

Information sharing for effective human service delivery

A guide for practitioners

June 2006



Message from the Chair of the Human Services CEOs Forum

The Human Services CEOs Forum view information sharing as a critical factor in delivering the best possible service to clients. Sharing information between human service practitioners is not only vital to providing services, but it is good casework practice.

Across NSW, human service practitioners have expressed confusion about the limitations placed on them in sharing information. The aim of this guideline is to provide practitioners with the basic tools in sharing information and to gain a clearer understanding of when and where this is appropriate.

This guide provides a set of principles for information sharing, how it interacts with current policies and legislation relating to privacy, and outlines structures and processes to assist practitioners understand how they can share information with greater confidence.

On behalf of the Human Services CEOs Forum, I encourage all human service practitioners working with clients to use this guide to promote greater working relationships and the best possible service to our clients.



Brendan O'Reilly

Chair

Human Services CEOs Forum

On behalf of the NSW CEOs from
Attorney-General's Department
The Cabinet Office
Commission for Children and Young People
Community Relations Commission
Department of Aboriginal Affairs
Department of Ageing, Disability and Home Care
Department of Community Services
Department of Education and Training
Department of Health
Department of Housing
Department of Juvenile Justice
NSW Police
Ministry for Police
Premier's Department
The Treasury

Section 1: Introduction

The aim of this guide is to encourage and support practitioners working in NSW Government human service agencies to share information with each other and explain how, and in what circumstances, they can share information about clients and the agencies' services.

In developing this guide, the Human Services CEOs Forum recognises that the complex needs of many clients mean that no one agency is solely responsible. Delivering effective and integrated services to clients requires practitioners to work together, with respect for each others priorities, and an understanding of each others roles and responsibilities.

The community demands seamless services from Government agencies. Nevertheless, people often need services from more than one agency, and practitioners in those agencies must rely on policies for exchanging information with each other in order to provide the best possible service to clients.

In the past, human service practitioners have been reluctant or unable to share information with their colleagues due to concerns about confidentiality and privacy. Client information should always be treated as confidential. Privacy laws and policies protect that information, but they also allow for the sharing of that information for appropriate reasons.

How this guide fits with other policies and legislation relating to information sharing

This is a basic guide that provides practitioners with the basic building blocks necessary to share information appropriately. It is intended to promote improved information sharing across all levels of service delivery. It recognises that it is extremely important for practitioners and managers to understand when, why and how they can confidently share information in going about their day to day business.

Practitioners should use this guide in conjunction with other current practice policies and guidelines available within their agencies. (see Section 6).



