

Memorandum of Understanding

Between parties involved in the Integrated Safety Response to Family Violence Christchurch Pilot

Document Information	
Prepared By:	National ISR Project Team on behalf of the ISR Pilot Christchurch Governance Group
Work Programme Name	Ministerial Group on Family Violence and Sexual Violence
Project Name	Integrated Safety Response to Family Violence Christchurch Pilot

Version	Issue Date	Changes
0.1	26.04.2016	
0.2	29.04.2016	Updates to Sections 1, 2 & 3 following feedback from National ISR Project Team
0.3	11.05.2016	Feedback incorporated from New Zealand Police Headquarters Legal Team
0.4	03.06.2016	Feedback incorporated from Corrections Legal, MSD Legal, CYF, ACC and Ministry of Health.
0.5	14.06.2016	Amendment to clause 16.12.2
0.6	17.06.2016	Te Pūtahitanga o Te Waipounamu and Tū Pono – Te Mana Kaha o Te Whānau added to the list of parties to this Memorandum

1. Parties

- 1.1 The parties to this Memorandum of Understanding (memorandum) are:
- 1.1.1 The Canterbury Police District
 - 1.1.2 Child Youth and Family Southern Region
 - 1.1.3 Corrections Southern Regional Office
 - 1.1.4 Canterbury District Health Board
 - 1.1.5 Ministry of Social Development Southern Region
 - 1.1.6 Ministry of Education Canterbury Office
 - 1.1.7 Accident Compensation Corporation (ACC) represented by Southern Region
 - 1.1.8 Ministry of Justice Canterbury Region
 - 1.1.9 Te Rūnanga o Ngāi Tahu
 - 1.1.10 Te Runanga o Nga Maata Waka
 - 1.1.11 Te Pūtahitanga o Te Waipounamu, the Whānau Ora Commissioning Agency for the South Island
 - 1.1.12 Canterbury Family Violence Non-Government Organisations
- 1.2 Government parties will commit to this memorandum at a regional level.

2. Background

- 2.1 Government is committed to improving the way New Zealand prevents, responds to and reduces family violence. A significant work programme is progressing to achieve this, overseen by the Ministerial Group¹ on Family Violence and Sexual Violence.
- 2.2 A key focus of the work programme is on creating a joined-up system, for prevention, early intervention, safety responses and long term support for families. To achieve this

¹ Comprising the Ministers of: Justice (co-chair), Social Development (co-chair), Health, Police/Corrections, Education, Senior Citizens, Disability Issues, Māori Development, Women, the Community and Voluntary Sector, and the Accident Compensation Corporation.

integrated system, in an affordable way, for all of New Zealanders, government, service providers, and communities need to work together better.

- 2.3 On 13 April 2016, the Ministers of Justice, Social Development and Police/Corrections announced that a national pilot of an Integrated Safety Response (ISR) to Family Violence will take place in Christchurch. The one year pilot will commence on 1 July 2016.

3. The Integrated Safety Response model

- 3.1 The ISR is a new model for responding to family violence, replacing the Family Violence Interagency Response System (FVIARS). It is focused on risk assessment, family-focussed safety planning and actions by a range of agencies, to ensure immediate safety for families and the prevention of further family violence.

- 3.2 To enable people from different sectors to effectively work together to respond to family violence, the ISR includes:

3.2.1 Dedicated Staffing

- a. A local ISR Director that leads implementation of the model; provides strategic oversight of the ISR; and uses relationships, data and analytics to highlight and influence system-level issues.
- b. A Response Team comprising members from government and non-government organisations² who will attend daily Safety Assessment Meetings (SAM) for all reports of family violence in the Canterbury Policing District and for specific cases of prisoners being released who are identified as at high risk of perpetrating family violence.
- c. A local Coordinator and Administrator that manage and support daily operations and enable the Response Team³ to focus on problem solving and actions to support family safety.
- d. A Perpetrator Advocate to attend relevant SAM and deal with a small caseload of perpetrators seeking outreach support who have not been able to access behaviour change services through existing funding arrangements.
- e. A Perpetrator Outreach service to work with perpetrators throughout the ISR process, and facilitate their access to behaviour change programmes or support as needed.
- f. An Intensive Case Management (ICM) group, comprising government and non-government organisations, to provide short term, specialist support to a weekly caseload of families identified from SAM of being at high risk of serious harm or death.
- g. Independent Victim Specialists that will lead the ICM process.

