Please note: These meeting notes are Scottish Government summaries of the discussions Scottish Government officials and Ministers heard at these meetings, not formal minutes agreed by those attending. The meetings ranged in audience from frontline practitioners to heads of organisations, and parents and young people, and because of this, the meeting length and delivery format on the day, as well as the structure and length of each meeting note varies. There was a variety of views expressed at each meeting.

**GIRFEC Engagement on Information Sharing**  
**Meeting with 3rd Sector Organisations**  
**26 September 2016**  
**Scottish Government Note of Meeting**

1. **Welcome and Scottish Government update**

The key issues raised in this session were;

- There should be more formal engagement with the Third Sector Interface (TSI’s) and other parts of the sector. There are a range of views which will be difficult to capture if the Scottish Government doesn’t formally engage with them.
- There is a third sector element with regard to data sharing Have there been any thoughts on a ‘Code of Practice’? Will it go through Parliament?
- What will the process be for the amendment of Part 4 of the Act?
- Is there a fixed view on how other policy areas are affected by the Supreme Court Judgment or are they also on hold until after the period of engagement?
- Part of the Supreme Court judgment stated that schedules 23 and 26 of the Act set too low a threshold on data sharing. Has any thought been given to the removal of data sharing from the legislation?
- Were children and young people’s views on the judgment and data sharing being captured?
- There is a lack of clarity on what will happen in the next year to implement the Act and safeguard children and young people’s rights.
- It is not easy to follow how and when the engagement will happen or how the results of the engagement will be fed back. Could the GIRFEC Team share the project plan for the engagement to help people understand the timeframe. Can it be shared on the SG website?
- Are the Scottish Government still committed to including 16-17 year olds in the Act and if so, is the decision up for discussion?
- What is the plan to engage with children with disabilities and looked after children?
- There is a need to build confidence with parents across the country and include them in the engagement. Some parents feel that this [the NP service] is being done to them and the concerns are wider than simply data sharing.

*It was explained that the process to fix the information provisions is still to be decided and will be informed by the engagement programme. This is why the GIRFEC Team is engaging with them. A wide range of stakeholder views will be sought and will include practitioners, parents, as well as, young people, those with disabilities, and looked after children. The group were asked if they could advise of any groups or organisations that the Team should be speaking to.*

*The engagement would inform what was needed, and in turn, whether a ‘Code of Practice’ is required, and if so, whether it should be placed in the Act.*
Please note: These meeting notes are Scottish Government summaries of the discussions Scottish Government officials and Ministers heard at these meetings, not formal minutes agreed by those attending. The meetings ranged in audience from frontline practitioners to heads of organisations, and parents and young people, and because of this, the meeting length and delivery format on the day, as well as the structure and length of each meeting note varies. There was a variety of views expressed at each meeting.

With regard to information sharing the Supreme Court was clear. The Supreme Court judgment said that there weren’t sufficient safeguards for data sharing in relation to the new information sharing provisions which were intended to commence from August 2016. Anyone data sharing must operate under existing Data Protection and Human Rights Law.

The group were told that we see no reason to change the policy of making available a Named Person for all children up to age 18 and, that the Deputy First Minister is open to discussion around 16-17 year olds inclusion and is happy to listen to opinions.

2. Maintaining momentum and managing the here and now

Maintaining momentum

- There is a need to engage and communicate with parents and families in particular the benefits of the Named Person service. Concerned that if we “backtrack” we will lose further public confidence. It could lead to the Data Protection Act becoming a barrier.

- The effect that the Named Person role would have on teachers, the Code of Practice will provide some help in this area?

- A lot of opposition has come from families that don’t have needs. Important to engage to promote the benefits of GIRFEC.

- Lots of parents are asking ‘what is the Named Person’ and there is anxiety around GIRFEC.

- Missing the mark regarding public opinion. It would be helpful if there was further clarity about the Named Person service, in particular, to combat the messages in the tabloid press. There is a need for more positive messages about the role of the Named Person and GIRFEC.

- Communications from GIRFEC need to be increased, in particular, how we articulate from policy to practice.

What is it that your organisation needs to maintain momentum?

- Active communication between services.

- Case studies are useful but there is a need to get this information down to a practitioner level.
Please note: These meeting notes are Scottish Government summaries of the discussions Scottish Government officials and Ministers heard at these meetings, not formal minutes agreed by those attending. The meetings ranged in audience from frontline practitioners to heads of organisations, and parents and young people, and because of this, the meeting length and delivery format on the day, as well as the structure and length of each meeting note varies. There was a variety of views expressed at each meeting.

- It would be helpful to have relevant case studies from a wider perspective i.e. sport.
- Some Named Person providers say they are not sure how they should respond to the question ‘Who is your Named Person?’
- There needs to be a clear statement around “here’s where we are and here’s what we are going to do” over the next year as people are not sure what is happening.
- There is a clear need for the GIRFEC Team to communicate what happens next and a short, crisp and clear message would go some way to helping.
- There is also a need for clarity from all local authorities/areas with regard the kind of Named Person service they are offering post Supreme Court Judgement.
- Invite TSI’s etc. to come along to discuss what is happening post judgment.

3. Information Sharing Session

- Don’t think that the ICO letter is particularly clear which could lead to information sharing practices being different in each local authority/health board. It might be better to wait until a ‘Code of practice’ is published.
- Is it possible to produce a case study around information sharing.
- The Scottish Government needs to provide a clear statement and guidance on what needs to happen now with regard to information sharing. The ICO letter is quite dense and practitioners will need to look through schedules, etc. There is a need for a plain English version of the ICO statement.
- ‘Rigid’ guidance will cause issues. Each situation is unique and maintaining the flexibility for professional judgement is important.
- The longer there is a vacuum the more chance of someone misinterpreting the policy position.
- There needs to be detailed discussion with people who know about the law i.e. Clan Childlaw. Whatever is issued must not be produced in ‘legal jargon’ it should be in plain English.
- It should be as simple as possible and only refer to guidance where further detail is required

4. Communications
Please note: These meeting notes are Scottish Government summaries of the discussions Scottish Government officials and Ministers heard at these meetings, not formal minutes agreed by those attending. The meetings ranged in audience from frontline practitioners to heads of organisations, and parents and young people, and because of this, the meeting length and delivery format on the day, as well as the structure and length of each meeting note varies. There was a variety of views expressed at each meeting.

- It was agreed that we have to remind people that there was cross-party support for the Named Person.
- Many people from the third sector are supporting and talking about the Named Person. There needs to be more supportive commentary coming from the Government.
- The Knowledge Hub could be used as a forum to discuss ideas and best practice.

5. **Agreed Outcomes**

- The GIRFEC Team to come back to the group with timescales for ‘refreshed’ policy update and guidance.
- The group should contact the GIRFEC Team with any thoughts on events that Scottish Government can offer an input to on the information sharing engagement, and also to share any examples of good practice.
- The GIRFEC Team to send an email to the third sector mailing list to invite comments and input into the engagement on information sharing.
- The GIRFEC Team to arrange a further meeting of the group in November 2016