

Impact Assessment

SECTION A: GENERAL INFORMATION

Question	SSSC approach
A1. Name of piece of work	Review of SSSC's Secure Handling, Use, Retention and Destruction of Disclosure Information Policy
A2. Brief description of work, including purpose and summary of aims.	<p>Disclosure information is used by the SSSC for the purposes of assessing applicants and registrants' suitability for registration, and for recruitment and appointment decisions. The SSSC must therefore comply with Disclosure Scotland's Code of Practice (the Code). The Code sets out obligations for registered bodies, countersignatories and other recipients of disclosure information issued under the 1997 Act and the Protection of Vulnerable Groups (Scotland) Act 2007.</p> <p>The SSSC's Secure Handling, Use, Retention and Destruction of Disclosure Information Policy provides a high level statement of our compliance with the Code and describes how we will handle, store, and destroy disclosure information provided by Disclosure Scotland.</p> <p>The Impact Assessment is intended to assess the review of the Policy.</p> <p>This work is linked to all strategic themes set out in the Strategic Plan 2023-2026:</p> <p>Outcome 1: Trusted People who use services are protected by a workforce that is fit to practise.</p> <p>Outcome 2: Skilled Our work supports the workforce to deliver high standards of professional practice.</p> <p>Outcome 3: Confident Our work enhances the confidence, competence and wellbeing of the workforce.</p> <p>Outcome 4: Valued The social work, social care and children and young people workforce is valued for the difference it makes to people's lives.</p>

A3. How does the work link to our Strategic Plan 2023-2026? Choose one strategic theme. If helpful provide more information in A2.	Choose an item. The Policy supports all the strategic themes.
A4. Responsible department for this work	Legal and Corporate Governance
A5. Date of last Assessment or policy review (if relevant)	21 October 2021.
A6. Have you completed a Data Protection Impact Assessment? If yes please list the title and sign-off date.	No

SECTION B: EQUALITY IMPACT ASSESSMENT (EQIA)

Please see guidance notes before completing the second column in this section, particularly Part 2 and Section B of the Appendix.

Question	SSSC approach
B1. Understanding impact: How is this piece of work relevant to equality groups?	The Policy sets out our compliance with the Code and aims to fulfil the requirement for good management of disclosure information provided by Disclosure Scotland, by describing how we will handle, store, and destroy these records.

<p>Use this section to briefly set out the context. Have you considered where there might be an impact?</p>	<p>The Policy covers all disclosure information provided by Disclosure Scotland that we receive about staff, job applicants, registered workers and register applicants.</p> <p>The Policy makes sure that disclosure information is protected and kept in a secure manner and held no longer than necessary. The Policy also supports the Records Management Policy and Data Protection Policy and makes sure that records are securely maintained to prevent unauthorised access. It therefore helps to mitigate the risk of sensitive information, which individuals would not want to be shared being disclosed in error.</p> <p>As this is an internal governance policy, we think it will have a very limited impact on those with protected characteristics. The purpose of the Policy is to make sure that staff are aware of their responsibilities and are compliant with the Policy when handling disclosure information.</p>
<p>B2. Reviewing evidence and finding gaps</p> <p>What internal or external evidence on equality groups did you use to support your understanding (step 1) and assessment (step 3). Did you find gaps in the data?</p> <p>Examples could include data on SSSC employees: Mainstreaming Report, Data Annex, 2023 or the social work, social care and children and young people workforce: workforce data website.</p> <p>Population data is available from the Scottish Government's Equality Evidence Finder and National Records of Scotland website.</p>	<p>The Policy was developed by the Legal and Corporate Governance Team, who benchmarked the Policy against other organisations, and consulted internally with the Operational Management Team and the Executive Management Team.</p> <p>We have not reviewed any evidence on equalities specifically.</p>

B3: Assessing impact and taking action

Will your piece of work have a negative, neutral or positive equality impact? Explain why. List any actions and summarise in Section H.

We do not feel that this Policy is going to significantly contribute to equality need 2 or equality need 3 because the Policy exists to make sure that information held by the SSSC is managed in a secure manner. We feel that this aim is more likely to address equality need 1, so our assessment is focused on that need.

We expect the Policy to have a positive impact in relation to age. Disclosure information will contain information on the age of our staff, job applicants, registered workers and register applicants. These are sensitive records that could cause distress to individuals if they were inadvertently disclosed by us. The Policy makes sure that any risk of this is mitigated and therefore should have a positive impact on both older and younger individuals.

There is also a small possibility that if disclosure information is not handled appropriately by us, that an individual's race, religion or belief or sex may be able, under some circumstances, to be identified from these records as they contain the individual's name. We believe that this Policy will have a minor positive impact in relation to these characteristics.

We do not believe this Policy will have an impact on other protected characteristics.

SECTION C: CHILDREN'S RIGHTS AND CARE EXPERIENCE ASSESSMENT

Please see guidance notes before completing the second column in this section, particularly Part 2 and Section C of the Appendix.