3.2.2 Infrastructure

- a. There will be daily SAM to review each family violence case and develop family safety plans for each family.

² including Police, CYF, Corrections, Health, Maori Representation, and an NGO Coordinator

- b. A secure, electronic Case Management System (CMS) specifically developed for the ISR that records: episodes of family violence, the family safety plans, tracks progress and accountability, and records outcomes for families.
- c. Risk assessment guidance to support a consistent and evidence informed approach to assigning a risk Tier⁴ to each case, and ensure responses are proportionate to the ongoing probability and level of harm of further family violence episodes.
- d. A joined up National and local Governance structure, represented in Appendix 1.
- e. Training for all members of the ISR to develop a shared understanding of family violence and to enable all participants to perform their functions with competence and confidence.

3.2.3 A New Operating Model

- a. A Response Team who will hold SAM at least five days per week, eventually including weekends.
- b. At every SAM, Response Team members will contribute information from their home agency, and combine this with their professional judgement to assess risk, and make decisions about the tasks required that will lead to safer outcomes for families, through the development of family safety plans. The family safety plan will include allocated tasks intended to ensure the safety of victims, address violent behaviour of perpetrators, and mitigate underlying risk factors, to prevent further violence.
- c. ICM support for families at highest risk of serious harm or death.
- d. Dedicated support for perpetrators.

3.2.4 A Strategic View

- a. Data collection and analysis that builds a measurable picture of regional capacity and capability. This strategic oversight will be used to identify improvements to local family violence systems and settings.

3.3 The ISR aims to achieve these long term outcomes:

- 3.3.1 Reduction in family violence
- 3.3.2 Reduction in serious harm
- 3.3.3 Reduced reoffending and revictimisation.

⁴ Tier 1 (high risk), Tier 2 (medium risk) and Tier 3 (low risk).

4. Purpose

- 4.1 This memorandum has been developed collaboratively to formalise the expectations of the parties' involvement in the ISR Pilot in Christchurch (ISR Pilot).
- 4.2 The purpose of this memorandum is to facilitate the outcomes of the ISR Pilot by formalising a mutual commitment of each of the parties to the following sections:
- Section One – Relationship Principles
 - Section Two - Resourcing from each party
 - Section Three - Information Sharing, Disclosure and Privacy

5. Guiding Principles

- 5.1 The parties agree to be guided by the following principles of the ISR Pilot.
- 5.1.1 Putting families/whānau at the centre of the system.
- 5.1.2 Addressing the risk and full range of needs of a family through early identification and collective impact using evidence-based risk assessments to inform responses.
- 5.1.3 Changing the behaviours of those using violence is the most effective way to prevent family violence.
- 5.1.4 Timely and accurate information sharing that respects the privacy and dignity of family members.
- 5.1.5 Improving the collective understanding of family violence and having the right service at the right time.
- 5.1.6 Acknowledging and respecting the diverse cultures, communities and populations that are affected by family violence.

6. Problem Resolution/Dispute Resolution

- 6.1 All disputes and differences between the parties in relation to the interpretation or performance of this memorandum shall be settled in the first instance, at a local level by the Chair of the Christchurch Governance Group and in the second instance at the National Level by the ISR Sponsor⁵.
- 6.2 In doing so, the parties will follow the risk and issue escalation process outlined in clause 14.3.8.

⁵ Deputy Commissioner National Operations Mike Clement, New Zealand Police.

7. Financial Responsibilities

- 7.1 Each party will bear the costs it incurs in relation to fulfilling their obligations to this memorandum.

8. Variations

- 8.1 This memorandum is intended to be a dynamic document for the purposes of the ISR Pilot and may be modified by a written agreement duly signed by persons authorised on behalf of all the parties.

9. Memorandum not legally binding

- 9.1 This memorandum is not legally binding and shall not impede on any existing legal frameworks each party works within.
- 9.2 Nothing in this memorandum shall make either party liable for the actions of the other, constitute any legal relationships between the parties, or affect the independence of the parties.

10. Review

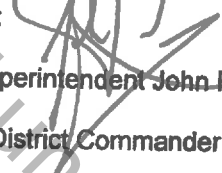
- 10.1 This memorandum shall be reviewed quarterly or at such other time as may be agreed by the parties.

