



Welcome to East Lothian and Midlothian Public Protection Committee’s (EMPPC’s) latest staff newsletter. Let us know what you think by emailing us at emppo@eastlothian.gov.uk

Our articles contain hyperlinks to connect you with current online resources and further reading.

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Wellbeing resources for all of us

Working in health and social care, whether in a paid or voluntary capacity, and regardless of what role someone has, can be stressful, particularly as we juggle busy work lives with busy personal lives. We hope you find some of these resources helpful.

[Home - National Wellbeing Hub](#)



The National Wellbeing Hub was established in 2020 to help support the wellbeing of everyone working in Health and Social Care in Scotland. The Hub is a single point of contact for Health, Social Care, Social Work practitioners and unpaid carers to obtain advice, information and support in relation to their wellbeing, and to signpost them to other resources and sources of help.

If you would like to speak to someone confidentially about your mental wellbeing, please phone the National Wellbeing Helpline on 0800 111 4191.

[Mind to Mind | NHS inform](#)



Mind to Mind has lots of resources if you are feeling anxious, stressed, low or having problems sleeping or dealing with grief – hear what other people have found helpful.

[Every Mind Matters - NHS \(www.nhs.uk\)](http://www.nhs.uk)



This website gives [seven top tips](#) for good mental health.

Meet the Committee.....

In this edition, we meet Isobel Nisbet, General Manager, East Lothian Health and Social Care Partnership.

I joined East Lothian Health and Social Care Partnership as General Manager for Adult Social Work in November 2023. My role is responsible for ensuring adherence to statutory social work functions within adult services (which includes adult protection), overseeing operational management and quality assuring social work practice to ensure high standards of care are embedded within the work of the Health and Social Care Partnership. As a member of the senior management team, I also contribute to the strategic leadership of services by working across boundaries to provide a cohesive service to East Lothian citizens.

As a new member of the Public Protection Committee, I bring to the role knowledge and significant experience of working within adult protection, having previously been an APC member within another local authority, chairing strategic supporting groups, sharing and disseminating learnings from best practice and adult protection reviews. Early intervention is key to prevent the escalation of risk and coordinate an effective and efficient response.



I am passionate about implementing trauma informed practice. Taking a trauma informed approach to adult support and protection can result in better outcomes for people and address barriers people may experience that impact on their ability to feel safe and develop trusting relationships with services and professionals.

I look forward to contributing to the work of the Public Protection Committee and ensuring quality services and safeguards are in place to protect and support vulnerable people living in East and Mid Lothian.



New Child Protection and Adult Support and Protection Sub-groups

We held our first meeting of our new Child Protection Sub-group in May, injected with enthusiasm and expertise. The group discussed contextual safeguarding and how we should take this forward in East Lothian and Midlothian. It is an approach to safeguarding that recognises the risks of harm out with the family home. We also looked at our plans to strengthen our approach to tackling harmful sexual behaviour locally.

This group will look at how we are capturing, learning from and using the voice and experience of children and young people involved in Child Protection processes, to make sure that our improvement activity takes this into account.

Our Adult Support and Protection Sub-group will have our first meeting in August.

New members

We welcome two new Police colleagues to our Public Protection Partnership.

Jonny Wright joins us as DCI in the Public Protection Unit, with responsibilities for Adult Support and Protection, Child Protection and Inter-agency Referral Discussions. Brian Sutherland joins us as DCI in the Public Protection Unit, with responsibilities for the Domestic Abuse Investigation Unit, Sexual Crimes and MAPPA. Both will join EMPPC and Brian will chair our Violence Against Women and Girls Delivery Group.

UNCRC incorporated into Scots Law

On 16 July 2024, the United Nations Convention on the Rights of the Child (UNCRC) was incorporated into Scots Law.

The rights within the Convention apply to everyone under 18. The UK signed up to the Convention in 1991 and has had obligations to implement the rights in it since then. Children can now seek a remedy in Scottish courts and tribunals for a breach of their Convention rights by a public authority.

Here are two great short videos about what this means in practice.

[UNCRC Overview Public \(youtube.com\)](https://www.youtube.com/watch?v=...)
[UNCRC Scotland \(youtube.com\)](https://www.youtube.com/watch?v=...)

Our Multi-agency Adult Support and Protection and Child Protection Procedures

Are you familiar with our **Multi-agency Adult Support and Protection Procedures** and our **Edinburgh and the Lothians Multi-agency Child Protection Procedures**?

