

New legislative provisions for organisations working with children and young people - Chapter 16A Information Exchange

New legislative provisions under Chapter 16A of the *Children & Young Persons (Care & Protection) Act 1998* (Chapter 16A) came into effect on 30 October 2009 to allow government agencies and organisations and NGOs (known as “prescribed bodies”) to share information for the purpose of protecting the safety, welfare and wellbeing of children and young people.

Ageing, Disability and Home Care (ADHC) and its funded NGO services are prescribed bodies under Chapter 16A.

Under Chapter 16A, prescribed bodies can exchange information with each other that relates to a child or young person’s safety, welfare and wellbeing where there is a suspicion of potential risk of harm, regardless of whether the child or young person is known to Community Services.

Under the new legislation, the child or young person does not need to consent to the exchange of information if it is undertaken in the interests of protecting the safety, welfare and wellbeing of that individual.

Under Chapter 16A, ADHC is required to provide information to other prescribed bodies when:

- The prescribed body is providing a service as part of a case plan with ADHC
- The prescribed body has contact with the child or young person and their safety, welfare or wellbeing and the service outcomes would be compromised without that information
- The prescribed body needs assistance and/or advice to make decisions about future supports and service delivery arrangements for the child, young person and their family.

Further information, including fact sheets and links to the revised Act can be found at the Department of Premier and Cabinet’s Keep Them Safe website:

http://www.keepthemsafe.nsw.gov.au/information_exchange