

About your privacy – for carers

The Department of Child Safety, Youth and Women (Child Safety) collects your personal information to help us provide services and support to you or someone you care for.

The *Information Privacy Act 2009* (IP Act) regulates the way Child Safety collects and handles personal information, including the use and disclosure of personal information. We are committed to protecting your privacy when dealing with your information.

Carers also have obligations. You have obligations of confidentiality under the *Child Protection Act 1999* (CP Act), which regulates how you manage personal information you become aware of through your role as a carer. In addition, the Charter of Rights in the CP Act states that the children in your care have a right to privacy, which includes information privacy¹.

What is personal information?

Personal information is information or opinion about a person, whether true or false, that identifies or could identify the person. This information may be recorded in a document, or form part of a database².

Refer to our [Privacy guide](#) for a comprehensive list of examples, but personal information includes:

- date and place of birth
- family information
- medical history
- school records
- child protection information
- criminal history
- financial information
- photographs.

About your personal information

What personal information will Child Safety collect?

Child Safety is only authorised to **collect** your personal information if it is directly related to its functions. Generally, this is information we need to know for the protection or wellbeing of a child. We will not collect personal information in a way that is unfair or unlawful.

Child Safety collects information to help us assess your suitability to be a carer and to ensure that you receive appropriate payments. Personal information may also be collected to investigate a Standards of Care review or Harm report, if concerns are raised about whether a child's care has met the required standards.

¹ *Child Protection Act 1999*, schedule 1(f)

² *Information Privacy Act 1999*, section 12

Child Safety will also collect information about you as part of its child protection functions. For example, we may collect information about your family dynamics, your relationship with children in your care, how you interact with other parties, how you manage contact with a child's parents or how you will ensure that the child attends school and regular medical appointments.

What can Child Safety do with my personal information?

Child Safety will only **use** your personal information for the purpose for which we collected it, unless one of the exceptions applies. For example, if:

- you agree
- there is a law that authorises or requires us to do so
- it is necessary to protect an individual or the public
- it is necessary for certain law enforcement purposes.

Information that Child Safety collects may be used for purposes related to its child protection functions, including:

- to assess your eligibility to be approved as a carer, including renewal applications
- to provide feedback and updates to you about your role as a carer, including changes to child protection laws or departmental processes
- for carer payments and other administrative functions
- to investigate possible breaches of the Standards of Care
- for the protection or wellbeing of a child in care
- for case planning purposes
- for court applications relating to the child.

Some of these functions may be outsourced to other government agencies (e.g. carer payments may be made through another government entity, Queensland Shared Services Finance, and your financial information is provided to them to enable them to process those payments) or private entities (e.g. an external reviewer may be engaged to conduct a Standards of Care review to ensure that it is handled objectively). In that case, the confidentiality provisions of the CP Act will apply to the information shared with the external entities and they may also be contractually bound to comply with the IP Act.

Information that you post in *kicbox* is regarded as the child's information and may be used and disclosed by the child as they see fit. Child Safety may use information posted in *kicbox* if it indicates harm or risk of harm to a child.

Child Safety may **disclose** your personal information to third parties, but only in very limited circumstances. For example, if:

- you agree
- we told you we would do so
- there is a law that authorises or requires us to do so
- it is necessary to protect an individual or the public
- it is necessary for certain law enforcement purposes.

Child Safety may disclose information about you for purposes related to its child protection functions, including:

- your name, address and phone number will generally be given to the child's parents
- other details (e.g. work arrangements and availability) may be disclosed as necessary for case planning purposes or to obtain appropriate support services for a child and their family
- to brief the Director of Child Protection Litigation about court matters and comply with disclosure obligations in court proceedings
- to assist other government agencies, such as education, health, housing or police, in relation to the performance of functions relevant to the safety and wellbeing of a child (e.g. if a child goes missing, Child Safety will provide information to police, including details about the child's carer and family)
- to assist other agencies that have a function relating to the protection of children (e.g. child protection history summaries and disciplinary information may be provided to Blue Card Services upon request, or information about a Standards of Care review may be provided to a regulatory body such as the Queensland Department of Education if you apply to become a registered family day care provider)
- to inform former children in care about matters relating to their time in care (e.g. names of carers, addresses where they lived and other materials such as photographs may be provided in response to requests for information under administrative access schemes or applications under the *Right to Information Act 2009*).

