



SCOTTISH

CHILDREN'S REPORTER


ADMINISTRATION

Scottish Children's Reporter Administration Minute of Information Governance Leads held on Wednesday 22 August 2018 at Ochil House, Stirling

Present:

Malcolm Schaffer (Chair), Donald Lamb, Janet Robertson, Kelly Campbell, Paul Harkness, Ed Morrison
Colette Cairns, Jacqueline Stephens, Lesley Siewert, Bruce Knight, Vicki Ritchie
By VC – Rosemary McCracken and Helena Watson

		Timescale	Action
1.	<p>Apologies Gillian Henderson, Gwen McNiven, Nicola Baird, Pamela Armstrong, Angela Mitchell.</p>		
2.	<p>Any other Business</p> <ul style="list-style-type: none"> • CJSM emails for Safeguarders will go onto Connect. • If a Solicitor is a safeguarder – they will possible have 2 postal addresses Safeguarders get papers through the post and if they are a solicitor they will use their home address. That is why they may register using one postal address (solicitors) but give their home address so they get their papers delivered there. So staff should be using their home address. • We also use their CJSM email account to send them sensitive data in relation to a hearing. <p>SIG (Security Information Governance) Team</p> <ul style="list-style-type: none"> • This team deals with the security and information governance aspects of the new system. By combining CHS & SCRA systems into one core system, we have an SIG issue as CHS and SCRA currently operate under different security policies. • This group will be asked for help as we move forward, this will now become an item on future agenda's. <p>CHS/SW concern report</p> <ul style="list-style-type: none"> • CHS are asking for children to be identified on concern reports – however we should only be giving them the date and time of the hearing. 		BK
3.	<p>Minutes of last Meeting (15 May 2018) Minutes agreed as being accurate with no matters arising.</p>		
4.	<p>IG team changes We have 2 new members of the team: Colette Cairns (Personal Information officer) and Nicola Baird (Information Assistant). Ava Wieclawska left on 3 August 2018 to move to a new post with National Trust Scotland. MS would like it noted that all the work Ava has done over the past year has been really appreciated and she was a pleasure to work with.</p>		

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	A new DPO has been appointed subject to PVG checks and will hopefully start end of September/beginning October. He resides in Edinburgh and will be based at FHR. His background is as a solicitor, so as part of his induction it would be useful for him to go through the process of Children's Hearing System.		
5.	<p>Breach Reporting – Audit and Risk Committee (ARC) report. First few pages of the report reflect the activity. GDPR progress – in the work we have already done we're ahead of other agencies i.e. Police, Crown office etc. ICO are investigating 11 breaches (+ an additional 4). The breaches are on pages 10-13 of the report.</p> <ul style="list-style-type: none"> • Breach Report forms are being done well, we need to ensure that investigation reports are followed up. • Lots being reported internally – unopened returned mail this is good data to have especially where agencies are at fault. • Issues were raised with tracking breaches. Each breach is allocated an incident number and this should be used on all email correspondence. • Breach Spread Sheet will be put onto My Workspace for IG leads to access, this can be filtered down into Localities and Categories of Breach (see list in ARC report) • A great deal of time is being spent on breaches • SW accuracy of addresses is an issue; this is as much data quality as GDPR. • The form attached should be issued to all SW teams. MS will raise at national level. • Please report back to MS if SW has issues with the form. • Investigation forms are issued so we can follow up on retrieving post. • A discussion was had on how many attempts are needed to retrieve post. We should be recording every time we attempt to retrieve post, as Data Controllers we have a responsibility to retrieve this information. MS confirmed that after 3 attempts – we have done as much as we can to retrieve the information. • ICO investigation – there is no change in our approach regarding how we deal with staff involved in breaches. We are still supporting staff, we need to consider any supports/understanding/training required. ICO have set of questions, some relating to training/disciplinary actions – these are reasonable questions. 	 SW Change of Address to SCRA.docx	<p>All</p> <p>GH</p> <p>MS</p> <p>All</p>
6.	<p>Training plan IG leads have been emailed with training dates; this has now been put on Connect. A list of staff still to be trained will be emailed out to ensure all staff is covered.</p> <p>Reception based training: - this will be developed for Support Assistant roles.</p>	<p>By 27/08/18</p>	<p>CC</p> <p>CC</p>