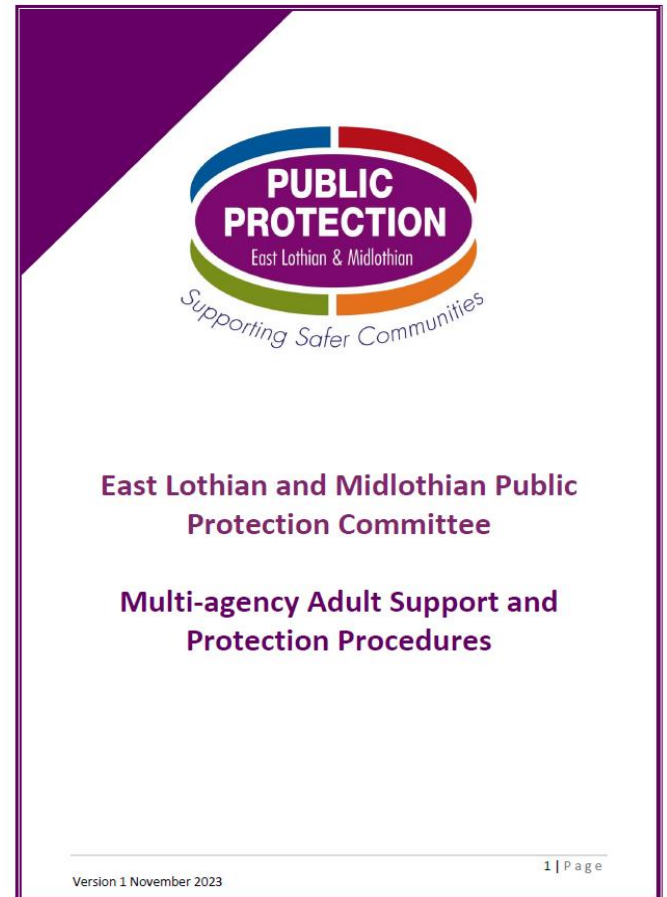
You can access the Procedures by clicking on the links below.

[EMPPC Multi-Agency Adult Support and Protection Procedures | East Lothian Council](#)

[Child protection | Child protection | East Lothian Council](#)

[Child protection | Report a child at risk | Midlothian Council](#)

Our Procedures are currently hosted on the East Lothian and Midlothian Council websites.





As I plan my retirement, I reflect on the journey I've had in being part of initial group who established the Joint East Lothian and Midlothian Public Protection Office. It's hard to believe that, ten years later, I am the only person left from the inception of what has been a remarkable, yet at times challenging, journey.

The story began in 2012 after a period of intense work between East Lothian and Midlothian. Numerous meetings and discussions focused on potential service consolidations to improve efficiencies amid budget pressures. Although we didn't make significant progress in that area, the Chief Executives, along with their Police and Health counterparts, decided to unify the public protection forums into a single Public Protection Committee for both East Lothian and Midlothian. The rationale was that neither Police nor Health had sufficient personnel to attend separate child protection and adult support and protection meetings across both local authorities. This was a real challenge for many, but we were committed to moving forward, as failure was not an option.

As Joan Tranent, Chief Social Work Officer and Chief Officer in Children's Services, Partnerships and Communities, gets set to hang up her Midlothian Council ID badge in October, we asked her to reflect on her time as the longest serving member of the Committee.....

After forming a short-life working group, many of us worked tirelessly to reimagine this new proposal. There were numerous barriers and a lot of resistance. However, I believed in the proposal from the start and found the challenging monthly meetings, chaired by Anne Neilson, Director of Public Protection for Health, invigorating. Eventually, in 2014, the first joint Public Protection Committee was held.

Without a doubt, this is one of the most challenging pieces of work I have undertaken. It would have been easy to give up due to the significant resistance and barriers, but our grit and determination ensured that we delivered a successful proposal to our leaders.

The venue for the Public Protection Office was the Brunton Hall, with police, social work staff, and the public protection team all based there. While the transition wasn't easy for everyone, over time, the staff learned to work together and reaped the benefits of being co-located. Setting up the office was the easier task compared to the hard work that followed: creating a vision and a strategic structure for the Public Protection Committee. The Committee's primary aim continues to be to provide leadership and strategic oversight of Public Protection activity and performance across East Lothian and Midlothian. It discharges its functions through four sub-groups which meet quarterly.

From my perspective, I became chair of the Performance and Quality Improvement (P&QI) subgroup in 2016. This subgroup oversees the performance framework and improvement plan. Chairing this group has been an interesting journey and a personal challenge, ensuring full engagement from all partners and critically analysing the data we gather. The introduction of the child protection and, more recently, the adult support and protection national data sets has made my chairing task slightly easier over time.



As my journey within this area of work comes to an end, I reflect on a career in child protection that I have truly loved and embraced. While I am ready to move on to the next chapter of my life, I cherish the incredible time I've had working in an ever-changing landscape, adapting to new risks with the advent of technology and social media. I wish the Public Protection team, the new chair of the P&QI, and all its partners the best for the future as they continue to adapt, change, and grow in this vital area of work.



Training update

EMPPC is responsible for the development and delivery of multi-agency learning and development about Public Protection issues. All training is free to staff and volunteers working in East Lothian and Midlothian. Any costs incurred are met from the East Lothian and Midlothian Public Protection Office budget.

In addition, we will always do our best to promote any free training that we hear about.



The Self-Harm Network Scotland has several free training opportunities coming up about self-harm – a series of one hour awareness sessions and three-hour sessions on understanding and supporting people who self-harm.

Register here:

[Self-Harm Network Scotland Events - 12 Upcoming Activities and Tickets | Eventbrite](#)



Our Learning and Development Officer Fiona Macfie will be delivering the first of our new quarterly online briefings to share learning from local and national Learning Reviews. Look out for the flyer but mark **Tuesday 24th September from 11am to 12** in your calendar!

