



F/T: 0300 244 4000  
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Dear X,

## Getting It Right For Every Child Practice Development Panel

The Scottish Government is establishing the Getting It Right For Every Child Practice Development Panel to provide independent advice on the Code of Practice for Information Sharing, Statutory Guidance and other materials to support commencement of Part 4 (Provision of Named Persons) and Part 5 (Child's Plan) of the Children and Young People (Scotland) Act 2014.

The Panel's objective is to ensure the materials are workable, comprehensive and user-friendly for children and young people, parents and practitioners. The Panel will make sure that the experience, expertise and practical knowledge of information sharing in the public sector and children's services is the foundation for the development of the Code of Practice, Statutory Guidance and other materials. The Panel will be independently chaired by Ian Welsh, OBE and Chief Executive of the Scottish Health and Social Care Alliance.

Ian and I have been well informed of your knowledge and expertise in your field and we feel that you would bring significant contribution to the development of the Code of Practice for Information Sharing and Statutory Guidance. We would therefore like to offer you membership of the Panel.

The priorities of the Panel will be to report to Scottish Ministers by September 2018 with recommendations on the Code of Practice for information sharing that will be presented to the Education and Skills Committee as an authoritative draft, draft Statutory Guidance for Part 4 and 5 and other support material. The Panel will ensure that the draft Code offered to Committee is also suitable to operate on a non-statutory basis by practitioners ahead of the commencement of Parts 4 and 5 of the Children and Young People (Scotland) Act 2014.

In order for progress to be maintained, the first Panel meeting is scheduled for 13 February 15:30-16:30 in Glasgow, with a second meeting scheduled for 14 March 14:00-16:30 in the Scottish Parliament, Edinburgh. We anticipate at least three further formal meetings before September, which will be organised in due course and in consultation with members.

We would welcome your decision by 17 January, responding to [girfec@gov.scot](mailto:girfec@gov.scot) with your decision. If you would like to discuss anything further, please contact Ian Welsh on [REDACTED]

Yours Sincerely

**JOHN SWINNEY and IAN WELSH**





John Swinney MSP & Ian Welsh  
Deputy First Minister & Cabinet Secretary for Education and Skills  
St Andrew's House  
Regent Road  
Edinburgh EH1 3DG

Friday 26<sup>th</sup> January 2018

Dear Mr Swinney & Mr Welsh

**Getting It Right For Every Child Practice Development Panel**

Thank you for the invitation to join the GIRFEC Practice Development Panel. I recognise the importance of the work of the Panel and its role in providing independent advice to support the commencement of Parts 4 & 5 of the Children and Young People (Scotland) Act 2014. Given our longstanding interest in this area of work, I support the objective of ensuring the Code of Practice for Information Sharing, Statutory Guidance and other materials are workable, comprehensive and user-friendly for children and young people, parents and practitioners. As such, it is essential that children and young people's rights are at the very core of the Panel's work.

After consultation on the matter with the Trustees of Together (Scottish Alliance for Children's Rights), I would like to accept the invitation to join the Panel.

As you will appreciate, Together has a membership of over 370 NGOs, academics and interested professionals, all of whom share a strong commitment to children and young people's rights and the implementation of the UN Convention on the Rights of the Child. Among our membership, there are diverse views and perspectives on the Information Sharing provisions of the 2014 Act. It is important to state that my involvement in the Panel would be to offer independent expert advice on how to embed a rights-based approach into the development of the Code of Practice, Statutory Guidance and other materials. Whilst I will work closely with Together's membership to inform my input to the Panel, it must not be interpreted as a reflection of the views of all Together members, nor as an endorsement of the resulting materials. Together and our membership must retain the right and flexibility to critique any of the final materials produced as appropriate. As such, and as a matter of transparency, I would be keen for the Panel to agree a Terms of Reference at the earliest opportunity.

Once again, many thanks for the invitation to join the Panel. I look forward to playing an active and constructive role to ensuring children's rights are at the core of its work.

With best wishes

Yours sincerely

Juliet Harris  
Director

Initial Timetable for Progressing Stage 1	
Letter from DFM to Committee confirming Panel membership and remit	January 2018
GIRFEC Practice Development Panel - First meeting	13 Feb 2018
GIRFEC Practice Development Panel - Second meeting	14 March 2018
Drafting of the Code of Practice begins	March 2018
Early engagement with stakeholders on Code, framework for Statutory Guidance and materials	April 2018 (post school holidays)
Updated GDPR guidance and completion of UK Data Protection Bill	May 2018
GIRFEC Practice Development Panel - Third meeting	May 2018
Draft Code of Practice, framework for Statutory Guidance and materials ready for engagement (12 weeks)	June - September 2018
GIRFEC Practice Development Panel - Fourth meeting	July 2018 tbc
Public stakeholder engagement on Code, framework for Statutory Guidance, materials additional financial resources	July – August 2018
GIRFEC Practice Development Panel - Fifth meeting	September 2018 tbc
Public Engagement period closes - Analysis and Consideration of Responses to consultation	September 2018
Revision of Code and draft Statutory Guidance framework	September 2018
Draft Code Presented to Committee for 40 day scrutiny period (resumption of Stage 1)	September 2018
Panel writes report to Parliament supporting draft Code	October 2018



## The Children and Young People (Scotland) Act 2014

### Getting it right for every child - Providing the Named Person service for children of Gypsy/Traveller families

#### Q&A for practitioners

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### Who will be the Named Person for Gypsy/Traveller children?

