

The Protecting and Supporting Children (Information Sharing) Act

About the Legislation

*** Please refer to page two for a list of important legal definitions***

What does the act (law) do?

It allows service providers in Manitoba to collect, use and share personal information with other service providers about *supported children*, their parents and legal guardians. The advantages are:

- improved services and outcomes for *supported children*
- timely sharing of information
- informed decision making

Limits on Information Sharing

Service providers **must** ensure that the sharing of personal information is:

- in the child's best interests
- necessary to plan or provide services or benefits to a supported child
- limited to the minimum (least) amount of information
- not prohibited by another act (law), such as The Child and Family Services Act and The Youth Criminal Justice Act.

When sharing personal information under the act, service providers and trustees **must**:

- include relevant information about the strengths of the supported child and his or her parents or guardians, where available
- take reasonable steps to ensure that the information is accurate, relevant, up-to-date and not misleading

Note

- The ability to share personal information is in addition to The Freedom of Information and Protection of Privacy Act (FIPPA) and The Personal Health Information Act (PHIA)
- Personal information includes personal health information.
- The act does not override (make ineffective) other legislation. Service providers should review relevant acts, and determine which ones apply and take precedence.
- It is best practice for service providers to notify parents, legal guardians and supported children of their legal authority to share information under this act.
- For more information, visit manitoba.ca/informationsharingact

Definitions

Service Providers

A “service provider” is any person, organization or agency that receives funding from the provincial government or a government agency, to provide services or benefits for supported children. The definition also includes provincial government departments. Examples of service providers are:

- Child and Family Services (CFS) agencies and authorities
- foster parents
- schools
- police services
- regional health authorities
- youth criminal justice officers
- community-based agencies
- non-profit organizations

Supported Children

Supported children are children under the age of 18 in Manitoba who:

- are in the care of a Child and Family Services (CFS) agency
- are receiving or whose family is receiving services from a CFS agency
- are receiving or are entitled to receive mental health services or addiction services provided by or on behalf of a public body as defined in The Freedom of Information and Protection of Privacy Act (FIPPA) or a health care facility as defined in The Personal Health Information Act (PHIA).
- are receiving or are entitled to receive disability services provided by or on behalf of government
- are in custody or under supervision with the youth criminal justice system
- have or are eligible to have an [individual education plan](#) (IEP)
- are receiving or whose family is receiving family conciliation services provided by or on behalf of government
- are receiving or whose family is receiving victim support services; this includes services provided for children or their families by or on behalf of government for:
 - victims of crime
 - witnesses involved in criminal prosecutions
 - individuals and families who are affected by domestic violence, as that term is used in The Domestic Violence and Stalking Act
 - children who are sexually exploited or are at risk of sexual exploitation

*** This document is not intended to provide legal advice and is not to be used as a substitute for legal advice. If there are any differences between this document and the act, the act will be taken as correct.