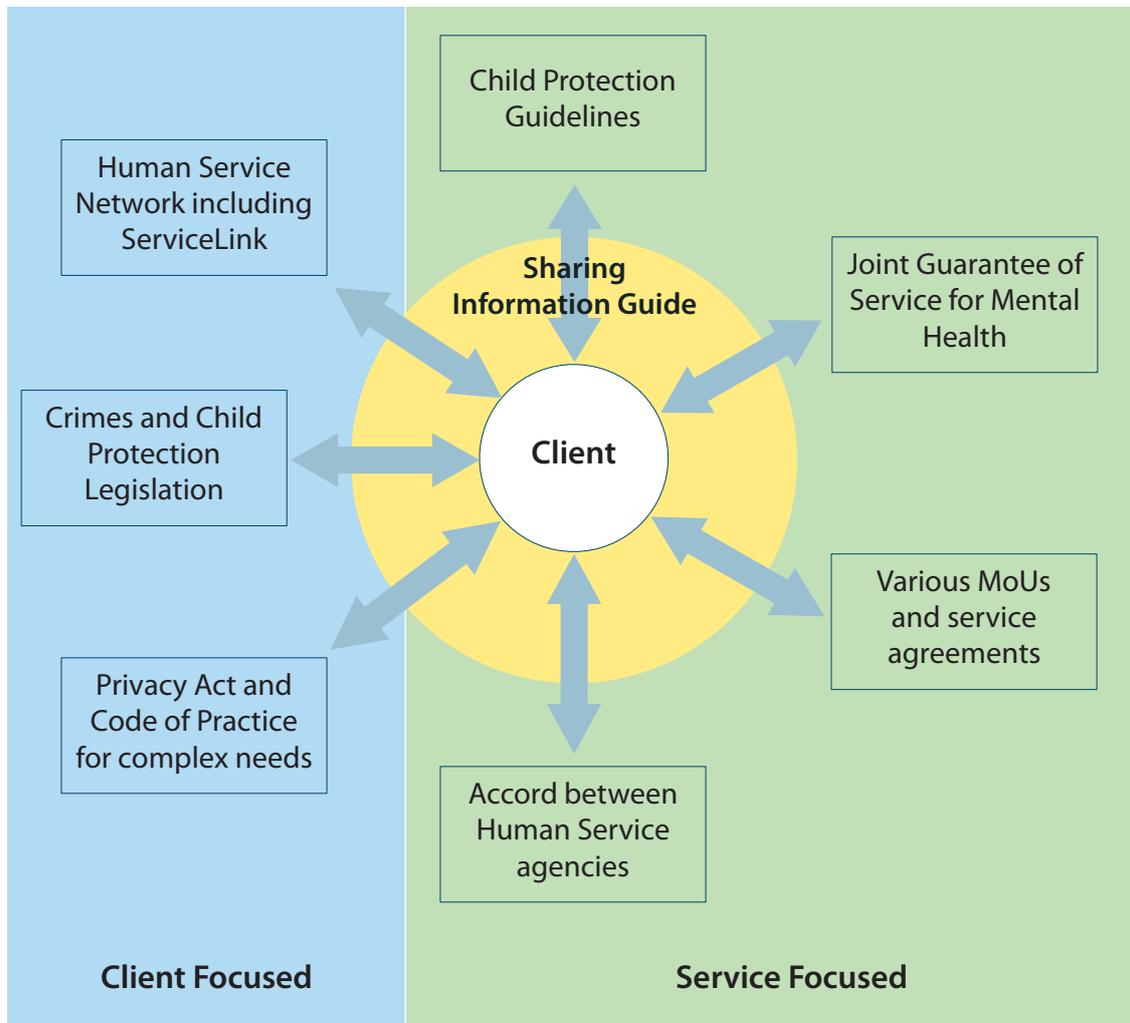
An example of seamless services in NSW is the Families First Strategy. It is a whole-of-government initiative that supports families with young children aged up to eight years by investing in prevention and early intervention to significantly enhance outcomes in later life.

The strategy is delivered by five NSW Government agencies – DoCS, NSW Health, the Department of Education and Training, the Department of Housing, and the Department of Ageing, Disability and Home Care – in partnership with parents, community organisations and local government.

For more information about Families First visit www.familiesfirst.nsw.gov.au

This guide does not affect the operation of those policies and/or current legislation. It is designed to provide human service practitioners with a simple tool to assist them in their decision-making processes when sharing information and when applying the provisions of relevant agreements and legislation.

The following illustrates how this Guide interacts with other arrangements for sharing information.



The guide sets out:

- Principles for effective information sharing (Section 2)
- The context of information sharing (Section 3)
- Guidance for effective information sharing, including a flowchart to assist decision making (Section 4)
- Where to get assistance if your situation remains unclear (Section 5)

Section 2: Principles for effective information sharing

Clients receiving support from human service practitioners have a right to privacy. Often, to get the best possible result for their clients, practitioners will need to share information with others. This will be particularly important where the client needs the assistance of more than one agency to overcome their problem.

The following principles are intended to guide human service practitioners when sharing information:

1. the **welfare of the client** is the prime consideration in all decision-making about information sharing
2. **client consent** should almost always be obtained before personal information is collected and shared
3. information about individuals should only be shared on a **'need to know'** basis and where there is a **legitimate purpose**
4. information should be shared in order to provide **a better service** to the client
5. information should be shared only in an environment of **trust and respect**
6. human service agencies should have **systems and practices** in place to protect information about their clients and limit access to those intended to receive it
7. human service practitioners should **seek advice and support** should they have any concerns about the sharing of information.
8. relevant **legislative provisions and policy rules take precedence and must be complied with** when sharing personal information, and practitioners should be aware of these in the delivery of their services

Section 3: The context of information sharing

What is information sharing, and why is it important?