From birth to school age the Health Board where the child lives will provide the Named Person service. This is most likely to be the Health Visitor. There is information about Health Visitor support and the Named Person service in the Personal Child Health Record ('the red book') which all new parents receive. The Health Board should develop local protocols to advise parents how the Named Person can be contacted when they are travelling.

When the child is of school age, or starts school, the local authority where they live will make available a Named Person service.

If the child attends school then the Named Person will be a promoted teacher in that school and parents and children will be given information about who that is and how to contact them. The Named Person should discuss with the child and parents how the arrangements will work while they are travelling.

If the child is over 5 but not yet 18, and not attending a school, then the local authority of main residence will arrange for a Named Person who works for the local authority to be identified and the child and parents will be informed how to contact them. Advice will also be given on how the arrangements will work when the family is travelling.

### Why do children of Gypsy/Travellers need a Named Person and how will they make a difference?

When the GIRFEC approach was being tried out in Highland region, parents told us that it would be helpful to have one person they could go to for information, advice or support, and that person could also help them get assistance from other services if that was needed.

This point of contact in universal services is now known as the Named Person. The Named Person will be made available to all children from birth until their 18<sup>th</sup> birthday. Not all children and families will need to go to the Named Person for help, but the service will be there as an entitlement for all.

If a child has wellbeing needs, or the family would like advice about services or support, then the Named Person will be available to speak to the child and parents, and to consider what kind of help or advice might be helpful. The child and parents should know who to approach if you want to seek assistance.

The Named Person can also ask other services to help with assessment or support, if they can't help the child directly. This should make it easier to get the right support at the right time, particularly where families find it difficult to access services.

## **How will I know who the Named Person is for an individual child and how to contact them?**

The health board or the local authority where the child lives has a responsibility to make generally known to practitioners and the public how the Named Person service can be contacted, and where appropriate they can indicate who the child's Named Person is and how to contact them.

In most cases the Named Person will be someone known to the child/parents because they are the health visitor for the child, or a teacher in the school the child attends.

If the child is not in school then the Named Person may not be known to or work directly with the child or family, but the child and parents will know how to contact them. For some children there will be a link with an outreach teacher or service, who will be linked to the Named Person service.

Although the health board or local authority will have responsibility to contact the child and parents directly about who the Named Person is, there should also be information on the Named Person service available through the health board or local authority website, on posters or leaflets at the health centre and other public buildings, and at traveller sites, through social media and other outlets.

## **What happens when children and families are travelling?**

- The Named Person service has to be made available for all children and parents. As many children of Gypsy/Traveller families travel for part of the year, health boards and local authorities will need to give particular consideration to arrangements to make the Named Person service available to children while they are living in their area, and while they are travelling.
- The service should be available but there will be no need to know where families are, or to contact families while travelling if there are no wellbeing needs or concerns about the child.
- For families who normally live in a particular area for parts of the year, and travel for a few months, it is likely that the usual Named Person arrangements will remain in place while they are travelling.
- If a child or parent is worried about how to make contact with the Named Person while they are travelling in another area, they can discuss this with the Named Person where they usually live and agree what arrangements will be in place when travelling.
- If a child or parents have a worry about wellbeing while travelling and would like help, then they can either contact the identified Named Person, or contact the health board or local authority where they are, to ask for help from that Named Person service. In this case the health board or local authority may need to seek information from another Named Person service to give that help and advice.
- If families are travelling outside of Scotland, then the Named Person service will not be available during that time. They will still be able to contact the identified

Named Person in Scotland to discuss any worries they might have but the Named Person may be unable to offer assistance while the family are out of the country.

- If families travel for most of the year and do not establish residence in any particular area of Scotland, they can still seek assistance from the Named Person service where they stop at any time. There should be information about how to contact the service via the outlets noted in Question 3, and through other Gypsy/Traveller support services.

## **What happens if the child is not in school or leaves school?**

Even if a child does not attend school, or has left school, the local authority will make a Named Person available to the child until the child's 18<sup>th</sup> birthday.

Information on how to contact the Named Person if help is needed should be given to the child and parents, and that information will also be available in the area as described in question 3.

