

West Lothian Council Social Policy Service
West Lothian Civic Centre,
Howden Road South,
Livingston,
West Lothian
EH54 6FF

Email: SocialPolicyIR@WestLothian.gov.uk

29 November 2020

Email: request-706418-92177329@whatdotheyknow.com

Dear enquirer,

Freedom of Information (Scotland) Act 2002

FOI Request ID: 101006873838

I refer to your request for information received on the 17th November 2020:

Background to this FOISA 2002 request

Parents who have identified through a Data Protection Act 2018 Subject Access Request that an organisation or organisations hold false, erroneous and libellous information on them [potentially with this information being passed to the Crown Office & Procurator Fiscal Service (COPFS)] may contact the Children's Services – Children & Families Social Work Department and raise a Child Welfare Concern detailing that the lies being disseminated about that parent could emotionally harm their child/children.

In short a child could be emotionally harmed by the belief that "mum is a criminal" when that is not the case.

Such emotional harm could occur when persons closely associated with the child [e.g. resident parent, neighbours, school teachers, Independent Domestic Abuse Advocates (IDAAs)] file false police reports and Police Scotland Domestic Abuse Liaison Officers (DALOs) pass on false information to the local authority Children's Services – Children & Families Social Work Department, and this Department fails in their "fact checking obligations".

In one case in Stirling such a Child Welfare Concern resulted in a school Head Teacher being contacted. This Head Teacher may have been a participant at a MARAC and had been involved in communications leading up to the arrest of that parent at the school (which including child welfare concerns raised by the parent who was arrested outside of the school).

Clearly "multi-agency working" can be consanguineous which could lead public sector workers to be having serious conflicts of interest, especially if their actions are a consequence of earlier failures to perform their job in a competent manner (e.g. ignoring earlier child welfare communications).

To ensure the quality of performance of any professionals dealing with the paramount wellbeing of the child, within the response please advise what stringent checks and balances are in place to ensure that there is no inappropriate ethos of custom and practice approach being taken, for example the checks on the emotional well being of the child is not performed by a person who has failed in any earlier duty of care to that child or has a conflict of interest (such as any involvement in a MARAC or IRD where false information has been passed to Police Scotland).

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Director: Allister Short

DATA LABEL PROTECT: PRIVATE AND CONFIDENTIAL

FOISA 2002 request

Under FOISA 2002 please provide me with the information contained in your records as follows:

1. The Standard Operating Procedures (SOPs), Flow Charts, Risk Assessments and Law Enacted that is used by Social Services when a parent raises an emotional harm Child Welfare Concern."

WEST LOTHIAN COUNCIL RESPONSE

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Scottish Social Services Council Codes of Practice

Getting it Right for Every Child

Wellbeing Assessment

Edinburgh and Lothians Interagency Child Protection Procedures

Children (Scotland) Act 1995

Children & Young People (Scotland) Act 2014

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You are free to use the information supplied in this response for your own non-commercial research or private study purposes. The information may also be used for any other purpose allowed by a limitation or exception in copyright law, such as news reporting. Any such use must be in context and must not be misleading. Any other type of re-use, for example by publishing the information in analogue or digital form, including on the internet or commercial use, will require the permission of the intellectual property owner and copyright owner.

Further details as to how to apply to re-use information supplied by us can be found on our website at www.westlothian.gov.uk/freedom-of-information

If you have any complaint about the Council's handling of your request for information, you may require the Council to review its actions and decisions in relation to this response. Please write, within 40 working days from the receipt of this information, to Carol Johnston, Chief Solicitor, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston EH54 6FF (Telephone: 01506 281605, email: carol.johnston@westlothian.gov.uk). The request should be in writing, email or other permanent format and should state your name, address and specify the original request for information and the reason for your dissatisfaction.

You may, within a further six months, if you are dissatisfied with the outcome or with the Council's failure to review its actions and decisions in relation to this response, apply in writing to the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS (01334 464610; email enquiries@itspublicknowledge.info) requesting his decision in this matter. The application must be in the format and contain the information referred to in the paragraph above. The application should also state the reason for dissatisfaction with the Internal Review.

Yours Sincerely

West Lothian Health & Social Care Partnership

DATA LABEL: Official (Sensitive)

In accordance with our Corporate Policy you may be contacted shortly to obtain your views on how we handled your request.

Director: Allister Short

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