



The Scottish Parliament
Pàrlamaid na h-Alba

EDUCATION AND SKILLS COMMITTEE

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Dear

I am writing in relation to the Education and Skills Committee's recent consideration of public petition PE1692 which is calling for a public inquiry into the human rights impact of GIRFEC policy and data processing. During its scrutiny of this petition the Committee has considered correspondence from the petitioners in relation to guidance issued by the ICO in 2013 on data sharing. I attach a link to this guidance below:

http://publications.fifedirect.org.uk/c64_LetterfromICOreinfosharingrechildren10.04.13.pdf

As you will be aware the ICO issued revised guidance in 2016 following the Supreme Court judgment in relation to provisions in the Children and Young People (Scotland) Act relating to the named person scheme. The ICO requested that the Scottish Government ensured that this revised guidance was used as a replacement for the 2013 guidance and that the 2013 guidance be removed from its website. The petitioners have suggested that a number of local authorities may continue to refer to and base processes on the 2013 guidance, for example by including the guidance or its details on websites or in training materials. The Committee is therefore writing to all local authorities to ensure that this guidance is not still being used and has been replaced by the 2016 guidance. I would therefore appreciate a short response from you confirming that your local authority no longer refers to the 2013 guidance or relies on its contents in your practices. If this is not the case I would appreciate confirmation that any remaining references or processes based on this guidance will be changed to reflect the 2016 guidance, and the timescales for the completion of this work.

Either way, please respond by Monday 20 January. Many thanks for your cooperation in this matter. Please note that, as is standard practice, we would intend to publish your response online alongside the responses from all other local authorities.

Yours sincerely

Clare Adamson

**CLARE ADAMSON MSP
CONVENER**