## **What happens if the child moves to live in another area? What if this is not in Scotland?**

- If the child moves to live in another area of Scotland, then the Named Person service provider for the child will change.
- When it is known that the child have moved, the health board for a pre school child, or local authority for a school aged child, where the child lived before will contact the health board or local authority where they now live to let them know the child's name and address. They should also consider if there is any wellbeing information about the child which the new Named Person needs to know. Where possible any transfer of wellbeing information should be discussed with the child and parents.
- The new Named Person service can then contact the family to let them know who the Named Person is, and offer any advice or support if that is necessary.
- If a child moves to live in another area, and the Named Person service does not know that they have moved, or where they have moved to, then the health board and local authority will be unable to provide direct information to the child and parents. The family can contact the health board or local authority in the new area to ask for information about the Named Person service, and that information should also be available through accessible outlets, as described in Question 3.
- If the child moves to live outside of Scotland the Named Person service will no longer be available.

## **Can children choose who will be their Named Person, and what if there is conflict with the child or parents?**

- Children will not choose who their Named Person will be as the health board will identify a Named Person for preschool children and the local authority will identify a Named Person for children from school age until their 18<sup>th</sup> birthday. In most cases this will be someone the child or parents know because they are the health visitor, or a promoted teacher in the school.

- If the relationship between the child and the Named Person, or the parents and the Named Person becomes difficult and gets in the way of supporting the child's wellbeing, then there should be arrangements in place to consider identifying a different Named Person.
- Parents and the child where appropriate, should be able to discuss this with the health board or local authority, and agree the best way forward for the child.
- In some cases, the child and parents may want to deal directly with another practitioner they know well, for example, another health professional, or a link teacher, and may agree to this person acting as the link with the Named Person if that is necessary.

## **What is the difference between the role that health visitors and teachers carry out and that of the Named Person?**

- The functions of the Named Person will be carried out as part of the routine duties of health visitors and promoted teachers. For most children and families there will be no difference to the service they receive, so they may see little difference in what the health visitor or school already does in providing support and help.
- There may be times however, where there is a wellbeing need, or concern about the child, which the health visitor or teacher can't help with themselves, and at that point as Named Person they will be in a position to seek help or information from another service.
- The aim of the Named Person role is to make it easier for children and families to get the right help at the right time via the routine services of health or education. Other important services for children and families will have a responsibility to work with the Named Person and make support easier and more straight forward to access. For children of Gypsy/Traveller families this will be of particular importance due to the nature of their access to and use of universal services.
- The introduction of the Named Person service should make this joined up approach more consistent across Scotland.

## **What information will parents or children need to share with the Named Person and how will that be done?**

- There will be no obligation on children or parents to share information with the Named Person.
- The Named Person service is available to children and parents so that if the parent or the child has a worry about wellbeing they know who to go to for advice or help. If the child has wellbeing needs parents may wish to share information with the Named Person so that they can assess and discuss with them the kind of help which would be useful.
- In order to carry out an assessment of the child's wellbeing the Named Person will depend on information from parents about the child's strengths and needs, and what support might work best for the child and family.
- Other services or practitioners who work with the child or family might also share information with the Named Person if there is a wellbeing need. This process of sharing information will usually be discussed with the parents and

child, so that they know why information is being shared, are aware of what is being shared, and can express a view about that.

## What will the Named Person do and will there be feedback from the Named Person?

- The Named Person will be available but may not need to do anything for a child or family.
- If the child, the parents or someone who knows them, has a worry about the child's wellbeing then there are a range of actions which the Named Person might take in discussion with the parents and the child:
  - provide information, advice or support
  - help the child/parents to access a service or support
  - discuss or raise a matter about the child with another service or agency.
- The Named Person will carry out their functions as part of their everyday job and will involve the child and parents in any assessments and decisions which affect them.
- If the child has wellbeing needs which require support which is not generally available, then the Named Person will discuss the need for a Child's Plan and will start that planning process, involving other services as required.
- The Named Person will usually feedback to those practitioners who contact them when they either ask for feedback or when it may affect their interaction with the child or family. The feedback will be proportionate in terms of requirement for information.
- **Will a family have more than one Named Person, and how will that work** where a young person is also a parent?
- If there are children of different ages, or at different schools or education services, then there will have more than one Named Person identified for your family. For example there may be a health visitor as Named Person for the pre-school child and a promoted teacher, or someone in the local authority for an older child.
- If there are no wellbeing needs and the family are not seeking help, then they may have no engagement with any of the Named Persons.
- The Named Person for each child will deal with any wellbeing needs for that individual child, but where it would be helpful to the children or parents, there can be links between the different Named Persons for a family.
- If a young person under 18 is also a parent, they will have their own Named Person, and their child will also have a Named Person from the health board. There may be no need for any contact with both or either Named Person, or it may be helpful for the two Named Persons to link to make sure that both the child and the parent get the right support.

## How will the Named Person operate during holiday periods and at weekends?

- The Named Person service is not an emergency service and will not be available out with normal working hours like evenings or weekends. At these times services like the police, emergency and 'out of hours' health or social work will respond as they do now depending on the nature of the concern.

