



SCOTTISH

CHILDREN'S REPORTER

ADMINISTRATION

Scottish Children's Reporter Administration Minute of Information Governance Leads held on Tuesday 22nd November 2022 via Microsoft Teams

Present:

Alistair Hogg (chair), Angela Mitchell, Hannah McCulloch, Janet Robertson, Jacqueline Johnston, Gill Short, Stephen Eodanable, Donald Lamb, Pamela Armstrong, Gwen McNiven, Jo Donald, Kelly Campbell and Kerry-Ann Kean

		Timescale	Action
1.	<p>Apologies Bruce Knight, Nicola Baird, Jacqui Stephen, Ed Morrison, Victoria Ritchie, Helen Etchells and Paul Mulvanny</p>		
2.	<p>Any other Business One item added:</p> <p>i) Stephen Eodanable – Retention of records – sequence of events</p> <p>Douglas has confirmed CSAS and Sharepoint deletions can go ahead. Prior to that, functionality still allows Localities to click on the retention button. DL had provided a list of cases and contacted individuals who had clicked this button and asked them to review their decision. Whilst this work was being carried out on retrospective cases selected for retention, the button was still functioning and so more cases were being retained. The IG team will ultimately have the sole access to the button functionality. The IT deletion process could potentially delete records that have recently been retained, if the guidance that IG has access to the retention button is issued after the deletions are made. This is clearly a concern. AH commented that it is a good thing that cases will not be retained that shouldn't be and that only a tiny number of exceptional cases will sit with the IG team. However, the IG team needs that functionality within a correct sequence of events. This is a positive outcome for Localities but they must be aware of the high bar of the exception test. Localities will be advised in advance as to what is to be deleted so they have an opportunity to advise if they require the exception test to be considered.</p>		
3.	<p>Minutes of last Meeting (23rd August 2022) Accepted as correct</p> <p>Matters arising</p> <p><u>Updates on actions from previous minutes</u></p> <p>Restrictiveness of CSAS – Surveys update – Questionnaires were returned with a significant number of people stating that they would have been unaware that they were creating a duplicate record as they couldn't adequately search. The questionnaire results confirmed an action point to improve search functionality was required and a 'search by email address' option would improve the situation significantly. With regard to addressing the existing duplicate records, these are not creating such a risk as to warrant the time it would take to investigate and amend them. KC wanted to know if there had been any further discussion on ownership of contacts and the restrictive issue surrounding that. SE confirmed that there had been a discussion with IT and he could see both sides of the issue. IT's viewpoint is that there is always someone within the Locality with global access who can change the ownership of a record to permit updates to be made, but can also see that this takes time and slows progress of maintaining accurate</p>		

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	<p>records within the Locality. This could potentially lead to breaches. He stated that where there is a perceived higher risk, a phone call could be made to pass on urgent information that cannot be immediately amended in a record.</p> <p>Storage of court-related documents – SE & GS had discussed this further regarding the retention of records until age after 18 where necessary. This relates to s110 application notices where a case might be revisited due to new evidence coming to light and the benefit of preventing witness statements having to be retaken. GS confirmed that s110 applications can come back with offences needing to be proved after the young person has reached age 18, but chances are so slim that retention up to age 18 is more realistic.</p> <p>Updating mailing lists – AH confirmed that ownership of lists comes with a responsibility to keep them maintained. These should be regularly reviewed. GM has recently updated the IG Leads mailing list.</p> <p>CSAS Warning box (see item 4)</p> <p>Redacting previous ND addresses from RoPs – AH commented that since the last meeting there appear to have been no significant issues. He queried whether directions are still required to be made or whether Localities have found a way through this? (There were no responses from the Localities represented at the meeting at this point). Alison has confirmed to AH that nothing had been raised in the last few months and that it was perhaps no longer an issue?</p>	ASAP	All
4.	<p>CSAS Warning Box</p> <p>SE – SOM not updated yet. It has been agreed to update the SOM but uncertainty remains as to what the clarity should look like. This may also disadvantage some Localities. SE would welcome a brief conversation regarding this with Locality input. There is no clear alternative as to where a note should live if it doesn't live in the warning box. Volunteers for a separate discussion on this need to contact SE please.</p>	ASAP	All
5.	<p>ND Group workstreams</p> <p>AH updated on the work of the Group. An email was sent out a few weeks ago concerning the proposed CSAS change regarding hearing outcome notifications and the ability to redact before producing them. Only positive responses were received. This offers great benefits to operational staff and the system does work. If someone requests full information (very rarely), then this can be achieved. Analysis of the last two years of ND breaches revealed 14 breaches that, had this been in place then, could have been prevented, so this should significantly reduce ND breaches. The most significant element is that this is one of the biggest risk points as the Hearing has just made a decision to confirm or change the location of the residence of the child or young person. This risk should now be greatly reduced. Procedures will soon be finalised.</p> <p>The Group have done some very good work and will meet again in February to give time for the Hearing Notification changes to bed in. The February meeting will be an opportunity for the group to decide whether there is a need for them to continue meeting.</p>		

