



SCOTTISH

CHILDREN'S REPORTER

ADMINISTRATION

## Scottish Children's Reporter Administration Minute of Information Governance Leads held on Tuesday 24 May 2022 via Microsoft Teams

**Present:**

Stephen Eodanable (Chair), Donald Lamb, Janet Robertson, Kelly Campbell, Jim McClafferty, Vicki Ritchie, Gwen McNiven, Nicola Baird, Pamela Armstrong, Angela Mitchell, Kerry-Ann Kean, Hannah McCulloch, Joanne Donald, Bruce Knight, Craig Brown (for part of meeting), Ed Morrison

		<b>Timescale</b>	<b>Action</b>
<b>1.</b>	<p><b>Apologies</b> Helen Etchells, Gill Short, Alistair Hogg, Jacqui Stephen, Paul Harkness</p>		
<b>2.</b>	<p><b>Any other Business</b> Two items added:</p> <p><b>i) Stephen Eodanable – H:Drive</b> With the H:Drive being decommissioned on 1<sup>st</sup> August, Managers may be requesting that restricted folders be moved to the G:Drive. iTECS may object to this. Restricted folders may contain appraisals and one-to-ones. There is a need to agree what to communicate to iTECS and how we envisage our 'personal' space in the future. VR - has a scanner folder and would delete everything as it isn't helpful stored there and should be elsewhere.</p> <p><b>ii) Stephen Eodanable – Flexipack Software</b> The group needs to decide where we will store documents related to court e.g. productions for court and witness statements. CSAS and Sharepoint would be needed to store these case-related items. Flexipack would pull these through from CSAS and not from G:Drive. SE asked if anyone had any thoughts on these items not being stored on the G:Drive anymore. VR - believes everything should be in one place. Court docs are already on Sharepoint and the G:Drive is mainly historical. KC - the productions are on CSAS in Sharepoint but not witness statements because they go straight to Reporters, which is probably why they don't necessarily appear on CSAS. SE - When the appeal period expires they need to be removed for effective good housekeeping. This will be included in the retention policy by SE. JM - there are two scenarios where even though the appeal period may have passed, it would be useful to have retained the documents. These would be rare circumstances. i) Where established grounds can be reopened on the back of new info becoming available (section 110 applications). The appeal period could have come and gone but evidence requires to be heard again in the future. ii) Grounds for referral have been established by agreement so no evidence is led. It is possible where a younger sibling comes into the system at a later date, that we would want to rely on</p>	<b>ASAP</b>	<b>All</b>

		<b>Timescale</b>	<b>Action</b>
	<p>previous grounds. Just because the grounds were previously accepted doesn't mean we wouldn't be required to lead evidence in relation to them to establish the latest grounds.</p> <p><i>(iii) Where previously established grounds identify the parent of the current referred child as having committed a schedule 1 offence but the parent was not a party to the original proceedings, as a matter of fairness we would not seek to rely on the previously established grounds. Evidence may therefore require to be heard again. (This point added by GS following circulation of these minutes to add clarity)</i></p> <p>Because these are rare occurrences, the potential issues surrounding retention have to be balanced with the potential impact of these issues. If a Reporter has a credible risk then the LRM can request a retention.</p>	<b>ASAP</b>	<b>All</b>
<b>3.</b>	<p><b>Minutes of last Meeting (22 February 2022)</b> Minutes agreed as being accurate and no matters arising.</p> <p><u>Updates on actions from previous minutes</u>  <b>Envelope provision</b> – EM updated the group on the sourcing of secure envelopes. Christina Thomson and Michelle Hamilton have spoken with LSM's regarding the volumes that may be required. The contract has to be informed by volumes and it is envisaged that these volumes will drop. The current contract expires at the end of June and it is hoped that the new contract will be in place during August and will be for 3-5 years.  <b>Retention of records</b> (see items 4 &amp; 5)  <b>Update of ND Group workstreams</b> (see item 7)  <b>Simulated Phishing Campaign</b> (see item 8)  <b>Training</b> (see item 10)</p>		