Adult Support and Protection

Carers' Assessments and Adult Support and Protection

Sometimes vulnerable adults are cared for by 'informal carers' like relatives or friends. This can work well but can also be very stressful. The carer may struggle to ensure the adult's needs are met. Carers have a right to an assessment of their needs under the Carers (Scotland) Act 2016. When someone self-identifies as a carer, they can request an Adult Carer Support Plan (ACSP). If a carer is identified by a practitioner, they must be offered an ACPS, and if they accept the offer the responsible local authority must prepare an ACSP. There is [Statutory Guidance](#) that gives more detail about the implementation of this in practice.

Carers' support needs can be assessed by contacting [Midlothian Council](#) or [East Lothian Council](#).

On occasion a carer may either deliberately not provide care or may harm an adult. It is important we learn the lessons from case reviews about adults who have come to harm.

Mrs Ellen Ash was a woman with dementia, who lived in Glasgow. Her son Jeffrey Ash went to live with her following a hospital admission. A home care support package was arranged. There were several subsequent hospital admissions and discharges. On each occasion, Mr Ash insisted he was coping well and willing to care for his mother. Prior to the final hospital admission Mr Ash reduced his mother's personal care package from two visits per day to one visit per day. He smothered his mother to death before setting fire to the family home in 2013.

A number of professionals accepted reassurances Mr Ash was coping at face value, despite there being signals to the contrary.

It was assumed he would ask for help if he was struggling to cope, but there was no evidence of effective collaboration concerning a comprehensive assessment of his needs.

The Judge in the case recognised the stress he was under but that he did not have the right to end his mother's life. A [Significant Case Review](#) later found that there was a lack of professional challenge (professional curiosity) in this case. Being willing to challenge a lack of evidence of safety can be key in keeping vulnerable adults safe. If you are working with someone who expresses intent to provide care, check if this has been done, and if not, explore the reasons for this. The carer may need support, and the adult may be at risk. Carer support can be addressed in parallel to any Adult Support and Protection inquiry. Play your part to keep carers supported and adults safe.

Adult Support and Protection



Self-Harm and a Trauma Informed Approach in Adult Protection

Self-harm can be a worrying issue for professionals to deal with. Any of us could be working with an adult who self-harms, even if our role does not directly involve working with self-harm. It is important to understand what it is and what support can be offered.

The [Self-Harm Network Scotland](#) provides support and information to friends, families, and professionals. It defines self-harm as “...any non-accidental behaviour which causes, or has the potential to cause, harm to a person. Self-harm is where someone hurts themselves as a way of coping with difficult, distressing, or overwhelming feelings or experiences”. So, it is different from a suicide attempt, which seeks to end life. Self-harm is about coping with life, not ending it.

Adult Support and Protection legislation states that an adult may be at risk of harm if they self-harm. The accompanying Code of Practice talks about taking a trauma informed approach so that we better understand the range of adaptations and survival strategies that people may make to cope with the impact of trauma, like self-harming.

We need to be alert to self-harm being used by an individual as a means of ameliorating past trauma and helping them survive, but this has only a temporary effect and can have a severe outcome (such as death by misadventure).

The [Self-Harm Network Scotland website](#) has useful information on self-harm, including an interactive tool covering topics like:

- Starting a Conversation with someone who self-harms.
- What is self-harm.
- Functions of self-harm.
- First aid tips.
- Safe-plan: How the adult can stay safe when distressed.
- Tools including things that lift me up, affirmations, talking heads and traffic light tool.



Things that lift me up tool

Adult Support and Protection

Inspectors praise 'clear strengths supporting positive experiences and outcomes for adults at risk of harm' in Midlothian

A Joint Inspection of Adult Support and Protection in Midlothian took place between January and April 2024, with the report published on 11th June. Inspectors scrutinised Social Work, Health and Police case records of adults at risk of harm, met with staff from across the Midlothian partnership, analysed a Position Statement and documents provided by the partnership, and asked staff their views in a survey.

The key messages in the report, which you can read [here](#), are that:

- There were clear strengths in ensuring adults at risk of harm are safe, protected and supported.
- The partnership had a clear vision for Adult Support and Protection that was widely communicated and well understood.
- Adult Support and Protection inquiries undertaken by Social Work complied with the refreshed national Code of Practice.
- Managerial oversight of Council Officer activity was commendably strong. It was well recorded and linked to supervision discussions.
- Risk assessments were supported by effective tools and templates that promoted high quality work in this critical area of practice.
- While quality assurance and self-evaluation was in place, more work needed to be done to ensure this was well embedded and fully linked to improvement activity.
- The purpose and process on Inter-agency Referral Discussions needed to be reviewed to improve their impact on protection planning.
- Where chronologies were completed, they were of a good quality but more needed to be done to improve consistent application in all records.
- Adult Support and Protection Case Conference attendance and information sharing needed to improve. Case conferences should be more person-centred and sensitive to the participatory needs of adults at risk of harm.
- NHS Lothian and Police Scotland also needed to strengthen their participation in key elements of practice.
- Adults with lived experience were not engaged in shaping the work of the Public Protection Committee and a plan was needed to address this.

We were pleased to see the Inspectors recognise the quality of work that is done every day in Midlothian to support and protect adults at risk of harm and were reassured by the inspection, having already identified the areas for improvement in our self-evaluation. We will now take these forward in our improvement plan.

