



The Scottish Parliament
Pàrlamaid na h-Alba

EDUCATION AND SKILLS COMMITTEE

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for Education and Skills

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Dear John

Following our meeting yesterday I am writing on behalf of the Committee to request that we are provided with a revised version of the Code of Practice to enable the Committee to more effectively scrutinise the Children and Young People (Information Sharing) (Scotland) Bill.

The Committee took evidence at our meeting from representatives of the legal profession followed by members of the health professions. A theme of this evidence session, and of the written evidence received on the Bill, is the status of the illustrative Code of Practice.

The Bill is, as it was described in evidence yesterday, a "vehicle" for the legally binding Code of Practice. As stated in your previous correspondence on this issue, the Code that has been provided by the Scottish Government is illustrative in nature and a revised version will need to be produced to reflect the GDPR amongst other changes.

The Committee is concerned at this early stage in our scrutiny that without a Code of Practice that is, as a minimum, largely reflective of the likely contents of the final Code, the Committee is not in a position to analyse how the Bill will operate in practice.

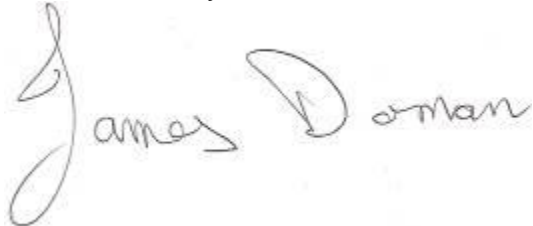
The witness from the Law Society highlighted that the UK data protection bill was published last week. A key question this raises is whether the Scottish Government is actively considering whether the information in the UK Government's bill is sufficient to allow a draft Code to be produced that reflects GDPR requirements at this stage? The Committee requests that such a revised Code is provided to us at the earliest opportunity so that it can inform as much of the Committee's Stage 1 scrutiny as possible.

In addition, given the evidence received so far on the language and content of the illustrative Code, the Committee would appreciate specific details of the work the Scottish Government has undertaken, and plans to undertake, to ensure named persons, parents and young people amongst others are consulted.

Finally, the Committee would appreciate your perspective on the additional work this Bill will require named persons such as teachers to undertake. The Committee has repeatedly raised issues with you in relation to teacher workload and appreciates you have acknowledged and acted on this matter previously. The requirements of the Bill appear potentially to add to the pressures on the workforce, including requiring teachers amongst others to have training on the first and subsequent iterations of the Code of Practice.

The Committee will take further evidence on the Bill next Wednesday and would appreciate a response from you before then to inform its deliberations.

Yours sincerely

A handwritten signature in black ink that reads "James Dornan". The signature is written in a cursive style with a large initial 'J' and a distinct 'D'.

**JAMES DORNAN MSP
CONVENER**