		Timescale	Action
<p><b>4. &amp; 5.</b></p>	<p><b>Setting a deadline for case files for over 18's on CSAS to be reviewed by localities &amp; Use of retention button in CSAS</b>  SE – Auto deletion is progressing and there will be a process whereby LRM's, LSM's and the IG team will be able to request retention, and a button on CSAS to allow that retention to be made. There are currently 172 cases selected for retention beyond the age of 18 and these are not necessarily all for children or young people who are almost 18. Over 160 of these records marked for retention are for children ranging from a few months of age up to 17 years. SE asked what the rationale behind requesting this option would be for a person of such a young age? He believes it may be an error possibly due to the relative newness of CSAS. There is currently an option to destroy and an option to retain and in some cases, both these options are selected in the same record. These cases need to be reviewed because we can normally only hold the information on a lawful basis until 18 and need to urgently de-select the records for those that shouldn't be retained, where the time limit is rapidly approaching i.e. the young person is almost 18. When the new policy goes live it would be advantageous if the system was already updated. There are approximately 15 cases per Locality. One month will give Douglas Cameron the necessary time to complete the work required. SE asked if one month was sufficient to update the files for those with anomalies. IG Leads members present agreed to one month timescale. SE will send a list to Localities along with the new policy.</p>	<p><b>By end of June 2022</b></p>	<p><b>SE &amp; All</b></p>
<p><b>6.</b></p>	<p><b>Restrictiveness of CSAS</b>  SE had previously requested examples of the restrictiveness of CSAS impacting on IG areas specifically. There were several issues highlighted.  AM – Her team have always tried to assist any caller based in Scotland because the organisation spans the country and she finds this is now impossible because only global access users can see all the records. A Reporter in Glasgow had to have access changed because the child involved in the case she owned was based in a different Locality.  KC – Police check requests do not always concern a child based in Fife, but come to that office from the police based in Fife. They are requesting whether a child is under investigation or a CSO. The check cannot easily be made unless that child is also in Fife. Information for the Recovery Reporter has to go via email due to CSAS permissions.  CB – This has caused a breach where a safeguarder who is also a solicitor was on the system with six different contact details, all owned by different people. She needed her contact details to reflect an address for her as either role.  VR – Her team had a near miss where they were unable to apply ND restrictions to a case file because the owner was unavailable. There was a delay of several days on registration of a referral. The obvious work around is to create a new record which is just a potential cause of a breach. SE thanked everyone for these examples and asked if any further examples could be brought to his attention.</p>		<p><b>All</b></p>

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<b>7.</b>	<p><b>Non-Disclosure Group and workstreams</b>  SE – updated on the various workstreams</p> <ol style="list-style-type: none"> <li>1. Liaison and Collaboration – Alison Deighan is working on a paper to be put to the Sheriffs Principal to justify our proposal that for ND, relevant persons are noted as c/o SCRA.</li> <li>2. Practice processes and legislation – Alison is also working on X&amp;Y v Principal Reporter. The Lady Wise decision that the hearing did not require to hear direct from prospective carers before deciding not to make a non-disclosure measure also touched on the test for making a non-disclosure measure. Our position on what the reporter should say in a hearing (if appropriate to say anything) remains relevant but our description of the test is being refined to reflect Lady Wise’s description of the test. Lady Wise’s decision is currently being appealed.</li> <li>3. Double Checking, Breach Handling and Property – There has not been a further meeting of this work-stream. The Lessons Learned from ND have now been highlighted more clearly via the monthly breach report on Connect for staff, as requested.</li> <li>4. Data and CSAS – HM shared the strengths and weaknesses of her ND audit findings. Redactions are being carried out reasonably well despite the redaction tool, and recording on CSAS does not conform to the SOM. Hannah offered to share the audit report with the wider IG team. JD will send with draft Minutes.</li> </ol>	<b>With draft minutes</b>	<b>HM/JD</b>
<b>8.</b>	<p><b>Simulated Phishing Report – Round 3</b>  BK updated the group on the latest round of simulated phishing emails. The results show that staff are not performing as well as he had hoped and SCOTS users are actually getting better results by slight margins. The simulated messages include non-Scottish email address sources, the sender being Amazon or something similar and include a degree of urgency. There are also billing requests which should always raise suspicion. There have been examples of voice messages and a ‘Microsoft’ email which could have introduced malware to the systems. Induction training is provided by Scottish Government and JD reassured the group that the new GDPR training covers phishing in some detail. This is due to be rolled out over the coming weeks. BK confirmed that if a recipient is 100% certain that a message is a scam, they can delete it without reporting it. If they are unsure or have clicked on a link or attachment then it should be reported to a manager and the cyber security team. SE asked for clarification on this as he wondered if it would affect the success rate of the figures if recipients simply deleted what might have been a test message. BK confirmed that this was acceptable and didn’t require reporting unless there was a possibility of malware being downloaded. However, if it’s a test, it is better for the figures if it is reported, but as far as IT safety is concerned, deletion is acceptable.</p>		

