

Privacy and your personal information

Whenever you have contact with Families SA you have rights about your privacy. Also, Families SA has rights and obligations to you and other agencies. This fact sheet tells you about those rights.

When I have contact with Families SA, is it kept private?

Yes, in most cases Families SA has to protect your privacy. But in some cases we are required by law to reveal information to other agencies, such as the Police.

When will Families SA give my information to others?

Families SA will usually only share your information when it will help you and only if you say it is okay. If you agree, Families SA will ask you to sign a form saying so.

For example, sometimes Families SA asks others to help you, like a family support worker of a youth program. In this case Families SA will ask you if it is okay to share information about you that the new service needs to help you.

In some cases Families SA can share your details even if you don't agree because the law or protocols requires us to. For example we can share your information with Police, Child Protection Services and the Youth Court. This is because sharing information is vital to keep vulnerable children and young people from risk of harm.

Not sharing information can have severe consequences, as has been revealed in child death review inquiries.

When will you share my information without my permission?

The decision on whether to seek consent and to inform you about an exchange of information where the safety of a child is involved will be made in the best interests of the child.

In most circumstances consent will be sought from the person to whom the information relates before the information is released unless it is believed that this will place the child or young person at increased risk of harm.

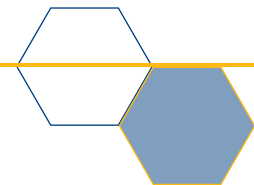
The highest principle is that if a child or young person is considered at risk, the child or young person's safety and protection from harm must override the right of the family to privacy and confidentiality

Why does Families SA collect information?

There are two main reasons why Families SA collects information.

- Firstly Families SA needs information to provide you with a service.
- Secondly the law requires Families SA to collect information in certain situations.

When we provide you with a service, we sometimes need to know things. When we ask for information, we will



only ask for those things that we need to help you. For example, a social worker may need to ask you about a child protection notification about your child. Or a youth worker may need to ask you information about your teenager if they are suspected of breaking the law. Or if you come to us for financial counselling, the counsellor will need information about your finances.

We also collect information to help us to plan our services, and to make sure we keep improving. Ask your worker if you would like to know more about this.

What laws require Families SA to collect and share information?

- Adoption Act 1998
- Bail Act 1995
- Children's Protection Act 1993
- Criminal Injuries Compensation Act 1978
- Criminal law (sentencing) Act 1988
- Family and Community Services Act 1972
- Freedom of Information Act 1991
- State Disaster Act 1980
- Young Offenders Act 1983
- Victims of Crime Act 2001

What happens if I don't tell you everything you need to know?

You do not have to give us information except when it is required by law.

We ask for information so we can provide the right services for you, so if

you don't tell us everything it might be difficult for us to help you.

Can I gain access to the information Families SA has about me?

Yes, you can apply for your information and sometimes for information on your dependents (i.e. your children), under the Freedom of Information Act.

If our records are out of date, incorrect, incomplete or misleading you can make changes to them. There is a fee for this, although it is often free or reduced for people on low incomes.

How do I get the information?

The first thing to do is to talk to your worker as they should be able to help you.

Or you can speak to your worker's supervisor, or ask for an application form under the Freedom of Information (FOI) Act.

You can contact the Families SA FOI officer on 8226 6707.

The information in this publication can be provided in an alternative format or another language on request.

Please contact 8413 9069

