SCOTTISH PARLIAMENT EDUCATION AND SKILLS COMMITTEE: CHILDREN & YOUNG PEOPLE (INFORMATION SHARING) (SCOTLAND) BILL – CALL FOR VIEWS

EAST AYRSHIRE COUNCIL VIEW ON PROPOSED BILL

The proposal to make the subtle change to the duty to consider if the sharing of information will promote, support or safeguard the wellbeing of a child or young person, rather than a duty to share information that may affect a child or young person's wellbeing, should ensure that named persons reliably act for the best interests of the child or young person in their care. The positivity of this change in language within the bill is explicit enough to ensure all sharing of information is to the benefit of the individual child or young person concerned.

The clarity within the bill and accompanying code of practice outlining clear steps for practitioners to follow when considering whether to share information, whilst ensuring it is compatible with current law such as Data Protection legislation and confidentiality, is again a positive move and should ensure a high level of professionalism from those parties wishing to share information, whilst continuing to protect the child or young person.

The draft Code of Practice setting out specific protocols regarding the safeguards which need to be considered in order that information sharing is relevant and lawful is in our opinion a positive step to ensure accountability for any party who wishes to share information. Logistically; the options to inform both before and after sharing give parties a framework to operate within, whilst ensuring the best interests of the individual are at the heart of the actions required.

We are satisfied that current practice within the Getting It Right For Every Child policy has been retained meaning valuable developments at Authority and establishment level can be embedded without further change.

The continuation of the GIRFEC approach will allow us to build on effective practice by making a clear point of contact available for all children and young people through our pupil support and senior leadership teams within our educational establishments, whilst ensuring we continue with a multi-agency approach around the child or young person where required. It is our intention to ensure the role of Named Person will be taken forward by these individuals as an integrated part of existing duties, offering relevant advice or support where appropriate. Where there are concerns for a child's or young person's wellbeing which constitute child protection concerns, we will ensure our existing local child protection procedures are implemented.

Whilst the changes to the bill are minimal and directly relate to the information sharing protocols, our response is wholly positive. The best interests of the child or young person are further strengthened by the proposed amendments and the continuation of the GIRFEC policy should ensure establishments are empowered to act appropriately within the proposed code of practice. We also value the opportunity to engage with the Scottish Government to voice our opinions regarding the quality of service which children and young people are able to receive.