



Australian Foster Care Association

Policy and Position Statement

on

Foster Carers' Personal and  
Identifying Information

2005

For Foster, Relative and  
Kinship Care Across Australia

# Foster Carers' Personal and Identifying Information

## Position:

Foster carers have a duty of care to ensure that all foster children, their own children and other family members are safe. When foster children join a foster family, strategies need to be put in place to ensure the safety of everyone in the foster family unit.

To satisfy the information needs of the birth family when a child is taken into care, non-identifying information such as the make up of the foster family unit, the number of children and adults in the home, the type of school the child will be attending (if different), whether the foster parent/s work in general terms, special cultural or Indigenous reassurances, etc should be provided to the birth family in the first instance.

The release by a worker of any foster family's identifying or personal information is only to be made with the written approval of the foster carers after they have been provided with a full assessment of the risks associated with such a disclosure, and it has been determined by the worker that the release of the identifying information would not create any risk to the child or foster family, and/or risk in terms of placement stability. The final decision on release is the right of the foster carers not the worker/system.

## Commentary:

The Australian Foster Care Association (AFCA) membership consists of representatives of the recognised Foster Care Associations of each State and Territory. The above statement represents the position of AFCA as at 1 January 2005. This is not meant to be an exhaustive statement, but rather covers the major issues raised by foster carers in relation to the release of foster carer' personal and identifying information. The statement has been produced to encourage:

- Quality outcomes for children and young people in care;
- Appropriate protection of foster families from community risk factors;
- Satisfying partnerships between foster carers, birth families and workers; and
- Consistency across the nation.

## Definition:

Many foster children come from unsafe environments. The release of personal and identifying information about a foster family has the potential to put the child in care and that foster family at risk, both whilst the foster child is in the home and after the child has left the home. Information about the foster family must NOT be shared with third parties, including birth families, unless it is approved by the foster carers after they have received clear written advice that there is NO current /potential risk associated with the release of the information.

## Acknowledgements:

1. Foster carers are volunteers and are not paid as employees to provide foster care.
2. Foster carers volunteer their homes, skills and time to care for the community's abused, neglected and 'at risk' children.
3. Foster carers do NOT automatically volunteer to waive the privacy rights they enjoy in our society as normal, law abiding citizens.
4. When a child or young person comes into care, their birth family will seek information about where their child is. Foster carers are aware that there are often good reasons for the birth families of children in care to be provided with certain information about foster carers in order to re-assure the birth parent/s that their child is being properly cared for.

## Issues:

1. Foster carer identifying information is often included in documents that may be passed onto third parties without the knowledge of the foster family. Sharing this information can jeopardise the safety and protection of the foster family unit both whilst the foster child is in the foster home and after the foster child has left.
2. Foster family information can appear on Court documents which are passed to other parties without an appreciation of the implications for the foster carer family. This can be partly addressed by substituting the department or agency address or telephone number in place of the foster family's address and telephone numbers on such documents.
3. Workers must not release or share foster carer information with third parties, including birth families, without first obtaining the written approval of the foster carer family.

4. To enable foster carers to make an informed decision, the worker must provide them with a written assessment of the risks associated with releasing information and must be held accountable for that assessment outcome.
5. Assessments or determinations made to release personal or identifying information about a foster family without the full participation of the foster carer/ family in the process, and the carers providing their written approval to the release of the information, on a case by case basis must not occur.
6. The release of any personal or identifying carer information to any third parties, or for purposes other than what the information was originally collected for, without the written approval of the foster carer/s concerned must not occur.
1. The Federal Privacy Commissioner's eleven Information Privacy Principles that apply to certain government agencies, the non-government and health sectors and the ten National Privacy Principles should also apply to foster carers.