

## Annex A

Education and Skills Oral Evidence	Contacted	Type of Contact	Meeting	Date of communication
NHS Education for Scotland	Yes	Phone Call / Meeting / Email	CEL 29	23/08/2017
Royal College of Nursing Scotland	Yes	Meeting / Email	Joint Nursing and Midwifery Meetings, DFM meeting with RCN	31/8/17, 23/11/17 & 11/10/17
Unite	Yes	Meeting / Email	Joint Nursing and Midwifery Meetings	31/8/17, 23/11/17
NHS Lothian	Yes	Meeting / Email	CEL 29, Statutory Guidance Meeting, Named Person Service Providers	23/8/17, 25/10/17, 21/06/2017, 14/11/17
Law Society of Scotland	No			
Faculty of Advocates	No			
Consultant Dental Health - Dumfries and Galloway	Yes	Meeting / Email	Dental Meeting	05/09/2017
Director of Public Health & Health Policy – NHS Highland	Yes	Meeting / Email / Phone Call	Medical Meetings	29/8/17, 14/11/17
Dumfries and Galloway Council	Yes	Meeting	GLO	04/09/2017
University of Edinburgh	No			
North Ayrshire Health and Social Care Partnership	Yes	Email		
Glasgow City Health and Social Care Partnership	No			
National Day Nurseries Association	Yes	Meeting	Third Sector	10/08/2017
Scottish Council of Independent Schools	Yes	Meeting	Named Person Service Providers	21/06/2017, 14/11/2017
Scottish Guidance Association	Yes	Phone Call and Meeting	Individual / Third Sector / Statutory Guidance Meeting	2/10/17, 10/8/17, 25/10/17
Information Commissioner's Office	Yes	Meeting	ICO Meeting	16/08/2017
EIS	Yes	Meeting	Education Union and Membership Organisations / Individual	24/08/2017, 7/11/2017
Unison	Yes	Meeting	Joint Nursing and Midwifery Meetings	31/8/17, 23/11/17
Police Scotland	Yes	Meeting / Email	Individual / CEL29 / GLO	17/10/17, 23/8/17, 4/9/17,
Children and Young People's Commissioner Scotland	Yes	Meeting / Email	Individual / Third Sector	19/10/2017, 10/8/17
Centre for Excellence for Looked After Children in Scotland	Yes	Meeting	Individual / Third Sector	19/10/2017, 10/8/17
Centre for Youth and Criminal Justice	Yes	Meeting / Email	Individual	19/10/2017
Scottish Prison Service	Yes	Phone Call	Individual / Named Person Service Providers Meeting	03/10/2017, 21/06/2017, 14/11/17
Colleges Scotland	Yes	Meeting / Email	Individual	23/10/2017
Care Inspectorate	Yes	Meeting	Individual, NISG Meetings	18/10/17, 26/06/2017, 18/08/2017, 11/10/17, 8/12/17
Crossreach	No		Statutory Guidance Meeting	25/10/17, 10/8/17
Bamardo's Scotland	Yes	Meeting / Email	Joint Meeting with Aberlour, Third Sector	26/10/2017, 10/8/17
Aberlour Child Care Trust	Yes	Meeting / Email	Joint Meeting with Bamardo's, Third Sector	26/10/2017, 10/8/17
Families Outside	Yes	Phone call	Individual / Third Sector	30/10/2017, 10/8/17
No to Named Persons Campaign	No			
Scottish Parent Teacher Council	Yes	Meeting	Individual	16/09/2017
Clan Childlaw	No			

Victoria Quay, Edinburgh EH6 6QQ  
www.gov.scot



## **Annex B**

Please find below copies of relevant documentation for the meetings that took place between the 1<sup>st</sup> June 2017 and the 5<sup>th</sup> December relating to the Children and Young People (Information Sharing) (Scotland) Bill. Below is a table showing the meeting notes that are attached below.

<b>Meeting</b>	<b>Date</b>	<b>Meeting Notes</b>
NISG	26/06/2017	Yes
CEL 29	23/08/2017	Yes
Third Sector	10/08/2017	No
ICO Meeting	16/08/2017	Yes
NISG	18/08/2017	Yes
Education Union and Membership Organisations	24/08/2017	No
Medical	29/08/2017	Yes
Joint Nursing & Midwifery	31/08/2017	Yes
GIRFEC Lead Officer	04/09/2017	Yes
Dental	05/09/2017	Yes
Scottish Parent Teacher Council	16/09/2017	No
Scottish Guidance Association (Phone Call)	02/10/2017	No
Scottish Prison Service (Phone Call)	03/10/2017	No
Deputy First Minister & RCN	11/10/2017	No
NISG	11/10/2017	Previously published
Police Scotland	17/10/2017	Previously published
Care Inspectorate	18/10/2017	Previously published
Children and Young People Commissioner Scotland	19/10/2017	Previously published
CELCIS	19/10/2017	Previously published
Centre for Youth and Criminal Justice	19/10/2017	Previously published
Colleges Scotland	23/10/2017	Previously published
Draft Statutory Guidance Meeting	25/10/2017	Previously published
Joint meeting with Aberlour and Barnardo's	26/10/2017	Previously published
Families Outside (Phone Call)	30/10/2017	No
EIS	7/11/2017	No
Named Person Service Providers	14/11/2017	Yes
Medical	14/11/2017	No
Joint Nursing & Midwifery	23/11/2017	No

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



Please note: These meeting notes are Scottish Government summaries of the discussions Scottish Government officials heard at these meetings, not formal minutes agreed by those attending.

## National Implementation Support Group - Meeting Notes

26/06/17

SG Officials: [Redacted Text]

This meeting included an overview of the Information Sharing Bill and questions from the NISG members.

- Explained the core change that the Bill proposed being “duty to share information” to “duty to consider sharing information”.
- New legislation will seek the responsibility of service providers to comply with.
- A clear message that the Named Person service is NOT a service which children, young people or parents are compelled to use. The service is purely to benefit those who wish to use it and every child and young person has that right.
- The members agreed that statutory guidance should sit alongside the Code of Practice.
- Recording of information is made explicit but if information is at this point not being recorded to a high standard then the duty to consider sharing may not result in effective or reliable information being shared.
- The members emphasised that guidance needs to be consistent and the Code needs to be definitive for professionals and front line staff.
- Legal gateways need to be identified and included into the Code to guide staff in certain situations.
- Police Scotland made a point that police on the front line will not be able to determine what comes next in terms of chasing explicit consent. The legal gateways could prevent Police Scotland getting it right for every child as getting the right information to the right people immediately could be obstructed due to restrictions on consent.
- Members agreed that the Code needs to be a document which all agencies can use. Police Scotland cannot use the same Code as social workers etc.
- SG officials informed members that new GDPR will inevitably influence the Code hence why it is only an illustrative draft at present.

The members were asked to provide suggestions on what they would find useful.

- Young carers statements – opportunity to link plans together for example the Child’s Plan and the proposed Code of Practice talking to each other.
- Aims for each plan needs to be fulfilled.
- Messaging needs to be consistent from SG and COSLA.