Adult Support and Protection

Social media is a part of everyday life for almost all of us. For those with disabilities it can have a valuable role in promoting social contact therefore improving quality of life. However, it can also pose risks to those who may be unable to make informed decisions about internet and social media use due to the impact of issues like learning disabilities, dementia, and mental health.

The Mental Welfare Commission for Scotland has a valuable good practice guide [Consenting adults: capacity, rights, and sexual relations](#) with a section covering social media and internet use. English case law provides some useful guidance. A judge ruled on two adults; a young male with learning disabilities and a woman with both mental health problems and learning disabilities. Through use of social media, as they lacked the capacity to make informed decisions about internet use and social media, they were both at risk of harm from known sex offenders. The young man was also placing himself at risk of criminalisation through accessing pornography.

The Judge stated it was important to view capacity to make decisions about in person contact as different from capacity to make decisions about internet use and contact with others. They are different in nature and can have different risks.



mental welfare
commission for scotland

Consenting adults: capacity, rights and sexual relationships

Good practice guide

Therefore, any assessment on decision making capacity in relation to contact with people must drill down to cover the complexities of internet and social media use. The guide helpfully lists the factors that should be considered when assessing a person's capacity to use social media and the internet at [page 37](#).

It is necessary to know what internet and social media access a potentially vulnerable adult has. [The UK Safer Internet Centre](#) has advice on how to broach concerns about the risks of internet and social media use. It advises you to ask the person you are concerned about what they enjoy most about the internet, how, where and when they go online, as well as what they do and who they are talking to. If you are concerned an adult is at risk of harm from internet and social media use you should make an Adult Support and Protection referral, to enable an assessment of risk and necessary support to take place.

Child Protection

[My child is gaming with strangers – what should I do?](#)



If you work with children and their families, share this UK Safer Internet Blog, which highlights some of the risks to children and young people about online chats in games. The blog provides practical suggestions for keeping children safe when using online chats.

An introduction to Getting it right for every child (GIRFEC)



Children in Scotland has launched a free [e-learning module](#) on Getting It Right For Every Child (GIRFEC) which explores how the policy helps to ensure that children and young people get the right help, at the right time, from the right people. This module is aimed at third sector staff and volunteers who work directly with or alongside children and young people in Scotland.

You can register here [Home | Children in Scotland](#).

Protecting children and the risk of online sexual abuse: what do we need to know?

The potential impact of online harm in the lives of children and young people across Scotland and the world is ever present. Concerns are widely shared and no more so than by those who have a responsibility to care for children and protect them. The increasing risk of online sexual abuse is a particular focus of calls for new legislation and action, so what do we need to know to prevent harm and support children and young people?

This webinar took a multi-agency look at what is happening, with inputs from:

- Detective Superintendent Carron McKellar from **Police Scotland**
- Chris Hughes from the **Internet Watch Foundation**
- Stuart Allardyce from the **Lucy Faithfull Foundation Scotland**

You can view the slides and read the transcripts of the session [here](#).



Police Scotland has launched the **#GetHelpOrGetCaught** campaign which targets those at risk of offending. Latest crime figures show reports of online child sexual abuse and exploitation in Scotland increased by 21 per cent between 1st April 2023 and 31st March 2024. The campaign makes it clear that viewing sexual images of children and engaging in sexual conversations with children is illegal and that law enforcement are actively searching to find these individuals and bring them to justice. The campaign features a film which targets perpetrators by highlighting the consequences of offending and urges them to stop and seek help by contacting [Lucy Faithfull Foundation Scotland's Stop It Now services](#), or risk getting caught and losing everything. You can read more [here](#).

Child Protection (CP)



internet
matters.org

Internet Matters supports parents and professionals with a range of resources and guidance to help them navigate the ever-changing world of child internet safety.

Self-generated Child Sexual Abuse is a term used to describe sexual content (images and videos) created by a child, using a smartphone or webcam, and then shared with others online. Children may be groomed, coerced, or manipulated into sharing a sexual image or video with an adult or another child. Or they may send an image or video to another child (or someone they presume to be another child) consensually, for it then to be shared more widely without their knowledge or consent. With all forms of self-generated imagery (whether it has initially been produced voluntarily or via coercion) there is a significant risk that it passes into the hands of adult offenders and is shared and distributed within offender networks.

Findings from Internet Matters' recent survey of children found that 14% of teenagers under the age of 16 have experienced a form of image-based sexual abuse. This would account for over 400,000 children in the UK. A quarter of teenagers under 16 in the same survey said that they are aware of a form of image-based abuse being perpetrated against another young person, which is around three quarters of a million children in the UK.

Internet Matters has published a report on preventing 'self-generated' child sexual abuse material among 11- to 13-year-olds. This age group appears most frequently in the 'self-generated' material detected and removed by Internet Watch Foundation.

The research included a literature review and panel discussions with 11- to 17-year-olds around effective messaging to help deter children from creating and sharing sexual images. Key findings are that: many children said there were barriers to learning due to how they were taught about sexual image-sharing in school, with smaller, gender-based group work preferred; most were supportive of peer learning approaches, learning through games, and learning from those with lived experience on social media. Children told us that it would be helpful for them to learn about the issues surrounding sexual image-sharing early in secondary school, whereas currently it is often delivered too late.

