

## Annex D

*Please note: These meeting notes are in a draft summary format.*

Scottish Government Meeting Note.  
Information Sharing Stakeholder Reference Group  
21 April 2017

Attendees:

[Redacted text]– NHS Borders

[Redacted text]– SCIS

[Redacted text]– AAPCT

[Redacted text]– NHS - Lanarkshire

[Redacted text]– Police Scotland

[Redacted text]– Children’s Hearings

[Redacted text]- ICO

[Redacted text]– Edinburgh Council

[Redacted text]- Barnardos

[Redacted text]– NHS GGC

[Redacted text]– COSLA

[Redacted text]– GIRFEC Health Adviser

[Redacted text]– GIRFEC Team Leader

[Redacted text]– GIRFEC Policy Officer

Part 4: Provision of Named Persons – Information sharing with and by Named Person service providers

- Colleagues welcomed the use of word “could”. This ensures unnecessary information sharing will not take place and there will be room for professional judgement.
- It was also discussed that word “could” is suitable when training staff.
- The language “must adhere to ” addresses the Supreme Court Judgement concerns more suitably.
- Use of “adhere to” may mean too much responsibility for practitioners, although it was discussed that with appropriate training and support, we could protect practitioners.
- The legalities should not have impact on a practitioner level, the data controllers of the service providers/ authorities must have responsibility and simplify the legal information for the practitioners. Practitioners need simple systems to work with, ei flowcharts.
- Colleagues agreed the guidelines must be accessible for everyone.
- It is required that there is consistency between all partners working together.
- The new provisions must be written in a way that will be consistent / future proofed with the changes being made by the GDPR.
- Duty of confidence should be achieved by communication with families. Flowcharts can be used to assist practitioners where there is no consent, how/when practitioners can revisit to have the conversation with families and what are the next steps in regards to duty of confidence.

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- Police Scotland raised the issue that in many occasions the officer who is on the ground and the officer who process the information are not the same people. This must be given a consideration when writing new guidelines.

#### Part 5: Child's Plan - Information sharing and ECHR in relation to Child's Plan

- It was discussed that the requirement and preparation of the Child's Plan would need to be agreed with families.
- Importance of the language was discussed. The way we present the Child's Plan should be clear to parents, that it is to support the wellbeing of the child.
- The guidelines must explain clearly when compulsion can be applied. Compulsion is on the individual authorities and not on families.
- In order not to avoid families feeling they are forced , service providers "must offer a Child's Plan" but not "must provide a Child's Plan." There was discussion whether a Child's Plan should be made available if there is a request from a family. The guidelines must have a trigger when a Child's Plan must be offered to a family.

#### Other topics discussed:

- It was discussed in detail that the area of "neglect" must be covered under Child Protection or/and Children and Young People (Scotland) 2014 Act.
- The question was asked if Wellbeing, Neglect and Child Protection can be tied together in the documentation.

Date for next meetings – Friday 5 May 2017  
Friday 9 June 2017