

Response to the Family Violence Reform Implementation Monitor's call for submissions:
Review of family violence information sharing and risk management – June to September 2022
Submission #12 – Organisation – Chris McInnes, Primary Care Connect

The Family Violence Information Sharing Scheme and Central Information Point

Please reflect on your experience in collecting, requesting, using, or disclosing confidential information in the past 3 years when responding to the following questions.

1. Are the legal requirements in the Act sufficiently clear?

In responding to this question, please consider whether you feel the Act is sufficiently clear in relation to the meanings of key terms (such as person of concern, primary person, confidential information and excluded information), the circumstances in which confidential information can be requested or disclosed, record-keeping requirements and any other matter

Yes N Unsure

If no, how do you think they could be made clearer?

Services struggle with the terminology and language within the Act (e.g who is an ISE/RAE.) There needs to be more succinct guidelines; they are currently far too complex.

2. The Act outlines principles, and requires the Minister to issue guidelines, to guide decision-making in relation to the collection, use or disclosure of confidential information.

- a) To what extent are the principles reflected in your organisation's policies, procedures, practice guidance and tools?

Fully Mostly Somewhat Not at all Unsure

How could this be improved?

- b) Do the principles and guidelines support you to make decisions under the Act?

Yes N Unsure

If no, what changes to the principles and guidelines would improve that?

Overall, the principles are hard to use and agencies struggle to interpret the legislation into their practice.

3. Does the Act provide sufficient scope and authority for you to collect, request, use or disclose all information you feel is needed to effectively establish, assess, and manage risks of family violence?

Yes N Unsure

Where are the gaps?

The Act provides sufficient scope and authority however, not all services demonstrate that they are able to put in into practice. There are examples of professionals sharing information that is not purposeful or relevant. There is a lack of state-wide consistency on how information is shared and requested (with different services have different systems and processes in place. PCC and Nexus have developed streamlined, centralised processes to support effective and in scope information sharing.

4. Have you been able to obtain consolidated and up-to-date information from the CIP about perpetrators of family violence to support your organisation to assess and manage risks of family violence?

Yes N Unsure

If no, what were the barriers or challenges?

It is currently taking 3-4 weeks to receive CIP requests from The Orange Door (and by this time the information may longer be beneficial as service delivery has progressed during this time delay). This also impacts on the timeliness of SFVS receiving information forward on from the Orange Door. The Orange Door is selective in what they share with SFVS and do not share the full CIP report but a shortened version (which means the CIP may not be helpful as it is missing valuable information). SFVS being able to directly access CIP reports would greatly enhance FV risk assessment and management.

5. Have you observed an increase in the level of information sharing, including:

a) information being disclosed voluntarily?

Yes N Unsure

If no, what were the barriers or challenges?

The FVISS has enhanced and increased information sharing at PCC and Nexus. Sharing with Child Protection has been enhanced, with information now able to be obtained where it was not shared prior to the legislation.

However, it is noted that some other roles/organisations across legislated services (for example education, hospitals, health services) have not embedded procedures and systems to align with the legislative requirements and are not voluntarily sharing information. Generally, organisations have not received additional funding or resourcing to undertake the work required to embed the legislation which makes it challenging to complete the required tasks.

b) information being disclosed on request?

Yes N Unsure

Please make any additional comments.

At times, workers are not aware of the legislation and services do not have systems in place to respond to requests.

6. Have you observed an increase in the level of collaboration between organisations to support the delivery of coordinated services?

Yes N Unsure

Please make any additional comments.

There has been enhanced collaboration internally across PCC and Nexus. There have also been small increases noted with external services e.g. more care plan meetings.

7. Have you experienced any legal barriers or challenges in:

a) collecting, requesting, using or disclosing information?

Yes N Unsure

If yes, what were the legal barriers or challenges?

b) collaborating with other organisations to deliver coordinated services?

Yes N Unsure

If yes, what were the legal barriers or challenges?

Not all organisations are fully aligned to the legislation and aware of their responsibilities.

c) complying with the Act's requirements?

Yes N Unsure

If yes, what were the legal barriers or challenges?

Without sufficient resources for organisations to align their practice with the legislation (especially where organisations have multiple programs from different tranches) there is a lack of understanding and compliance. There can also be barriers when working with Non-Specialist FV programs due to resistance, lack of understanding of the legislation and their role and not having systems in place.

8. Are you aware of any instances of the unauthorised use or disclosure of confidential information under the FVISS or CIP provisions?

Yes N Unsure

Please make any additional comments.

This has not occurred at PCC and Nexus as we have systems in place to stop it happening. We have heard it of this happening externally.

Family Violence Risk Assessment and Risk Management Framework

Please reflect on your experience in aligning your organisation's policies, procedures, practice guidance and tools with the MARAM Framework when responding to the following questions.

9. Are the legal requirements under the Act sufficiently clear, including in relation to the meaning of *framework organisation* and *section 191 agency*?

Yes N Unsure

If no, how could they be made clearer?

Some yes, some no.

The Act is clear, however there are no resources to drive the work, to interpret, apply to practice and train staff to meet their responsibilities.

10. Have you observed greater consistency in organisations' approaches to family violence risk identification, assessment, and management?

Yes No Unsure

Please make any additional comments.

With the tools training and practice for Adults using violence not in place, this is a significant gap.

General questions

11. Have you observed any adverse effects of the provisions for particular groups, such as children and young people, adolescents who use violence in the home, or members of the Aboriginal community?

Yes N Unsure

What types of adverse effects have you observed?

MARAM has enhanced responses to protect children. Clients have disengaged due to sharing but children's safety is most important.

12. Do the provisions sufficiently provide for the needs and characteristics of diverse communities?

Yes N *Unsure*

If no, please indicate why.

13. Do you have any other comments about the operation of the provisions, including any suggestions for improvement?

Training – services remain unsure who should be doing what training and there are too many options, this is very confusing.

E-learns are basic and doesn't cover the use of tools in practice.

Attending training sessions is difficult to coordinate and it requires a lot of resources to train all staff and new staff.

Lack of resources to embed MARAM milestones into organisations.

Family Violence teams are expected to continue what is a practice change for all programs, who need to take responsibility for embedding MARAM within their teams.

Organisations struggle to do the work to incorporate MARAM responsibilities when staff are already working at capacity

Ongoing culture change needed to drive the work across all legislated program areas

Lack of access to CIP for SFVS