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



- Opening statement of the meeting (overview of the bill) is a very clear description and in fact resolved some queries members had.
- Re-invigoration of getting it right for every child is a must and emphasise it's a national priority.
- Members expressed their views on the groups role in that it encouraged strategic implementation, leadership. The group suggested future meetings for further discussion on future stages of the bill, achievements and ambitions.

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



Please note: These meeting notes are Scottish Government summaries of the discussions Scottish Government officials heard at these meetings, not formal minutes agreed by those attending.

## **Getting It Right For Every Child Health Board Implementation Managers – Notes – 23<sup>rd</sup> August 2017**

### **Present at meeting:**

NHS Ayrshire and Arran  
NHS Borders  
NHS Dumfries and Galloway  
NHS Fife  
NHS Forth Valley  
NHS Grampian  
NHS Greater Glasgow and Clyde  
NHS Highland  
NHS Lanarkshire  
NHS Lothian  
NHS Tayside  
Healthcare Improvement Scotland  
NHS Education for Scotland  
NHS24  
Police Scotland  
NHS National Services Scotland  
Scottish Government

SG Officials gave a brief summary of the Children and Young People (Information Sharing) (Scotland) Bill and also the Illustrative Draft Code of Practice - : first half of the Illustrative Draft Code sets out the safeguards; second half the applicable law. The Illustrative Code was provided to help assist understanding of what a Code of Practice may look like and how it would differ in specific content, style and structure from the Primary Legislation and Statutory Guidance and Practice Guidance.

The EU General Data Protection Regulation (GDPR) will be enforced in the UK from 25 May 2018. The law in relation to data processing will change, this likely to have some impact on some current practice. How and when consent should be sought and when consent can be relied on as a condition for processing data is forms part of the articles and recitals. The intent of the UK Government is include the requirements of GDPR in new UK data protection law currently being considered as part of the Data Protection Bill. The Illustrative Code of Practice is based on current EU and UK data protection law amongst other law and guidance, the draft Code consulted on once UK law is clear will require yet to be defined changes to the Illustrative Draft's content in relation to data protection. The Draft that will be consulted may well differ significantly from the Illustrative Draft as SG is aware of significant comment on this Illustrative Draft Code.

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



The Group asked when would the Draft Code be developed and then subsequently Consulted on. SG Officials replied that the Draft Code could only really be developed once the Information Sharing Bill had been passed by Parliament, possibly late Winter/ early Spring next year as the potential for amendments to the Information Sharing Bill mean that the legislative required content of the Code and how the Code is handled may change from that anticipated, in fact amendments to the Bill could mean that the requirement for a Code of Practice is removed. It is sensible that any draft Code produced and consulted on should reflect GDPR and also any new UK law on data protection, hence it may be that finalisation of the draft Code to be consulted on may be after the UK Data Protection Bill is passed by the UK Government.

Can organisations continue to provide a Named Person?

The provision of a Named Person is current Scottish Government policy and has been for a number of years. Part 4 of the 2014 Act purposed to move this from policy to a statutory entitlement for children and families clarifying what those entitlements are and the requirements on organisations in providing and supporting a Named Person Service. Part 4 of the Act has not been commenced so there are no statutory entitlements or duties in relation to the provision of Named Person however the provision remains Scottish Government policy. The Information Sharing Bill once passed and commenced will change the 2014 Act to ensure that when Part 4 of that Act is commenced, at some later date once the Code and Guidance have been agreed, that Part of the Act will be fully in accordance with law.

Statutory guidance? Where does it fit?

The Code of Practice on information sharing will be focused on information sharing so no matter how this is expanded in terms of detail it is not the intention that this Code will provide the Guidance on the wider provision and operation of a Named Person service beyond information sharing. So there will still be a necessity for Statutory Guidance on other provisions in relation to the provision and operation of a Named Person Service and this Statutory Guidance will then explain how the content of the Code of Practice will be applied in and work alongside these other provisions.

The Group discussed the opportunity this delay in commencement provided to improve materials to support practitioners and the public. There was much discussion on what detail should be included in the Code, Statutory Guidance wider practice guidance materials and materials directed towards children, young people and parents. The discussion explored other legislation, codes of practice, guidance, organisational structures and geographical differences as well as specific situations, ages and stages, conditions and circumstances. No agreement was reached as the discussion became more complex and detailed. The conclusion was that this required further detailed discussion by a wider interagency group. The Group did agree that materials could perhaps be enhanced through:

Decision making tools – flowcharts

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



Scenarios/ Case Studies

Easy read guides

More accessible and consistency of language across documents

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



**Information Commissioner's Office – Meeting with additional phone call follow up**  
**16<sup>th</sup> August 2017**

The following is a brief note on our discussion and a follow-up phone call.

Ken Macdonald, Head of Information Commissioner's Office - Regions  
Maureen Falconer, Regional Manager - Scotland, Information Commissioner's Office  
[Redacted Text], Scottish Government  
[Redacted Text], Scottish Government

The meeting and comments captured the ICO initial comments on Children and Young People (information Sharing) (Scotland) Bill and associated illustrative draft code of practice.

Comments on the preparation for General Data Protection Regulation (GDPR) coming into force on 25 May 2018.

**Initial comments on Children and Young People (Information Sharing) (Scotland) Bill and associated illustrative draft code of practice.**

ICO officials provided some initial comments on the illustrative draft code of practice and informed us that they would be submitting a response as part of the Education and Skills Committee call for evidence.

**General Data Protection Regulation (GDPR)**

The GDPR will apply in the UK from 25 May 2018. The government has confirmed that the UK's decision to leave the EU will not affect the commencement of the GDPR.

The UK Government intend to introduce to Parliament a Data Protection Bill, it is anticipated that the Bill will be introduced to Parliament at some point in September 2017.

Amongst other things, the Bill will transfer the European Union's General Data Protection Regulation (GDPR) into UK law including in relation to:

- When consent can be relied on as a condition for fair processing of data - in particular Rectal 43 of the GDPR says "*consent should not provide a valid legal ground for the processing of personal data in a specific case where there is a clear imbalance between the data subject and the controller in particular where the controller is a public authority (and) it is therefore unlikely that consent was freely given in all the circumstances of that specific situation.*"

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)





- When consent should be sought from children or sought from those with parental responsibility in some specific circumstances.
- Limitations on when data can be utilised for 'profiling'.
- Specific requirements and restrictions in relation to children's data - GDPR refers to child/ children in 6 of its articles but does not define an upper age for a child. The 1995 EU Data Protection Directive did not mention child/ children or specific ages.

To ensure that UK law is in line with GDPR the new Data Protection Act will need to be commenced before May 2018.

The above are likely to influence the Code of Practice and Statutory Guidance on Parts 4 and 5.

If consideration results in putting duties in relation to when, how or from whom consent is to be sought into the Bill then this would need to take into consideration the requirements of GDPR and subsequently the new Data Protection Act.

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



Please note: These meeting notes are Scottish Government summaries of the discussions Scottish Government officials heard at these meetings, not formal minutes agreed by those attending.

