# Information Sharing and Confidentiality Policy

## Commitment to Te Tiriti O Waitangi

AFL New Zealand recognises Te Tiriti o Waitangi as Aotearoa New Zealand's founding document.

AFL New Zealand is committed to upholding the mana of Te Tiriti o Waitangi and the principles of Partnership, Protection and Participation.

## Background to this policy

AFL New Zealand knows that sharing information is essential to protect the wellbeing and safety of children and young people. We know that often when there are concerns about a child or young person, people in other organisations also have concerns. If we can pass on information proactively and safely and create a holistic picture of a child or young person's life, it increases the opportunities to get the help they need early

## Our commitment

AFL New Zealand will always share information about a child or young person with appropriate people or organisations if we have genuine concerns about a child or young person's safety and wellbeing. We will be proactive when sharing information if we believe it will increase the safety of a child or young person, or it will help assess the risk for a child or young person. In practice, we will request information from organisations, and provide information to other organisations. We will provide concise information about a child or young person, that is relevant to the concern we hold about them. We will follow our Privacy Policy, all current relevant legislation and guidelines and will ensure the safety of information sharing by always following these procedures. The safety of the child or young person will always be our first consideration when deciding whether to share information.

## The purpose of this policy

This policy:

- Sets out our commitment to sharing information to support the safety and wellbeing of a child or young person.
- Creates procedures to be followed in all situations where AFL New Zealand holds information about a child or young person and it is in the best interests of the child or young person to share that information.
- Forms part of our safeguarding culture.

### Who this policy applies to

This policy and attached procedures are to be followed by all staff and regular volunteers where there is a concern about a child or young person. It applies to all children and young people including siblings and associated children and young people, who staff and regular volunteers come into contact with while carrying out their role at AFL New Zealand. This policy and procedures will be followed when information is requested by an outside person or agency, or information needs to be shared by AFL New Zealand.

### Circumstances that allow the sharing of information

This information relates to the provisions of the Oranga Tamariki Act 1989. You may be able to share information for other reasons, with other people, under other laws or guidelines (such as the Family Violence Act). You can do these things if it is helpful and in the best interests of the child or young person.

1. Proactively and voluntarily share with the professionals who will be most able to help children and young people. As long as you follow the requirements of the provisions, you can proactively and voluntarily share information with a child welfare professional.
2. Choose how to respond to an information request (unless it is a section 66 request from Oranga Tamariki or Police). The information-sharing provision section 66C means information can be shared between professionals, not that it must be. You have to use personal judgement to decide whether to share information. The exception is when Police or Oranga Tamariki make a specific request under section 66 (which is different from section 66C - the section which gives you information-sharing abilities).

## Information Sharing and Confidentiality Procedures

### Giving information to others about a child or young person

There are two main ways we may give information about a child or young person:

• By making a Report of Concern to the Police or Oranga Tamariki.

• By giving information proactively with other organisations involved in a child or young person's life to increase the safety and wellbeing of that child or young person, or to help assess risk.

### Important to remember

1. The best interests, wellbeing and safety of children and young people are always the first and most important thing to consider.
2. Talk with children about sharing their information unless it is not appropriate or possible.

3. If a staff member or volunteer has a concern about a child or young person, they must pass on that information to one of our two Child Safeguarding Representatives. This process is set out in our Child Safeguarding and Protection Procedures.

## Assessment procedure

This assessment procedure should be followed by the Child Safeguarding Representative (CSR) when asked to share information:

1. 1.The CSR will assess the need to share information about concerns for a child or young person in accordance with our Child Safeguarding and Protection Procedures.
2. Our CSR will share information with any person or organisation involved in the child or young person's life if sharing that information will increase the safety and wellbeing of the child or young person or help to assess risk.
3. Any staff member or volunteer may make a Report of Concern to Oranga Tamariki or Police at any time if they believe the Child Safeguarding and Protection Procedures are not being consistently followed and the concern for the child or young person remains. If a staff member or volunteer makes a Report of Concern, the CSR must be informed.
4. Any information shared will be recorded by the person giving the information, in AFL New Zealand's Child Concern Form, and held securely with all other records by the CSRs.
5. If new information is given to the CSR about a child or young person, the CSR will reassess the child's safety and actions needed by following the Procedure for Child Safeguarding and Protection.
6. Our CSRs will follow the guidelines set out in our Privacy Policy, the Privacy Act and the Oranga Tamariki Act when sharing information about a child or young person.

For further advice, the Oranga Tamariki information sharing helpline can be contacted:

Phone: 0508 326 459
Email: infosharinghelpline@ot.govt.nz
Website: https://www.orangatamariki.govt.nz/ working-with-children/information-sharing/
Guide: https://orangatamariki.govt.nz/assets/ Uploads/Information-sharing/information-sharingGuidance-OT-Act-1989.pdf

## Responding to requests for information

Information will only be shared by one of our appointed CSRs. Any requests to AFL New Zealand to share information about a child or young person must be referred to one of the CSRs who will assess whether it is in the child or young person's best interests to share the information.

1. The best interests, wellbeing and safety of children and young people are always the first and most important thing to consider.
2. Talk with children and young people about sharing their information, unless it's not appropriate or possible.
3. Before sharing information, the CSR will check:
    - they have the consent of the child or young person to share the information, or

    - the information would increase the safety or wellbeing of the child or young person, or
    - the information is being released in line with AFL New Zealand's Privacy Policy.
4. Any information shared must be relevant to the concern or wellbeing of the child or young person.
5. Information will only be shared with authorised individuals or organisations involved in the child or young person's life (i.e. where they have a right to that information).
6. If the identity of the person making the request is unknown to the CSR, this will be verified by:
    - taking the individual's name and organisation's phone number
    - phoning the individual back
    - completing a Google or social media search if necessary.
7. All information given or received is recorded in the Child Concern Form and securely stored.
8. If the CSR decides not to share information, they will record in the Child Concern Form reasons for that as well as details of the request.
9. If new information is given to the CSR about a child or young person, the CSR will reassess the child's safety and actions needed by following the Procedure for Child Safeguarding and Protection.
10. Our CSR will follow the guidelines set out in our Privacy Policy, the Privacy Act and the Oranga Tamariki Act when sharing information about a child or young person.

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## Consent of the child, young person or whānau to sharing information

- All parents, caregivers or whānau of a child or young person are provided with AFL New Zealand's enrolment form before their child, or young person becomes a member of AFL New Zealand.
- Parents, caregivers or whānau are given details of our Privacy Policy and Information Sharing Policy at that time, which explains how and when we will share information about a child or young person to increase their safety and wellbeing. If necessary, the policy will be explained verbally, to ensure it is clearly understood.
- The CSRs will, where it does not pose a risk to a child or young person, always inform the child or young person (if appropriate), and parent, caregiver or whānau before sharing information or if that is not possible, after sharing the information.
- The child or young person's parent, caregiver or whānau will not be informed about the sharing of information if it will place the child at greater risk or harm by doing so.