You can read the full report here:

[Preventing 'self-generated' child sexual abuse | Internet Matters](#)

Check out the Internet Matters website which has lots of guidance – you can find it by issue (such as cyberbullying, fake news and sexting) or by age: pre-school, young children aged 6-10, pre-teens aged 11-13 or teens aged 14+.

[Online safety issues - Advice to support children | Internet Matters](#)

Child Protection (CP)



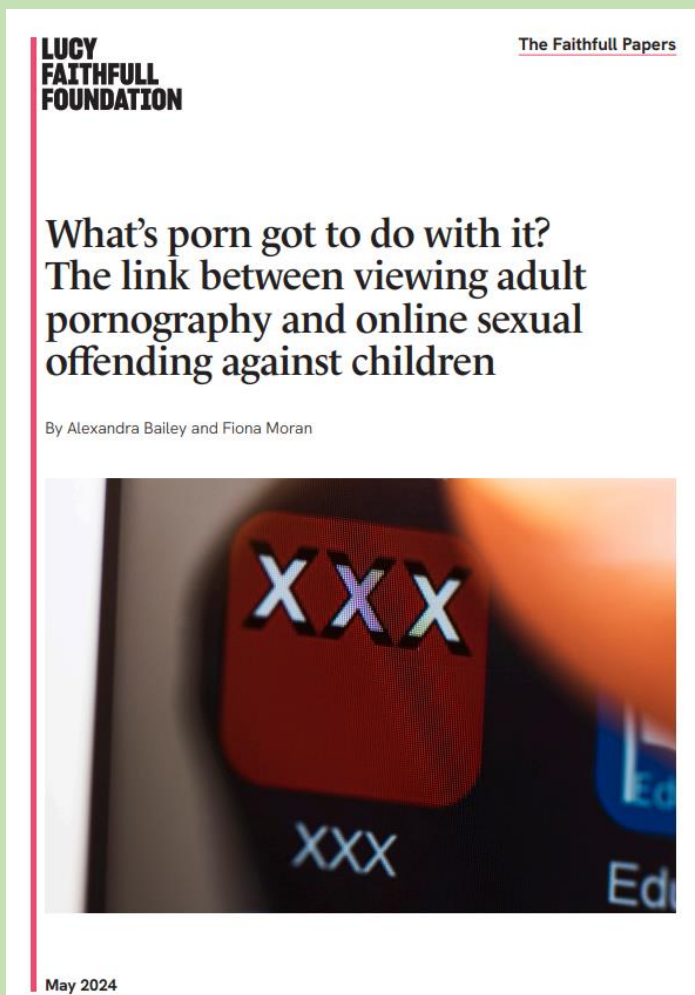
Published in March, Shattered Lives, Stolen Futures, the report of the Jay Review of Criminally Exploited Children commissioned by Action for Children, starkly set out how the lives of children and their families are being blighted by exploitation across the UK. The criminal exploitation of children is a complex type of child abuse where a young person is manipulated or pressured to take part in criminal activity. It takes a range of forms including dealing and transporting drugs or weapons (including county lines), growing cannabis, theft and burglary, and street crime such as begging and pickpocketing. Exploited children often experience multiple types of abuse at the same time, including violence, threats, emotional and sexual abuse. Read the summary report [here](#) which recommends a new system of prevention, a legal code, and investment for early intervention, prevention and learning are needed to tackle the criminal exploitation of children.



Click on the link to access the national [Practitioner Guidance on Criminal Exploitation](#)

This webinar hosted by CELCIS provided an opportunity to highlight some of the complex challenges around multi-agency partnerships being able to identify and respond to the criminal exploitation of children and how to bring together existing knowledge, policy and legislation to better support ways to protect all children. You can watch the recorded webinar, read the transcripts and see the slides [here](#).

Child Protection (CP)



The Lucy Faithfull Foundation has published a paper on links between adult pornography and online child sexual abuse. The Foundation works with people who pose risks to children online and offline and the paper shares case examples of adult pornography contributing to the viewing of illegal sexual images of children. The paper looks at some reasons behind pornography use and discusses how to prevent online child sexual abuse.

The Foundation says “The people we work with often tell us how their use of adult pornography affects their lives, offending, and is a frequent topic in our clinical practice. Pornography content and availability have changed considerably over time, and there remains a lack of agreement around whether pornography use impacts individuals negatively or can be considered an addiction.

“We are in the unique position to hear how adult pornography, despite it being legal, has contributed to problems in their lives, most significantly contributing to them viewing sexual images of children.”

“From our experience, there are people for whom pornography use is problematic, and negatively impacts many areas of their life. One of these is that pornography use has been seen as a gateway to some people’s online sexual offending against children, including viewing sexual images of children. This makes the use of pornography an important child protection consideration. We need to recognise this risk, open the dialogue and ensure the resources are available to manage problematic adult pornography use”.

The **Lucy Faithfull Foundation** reports that:

- Around **one in six** children will be sexually abused.
- Around **one-third** of this is carried out by **under-18-year-olds**.
- Around **nine in ten** children who are sexually abused know their abuser.

The Lucy Faithfull Foundation runs the confidential Stop It Now helpline and Shore, a website for teenagers. You can read more about their work here:

[Lucy Faithfull Foundation | Preventing Child Sex Abuse](#)

Violence Against Women and Girls (VAWG)

The Scottish Sentencing Council (SSC) is consulting on its first ever draft guidelines on sentencing for rape

The [Scottish Sentencing Council](#) is preparing two guidelines on offences of rape. The first is on rape, and the second is on rape of a young child.