**National Implementation Support Group**  
**NISG Meeting – 18 August 2017**  
**Action Points**

**New Actions**

ID	Action Point	Discussion/Decision	Due	Lead	Status
<b>Matters arising</b>					
1	NISG members to provide sector updates at each meeting.	<p>Agreement that the membership was broadly right however NISG should take some time to reflect on this and come back with any further thoughts/suggestions.</p> <p>Agreement about level of commitment required and that future meetings should as far as possible be themed around the current landscape, with scope to invite others to update the group when appropriate. Need to set timescales for life of NISG (12-18 months).</p> <p>Agreed meetings would be every 2 months.</p>	Every Meeting	NISG group all members	

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



ID	Action Point	Discussion/Decision	Due	Lead	Status
2	Draft risk register.	Members agreed to reintroduce a risk register which will inform work for CEL29 and Lead Officers Group.	11 Oct 2017	[Redacted Text]	
3	Revise what does success look like document to reflect discussion and recirculate for comment.	NISG Discussed the what does success look like document, feedback is recorded below;	asap	[Redacted Text]	
4	Agree 10 measures of what success at Getting it right for every child would mean, which can inform a matrix to help measure implementation of Getting it right for every child.	<ul style="list-style-type: none"> <li>• Focus should be on Getting it right for every child about culture, not just systems putting children and families at the centre and that Named Person is part of Getting it right for every child but not all of it.</li> <li>• Needs to be future proofed, recognition that things will change so build in review.</li> <li>• Need to get organisations to back this and build in a way of making it easier to report progress.</li> <li>• Need to make sure Getting it right for every child informs new policies to have this at the forefront of their thinking. Needs to be absolutely embedded. Needs something like a Getting it right for every child Quality Impact Assessment.</li> <li>• Children’s services plans will help with</li> </ul>	11 Oct 2017	NISG Group all members	

ID	Action Point	Discussion/Decision	Due	Lead	Status
		<p>gathering evidence where partnership working has improved and allow us to measure this.</p> <ul style="list-style-type: none"> <li>• Suggest some form of Getting it right for every child accreditation process. Need to record and measure impact for this to work. Don't currently have a process but there are lots of systems we need to link in to.</li> <li>• North Lanarkshire happy to share work they have been doing with partners to make it a "child friendly place" Learning about what it means for organisations to put children at the heart of things and how that translates in signing people up.</li> </ul>			
5	Share North Lanarkshire's learning about "Child Friendly Place"	<p>gathering evidence where partnership working has improved and allow us to measure this.</p> <ul style="list-style-type: none"> <li>• Suggest some form of Getting it right for every child accreditation process. Need to record and measure impact for this to work. Don't currently have a process but there are lots of systems we need to link in to.</li> <li>• North Lanarkshire happy to share work they have been doing with partners to make it a "child friendly place" Learning about what it means for organisations to put children at the heart of things and how that translates in signing people up.</li> </ul>	11 Oct 2017	[Redacted Text]	
6	Review Communications Strategy and feedback comments	<p>Draft communications plan shared with NISG for discussion on reinvigorating Getting it right for every child.</p> <p>Agreed that communication key and that each sector has different communications needs.</p> <p>Members to provide information about what is happening in their areas to link in to timeline in communications plan.</p>	18 Sep 2017	NISG Group all members	

ID	Action Point	Discussion/Decision	Due	Lead	Status
		<p>Agree that Getting it right for every child message/thinking should be ingrained through the Scottish Government. Getting it right for every child principles and key messages should be reflected at every level.</p> <p>Need to identify streams of work to help achieve mainstreaming of GIRFEC.</p> <p>Agree that the communications plan will be a living document on the agenda at every meeting.</p>			
7	SG to consider workshop after review of Childrens services plans.	<p><b>AOB</b></p> <p>Care inspectorate updated that future models of inspection still with minister but they will look in much more detail at vulnerable children or the corporate parents.</p> <p>SG looking at Childrens Services Plans and bringing people together to talk about these broadly to try and embed best practice more widely. <b>[Redacted Text]</b> suggested that perhaps</p>	Update on 11 Oct 2017	<b>[Redacted Text]</b>	

ID	Action Point	Discussion/Decision	Due	Lead	Status
		some of the work on integrated planning may feed in.			

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



## ANNEX A

### Attendees

Name	Organisation
[Redacted Text]	NHS Lanarkshire
[Redacted Text]	ADES
[Redacted Text]	NPFS
[Redacted Text]	COSLA
[Redacted Text]	Care Inspectorate
[Redacted Text]	SG
[Redacted Text]	SG
[Redacted Text]	SG
[Redacted Text]	SG

### Apologies

Name	Organisation
[Redacted Text]	Care Inspectorate
[Redacted Text]	Perth and Kinross Council
[Redacted Text]	Highland Council
[Redacted Text]	Police Scotland
[Redacted Text]	Education Scotland
[Redacted Text]	NHS
[Redacted Text]	Children in Scotland
[Redacted Text]	Barnardo's

Victoria Quay, Edinburgh EH6 6QQ  
www.gov.scot



ISO14001 at V.O.



[Redacted Text]	SWS
[Redacted Text]	SG

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)





Please note: These meeting notes are Scottish Government summaries of the discussions Scottish Government officials heard at these meetings, not formal minutes agreed by those attending.

## Medical Reps Meeting Notes – 29th August 2017

An outline of the Children and Young People (Information Sharing) (Scotland) Bill and the Illustrative Draft Code of Practice Guidance was given

The meeting was opened up for general discussion, the main points covered were -

- Does the statutory duty to consider if there is information that if shared could promote, support or safeguard a child or young person's wellbeing apply to the Health Board or GP practice – It was clarified that the duty applies to the Health Board and it is they who will be held accountable to ensure that this is delivered, GP practices and individuals GPs provide services on behalf of the Board and it is the Boards responsibility to ensure through their contracts, policies, procedures, protocols and guidance that the duty is delivered.
- Medical representatives welcomed the changes proposed by the Bill, specifically the change from a requirement to share information to a power to share and also the clarification around how they should consider their duties of confidentiality in relation to the Named Person Service.
- Will the draft code to be consulted on next year be different to the illustrative code?

Scottish Government officials clarified that the Draft Code that will be consulted on will be different to the Illustrative Draft Code as the Illustrative Draft does not take into account the changes GDPR will make when it commences in May 2018. Also the new Data Protection Bill may make further changes to Data Protection law that the Code may have to provide detail on.

- There was significant discussion around decision making and influencing factors on; if, what, when and with whom information is shared and how the consistent availability of Named Person with a specific remit to provide advice, information, direct support and support to help families access other services would be integrated into these considerations.
- There was further discussion on how medical staff work in partnership with families in a trusting, open, transparent and confidential way, often taking some time to work with families to agree to them supporting them to seek further help for themselves or their children – when risks/ needs/ concerns are at a level below child protection.
- There was agreement from Medical representatives that there would need to be support for practitioners after Part 4 and 5 are commenced. This was particularly requested by GP practices who are data controllers in their own right. It was understood that there would be Health Board expertise available but to support national consistency of decision making it was requested that there should be some central resource provided or resourced by Scottish Government. This central resource must be accessible – possibly a weekday helpline. The resource

could also support dissemination of practice advice/ guidance as it emerges in relation to specific circumstances/ needs/ situations.