- Health boards and local authorities will have to put arrangements in place during staff illness or holiday periods so that children and families, and other services know who to contact for assistance.
- In the case of school holidays, the local authority will let children and families know who they can contact in the local authority if they wish to access the Named Person service.
- The identified Named Person during holiday periods will be able to give information or advice to children or parents, seek help from other services if necessary and will feedback any information or action taken to the usual Named Person after the holiday period is over.

Practice Material  
Scottish Government GIRFEC Team  
March 2016

## Reading material for the GIRFEC Practice Development Panel

Children and Young People Information Sharing Bill and accompanying document (including the Code Of Practice) :

<http://www.gov.scot/Topics/People/Young-People/gettingitright/information-sharing/cyp-information-sharing-bill-2017>

Getting It Right for Every Child Policy Update (published July 2017) :

<http://www.gov.scot/Resource/0052/00529614.pdf>

Supreme Court Judgment:

<https://www.supremecourt.uk/cases/uksc-2015-0216.html>

Education and Skills Committee reports, written evidence received, correspondence received, oral evidence videos, SPICE briefings:

<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/105493.aspx>

Children and Young People (Scotland) Act 2014 - Revised Draft Statutory Guidance for Parts 4, 5 and 18 (Section 96) :

<http://www.gov.scot/Resource/0049/00490013.pdf>

Children and Young People (Scotland) Act 2014 :

<http://www.legislation.gov.uk/asp/2014/8/contents/enacted>

Example Practice Material (previously been shared with key stakeholders) :



GIRFEC Practice  
Materials - adL

## **Q&A - Children and Young People (Information Sharing) (Scotland) Bill**

### **WHAT IS THE AIM OF THE BILL**

#### **1. What does the Bill do?**

- The Bill that was introduced to Parliament on 19 June 2017, puts measures in place that ensure the aims of the Named Person service, as supported by Parliament and described by the Supreme Court as “unquestionably legitimate and benign”, are compatible with data protection law, human rights law and the law of confidentiality.
- The new approach provides a legal prompt to support how information is shared by professionals and organisations using the Getting it right for every child approach and providing the Named Person service across the country. A service that means children and families have equal access to the right support at the right time if they need it, regardless of where they live.
- The approach aims to bring consistency, clarity and coherence to the practice of sharing information about children and young people’s wellbeing across Scotland.

#### **2. What is different?**

- The changes we are making to the information sharing provisions in Parts 4 and 5 of the Children and Young People (Scotland) Act 2014 are a result of the Supreme Court judgment and improve the Named Person service by building on current practice and clarifying how the service will operate.
- The Bill introduces:
  - a duty to consider whether sharing information with or by the Named Person service could promote, support or safeguard the wellbeing of a child or young person. This changes the Act which has a duty to share information that is likely to be relevant to the Named Person functions, and may affect a child or young person’s wellbeing.
  - a duty to consider whether the information could be provided in compliance with existing law – the Data Protection Act, any directly applicable EU law relating to data protection, and any other enactment

or rule of law including the law of confidentiality. Practitioners must fully understand the legal requirements that must be complied with before information can be shared.

- the power to share relevant information with or by the Named Person service, and in connection with a Child's Plan, when the above conditions are met. As long as the person providing the information believes the information would not prejudice the conduct of a criminal investigation or the prosecution of any offence. This differs from the Act which has a requirement to share information.
- The proposed changes will give families, practitioners and the wider public greater confidence that information sharing with and by the Named Person service respects their rights fully and the founding principles of Getting it right for every child.

**3. Given the opposition to this policy from some parents, is it not time for the SG to abandon their plans for a Named Person for every child?**

- The Named Person service ensures the rights and wellbeing of children and young people are at the heart of the services that support them. It is built on the principles of the United Nations Convention on the Rights of the Child (UNCRC), and developed in response to parents' expressed wish for a clear point of contact to access help. It has the support of the Scottish Parliament, the endorsement of the Supreme Court, and is backed by parent groups and many children's charities.
- The Scottish Government remains fully committed to making a Named Person available for every child, delivered mainly by practitioners in the universal services of health and education as part of their current role supporting the wellbeing of children and young people.
- We are aware that some parents and families have been concerned about how the Named Person service might operate but also aware that this is not representative of the majority. Regardless, this Bill and the new information sharing provisions ensure that all families will have a key say in how they are supported by the service.

- We know from feedback that more must be done to inform people about the Getting it right for every child approach and the Named Person service.

#### **4. Why is legislation on information sharing with and by the Named Person needed?**

- We know through Care Inspectorate reports and through engagement with practitioners that approaches to sharing information below the threshold of risk of significant harm to a child are still inconsistent. This is where the Named Person's role can be so important in responding to needs and offering early support to families before concerns become problems.
- Without legislation, there is a risk that the benefits of a coherent and consistent approach, delivered through good practice in some places, are not available to all families.

#### **5. Why is the Scottish Government not including a duty to seek consent?**

- We heard loud and clear throughout the engagement processes that an additional specific duty to seek consent is unnecessary. The Named Person service will operate in line with current laws in relation to information sharing which already include provisions in relation to the obtaining of consent where appropriate.
- Information sharing as part of the Named Person service must always respect existing law, such as data protection law, human rights law and the law of confidentiality.