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7.	<p>Lessons Learnt</p> <ul style="list-style-type: none"> • Breaches have highlighted an issue with Local Authorities, but we need to recognise our own issues. • Lessons learnt paper should be shared with all staff. • - Use of templates • - Understanding Breaches • - Outcome forms – panel papers being returned • - Recording & accuracy of information. • CMS – wrong addresses for agencies – we need to ensure this is accurate, regular housekeeping should be carried out. If addresses are changed on CMS please check to ensure old address is removed. • Don't rush – staff should not feel under pressure to get information out. It is better to go out correct. 		
8	<p>Recording of Offences</p> <p>We have a breach involving the recording of offences, where by a child has had a serious offence recorded as established against him, when the offence didn't go to court. It is important that offences are recorded correctly on CMS. Care needs to be taken with this process.</p> <p>Information is taken from CMS and sent to police and if this is inaccurate, it can have an impact on the child/young person.</p> <ul style="list-style-type: none"> • The interface between CMS – referrals needs to be clearer on the new system. • Care with process – ensure records are right at each stage of the process, and in particular amended at court or hearing, that amendment is reflected promptly in CMS. • DL pointed out that offence codes can't be additional info or duplicate – this can't be migrated to police. • That if offence referral is amended to m, the offence needs to be no actioned on CMS so that is reflected in police record.(see practice direction 5, paragraph 9) 		
9.	<p>ICO update</p> <p>The ICO have postponed the planned meeting, due to the on-going investigation, but it is clear that we are reporting more than others.</p> <p>As ICO develops we'll continually look at what we report and how we react, until the investigation is complete we will not change anything yet. ICO will probably not come back to us until the end of September.</p>		
10.	<p>Checking late reports</p> <p>Content checking – Reporters should be checking report. We should be “Geekie” about our accuracy, it is not necessarily GDPR it's about child protection and accurate information.</p>		
11.	<p>Liaison with Social work on updating addresses</p> <p>Covered under 5 Breach report.</p>		
12.	<p>Examples of good locality practice or issues arising</p> <ul style="list-style-type: none"> • PM who have resigned • A request will be sent to CHS to send out monthly resignation list to localities. 		DL

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	<ul style="list-style-type: none"> • CMS – SW reports KC has an issue currently been investigated regarding report coming out blacked out when they have been imported to CMS. <p>How do we manage reports being sent out to individuals? Whilst the responsibility is with the individual to inform us we should annually send out a letter/email. If in any doubt to ask the question if the person is still in the same position and still requires the information.</p> <p>Clearing Drives</p> <ul style="list-style-type: none"> • JR requests an outcome/stat doc list from DL to assist with clearing G drive of established grounds etc. This list can be issued to all localities: <p>Good Practice Please think about this for next meeting</p>	<p>Immediately</p> <p>November</p>	<p>DL</p> <p>ALL</p>
13	<p>Communication with Lawyers</p> <ul style="list-style-type: none"> • We need to be consistent with this and create a National Policy. This will be actioned after new DPO is appointed. At present teams do the following: • VR – send out full set of papers • LS – if solicitor asks – send out • JS – email solicitors • RM – No specific policy (Hamilton). Dumfries send out papers/if local get solicitor’s office to collect. Stranraer send out on request • HW – Mandate send out papers by post/email • PH – Mandate – split decision in office 2 LRM’s believe should get from client, 2 believe send out on request • KC – Snr Prac – will not send out, will issue outcomes for appeal. All requests go to Snr Prac – if agreed they are either emailed or collected. • JR – getting more and more requests – usually re-direct solicitor back to client, however will send out if necessary as sometimes this holds up process • JR also brought up issue with Practice direction 22 – under Legal Aid rules when solicitors get papers. Should only get papers when there is an agreement with client that they are acting on their behalf. 		MS
14	<p>Historic Abuse update</p> <ul style="list-style-type: none"> • GH has written asking for an update on the retention of files. The lease on the part of building that Ayrshire store their records is due to expire next year, and retention could become an issue. 		GH
	<p>Date of Next Meeting Tuesday 20 November 2018 – Ochil House, Stirling @ 13:00</p>		