- Flow Charts/ Decision Making Tools such as check lists would be helpful to make the Code of Practice and Guidance accessible.
- Will statutory guidance be available at the same time as the code?  
The draft Code is unlikely to be available until spring next year and we hope that when consulting on this we will also be able to make available an early draft (at least) of the statutory guidance recognising the close relationship between these documents.
- The Code and or Statutory Guidance must provide enhanced guidance to support decision making as to when consent is not required to share information in terms of data protection law and how this relates to human rights law – it is understood that there may be circumstances where data protection law allows for information sharing however human rights law may not.
- Scottish Government were asked to be mindful that the Code supported continued sharing of necessary and proportionate information. The application of the code and guidance should be tested with medical practitioners before finalisation.
- The use of Named Person Service email boxes as a default for concerns may not be helpful as medical practitioners often wish to talk to a specific person about the individual needs and circumstances of a child. However it was recognised these 'drop boxes' may have a place when it is unclear who specifically is the Named Person
- National Job Description for "health visitor" is in progress and this will include the substance if not the detail of the duties of a Named Person.
- Can we make it clear in guidance/ the Code when we move from wellbeing into safeguarding? Where are the connections and differences? Clarification of the crucial decision making steps needed to help practitioners.
- Mandatory process requirements (over and above the legal requirements) in relation to information sharing by practitioners could delay the sharing where it was legal without some processes, need to be clear what are legal requirements and what are requirements that may be applicable in some/ most situations but not all.
- Medical representatives said if it was explained clearly how proportionate information sharing could help their child few parents would decline this, however some may need to take a little time to reflect on the impact on their child and come back and discuss this. The duty to consider if there is information that if shared could promote support or safeguard a child's wellbeing, coupled with the professional discretion not to share means that there will be scope for practitioners and parents to discuss over time the benefits of sharing. This, if supported by good quality guidance, is likely to increase proportionate information sharing in partnership with families that will improve the wellbeing of children and young people.

- The Code itself and if not the Code then the explanatory documents/ guidance to support the Code must be made more accessible in explain the network of law and guidance.

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



Please note: These meeting notes are Scottish Government summaries of the discussions Scottish Government officials heard at these meetings, not formal minutes agreed by those attending.

## **Nursing and Midwifery Stakeholder meeting – 31<sup>st</sup> August 2017**

Scottish Government officials clarified that the Education and Skills Committee call for written evidence had now closed however it is open to everyone to make a first or supplementary written submission to the committee and or offer them oral evidence – contact committee directly – details can be provided or easily accessible on Scottish Parliament web site.

An outline of the Children and Young People (Information Sharing) (Scotland) Bill and the Illustrative Draft Code of Practice Guidance was given

The meeting was opened up for general discussion, the main points covered were -

- The group expressed frustration themselves and on behalf of practitioners that they represent that it seems there is a lot of process and focus on the legislation but progress in delivering the named person service and child's plan is slow and central support to deliver these under policy needs strengthened to bolster confidence of the workforce.
- Front line workers could benefit from advice on information sharing in relation to named person and child's plan operating under policy.
- When will the draft statutory guidance be available?  
There is no specific date for the consultation on the draft statutory guidance – initial work will be on developing a new framework for the content and style of this – it is anticipated that an (early) draft will be available when the draft Code of Practice is consulted on. It will be finalised after public consultation and revision, this will be after the finalisation of the Code of Practice as Guidance will need to include explanation of how the code will operate.
- GDPR – data protection landscape is changing. The draft Code and draft Statutory Guidance must reflect the new law and guidance.

### Discussion on content on Bill

- Some organisations had submitted written evidence to committee
- RCN expressed support: the Getting it right for every child approach and named person as a right for families and children; and the provision of early and effective support. However the focus on legislation rather than delivery of practice along with a lack of clear information for the public and practitioners has allowed a negative perception of named person develop an this may result in families not engaging with health visiting, not seeking help from them, not sharing information with them and not agreeing to information sharing by or with health visiting services (and wider nursing service). This could result in the opposite effect as to that desired i.e. delaying information sharing and

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



delaying access to support if not resulting in no support being sought or provided. Clearly this happened it would add risk to children and families. Further practitioners who may feel they do not have clear guidance to deliver practice or provide answers for the public or if they feel that they may be in jeopardy when sharing information this all could resort to defensive practice. Unsure if the legislation and Code will operate in line with NMC Code. Further there is a risk of a burden of bureaucracy. Resources will be required to support increased information sharing and responding to this to provide information., advice or support. Need for on-going training, development and access to support and advice.

- Scottish Executive Nurse Directors – Values and principles of GIRFEC approach being embedded into wider practice for children and families out with core children’s health services. The duty to consider sharing information rather than the requirement to share well received. Need for consistency across NHS and other agencies - clear guidance can deliver this. Language in Illustrative Draft Code of Practice is not accessible needs simplified. Code does not provide clear guidance on sharing, Code will need to highly detailed or additional guidance will be required. There is a need for wide consultation on the Draft Code and the Draft Guidance, may need tested. Need guidance to support those delivering named person under policy. When can information be shared without consent in line with the data protection law and human rights law? Easy read document required but clear unambiguous language to provide clarity. Training and development requires exploration of case studies/ scenarios ? multidisciplinary/ multiagency workshops. Flowcharts, checklists summary documents can be helpful.
- Unison — support for Getting it right for every child approach including provision of Named Person – a lot to work through but confident that with the right engagement and resources to support staff development and delivery the operation of a Named Person service under legislation will be possible and will bring the anticipated benefits of providing early support to families and promoting, supporting and safeguarding the wellbeing of children and young people. Right now practitioners and the public are unsure of named person due largely to media representation. If it is perceived by staff that a significant change in practice is required and/or the job will become more challenging then this could contribute to some leaving – need to clarify that there will not need to be a significant change in practice and that additional resources and support will be provided to address challenges. Employers Guidance, Practitioners Guidance and Public Guidance/ Information is required, it is unlikely to be helpful to combine these into one all-encompassing document – need to tailor guidance for a purpose.
- Comments from Health Visiting staff present - Workers on the ground – happy with SG commitment for more health visitors – support systems in place to develop HV practice in some areas – e.g. Greater Glasgow and Clyde, Access to national resources welcomed but mandatory requirement to complete specific training may not be welcomed if it has already been

provided locally or is more integrated into local multidisciplinary/ multiagency training or developed using local systems, protocols etc. The benefits of having access to early help and support need to be promoted. This puts Health Visitors and the Health Visiting Service back in an important place in society. Need to build confidence of staff and the public – media not helping. Need for strong clear and accessible messages from SG to promote Named Person.

