

# Fact sheet 2: Dealing with information requests

An Authorised Information Sharer (AIS) must share information which he/she “reasonably believes” would assist a requesting AIS in:

- making a decision, assessment or plan
- initiating or conducting an investigation or
- providing a service or performing a function in relation to the safety or wellbeing of a child or group of children.

There does not have to be or have been a child protection notification or court order for information to be shared but there may be grounds for refusing an information sharing request.

## Reasonable belief

A “reasonable belief” is an honest belief which is well-founded. Having a reasonable belief does not mean that a person has to be certain. However, it is more than having a suspicion.

Belief is simply the state of mind of the person who is required to make a decision to request or give information.

Whether a belief is reasonable will depend upon the circumstances, including the:

- information the person already has
- person’s skills, training and experience. For example, a doctor might have a different belief about an injury or medical condition than a teacher
- urgency of the situation.

See the Information Sharing Guidelines for more on what may be taken into account in forming a belief.

## Procedures

The Information Sharing Guidelines on the Department of Territory Families, Housing and Communities website are a practical guide to the operation of the information sharing provisions.

However, each organisation is encouraged to develop its own internal procedures consistent with the legislation and Information Sharing Guidelines.

## Refusing to share information

Requests for information only can be considered if they come from an AIS and name a specific child or children.

An information sharer should refuse to share information:

- when the information requested is not relevant to the requesting person’s child safety or wellbeing task; or
- when you reasonably believe that sharing the information might put someone in danger or interfere with legal proceedings.

## Relevant information

You are expected to share information you possess at the time you are responding to the request. You are not required to collect new information in response to a request.

An AIS is not required to undertake any new assessment or report to meet an information sharing request.

## Good faith protection

A person acting in good faith in giving information under the Act is not civilly or criminally liable, or in breach of any professional code of conduct for giving the information.

## Northern Territory only

The *Care and Protection of Children Act 2007*, Part 5.1A is Northern Territory legislation and authorises AISs to share information within the Northern Territory only.

## 'On-sharing'

An AIS may share information it has received from one AIS with another AIS but only if the new transfer of information also meets the criteria set down in the Act. That is, the information will assist the receiver in their tasks for child safety and wellbeing.

## Mandatory Reporting

Information sharing provisions in the Act do not affect mandatory reporting. Suspected harm or exploitation of a child should be reported in the usual way.

In an emergency, call 000 and ask for police.

If it is not an emergency, call police on 131 444 or contact your local police station.

You can also report suspected child abuse to:

- Child Protection Hotline on 1800 700 250
- Crime Stoppers on 1800 333 000.