

Application for Grant of Authorisation

(Information Act, s.81)

Applicant:	Northern Territory Police Fire and Emergency Services (NTPFES)
Subject:	Supportlink and mandatory reporting referrals to the Department of Children and Families
Date of Decision:	25 January 2016

Decision and Reasons for Decision

1. I have decided to grant an authorisation under s 81 of the *Information Act* to allow the Northern Territory Police Fire and Emergency Services ('NTPFES') to depart from Information Privacy Principle 2 in order to use the systems provided by Supportlink to refer mandatory reporting matters concerning risks to vulnerable children to the Department of Children and Families ('DCF').
2. This is an interim grant made for a short period of time so that referrals can continue while a consultation process is carried out so that I am able to make a fully informed decision as to whether a similar Grant should be made for a longer period of time.
3. The scope of the Grant, and the terms and conditions of the Grant, are set out in the Authorisation that appears at the end of this document.
4. Police members are required by legislation to refer mandatory reports, such as child abuse notifications to DCF. NTPFES have been making such referrals from some time, however historically these referrals were made by members in a more manual fashion and involved the composition of an email, determining correct contact details. Since 2013 those referrals have been made through SupportLink, an external service provider which maintains an electronic system which links the NTPFES to a range of organisations who provide early intervention and support services in relation to vulnerable youth, domestic violence, substance abuse, and sexual abuse.
5. SupportLink is used by NTPFES to put members of the community in touch with relevant services with their consent. SupportLink removes the need for individual members to

identify and manually contact all the relevant services. Use of SupportLink by consent is not a breach of the IPPs.

6. However, mandatory referrals are by their nature not consensual. While the legislation requires DCF to be contacted, it does not authorise NTPFES to use SupportLink to do so. It therefore appears to technically be a breach of IPP 2 to use SupportLink for this purpose. I am advised that as soon as NTPFES received legal advice to this effect, they ceased use of SupportLink and required members to make manual referrals instead.
7. NTPFES has expressed concern that the number of referrals being made manually is significantly lower than the number made when SupportLink is available, and have requested that a Grant of Authorisation be made for an interim period while consultation is carried out.
8. In support of this request, the NTPFES has submitted that the risks to the privacy of individuals is low because:
 - referrals via SupportLink have been used for a couple of years and no privacy breaches have been reported;
 - SupportLink itself is the only additional third party that will be able to see the mandatory referral information (besides NTPFES and DCF);
 - SupportLink is a well-established organisation that provides similar services in Queensland, the ACT, and Victoria;
 - SupportLink has in place substantial security mechanisms (hardware is located in secure Australian locations, electronic data has software protections, communications between locations are encrypted, and detailed audit logs are kept and regular successful external audits have been conducted);
 - SupportLink's contract with the NTG requires it to comply with the provisions of the *Information Act (NT)*;
9. Further, NTPFES has submitted that the benefits of SupportLink include:
 - the ability to analyse and report on the number of referrals;
 - the ability to effectively follow-up on whether action has been taken in relation to referrals;
 - increased efficacy of the mandatory reporting system, and the consequent benefits for children and families at risk; and
 - more accurate data is obtained about the mandatory reporting system, allowing for more effective policy responses to related issues.
10. Under section 81 of the *Information Act*, I have the authority to authorise the collection and use of personal information in a manner that would otherwise contravene IPP 2 (use and disclosure). I may only grant this authorisation if I am satisfied that:

- the public interest in collecting or using the information outweighs to a substantial degree the interference with the privacy of persons that might result from collecting, using or disclosing the information; and
- the benefit to persons of collecting, using or disclosing the information outweighs the interference with the privacy of those persons that might result from collecting, using or disclosing the information.

11. Based on the submissions made by NTPFES I am satisfied of both limbs of this test.


12. In recognition that there is some urgency in ensuring referrals are occurring, I am prepared to grant an authorisation so that referrals can be made via SupportLink. However, in recognition that stakeholder consultation is an important element of a longer-term decision, I have limited the Grant of Authorisation to a period of one month. During this period I intend to conduct stakeholder consultation to determine whether there is any further information I need to consider before determining whether a similar Grant should be issued for a longer period of time, and on what terms and conditions such a Grant should be made.

Grant of Authorisation – No. 1 of 2016

I grant an authorisation under section 81 of the *Information Act* in the following terms:

Organisation	Northern Territory Police Fire and Emergency Services
Authorisation	1. To depart from IPP 2 by using and disclosing personal information for the purposes of providing mandatory reports of child abuse to the Department of Children and Families via the external third party provider SupportLink by use of the electronic 'Child Abuse Report Form'.
Length of authorisation	Until 25 February 2016, or earlier termination by the Information Commissioner.
Date	25 January 2016

NOTE: This authorisation only extends to departures from IPP 2 as stated above. The organisation remains bound by the IPPs in all other respects. The authorisation does not allow departure from any other restrictions or requirements that bind the organisation.



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Brenda Monaghan
Information Commissioner
Northern Territory