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6.	<p>Training update</p> <p>JD - final GDPR training figures: 471 staff trained with 35 on long-term leave or imminently retiring during the course of the training sessions. Only six staff members failed to engage with any of the sessions offered. AH suggested that it would be interesting to know if there was a particular reason why they hadn't engaged. New-start and returner sessions will be offered around every 8 weeks, depending on demand. A recorded version of the training will be available shortly to give a clear record of the training actually delivered. This could assist the ICO at a future date. Training feedback will be analysed and the results used to inform the structure of future training and be included in the 6-monthly winter report. The Board received their training on 9th November and feedback from them and from other IG leads suggested that the training had been well received.</p>		
7.	<p>IG Leads Development day</p> <p>AH& SE – Ideas for speakers or topics for a development day are still being invited as the budget should allow for a worthwhile day. This item will remain on the agenda but please contact Alistair or Stephen with ideas.</p>		All
8.	<p>Retention functionality</p> <p>SE – There was a historical practice of recording the date of birth of a child or young person as 1st January if an actual dob wasn't available at the time the record needed to be created. SE and DL have looked at the data surrounding this and have assessed that this affects five years-worth of data where it is noticeable that there are a disproportionate number of 1st January dobs compared to other years. There are 381 potential cases that would require further investigation with 119 of those being children with a recorded dob of 1/1/2005 which would make them 18 on 1st January 2023. With the new record retention policy imminently being rolled out, the records of these children would be deleted once they reach the age of eighteen. Assuming a correct year of birth, this could lead to early deletion if the child was born after the first of January during 2005. SE was asking whether the Localities had capacity to review the records of those children before the 1st January and the Locality representatives present agreed that they did. The maximum number of records for any Locality was 22. KC and K-AK noted that they wouldn't create a record until they had a correct dob but agreed this would be difficult to avoid if certain rare circumstances arose, where a referral could not be delayed. AH noted that we would need to know the accurate dob to confirm that the person was a child/young person and that we had jurisdiction. GS gave examples of exceptional circumstances and asked if in such cases a date of 31/12/year could be used instead. It was agreed by AH and SE that the risk of retaining a record beyond the age of 18 in such circumstances posed a lower risk than deleting a record prematurely. If there is very little information held in one of the identified records, then the strict retention policy can be applied and if it is deemed to be within the small minority of exceptional cases, the record could be retained and sit with the IG team.</p>		
9.	<p>Notifying an affected party of a data breach</p> <p>SE – Reiterated the information discussed at the August meeting. Stephen reminded people that they are encouraged to speak with the IG team before making a decision to notify an affected party where there is no mitigation of risk available or necessary. It is only strictly necessary to inform an individual</p>		

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	where a breach is likely to result in a high risk of affecting the rights and freedoms of that individual.		
10.	<p>Monthly Breach Report - views on additional data</p> <p>AH canvassed views on the new column within the breach report data. This gives a percentage of breaches caused by SCRA compared to numbers of hearings taking place in any month. JD explained that this was just another tool to be able to refine comparisons between Localities and that the crucial information was still within the 'lessons learned'. JR said she found the information useful because it gave a proportional view of the number of breaches balanced with hearings/workload. The consensus was to keep the column in future reports.</p>		
11.	<p>Security Awareness Champions</p> <p>AH – there is one place still available on the SG Security Awareness Champions course being offered online for three days from 6th December. There would not be too much involved in being a SA Champion , mostly raising awareness and being a point of contact for Bruce. There will be more courses in the future and AM expressed an interest but not for the December date. KC would also be happy to be involved in addition to her IG Lead role.</p>	Before end Nov	Interested parties
12.	<p>Examples of good Locality practice or issues arising</p> <p>There were no specific examples this quarter.</p>		
13.	<p>New risks</p> <p>There were no new risks identified this quarter.</p>		
14.	<p>Date of Next Meeting - Tuesday 21st February 2023 via Teams @ 13:30</p> <p>AH thanked everyone for attending the meeting.</p>		