

# CAN I SHARE INFORMATION?

Privacy laws don't stop necessary information sharing!



Are you trying to ensure a child's safety & wellbeing?

YES

**You can share with other people in child services.**

Teachers, carers, medical professionals, correctional officers, lawyers, childcare workers, child protection workers, and people who provide government-funded services for children can share information related to a child's safety and wellbeing **with each other** (*Care and Protection of Children Act Part 5.1A*)

NO



Is there some kind of emergency?

YES

**You can share.** If you are sharing to prevent a serious threat to public health or safety, or a serious or imminent threat to someone's life, health, or safety, you can share. (*Information Act IPP2.1(d)*)

NO



Will the information help to assess, lessen or prevent a serious threat of domestic and family violence?

YES

**You must share.** If you are an Information Sharing Entity (ISE), and a request for relevant information has come from another ISE, you must share, unless one of the exceptions in the *Domestic and Family Violence Act* applies.

NO



Are you helping prevent or investigate unlawful conduct?

YES

**You can share.** You can share information to help your organisation investigate unlawful conduct and report it. You can also share information to assist law enforcement authorities like the Police or the Ombudsman. (*Information Act IPP2.1(e)(g)(h)(i)*)

NO



Does a law authorise you to share the information?

YES

**You can share.** If you are served with a valid legal notice or the law otherwise requires or authorises you to share information, then you can share. (*Information Act IPP2.1(f)*). However, such notices should be brought to the attention of the your organisation's lawyers if you need advice.

NO



Is sharing the information part of administering / managing your service?

YES

**You can share.** Sharing information with your support staff or managers is ok, if they need it to do their job. This doesn't mean you should share every bit of sensitive personal information you have with everyone in the office, but you can share what's necessary for the administration and management of your service (*Information Act IPP2.1(a)*). Remember you are also allowed to share when authorised by law, such as when you are required by law to follow a reasonable direction of management (*Information Act IPP2.1(f)*). If you are a public servant it is a breach of discipline to disregard a lawful direction of management under s49(c) of the *Public Sector Employment and Management Act*.

NO



Are you unsure?

YES

**Seek advice** from your manager, or your organisation's information management section or lawyer. Alternatively, you can contact the Office of the Information Commissioner with any privacy-related enquiries for confidential advice on:

**1800 005 610** or **infocomm@nt.gov.au**



**Don't I need consent?**

It's good practice to seek consent where possible, but you don't **need** it in the situations on this poster.



**Can I get in trouble?**

If you share the information with a person you genuinely believe to be an NT child services worker and you do it because you believe it will ensure a child's safety and wellbeing, you cannot be sued, prosecuted, or disciplined for sharing (*The Care and Protection of Children Act s293F*)

**Note:** A 'child' means a person who is not yet 18 years old.

It is an offence to share information in an unauthorised way under the *Domestic and Family Violence Act*, unless you share information in good faith as an information sharing entity.



**Seek advice before sharing information:**

- With the media
- With members of the general public
- About another employee (HR matters)
- About a matter where your organisation is involved in a court case / legal dispute.

Discuss these matters with your supervisor and seek advice from a lawyer, HR, or Communications staff as appropriate.



**To share information...**

- Keep a note of when you request information or share it
- Keep your notes and the information safe and secure
- Check out templates, FAQs, and best practice guides at [www.childrenandfamilies.nt.gov.au/Child\\_Protection/InformationSharing/](http://www.childrenandfamilies.nt.gov.au/Child_Protection/InformationSharing/)
- Domestic violence information sharing guidelines <https://territoryfamilies.nt.gov.au/domestic-violence/domestic-and-family-violence-information-sharing-guidelines>