- RCM – Support the principles of provision of a Named Person. Staff unclear what putting this into statute this means to them as individuals. There are concerns that the resources will be available to all staff to fulfil their duties to support the Named Person service. The way the Illustrative Draft Code of Practice is written is not clear in providing guidance to practitioners. Need clarity on when consent is not required to share information.
- Unite- there is confusion amongst practitioners as to does the Supreme Court judgment mean the Named Person is no longer being supported by SG and or Health Boards, is it legal to provide a Named Person under policy, has policy in relation to information sharing changed etc. Messages not getting through or not being communicated properly to the frontline. This is resulting day to day practice concerns for some practitioners. Also some health visitors have experienced some negative reception as members of the public have been reading media/ social network misrepresentation. Still concerns over resources - will 500 additional health visitors be sufficient to support early and effective support for children and families. Need to consider other resources e.g. IT systems, clinical support staff, administration staff, accommodation to support meetings and interventions.
- NMC – Named Person is a Scotland specific issue, enthusiastic to continue to work together – need to understand how the final legislation and Code of Practice and guidance will relate to NMC Code of Conduct. No concerns right now.
- General agreement that there is a need now to support staff in developing improved understanding of information sharing to avoid defensive practice developing and build confidence in current practice.

Please note: These meeting notes are Scottish Government summaries of the discussions Scottish Government officials heard at these meetings, not formal minutes agreed by those attending.

## **GIRFEC Lead Officer Meeting – VQ 4<sup>th</sup> September 2017**

An overview of the Children and Young People (Information Sharing) (Scotland) Bill and the Illustrative Draft Code of Practice Guidance was given by Scottish Government officials.

### **Questions on Bill Process Timetable**

Q. Will the Bill when passed and commenced resulting in changes to the CYP Act Parts 4 and 5 be referred to the Supreme Court for ratification?

That will be a decision for Lord Advocate it would be highly unusual. Scottish Government are confident that the changes to Parts 4 and 5 along with a Code of Practice and Guidance will ensure that the legislation is in accordance with law.

Q. Has there been any engagement with those opposing/ who challenged the legislation? Any indicators that they will take another legal challenge?

Yes there has been engagement with some of those that challenged and some that continue to oppose the legislation. Some have indicated they are not convinced the benefit/ need for legislation however also some indicators that the change to a “duty to consider” rather than requirement to share information is a step in the right direction from their perspective. Legal Challenge is a right hence this is a possibility.

### **Organisation Perspective – Issues, views, etc.**

Discussion’s in small groups – views on the content of the Bill and the Illustrative Draft Code of Practice

- Content of the Bill not spoken about much– focus on considering Illustrative Draft Code. Issue with language not being accessible to practitioners. If this Code is the main guidance on information sharing it must contain more detail. Training/ learning and development materials will require examples and scenarios and what does this mean in practice/ how to’s in each situation.
- People forgetting about the legislation. Progress in implementing named person and child’s plan under policy is slowing?
- Clear accessible guidance is required with access to advice and support when difficulties occur.
- Need to clarify when consent is not required and what is meaningful consent, how long is it valid for what purpose, etc
- Professionals they were trained to deliver legislation will need retrained in new requirements – this will need to be across all services not just named persons.

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



- Part 5 not discussed as much – what are the implications for this?
- Need improved guidance on 16-18 year olds – how does this legislation relate to legislation for Adult Support and Protection – need to explore this further in guidance.
- Children’s capacity to consent need to explore this further in guidance and or within the Code
- Practitioners need guidance. Simplified for actual use.
- Flowcharts are helpful – could be in Code and Guidance.
- Information sharing is happening now – simple guidance now may build practitioner confidence and minimise – risk averse practice.
- Many parents believing the media misunderstandings/ misrepresentation of named person and the legislation – need clear communication as to the reality.
- We need support from SG and a drive to reinforce the national policy to deliver the principles and values of Getting it right for every child
- To clarify how wellbeing and guidance on addressing wellbeing needs relates to child protection, some cases may move into child protection rather than de-escalate. .
- Code of practice needs to be clearly accessible – who is it for?
- Look forward to statutory guidance now so people can put an input into it – reassurance now so that everyone does not try to fix all guidance through the content of the Code
- Child’s Plan – Action planning mixed with assessment information – need to explore the Child’s Plan again particularly the Child’s Plan order and guidance on sharing the Plan and or abstracts of the Plan
- Revisiting information held in relation to concerns weeding and retention policies – sharing information held with those to whom it relates – transitions are obvious opportunities to revalidate information being held.



Please note: These meeting notes are Scottish Government summaries of the discussions Scottish Government officials heard at these meetings, not formal minutes agreed by those attending.

## **Children and Young People (Information Sharing) (Scotland) Bill Dental Meeting 5<sup>th</sup> September 2017**

An overview of the Children and Young People (Information Sharing) (Scotland) Bill was given by Scottish Government officials.

- Introduced to Scottish Parliament on the 19<sup>th</sup> June 2017. Purpose - to address the Supreme Court's concerns around Part 4 and Part 5.
- The effect of the Bill will be to amend Parts 4 and 5 of the 2014 Act.
- The provisions propose to introduce a Code of Practice that must be adhered to when considering information sharing and sharing information under Parts 4 and 5 of the 2014 Act. Like all provisions the provision to introduce a Code of Practice may be amended through the Parliamentary process so a Draft Code will not be consulted on until after the Parliamentary process is complete. An illustrative Draft Code of Practice was provided at the same time as the Bill was introduced to provide Parliament with some illustration of what a Code of Practice may look like in terms of style and structure however the content reflect current UK law not the law as it will be when Parts 4 and 5 are commenced hence the content of the Illustrative Draft will require to change.
- The EU General Data Protection Regulation (GDPR) is commenced in the UK on 25 May 2018, this will change the law in relation to data processing and hence information sharing. The UK Government have said they will adhere to GDPR after Brexit. UK Government have announced that they will introduce a Data Protection Bill in September 2017, the purpose of this is to bring up to date UK data protection law including incorporating GDPR into UK law. This will be the first major update of UK data protection law since the Data Protection Act 1998.

Q. What will be the timescale for the UK Data Protection Bill completing its Parliamentary process and how will this impact on the Information Sharing Bill?

We cannot pre-empt how Parliament will handle this Bill however it could be anticipated that there is a desire to have the new Data Protection Act, that incorporates GDPR into UK law, commenced in line with the commencement of GDPR in the UK. It should be noted that the intent is to address UK Member State derogations/ discretions through the Data Protection Bill.

The provisions in the Bill are designed to be able to operate with new data protection law. Hence if the Information Sharing Bill (as currently drafted) is passed before the new Data Protection Bill then no anticipated amendments will be required as a consequence of GDPR or a new Data Protection Act. However the content of the Code of Practice on information sharing and guidance on information sharing will be directly affected. This means that it will not be possible to consult on an

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



comprehensive draft Code of Practice on information sharing until after the Dta Protection Bill has completed its Parliamentary process.

