

ANNEX B

From:
Sent: 22 October 2019 14:10
To: Minister for Children and Young People
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills; DG Education, Communities & Justice; Director for Children and Families; Disclosure Scotland Leadership Team; Gibbs L (Lorna);
Subject: Official Sensitive -- Disclosure Scotland -- Turnaround Times -- 22 October 2019
Attachments: OFFICIAL SENSITIVE -- Disclosure Scotland -- Minute to Minister -- Turnaround Times -- 22 October 2019.docx

Official – Sensitive

I attach a minute from Lorna Gibbs to Ms Todd about turnaround times for disclosure applications.

Regards

22 October 2019

Disclosure Scotland
Pacific Quay
Glasgow

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From: Lorna Gibbs
22 October 2019

Minister for Children and Young People

DISCLOSURE SCOTLAND: TURNAROUND TIMES

Purpose

1. To inform you that Disclosure Scotland is not meeting its Service Level Agreement ("SLA") target to complete 90% of correctly completed disclosure applications within 14 calendar days; and of the steps being taken to remedy this position. We believe that it is six weeks since the SLA was last achieved across all of our products.
2. This is a temporary situation caused by a set of events which will not reoccur.
3. Our Key Performance Indicator for the SLA is based on our performance over the full financial year. On that measure we are still within target, with performance over the year to date sitting at 93% completed within 14 days. However, looking at the more short-term measurement, we are not within the target and customers during recent weeks are not receiving the level of service expected or previously experienced. We are acutely aware of the impact that this has on organisations and individuals seeking work and volunteering opportunities. To date we have had six formal complaints (including one from an MSP) and an increasing number of informal complaints via our helpline.

Timing

4. **Routine – for information only.**

Background

5. On 30 September Disclosure Scotland ended its contract with BT for the provision of an IT system and related support for the delivery of Ministers' functions under the Police Act 1997 ("the 1997 Act") and the Protection of Vulnerable Groups (Scotland) Act 2007 ("the 2007 Act"). The move away from BT, to Disclosure Scotland's PASS system, was incremental. It began in April 2018 and was completed ahead of the contract-end date above.
6. Although the 30 September date was planned, it did coincide with Disclosure Scotland's traditional application peak. Since the transfer of all applications to PASS, a number of factors have come together to impact adversely on our SLA. The main factors are:
 - in order to exit the BT contract by 30 September we had to accept that there would be a number of new manual processing workarounds on PASS for a time, meaning that work that was done digitally on BT and which will in due course be digital again on PASS is currently being done by people and is, inevitably, much slower;

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- September - October is peak application period (when DS receives an additional 25-30% applications per week);
- the BT system effectively 'stopped the clock' on applications that needed Force enquiries or additional information requested, meaning that time spent on those steps was not included when turnaround times were being calculated. The PASS Management Information ("MI") includes that time in the turnaround calculations. So although in these cases the customer is not receiving their certificate any slower, the turnaround times and SLA are being affected;
- a staged approach was used when transferring between the IT systems, this meant that applications were held in abeyance before being entered onto the new PASS system, resulting in some additional delay to processing; and
- delays and limitations to MI availability due to above has added significantly complexity to effectively managing our workload.

7. None of these factors individually would result in a drop in the SLA. However, the cumulative effect of these factors on our turnaround times is that it has slipped.

8. In the week ending 13 October (the latest week for which we currently have data), 61% of all applications were completed and issued within 14 calendar days against a target of 90%. The impact is different for our different products. Around 50% of our business at this time of year is Basics. For those we are currently exceeding our SLA, with 94% done within 14 days. Unfortunately, the position is much worse for our higher level products. For the standard and enhanced disclosures under the 1997 Act, and the PVG scheme record and short scheme record under the 2007 Act, only 12% of applications were completed and issued within 14 calendar days. The average turnaround time for this latter group of products is 16 calendar days.

9. We expect this pattern to continue, and potentially briefly worsen, when we can see the data for the week ending 20 October.

10. Clearly this is not acceptable and we have drawn up a remedial plan which came into force on 21 October. We expect that plan to begin to have an immediate impact on our turnaround times although it will take a few weeks for us to be confident that we are back within the SLA and that we will remain so going forward.

