

Subordinate Legislation Act 1994
(Section 12)

NOTICE OF DECISION

Child Wellbeing and Safety (Information Sharing) Amendment Regulations 2020

I, Ingrid Stitt, Minister for Early Childhood, and Minister jointly and severally responsible for administering Part 6A of the **Child Wellbeing and Safety Act 2005** (the Act), give notice under section 12 of the **Subordinate Legislation Act 1994** of my decision to make the proposed Child Wellbeing and Safety (Information Sharing) Amendment Regulations 2020 (the proposed Regulations).

The proposed Regulations prescribe:

- the Information Sharing Entities that can share information with one another for the purpose of promoting the wellbeing and safety of children; and
- that the Secretary to the Department of Education and Training may delegate any of the powers, functions or duties of an Information Sharing Entity under Part 6A of the Act and the Child Wellbeing and Safety (Information Sharing) Regulations 2018 other than the power of delegation.

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Regulations, and both were released for public consultation on the Engage Victoria website (engage.vic.gov.au) from 6 November until 6 December 2019. A Notice of Release, advertising the release of the RIS and proposed Regulations for public comment was published in the Government Gazette and The Age newspaper on 6 November 2019.

In response to the RIS and proposed Regulations, the Department of Education and Training received 33 written submissions from stakeholder groups, and all were considered. The key issues raised related to:

- the prescription of additional Information Sharing Entities under Part 6A of the Act;
- perceived underestimation of projected costs to the proposed Information Sharing Entities in the RIS;
- implementation challenges for proposed Information Sharing Entities; and
- technical drafting matters.

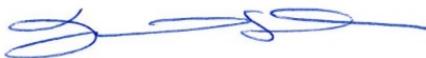
After consideration of the submissions received, I have decided that the proposed Regulations should be made with minor amendments to:

- update the responsible Minister to the Minister for Early Childhood and the commencement date to 19 April 2021 following a delay in implementation in response to the coronavirus (COVID-19) pandemic in Victoria;
- authorise that the Secretary to the Department of Education and Training may delegate any of the powers, functions or duties of an Information Sharing Entity under Part 6A of the Act and the Child Wellbeing and Safety (Information Sharing) Regulations 2018 other than the power of delegation;

- clarify the prescription of early childhood education and care and non-government school sectors at the provider/operator level, while enabling information sharing to occur at the service/school level;
- clarify the prescription of bodies that support Catholic schools, to ensure that these bodies are captured by the regulations regardless of the corporate structure that they adopt;
- clarify the prescription of community health centres;
- correct a drafting anomaly in relation to bush nursing centres by inserting a separate regulation to prescribe this workforce. The amendment clarifies that bush nursing centres are not defined in relation to the Health Services Act 1988, as previously stated in the proposed Regulations;
- prescribe the Victorian Disability Worker Commission and Disability Worker Registration Board of Victoria;
- no longer prescribe dispute settlement centres to enable further consideration of the scope of their prescription; and
- make other minor technical changes.

A Statement of Reasons, with further detail about the submissions received and reasons for the direction taken, will be publicly available at www.engage.vic.gov.au/child-information-sharing-scheme.

Dated: 6/12/2020



The Hon Ingrid Stitt MP
Minister for Early Childhood