

Alison Preuss  
(on behalf of Schoolhouse HEA)

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**Please Ask For:** Lynn Thomson  
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**Your Ref:** 912921  
**Our Ref:** FOIHSC2014-71 LT  
**Date:** 6<sup>th</sup> August 2014

Dear Ms Preuss,

**RE: Freedom of Information - FOIHSC2014-71 - GIRFEC**

I refer to your request for information dated 10th July 2014 concerning GIRFEC. I have provided answers to your questions below. Your request has been assigned reference number FOIHSC2014-71, which you should quote in future correspondence.

**Q1. How many complaints have been received by Highland Council from parents and young people in relation to any aspects of the operation of GIRFEC from the date of its first implementation up to and including June 2014?**

A1. The start of phased implementation of GIRFEC in Highland was May 2007.

Records from the past 5 years indicate around 20 formal complaints to Health and Social Care per year. This includes complaints in relation to Criminal Justice, Adult Social Care and Care at Home as well as Children's Services.

The most recent service report to Highland Council Adult and Children's Services Committee dated November 2013 shows that of the formal complaints received in the period 2012/13, 11 related to Children's services. Of these: 7 complaints were about poor service; 3 were about actions/behaviour of staff and 1 related to an incomplete data protection disclosure. There were no complaints recorded specifically citing GIRFEC as their reason for complaining.

There have been 2 formal complaints in 2014 involving referral to social work and escalation to Child Protection where the issue could have been dealt with at a lower level, but the information would still have to have been shared due to child concerns.

**Q2. How many of these complaints have been received in relation to the actions of specific Named Persons?**

A2. None.

**Q3. How many of these complaints have been received in relation to the collection and sharing of children's and parents' personal data with or without informed consent?**

A3. None.

**Q4. Please provide copies of the forms used, and/or other arrangements made, by Highland Council to obtain informed consent from parents and/or young people for the gathering and sharing of personal data.**

- A4. Consent to share information is recorded in the Child's Plan. Details of data sharing arrangements can be found in the Highland Practice Guidance, Section 5 on page 27. The guidance can be accessed by the following link:  
<http://www.forhighlandchildren.org/5-practiceguidance/high-pract-model.pdf>
- Q5. How many subject access requests (under the Data Protection Act) from parents and young people seeking copies of records accessible by, and shared with, Named Persons have been received by Highland Council since GIRFEC was first implemented up to and including June 2014?**
- A5. Contrary to what is often stated in the media, the practice guidance does not involve Named Persons routinely seeking access to records held by other agencies. The Named Person may share records (normally the Child's Plan) with other agencies, but unless there is risk of significant harm, this will be with the consent of the family and (where appropriate) the child. However, with consent, or where there is risk of significant harm, it would be appropriate for a Head Teacher or Health Visitor to have access to a range of information about children – indeed, that has always been the case. Accordingly, it is not possible to provide specific data in response to the question that you have asked. For your information, there have been 9 requests so far this year (2014) from parents seeking access to their children's social work files. Information in these files though, would be managed by the Lead Professional. See the practice guidance referred to above (Section 4, pp 21–23) for an explanation of the role of Lead Professional.
- Q6. How many parents and young people have withheld or withdrawn their consent for the gathering and sharing of personal data by/with a Named Person since GIRFEC was first implemented up to and including June 2014.**
- A6. As above, the practice guidance does not involve Named Persons routinely seeking access to records held by other agencies. Also, if families do not give consent to any information being shared with other practitioners or agencies, that is something they discuss locally with their Health Visitor or Head Teacher. We do not centrally collate such information.

Under Section 20 of the Freedom of Information (Scotland) Act 2002 and/or Regulation 16 of the Environmental Information (Scotland) Regulations 2004 (EIRs), you have the right to request that the Highland Council reviews any aspect of how it has dealt with your request. This requirement for review should be put in writing to the Freedom of Information Officer, Chief Executive's Office, Glenurquhart Road, Inverness IV3 5NX, within 40 working days of receipt of this letter. The request should include details of the information requested and the aspects of the Highland Council's response which you are not satisfied with.

If you are subsequently dissatisfied with the outcome of the Council's review, you have the right to appeal to the Scottish Information Commissioner under Section 47 of the Act (Regulation 17 of the EIRS), within six months of receiving the Council's review response.

Yours sincerely,

**Lynn Thomson**  
Business Support Officer  
Data Protection & Freedom of Information