#### **6. Will information sharing be done with consent?**

- Service providers and others working with children and young people will only be able to share information if the requirements set out in the Bill are satisfied. A key way to meet these requirements is to seek and gain consent.
- On in exceptional circumstances should information be shared without consent, where there is a legal basis to do so.
- The proposed changes to the legislation and the introduction of a new statutory Code of Practice make it clear that information sharing must comply with data protection law, human rights and the law of confidentiality.

## **7. How will you ensure that families understand how this will work?**

- We will deliver a public information campaign with partners and Named Person service providers in particular, to provide accessible information for children, young people and parents on their rights and entitlement embodied in Getting it right for every child. This will be in addition to local information and activity to ensure children and families are aware of their local Named Person service and how to access it.

## **8. How do you know this will satisfy the Supreme Court ruling?**

- The Supreme Court ruled that changes were required to the information sharing provisions in Part 4 of the Act to make them compatible with Article 8 of the ECHR. The Bill makes it clear that information shared with or by the Named Person service must operate in line with current laws, including data protection law, human rights law and the law of confidentiality, which include provisions in relation to the seeking and obtaining of consent.
- We are confident that the Bill responds to the Supreme Court judgment in a way that improves the Named Person service to give families, practitioners and the wider public greater confidence that information sharing must comply with other legal requirements, such as those under data protection law, and the founding principles of Getting it right for every child.

## **9. How will service providers demonstrate they have fulfilled the duty to consider sharing information?**

- Service providers will be required to evidence that their processes and actions to share information fulfil their legal duties. Routine inspections will be carried out by the relevant inspection and scrutiny bodies, such as the Care Inspectorate, Education Scotland and Healthcare Improvement Scotland.
- The Scottish Government will work with practitioners and organisations to help them implement the new law. The statutory Code of Practice, which will be drafted and consulted upon once the Bill is passed, and statutory guidance will provide organisations, the public and practitioners with clear and

accessible information on how information sharing will operate in relation to the Named Person service and the Child's Plan.

## **WHAT CONSULTATION HAS TAKEN PLACE**

### **10. When and how will you consult on the Bill?**

- We have continued to listen intensely to stakeholders in developing the Bill. From September to December 2016, The Scottish Government had over 50 meetings and engaged with some 250 organisations and groups. This included around 700 young people, parents and carers, practitioners, professionals and leaders from education, health, local authorities, police, faith communities, unions and charities.
- Importantly, we listened to those who supported the Named Person policy and those who had concerns with it but were prepared to consider a revised way forward. We reached out to Care Scotland, Clan ChildLaw, Together and the Scottish Parent Teacher Council amongst others.
- The Bill is now part of Parliamentary process and subject to the scrutiny of the Education and Skills Committee which includes a review of evidence submitted by organisations and members of the public.
- Subsequent to completion of the Bill's Parliamentary process, there will be formal public consultation on the Code of Practice on information sharing and the revised statutory guidance for Parts 4 and 5 of the 2014 Act.

### **11. How can individuals or organisations make their views known about the Bill?**

- The Education and Skills Committee considered the Bill at Stage 1 and issued a 'call for evidence' period.
- The deadline for submission of evidence was 25 August 2017 but the Committee may accept evidence beyond this date.
- A range of organisations wrote to the Committee expressing their views on the Bill. Some stakeholders were invited to give oral evidence directly to the committee between 6 September and 8 November 2017.
- The Deputy First Minister gave evidence at Committee on 8 November 2017.

**12. Is it possible for individuals or organisations to suggest amendments to the Bill as it goes through Parliament?**

- Only MSPs can submit amendments to the Bill, however this is often done on behalf of organisations or individuals who have lobbied their MSP over a particular issue.

**13. When and how will you consult on the statutory Code of Practice?**

- An illustrative draft code of practice was presented to Parliament on the introduction of the Bill on 19 June 2017 to illustrate how the power in sections 26B and 40B, as currently drafted, may be used.
- A public consultation on the draft Code of Practice on information sharing will occur once the Bill has received Royal Assent.

**GETTING IT RIGHT FOR EVERY CHILD POLICY**

**14. Should /can health boards, local authorities and independent schools provide a Named Person service and talk about an identified Named Person before the Act is commenced?**

- The Supreme Court judgment did not require any other aspect of Parts 4 or 5 of the Act to change or affect current practice under Getting it right for every child policy.
- Named Person services and coordinated planning frameworks for children who need that can and should be provided on a policy basis. Local authorities, health boards and other organisations have worked hard to prepare for implementation of Parts 4 and 5 of the Act and should continue to implement the Getting it right for every child approach, operating within the existing legal and policy framework.
- Processing of information by the Named Person service will be as for any information currently processed. In practice, that means that recording and retention, for example, will be down to the local procedures of the NP service provider which should be in keeping with current law governing data processing.

