevated family violence risk.

¹ This is where family violence is established as present through risk assessment. In some instances engagement with, for example Child Protection, has been instigated as a controlling behaviour by one party over another.

Table 2: Risk factors relevant to an adult victim's circumstances

RISK FACTORS	EXPLANATION
Physical assault while pregnant/ following new birth	Family violence often commences or intensifies during pregnancy and is associated with increased rates of miscarriage, low birth weight, premature birth, foetal injury and foetal death. Family violence during pregnancy is regarded as a significant indicator of future harm to the woman and child victim. This factor is associated with control and escalation of violence already occurring.
Self-assessed level of risk #	Victims are often good predictors of their own level of safety and risk, including as a predictor of re-assault. Professionals should be aware that some victims may communicate a feeling of safety, or minimise their level of risk, due to the perpetrator's emotional abuse tactics creating uncertainty, denial or fear, and may still be at risk.
Planning to leave or recent separation	For victims who are experiencing family violence, the high risk periods include when a victim starts planning to leave, immediately prior to taking action and during the initial stages of, or immediately after separation. Victims who stay with the perpetrator because they are afraid to leave often accurately anticipate that leaving would increase the risk of lethal assault. Victims (adult or child) are particularly at risk during the first two months of separation.
Escalation — increase in severity and/or frequency of violence	Violence occurring more often or becoming worse is associated with increased risk of lethal outcomes for victims.
Imminence #	Certain situations can increase the risk of family violence escalating in a very short timeframe. The risk may relate to court matters, particularly Family Court proceedings, release from prison, relocation, or other matters outside the control of the victim which may imminently impact their level of risk.
Financial abuse/difficulties	Financial abuse (across socioeconomic groups), financial stress and gambling addiction, particularly of the perpetrator, are risk factors for family violence. Financial abuse is a relevant determinant of a victim survivor staying or leaving a relationship.

Table 3: Risk factors for adult or child victim survivors caused by perpetrator behaviours

RISK FACTORS	EXPLANATION
Controlling behaviours	Use of controlling behaviours is strongly linked to homicide. Perpetrators who feel entitled to get their way, irrespective of the views and needs of, or impact on, others are more likely to use various forms of violence against their victim, including sexual violence. Perpetrators may express ownership over family members as an articulation of control. Examples of controlling behaviours include the perpetrator telling the victim how to dress, who they can socialise with, what services they can access, limiting cultural and community connection or access to culturally appropriate services, preventing work or study, controlling their access to money or other financial abuse, and determining when they can see friends and family or use the car. Perpetrators may also use third parties to monitor and control a victim or use systems and services as a form of control over a victim, such as intervention orders and Family Court proceedings.
Access to weapons	A weapon is defined as any tool or object used by a perpetrator to threaten or intimidate, harm or kill a victim or victims, or to destroy property. Perpetrators with access to weapons, particularly guns and knives, are much more likely to seriously injure or kill a victim or victims than perpetrators without access to weapons.
Use of weapon in most recent event	Use of a weapon indicates a high level of risk because previous behaviour is a likely predictor of future behaviour.
Has ever harmed or threatened to harm victim or family members	Psychological and emotional abuse are good predictors of continued abuse, including physical abuse. Previous physical assaults also predict future assaults. Threats by the perpetrator to hurt or cause actual harm to family members, including extended family members, in Australia or overseas, can be a way of controlling the victim through fear.
Has ever tried to strangle or choke the victim	Strangulation or choking is a common method used by perpetrators to kill victims. It is also linked to a general increased lethality risk to a current or former partner. Loss of consciousness, including from forced restriction of airflow or blood flow to the brain, is linked to increased risk of lethality (both at the time of assault and in the following period of time) and hospitalisations, and of acquired brain injury.
Has ever threatened to kill victim	Evidence shows that a perpetrator's threat to kill a victim (adult or child) is often genuine and should be taken seriously, particularly where the perpetrator has been specific or detailed, or used other forms of violence in conjunction with the threat indicating an increased risk of carrying out the threat, such as strangulation and physical violence. This includes where there are multiple victims, such as where there has been a history of family violence between intimate partners, and threats to kill or harm another family member or child/children.