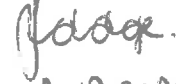
11. Term


- 11.1 This memorandum will commence on the effective date, as stated in clause 13.1 and remain in force for period of the ISR pilot, which commences on 1 July 2016 and finishes on 30 June 2017.
- 11.2 Any party may exit this memorandum. Three months written notice must be given of the party's intention to exit from this memorandum.
- 11.3 Exiting of a party shall not release that party from any obligations under this memorandum that have already accrued by the date of termination.


12. Agreement

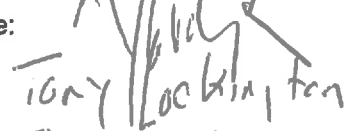
12.1 This agreement is signed by the following party representatives on behalf of their respective agencies. The party representatives are the owners of this memorandum.


Signature: 
Name: Superintendent John Price
Position: District Commander
Party: NZ Police
Date: 27.6.2016


Signature: 
Name: J. ALDRIDGE
Position: Regional Commissioner
Party: MSD
Date: 27.6.2016

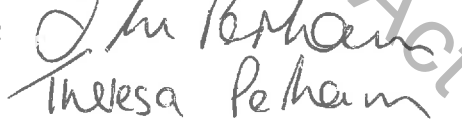
Signature: 
Name: ACC Emma Powell
Position: Head of Injury Prevention Partnerships & Delivery
Party: ACC
Date: 27/6/16

Signature: 
Name: Norm Pewes
Position: Chief Executive Te Runanga o Nga Matai Chair, Te Kaitiaki
Party: Te Waipounamu (Whenua Ora)
Date: 27.6.2016

Signature: 
Name: Tony Lockington
Position: Service Manager
Party: CDHB
Date: 27.6.2016

Signature: 
Name: Corinne Child
Position: Director of Education
Party: Ministry of Education
Date: 27.6.2016

Signature: 
Name: MIRA UNDERDAW
Position: RM CI MSD South
Party: MSD
Date: 27.6.2016

Signature: 
Name: Theresa Pelham
Position: RD CYF Te Waipounamu
Party: CYF
Date: 27/6/16

13. Effective Date

13.1 This agreement is effective from 01, 07, 2016.

Released under the Official Information Act 1982

s 9(2)(a) OIA

Signature:



Name:

Position: REGIONAL COMMISSIONER,

Party: CORRECTIONS SOUTHERN

Date: 30/6/16

Signature:

Name:

Position:

Party:

Date:

Signature:

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Position:

Search Delivery
Manager Canterbury

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Party: ministry of justice

Party:

Date: 1/7/19

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14. Section One - Relationship Principles

- 14.1 The parties share a common interest in effectively addressing and reducing family violence in the Christchurch region.
- 14.2 This section sets out a formal commitment to relationship principles that are necessary for the parties to work effectively together.
- 14.3 The parties agree to:
- 14.3.1 Work under the principles of the Treaty of Waitangi.
 - 14.3.2 Consult with each other early and often to enable appropriate and collective decisions to be made.
 - 14.3.3 Communicate regularly in an open, honest and timely way, including responding to requests by other parties.
 - 14.3.4 Inform each other about any relevant work programmes, operational developments or new initiatives that may impact the ISR Pilot.
 - 14.3.5 Respect, acknowledge and utilise the perspectives, roles, responsibilities, and expertise of the other parties.
 - 14.3.6 Act in accordance with the agreed cross-agency communication protocols⁶, whereby:
 - a. media queries regarding the Work Programme of the Ministerial Group are referred to Ministry of Social Development
 - b. media queries related to ISR Pilot will be answered by Police (as the lead agency) after consultation with the Ministry of Justice and Ministry of Social Development, as the leads of the wider Ministerial work programmes, acknowledged (refer to clause 2.1)
 - c. each party manages its own internal communications, based on agreed key messages
 - d. communication messages and tactics are shared among the agencies in the interests of openness and transparency.
 - 14.3.7 Refrain from using the media as the forum to address any disagreements between the parties.
 - 14.3.8 Adhere to the risk and issue escalation process as per the Terms of Reference for the Christchurch Governance Group⁷ whereby:
 - a. Any risks and issues⁸ identified by one of the parties are raised in a timely manner with the ISR Pilot Director.