- The approach builds on good practice by making a clear point of contact available for all children and young people, normally the Health Visitor or a promoted teacher for children in school. The role of Named Person will be taken forward by these individuals as an integrated part of existing duties, offering advice or support relevant to their expertise, or helping children, young people and parents to access support from others.
- It is national policy for organisations to make the Named Person service available as an entitlement, with no obligation for children and young people or parents to accept any offer of advice or support from the Named Person.

**15. What is the Government's view on the decision to delay the Bill at Stage 1?**

- This decision to set aside the date for completion of Stage One unnecessarily delays progress of this important bill. The delay to this bill also delays measures which support the implementation of key aspects of Getting it right for every child.
- A panel, independently chaired by Ian Welsh OBE, is being established and will include practitioner representation to ensure they are involved in developing a code that is workable, comprehensive and user friendly.
- The Deputy First Minister has already committed to amending the bill so that the Code of Practice is subject to Parliamentary scrutiny and approval.
- Beyond that the DFM has also committed to a Stage 2 amendment that would mean that the Code of Practice would require Parliamentary approval.
- We will work with Parliament to agree a renewed date for resumption of the Stage 1 process to take forward Named Person and ensure children and families get access to the right support at the right time from the right people.
- It is also important that we all continue to signal clearly our support for practitioners seeking to implement early intervention, prevention and collaboration in the field.

**16. Why did the Scottish Government engage with stakeholders throughout the passage of the Information Sharing Bill?**

- As is entirely right and proper, the Scottish Government engaged with stakeholders throughout the passage of the Information Sharing Bill. We will continue to engage with stakeholders in the development of supporting materials, such as the code of practice and guidance.
- To ensure that those affected by developing law and policy are well informed, their concerns are heard, this engagement is essential.

**17. What will the Panel be responsible for?**

- The Practice Development Panel will ensure the Code of Practice, Statutory Guidance and other materials are workable, comprehensive and user friendly. The Code of Practice and Statutory Guidance will be consulted on as required by the Bill and 2014 Act.
- The Panel will ensure that a further draft is prepared to aid Parliament's consideration of the Bill harnessing the knowledge and skills of practitioners building confidence and trust. The panel will ensure that the experience and expertise of practitioners informs the materials.
- It will also ensure that practical knowledge of information sharing in the public sector and children's services is the foundation for the development of these materials.

## Getting it Right For Every Child Practice Development Panel Chair

### Ian Welsh OBE - Chief Executive – The ALLIANCE



Ian Welsh OBE is Chief Executive and brings extensive experience in the public, private and third sectors.

Ian leads the organisation to achieve the ALLIANCE vision for a Scotland where people who are disabled or living with a long term condition and carers have a strong voice and enjoy their right to live well.

Ian sits on a range of Scottish Government Programme Boards along with serving as a Non-Executive Director of NHS Ayrshire and Arran Board and East Ayrshire Health and Social Care Partnership.

## Members

**Jennifer King** - Education Manager (Additional Support Needs, Educational Psychology & Inclusion), Children & Families Service, Dundee City Council. Also the *Chair of ADES Network for Children & Young People's/ASN Services*.



My current role in Dundee involves working with managers across integrated children's services (including Health, Voluntary Sector and the Police) across Tayside; and also includes the functions of the Principal Educational Psychologist. My job entails having overall strategic and operational responsibility for all aspects of Additional Support Needs, Educational Psychology and Inclusion in Dundee, with action research methodology being central to strategic planning in these areas. I work closely with colleagues and partners in Dundee and within the Tayside

Collaborative on the implementation of GIRFEC, and the necessary alignment with other legislative and policy frameworks. Chair of ADES.

**Juliet Harris** - Director of Together (Scottish Alliance for Children's Rights)



Juliet is the Director of Together (Scottish Alliance for Children's Rights) and leads the organisation in promoting and monitoring the implementation of the UN Convention on the Rights of the Child (UNCRC) across Scotland. This includes working with Together's membership of over 300 children's organisations and professionals to produce an annual State of Children's Rights report, liaising with government and parliamentarians to further children's

rights in policy and practice and reporting on progress to the United Nations Committee on the Rights of the Child. Juliet's previous experience includes six years tackling the destitution and poverty of refugees and asylum seekers, alongside a number of roles with charities working in the field of health and homelessness. Juliet has an LLM in International Human Rights Law.

**Annette Holiday** – Community Practitioners and Health Visiting Association



Annette is a Unite and Community Practitioners and Health Visiting Association (CPHVA) Executive Committee Scottish Representative.

The Unite and CPHVA Executive Committee is the elected body representing the 10 Unite regions and CPHVA Organising Professional Committees. Members are working community nurses who give their time to the committee on a voluntary basis.

