

Communiqué for RAMP members

New family violence information sharing scheme (FVISS) for RAMP members and effect on existing RAMP operations

The new family violence information sharing scheme (the Scheme), at Part 5A of the *Family Violence Protection Act 2008* (the Act), will commence on 26 February 2018. The Family Violence Information Sharing Guidelines are now available at <https://www.vic.gov.au/familyviolence/family-safety-victoria/information-sharing-and-risk-management.html>. All RAMP Coordinators and Co-Chairs have been prioritised to receive training on the guidelines.

The scheme replaces the current RAMP Information Usage Arrangement (IUA), which will be revoked. These changes will be reflected in the RAMP Operational Guidelines, which we are currently updating.

In the interim, this communiqué outlines advice for all RAMP members on the continued operation of RAMPs following the introduction of the Scheme on 26 February 2018.

RAMPs will continue their ordinary operations noting the following advice:

Information Sharing Entities (ISEs)

Under the Scheme, RAMPs members and RAMPs associate members will be prescribed as Information Sharing Entities (ISEs) for the purpose of their participation at RAMPs.

This means that for the purpose of RAMP all RAMPs members can freely share information that is relevant to assessing or managing risk of family violence, including health information.

Some RAMP workers will also be prescribed as ISEs in their broader roles. This means that for these workers, relevant information that has been shared at a RAMPs meeting can be shared outside the RAMPs meeting for the purpose of managing risk, below the serious threat threshold.

Relevant Information

RAMPs members can share any personal, health and sensitive information (including opinions) that are relevant to assessing or managing family violence risk, provided the information is not excluded¹, does not contravene another law; and that applicable consent requirements are met (see below).

Health Records

The *Health Records Act 2001* has been amended to allow ISEs to share health information, when it is relevant for family violence risk assessment or management.

¹ Excluded information includes anything that could be expected to endanger a person's life, prejudice an investigation or possible breach of the law, prejudice a coronial inquest or inquiry or fair trial, disclose privileged legal information, disclose the identity of a confidential source of information, contravene a court order or law. For more information refer to page 29 of The Guidelines

Serious Threat

Under the Scheme, the requirement for serious risk to be imminent has been removed. A serious threat is assessed against likelihood and the severity of risk. To determine severity, consider evidence based risk factors, the victim survivor's reported level of fear and cumulative harm to children and young people. Cases referred to RAMPs will already have met the serious threat threshold.

Consent

Children

Under the Scheme, consent thresholds do not apply to information sharing about any person when assessing or managing risk to a **child**.

Victim/ Survivor

ISEs are required to obtain the consent of an adult victim survivor before sharing their information to assess or manage risk. However consent is not required if an ISE reasonably believes that sharing information is necessary to lessen or prevent a serious threat; noting that best practice is to involve victim survivors in the management of risk if possible. For example if it is safe to do so ISEs should inform the victim survivor there is a serious threat to their life.

Third Party

ISEs are required to obtain consent of a third party before sharing their information, however consent is not required if the ISE reasonably believes that sharing information is necessary to prevent a serious threat.

Perpetrator

ISEs do not require the consent of an alleged perpetrator or perpetrator when sharing their information under the Scheme.

Record Keeping

ISEs who are prescribed in addition to their authorisation as RAMP members, and who share information outside RAMPS (i.e. where risk is below the serious threat threshold), are required to keep records in accordance with their obligations under Part 5A of the Act. The RAMP meeting records (minutes and action plan) meet the obligations for record keeping within the RAMPs.

Further information

Victoria Police RAMP members should speak to their local RAMP police co-chair if they have any further queries.

All other members should contact the RAMP Statewide Coordinator if they have any further queries (jacky.tucker@dvvic.org.au or on 03 9921 0826).

FVISS Enquiry Line

A FVISS Enquiry Line has been established to complement guidance materials available online, and support implementation of the FVISS. The FVISS Enquiry Line will not provide legal advice or definitive practice guidance. Matters that are beyond the scope of the Enquiry Line will be referred on as appropriate.

ISEs can access the FVISS Enquiry Line on 9194 3330, Monday to Friday, from 9am to 5pm.

For more information, or if you have any queries, please email: infosharing@familysafety.vic.gov.au

To receive this publication in an accessible format phone 03 9096 0694, using the National Relay Service 13 36 77 if required.

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