⁶ As stated within the Integrated Safety Response for Family Violence PILOT(s) Communications Plan; 3 March 2016; Version 12

⁷ V 0.2; 16 April 2016; Paragraphs 19-22

⁸ Any matters identified in the course of the ISR Pilot that compromise the safety of victims, the operating model, or the outcomes sought.

- b. The ISR Pilot Director will respond in a timely manner, with the overriding priority being victim safety.
- c. The ISR Pilot Director will seek appropriate support, guidance and direction from the parties, as they are represented in the Christchurch Governance Group.
- d. Where the intervention of the Christchurch Governance Group fails to resolve the issue or risk, the ISR Pilot Director and/or the Christchurch Governance Group will raise the issue or risk at the national level.
- e. If required, the ISR National Project Board (on behalf of the ISR Sponsor) will consider the circumstances of each issue or risk and provide advice and guidance for resolution.

Released under the Official Information Act 1982

15. Section Two - Resourcing from each party

15.2 Adequate resourcing from each party is essential to the success of the ISR Pilot. This section sets out the resourcing expectations each party will commit to at various levels.

15.3 In doing so, each party will:

15.3.1 Have capacity to consistently participate in the meetings, including providing alternative representatives when necessary.

15.3.2 Have the right level of staff seniority and experience involved in the ISR Pilot.

15.3.3 Enable appropriate staff to attend induction and ongoing ISR Pilot training.

15.3.4 Provide professional support to staff involved in the ISR Pilot.

15.3.5 Be aware and supportive of the role and contribution of their agency to the ISR Pilot, including at managerial level.

15.4 Christchurch Governance Group

15.4.1 The Christchurch Governance Group will meet bimonthly for the duration of the ISR Pilot, or as scheduled by the Chair of the Christchurch Governance Group.

15.4.2 The Christchurch Governance Group will adhere to their responsibilities as set out in the Terms of Reference for the Christchurch Governance Group⁹; this includes the establishment and resourcing of a local Operations Team.

15.4.3 The Operations Team will comprise practice managers and managers of the participants at the SAM table and will be responsible for identifying and responding to emergent operation matters of the ISR Pilot, including:

- a. Resource requirements
- b. Capability gaps
- c. Operational risks
- d. Predicted demand
- e. Overdue tasks
- f. Healthy and safety of staff involved.

15.5 Response Team

15.5.1 The Response Team will hold SAM at least five days a week, eventually including weekends, when resource demand has been analysed.

15.5.2 The Response Team members will include, but not be limited to, representatives from Police, Corrections, Child Youth and Family, Canterbury District Health Board, and an NGO Co-ordinator.

15.5.3 Each party¹⁰ will commit no less than 1.5 FTE¹¹ to the Response Team.

⁹ V 0.3 10 May 2016

- 15.5.4 For all police reports of family violence in the Canterbury Policing District, and specific cases of prisoners being released who are identified as at high risk of perpetrating family violence, the Response Team will be responsible for:
- Reviewing each case by scanning available information to analyse and assess risk Tier (refer to clause 3.2.2 c.), and respond accordingly, within an appropriate timeframe.
 - Developing a family safety plan (refer to clause 3.2.3 b.) for each family in the ISR. A Response Team member will be identified as a Lead for the implementation of each family safety plan.
 - Ensuring cases identified at high risk of serious harm or death from a family member are allocated an Independent Victim Specialist (refer to clause 3.2.1 g.)

- 15.5.5 At each SAM, Response Team members will:
- Provide relevant information from their home agency.
 - Use professional knowledge and a deep understanding of family violence dynamics to contribute to risk assessment.
 - Make decisions about actions for the safety of families and to prevent further violence.
 - Lead tasking within the family safety plans for designated families.

15.6 Intensive Case Management group

- 15.6.1 The Intensive Case Management (ICM) group (refer to clause 3.2.1 f.) will meet at least weekly.
- 15.6.2 The ICM group will comprise, but not be limited to, the members of the Response Team and representatives from the Ministry of Education and ACC.
- 15.6.3 The Independent Victim Specialist¹² (refer to clause 3.2.1 g.) will be responsible for:
- Making contact with new high risk victims referred from the SAM within one working day.
 - Explaining the ICM process to the victim and taking a history from the victim.
 - Developing strategies for safety with the victim, including tasks for team members that relate to all family members.
 - Providing planning and navigation support for high risk victims and their families (but not providing those services).
 - Inputting appropriate information in to the CMS (refer to clause 3.2.2 b.).
 - Providing updates on progress of tasks, plans and outcomes at weekly ICM meetings.
 - The ongoing effectiveness of safety measures for the family.
 - The ongoing assessment of risk of serious harm or death.
 - Making recommendations when cases can be transferred out of ICM process and what the next steps are for each family.

