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I am writing to share with you the (GIRFEC) Practice Development Panel's report and the Scottish Government's response, both of which are being published today and will be the subject of discussion in Parliament, where I will provide an update.

I am extremely grateful to Professor Welsh OBE and Panel members for their expert consideration and additional engagement with stakeholders earlier this year.

I have enclosed a copy of both documents for your reference but in brief, I agree with the Panel's principal recommendation that we should not pursue a binding Code of Practice on Information Sharing at this time as the detail required to reflect the relevant legislative requirements would make the Code too complex, not user friendly, and inhibit good professional practice.

The Panel does say that professional codes, policies and procedures and guidance on the updated EU General Data Protection Regulation (GDPR) and Data Protection Act 2018 can provide the legal framework and safeguards needed to support proportionate and necessary information sharing within GIRFEC.

Foremost in my consideration of their recommendation is how we can best help children, young people and families get the help they need when they need it, while remaining confident that personal information is handled in a way that respects the rights of individuals. As such, I agree with the Panel that the best way forward at this time is through practical help, guidance and support for practitioners rather than a complex Code of Practice.

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I have asked my officials to develop a suite of products to support and promote good, proportionate and appropriate information sharing practice. This will include practical guidance to set out in a clear and accessible way the principles under which services and practitioners will handle information to provide practitioners with the confidence they need to share concerns where appropriate and proportionate; and, children, young people and their parents with reassurance that their rights are being respected.

The decision not to pursue a statutory Code of Practice has implications for the Children and Young People (Information Sharing) (Scotland) Bill, which you are currently considering, as well as Parts 4 and 5 of the Children and Young People Act 2014. I have reflected on the Panel's findings, current practice and changes to the legislative landscape and concluded that it is no longer necessary to pursue legislation in these areas. I will therefore be writing to the presiding officer today to withdraw the Children and Young People (Information Sharing) (Scotland) Bill and will seek to repeal parts 4 and 5 using a suitable legislative vehicle in due course. I will, instead, support and promote existing good practice through updated policy and practice guidance as part of the Getting it right for every child refresh.

I am grateful for the Committee's consideration of this Bill. This issue has been complex, but our key goal has always been to promote the wellbeing of Scotland's children and we cannot allow the complexity of an issue to detract from our overriding priority, which is the wellbeing and safety of Scotland's children. I remain committed to promoting good information sharing practice as key to that aim. I hope that today's announcement will provide children, young people, and their parents, as well as practitioners with certainty about how information sharing can support wellbeing in a transparent way which respects the rights of everyone.

JOHN SWINNEY

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