

Information SHARING

Determining the Best Interest of the Child Under the Children First Act

The *Children First Act* (CFA) guides and supports the right kind of information sharing between individuals and organizations that plan or provide programs and services for children younger than 18. It requires that health and other service providers* determine whether sharing a child’s personal or health information is in the best interest of the child:

1. Assess the situation and consider whether sharing information about a child, or their parent or guardian, will:
 - encourage and improve collaboration among multiple service providers so they can effectively plan and deliver services for the child
 - facilitate risk assessment to avert or minimize the risk of harm and ensure the child’s safety needs are met
 - allow for ongoing treatments and services, or expedite new benefits and services that will support the child’s health, mental, emotional and physical well-being
 - enhance stability and ensure safety needs are met

2. Weigh the right to privacy and confidentiality with the need-to-know and the need for a child’s safety, security and well-being by considering whether:
 - the benefits of sharing information outweigh the potential risks of not sharing information
 - the child is capable of forming an opinion and the child’s opinion has been considered
 - if the child has made an express request that their information not be disclosed to their parent or guardian, under the CFA it may not be shared; however,
 - the need to ensure a child’s health and safety and minimize risk of harm will override the child’s express request not to disclose personal information to their parent or guardian when operating under legislation such as the *Health Information Act*, the *Child, Youth and Family Enhancement Act*, the *Freedom of Information* and the *Protection of Privacy Act*

3. Form an opinion that sharing information is either in the best interest of the child or not in the best interest of the child by:
 - using professional judgment and expertise
 - understanding that consensus is not required among all health care and service providers
 - consulting with a supervisor or manager if needed

Information Sharing Strategy Office

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 hs.infosharing@gov.ab.ca
 infosharing.alberta.ca

Health Information Act (HIA) Help Desk

780-427-8089
 Toll free in Alberta 310-0000
 hiahelpdesk@gov.ab.ca
 health.alberta.ca/about/health-legislation.html#HIA

Freedom of Information and Protection of Privacy Act (FOIP) Help Desk

780-427-5848
 Toll free in Alberta 310-0000
 foiphelpdesk@gov.ab.ca
 servicealberta.gov.ab.ca/foip

*Health service providers include custodians and affiliates. A custodian is an organization or a regulated health professional, as defined by the Health Information Act (HIA) or designated in the Health Information Regulation, which provides a health service. Examples include: Alberta Health, Alberta Health Services, nursing homes, pharmacists, nurses and physicians in their own private office/clinic. An affiliate is an individual or organization that is employed by or performs a service for a custodian. This includes contractors, volunteers, students, appointees of the custodian and information managers. Refer to the HIA for complete definitions. Service providers are government departments and their contracted agencies, educational bodies and police services.