1. Dundee City Council very much welcome the change in emphasis contained in the Bill to consider if the sharing of information will promote, support or safeguard the wellbeing of a child or young person as opposed to the previous duty to share any information with the Named Person that may affect wellbeing.

2. Dundee City Council also welcome the fact that this change in emphasis enhances the role that professional judgement plays in the decision about whether to share information or not. We therefore endorse the concept of a national information sharing Code of Practice to provide the parameters for this professional judgement.

3. The emphasis on a consent based model for information sharing in the draft Code of Practice is also something which is very welcome. Dundee City Council have underpinned our Named Person Service with the principle of sharing information appropriately, proportionately and in compliance with the law. This will be based on a process of meaningful child, young person and family engagement to obtain consent for information sharing whenever possible to ensure the best possible support is provided. Endorsement of this approach will be very useful for practice i.e. giving consideration to including it in the Bill as well as the draft Code of Practice.

4. Ensuring compatibility between the Bill and the Data Protection Act is something which Dundee City Council welcomes as we also have ensured our current local guidance closely references the DPA.

5. Dundee City Council would very much welcome practice guidance and case examples/scenarios of what “vital interests” may be short of child protection situations to assist practitioners and managers in decision making re information sharing both with and by the Named Person.
Service. Details of this could also be expanded in the draft Code of Practice.

6. It would also be very useful if any practice guidance and case examples were to anticipate or include the advent of the General Data Protection Regulation in May 2018 particularly for situations that fall below child protection but still involve vital, targeted, co-ordinated support to a child/young person and their family.

7. Dundee City Council are very supportive of the proposed changes contained in the Children and Young People (Information Sharing) (Scotland) Bill, taking into account the points made above. We are strongly of the opinion (based on good practice evidence) that a consent based, family engagement approach to information sharing and indeed GIRFEC practice will improve outcomes for children, young people and families.

8. We are acutely aware however that there are a small number of families who will not give that consent or do not wish to engage with any GIRFEC process and we completely respect their right not to do so. Our view is clear that we will not share information in these circumstances short of child protection or vital interests (comments re guidance and case examples on “vital interests” above notwithstanding) Clear practice guidance, referencing the DPA and the forthcoming GDPR, for the sharing of information in circumstances where consent is withheld would be very welcome.

9. Dundee City Council would welcome future opportunities to consult with the Scottish Government on any refinements to the draft Code of Practice, any future Practice Guidance or illustrative case examples.