What can I do if I want to access or amend my personal information?

You can apply under the IP Act to access or amend your own personal information if you believe that information in Child Safety's records is inaccurate, incomplete, out of date or misleading.

For more information, contact Right to Information, Information Privacy and Screening (see the contact information provided at the end of this information sheet).

Security

Child Safety understands that your personal information is important and it takes all reasonable steps to protect it and keep it secure. We take this obligation very seriously and we constantly review our physical and electronic security settings to ensure that information is protected.

We also regularly review our procedures and require that all staff complete code of conduct and privacy training, so that they understand their obligations in this regard.

What can I do if my personal information has not been managed properly?

If you believe that Child Safety has not managed your personal information in accordance with the IP Act, you can make a written complaint.

For more information about privacy, contact the Information Privacy team (see the contact information provided at the end of this information sheet).

What are my obligations?

Recordkeeping

You have an obligation to keep clear and accurate records of matters relating to the children in your care. This includes information that provides evidence of important decisions made or actions taken for the child in your care. This may be information that you receive or create.

The information you collect may be used in the development of case plans, in court proceedings or to inform decisions relating to the child; or it may be included as part of the child's life diary.

Privacy and confidentiality

You also have obligations to respect the privacy of children in your care. Disclosing information about a child's family situation may cause negative social or emotional consequences for a child in care, particularly if that information is widely disseminated (e.g. social media - such as Facebook).

You should only use or disclose child protection information to the extent necessary to perform your role as carer and for matters relating to the protection or wellbeing of the child in your care³. For example:

- you may tell the child's teacher that the child has been placed in your care due to domestic violence issues within their family, so that the teacher understands the particular issues affecting the child which may impact on their ability to learn or the supports that they may require at school
- you may tell the child's doctor or counsellor about trauma they have suffered in order to obtain appropriate medical treatment or counselling that addresses their needs.

However, you should not disclose information about a child's family situation merely to satisfy the curiosity of your family and friends.

Unauthorised use or disclosure of child protection information is an offence and may be punishable by a fine or imprisonment.

If you are unsure whether you can use or disclose particular information, refer to the [Foster and Kinship Carer Handbook](#)⁴ or talk to your child safety officer.

Use of social media

You must take particular care to ensure that you do not publish information that would identify your foster child as a child in care, especially when using social media. For example, you may post a photo on your Facebook page of the child with your family on a social outing, but you must not include a comment that refers to them as your foster child.

³ For example, *Child Protection Act 1999*, sections 186, 187, 189

⁴ Foster and Kinship Carer handbook: Legal matters, pages 89-95

Under the Charter of Rights, the child has a right to privacy and a right to be treated with dignity and respect. This means that you should also consider whether to obtain their consent before you publish information on social media, particularly for older children.

For more information about the use of social media, see <https://www.qld.gov.au/community/caring-child/social-media-guidelines>.

Security

You must keep child protection information secure and ensure that people who do not have a legitimate need to know the information cannot access it.

Hard copy records (e.g. report cards, health passport, letters from Child Safety) should be stored in a locked drawer or filing cabinet. Electronic records, including emails and diary notes, should be stored in a password protected folder on your computer that no one else can access.

When you cease caring for a child, their belongings (including hard copy and electronic records, such as the child's health passport, education support plan, report cards, photos, the child's life diary, cultural support plan) must be returned to Child Safety.

Need more information?

Privacy

Contact your child safety officer to discuss any queries you may have about how you can use or disclose information about a child in your care.

To discuss any matters about how Child Safety has handled your personal information, contact the Information Privacy team:

Phone: (07) 3097 5609

Email: privacy@csyw.qld.gov.au

Web: www.csyw.qld.gov.au/privacy

Information access and amendment

For more information to access or amend your personal information, call Right to Information, Information Privacy and Screening on:

Phone: 1800 809 078 (Free call) or (07) 3097 5605

Website: [Right to Information webpage](#)

Postal address for all enquiries:

Department of Child Safety, Youth and Women
Right to Information, Redress and Screening
Locked Bag 3405
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