

|  |
| --- |
| HACC PYP, information sharing schemes, and the MARAM Framework |
| Factsheet for Home and Community Care Program for Younger People services  July 2023 |

# Information sharing requirements for HACC PYP services

Hospitals and community health services are prescribed under legislation at the organisational level to participate in the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS), and to align their policies, procedures, practice guidance and tools to the Family Violence Multi-Agency Risk Assessment and Management (MARAM) Framework. This means that **all HACC PYP services based in hospitals and community health services must comply with the information sharing schemes and align with MARAM**.

**HACC PYP services delivered outside of hospitals and community health services are not prescribed under CISS and FVISS.** This includes, but is not limited to, those based in non-government organisations, multicultural or culturally specific services, councils, or Aboriginal Community Controlled Organisations. These services are not authorised to use CISS and FVISS to share information and do not need to align to the MARAM Framework.

This factsheet provides an overview of the information sharing schemes, the MARAM Framework, and training available to HACC PYP staff working in prescribed services.

It also provides guidance for HACC PYP staff that are not working in prescribed services about other ways to share information, and about voluntarily aligning to the MARAM framework.

What do I do if my service is not a prescribed to share information?

# Only prescribed organisations or services can request and share information under the information sharing schemes. These are known as Information Sharing Entities (ISEs). It is important to note that while CISS and FVISS extend the ability of prescribed organisations and services to request and share information with one another, there are still circumstances where it is appropriate to share the same type of information even if you are not an ISE. For example, information can be shared under privacy laws if there is a serious threat to an individual’s life, health, safety, or welfare. Examples of other legislation which are also relevant for information sharing are workplace safety laws and the *Children, Youth and Families Act 2005*.

# Voluntarily aligning to the MARAM Framework

While it is not possible to voluntarily participate in CISS and FVISS, it is possible for a non-prescribed HACC PYP services to voluntarily align to the MARAM Framework, to ensure that all relevant policies, procedures, practice guidance and tools reflect best practice in family violence risk assessment and management.

MARAM practice guides and resources, including organisational-focuses resources, are available at [www.vic.gov.au/maram-practice-guides-and-resources](https://www.vic.gov.au/maram-practice-guides-and-resources).

# What are CISS and FVISS?

CISS forms Part 6a of the *Child Wellbeing and Safety Act 2005* and allows prescribed services to share information to promote the wellbeing or safety of a child or a group of children. For more information see [www.vic.gov.au/child-information-sharing-scheme](https://www.vic.gov.au/child-information-sharing-scheme).

FVISS forms Part 5a of the *Family Violence Protection Act 2008* and allows prescribed organisations to share information to assess or manage family violence risk in relation to both children and adults. Information sharing requests made under FVISS must relate to assessing or managing family violence risk. For more information see [www.vic.gov.au/family-violence-information-sharing-scheme](https://www.vic.gov.au/family-violence-information-sharing-scheme).

# What is the MARAM Framework?

The MARAM Framework, which is established in law under Part 11 of the *Family Violence Protection Act 2008*, sets out responsibilities for identifying, assessing, and managing family violence risk across the family violence and broader service system. Prescribed organisations, known as Framework organisations, are required to align their policies, procedures, practice guidance and tools to the MARAM Framework.

There are three levels of MARAM responsibilities: identification, intermediate, and comprehensive. Specific responsibilities underpin each of these levels. Within a Framework organisation, different service types and workforces may be aligned to different level of MARAM responsibilities.

HACC PYP services are aligned to the **identification level** of MARAM responsibilities. This means HACC PYP practitioners are required to understand the evidence-based family violence risk factors, be aware of the signs of family violence risk and identify if they are being experienced by a service user, even if the service user is not directly disclosing that they are experiencing or have experienced family violence. HACC PYP services must also have processes in place to support practitioners to seek consultation for comprehensive risk assessment, risk management and referrals.

### Further information

MARAM practice guides and resources, including organisational-focuses resources, are available at [www.vic.gov.au/maram-practice-guides-and-resources](https://www.vic.gov.au/maram-practice-guides-and-resources).

# Which organisations can I share information with?

Only prescribed organisations or services are considered ISEs and can request and share information under the information sharing schemes. The Victorian Government maintains an online ISE List available at [iselist.www.vic.gov.au/ise/list/](https://iselist.www.vic.gov.au/ise/list/).

The ISE List is updated at regular intervals but is not a live list. ISEs are responsible for verifying whether an individual requesting information is from an information sharing entity before they share any information.

# What type of information can I share?

ISEs must only share information under CISS 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.

ISEs must only share information under FVISS where it is necessary to assess or manage risk to the safety of a person from family violence, and to hold perpetrators of family violence accountable for their actions.

### Excluded information

Excluded information cannot be shared under either information sharing scheme. Excluded information isinformation that may endanger a person’s life or physical safety; prejudice an investigation or a coronial enquiry; contravene legal professional privilege; contravene a court order or law that prohibits the disclosure of the information; is contrary to public interest; or contravenes a court order or law that prohibits the disclosure of the information.

### Consent

* Children: consent is not required to share anyone’s information to promote a child’s wellbeing or safety under CISS, or to assess or manage family violence risk to a child under FVISS. However, it is important to note that the views of the child and their relevant family members should be sought and taken into account when proposing to share their confidential information, where it is appropriate, safe and reasonable to do so.
* Adult victim survivors: consent is required to share information under FVISS about adult victim survivors, unless sharing is necessary to lessen or prevent a serious threat to an individual’s life, health, safety, or welfare.
* Perpetrators: consent is not required under FVISS to share information about an alleged perpetrator (for an assessment purpose) or perpetrator (for an assessment or protection purpose), including adolescents who use family violence.

### Further information

Resources to help you understand and implement CISS and FVISS are available at [www.vic.gov.au/guides-templates-tools-for-information-sharing](https://www.vic.gov.au/guides-templates-tools-for-information-sharing).

# Information sharing schemes and MARAM training

A range of free eLearning courses for HACC PYP services are available on the Victorian Government Information Sharing and MARAM Online Learning system. Information on how to access the Online Learning system is available at [www.vic.gov.au/training-for-information-sharing-and-maram](https://www.vic.gov.au/training-for-information-sharing-and-maram).

**Training for the information sharing schemes is not recommended for non-prescribed HACC PYP services**, to prevent any misunderstanding about information sharing privileges.

**MARAM training is recommended for both prescribed and non-prescribed HACC PYP services, where a non-prescribed service is choosing to voluntarily align to the MARAM Framework.** This includes the stand-alone Family Violence Foundation Knowledge eLearn module developed for practitioners who may have limited family violence knowledge, or who may be new to working with people experiencing family violence.

Need to know more?

# Visit [www.vic.gov.au/frequently-asked-questions-about-information-sharing-and-maram](https://www.vic.gov.au/frequently-asked-questions-about-information-sharing-and-maram) for information and responses to common questions from ISEs about CISS, FVISS and the MARAM Framework.

If you are unsure about how the above applies to your HACC PYP service, please email [infosharing@health.vic.gov.au](mailto:infosharing@health.vic.gov.au) for further advice.

|  |
| --- |
| To receive this document in another format, email [infosharing@health.vic.gov.au](mailto:infosharing@health.vic.gov.au) or phone the National Relay Service 13 36 77.  Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.  © State of Victoria, Australia, Department of Health, July 2023.  Available at Department of Health Family Violence Multi-Agency Risk Assessment and Management Framework and information sharing website: **<**<https://www.health.vic.gov.au/health-workforce/family-violence-multi-agency-risk-assessment-and-management-framework>> |