

Case Study: Youth and Family Services – Laura, Kerry and Mike

Kerry and her daughter Laura, aged 13, have relocated from regional Victoria to live in Melbourne. The move follows Kerry's separation from her long-term partner of 10 years, Mike, due to verbal and physical violence. Mike's last assault of Kerry resulted in him being incarcerated for 14 months. Mike is Laura's stepfather. Laura has had no contact with her biological father. In moving to the city Kerry has left a well-established career and Laura has left close friends locally and at school. Kerry decided to move to make a fresh start and to distance herself from the trauma of her and Laura's life with Mike.

Laura has recently commenced at a new school in Melbourne. The new school identified a number of concerns about Laura including some expression of suicide ideation and an eating disorder. The school made a referral for Laura to the Child Youth Mental Health Service (CYMHS). With Kerry's consent they also referred Kerry and Laura to a local Youth and Family Therapy Team.

Jane is Kerry's and Laura's Family Therapy worker. Kerry has engaged well with Jane and has since disengaged with the specialist family violence service, which provided Kerry with case management support, on the grounds that she wants to focus on her relationship with her daughter and because she is concerned with Laura's wellbeing.

Jane has conducted an intermediate brief family violence risk assessment with Kerry only, as Kerry is not comfortable involving Laura in this process at this stage. Kerry has stated that she wants to know when Mike is released from jail as she is concerned about her and Laura's safety. Jane is conscious that Kerry may be minimising the risk to herself in the hope of focusing support on Laura. Jane discusses with Kerry the impact of trauma such as family violence on children and young people, outlining the impact of Mike's violence on the family.

You are Jane, Youth and Family Therapy worker...

Question: Can Jane make an information request?

Answer

A Child Information Sharing Scheme (CISS) and Family Violence Information Sharing Scheme (FVISS) information sharing request could be made by Jane as the family services program she works for is prescribed under the CISS and FVISS as an Information Sharing entity (ISE). Jane can make an information sharing request for the purpose of:

- managing risk and safety of a child
- to promote the wellbeing or safety of a child
- family violence assessment or family violence protection.

Question: Who can Jane make an information sharing request to and why?

Answer

Jane can request information from any ISE prescribed under the Information Sharing schemes that may hold risk or wellbeing relevant information. Given the circumstances in this case Jane could request information from the following services:

Victoria Police:

- to determine if there is an Intervention Order in place, if Kerry and Laura are named as protected persons and to identify any conditions relating to the order

Corrections Victoria for information about:

- Mike's release date
- incidents during his time in custody
- participation in offender programs

Justice Health for information about:

- Mike's mental health status

Child Youth Mental Health Service for information about:

- Laura's response to counselling and attendance at sessions.

Question: Can Jane pro-actively share information?

Answer

Jane can pro-actively share information with:

Child Youth Mental Health Service (CYMHS) to inform CYMHS about Laura's attendance and response to therapy and/or share FV risk assessment and/or safety plan

Laura's school – Under Phase Two implementation, schools are prescribed as ISEs. Schools can request and share information under the Information Sharing Schemes. Jane is not required to seek consent from anyone due to risks to Laura's wellbeing and safety when pro-actively sharing information. However, it is recommended that Jane seeks and takes into account the views and wishes of Laura and other relevant family members (Kerry) if appropriate, safe and reasonable to do so.

Specialist Family Violence Counselling and Support Service to make a warm referral for Kerry as a victim survivor of family violence. Jane would need the consent of Kerry to make this referral.

Information obtained by Jane can be disclosed to Laura and Kerry to manage risk to their safety and to support their wellbeing. When considering sharing information with Laura, Jane needs to consider if it is appropriate, safe or reasonable. Seeking the views and wishes of Laura's mother, Kerry, is appropriate.

Question: Who should Jane seek consent from?

Answer

Jane is required to seek consent when requesting or sharing information about an adult victim survivor, except in circumstances where the information relates to a child. No consent is required from Mike, as he is a perpetrator of family violence and no consent is required from any adult where there is serious threat of harm to an individual's life, health, safety or welfare. When requesting or sharing information about Laura, Jane should seek the views and wishes of Laura (if safe, reasonable and appropriate to do so) and seek Kerry's views and wishes (consent is not required where there are wellbeing or safety concerns for the child) as a matter of good practice and to support Jane's ongoing therapeutic relationship with Kerry.

Question: What record keeping responsibilities does Jane have?

Answer

Record keeping for information sharing requires that the date of the request, the information requested, the ISE making the request, the purpose of information sharing and whether consent was obtained or the views and wishes of children were sought as part of the process. Similar information should be recorded when responding to an information request, making an information request or when pro-actively sharing information about a common client.

All workers engaging with the CISS and FVISS should have sound working knowledge of their organisation's own record keeping policies. For additional information workers can refer to the State Government website for more information www.vic.gov.au/tips-information-sharing-record-keeping