

Supporting a child/young person to access their personal information from Child Safety

A factsheet for professionals

What ways can a child/young person access their personal information from Child Safety?

A child/young person has the right to be given information about decisions and plans concerning their future and personal history, having regard to the child's age or ability to understand.¹

There are four main ways a child/young person can access their information:

- **Administrative Access:** seeking access to personal information by requesting the information directly from a child/young person's Child Safety Officer and/or Team Leader.
- **Formal Access Application:** seeking access to personal information through a formal written application process that is processed by a Right to Information Officer in the Information Access and Amendment Unit at Child Safety.
- **Time in Care Information Access Service (TICIAS):** seeking access to personal information through a formal written application process, however this application will be limited to a report/summary of the child/young person's time in care.
- **Leaving Care Report:** seeking access to personal information by making a request to Child Safety asking that they prepare a Leaving Care Report prior to a young person exiting the care of Child Safety (e.g. before they turn 18 years old).

For more information see [Right to Information – Child Safety](#).

Does a child/young person have to wait until their 18th birthday or have exited care before they can access their personal information?

No. There is a misconception that a child/young person must wait until their 18th birthday or they must have exited the care of Child Safety before they can access their personal information. A child/young person can seek to access their personal information at any time.

Will a child/young person receive every single piece of personal information that Child Safety has in their possession that is about them?

No. The information a child/young person receives may be redacted. This means that certain information may be withheld from a child/young person for many different reasons. Child Safety may be able to withhold this information because the law allows for that. For example, personal information may be withheld from a child/young person if the disclosure of the information is reasonably considered not to be in the child's best interests.²

Exempt information will not be provided to a child/young person. Exempt information includes the confidentiality of notifiers of harm or risk of harm. For example, a child/young person may not find out who reported harm or risk of harm about them to Child Safety.³

1 *Child Protection Act 1999 (Qld) – Schedule 1(e).*

2 *Right to Information Act 2009 (Qld) – Schedule 4 – Part 3.*

3 *Child Protection Act 1999 (Qld) – sections 186 to 188.*

What is the process for a child/young person to access their personal information?

1. Administrative Access

Child Safety should be proactively sharing information with the child/young person given the rights of the child/young person to be given information about decisions and plans concerning their future and personal history, having regard to the child's age or ability to understand.⁴

You can send an email to the Child Safety Officer and Team Leader requesting that the child/young person be provided with their personal information. In the email be clear and specific about what information the child/young person wants (e.g. a copy of their case plan, a medical report, a shift report written by their placement, decision letter regarding family contact/ placement).

You should request that the information be disclosed to the child/young person through administrative access, and also ensure that Child Safety provide support to the child/young person to digest and understand information and decisions that are made.

2. Make a complaint if Administrative Access is denied

If Child Safety do not provide information through Administrative Access, you may want to support the child/young person to make a complaint about this.

For more information on how to make complaints to Child Safety please see the Child Safety [website](#).

3. Formal Application

Right to Information and Information Privacy Access (RTI) Application

If the complaint does not resolve the matter or the child/young person does not want to complain, then consider supporting them to make a formal application. At a minimum these applications take 25 days to process, but Child Safety may seek an extension of this timeframe.

An RTI application must have a certified copy of the child/young person's identification. For example, a certified copy of their birth certificate or learner's licence. If a child/young person does not have access to this then you can ask Child Safety to provide the child/young person with a certified copy of their birth certificate.

For a RTI Application to be successful it will need to specify what information is sought to be released. For example, you should ask for specific documents like a case plan, medical report or case notes completed by a Child Safety Officer.

When sending the RTI Application you should also ensure that the Child Safety Officer and Team Leader receive a copy of the final RTI application.

You can access the Right to Information and Information Privacy Access Application on the Right to Information [website](#).

Note that an RTI Application requesting a copy of a child/young person's entire file may not be processed in one application, particularly if a child/young person has been in care for a significant period of time.

Time in Care Information Access Service Application (TICIAS)

If you make a TICIAS application on behalf of a child/young person, you should explain to them that this is a summary/report of their time in care and may not have the information that they are seeking (if a child/young person is seeking particular information then a RTI Application may be a more appropriate application).

The types of documents that will be included in this summary/report can be photos, school reports, certificates, medical reports, summary of placements.

You can access the Time in Care Information Access Service (TICIAS) application form on the Child Safety [website](#).

Leaving Care Report

You should explain to the child/young person that this is a summary/report of their time in care and may not have the information that they are seeking (if a child/young person is seeking particular information then a RTI Application may be a more appropriate application). It is similar to a TICIAS Application but is a less formal approach to obtaining a Report.

Types of documents that will be included in this summary/report are confirmation of care letter, information about the young person's time in care, attendance at schools and summary of placements. It is recommended that the request for a Leaving Care Report be made in writing to the Child Safety Officer and Team Leader.

You can access more information about Leaving Care

Reports in the [Child Safety Practise Manual](#) (search for Leaving Care Reports)

4. Ensure the child/young person has support to digest and understand their personal information

It can be very hard to digest and understand the language, jargon and acronyms used by Child Safety so it is important to ensure that a child/young person has the appropriate support to understand their personal information.

Most importantly, reading personal information can be distressing and emotionally upsetting for a child/young person in care. There may be information provided to them that they were never made aware of (e.g. allegations made against their parents/substantiated reports of harm whilst in care).

It is therefore essential that the child/young person has appropriate support when receiving their personal information. A Child Safety Officer, Doctor, Counsellor, Evolve Therapeutic Services, Next Steps After Care etc. may be able to provide support to a child/young person to process traumatic information.

5. Internal review of formal decision/Apply for external review to the Office of the Information Commissioner

This should be utilised as a last resort. For more information about an external review to the Office of the Information Commissioner, go to their [website](#).

How can a Child Advocate help a child/young person access their personal information?

A Child Advocate can help a child/young person understand their options regarding accessing their personal information and help them to complete a formal RTI/TICIAS Application.

You can make a referral for a Child Advocate by completing the following [referral form](#) and emailing it to Child-Advocate-Refer@publicguardian.qld.gov.au

For more information about Child Advocate Legal Officers and how they can help children and young people please see our [factsheet](#).

Where can I find out more information?

- [Right to Information – Child Safety](#)
- [Child Safety Practice Manual](#)
- [Right to Information and Information Privacy Access Application](#)
- [Time in Care Information Access Service](#) (application form)
- [Office of the Information Commissioner Queensland](#)
- [Office of the Information Commissioner Queensland – Application by and for children](#)

A decorative horizontal line in a light green color, featuring a wavy pattern and several small circles of varying sizes along its length.

Contact us

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e. publicguardian@publicguardian.qld.gov.au

w. www.publicguardian.qld.gov.au