Table 3 continued: Risk factors for adult or child victim survivors caused by perpetrator behaviours

RISK FACTORS	EXPLANATION
Has ever harmed or threatened to harm or kill pets or other animals	There is a correlation between cruelty to animals and family violence, including a direct link between family violence and pets being abused or killed. Abuse or threats of abuse against pets may be used by perpetrators to control family members.
Has ever threatened or tried to self-harm or commit suicide	Threats or attempts to self-harm or commit suicide are a risk factor for murder–suicide. This factor is an extreme extension of controlling behaviours.
Stalking of victim	Stalkers are more likely to be violent if they have had an intimate relationship with the victim, including during, following separation and including when the victim has commenced a new relationship. Stalking when coupled with physical assault, is strongly connected to murder or attempted murder. Stalking behaviour and obsessive thinking are highly related behaviours. Technology-facilitated abuse, including on social media, surveillance technologies and apps is a type of stalking.
Sexual assault of victim	Perpetrators who sexually assault their victim (adult or child) are also more likely to use other forms of violence against them.
Previous or current breach of court orders/intervention orders	Breaching an intervention order or any other order with family violence protection conditions, indicates the accused is not willing to abide by the orders of a court. It also indicates a disregard for the law and authority. Such behaviour is a serious indicator of increased risk of future violence.
History of family violence #	Perpetrators with a history of family violence are more likely to continue to use violence against family members and in new relationships.
History of violent behaviour (not family violence)	Perpetrators with a history of violence are more likely to use violence against family members. This can occur even if the violence has not previously been directed towards family members. The nature of the violence may include credible threats or use of weapons and attempted or actual assaults. Perpetrators who are violent men generally engage in more frequent and more severe family violence than perpetrators who do not have a violent past. A history of criminal justice system involvement (e.g. amount of time and number of occasions in and out of prison) is linked with family violence risk.
Obsession/jealous behaviour toward victim	A perpetrator’s obsessive and/or excessive behaviour when experiencing jealousy is often related to controlling behaviours founded in rigid beliefs about gender roles and ownership of victims and has been linked to violent attacks.
Unemployed/disengaged from education	A perpetrator’s unemployment is associated with an increased risk of lethal assault, and a sudden change in employment status — such as being terminated and/or retrenched — may be associated with increased risk. Disengagement from education has similar associated risks to unemployment.

Table 3 continued: Risk factors for adult or child victim survivors caused by perpetrator behaviours

RISK FACTORS	EXPLANATION
Drug and/or alcohol misuse/abuse	Perpetrators with a serious problem with illicit drugs, alcohol, prescription drugs or inhalants can lead to impairment in social functioning and creates an increased risk of family violence. This includes temporary drug-induced psychosis.
Mental illness/depression	Murder–suicide outcomes in family violence have been associated with perpetrators who have mental illness, particularly depression. Mental illness may be linked with escalation, frequency and severity of violence.
Isolation	A victim is more vulnerable if isolated from family, friends, their community (including cultural) and the wider community and other social networks. Isolation also increases the likelihood of violence and is not simply geographic. Other examples of isolation include systemic factors that limit social interaction or facilitate the perpetrator not allowing the victim to have social interaction.
Physical harm #	Physical harm is an act of family violence and is an indicator of increased risk of continued or escalation in severity of violence. The severity and frequency of physical harm against the victim, and the nature of the physical harm tactics, informs an understanding of the severity of risk the victim may be facing. Physical harm resulting in head trauma is linked to increased risk of lethality and hospitalisations, and of acquired brain injury.
Emotional abuse #	Perpetrators' use of emotional abuse can have significant impacts on the victim's physical and mental health. Emotional abuse is used as a method to control the victim and keep them from seeking assistance.
Property damage #	Property damage is a method of controlling the victim, through fear and intimidation. It can also contribute to financial abuse, when property damage results in a need to finance repairs.

Table 4: Risk factors specific to children caused by perpetrator behaviours

RISK FACTORS	EXPLANATION (These are in addition to 'risk factors for adult or child victims caused by perpetrator behaviours', above)
Exposure to family violence #	Children are impacted, both directly and indirectly, by family violence, including the effects of family violence on the physical environment or the control of other adult or child family members. ² Risk of harm may be higher if the perpetrator is targeting certain children, particularly non-biological children in the family. Children's exposure to violence may also be direct, include the perpetrator's use of control and coercion over the child, or physical violence. The effects on children experiencing family violence include impacts on development, social and emotional wellbeing, and possible cumulative harm.

² This can occur where family violence by a perpetrator causes the emotional or physical absence of other adult or child family members who would normally care for that child.

³ These examples of sexualised behaviour toward children are crimes.

