

Confidentiality



AnglicareSA is guided by five values – integrity, compassion, stewardship, equity, and servant leadership. These values inspire us, drive us, and act as our guide as we all work together to make a positive difference to the community.

The information in this document has been prepared to:

- uphold the Statement of Commitment developed between Connecting Foster & Kinship Carers SA Inc, Child and Family Focus SA, and the Department for Child Protection (DCP)
- let you know how we will share and manage information received by you
- help you understand the legal and ethical considerations about confidentiality and information sharing that apply when you receive information about the child or young person in your care, or their birth family.

This document outlines your responsibilities as a foster carer under the *Children and Young Person (Safety) Act 2017 (SA)*, Information Sharing Guidelines, *Privacy Act 1988 (Cth)*, Information Privacy Principles, AnglicareSA's Funding Agreement, Department for Child Protection Foster Care Agreement, and your relationship with AnglicareSA.



Sharing information through media and the internet

Any information or material about a child in your care must not be shared with the media or any other media source, for example, newspaper, television, radio, or social media. Safe internet and social media practices must also be used.

Below are some tips that are included in the Department for Child Protection's guide titled 'Who can say OK? Making decisions about children in family-based care':

- Families often enjoy using social media to celebrate achievements and life experiences. However, it is important that you consider the legal and privacy implications of using social media to post images and information about children in their care. As each situation is unique, the decision whether or not to post photos of children must be assessed on its own merits and in consideration of the case direction.
- A common sense approach is to ensure that any commentary that accompanies a photo on social media does not include identifying references to the child or young person's care situation. This includes references to the child or young person as a foster child, or a child in care, a child subject to a court order or court proceedings, or references to child protection involvement.

- Children and young people have the right to express their views and to be heard about matters that affect them. For this reason, it is important that you talk to the child or young person in your care, about whether they wish to have their photographs posted on social media. When appropriate, it may also be necessary to ask your placement support worker to seek the views on social media use from the child's parents, extended family, case workers, and/or other professionals.
- Sometimes there are safety risks to a child or young person and it is necessary to be extra cautious about posting information or photographs that may identify a child's name or location. If you are unsure if there is a safety risk, talk to your DCP case worker or placement support worker.
- You should ensure that the privacy settings on your social media platforms are restricted and should limit access to photographs and information about a child in care to family and close friends only.

For more information about safe internet and social media use or making decisions about children in family-based care, please visit: childprotection.sa.gov.au/carers/who-can-say-ok

If you have any questions about social media use, please speak with your AnglicareSA placement support worker or DCP case manager.

What does confidentiality in child protection mean?

Confidentiality is the preservation of private and personal information about a family, child, or young person. All personal information shared with you verbally or in writing is considered private and should not be shared without cause or consent.

Protecting confidentiality

Your privacy and the privacy of children and young people in care is most important to us. We comply with all Australian laws, including the Privacy Act, to ensure that we carefully handle, protect, and manage personal information.

As a foster carer you are entrusted with confidential information to help you in your caring role, including the reason for the care arrangement, as well as the experiences of and needs of the child and their family.

Confidential information specific to a child or their family's circumstances should not be shared unless necessary to protect the child's wellbeing.

This information also should always be stored in a secure location, either online or in paper format.

If you are unsure about what information you can share or store, your placement support worker is always available to help you make decisions about confidentiality, privacy, and disclosure.

The right to privacy for children in your care

The *Children and Young People (Safety) Act 2017* makes clear that a child's personal information must be kept confidential and should only be disclosed when necessary. The Charter of Rights for Children and Young People in Care also states that children and young people have the right to know and be confident that personal information about them will not be shared without good reason.

If you are unsure or have questions about what information you can share or store, please ask your placement support worker, and/or your DCP case manager.



Sharing information which affects safety and wellbeing

The Department for Child Protection, AnglicareSA, and all foster carers have a duty of care to appropriately share any information about a child and their family that may affect the wellbeing of the child, or the safety of you and your family.

If you are concerned about a child and have reasonable suspicion that a child is being abused or neglected, as a mandated notifier you are required to report the suspicion to the Child Abuse Report Line (CARL) by phoning 13 14 78.

If you are unsure about what you can and cannot share, please talk to your placement support worker or the child's DCP case worker.

Sharing private information with friends and extended family

It is understandable that you may want to discuss aspects of being a foster carer with extended family, friends, or other carers. It is important to plan for how you will introduce a foster child to your family and friends, and to consider who needs to know what, and why, as the child's story is just that – their story.

Children and young people have the right to express their views about matters that affect them. If the child is old enough, ask them how they would like you to introduce them, or if they prefer to do it for themselves.

Helping children in your care answer difficult personal questions

You can help a child in your care respond to difficult personal questions by assuring them that they do not have to answer every question they are asked.

In an age-appropriate way, help the child work out answers to some common questions about being in care, that they feel comfortable to say. Rehearse these with the child to help build their confidence.

Some possible responses the child may say or do in reply to questions are:

- "I don't want to talk about this"
- "I'd rather keep these personal issues to myself"
- "I need to live where it's safe right now"

If other children ask about being in care, the child could respond in the following ways:

- "Now I have two families who love me"
- "I'm living with a new family for a while to help keep me safe, but I'd rather not talk about it anymore".

You can also suggest to the child that they walk away if they are not comfortable responding to a question.

What should I do if the child does not want me to share information?

In the course of caring for a child in care, it is likely that they will share information with you which may be quite personal to them. While it is very reassuring to have the child trust you enough to tell you information that is personal, it is important that you let them know that you cannot necessarily keep this information secret, especially where information may affect their safety or wellbeing, so you need to pass the information onto the DCP case worker and your placement support worker.

If you are concerned about a child and have a reasonable suspicion that a child is being abused or neglected, as a mandated notifier you are required to report the suspicion to the Child Abuse Report Line (CARL) by calling 13 14 78.

Some possible explanations you can use in response to the child sharing information with you include:

- "I'm happy you shared your secret worries with me, but as a foster carer I need to tell the DCP/AnglicareSA because I can see that it is troubling you / giving you nightmares / bothering you. Let's talk about how we can bring this up with your case manager"
- "What's the worst thing that could happen if the DCP/AnglicareSA knew what you just told me? What is the best thing that could happen?"
- "I will do my best to keep you safe".



Further information

Please contact your placement support worker if you would like more information about maintaining confidentiality, or require any support.

This fact sheet has been provided to you by:

Foster care services staff name:

Date:

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