**Professor Paul Martin** - Professor, Deputy Principal of The University of West Scotland



Professor Paul Martin has responsibility for leading the delivery of academic programmes across the University's six Schools. He also has Executive responsibility for Strategic Planning and Development, including liaison with the Scottish Funding Council negotiating the University's Outcome Agreement. Paul is the Chair of the Chief Nursing Officer for Scotland Commission on Widening Access to Nursing and Midwifery education.

**Anne Houston** – Chair - Child Protection Committees Scotland (CPCS)



Child Protection Committees Scotland brings together Chairs of local Child Protection Committees and Child Protection Lead Officers from across Scotland, along with associate members from other relevant organisations. We support the development and delivery of efficient and effective processes, common standards and continuous improvement in the protection of children. Other current roles: Independent Chair, North Ayrshire Child Protection Committee Board Member, The Care Inspectorate.

**Norma Shippin** - Director of Central Legal Office and Legal Adviser to the NHS in Scotland



Norma Shippin is the Director of Central Legal Office, National Services Scotland. Role includes – Head of the Legal Services for NHS Scotland. I am a litigation lawyer but now oversee the full range of services – including property, contracts and employment Law. We provide advice about Data protection and confidentiality on a regular basis.

**Sally Ann Kelly** – Chief Executive, Aberlour ( Collation of Care and Support Providers in Scotland)



The Chief Executive is entrusted to direct and control all aspects of Aberlour ensuring that the requirements of the Board and stakeholders are met. The Chief Executive develops and drives the overall strategic objectives and priorities securing the support of a highly skilled and dedicated organisation with best practice and good corporate governance built into all service, professional and corporate areas.

**Norman Conway** - Detective Chief Inspector - Police Scotland



Norman's role is to embed a corporate standard in the functionality and practice within the 13 police Concern Hubs nationally. This has centred on standards of Information Management for wellbeing concerns, with a strong focus on identifying opportunities for early intervention and prevention in collaboration with partners. To oversee the continued operation, development and delivery of the policies, practice and technical improvements connected to the interim Vulnerable Persons Database.

To support the Scottish Government and key stakeholders with the implementation of Parts 4 and 5 of the Children and Young People (Scot) Act and associated Information Sharing Bill.

**Lorna Greene** - Policy Officer - Royal College of Nursing Scotland



Under the direction of the Scotland Policy Adviser, Lorna is responsible for investigating, analysing and consulting on priority areas in Scottish health, nursing and social care. Producing robust and persuasive policy outputs, that play an active part in effectively influencing Scottish policy development on behalf of patients and nursing.

**Eddie Docherty** – Executive Director –Nursing, Midwifery and Allied Health Professions



Eddie Docherty is the Director of Nursing, Midwifery and Allied Health Professions for NHS Dumfries and Galloway. Part of his remit includes responsibility for the development of advanced nurse practitioners throughout the health board. He is the Chair of the National Group for Transforming Nursing Roles : Advanced Practice.

**Maureen Falconer** -- Regional Manager – Scotland - Information Commissioner's Office



Manage the ICO's Scotland office and provide privacy related guidance and advice to stakeholders on data protection law.

**Joanna Murphy** – Chair – National Parent Forum Scotland



Chair of National Parent Forum of Scotland, a voluntary role. She brings to discussions the authentic voice of a Glasgow parent, with three daughters, one in high school and two in Higher Education. In her current role Joanna sits on the Scottish Education Council, and in the past has represented NPFS on the Curriculum for Excellence Management Board, Tackling Bureaucracy Working Group and was responsible for all of the National Parent Forum Scotland DYW involvement. She is passionate about parental involvement in education and is keen to represent the voice of parents at a national level while helping everyday engagement in schools flourish.

**Susan Taylor** - President - Social Work Scotland



Susan Taylor is the President of Social Work Scotland and the Head of Children's Health, Care and Justice, Chief Social Worker Officer for East Ayrshire Health and Social Care Partnership. Susan is the Chair of the Organisational Development Hub committee at Social Work Scotland. This committee supports the Executive and the other Policy standing committee's around issues concerning workforce and organisational development, research and evidence based practice, performance management and information, and complaint handling.

**Larry Flanagan** - General Secretary - Education Institute Scotland



Larry is the General Secretary for the Education Institute Scotland which is the largest teaching union in Scotland. He represents EIS on the General Council of the Trades Union Congress, and the General Council of the Scottish Trades Union Congress. The EIS's current campaigns surround teacher's pay; 'Value Education Value Teachers', Child Poverty and a campaign for Instrumental Music.

**Peter Hesse** - President - Society of Local Authority Lawyers & Administrators in Scotland



Peter is Strategic Lead – Regulatory and Monitoring Officer at West Dunbartonshire Council, his current responsibilities include Legal, Records Management, Democratic Services, and Elections. He has worked in local government since 1993, primarily as a litigation Solicitor. Prior to West Dunbartonshire has held roles in East Ayrshire and Renfrewshire Councils. He has served as an Office Bearer with SOLAR since 2015. Peter spends most of his free time entertaining his children, he enjoys sport and attending gigs.