Remedial Action

11. At a meeting on 18 October, Disclosure Scotland's Leadership Team agreed to put in place a number of immediate steps to return our service to the SLA target. From 21 October, 11 experienced members of staff have transferred from non-processing roles to supplement our Application Handling and Vetting Teams. We will also extend our backshift operational time until 10:00 pm Monday to Friday, and, within SG limits, offer Saturday overtime. We have also taken action to recruit 12 agency staff to further supplement these internal moves with the expectation of having the staff in post by 11 November. Helpline hours will be reduced to 5 hours per day, allowing additional processing time. We will closely monitor the impact on

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our timelines of these actions and adjust our response accordingly to prioritise achieving our SLA.

12. We believe that these measures will clear the backlog within 21 days. We will continue to keep you up to date on progress by providing a weekly update from the 29 October. Once we have cleared the backlog, we are confident that we will be able to process new applications well within the SLA although we do accept that we will not return to our previous very fast turnarounds until we have removed the manual workarounds.

Lines to Take

13. There is no doubt that the SLA slippage is affecting our customers. If you are asked to comment on any delay we suggest the following lines:

- The delay is will not have an impact on safeguarding. Many employers already have additional safeguarding processes in place to allow someone to start employment prior to receiving their disclosure check.
- The Disclosure Scotland's service level agreement to complete 90% of correctly completed disclosure applications within 14 calendar days is currently behind by 2 days. This delay in service is temporary and action is being taken to rectify it as soon as possible.
- The slippage outwith the SLA target is due to the movement off the old BT system to the new PASS system at the same time as Disclosure Scotland's peak application period, where Disclosure Scotland receive an additional 25-30% applications per week.
- The delay may have an impact on some individuals seeking employment. However, we believe this impact to be small as many employers have additional safeguarding processes in place to enable individuals to conditionally start employment prior to a disclosure check being received.
- Applicants concerned about the delay impacting on their ability to obtain employment should contact Disclosure Scotland on 0300 020 0040 between the hours of 08.30 and 13.30.
- The current delay is not indicative of the future digital delivery of the Disclosure Bill, including the mandatory aspect proposed in the Bill. The unusual circumstances of moving of the old IT system to the new PASS system during peak application periods is a one-off situation. The new PASS system will be the foundation of digital delivery and during the implementation stage Disclosure Scotland will engage with users to ascertain user requirements.

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Conclusion

14. Please let me know if you need any further information. I would be happy to discuss if it would be helpful.

Lorna Gibbs
22 October 2019

Chief Executive
Disclosure Scotland
Pacific Quay
Glasgow

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Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Deputy First Minister and Cabinet Secretary for Education and Skills			X		
DG Education, Communities and Justice Director for Children and Families					

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From: [redacted]
Sent: 05 November 2019 10:11
To: [redacted]
Subject: FW: Official Sensitive -- Disclosure Scotland -- Turnaround Times -- 29 October 2019
Attachments: OFFICIAL SENSITIVE -- Disclosure Scotland -- Minute to Minister -- Turnaround Times -- 29 October 2019.docx

Kind regards

Policy Team | Disclosure Scotland



From: [redacted]
Sent: 29 October 2019 16:55
To: Minister for Children and Young People
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills ; DG Education,
Communities & Justice ; Director for Children and Families
; Communications DFM & Education

Subject: Official Sensitive -- Disclosure Scotland -- Turnaround Times -- 29 October 2019

I attach a minute from Lorna Gibbs to Ms Todd about turnaround times for disclosure applications.

Kind regards

Policy Team | Disclosure Scotland
[redacted]



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From: Lorna Gibbs
29 October 2019

Minister for Children and Young People

DISCLOSURE SCOTLAND: TURNAROUND TIMES

Purpose

1. This minute updates my minute of 22 October about Disclosure Scotland failing to meet its Service Level Agreement ("SLA") target to complete 90% of correctly completed disclosure applications within 14 calendar days.

Timing

2. **Routine:** for information only.

Background

3. We advised on 22nd October that we were taking an average of 16 days to process standard/ enhanced and PVG applications, out with our service level agreement of 14 days. As stated in my previous briefing this was caused by the incremental transfer of Disclosure Scotland's work from the BT IT system to Disclosure Scotland's PASS system by 30 September coinciding with Disclosure Scotland's traditional application peak.