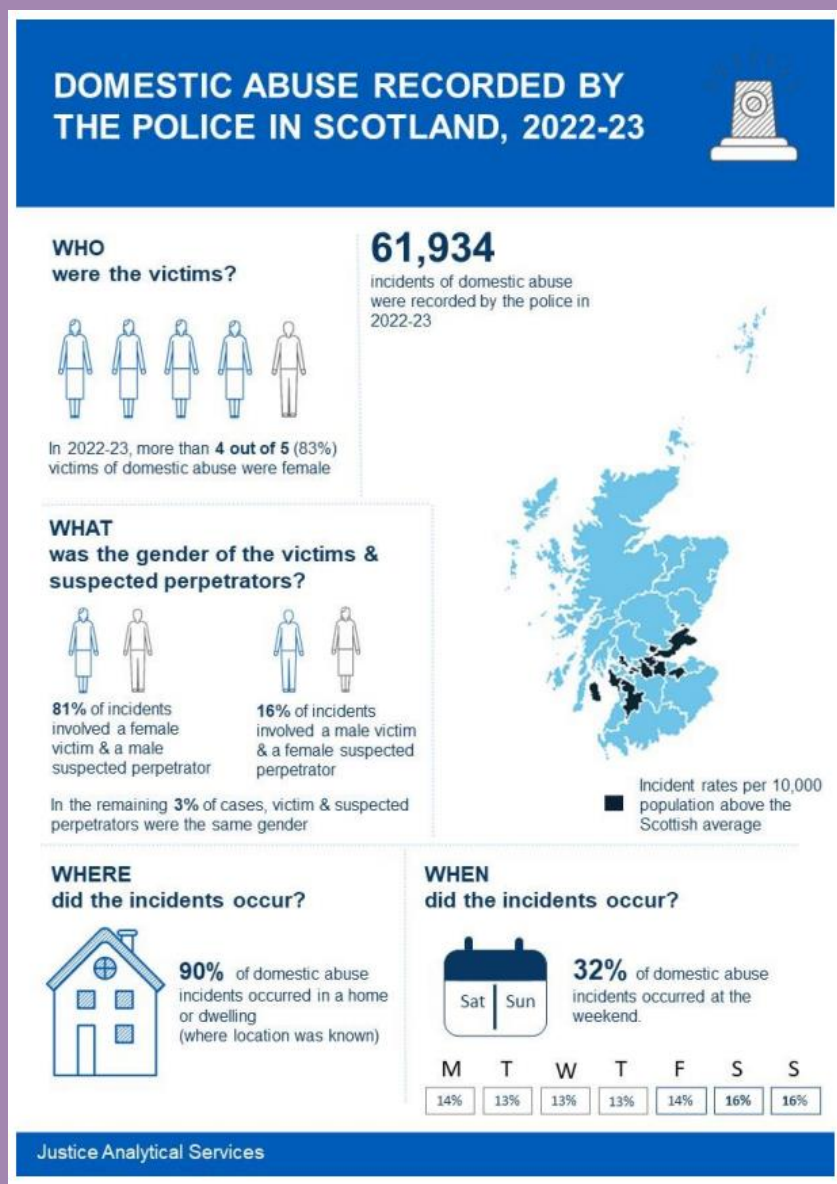
Sexual offences, including rape, are of public concern, and they account for a rising proportion of sentencing in the Scottish courts. These offences can involve a wide range of circumstances, and the guidelines are intended to assist courts in reaching what, at times, can be difficult sentencing decisions.

By listing some of the factors that should be considered, the Scottish Sentencing Council believes that the guidelines will help the court to determine sentences and assist public understanding of how these decisions are reached. Guidelines are also to assist public understanding. These cases attract a significant amount of public and media interest, and it is intended to bring greater clarity around the sentencing process and the factors taken into account.

There is a discussion paper which you can read [here](#).

The full guidelines are still due to be published, and you can contribute to the ongoing consultation and access other guidance and materials by following this link - [Scottish Sentencing Council Rape Offences Consultation](#). The consultation will run until the 18th of October 2024.

Our Violence Against Women and Girls Delivery Group will look at this at their next meeting in September.





This report looks at the main barriers for girls in Scotland in exercising their rights. It reviews the existing literature on the state of girls' lives in Scotland, drawing particularly on participatory research by Girlguiding Scotland and Girlguiding UK, Plan International and Plan UK, and the Young Women's Movement. It argues that patriarchal and ageist approaches to policymaking result in girls being left behind in Scotland. The report has lots of startling facts from the Girlguiding Scotland research about what girls said about their experience of being a girl:

- Half (50%) of girls and young women aged 7-21 have been patronised or made to feel stupid because they are a girl, compared to 46% in 2013 (Girlguiding, 2023).
- 58% of girls say they see sexism in professional sport (like the Olympics or Paralympics), and 59% of girls say they see or experience sexism when taking part themselves (Girlguiding UK, 2022).
- 43% of girls and young women do not feel safe outside alone in Scotland (Girlguiding UK, 2022).