Table 4 continued: Risk factors specific to children caused by perpetrator behaviours

RISK FACTORS	EXPLANATION (These are in addition to 'risk factors for adult or child victims caused by perpetrator behaviours', above)
Sexualised behaviours towards a child by the perpetrator #	<p>There is a strong link between family violence and sexual abuse. Perpetrators who demonstrate sexualised behaviours towards a child are also more likely to use other forms of violence against them, such as:³</p> <ul style="list-style-type: none"> • talking to a child in a sexually explicit way • sending sexual messages or emails to a child • exposing a child to sexual acts (including showing pornography to a child) • having a child pose or perform in a sexual manner (including child sexual exploitation). <p>Child sexual abuse also includes circumstances where a child may be manipulated into believing they have brought the abuse on themselves, or that the abuse is an expression of love, through a process of grooming.</p>
Child intervention in violence #	<p>Children are more likely to be harmed by the perpetrator if they engage in protective behaviours for other family members or become physically or verbally involved in the violence.</p> <p>Additionally, where children use aggressive language and behaviour, this may indicate they are being exposed to, or experiencing family violence.</p>
Behaviour indicating non return of child #	<p>Perpetrator behaviours including threatening or failing to return a child can be used to harm the child and the affected parent.⁴ This risk factor includes failure to adhere to, or the undermining of agreed childcare arrangements (or threatening to do so), threatened or actual removal of children overseas, returning children late, or not responding to contact from the affected parent when children are in the perpetrator's care. This risk arises from or is linked to entitlement-based attitudes and a perpetrator's sense of ownership over children. The behaviour is used as a way to control the adult victim, but also poses a serious risk to the child's psychological, developmental and emotional wellbeing.</p>
Undermining the child-parent relationship #	<p>Perpetrators often engage in behaviours that cause damage to the relationship between the adult victim and their child/children. These can include tactics to undermine capacity and confidence in parenting and undermining the child-parent relationship, including manipulation of the child's perception of the adult victim. This can have long-term impacts on the psychological, developmental and emotional wellbeing of the children and it indicates the perpetrator's willingness to involve children in their abuse.</p>
Professional and statutory intervention #	<p>Involvement of Child Protection, counsellors or other professionals indicates that the violence has escalated to a level where intervention is required and indicates a serious risk to a child's psychological, developmental and emotional wellbeing.</p>

⁴ This refers to behaviours where this is used as a tactic of a perpetrator for power and control, not actions of a parent/ carer to keep their child/ren safe from a perpetrator.

PART 1: Making a request for information or proactively sharing information

Date:	
-------	--

1. **ISE details** (organisations must be an ISE to request, share or receive information under CISS and/or FVISS. If you are unsure about the ISE status of an organisation visit: iselist.www.vic.gov.au/ise/list/)

ISE 1 (the ISE that is requesting information OR proactively sharing information)			
ISE Name:			
Contact person:		Email:	
Position title:		Phone:	

ISE 2 (the ISE that is responding to the request OR receiving information)			
ISE Name:			
Contact person:		Email:	
Position title:		Phone:	

2. **Our ISE is requesting information about**

TIP: complete this table for each person about whom you're sharing information.

First name:		Last name:	
Date of birth:		Address:	
CISS	<input type="checkbox"/> Child <input type="checkbox"/> Family member of child <input type="checkbox"/> Third party		
FVISS	<input type="checkbox"/> Child victim survivor <input type="checkbox"/> Adult victim survivor <input type="checkbox"/> Adolescent using family violence <input type="checkbox"/> Adolescent at risk of using violence (consent requirements same as for alleged perpetrators, your organisation must be an RAE to request information about alleged perpetrators for a family violence assessment purpose) <input type="checkbox"/> Third party <input type="checkbox"/> Perpetrator <input type="checkbox"/> Alleged perpetrator (your organisation must be an RAE to request information about alleged perpetrators for a family violence assessment purpose)		

3. Our ISE is requesting or proactively sharing information (tick all that apply)

Tip: If you are requesting information under both schemes, you must identify a relevant purpose under each scheme.

Scheme	Purpose of requesting/sharing	Specified activity (CISS only)
<input type="checkbox"/> Under CISS	<input type="checkbox"/> To promote the wellbeing or safety of a child or group of children	<input type="checkbox"/> To make a decision, assessment, or plan relating to a child or group of children <input type="checkbox"/> To initiate or conduct an investigation relating to a child or group of children <input type="checkbox"/> To provide a service relating to a child or group of children <input type="checkbox"/> To manage risk to a child or group of children
<input type="checkbox"/> Under FVISS	<input type="checkbox"/> Family violence protection purpose: managing a risk of a person committing family violence or a person being subjected to family violence (including the ongoing assessment of the risks). <input type="checkbox"/> Family violence assessment purpose: the information is being shared to establish or assess the risk of a person committing family violence or being the subject of family violence. (Information can only be shared for assessment purposes with a RAE)	

Details of the information that is being requested or proactively shared

Tip: Summarise the information you are requesting or sharing. The information can also be attached to this template.