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<b>9.</b>	<p><b>Physical security of assets</b></p> <p>A break-in was reported in Hamilton House over Easter. There was a possible data protection impact so BK and SE need to be alerted as soon as possible if any other physical security breach occurs. Such an event may be reportable to the ICO within the 72 period. There was no physical evidence of a break-in but access codes have now been changed. There was a key safe left open. BK took the opportunity to raise the matter of the heightened national security level due to the Ukrainian situation. There have been reports of organisations being blackmailed over the information they hold.</p>		
<b>10.</b>	<p><b>Training</b></p> <p>SE – New training for GDPR will be rolled out by JD in the coming weeks. There is an emphasis on making this time-efficient with bigger groups encouraged to ensure that there are not so many courses run and people attend as soon as they can, so it doesn't run on into summer. IG Leads were asked to take this message back to their teams.</p>	<b>ASAP</b>	<b>All</b>
<b>11.</b>	<p><b>IG Leads Development Day</b></p> <p>SE asked what everyone would hope to gain from a day where we could all meet up. He had considered involving the ICO but we are likely to sit down with them again in the near future to discuss the potential AI project, to ensure their support of that. When we last sat down with them it was when Malcolm was SIRO and they offered us a large amount of re-assurance. The ICO understood how we investigated and reported, and the sensitive nature of our work. This has been included in a recent report for ARC looking at the history of breach reporting.</p> <p>JM- Suggested it would be useful to review expectations of IG Leads going forward e.g. looking at the less common issues that come with membership of the group such as what to do when there is a physical break-in to a building.</p> <p>SE asked if there were particular policies it would be useful to look at or an external speaker.</p> <p>JD– Suggested maybe a speaker on human error or risk assessment.</p> <p>Ideas to SE</p>	<b>Ideas by mid June</b>	<b>All</b>
<b>10.</b>	<p><b>Examples of good locality practise or issues arising</b></p> <p>KC raised a working practise in the Glenrothes office. Any document for a ND case goes through the redaction process on CSAS regardless of whether it contains anything. This means there is always an audit trail and anyone new to the case can easily see that documents are safe to go out. KC believes this to be good practise. However her concern is that current CSAS team instruction re redaction of proof applications does not support this practise. This means that there is one process for all other ND docs and a different process for ND proof applications and ICSOs, potentially increasing risk of breaches.</p>		

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	<p>VR - they do redact proof applications. These are then sent to Reporters for a third check.</p> <p>KC discussed a near-breach where a school location was nearly disclosed within a witness list attached to a proof application. Thankfully it hadn't been sent to the ND associate. Advice from Emma Morrison was that Support should either email or print a copy of the application and any supporting documents for the Reporter to check to ensure any information not to be disclosed is not contained in the documents before sending to court. KC is concerned that this doesn't maintain an audit trail.</p> <p>VR confirmed that she is now alerted to a provisional witness list being the source of a potential breach.</p> <p>More examples were encouraged for the next meeting.</p>	<b>Next meeting</b>	<b>All</b>
<b>11.</b>	<p><b>New risks</b></p> <p>The issue raised by Kelly in item 10 is potentially a new risk. SE will investigate with Emma.</p>	<b>ASAP</b>	<b>SE</b>
<b>12.</b>	<p><b>Date of Next Meeting</b></p> <p><b>Tuesday 23 August 2022 – via Microsoft Teams @ 13:30</b></p> <p>SE thanked everyone for attending the meeting.</p>		