



The Scottish Parliament
Pàrlamaid na h-Alba

The Scottish Parliament
Edinburgh
EH99 1SP

foi.officer@parliament.scot

FOI Request no: 2020-652492

20 November 2020

Dear Requester

REQUEST FOR INFORMATION ON CHILD PROTECTION PROCEDURES

We acknowledge your request for the following information:

Additionally to provide extra evidence of the malfeasance and misfeasance of your funded partner agencies: Please find attached request disclosure;

<https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.whatdotheyknow.com%2Frequest%2F539717%2Fresponse%2F1387530%2Fattach%2F4%2FFOI%2520Response%2520101006196665.pdf&data=04%7C01%7CLinda.Forrest%40parliament.scot%7C0d1d6d14af684f41d96408d87a2a39e1%7Cd603c99ccfdd4292926800db0d0cf081%7C1%7C1%7C637393669078900805%7CUnknown%7CTWFpbGZsb3d8eyJWljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000&sdata=nPnrVjnu9WDcwLV%2BK1CfxK5n1M0j8Sjbl0K%2FX8SwwJk%3D&reserved=0?>

There is a picture being created by the collection of evidence, showing that there are serious and significant issues within the custom and practice of child protection procedures.

Under FOISA. please review this request and supply information contained in your records from a legislative basis that allows this malfeasance to happen in the first place?

Your request was received on 27th October 2020 has been handled in accordance with the Freedom of Information (Scotland) Act 2002 (FOI(S)A).

The information you requested is not held by the Scottish Parliament and therefore we cannot provide it to you.

West Lothian Health and Social Care Partnership is a separate organisation from the Scottish Parliament and is not funded by the Scottish Parliament. We are unable to review and comment on a request that is made to another organisation. The requester has a right to ask for a review of the reply which was issued by that organisation within the required time frame.

Freedom of Information provides a right to request information that is held by public authorities in Scotland. The Scottish Parliament does not hold any information about the legislative basis that allows “serious and significant issues within the custom and practice of child protection procedures”. The Scottish Parliament holds information relating to legislation considered by the Parliament which is publicly available on the Scottish Parliament website and can be accessed [here](#). We are unable to comment on the situation that you refer to in this request. Instead we can only confirm that the information you have requested is not held by the Scottish Parliament and therefore we cannot provide it to you.

If you wish to challenge the coverage of legislation, then the appropriate course of action is for you to contact your constituency or list MSP to take this further. You can access information on how to find your MSP on the Scottish Parliament website at the following link: <https://beta.parliament.scot/msps/current-and-previous-msps>

Changes to the law to improve the court process in relation to residence and contact cases relating to the living and visiting arrangements for children are to be introduced by the Children (Scotland) Bill. You can access information about the [Children \(Scotland\) Bill](#) on the Scottish Parliament website.

Petition PE 1790 on Parental and Familial Alienation was considered by the Public Petitions Committee (the Committee) at its meeting on 3rd September 2020. The Committee recognises that there is an issue of Parental Alienation which is understood by both the Scottish Government and the Scottish Parliament. The Convenor of the Committee expressed that the Committee are sympathetic to the issues raised in the Petition. The Convener agreed to close the petition under rule 15.7 of the Standing Orders of the Scottish Parliament. The reasons given were that the best way to proceed is by training of Child Welfare Reporters to recognise this issue. It was noted that training will be set by regulations and there will be a full public consultation on the criteria in due course.

If, following this decision, you are unhappy with the progress being made in respect of this issue then you can submit a new petition on the same or a substantially similar matter, either on the first sitting day of the new session of Parliament in 2021 or after a period of 1 year from the date when the petition was closed on 3rd September 2020, whichever date is the earlier. Guidance on petitioning the Scottish Parliament can be accessed [here](#).

As your request relates to child protection procedures you can also access guidance on child protection which is publicly available on the Scottish Government website and can be accessed here:

<https://www.gov.scot/publications/national-guidance-child-protection-scotland/pages/1/>

The Scottish Government is responsible for formulating policy and implementing laws that have been passed by the Scottish Parliament. The Scottish Government and the Scottish Parliament are two separate organisations. The following link provides further information on the role of the Scottish Government and how this is different from the Scottish Parliament:

<https://www.parliament.scot/visitandlearn/110199.aspx>

The Scottish Government can be contacted by:

Emailing: ceu@gov.scot

Writing to:

General Enquiries
Scottish Government
St. Andrew's House
Regent Road
Edinburgh
EH1 3DG

The following webpage includes more information about how to request information from the Scottish Government:

<https://www.gov.scot/about/contact-information/how-to-request-information/>

As the Scottish Parliament does not hold the information requested, we have attached a notice in terms of the technical requirement of FOI(S)A, advising that this information is not held.

In keeping with our FOI procedures, this information may also be posted on the Parliament's disclosure log (usually within 24 hours). For further details on the Parliament's Disclosure Log and the information released under FOI, visit:

<https://www.parliament.scot/abouttheparliament/17700.aspx>

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<http://www.parliament.scot/help/13591.aspx>

We would welcome feedback or comment on how we handled your request.

Please feel free to contact the Head of Information Governance at The Scottish Parliament, Edinburgh, EH99 1SP or by e-mail at

foi.officer@parliament.scot

We are currently working remotely and so would ask you to contact us by email at foi.officer@parliament.scot

Please find below Annex A, which explains how we handle FOI requests and reviews.

Yours sincerely

Robin Davidson
Information Compliance Officer

REQUESTS MADE UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

How we handle FOI requests

Information on how we handle FOI requests is available on the Parliament's website at:

<https://www.parliament.scot/abouttheparliament/43163.aspx>

Alternatively, please contact the Public Information & Publication Team to request a copy.

<http://www.parliament.scot/visitandlearn/25072.aspx>

Review

If you are dissatisfied with the way in which we have dealt with your request for information, you can ask us to review our decision and actions. You must do this in writing (or other permanent form) within 40 working days of the date of this letter, stating the reasons for your dissatisfaction, and we will respond within 20 working days of receipt. A request for a review should be made to the Head of Information Governance:

Post: Head of Information Governance
The Scottish Parliament
Edinburgh
EH99 1SP

Telephone: 0131 348 6913 (Calls using the Text Relay service are welcome.)

E-mail: foi.officer@parliament.scot

Application to the Scottish Information Commissioner

If, on the outcome of any review, you are still dissatisfied, or if we are unable to resolve any other complaint, then you can contact the Scottish Information Commissioner:

Post: The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

Email: www.itspublicknowledge.info/Appeal

Telephone: 01334 464610

Fax: 01334 464611

Website: www.itspublicknowledge.info

A decision by the Scottish Information Commissioner may be appealed on a point of law to the Court of Session.

Copyright in relation to information provided

The supply of information under FOI does not constitute permission for its use in a way that would infringe copyright. Where relevant you should obtain permission from the copyright holder before any such use.

Feedback or comment

We would welcome feedback or comment on how we handled your request. Please contact the Head of Information Governance.

Data Protection

If you wish to find out more about how we use your personal data then you can access our Privacy Notice at the following link:

<https://www.parliament.scot/abouttheparliament/108320.aspx>

Complaints

If you are dissatisfied with the way in which we dealt with your enquiry, then you may wish to raise the matter with Public Information and Resources.

How to contact us

Post: The Scottish Parliament
 Edinburgh
 EH99 1SP

Telephone: 0131 348 5000
 0800 092 7500 (Public Enquiries)
 0131 348 5395 (Gàidhlig)

We also welcome calls using the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL](#).

E-mail: info@parliament.scot