Q. Parts 4 and 5 of the 2014 Act (Provision of Named Persons & Child's Plan) will not be commenced until we have a final Code of Practice on Information Sharing, Statutory Guidance and necessary practice development materials. Time will then be required to develop learning and development materials, train staff and make any required changes to national and local systems, policies, procedures, protocols and guidance affected. Although the Information Sharing Bill can be commenced after two months of achieving Royal Assent (as detailed in current provisions) this will only make the necessary changes to the yet to be commenced Parts 4 and 5 of the 2014 Act. The Deputy First Minister has stated that his ambition is to commence Parts 4 and 5 before the end of 2018.

Q. The Supreme Court highlighted that the Act was not clear enough and the guidance was not good enough, will/could this happen again?

The Supreme Court helpfully not only identified the deficits in the legislation but also provided some suggestions/ direction as to how these can be remedied, Scottish Government has taken these on board in drafting the legislation and will continue to take these on board as the Code of Practice, Statutory Guidance, practice development materials and public facing materials are developed.

Q. Could there be further legal challenge?

Legal Challenge is a right hence this is a possibility. As well as directly addressing the Supreme Court judgment we will be working with stakeholders to ensure that we hear and understand any further concerns.

The group said that.....

Guidance needs to be designed so that it is relevant and accessible to those practitioners seeking direction. This may require sector/ disciplinary specific guidance. General Dental Practitioners deal with NHS and Private Patients on the same list one after another as a matter of course and are data controllers in their own right, they have a high turnover of infrequent contacts with patients in their premises that are often isolated from other health facilities hence they will have limited access on site advice. Simple flowcharts and bullet point guidance that can be displayed is helpful. E.g. "Children not brought to appointment" we need to work though some national guidance on how to consider these situations and subsequent consideration of sharing information. Dentistry different service provider due to independent contractor nature of service. Need a advice/ service support/ resource for guidance or help when needed e.g. Advice line.

The Supreme Court ruling appears to have created a knee jerk reaction to people and their views towards information sharing practices. Broader processes surrounding how we share information in a more general way are being questioned. People have started to look at it more than usual due to it being highlighted.

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



Although there is no indication of systemic issues this has resulted in additional time to explain why the information is required, e.g. for NHS payment purposes, scrutiny of Dental practice, public health information, clinical records.

Q. Will the Code of Practice also be the main source of guidance on information sharing under Parts 4 and 5?

The intent is that there is a balance between guidance in the Code focused on information sharing and Statutory/ Practice guidance that will explain how this will work in terms of operation practice alongside wider duties related to Named Person and Child's Plan and Getting it right for every child policy. However the Parliamentary process could change the provisions and create new/ different requirements as the structure, content and or style of the Code, also during the engagement to develop the Code and through Consultation the structure, content and style of the Code may change including the balance of detail held in the Code and in the Guidance.

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



Please note: These meeting notes are Scottish Government summaries of the discussions Scottish Government officials heard at these meetings, not formal minutes agreed by those attending.

## **Named Person Service Provider Meeting**

### **Note of meeting on 14 November**

#### **1. Introduction**

**[Redacted Text]** welcomed members to the meeting.

#### **2. Update on The Children and Young People (Information Sharing) (Scotland) Bill**

**[Redacted Text]** and **[Redacted Text]** provided an update on the Children and Young People (Information Sharing) Scotland Bill and DFM's letter to the Education and Skills Committee.

- The Bill is currently sitting at stage 1 and the Committee evidence sessions have now concluded. A stage 1 report is anticipated in December, along with a Stage 1 debate and vote.
- Stage 2 is expected to commence in January/February 2018.
- Stage 3 is expected to begin in March 2018.
- Royal Ascent is possible in April.
- It is our ambition to commence Parts 4 and 5, with revised information sharing provisions during 2018.

#### **Feedback from Stakeholders during committee evidence:**

- Generally a positive endorsement of the policy and need for Bill but some concerns over specifics.
- Confusion over the purpose of the illustrative draft Code of Practice provided along with the Bill.
- Illustrative draft Code of Practice has fuelled some confusion and does not meet stakeholder expectations.
- Need for practical guidance, support materials and tools for practitioners.
- Need to rebuild confidence among practitioners and public.
- Risks of not sharing information and legal liability of individuals vs. organisations.
- Need for further guidance on consideration of wellbeing.
- Need for resources beyond those highlighted in the Financial Memorandum to support commencement.

#### **DFM Commitments to Committee:**

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



- Commitment to a positive awareness raising campaign.
- Stage 2 amendment to give Parliament final say on Code of Practice.
- Practice Development Panel to support development of the Code of Practice and revised Statutory Guidance.
- Public consultation on draft Code of Practice and draft Statutory Guidance.
- Suite of materials to be accessible to practitioners, parents and children/young people.
- Multiyear approach to additional financial resources to support implementation informed by stakeholder engagement.

### 3. Awareness Raising Campaign

[Redacted Text] invited table discussions to evaluate what an awareness raising campaign on Getting it right for every child and the Named Person policy could look like to establish key considerations in future campaign plans. The group used an illustrative campaign proposal as a reference tool and were then invited to identify what impact and requirements a national campaign may generate locally.

A summary note of the group's discussions is provided.

#### Discussion 1: Campaign proposal

##### Campaign message

- Get back to basics of Getting it right for every child approach: world class approach with focus on support for children, young people and parents
- Recognise other help routes available
- Someone there when you need them - right person, right help, right time
- Best place to grow up with child's rights entitlement
- No obligation to accept offer of support
- Child's rights based approach across children's services and how Scotland is committed to implementing the United Nations Convention on the Rights of the Child
- Services working with families, with parents in the driving seat - what is happening already
- Shift focus away from Named Person title to recognise the individuals that will be the single point of contact – Health Visitors, Head teachers
- Link into what is already going on and being done - Getting it right for every child in context of Scotland as the best place to grow up
- Avoid conflation with child protection
- Use plain language

##### Audience

Victoria Quay, Edinburgh EH6 6QQ  
www.gov.scot



- Focus on specific segment rather than try to reach all parents in one campaign e.g. consider parents of early years and primary age children
- Children and young people first as this is an entitlement to support them
- Practitioners must be informed prior to campaign

### Timing

- No earlier than March to allow organisations to prepare and avoid other communication / campaign clashes
- After Bill achieves Royal Assent to confirm information sharing
- No campaign during consultation period
- Campaign must run long enough for sufficient pick up by audience – must be longer term communication programme post campaign to develop and embed messages and confidence.