The report makes seven recommendations on how we can solve this and make rights real for girls – at a policy, political and cultural level. A must read for all of us.

[Girls-rights-are-human-rights.pdf \(zerotolerance.org.uk\)](https://zerotolerance.org.uk/girls-rights-are-human-rights.pdf)

UNCRC Article 19: the right to be safe from violence
General recommendations 19 and 35 of CEDAW: on tackling gender-based violence against women

[Committee on the Elimination of Discrimination against Women | OHCHR](https://www.ohchr.org/en/instruments-treaties)

Violence Against Women and Girls (VAWG)



New project on persuading men and boys to take action on men's violence against women and girls

The women's movement in Scotland has raised awareness, deepened understanding, and cultivated a state responsibility to support survivors and address this violence. However, the current way we talk about men's violence against women risks alienating men from the cause and it is therefore crucial for more men to actively engage in solutions. Many men struggle to see their role in the solution, fear saying the wrong thing, or feel unjustly blamed by the term 'men's violence'. This leads many to distance themselves from the subject.

How do we talk about men's violence against women and girls so that men and boys feel it is relevant and safe to engage? To answer this question, Scotland's primary prevention organisation Zero Tolerance are working with White Ribbon Scotland, who work extensively on engaging men in combating this issue, and strategic communications experts Equally Ours. The project will test the most effective messages at tapping into men and boy's values and shifting how they think about men's violence against women and girls, to increase men's understanding of the links with gender inequality and speak out about the issue. We will follow this up in a later Newsletter.

Read more [here](#).



LEGAL GUIDES

The Scottish Women's Rights Centre has a series of 17 helpful legal guides with information about legal processes relevant to cases of abuse and violence against women. They include housing, divorce, exclusion orders, child contact and residence and reporting to the Police.

[Legal guides | Scottish Women's Rights Centre \(scottishwomensrightscentre.org.uk\)](http://scottishwomensrightscentre.org.uk)

Violence Against Women and Girls (VAWG)

Exciting new chapter for Women's Aid East and Midlothian: A centre for women's and children's empowerment



Julie Watson, Chief Executive Officer, shares an exciting update with us. “I am thrilled to share that WAEML have secured a new building to serve as our headquarters and a dynamic women’s and children’s empowerment centre. This milestone marks the beginning of a new chapter for us, providing a dedicated and permanent space to expand our services and the support we offer.

Staff from our current Dalkeith centre will soon relocate to this new facility. Our new home will be carefully designed to be an accessible, peaceful space that embodies a trauma-informed approach ensuring safety and comfort for everyone that uses it. We are currently working with our service users to co-design a thoughtful environment that supports our mission and meets their needs. We aim for the space to allow us to deliver support, growth, play, socialising and relaxation. We are delighted that there is also amazing outdoor space for our nature-based therapy work. We plan to also create a special memorial space where we can continue to remember the victims, we have worked with who have tragically lost their lives to suicide or domestic killings.

We are also very keen to work with our partners, creating a one-stop shop for women and children who have been subjected to domestic abuse. It is likely we will also have some availability for rental spaces at competitive rates.

Stay tuned for updates on our relocation and official opening of our new centre!”

For further information or to get involved please contact Julie@womensaideml.org

Violence Against Women and Girls (VAWG)



Click on the link below to listen:

[Season 5 Episode 8: The Myth of the Domestic Violence Incident](#)

Listen to the latest podcast from the Safe & Together Institute. Hear a discussion about the impact of taking an isolated incident lens to domestic abuse, and how the use of the Safe & Together model can help identify and address this. By doing this, rather than focusing on patterns of violence and coercive control:

- Professionals and systems become 'blind' to the wider dangers created to adult and child survivors created by the perpetrator.
- It becomes harder to see the loss of liberty and entrapment created by the perpetrator.
- There is failure to record and address the dangers and harm created by non-physical acts of abuse and coercive control, such as:
 - Ongoing control directed at the adult survivor/victim.
 - Willingness to harm children as a way to pressure and hurt.
 - The underlying attitudes and beliefs that the perpetrator hold.



The latest impact report published by One Parent Families Scotland covers single parents' experiences of stalking, economic abuse connected to child maintenance and controlling behaviour around contact arrangements.

Read this short but powerful report to hear directly from the parents who contributed to the discussions.

[Impact Reports at One Parent Families Scotland \(opfs.org.uk\)](https://opfs.org.uk)

Spotlight on Information Sharing about adults and children at risk of harm

A complex landscape?

Information sharing can sometimes feel like complex landscape. Sharing relevant information is an essential part of protecting children and adults at risk of harm. When there is an Adult Support and Protection or Child Protection concern, relevant information should be shared without delay, provided that it is necessary, proportionate and lawful to do so. This involves a concern about an adult or child in any place or setting.

What does the law say about information sharing?

The Data Protection Act 2018 and GDPR (The UK Data Protection Regulation) provide the legal frameworks for setting out how services must manage personal data (information).

The [Information Commissioner's Office](#) (ICO) is an independent organisation that ensures that information rights are protected. Where the concerns relate to an adult or child who may be at risk or harm, there is nothing in the Data Protection Act 2018 or GDPR that prevents someone from sharing personal data where it is appropriate to do so.

