

LEGISLATION GOVERNING INFORMATION SHARING WITHOUT CONSENT

The following table provides a summary of the legislation governing information sharing without consent in various circumstances

CIRCUMSTANCE	INFORMATION SHARED WITH	UNDER WHICH FRAMEWORK
High imminent risk of violence to self or others	Police, other service provider or potential victim (as decided by the treating team in consultation with the clinical director)	Information Privacy Act (2009), Schedule 3 S11. Memorandum of Understanding between Queensland Health and the Queensland Police Service, Mental Health Collaboration (2016).
Serious risk to life, health, or safety	Any relevant party	Hospital and Health Boards Act 2011, Section 147
Information about service provision or to aid service provision	Other professional services who are directly involved in the consumer's care	Hospital Health Boards Act, 2011, Subdivision 2.
Information about mental health status	Queensland Police Service	"Mental Health Incident" under the MOU between Queensland Health and the Queensland Police, Mental Health Collaboration (2016).
Disclosure for legal or safety reasons or disclosure to family / support persons	Various parties as outlined in the Mental Health Act (2016), Chapter 17	Mental Health Act (2016), Chapter 17.
Child safety related information	Child Safety Officer or other representative from the Department of Child Safety, Youth and Women	Child Protection Act (1999).
Any information relevant to a guardianship order	Public Guardian	Guardianship and Administration Act (2000)
Concern about weapons, trying to obtain a firearm	Weapons Licensing Bureau of the Queensland Police Service	Weapons Act 1990
Subpoena or other legal document requests for legal proceedings	Information of this nature is likely to be required in situations which are non-imminent and non-urgent. In this circumstance, discuss with the legal department of your HHS	Information Privacy Act (2009), Schedule 3 S11.

Note: When the consumer has a guardian (e.g., consumers under 18, or adults for whom another person holds enduring power of attorney), it is important to attempt to advise this guardian prior to sharing information, when it is safe to do so.