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Produced by the Information Sharing Committee on behalf of Alberta Children and Youth Initiative (ACYI) and the Office of the Prevention of Family Violence and Bullying.

The ACYI is a collaborative partnership of government ministries working together on issues affecting children, youth, and families. Partners include:

- ◆ Alberta Children's Services
- ◆ Alberta Education
- ◆ Alberta Health and Wellness, including:
 - ◆ Alberta Alcohol & Drug Abuse Commission (AADAC)
 - ◆ Alberta Mental Health Board
- ◆ Alberta International, Intergovernmental and Aboriginal Relations
- ◆ Alberta Seniors and Community Supports
- ◆ Alberta Employment, Immigration and Industry
- ◆ Alberta Solicitor General and Public Security
- ◆ Alberta Justice and Attorney General

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Course Objectives

What you will learn:

- ◆ What family violence is and how family violence occurs at all levels and within all groups in society, and that family violence affects the development of children.
 - ◆ What family relationships involve family violence.
 - ◆ The nature of family violence.
 - ◆ Why it is important to establish clear guidelines for information sharing among frontline responders to family violence.
 - ◆ The need for formal or informal information sharing framework initiatives.
 - ◆ The legal requirements for reporting child abuse.
 - ◆ When it is appropriate to share information in the context of the Prevention/Management of Family Violence and the various options available.
- ◆ The importance of considerations such as:
 - ◆ Safety of the child, youth and family.
 - ◆ Not labeling victims, abusers and their families.
 - ◆ Service provider and client power imbalances.
 - ◆ Respecting diversity in addressing the needs of individuals and communities.
 - ◆ Additional constraints to information sharing such as culture and remote/rural areas.



Family Violence

What is Family Violence?

"Family violence is the abuse of power within relationships of family, trust or dependency that endangers the survival, security or well-being of another person. It can include many forms of abuse including [spousal] abuse, [elder] abuse and neglect, child abuse and neglect, parent abuse, and witnessing abuse of others in the family. Family violence may include some or all of the following behaviours: physical abuse, psychological abuse, criminal harassment/stalking, verbal abuse, sexual abuse, financial abuse, and spiritual abuse."

Excerpt from: "Alberta Roundtable on Family Violence and Bullying, Finding Solutions Together," Government of Alberta

Tragically Common

"According to a subset of 94 police departments representing 56% of the national volume of crime, in 2002, approximately one-quarter (27%) of all victims of violent crimes were victims of family violence. Among all family violence victims, 6 in 10 (62%) were victims of violence at the hands of their spouse."

Excerpt from "Family Violence in Canada: A Statistical Profile 2004" Statistics Canada, Canadian Centre for Justice Statistics

Family Relationships

Family relationships include:

- ◆ Parents and children.
- ◆ Childless spouses/partners.
- ◆ Common-law relationships.
- ◆ Same sex relationships.
- ◆ Extended family relationships.
- ◆ Older adults and their children, grandchildren, step-children, nieces and nephews, or the spouses of any of these.

Nature of Family Violence

"Family violence ... has devastating human, social, and economic consequences. It manifests itself in all social classes and cultures and takes many different forms including intimidation, harassment, and sexual and physical assault. In addition, family violence often involves control over finances and access to resources. It is often characterized by patterns of abuse that intensify over time. Violence is not a result of loss of control by the abuser, but rather it is an attempt to dominate and exert control over the victim[s]..."

Excerpt from: "Family Violence Protocol Template," Alberta Council of Women's Shelters and Alberta Children's Services



Impacts on Children and Adolescents

Children living with family violence:

- ◆ May experience increased emotional and behavioural difficulties.
- ◆ Are at increased risk of experiencing physical injury or childhood abuse.
- ◆ May imitate and learn the attitudes and behaviours modeled when partner abuse occurs.
- ◆ Who experience difficulties, may display traumatic stress reactions (sleep disturbances, constant worry about possible danger, intensified startle reactions).
- ◆ May experience strong ambivalence toward their violent parent.
- ◆ May be desensitized to aggressive behavior. When this occurs, aggression becomes part of the "norm" and is less likely to signal concern to children.
- ◆ May be used as a control tactic against the adult victim.

Excerpt from: "Children Exposed to Family Violence: A Handbook for Alberta Shelter Workers." Centre for Children and Families in the Justice system / London Family Court Clinic. Peter G. Jaffe, Ph.D; Susan Loosley

Why Share Information?

"Sharing critical information is essential to ensure a coordinated response and to protect the safety of children, youth and families." "Agencies which have all [necessary] information are much more likely to make decisions that will prevent family violence in specific cases and will respond more effectively when family violence occurs."

Excerpt from: "Alberta Roundtable on Family Violence and Bullying, Finding Solutions Together," Government of Alberta.

"There is no one program or service that will prevent violence or bullying completely or help every Albertan, but by sharing information and working together, we can strive to our goal - a province that is violence-free."

Excerpt from: "Taking Action on Family Violence," Government of Alberta

Issues to Consider

Here are issues to consider when sharing information in the context of family violence:

- ◆ Safety of the client is paramount.
- ◆ Information sharing without consent should only occur in limited situations including when:
 - ◆ An individual states that they intend to harm another person,
 - ◆ A child is in need of intervention services under the *Child Youth and Family Enhancement Act*.
 - ◆ Imminent harm to another individual exists.



- ◆ An integrated service response is based on the service user's request.
- ◆ Best practice suggests informed client consent.
- ◆ Third party information is often required to support safety planning.
- ◆ Coordinated, collaborative service models include the client as a key partner.
- ◆ The point of entry into the service continuum can affect information sharing.

Reporting a Child in Need

Legislative requirements of reporting children in need of intervention must be met in all cases. The requirements are contained in the *Child, Youth and Family Enhancement Act*:

Reporting child in need:

4(1) Any person who has reasonable and probable grounds to believe that a child is in need of intervention shall forthwith report the matter to a director.

Child in need of intervention:

1(2) For the purposes of this Act, a child is in need of intervention if there are reasonable and probable grounds to believe that the survival, security or development of the child is endangered because of any of the following:

- (a) the child has been abandoned or lost;*
- (b) the guardian of the child is dead and the child has no other guardian;*
- (c) the child is neglected by the guardian;*

(d) the child has been or there is substantial risk that the child will be physically injured or sexually abused by the guardian of the child;

(e) the guardian of the child is unable or unwilling to protect the child from physical injury or sexual abuse;

(f) the child has been emotionally injured by the guardian of the child;

(g) the guardian of the child is unable or unwilling to protect the child from emotional injury;

(h) the guardian of the child has subjected the child to or is unable or unwilling to protect the child from cruel and unusual treatment or punishment.

Section 1(3) of the *Child Youth and Family Enhancement Act* further states:

(3) For the purposes of this Act,

(a) a child is emotionally injured

(i) if there is impairment of the child's mental or emotional functioning or development, and

(ii) if there are reasonable and probable grounds to believe that the emotional injury is the result of

(C) exposure to domestic violence or severe domestic disharmony

Reporting is an ongoing process. There may be need for a Child Intervention Worker to share information in order to facilitate further reporting.



Information Sharing Frameworks

In certain communities it makes sense to enter into formal prevention of family violence framework initiatives, while in other communities and situations, informal relationships may be sufficient.

Organizations who choose to formalize an integrated service approach will need to develop and maintain an information sharing framework.

These collaborations need to ensure that their terms of reference (and/or the information being made available to the client) incorporates the following elements:

- ◆ **Purpose** – A statement of what the integrated service will be.
- ◆ **Authority** – The authorities, policy, or legislation that authorizes the integrated service.
- ◆ **Integrated Service Providers** – Which ministries, bodies or agencies will be providing the integrated service.
- ◆ **Statement of Use/Notification** – This will outline how personal information will be used and shared by the service providers.
- ◆ **Consent** – Explaining the use of consent.
- ◆ **Records** – A description of how personal information records will be kept and for how long.
- ◆ **Access** – A process must be developed to allow individuals to access their own personal information.

The Information Sharing Guideline contains a Sample Terms of Reference for Integrated Service.

Considerations to Information Sharing

When you are involved in an information sharing situation, you will need to consider:

- ◆ Point of entry.
- ◆ Whether there are children involved (and whether the children are in need of intervention).
- ◆ If there is a need to share information.
- ◆ Whether there is consent (or not).
- ◆ If there is imminent harm.



Questions

In each information sharing situation, consider these questions:

1. Is the client aware of the implications of giving consent?
2. Is the provider aware of the impacts to the client of information sharing?
3. What does the Information Sharing Guideline and Overview Document (green/yellow/red) say?
4. What specific information is required?
5. Why is the information necessary?
6. Who is the information being requested from?
7. Who are you sharing the information with?
8. Is there any legislation barring or requiring disclosure of information?

Key Concepts

- ◆ Safety of the child, youth, and family should be the first consideration when making decisions about information sharing.
- ◆ Remote or rural areas may have unique constraints to information sharing:
 - ◆ Lack of anonymity.
 - ◆ May take longer to build relationships.
 - ◆ Less available resources.

- ◆ Cultural differences may identify additional constraints to information sharing:
 - ◆ Lack of anonymity within a small community.
 - ◆ Varying customs, beliefs, values.
 - ◆ Different levels of power between genders.
 - ◆ Trust (or lack of) in authority.
- ◆ Clients are less likely to share information with an agency that is bringing drastic change to their lives.
- ◆ A power imbalance likely exists between a service provider and a client. The client may feel pressure to comply with consent even if it is not in their best interest. Ensure you explain the consent process and results completely.
- ◆ Avoid labeling victims, abusers and their families. Don't just look at the snap-shot, see the whole scenario. Consider the date of the information - is it current or past information? Has the person or situation changed?



Glossary

- ◆ **Affiliate** – Under HIA, employees, agents, contractors and volunteers of a custodian. Physicians paid by a custodian or having privileges with a custodian are also affiliates of that custodian.
- ◆ **Age of Consent** – The age at which children and youth can give consent differs under various legislation but usually involves a determination as to whether he/she is mature enough to understand the nature of the information and the consequences of its disclosure. Age of consent takes into consideration the age of the child, maturity level and sensitivity of the information.
- ◆ **Bullying** – A conscious, willful, deliberate and repeated hostile activity marked by an imbalance of power, intent to harm, and/or a threat of aggression. When bullying escalates unabated, it may lead to a feeling of terror on the part of the individual being bullied. Bullying may include, but is not limited to: physical intimidation or assault; extortion; oral or written threats; teasing; putdowns; name calling; threatening looks, gestures or actions; cruel rumours; false accusations; and social isolation.
- ◆ **Child, Youth, and Family Enhancement Act (CYFEA)** – This Act provides the legislative mandate for family enhancement or protective services to be provided if it is believed that a child may be in need of intervention.
- ◆ **Common Program** – A single program or service delivered by two or more public bodies.
- ◆ **Continuity of Care** – A person's/persons' responsibility for the ongoing care, medical or otherwise, for a child.
- ◆ **Custodians** – Custodians of health information are individual health services providers or organizations that are primarily in the publicly funded health sector who have health information in their custody or under their control (e.g., Alberta Health and Wellness, regional health authorities, physicians who bill Alberta Health Care, etc.).
- ◆ **Employee** – Individuals and agencies who provide services on behalf of the public body that they have contracted or entered into an agreement with (Note: this definition of employee is solely for the purposes of FOIP.) Contractual obligations should include the necessary clauses to ensure that provisions of FOIP are properly addressed.



- ◆ **Family Violence** – The abuse of power within relationships of family, trust or dependency that endangers the survival, security or well-being of another person. It can include many forms of abuse including [spousal] abuse, [elder] abuse and neglect, child abuse and neglect, parent abuse, and witnessing abuse of others in the family. Family violence may include some or all of the following behaviours: physical abuse, psychological abuse, criminal harassment/stalking, verbal abuse, sexual abuse, financial abuse, and spiritual abuse.
- ◆ **FOIP** – *Freedom of Information and Protection of Privacy Act*.
- ◆ **Health Information** – Under HIA, means any of the following: diagnostic treatment and care information; health and services provider information; and registration information.
- ◆ **HIA** – *Health Information Act*.
- ◆ **HIA Coordinator** – In a larger organization, the responsible affiliate.
- ◆ **Imminent Danger** – A situation in which any individual or group or individuals may be at immediate risk of harm to their health and/or safety. See Section 40(1)(ee) of FOIP and Section 35(1)(m) of HIA.
- ◆ **Information and Privacy Commissioner (IPC)** – An officer of the Legislature who provides an independent review of decisions made regarding right of access to and correct or amendment of personal or health information. The Commissioner monitors compliance with applicable legislation and investigates complaints.
- ◆ **Integrated Service** – The program or service has several distinct components, each of which may be delivered separately, but when considered together, comprise the complete program or service.
- ◆ **Intervention Services** – Any service provided to a child or family under the *Child Youth and Family Enhancement Act (CYFEA)* including family enhancement services and protective services.
- ◆ **Minimum Amount of Information** – In order to respect the rights to individual privacy of children, youth and their families, only the minimum amount of personal information necessary may be shared.
- ◆ **Need to Know** – An organization should not collect, use or disclose information unless it is required to fulfill their roles and responsibilities.
- ◆ **Parent Legislation** – Legislation that guides or provides the mandate for the different government organizations.
- ◆ **Public Body** – Government organizations such as departments, boards and agencies. (Note: this does not refer to contracted agencies, such as service providers.)



Engaging Others in the Delivery of Integrated/Collaborative Programs

- ◆ Partnership... A Way of doing Business, Nancy Reynolds, Partnership and Innovation Division, Alberta Children's Services
- ◆ Building Community Collaboration and Consensus, C.R. Pete Petersen, www.communitycollaboration.net
- ◆ Working Together, Safe and Caring Schools, Resource Manual for Students, Staff and Parents, Alberta Learning.

Information Sharing in the Context of the Prevention/Management of Family Violence

- ◆ *Child, Youth and Family Enhancement Act*
- ◆ Taking Action on Family Violence, Government of Alberta
- ◆ Alberta Roundtable on Family Violence and Bullying, Finding Solutions Together, Government of Alberta
- ◆ Family Violence in Canada: A Statistical Profile 2004, Statistics Canada, Canadian Centre for Justice Statistics

- ◆ Working Together, Safe and Caring Schools, Resource Manual for Students, Staff and Parents, Alberta Learning
- ◆ Family Violence Protocol Template, Alberta Council of Women's Shelters and Alberta Children's Services
- ◆ Children Exposed to Family Violence: A Handbook for Alberta Shelter Workers, Centre for Children and Families in the Justice system / London Family Court Clinic. Peter G. Jaffe, Ph.D; Susan Loosley
- ◆ Elder Abuse, Edmonton Community Action Committee on Elder Abuse