Within East Lothian and Midlothian, an information sharing protocol and operational protocol support the sharing of information in Multi-agency Risk Assessment Conferences, the meetings that take place about victims at the highest risk of harm from domestic abuse. Agencies involved in Marac are signed up to these protocols which set out the basis for information sharing.

You will not get in trouble with the ICO for doing the right thing. You can hear this message in this short video from the [UK Information Commissioner: data sharing to safeguard children on Vimeo](#). Although he speaks specifically about children and young people, this message equally applies to adults at risk of harm.

What is personal data?

Information sharing between professionals and agencies involves the processing of personal data. Personal data is information that can identify a particular individual. The ICO website has a list of examples of [Personal data](#).

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Special category data is data that needs more protection because it is sensitive. It includes things like someone's sexual orientation, religious beliefs and racial or ethnic origin. There are specific rules about how and when special category data can be asked for and used. You can read more about this here [What is special category data?](#)

Where can I get support to understand my responsibilities?

Practitioners must be supported to work within the law and apply the law through their own organisational and supervisory processes and guidance. Reference should be made to the [East Lothian and Midlothian Multi-agency Adult Support and Protection Procedures](#) and [Edinburgh and Lothians Multi-agency Child Protection Procedures](#) and both include sections on information sharing. You should also be familiar with what the National Guidance says:

[Adult Support and Protection \(Scotland\) Act 2007 Code of Practice](#) at page 32

[National Guidance for Child Protection in Scotland](#) at page 27.

You should also be familiar with your own organisation's whistleblowing and staff code of conduct policies, so that you know what to do if your concern relates to a member of staff.

Always seek advice from your line manager or designated information governance lead if you are not clear about the law on information sharing.

The ICO has a helpful online interactive guidance tool that supports you to identify what lawful basis is likely to be appropriate for your data processing activities. It takes you through a series of questions including about what your task is and the extent to which you are protecting their life and gives you a summary assessment report to help guide you. You can access the tool here:

[Lawful basis interactive guidance tool | ICO](#)

The ICO has produced a 10-step guide on data protection considerations when sharing personal information for Child Protection. It includes practical examples that relate to each step. This aims to help people feel confident about sharing information.

[A 10-step guide to sharing information to safeguard children | ICO](#)

Spotlight on Information Sharing about adults and children at risk of harm

What rights do people have about their information?

Individuals do not automatically have any right to consent to the sharing of information about them. Consent requires people to have real choice about and control over the sharing of their personal data. In most situations where there is an Adult Support and Protection or Child Protection concern, the person and their parents/carers will not have that choice or control. Seeking consent may place someone at increased risk.

You do not need to be certain that a child or adult has been harmed or is at immediate risk before sharing – the test is ‘know or **believe**’.

There is a number of personal data rights around the use of data. Everyone needs to know what they are, as these rights apply to all of us. We all have a right to know what personal data is being used by an organisation and to have data corrected where that information is inaccurate or incomplete. For more information about the rights of individuals and duties of organisations, click on the link to read the section on the ICO website [For the public](#) .

What are the concerns about information sharing?

Case reviews where a child or adult has died or been seriously harmed often highlight missed opportunities to share information that may have contributed to a different outcome. Sometimes professionals find it hard or feel unable to share information due to:

- Forms and templates not having enough space to record all the information
- Professionals do not always know where to refer
- Electronic systems between and within agencies can hinder communication
- Misinterpretation or lack of understanding in data protection legislation
- Mistakenly thinking that consent is needed.

Spotlight on Information Sharing about adults and children at risk of harm

What are the key messages for effective information sharing?

- Data protection law does not prevent people from sharing information to safeguard children and adults at risk of harm – it simply helps you to share information in a way that is fair, proportionate and lawful.
- Electronic forms should never be a barrier to sharing information – use secure email or telephone.
- Make sure you know where to refer your concerns - the relevant Council Contact Centre, Police or Health professionals.
- Everyone has a responsibility to know about data protection legislation – about GDPR, the data protection principles and why they are important.
- Where there may be an Adult Support and Protection or Child Protection concern information may be lawfully shared without the need for consent to be obtained from the individual to whom the information relates.
- The ‘test’ for making a referral in Adult Support and Protection is when you ‘know or believe’ that a person is an adult at risk of harm. There are certain roles/agencies that have a duty to share information in Adult Support and Protection. However, everyone has a responsibility to protect children and adults at risk of harm. Everyone therefore has a responsibility to share their concerns and provide information to assist professionals in assessing risk and protecting a child or adult who is at risk of harm.
- Information sharing should be timely in relation to the concern, secure in the manner in which it is shared and recorded in writing.
- When you share information in good faith to help identify and protect a child or adult whom you believe to be at risk of harm you will not get into trouble with the ICO. The role of the ICO is uphold information rights in the public interest.

Contact us

Our Lead Officers support the work of EMPPC and you can contact them for more information about anything in this newsletter, or about their role:

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Do you have any suggestions for a future article in our newsletter? If so, please get in touch with us at emppo@eastlothian.gov.uk

Our Vision for Public Protection

Everyone has a right to be safe and protected from harm and abuse. We will protect our children, young people and adults in East Lothian and Midlothian by working together and upholding our values.

Our core values of respect, integrity and commitment underpin our work in supporting and protecting all people who may be at risk of harm in our communities.