Interim Vulnerable Person’s Database (iVPD)

Thank you for your letter dated 15 May 2018, in relation to Police Scotland’s recent written evidence to the Justice Sub-Committee on Policing and the digital, data and ICT strategy. Part of this strategy makes reference that Police Scotland intends to link the Interim Vulnerable Person’s Database (iVPD) to the United Kingdom (UK) Police National Database (PND).

To assist the Sub-Committee’s understanding of the purpose of the iVPD, I would like to provide some background. Police Scotland’s iVPD is an incident based database which was approved and introduced nationally in 2013, with a phased rollout completed in March 2014. iVPD records information about individuals who are, or are perceived to be, experiencing some form of adversity and/or situational vulnerability which may impact on their current or future wellbeing. The database also records incidents where there has been an immediate crisis response required in respect of adult or child protection; domestic abuse; hate crime; youth offending and is used to record details of victim’s rights under Section 8 and 9 of the Victims and Witnesses (Scotland) Act 2014.

This is the database in which information is recorded, assessed and shared with relevant statutory agencies and/or 3rd sector organisations/advocacy where appropriate.

Weeding of Data
The introduction of iVPD provided an interim national solution to record protection and wellbeing concerns for Police Scotland pending the rollout of i6, when it was the intention to archive iVPD. Given it was a short term interim database, and the intention was to archive it in its entirety, weeding rules were not deemed to be required given the projected life span of the system.

Following the discontinuation of the i6 contract in 2016, Police Scotland created a digital transformation strategy in line with Policing 2026. This resulted in iVPD becoming a longer term solution than originally planned. As of 24 May 2018 there were 917,851 unique nominals recorded on the iVPD.

I can confirm that a Weeding and Retention policy for the iVPD was approved in January 2018, which will ensure that personal information is not kept longer than necessary in compliance with data protection legislation. ICT development work associated with the technical solution is now underway and expected to be fully implemented before end of this calendar year.

Hate
To assist the Sub-Committee’s understanding of Hate I will provide the following background.
Police Scotland record details of all hate crimes and incidents on the iVPD and the following definitions are used;

**Hate Incident**  
Any incident which is perceived by the victim or any other person, to be motivated (wholly or partly) by malice and ill-will towards a social group but which does not constitute a criminal offence (non-crime incident).

**Hate Crime**  
A hate crime is any crime which is perceived by the victim, or any other person, to be motivated (wholly or partly) by malice and ill-will towards a social group.

Since April 2014, Police Scotland records details of all hate crimes and incidents on the iVPD. Hate crimes are based on the protected group targeted. These categories are Race, Religion/Faith, Sexual Orientation, Transgender Identity and Disability. Whilst there are other protected characteristics under the Equality Act 2010 (Age, Sex, Pregnancy and Maternity and Marriage and Civil Partnership), these are not covered under the current criminal legislation and as such, are not categorised in terms of Police Scotland’s hate crime recording.

**Police National Database (PND)**  
Following the murders of Holly Wells and Jessica Chapman by Ian Huntley in Soham, Cambridgeshire in 2002 and the subsequent Bichard Inquiry, the Impact Nominal Index was created to ensure greater visibility of information on victims and perpetrators across UK policing. This was replaced by the PND.

Data is currently shared by Police Scotland from the Scottish Intelligence Database (SID) and the Criminal History System (CHS) to the PND.

Opportunities exist to further develop these processes and the digital, data and ICT strategy has proposed a new approach of creating a direct interface from the iVPD to PND. This aims to ensure that details of all relevant recorded key incidents, which include domestic crime (victim and perpetrator), in Scotland are shared to PND. This is critical to identifying and managing associated risks across the UK.

The timescale for the new direct interface is under discussion currently as the weeding functionality of iVPD must be in place before the work can be commenced. This will bring the weeding functionality of iVPD into alignment with the weeding functionality of SID and CHS, and thereby ensure that Police Scotland data is only retained on PND for as long as is necessary.

**Data Protection and GDPR**  
Significant preparation work has been undertaken to ensure iVPD is compliant with both Data Protection and the General Data Protection regulations. The category of No Concern/Not Applicable was originally created to record details of witnesses, parents of children, carers, appropriate adults and interpreters. The reason was two fold, one being iVPD is a police incident database and secondly to assist either statutory agencies or 3rd sector support and advocacy services when information is shared e.g. to comply with our statutory obligations under the Children’s Hearing (Scotland) Act 2011 any report would require details of the parent/carer of the child...
and the Scottish Children’s Reporter Administration require details of parents/carers. Our Weeding and Retention Policy outlines that nominals recorded as No Concern/Not Applicable will automatically be deleted six months after the closure of the concern report.

All individuals have the right to be informed about the collection and use of their personal data. This means that on attending an incident where police are required to record nominals on the iVPD they must inform them that information from the incident will be recorded and assessed on police systems and we may share relevant information with appropriate statutory agencies.

There will be occasions where informing individuals may not be appropriate, such as:

- Informing an individual would be prejudicial to the prevention or detection of a crime or the apprehension or prosecution of an offender
- Where informing an individual might present a serious, identifiable, risk of harm to that data subject or another individual.

It is assessed the exemptions above will only apply to a limited number of protection concerns.

Individuals are also informed that their information can be shared with local 3rd sector support and advocacy services, for example Scottish Woman’s Aid, DAAS (Domestic Abuse Advocacy Service) etc. with their consent. In order to do this, police are required to formally record their explicit consent. If they consent, police will pass their name, address, date of birth, other relevant information and details of the incident to the organisations they wish their details shared with.

With effect from 25 May 2018, individuals have the right to withdraw consent at any time. Police share information as soon as reasonably practicable therefore individuals have a limited time in which to withdraw their consent prior to it being shared, however this does not affect their right to withdraw consent at any time.

Individuals can obtain information by submitting a Freedom of Information subject access request and can request removal from the database or entries verified and/or changed. Prior to making a decision in respect of such a request Police Scotland will conduct a review of the incident. This would be undertaken by a specialist officer within one of Police Scotland’s 13 Divisional Concern Hubs.

I hope this clarifies your points and if there is any further clarity required please do not hesitate to contact me.

Gillian MacDonald
Assistant Chief Constable
31 May 2018