Sharing information involves:

- providing details about services, individual clients or groups of clients and their needs to another practitioner or agency
- communicating with other practitioners to deliver the most seamless service possible
- developing a knowledge of each other's services
- keeping all stakeholders up to date about changes to service delivery that may affect them.

It is important to share information about individual clients to:

- ensure that they get the services they need when they need them
- ensure their safety and to promote their wellbeing
- develop a wholistic view of them over time, so that future needs can be anticipated and planned

It is important to share information about service delivery to:

- ensure each practitioner has up-to-date knowledge of the services other agencies provide to make appropriate referrals or work in a co-ordinated way
- ensure that a seamless service system meets the client needs

HSNet is a NSW human services web site developed by government agencies which provides government and non-government organisations with the ability to:

- participate in group discussions with people working in the same field, region or across the state
- publish advice and resources to improve information sharing across human services in NSW
- use **ServiceLink**, a comprehensive on-line directory, to find government funded and provided human services across NSW
- use **ReferralLink** to electronically compile and transfer client referral information between agencies

www.hsnet.nsw.gov.au

In order to provide a seamless service to clients, information sharing should occur at all levels of service delivery. The following table gives examples of successful structures at each level:

| Level | Structures/Forums | Benefits | Examples |
|--------------------------|--|--|---|
| Agency / Cluster | <ul style="list-style-type: none"> • Planning Forums • Interagency Forums • Whole-of-Government co-ordinating programs • Statewide policy, processes and frameworks • Legislation | <ul style="list-style-type: none"> • Reduces duplication of effort and gaps and leads to more efficient service delivery practices • Assists in meeting the varied and complex needs of many client groups Delivers a broader view of the needs of the community that would not be available in just one agency | <p>Human Services Network, including ServiceLink</p> <p>Housing and Human Services Accord</p> <p>NSW Interagency Guidelines for Child Protection Intervention</p> <p>Human Services CEOs Forum</p> <p>Whole-of-Government Programs such as Families First, Regional Co-ordination Program</p> |
| Regional / Local | <ul style="list-style-type: none"> • Regional Co-ordination Management Groups (RCMGs) • Local Planning Forums • Projects to increase collaboration • Relevant cross-agency networks | <ul style="list-style-type: none"> • Creates a more collegial working environment for practitioners from a range of backgrounds • Allows for the sharing of expertise and skills • Eases the stress and frustration of individual work with clients in crisis • Creates a true service network to support people in local areas | <p>Families First Regional Management</p> <p>Joint Guarantee of Service for Mental Health</p> <p>Housing and Support initiative</p> <p>Service Level Agreements</p> |
| Individual Client | <ul style="list-style-type: none"> • Case management meetings • Individual Service Planning Meetings | <ul style="list-style-type: none"> • Co-ordinated service planning addresses a range of needs and improves access to services • Reduces the need for 'shopping' around to get the right service response • Targets the issue and brings in experts from all areas to problem solve together • Response times and results are achieved more quickly | <p>Client Support Plans</p> <p>Case Management Plans</p> |

Section 4: Guidance for effective information sharing

This section answers key questions which will assist in deciding whether there is a need to share information and what safeguards practitioners should consider to protect clients' rights.

How and when should consent be obtained?

The first step in information sharing is asking the client for their consent and explaining the purpose, with whom and how much of their information will be shared.

Most human service agencies also have guidelines and policies that define consent, with standard templates and information sheets for use with clients. These should be referred to and used by practitioners when seeking consent from their clients.

When a client gives consent to share information, this should be documented, either by the client providing a signature confirming their permission, or verbally with the client is made aware that this will be documented in their file.

Sometimes a client will be unable to provide consent for the sharing of information. PrivacyNSW provides guidance on this issue in their publication *Best practice guide – Privacy and people with decision-making disabilities*. A copy of this publication can be obtained from PrivacyNSW – contact details are outlined in Section 6.

