

Date: 5 December 2018 DATE

Your Ref:

Our Ref: 942/1118

Justice Committee Clerks,  
Room T2.60,  
The Scottish Parliament,  
Edinburgh,  
EH99 1SP



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Dear Convener,

## **POLICE SCOTLAND'S INTERIM VULNERABLE PERSONS DATABASE**

I refer to your letter dated 22 November 2018 in relation to Police Scotland's interim Vulnerable Person Database and document the following response in relation to the specific areas requested.

Police Scotland's interim Vulnerable Persons Database (iVPD) is an incident based database which was approved and introduced in 2013. iVPD records information about individuals who are, or are perceived to be, experiencing some form of adversity and/or situational vulnerability which may impact on their current or future wellbeing.

The database also records incidents where there has been a response required in respect of adult or child protection; domestic abuse; hate crime; youth offending and is used to record details of victim's rights under Section 8 and 9 of the Victims and Witnesses (Scotland) Act 2014. This is the database in which information is recorded, assessed and shared with relevant statutory agencies and/or 3<sup>rd</sup> sector organisations/advocacy where appropriate.

The Weeding and Retention Policy for iVPD was developed and approved in January 2018, which will ensure that personal information is not kept longer than necessary in compliance with data protection legislation.

Police Scotland's ICT Department has designed and developed a bespoke technical solution for a full set of weeding capability and are currently engaged in an in-depth testing phase for the system to safeguard the appropriate handling of personal information as well as the necessary robust procedures to ensure the correct details are either removed or retained.

**It is anticipated the weeding upgrade will go live on 04 February 2019. All required testing will be completed by that date. Once the upgrade is live automatic weeding**

**will take place on the criteria set. This upgrade will also ensure that iVPD is compliant in relation to the Data Protection Act 2018.**

On commencement of the weeding upgrade in February 2018 a significant volume of nominal records under the no concern/not applicable category will be automatically weeded.

### **INFORMATION SHARING – GENERAL DATA PROTECTION REGULATION (GDPR) AND DATA PROTECTION ACT (DPA) 2018**

All individuals have the right to be informed about the collection and use of their personal data. This means that on attending an incident where police are required to record personal information on the iVPD, officers must inform the member of the public that information from the incident will be recorded and assessed on police systems and that we may share relevant information with appropriate statutory agencies, who work in partnership with us to help keep people safe.

Individuals are also informed that their information can be shared with local 3<sup>rd</sup> sector support and advocacy services, with their consent. In order to do this, police are required to formally record an individual's explicit consent for this sharing to take place. If a person consents, police will pass their name, address, date of birth, other relevant information and details of the incident to the organisations they have consented to having their details shared with.

With effect from 25 May 2018, individuals have the right to withdraw consent at any time in relation to 3<sup>rd</sup> sector support and advocacy services. Police share information as soon as reasonably practicable therefore individuals have a limited time in which to withdraw their consent before this will have taken place. This does not, however affect an individual's right to their right to withdraw consent at any time.

A Data Protection Impact Assessment has been completed and is currently under consideration by the Information Commissioners Office (ICO) in relation to Police Scotland's collection and sharing of information with partner agencies.

I hope this is helpful. If further clarity is required please do not hesitate to contact me.

Yours sincerely,

Gillian MacDonald  
Assistant Chief Constable