4. Seeking and taking into account views under CISS and FVISS

Were the views of the child/family member (non-perpetrator) sought?

- Yes. Briefly detail whose views were sought and what the views were

- No. Briefly detail why it was not safe, reasonable or appropriate to seek/obtain views

If you are sharing information with an ISE or RAE go to PART 2

PART 2: Additional requirements when sharing information under CISS and/or FVISS

1. Consent requirements if you are sharing information under FVISS

TIP: The following questions must be answered for each person whose information is shared, if you are sharing under FVISS.

Are you sharing confidential information about an adult victim survivor or third party?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, was consent obtained to share information about the adult victim survivor or third party?	<input type="checkbox"/> No, there is a serious threat to an individual's life, health, safety or welfare <input type="checkbox"/> No, the disclosure is relevant to assessing or managing family violence risk to a child victim survivor (under 18 years) <input type="checkbox"/> Yes, written <input type="checkbox"/> Yes, verbal <input type="checkbox"/> Yes, implied

2. Excluded information if you are sharing information under CISS and/or FVISS

TIP: The following question must be answered if you are sharing information under CISS and/or FVISS

Is the information excluded information under CISS and/or FVISS?

TIP: Refer to the Ministerial Guidelines for the schemes for more information about what is excluded information: www.infosharing.vic.gov.au

- Yes – You **must** review your request and revise your submission to remove excluded information before proceeding
- No – You can proceed with the request

PART 3: Responding to a request from an ISE or an RAE

Date:	
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1. I have confirmed that the request was made by

- An ISE under CISS and/or FVISS
- An RAE under FVISS (an organisation must be an RAE under FVISS to request or receive information for a family violence assessment purpose)

ISE / RAE name:			
Contact person:		Email:	
Position title:		Phone:	

2. The ISE/RAE is requesting information about

First name:		Last name:	
Date of birth:		Address:	

3. What information is being requested and which scheme/s does the request fall under?

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4. Does the request meet the requirements for sharing?

*Complete the questions on [page 32](#) and attach to this form.

CISS (the request must meet all the requirements for information to be shared)	FVISS (the request must meet all the requirements for information to be shared)
<input type="checkbox"/> The information will promote a child's wellbeing or safety <input type="checkbox"/> Sharing may assist in the carrying out of a professional activity <input type="checkbox"/> Information is not excluded information*	<input type="checkbox"/> Information sharing is for a family violence assessment purpose or protection purpose <input type="checkbox"/> The applicable consent requirements are met* <input type="checkbox"/> Information is not excluded information* <input type="checkbox"/> Sharing information does not contravene another law

5. Seeking and taking into account views under CISS and FVISS

Complete the questions on [page 31](#) and attach to this form.

6. Will the requested information be shared?

- Yes No* Partially*

*Why was the request partially or wholly refused?

Provide further details on why you have refused the request. An example may be that the request did not meet the requirements for sharing under CISS and/or FVISS.

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Email template for declining a request under CISS and/or FVISS

NB. Text in this colour can be deleted as applicable.

To: < email >

From: < email >

Subject: Declining request to disclose confidential information under the < Child Information Sharing Scheme and/or Family Violence Information Sharing Scheme >

Good Morning/Afternoon < name of requestor >

I have received your request from < name of requesting ISE > to share confidential information under the < Child Information Sharing Scheme (CISS) and/or Family Violence Information Sharing Scheme (FVISS) > about:

Surname	
Given name(s)	
Date of birth	
Address	

You requested that < name of responding ISE > share confidential information:

- for the purpose of promoting the wellbeing or safety of a child or a group of children under CISS
- for a family violence assessment purpose under FVISS
- for a family violence protection purpose under FVISS

I am declining your request to share confidential information under < CISS and/or FVISS > as:

CISS – Child wellbeing or safety	FVISS – Assessment or protection purpose	CISS/FVISS – Relevant information
<input type="checkbox"/> The request did not meet the requirements for sharing under CISS	<input type="checkbox"/> The request did not meet the requirements for sharing under FVISS	<input type="checkbox"/> Our organisation does not hold the information you requested

Further details on why the request was refused:

< Provide further details on why you have refused the request. An example may be that:

- the information is excluded information under CISS and/or FVISS
- the organisation is not a prescribed ISE under CISS and/or FVISS
- the request did not meet the threshold test under CISS >

I trust you will accept < responding ISEs > decision. However, if you wish to discuss this matter further, please contact < responding ISE's Contact Officer Name > on < responding ISE's Contact Officer's phone > during business hours.

Yours sincerely

< Name >

Title: < insert >

Organisation: < insert >

Phone: < insert >

Email: < insert >

Mailing Address: < insert >