

**FOR: People involved in  
the Hearings System**

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### Who is SCRA and what is this notice for?

The Scottish Children's Reporter Administration (SCRA) is a national organisation focused on children and young people most at risk. SCRA has been in operation since 1st April 1996. Our main responsibilities are set out in the Local Government (Scotland) Act 1994 and are:

- To facilitate the work of Children's Reporters,
- To deploy and manage staff to carry out that work,
- To provide suitable accommodation for Children's Hearings.

SCRA is part of the Children's Hearings System. It aims to be a safety net for vulnerable children and young people, deliver solutions which meet the needs of the individuals involved, and to help to build stronger families and safer communities.

SCRA is a Data Controller, as defined in data protection law. SCRA's head office is at Ochil House, Springkerse Business Park, Stirling, FK7 7XE and it has various office locations throughout Scotland. Please see our [website](#) for further details.

Our Data Protection Officer can be contacted at [Inforequest@scra.gov.uk](mailto:Inforequest@scra.gov.uk) or on 0131 244 7202.

This privacy notice is about the personal information we hold to carry out our work under the [Children's Hearings \(Scotland\) Act 2011](#). It explains what personal information we hold, why we hold it, and what we do with it. It also explains where to find out more about an individual's rights under data protection law.

SCRA is committed to ensuring all personal information is processed in accordance with data protection law. Please see our Data Protection Policy for further information.

### Why does SCRA need to hold personal information?

We hold personal information because someone is concerned about a child or young person and has contacted us. This can be for lots of different reasons, including if the child or young person is having problems with going to school, if they have been in trouble with the police, if someone is worried that they are not being properly looked after at home or if someone is worried about their safety. We need this information because the law asks us to help protect children and young people.

<sup>1</sup> This includes children, young people, family members, relevant persons, prospective adopters, foster carers, family associates, witnesses, victims.

Further details about SCRA's responsibilities, as well as information about Children's Hearings, can be found on our [website](#).

We use personal information to decide if there should be a Children's Hearing; to evidence our decision making; and to meet our legal requirements to notify children, young people and relevant persons of referrals, outcomes and any other decisions made in respect of a child - as required by the [Children's Hearing \(Scotland\) Act 2011](#). If there is a Children's Hearing we will record its decisions.

We may also use personal information for quality assurance purposes to check that personal information is being used correctly and in line with our legal responsibilities; and for research and statistical purposes to influence and inform policy, practice and legislation on looked after children and the Children's Hearings System. If we use personal information for these reasons we will make sure that individuals cannot be identified.

We process personal information either because it is necessary to comply with our statutory obligations under the [Children's Hearings \(Scotland\) Act 2011](#) (and related rules); and/or it is necessary for us to carry out our official duties laid down by law. For further details of the legal framework in which we operate, please see our [website](#).

## **What personal information do we hold?**

Information provided to SCRA about the referral of a child, investigation carried out by a Children's Reporter or decisions made at a Children's Hearing is likely to include names, addresses, dates of birth, contact details, unique identifiers (for example, a child's case reference number); information about an individual's interests, personal/life history, financial situation, behaviour, educational or professional career, public life (including character, reputation, social status, marital status), family and relationship structure, friends and social connections; correspondence received from or sent to an individual; expressions of opinion; indications of the intentions of someone in respect of an individual.

We may also hold information about ethnicity, religious beliefs, political affiliations, philosophical beliefs, sexual life, sexual orientation, health data, physical characteristics, and information relating to any criminal offences and convictions as well as alleged offences.

## **Where do we get personal information from?**

Anyone can contact the Principal Reporter if they are concerned about a child or young person.

Children's Reporters investigate children's cases by asking for information from a number of sources – for example they might get information from a social worker if the child has one, or a doctor or teacher. This information will usually be on the child/young person referred, their parents, and other individuals associated with the child's care. Children, young people and relevant persons can also give information to the Children's Reporter. The Reporter will decide whether to arrange a Children's Hearing for the child.

## **Who has access to your personal information?**

SCRA staff use personal information to investigate a referral, arrange a Children's Hearing, check that personal information is being used properly, carry out research and produce



statistics. We will also access personal information to fulfil people's rights under data protection law.

## **Who will we share personal information with?**

If we decide a Children's Hearing should take place, we will share personal information with the people at that Hearing. These people could include social workers, family members and members of the Children's Panel.

We can also share information with other child protection and justice agencies but only if we have a lawful basis for doing so. We must share information proportionately and with adequate safeguards in place to protect the personal information.

We will share anonymised information with [Children's Hearing Scotland](#) in order to support ongoing research and produce statistics in relation to the Feedback Loop and Children's Hearings System.

We will inform victims of offences of the outcome if they have asked to be kept updated. We do this through our [Victim Information Service](#), in accordance with the Criminal Justice (Scotland) Act 2003. We will not share names of children and young people and will protect the right of the child or young person to confidentiality.

## **How long will we hold personal information?**

We retain personal information in line with data protection law. Once the information is no longer needed, it is securely destroyed. Most of the information will be held until a child's 18<sup>th</sup> birthday. We will keep some information for longer than this so that research can be done to help other children in the future but we will make sure that individuals cannot be identified.

For other retention periods that may apply, please see our [Records Management and Retention Schedule](#).

Please note that all case information is currently being retained while the [Scottish Child Abuse Inquiry](#) is ongoing.

## **What are your rights?**

One of the key objectives of data protection law is to protect and strengthen the rights of individuals in how their personal information is used.

Data protection law gives individuals these rights:

1. The right to be informed
2. The right of access
3. The right to rectification
4. The right to erasure
5. The right to restrict processing
6. The right to data portability
7. The right to object
8. The right to not be evaluated on the basis of automated processing



Information on each right, including how you can exercise these rights and where exemptions may apply can be found in the [Guide to Data Subjects Rights](#).

### **What can you do if you are unhappy with the way we process your information?**

If you are unhappy with the way we process your information, please speak to our Data Protection Officer. The Data Protection Officer can be contacted at [inforequest@scra.gov.uk](mailto:inforequest@scra.gov.uk) and on 0131 244 7202. You can also write to them at Ochil House, Springkerse Business Park, Stirling, FK7 7XE.

If you remain unhappy with the way we process your information you can also complain to the Information Commissioner's Office at the contact details below:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113 (local rate) or 01625 545 745 if you prefer to use a national rate number

