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| By email  |  |

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19 September 2019

Dear colleague

**Update on the Getting It Right For Every Child Policy and Information Sharing**

I am writing to you following the Deputy First Minister’s statement in Parliament today on information sharing and the Getting It Right for Every Child (GIRFEC) approach. The statement responds to the report of the GIRFEC Practice Development Panel appointed by the Deputy First Minister and led by Professor Ian Welsh OBE. The the Panel’s [report](https://www.gov.scot/publications/getting-right-child-practice-development-panel-report), and the Scottish Government’s [response](https://www.gov.scot/publications/getting-right-child-girfec-practice-development-panel-report-scottish-government-response) are available online. The Deputy First Minister’s statement will be published in due course.

We are grateful to the Panel members for their extensive work and engagement with stakeholders. The Scottish Government has accepted their conclusion that a statutory Code of Practice on Information Sharing should not be pursued at this time.

The Panel has also concluded that professional codes, policies, procedures and guidance on the General Data Protection Regulation and the Data Protection Act 2018 can provide the legal framework and safeguards needed to support proportionate and necessary information sharing within a GIRFEC approach. Based on their detailed consideration and engagement with stakeholders, they recommend a package of practical guidance and support, including updated policy, guidance and a summary of the rights, principles and values that govern information sharing. These conclusions received general support when they were initially shared as emerging findings in consultations with lead officer and stakeholder groups earlier this year.

These further recommendations have also been accepted by the Scottish Government. This is reflected in the Deputy First Minister’s statement, in which he confirmed that he agrees the best way forward is through practical help, guidance and support, and committed to developing a suite of products to support and promote transparent, proportionate and necessary information sharing. This builds on existing work to refresh the GIRFEC policy and practice guidance.

In the context of significant changes to the data protection legal landscape and this package of measures, the Deputy First Minister has also announced his intention to withdraw the Children and Young People (Information Sharing) (Scotland) Bill. He has further reflected on progress made by Community Planning Partnerships to introduce elements of a named person service and child’s plan through existing statutory functions and considers that further legislation to underpin delivery of these functions is no longer needed. As such, the intention is to seek to repeal Parts 4 and 5 of the Children and Young People (Scotland) Act 2014 using a suitable legislative vehicle in due course.

Many children and their families are already benefitting from practitioners working closely together to support children and their wellbeing, but the landscape of children’s services can at times be complicated to navigate. A key point of contact to access and co-ordinate support, and a single planning framework to deliver that support, remain critically important for many children, young people, and their parents. As such, our commitment to GIRFEC as our national approach is undiminished.

Our primary consideration going forward is to support practitioners to confidently handle information in a way that respects the rights of the individual and ensures that children, young people, and families get access to the right support at the right time in line with the GIRFEC approach. We will continue to engage with leaders and practitioners across the sector as we develop the package of measures outlined above.

Colleagues working directly with children, young people, parents and carers will want to understand what this means for them. We have therefore developed communication material which your organisation can tailor to its internal audiences and networks. You may wish to nominate someone within your organisation who practitioners can approach should they want to discuss current delivery arrangements.

I would also welcome your help with updating practitioners and families. Please re-tweet @GIRFEC posts, share the parliamentary statement with your networks and consider proactive communication such as supportive media quotes, articles and blogs.

The Deputy First Minister also reaffirmed the government’s commitment to the Getting It Right For Every Child approach in his statement today. I look forward to working with you to follow through on this commitment and to deliver improved outcomes for our children and young people.

Yours sincerely



**Michael Chalmers**

**Director, Children and Families**