¹⁰ Police, Corrections, CYF, CDHB and NGO representative only.

¹¹ This resourcing requirement appreciates the commitment over the weekend and the need for back up provisions from each party to enable consistent representative at the SAM.

¹² A newly appointed role, representative of the Canterbury Family Violence non-government organisations

16. Section Three - Information Sharing, Disclosure and Privacy

- 16.1 Robust and purposeful information sharing between agencies is essential to the success of the ISR Pilot. This section sets out agency commitments and agreed processes to support appropriate and effective information sharing and management. It also serves to protect against the unnecessary or illegitimate sharing of personal information.
- 16.2 The purpose of this section is to.
- 16.2.1 Ensure all personal information is disclosed, stored, and used in accordance with the Privacy Act 1993.
 - 16.2.2 Provide clarity about what information can be shared by the parties and what information can be recorded in the CMS (refer to clause 3.2.2 b.).
 - 16.2.3 Stipulate who can access information recorded in the CMS.
 - 16.2.4 Remove any perceived barriers to sharing information in for the legitimate purposes of the ISR Pilot as outlined under clause 16.3.
 - 16.2.5 Protect against the needless or illegitimate sharing of people's personal information.
 - 16.2.6 Establish good practice expectations in storing and handling of people's personal information.
- 16.3 Information is disclosed and recorded under this memorandum for the purposes of:
- 16.3.1 Keeping people safe and reducing the harm cause by family violence.
 - 16.3.2 Helping victims of family violence, including children, access and engage in therapeutic and support services that meet their needs.
 - 16.3.3 Helping perpetrators of family violence engage in therapeutic and other services that assist them understand, reduce and stop violent behaviours.
 - 16.3.4 Enabling parties to exercise their functions.
 - 16.3.5 Improving the parties' understanding of the family violence related services available in the community, and their capacity to meet the needs of families and communities impacted by family violence.
- 16.4 **Legislative framework for information disclosure**
- All disclosure of information that occurs under this memorandum must adhere to the provisions of the Privacy Act 1993, The Child, Young Persons and their Families Act 1989, The Health Act 1956, The Health Information Privacy Code 1994, and the Domestic Violence Act 1995. This includes, but is not limited to, disclosure under any of the following provisions:

- 16.4.1 Personal information can be disclosed if an agency believes on reasonable grounds that doing so is necessary to prevent a serious threat to public health or public safety, or the life or health of an individual
- 16.4.2 Personal information can be disclosed if an agency believes on reasonable grounds that disclosure is for one of the purposes in connection with which the information was obtained or is directly related to the purposes in connection with which the information was obtained.
- 16.4.3 Personal information can be disclosed if an agency believes on reasonable grounds that it is necessary for any of the following purposes:
- avoidance of prejudice to the maintenance of the law by any public sector agency
 - enforcement of a law imposing a pecuniary penalty
 - protection of public revenue
 - conduct of proceeding before any court or tribunal.
- 16.4.4 Personal information can be disclosed if the disclosure is authorised by the individual concerned, or in the cases of children, with the consent of parents or guardians.
- 16.4.5 The Child, Young Persons and their Families Act 1989 enables anyone to share information with a police officer or Child, Youth and Family social worker if it is shared because they are worried about the safety or wellbeing of children or young people.
- 16.4.6 The Health Act 1956 enables people's health information to be shared with Child, Youth and Family social workers, Police Officers or Probation Officers (but not with NGO's) if it is shared in order to enable these roles to undertake specific statutory duties.
- 16.4.7 No information will be shared under this memorandum if doing so would breach the Domestic Violence Act 1995, under which domestic violence service providers cannot share information about any statements or admissions made by service users unless doing so is permitted under certain exceptions, including but not limited to sharing in order to prevent a serious threat to public safety or to the safety of any person.