Is there a legitimate purpose to share information?

If a human service practitioner is asked to or wishes to share information about a client, he or she needs to have a good reason or legitimate purpose to do so.

In most circumstances, the client's consent to share information is adequate.

The **Department of Ageing, Disability and Home Care** has a standard client intake form that prompts practitioners to seek consent to contact other agencies for eligibility information. This consent can be verbal or written.

This consent is requested at the earliest stage possible.

This intake form also establishes what other practitioners are involved – enabling DADHC practitioners to get a clear picture of the types of services the client is already receiving.

This intake information is followed up by a more rigorous needs assessment

A practitioner from a community health centre is working with a client who has a mental illness. The client asks the practitioner to help her enroll her child in the local school.

The client consents to disclosing to the school that she has a medical condition, but not the specifics.

It is not legitimate for the practitioner to disclose to the school staff any more information about the mother and must only disclose relevant information about her child in order to enroll her in the school

There are also circumstances when the client's consent is not required under law – such as preventing a crime or protecting and promoting the welfare of a child.

The human service practitioner should attempt to build an open trustful and respectful relationship with the client. The following questions should be asked to establish whether sharing the information is for a legitimate purpose:

- Has the client consented to sharing the information?
- Am I acting in the best interest in sharing this information?
- Will providing this information lead to better services being provided to the client?
- Is there a public interest?

When I've made the decision to share information, how do I share it?

Once you've made the decision to share information, you should share it a way that meets the principles in section 2. This means:

- sharing only the information which is necessary for the purpose for which it is being shared
- sharing the information with practitioner(s) who "need to know" in order to do their job well
- checking that the information is accurate and up-to-date;
- sharing it in a secure way
- establishing with the recipient of the information whether they intend to pass it on to others, and make sure they understand what limits there are on any consents given

Who needs to know this information?

In order to ensure that clients receive the best and most comprehensive service each human service practitioner needs to think about other practitioners who may need/should be involved in providing services to meet their needs. Where more than one agency needs to be involved, the practitioner may wish to use **non identifying** information to discuss with their colleagues their client's needs and the appropriateness of a referral. In order to make a formal referral, the practitioner should seek the client's consent to share the information and make the referral.

Sometimes, a number of practitioners may be working with the same client. In these cases, joint assessment and case management processes should be used. Where this occurs, the client should be

A client with a substance abuse problem and their family receives housing support from the Department of Housing. The client has consented to a referral for Drug and Alcohol counselling and family support.

The Housing Officer makes referrals to the local Community Health team and Family Support Service. Once the referrals are accepted the Housing Officer calls a case planning meeting.

