

# Direction relating to the Redfern Waterloo Case Coordination Project

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As Privacy Commissioner appointed under Part 4, Division 1 of the *Privacy and Personal Information Protection Act 1998 (NSW)* (the PPIP Act), I Elizabeth Coombs, hereby direct pursuant to section 62 of the *Health Records and Information Privacy Act 2002 (NSW)* (the HRIP Act) that:

## Overview

1. This is a direction made under section 62(1) of the HRIP Act. It should be read in conjunction with that Act.

## Interpretation

2. In this Direction:

“**Case Coordination Framework**” means the procedure for referral and management of Complex Cases described in this Direction.

“**child**” means a person under the age of 16 years.

“**Complex Case**” means a case assessed as a complex case by the Contact Organisation, having regard to the Case Coordination Assessment Criteria, set out in this Direction.

“**Contact Organisation**” means the Participating Organisation which first considers a case for referral to the Senior Officers’ Group for management within the Project.

“**Health information**” has the meaning given to it by section 6 of the *Health Records and Information Privacy Act 2002 (NSW)*.

“**HPP**” means a Health Privacy Principle, as set out in Schedule 1 to the *Health Records and Information Privacy Act 2002 (NSW)*.

“**NSW Police Force**” means the NSW Police Force as established under the *Police Act 1990*.

“**Senior Officers’ Group**” means the Redfern Waterloo Case Coordination Senior Officers’ Group, which is comprised of representatives from the Participating Organisations.

“**Participating Organisation**” means an organisation participating in the Project, as listed in the Schedule to this Direction.

“**Project**” means the Redfern Waterloo Case Coordination Project.

“**young person**” means a person who is aged 16 years or over but who is under the age of 25 years.

## Application

3. This Direction applies to each Participating Organisation.

## Public interest

4. This Direction has been made to allow Participating Organisations to collect, use and disclose health information for the purpose of implementing the objectives of the Project. I am satisfied that the public interest in making this Direction to enable the implementation of the Project is greater than the public interest in requiring Participating Organisations to comply with the HPPs referred to below. A corresponding direction may apply to the Project under the PPIP Act.

# The Redfern Waterloo Case Coordination Project

## Objective

5. The object of the Project is to improve case coordination between Participating Organisations regarding the management of Complex Cases involving children, young people and families in the Redfern Waterloo area. This is to be achieved through the implementation of a Case Coordination Framework, as outlined in this Direction.

## Operation of the Case Coordination Framework

6. The Case Coordination Framework requires Participating Organisations to take the following steps in the referral and management of Complex Cases:

## Assessment of the case

- 7.1 A Contact Organisation will make an assessment as to whether it is appropriate to refer a child's or a young person's case to the Senior Officers' Group having regard to the following Case Coordination Assessment Criteria:
  - a. The child or young person temporarily or permanently resides in Redfern, Darlington, Alexandria, Eveleigh or Waterloo area or has strong links to the area through school, relatives or another significant connection;
  - b. The child or young person is a high level risk to themselves or others;
  - c. Multiple agency collaboration is necessary due to the complexity of the case; and
  - d. Agency intervention has failed to reduce the risks so far.
- 7.2 If the Contact Organisation concludes that the case should not be referred to the Senior Officers' Group, the Contact Organisation will proceed to deal with the case in accordance with the Contact Organisation's usual procedures.
- 7.3 If the Contact Organisation concludes that the case should be referred to the Senior Officers' Group, the Contact Organisation will seek the consent of the child or young person (or where applicable, a parent or guardian) to the collection, use and disclosure of personal information (including health

information) about the child or young person by Participating Organisations for the purpose of assessing and managing the child's or young person's case within the Project, unless it forms a reasonable view that this is not appropriate (for example, because seeking consent could unreasonably delay necessary services being provided).

### **Case management and assessment by the Senior Officers' Group**

7.4 On referral, the Senior Officers' Group will assess whether management of the case within the Project is appropriate.

7.5 If the Senior Officers' Group determines that case management within the Project is appropriate, and the child or young person (or where applicable, a parent or guardian) has not already provided consent to the collection, use and disclosure of personal information (including health information) about the child or young person by Participating Organisations for the purpose of assessing and managing the case within the Project, the Senior Officers' Group will request the Contact Organisation to seek that consent, unless it forms a reasonable view that this is not appropriate (for example, because seeking consent could unreasonably delay necessary services being provided).

### **Collection, use and disclosure of information**

7.6 A Participating Organisation may rely upon this Direction to collect, use and disclose health information about the child or young person for the purpose of assessing and managing the case within the Project, whether or not the consent of the child or young person (or, where applicable, the child's or young person's parent or guardian) is obtained.

### **Provisions**

- 8 A Participating Organisation, in collecting, using and disclosing health information for the purpose of assessing and managing a case within the Project, consistently with the objects of the Project, need not comply with HPP 1(1), HPP 3, HPP 4, HPP 10 or HPP 11.
- 9 Paragraph 8 is subject to the condition that the collection, use and disclosure of health information by Participating Organisations is reasonably relevant and reasonably necessary for the purpose of meeting the objects of the Project.

### **Duration**

10. This Direction commences on **10 January 2014** and expires on **30 June 2015**.

Signed by me on **10 January 2014**.

Elizabeth Coombs

**Privacy Commissioner**

**Schedule – Organisations to which this Direction applies**

Aboriginal Legal Service (ALS)

Aboriginal Medical Service (AMS)

Babana Men's Group

Barnardos

The Benevolent Society

Caretakers Cottage Inc.

Council of the City of Sydney

Department of Attorney General and Justice

Department of Education and Communities

Department of Family and Community Services

Department of Premier and Cabinet

Exodus Foundation

Factory Community Centre

The Fact Tree Youth Services, Inc

Father Chris Riley's Youth Off The Streets

Gamarada Indigenous Service

HillsongChurchWaterloo

HillsongCity Care

Justice Health

Mission Australia

Mudgin-gal Aboriginal Corporation

National Aboriginal Sporting ChanceAcademy

National Centre of Indigenous Excellence (NCIE)

NSW Ministry of Health

NSW Police Force

RedfernJarjumCollege

Redfern Legal Centre  
Relationships Australia  
Saint Vincent de Paul – Cleveland Centre  
The Salvation Army  
The Settlement Neighbourhood Centre  
Shopfront Legal Centre  
South Eastern Sydney Local Health District  
South Western Sydney Local Health District  
South Sydney Community Aid  
South Sydney Police & Community Youth Clubs (PCYC)  
Souths Cares  
Sydney Local Health District  
Sydney Day Nursery (SDN)  
Tribal Warrior Association  
Urban Growth NSW Development Corporation  
Vincentian House  
Weave Youth Family Community Services  
WirringaBaiya Aboriginal Women's Legal Centre  
Young Men's Christian Association (YMCA)  
Young Women's Christian Association (YWCA)  
Yurungai Kin Care & Family Preservation Service