16.5 Training and professional development

The parties will make sure that staff with access to personal information under this memorandum receive appropriate training and guidelines for their compliance with this section.

16.6 Access to the CMS

- 16.6.1 Response Team and ICM group members will require an account in order to be able to access to the CMS.

16.6.2 Accounts will only be created with the approval of the ISR Pilot Director, or delegate.

16.6.3 Access to the CMS will only be granted to those who have a legitimate need to use the system in line with the purpose of the ISR Pilot, as determined by each party signatory or delegate.

16.6.4 The ISR Pilot Director will establish an appropriate process with each party signatory so that access to the system is discontinued for people who no longer have a legitimate need to access the system, such as when people change roles or resign from positions participating in the ISR Pilot.

16.7 Use of the CMS

Staff with access to the CMS will only use it to support the legitimate intent of the ISR Pilot as outlined in clause 3.1 of this memorandum, or for any other purpose under clause 16.3 of this section, and in accordance with clause 16.4 of this section.

16.8 Personal information that may be recorded in the CMS

16.8.1 The following identifying details and demographic information for people involved in episodes of family violence, or for anyone who has a role in a family safety plan developed through the ISR process:

- a. Police PRN
- b. Police NIA ID
- c. CYRAS ID
- d. First Name
- e. Middle Name
- f. Last Name
- g. Phone 1
- h. Phone 2
- i. Physical Address
- j. Postal address
- k. Gender
- l. Date of Birth
- m. Date of Birth Estimated
- n. Alternative Contact 1
- o. Alternative Contact 2
- p. Notes
- q. Ethnicity
- r. Gang Affiliations
- s. Gang
- t. Diagnosed Mental Health Condition
- u. Confirmed Substance Misuse Issue
- v. Confirmed Disability
- w. Protection Order in Place
- x. NHI number

- 16.8.2 Known addresses and contact details for people involved in episodes of family violence, or for anyone who has a role in a family safety plan developed through the ISR process.
- 16.8.3 The names, contact details, identifying details and demographic information of any people, subject to release from prison who have been referred to the ISR process by Corrections, or for anyone who has a role in a family safety plan developed as a consequence of this referral.
- 16.8.4 The names, contact details, identifying details and demographic information of any children of, or children in the care of
- a. people involved in incidents of family violence which have been referred to the ISR process
 - b. people subject to release from prison and who have been referred to the ISR process by Corrections.
- 16.8.5 Names, roles and contact details of professionals involved in a family safety plan developed through an ISR, an intervention recorded against an ISR plan, or who may be directly involved in the ISR process.
- 16.8.6 Information about a person that is, on reasonable grounds, believed necessary to record in order to achieve the purposes outlined under clause 16.3 of this section. This could include, but is not limited to,
- a. the conditions of people's bail, probation conditions or the conditions of protection orders
 - b. information pertaining to known family violence risk factors
 - c. information about a person of relevance to assessing their vulnerability or resilience to family violence
 - d. the outcomes other relevant assessments.
- 16.9 Other information that may be recorded in the CMS**
- 16.9.1 The details of family violence episodes as recorded by Police during the timeframe of the ISR Pilot, including:
- a. the details of who was involved at an episode
 - b. what happened
 - c. any action taken by police or others as a consequence of the episode.
- 16.9.2 Family safety plans developed through the CMS process, including:
- a. a description of the plan
 - b. the names or those associated with the plan
 - c. tasks
 - d. who is responsible for tasks
 - e. the dates tasks are to be completed
 - f. the status of tasks and information about the progress or otherwise of tasks.
- 16.9.3 Information explaining how any documents of relevance to the plan can be obtained (copies of documents themselves will not be recorded in the CMS).
- 16.9.4 Risk assessment tiers, and a rationale for applying a risk assessment tier.

16.9.5 Decisions about response pathways.

16.9.6 The names, timeframes and outcomes of any interventions people are referred to under a Family Safety Plan.

16.9.7 Information that is recorded to keep professionals and others working in ISR safe. This will include, but is not limited to:

- a. possession of firearms
- b. whether individuals are known to be violent or aggressive
- c. whether individuals have made threats to kill or to harm.

16.10 The integrity of information recorded in the CMS

16.10.1 Information will only be recorded in the CMS if it is in accordance with one or more of the purposes outlined under clause 16.3 of this section.