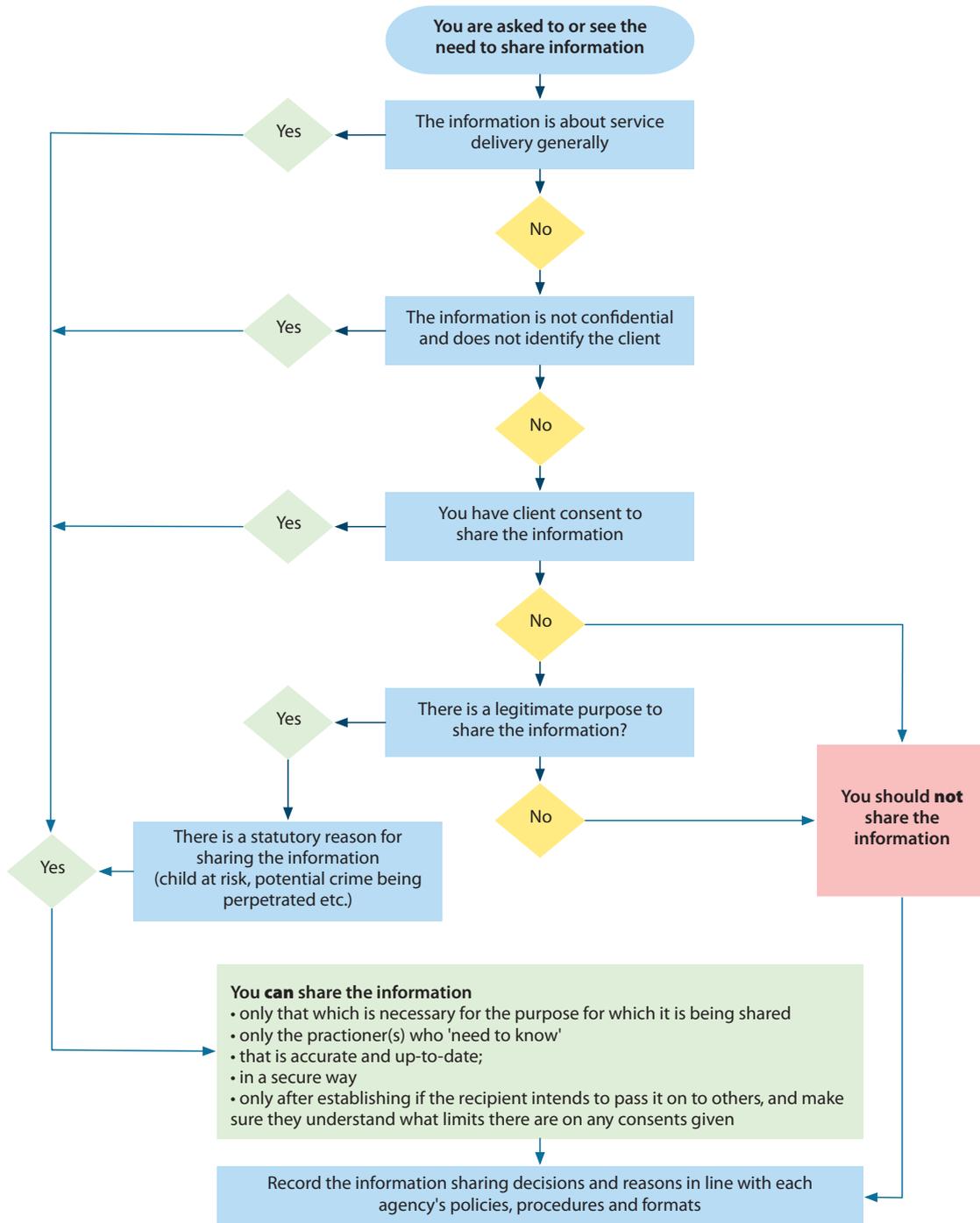
The first item on the agenda is agreement about what information will be made available to each other and agreement about this information not being provided to any other agencies

asked for their consent for the practitioners to be able to share information. The following practices should be applied in these circumstances:

- all practitioners should agree that information relating to the client should not be shared outside the relevant group
- any information specifically requested by the client as confidential should not be shared, except where there are special circumstances (see previous section on confidential information)
- the primary practitioner should only share information that they believe is relevant in the delivery of improved or additional services. Information not relevant to the delivery of services should not be shared.

A decision-making process

The following flow chart should assist practitioners in understanding the key decision-making points and actions that should be taken in determining when to share information. Practitioners should use this guide in conjunction with their agency's templates and policies.



Section 5: Where to get assistance and information

If you are not sure about whether you can share information about a client or participate in activities that require the sharing of information with other agencies, check your Department's delegations, or ask your supervisor where to get this information.

Important references:

Legislation:

- Privacy and Personal Information Protection Act 1998 (NSW) – including the Privacy Code of Practice (General) 2003, Part 4 Human Services
- Health Records and Information Privacy Act 2002 (NSW)
- Privacy Act 1988 (Commonwealth), and
- Privacy Amendment (Private Sector) Act 2000
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Crimes Act 1900

A useful website about privacy law in NSW is available from PrivacyNSW at www.lawlink.nsw.gov.au/privacynsw

Policy & Guidelines:

Interagency Guidelines for Child Protection Intervention

Joint Guarantee of Service for Mental Health

Housing and Human Services Accord (Information Sharing Schedule)

Link to the Human Services Network, including ServiceLink at www.hsnet.nsw.gov.au