4. Although our KPI is measured year to date, and we continue to achieve this, we also advised that the adverse impact on our customers required immediate action to reduce our turnaround times. Remedial action to address this issue was put in place on 21 October to achieve our service level agreement of 14 days within a 3 week period.

5. Our aims for each week are:

- W/E 27th October – to significantly reduce our mailroom backlog of 15,000, this is the backlog of applications waiting to be registered to the system.
- W/E 3rd November – to ensure ALL received applications are registered on our systems within 10 days of receipt.
- W/E 10th November – to ensure ALL received (completed) applications are processed and issued within 14 days (achieving our SLA).

Report

6. In the week ending 27 October we received approximately 11,700 new applications. In line with our recovery plan, we reduced our mailroom backlog to 4,310. This work enables us to now focus on accelerating processing through our system in the current week.

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7. Last week, we calculate that 96.4% of basic disclosure applications were done within 14 days, meeting our SLA for this Disclosure type.
8. For the standard and enhanced disclosures under the 1997 Act, we calculate that 40.7%, applications were completed and issued within 14 calendar days. This is an increase from 11.6% the previous week. The average turnaround time for these disclosures is 11.7 days, a reduction from 15.3 days the previous week.
9. We calculate that 13.4% of PVG applications were completed and issued within 14 calendar days. This is an increase from the 9.6% the previous week. The average turnaround time for this latter group of products is 17.3 calendar days, which is no change the previous week (after refinement had been made to the relevant data). Annex A provides further information on turnaround times and volumes.
10. We remain on track to achieve our SLA within the three week period. Our forecasted output for the current week is expected to markedly reduce average turnaround days. We will receive performance data on Tuesday 5th November at which point we will provide a further update.

Customer contact

11. A consequence of the slippage in turnaround times is that Disclosure Scotland has experienced an increase in contact from individuals and organisations asking about disclosures. There have also been 4 letters or emails involving MSPs or MPs. Annex B to this minute sets out an overview of this contact. We have responded by drawing upon the relevant aspects of the lines to take provided last week, and by dealing with any additional matters particular to the case in question.
12. Disclosure Scotland has also today received a detailed FOI request of 10 questions from Mr David Bateman a researcher for the Scottish Conservative and Unionist Party. Mr Bateman has previously made a number of FOI requests mainly in relation to the transformation programme. These requests are of a similar nature.

Conclusion

13. You are invited to note the content of this minute. I would be happy to discuss further if that would be helpful.

Lorna Gibbs
29 October 2019

Chief Executive
Disclosure Scotland
Pacific Quay
Glasgow

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ANNEX A

Week ending 27 October

Application Type	Applications Received	Applications Completed	% Completed within 14 Days	Average Processing Days
Basic	6,659	7,158	96.4%	9.4
Standard / Enhanced	628	317	40.7%	11.7
All PVG	6,841	2,109	13.4%	17.3

Week ending 20 October

Application Type	Applications Received	Applications Completed	% Completed within 14 Days	Average Processing Days
Basic	6,180	6,613	94.9%	9.8
Standard / Enhanced	378	380	11.6%	15.3
All PVG	7,254	3,193	9.6%	17.2

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Deputy First Minister and Cabinet Secretary for Education and Skills			X		
DG Education, Communities and Justice Director for Children and Families					

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Contact about Turnaround Time Slippage

Correspondence to Chief Executive:

- Christina McKelvie MSP (SNP) on behalf of a business in her constituency - Replied
- George Adam MSP (SNP) on behalf of one named constituent - Outstanding
- Gavin Newlands MP (SNP) on behalf of the school teacher mentioned below who wrote to the First Minister - Outstanding

MACCS:

- Letter from an individual school teacher to the First Minister for official reply - Replied

OTHER COMPLAINTS

- Telephone and emails from [redacted] about students unable to begin placements, including a complaint about one named student - Replied
- Email from [redacted] and Support Providers in Scotland about [redacted] members experiencing PVG delays - Replied
- Email from [redacted] on behalf of care home, care at home, and housing support providers about PVG delays - Replied
- Email from [redacted], a care at home company with ten outstanding PVG applications - Replied
- There have been 14 formal complaints through the Disclosure Scotland feedback process. These are from both individuals and organisations.