16.10.2 If personal information held in the CMS is determined to be incorrect, it will be corrected either directly or with the addition of explanatory information.

16.10.3 Mental health flags will only be activated against a person if any of the following provisions are met:

- a. a mental health condition is confirmed by a medical professional
- b. the person concerned self-identifies that they have a mental health condition
- c. information already held by the parties satisfies either of the above conditions.

16.10.4 Disability flags will only be activated against a person if any of the following provisions are met:

- a. a disability is confirmed by a medical professional
- b. the person concerned self-identifies that they have a disability
- c. information already held by the parties satisfies either of the above conditions.

16.10.5 The CMS will automatically keep a record of any changes, additions or deletions of information held in the CMS throughout the duration of the ISR Pilot.

16.11 Disclosure of and requests for information held in the CMS

16.11.1 No party will disclose personal information obtained under this memorandum, or recorded in the CMS, to any agency or individual that is not a party to ISR unless it is for the legitimate intent of the ISR Pilot as outlined in clause 3.1 of this memorandum or where the disclosure is otherwise authorised by law, or required by a Court.

16.11.2 Any requests for the disclosure of information held in the CMS will be provided to the ISR Pilot Director, or delegate.

16.11.3 The ISR Pilot Director will keep a record of all official requests for information held in the CMS. This will include:
a. who made the request

- b. when the request was made
- c. what information was requested
- d. under what grounds the request was made
- e. whether or not the request was granted, or if applicable, which parts of the requests were granted.

16.12 Secure sharing and storage of information in the CMS

- 16.12.1 The information recorded in the CMS has been classified as 'Sensitive'¹³ by all parties.
- 16.12.2 The Ministry of Social Development (incorporating Child, Youth and Family), Corrections, Police and the Canterbury District Health Board have performed their own accreditation, certification or internal security assessments in accordance with each agencies internal policies.
- 16.12.3 Any information that is shared with other parties will be shared only using secure information technology systems that are compliant with applicable security protocols.
- 16.12.4 Information sharing will occur under secure and acceptable methods, including, but not limited to:
 - a. using the CMS directly
 - b. encryption, including using a file transfer protocol
 - c. using an internal email system when the recipient is also using that internal email system.
- 16.12.5 Any party receiving personal information under this memorandum will store the personal information, as required by the Privacy Act 1993, in a secure system that protects the information against unauthorised use, or illegitimate modification, access or disclosure.

16.13 Information to be used for research, evaluation and policy development

- 16.13.1 The information recorded in the CMS may be used by the parties for evaluation, research and policy development purposes provided that the objectives of that research, evaluation or policy development align to the purposes under clause 16.3 of this section.
- 16.13.2 Any research or evaluation undertaken with data recorded in the CMS will adhere to the research ethics defined by an appropriate research professional body such as the New Zealand Association of Social Science Research.
- 16.13.3 Any research, evaluation or policy development using data recorded in the CMS will comply with the requirements of the Privacy Act 1993.

¹³ Used when the compromise of information would be likely to damage the interest of New Zealand or endanger the safety of its citizens. As defined by the New Zealand Government Security Classification System. Available from: <https://protectivesecurity.govt.nz/home/information-security-management-protocol/new-zealand-government-security-classification-system/>

16.13.4 Any relevant organisation or research team that is provided with CMS data will have the necessary research experience, knowledge, and skills to access and use the information; and the security of the information will not be impaired.

16.14 Retention of information

The information stored in the CMS will be retained for as long as is required for the purposes set out under clause 16.3 of this section and as long as may be required by the Public Records Act 2005.

16.15 Security breaches

16.15.1 If a party has reasonable cause to believe that any breach of this section has occurred, or if they believe any breach of privacy has occurred, they will comply with the Office of the Privacy Commissioner's Privacy Breach Guidelines¹⁴ and parties' internal breach management policies.

16.15.2 All parties will provide reasonable assistance to the investigating party in connection with all inspections and investigations. The investigating party will keep all other relevant parties informed of any developments.

¹⁴ Available at: <https://www.privacy.org.nz/news-and-publications/guidance-resources/privacy-breach-guidelines-2/>

Released under the Official Information Act 1982

Appendix 1: ISR Pilot Project Organisation – Working Document

The Structure for the ISR Pilot is:

