

INFORMATION HOLDERS – FACT SHEET

1. An **Information Holder** is a person who is (or has been in the past):
 - a. the Chief Executive;
 - b. the Public Advocate;
 - c. an Official Visitor;
 - d. another person who exercises a function under the *Act*; or
 - e. a person who has been given information by one of the people listed.
2. All OCYFS staff are Information Holders.
3. All information you receive as an Information Holder is **protected** information.
4. Some protected information you receive as an Information Holder will be **sensitive** information. Sensitive information is:
 - i. Care and protection report information;
 - ii. Care and protection appraisal information;
 - iii. Family group conference information;
 - iv. Interstate care and protection information;
 - v. Contravention report information;
 - vi. Pre-natal report information; and
 - vii. Information prescribed by regulation.Sensitive information includes anything that would allow someone to work out the information in a. – f. above.
5. The *Act* allows the sharing of **protected** information when it is in the best interests of a child or young person to do so and when you are performing a function under the *Act*. For example protected information collected in preparing an annual review report or pre-sentence report.
6. You can share protected information if the person the information is about consents to you sharing their personal information, provided the information not **sensitive** information. The persons consent does **not** allow you to share sensitive information *unless* it is in the best interests of a child or young person to do so.
7. You must **not** share any sensitive information that identifies a person who made a child concern report, a care and protection report, a pre-natal report, provided interstate care and protection information, a contravention report or family group conference information. You must **not** share information that would allow the identity of the reporter to be worked out.
8. You can share protected information under another law in force in the Territory (including a Commonwealth law) if the information is not sensitive information.
9. Additional information is available at www.dhcs.act.gov.au/ocyfs/legislation
10. Penalties are set out in the *Act 2008* for inappropriate sharing of protected information (s846).