

## CONFIDENTIALITY OF INFORMATION RELATING TO CHILD PROTECTION MATTERS POLICY

Anyone who has access to information regarding a case of suspected child abuse must keep such information confidential and secure and must only disclose or discuss this information with those involved in managing the situation.

You must not provide undertakings that are inconsistent with the reporting obligations in the CSMS Child Protection Program. In particular, you must not promise a student that you will not tell anyone about the student's disclosure.

Students and any other parties who become involved in the investigation (this may include other students) should be informed of the reporting process and be required to maintain confidentiality.

Inappropriate disclosure will be subject to disciplinary action.

### Protection of Reporter's Identity

Reports or referrals made to DHHS Child Protection or Child FIRST are confidential and the report's identity is generally protected by law. Exceptions include if:

- the reporter chooses to inform the child or family of the report
- the reporter consents in writing to their identity being disclosed
- a court or tribunal decides it is necessary for the identity of the reporter to be disclosed to ensure the safety and wellbeing of the child
- a court or tribunal decides the reporter is required to attend court to provide evidence

The identity of the person who makes a report to the Police, including reports under s 327 of the *Crimes Act 1958* (Vic) (Obligation to Report a Sexual Offence), will remain confidential unless:

- the person themselves discloses their identity or they consent in writing to their identity being disclosed
- a court or tribunal decides that is necessary in the interests of justice for the person's identity to be disclosed.

### Reporter Liability

A person who makes a mandatory report in accordance with the Children, Youth and Families Act 2005 (Vic) will not be held liable for the eventual outcome of any investigation.

If a report is made in good faith it does not constitute a breach of professional ethics on the part of the reporter and the reporter cannot be held legally liable in respect of the report.



## Protection of Personal Information

How Chasing Sound Music School handles the information we collect about individuals (referred to in the Privacy Act 1988 as personal information) is very important, as the people we deal with expect us to handle their personal information properly and we have a legal obligation to do so. Personal information is information, or an opinion, about an identified individual, or an individual who is reasonably identifiable:

- whether the information, or opinion, is true or not
- whether the information, or opinion, is recorded in a material form or not.

## Requests for Information

If you receive a request from the Police or DHHS Child protection for information relating to a student who has been impacted (or is suspected to have been impacted) by child abuse, you should:

- obtain the request for information in writing
- ensure that the written request includes:
  1. The name of the Police or DHHS Child Protection Officer, the organisations they work for and their contact details.
  2. A description and reasons why the information and/or documents being sought.
  3. What authority the officer or organisation believes that they have access to the requested information and documents.

When information and/or documents are requested in this way, you may be permitted to share the information, however you are not compelled to do so.

## Information Sharing with the CSMS Community

CSMS takes great care to assess the relevance and appropriateness of sharing information about a child protection incident before providing any information about child abuse to the CSMS community because even the confirmation of an incident or allegation can lead to the identification of a victim.

**Policy status:** New

**Key Stakeholders:** CSMS Admin Team

**Endorsement Body:** CSMS Admin Team

**Ratification Body:** CSMS Director Emmet Brazil

**Author:** CSMS Admin Team

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**Date of Scheduled Review:** January 17, 2020

The content of this policy can be changed at the discretion of CSMS Director Emmet Brazil at any time without notification.