### Channel mix

- Broadcast plus PR and digital channels
- Social media necessary, especially to reach children and young people and digitally savvy families
- Community forums and mail drops
- Establish a Getting it right for every child practice accreditation
- Film clips
- Real life stories
- Must be highly visible – show cross Government support/patron support

### **Discussion 2: Impact/Needs**

- Any national activity must allow for local workforce preparation
- Local senior management teams and decision makers to be informed and on board and involved in local planning
- Management need to prioritise and share good practice across services / other providers
- Refresher training on policy for new starts
- Training pack for practitioners including online offer
- Initial advice on campaign prep and delivery then keep everyone informed about the campaign and what is happening when
- National FAQ to support local practice responses
- Finalise transitions, 16-18yrs old school leavers, and school holiday's policy
- Directly liaise with local communication teams to confirm national provision and direct local response – agree timeline for local activity.
- Ensure involvement of third sector
- High level information and resources / materials to come from Scottish Government – same messages to all parents, children and young people

### **4. Additional Resourcing**

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



**[Redacted Text]** and **[Redacted Text]** asked tables to think about a) what training will be required ahead of commencement of Parts 4 and 5, b) what lead in time would be required for this training and competency development and c) what support post commencement would look like. Feedback included:

- Prepping workforce – refresher on policies and inform about campaign – what happens when.
- Training – especially for new starts (Health Visitors).
- Focus on Child’s Plan in this training.
- Awareness raising on a local level – practitioners but also children/young people/parents/carers.
- Implementation Managers are needed for successful implementation.
- Although in some Local Authority Areas training has been rolling for a number of years – especially for training in relation to sharing information and the proposed Code.
- Also, in some areas the merging of social care and education services has made this training and awareness in staff easier.
- Need to know what the National agenda will be.
- There is a risk that if things are too early and not clear enough with certainty it could reduce the impact of long term benefits.
- Provision of NPs for identified groups such as 16/17 year olds, gypsy travellers/home schooled and holiday cover .
- Need to consider interaction with other relevant policy commitments for example: Young Carers legislation and New Health and Social Care Standards.

## 5. Round up and next steps

**[Redacted Text]** provided a quick summary of campaign session, outlined above, from the round table discussions and a commitment to update delegates as campaign discussions develop.

It was agreed that the slides of the meeting would be sent out along with a note of the meeting.

**[Redacted Text]** committed to working in partnership with named person service providers and to keeping them updated on progress.

## Annex C

Please find below copies of emails to those outlined in the table in Annex A.

***Email from Scottish Government to NHS Highlands, NHS Education for Scotland, Royal College of Nursing, Unite, NHS Lothian, North Ayrshire, Aberlour, Barnardo's and Police Scotland.***

**From:** [Redacted Text]  
**Sent:** 18 September 2017 12:47  
**To:** [Redacted Text]; [Redacted Text] (NHS HIGHLAND) [Redacted Text] [Redacted Text]; [Redacted Text] (NHS DUMFRIES AND GALLOWAY)'; [Redacted Text] [Redacted Text][Redacted Text] [Redacted Text]  
**Subject:** Evidence to the Education and Skills Committee

Hi Folks

I see that you are giving evidence to the Education and Skills committee on the Children and Young People (Information Sharing) (Scotland) Bill.

If you wish to ask any specifics about the Bill beforehand then drop me a note and I will try to clarify for you, if you wish to discuss then probably still best to drop me a note and I will arrange a call over the next couple of days.

Cheers

[Redacted Text]

[Redacted Text]

[Redacted Text] | **Health Advisor | Children and Families | Better Life Chances unit | Getting it right team | Scottish Government**

[Redacted Text]

[Redacted Text] |

**Web:** <http://www.scotland.gov.uk/Topics/People/Young-People/gettingitright>

*N.B NHS Highlands, NHS Education for Scotland, NHS Lothian, North Ayrshire, Aberlour, Barnardo's and Police Scotland were the only replies to this email – these can be found below.*

---

## ***Emails from the Scottish Government to NHS Education for Scotland***

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)





**From:** [Redacted Text]  
**Sent:** 18 September 2017 13:02  
**To:** [Redacted Text]  
**Subject:** RE: Evidence to the Education and Skills Committee

Hi [Redacted Text],

Many thanks for your e-mail and support. It would be useful to catch up tomorrow morning. I'll be in Westport and available from 10.00 – 12.00 if your available.

Many thanks

[Redacted Text]

[Redacted Text]

Principal Educator

NMAHP

NHS Education for Scotland

Westport, 102 Westport, Edinburgh, EH3 9DN

Tel: [Redacted Text]

E-mail: [Redacted Text]

---

**From:** [Redacted Text]  
**Sent:** 18 September 2017 13:08  
**To:** [Redacted Text]  
**Subject:** RE: Evidence to the Education and Skills Committee

Hi [Redacted Text]

Unfortunately I am meetings most of tomorrow, I am free 7.30 – 9 am, noon – 12.30 then 4 – 6 pm

I am also free all day today as this is an SG public holiday.

I hope one of these times is possible for you.

Cheers

[Redacted Text]

---

**From:** [Redacted Text]  
**Sent:** 18 September 2017 13:12  
**To:** [Redacted Text]  
**Subject:** RE: Evidence to the Education and Skills Committee

Hi [Redacted Text]

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



Thanks for getting back to me. I'm reading through the papers that were sent just now and could catch up with you on the phone later this afternoon. How does 3.00pm or later suit you? That should give me time to read the papers.

Many thanks  
**[Redacted Text]**

**[Redacted Text]** Principal Educator  
NMAHP  
NHS Education for Scotland  
Westport, 102 Westport, Edinburgh, EH3 9DN  
Tel: **[Redacted Text]**  
E-mail: **[Redacted Text]**

---

**From:** **[Redacted Text]**  
**Sent:** 18 September 2017 13:34  
**To:** **[Redacted Text]**  
**Subject:** RE: Evidence to the Education and Skills Committee

Hi **[Redacted Text]**  
3 pm sounds good for me.  
Cheers  
**[Redacted Text]**

---

**From:** **[Redacted Text]**  
**Sent:** 18 September 2017 13:47  
**To:** **[Redacted Text]**  
**Subject:** RE: Evidence to the Education and Skills Committee

Great – Many thanks  
**[Redacted Text]**

**[Redacted Text]**  
Principal Educator  
NMAHP  
NHS Education for Scotland  
Westport, 102 Westport, Edinburgh, EH3 9DN  
Tel: **[Redacted Text]**  
E-mail: **[Redacted Text]**

---

Victoria Quay, Edinburgh EH6 6QQ  
www.gov.scot



**From:** [Redacted Text]  
**Sent:** 18 September 2017 14:09  
**To:** [Redacted Text]  
**Subject:** RE: Evidence to the Education and Skills Committee

Hi [Redacted Text]  
I am at home happy to call you on the mobile number below?  
Cheers  
[Redacted Text]

---

**From:** [Redacted Text]  
**Sent:** 18 September 2017 14:44  
**To:** [Redacted Text]  
**Subject:** RE: Evidence to the Education and Skills Committee

Hi [Redacted Text]

I'm in Aberdeen so you could try the following landline [Redacted Text]– if there's a problem then the mobile will be fine.

Thanks  
[Redacted Text]

[Redacted Text]  
Principal Educator  
NMAHP  
NHS Education for Scotland  
Westport, 102 Westport, Edinburgh, EH3 9DN  
Tel: [Redacted Text]  
E-mail: [Redacted Text]

---

### ***Emails from the Scottish Government to NHS Lothian***

**From:** [Redacted Text]

Victoria Quay, Edinburgh EH6 6QQ  
www.gov.scot



**Sent:** 18 September 2017 21:15  
**To:** [Redacted Text]; [Redacted Text] [Redacted Text];  
[Redacted Text]; [Redacted Text]; [Redacted Text]  
**Cc:** [Redacted Text]  
**Subject:** RE: Evidence to the Education and Skills Committee

[Redacted Text]

That's very helpful - I would welcome a chat.