**Chris Creegan** – Chief Executive – Scottish Commission for Learning Disability



Chris joined SCLD as Chief Executive in June 2013. He leads the staff team at SCLD and reports to the Board of Trustees on the day to day management of the organisation. Before working at SCLD he worked at NatCen Social Research as Director of Corporate Affairs. Chris is also Chair of the Board of Trustees at SAMH.

## **Getting It Right For Every Child – Engagement**

The Bill and policy teams use a variety of communication and engagement approaches to reach a wide range of stakeholders across Scotland including: children, young people and parents; professionals working with or involved in supporting families; third sector and independent organisations; local authorities and health boards; and stakeholders across government.

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We are reviewing our communication and engagement activity to identify additional opportunities to extend our reach, and support robust and meaningful engagement with the full range of GIRFEC audiences on policy and legislation going forward.

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<b>Getting it right for every child led meetings</b>					
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National Implementation Support Group (NISG)	14 Feb, 19 Apr TBC: 19 Jun, 21 Aug, 16 Oct, 13 Dec	Bi-Monthly	To act as a critical adviser to the Scottish Government in the development and implementation of GIRFEC across Scotland.	Sector- wide representation	GIRFEC
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Health Board Change Managers (CEL29)	15 Mar, 03 May, 28 Aug, 16 Oct, 06 Dec	Bi-Monthly	<p>Senior Managers identified by NHS CEO's in each territorial and special Health Board with responsibility to advance the Implementation of Getting It Right For Every Child (GIRFEC) in the Health Sector</p> <p>These individuals meet with the GIRFEC Team to provide advice, share practice, discuss and provide feedback from Boards on challenges and opportunities. Provide a conduit for communication to Boards and their stakeholders including when SG is seeking formal engagement and information on implementation of the GIRFEC approach including preparation for commencement of the associated legislation in Parts 4 and 5 of the CYP Act.</p>	<p>Senior Managers from territorial and special Health Boards, Health and Social Care Partnerships and Police Scotland.</p> <p>SG Policy Officers from Chief Nursing Officer Directorate, Chief Medical Officer Directorate, and Child and Maternal Health</p>	GIRFEC
Third Sector Group		Ad hoc engagement	<p>Purpose is to ensure direct engagement with a large number and range of third sector children's organisations, to facilitate discussion on the Getting it right for every child approach, implementation issues relating to parts 4 and 5 and the development of guidance and practice materials.</p>	<p>Lead officers from a range of national and local third sector organisations who may interact with the Named Person service and who contribute to the Getting it right for every child approach.</p>	GIRFEC
Named Person Service Providers		Ad hoc engagement	<p>This meeting brings together attendees from the Lead Officers Group, Health Board Change Managers (CEL29) and Third Sector Named Person service providers to discuss the named person service.</p>	<p>Senior Officials from Local Authorities, NHS, Police Scotland, Education Scotland, Health and Social Care Partnerships, Third Sector, Scottish Council of Independent Schools</p>	GIRFEC
Nursing and Midwifery Organisations	Mid-March	Quarterly	<p>Provide a two way conduit of engagement with the sector that can provide advice, comment</p>	<p>Members from</p>	GIRFEC

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Child Health Commissioners	21			Child Health	

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## **Getting It Right For Every Child Practice Development Panel**

**14 March 2018, 13:30 – 16:00**

### **Agenda:**

**13:30** – Welcome - Panel Chair (5 mins)

### **13:35 – Consent and General Data Protection Regulations**

Presentation (10 mins)

Discussion (20 mins) with minutes from the Legal Focus Group circulated in advance

Feedback from the discussion at the Legal Focus group on how consent could be handled in the Code of Practice, including the implications of the incoming GDPR

### **14:05 - Framework for Primary Legislation, the Code of Practice, Statutory Guidance, resources and support materials- What For Whom?**

Presentation from the first Panel meeting recap- **[Redacted Text]** (5 mins)

Discussion- led by Chair (30 mins) with paper from the Statutory Guidance Framework Group circulated in advance

Following the initial discussion of how the Code of Practice for Information Sharing fits with other materials at the first Panel meeting, there is an opportunity to consider the audience and contents for each. The aim of the discussion is to agree the parameters of the Code of Practice so that the first iteration of drafting can commence.

To support this discussion, an early draft report has been prepared by the Statutory Guidance Framework Group that proposes an outline framework of the Statutory Guidance for Parts 4 and 5 of the Children and Young People Act, and offers comments on other materials.

**14:40 – Break**

### **14:50 - Stakeholder Engagement – forward planning workshop**

Workshop – (60 mins) – facilitated by **[Redacted Text]**, Communications Manager, Getting It Right For Every Child team

Building on the paper outlining existing Scottish Governments plans for stakeholder engagement and the Bill Timeline circulated previously, Panel Members to consider and agree why, who, how and when stakeholder engagement is delivered:

**15:50 – Priorities, Agenda and Date of Next Meeting**

**15:55 – Any Other Business**

**16:00 - Close**

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