Best wishes

[Redacted Text]

[Redacted Text]

Director of Public Health and Health Policy  
NHS Lothian  
Waverley Gate  
2-4 Waterloo Place  
Edinburgh  
EH1 3EG

[Redacted Text] (new work mobile); [Redacted Text]

---

**From:** [Redacted Text]  
**Sent:** 19 September 2017 07:24  
**To:** [Redacted Text]  
**Subject:** RE: Evidence to the Education and Skills Committee

Hi [Redacted Text]

Unfortunately I am meetings most of today, however I am free from now until 9 am,  
noon – 12.30 then 4 – 6:30 pm

I hope one of these times is possible for you.

Cheers

[Redacted Text]

[Redacted Text]

[Redacted Text] | **Health Advisor | Children and Families | Better Life  
Chances unit | Getting it right team | Scottish Government**

[Redacted Text]

Victoria Quay, Edinburgh EH6 6QQ  
www.gov.scot



**Tel:** [Redacted Text] |

**Web:** <http://www.scotland.gov.uk/Topics/People/Young-People/gettingitright>

---

**From:** [Redacted Text]  
**Sent:** 19 September 2017 08:20  
**To:** [Redacted Text]  
**Subject:** RE: Evidence to the Education and Skills Committee

Thanks for your help this morning  
Best wishes

[Redacted Text]

[Redacted Text]  
Director of Public Health and Health Policy  
NHS Lothian  
Waverley Gate  
2-4 Waterloo Place  
Edinburgh  
EH1 3EG

[Redacted Text]; [Redacted Text] (new work mobile); [Redacted Text]

---

### *Emails between the Scottish Government to NHS Dumfries and Galloway*

**From:** [Redacted Text] (NHS DUMFRIES AND GALLOWAY) [Redacted Text]  
**Sent:** 19 September 2017 12:09  
**To:** [Redacted Text]  
**Subject:** RE: Evidence to the Education and Skills Committee

Hello [Redacted Text]

Many thanks for that offer. I have spoken to [Redacted Text] so am aware of the efforts made by the policy team to pull folk together to discuss dental issues and hopefully the evidence I give will help support the continuation of that approach. I've never been in front of one of these committees before so I can only say things as I currently see them (and which others have agreed with) which is essentially we are in a very confused place at the moment.

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



**[Redacted Text]**  
**[Redacted Text]**

Consultant in Dental Public Health/Public Health  
Professional Lead for Dental and Oral Health Services

**Ext: [Redacted Text]**  
**Tel: [Redacted Text]**  
**Mobile: [Redacted Text]**  
**[Redacted Text]**

NHS Dumfries & Galloway  
Public Health  
Crichton Hall  
Ryan North  
Bankend Road  
DUMFRIES  
DG1 4TG

---

**From:** [Redacted Text]  
**Sent:** 19 September 2017 14:12  
**To:** [Redacted Text] (NHS DUMFRIES AND GALLOWAY)  
**Subject:** RE: Evidence to the Education and Skills Committee

Thanks [Redacted Text]

We are confident that public bodies are fulfilling their duties currently and that their information sharing is fully in line with the current legal framework also that the new Duty to Consider Sharing Information introduced by the Bill does not change law or thresholds in relation to when you can share that information in line with the law on Data Protection, Human Rights, confidentiality and other rules of law (e.g. non-disclosure Orders, etc).

We are working with partners (including your Dental and Oral Health colleagues) to understand their views on the Bill over and above the committee evidence particularly we are looking to hear what colleagues think of the current provisions in the Bill (that the committee are scrutinising) and also what should be in the supporting documentation (Code of Practice, Statutory Guidance & Practice Guidance) what they want from this framework and equally important what they don't want so that the whole framework improves practice and hence outcomes for children. What are the implications on practice of different choices how do we get the right balance to drive consistency, allow for professional judgement and discretion and while avoid adding bureaucracy?

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



I think the illustrative draft Code of Practice may have been misunderstood, it was developed to give the Committee some idea of what a Code of Practice that “must be adhered” may look like – i.e it is quite technical and does not allow for any deviation however it does provide detail on possible safeguards and specify how the provisions in the Bill would interact with current law. We can only really start to discuss the detail of the actual draft Code once we are clear on the provisions in the Act i.e. if the Act said you needed to pay due regard to the Code rather than must adhere to it then there would be greater scope for balancing requirements with best practice guidance etc. Also the draft Code when consulted on next year will take into consideration new data protection law, codes of practice and guidance.

Speak soon.

Cheers

[Redacted Text]

[Redacted Text]

[Redacted Text] | **Health Advisor | Children and Families | Better Life Chances unit | Getting it right team | Scottish Government**

[Redacted Text]

**Tel:** [Redacted Text] |

**Web:** <http://www.scotland.gov.uk/Topics/People/Young-People/gettingitright>

---

### ***Emails between the Scottish Government to North Ayrshire Council***

**From:** [Redacted Text]  
**Sent:** 26 September 2017 07:45  
**To:** [Redacted Text] [Redacted Text]  
**Subject:** FW: Evidence to the Education and Skills Committee

Hi [Redacted Text]

I see that you are giving evidence to the Education and Skills committee on the Children and Young People (Information Sharing) (Scotland) Bill.  
If you wish to ask any specifics about the Bill, illustrative draft code of practice and plans for further guidance beforehand then happy to have a chat.  
If you do call and I am not around drop me a quick note and I will get back to you.

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)



Cheers  
[Redacted Text]  
0131 244 3764

**Bob Fraser**

[Redacted Text] | **Health Advisor | Children and Families | Better Life Chances unit | Getting it right team | Scottish Government**

[Redacted Text]

**Tel:** [Redacted Text] |

**Web:** <http://www.scotland.gov.uk/Topics/People/Young-People/gettingitright>

---

**From:** [Redacted Text]  
**Sent:** 26 September 2017 12:30  
**To:** [Redacted Text]  
**Subject:** Re: FW: Evidence to the Education and Skills Committee [OFFICIAL]

Thanks [Redacted Text], but I think I am alright to go and clear about our views.

[Redacted Text]

Corporate Parenting and GIRFEC Manager  
Integrated Children's Services  
4th Floor West  
Cunninghame House  
Irvine  
KA12 8EE

**Tel:** [Redacted Text]  
**Mobile:** [Redacted Text]

email - [Redacted Text]

Web - [www.girfecna.co.uk](http://www.girfecna.co.uk)

---

**From:** [Redacted Text]  
**Sent:** 26 September 2017 12:42  
**To:** [Redacted Text]

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)





**Subject:** RE: FW: Evidence to the Education and Skills Committee [OFFICIAL]

Great thanks  
**[Redacted Text]**

---

Victoria Quay, Edinburgh EH6 6QQ  
[www.gov.scot](http://www.gov.scot)