Question	SSSC approach
<p>C1. Understanding impact: How is this piece of work relevant to children's rights and care experienced children and young people?</p> <p>Use this section to briefly set out the context. Have you considered where there might be an impact?</p>	<p>There is the potential, however remote, that some disclosure certificates may contain information about serious childhood convictions. This Policy makes sure that SSSC staff are aware of the correct way to handle these records. The Policy also makes sure that this sensitive information is kept secure and accessed only by those who are entitled to see it in the course of their duties.</p>
<p>C2. Reviewing evidence and finding gaps</p> <p>What internal or external evidence on children's rights or care experience did you use to support your understanding (step 1) and assessment (step 3). Did you find gaps in the data?</p> <p>Examples: Children's social work statistics available from Scottish Government website. The Promise Scotland and the Children and Young People's Commissioner Scotland have several resources on care experience and children's rights.</p>	<p>N/A</p>
<p>C3: Assessing impact and taking action</p> <p>Will your piece of work have a negative, neutral or positive impact on children's rights or care</p>	<p>If the SSSC failed to appropriately handle and store disclosure information that contained childhood convictions, this would have a potentially profound impact on young staff or those with care experience. For this reason, we believe that the Policy will have a positive impact on children's rights and those with care experience.</p>

experience? Explain why. List any actions and summarise in Section H.

SECTION D: TRAUMA INFORMED ASESSMENT

Please see guidance notes before completing the second column in this section, particularly Part 2 and Section D of the Appendix.

Question	SSSC approach
<p>D1. Understanding impact: How is this piece of work relevant to trauma informed practice?</p> <p>Use this section to briefly set out the context. Have you considered where there might be an impact?</p>	<p>Disclosure information contains a variety of sensitive information relating to convictions, cautions and information from the Sex Offenders Register. We understand that individuals who have experienced trauma or adverse childhood experiences are linked to a risk of adult crime. Disclosure certificates have the potential to provide detail on convictions that have arisen as a result of trauma. Therefore, there is a risk that, if the SSSC does not have robust procedures in place for handling disclosure information, there is a chance of adversely impacting individuals who have suffered trauma or adverse childhood experiences.</p>
<p>D2. Reviewing evidence and finding gaps</p> <p>What internal or external evidence on trauma informed practice did you use to support your understanding (step 1) and assessment (step 3). Did you find gaps in the data?</p>	<p>Trauma-informed practice, Kieran F. McCartan, HM Inspectorate of Probation July 2020: Academic Insights 2020/05 Trauma-informed practice</p> <p>Childhood trauma linked to risk of adult crime: Childhood trauma linked to risk of adult crime The University of Edinburgh</p>
<p>D3: Assessing impact and taking action</p> <p>Will your piece of work have a negative, neutral or positive impact on our work to promote trauma informed practice? Explain</p>	<p>We believe that this Policy will have a positive impact on our trauma-informed approach.</p>

why. List any actions and summarise in Section H.	
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SECTION E: ISLANDS, FAIRER SCOTLAND AND VULNERABLE PEOPLE ASSESSMENT

Please see guidance notes before completing the second column in this section, particularly Part 2 and Section E of the Appendix.

Question	SSSC approach
<p>E1. Understanding impact: How is this piece of work relevant to the Scottish Islands, promoting a Fairer Scotland or supporting vulnerable people?</p> <p>Use this section to briefly set out the context. Have you considered where there might be an impact?</p>	<p>We have not identified that this Policy will have an impact, either positive or negative on people in Island communities the Fairer Scotland Duty or in supporting vulnerable people.</p>
<p>E2. Reviewing evidence and finding gaps</p> <p>What internal or external evidence on the Islands, Fairer Scotland or vulnerable people did you use to support your understanding (step 1) and assessment (step 3). Did you find gaps in the data?</p> <p>Examples: Scottish Government publishes data on composition of island population. We publish workforce data on proportion of staff in island local authority areas. The Government also publishes</p>	<p>N/A</p>

data on poverty and carers: Poverty and Income inequality statistics and Carers Census .	
E3: Assessing impact and taking action Identify any actions here, including timescales, lead responsibility and how you'll monitor success.	N/A

SECTION F: EMPLOYER ASSESSMENT

Please see guidance notes before completing the second column in this section, particularly Part 2 and Section F of the Appendix.

Question	SSSC approach
F1. Understanding impact: How is this piece of work relevant to employers? Use this section to briefly set out the context. Have you considered where there might be an impact?	Disclosure information records are sensitive records that could cause distress to individuals if they were inadvertently disclosed. The SSSC as an employer is responsible for protecting disclosure information provided to us, and it should only be used for the purpose it was provided.
F2. Reviewing evidence and finding gaps What internal or external evidence on employers did you use to support your understanding (step 1) and assessment (step 3). Did you find gaps in the data? Examples: Our data website has information on employers and active services registered with the Care Inspectorate. For example, have you consulted employers on your proposals? Have you identified any challenges or options?	N/A
F3: Assessing impact and taking action Identify any actions here, including timescales, lead responsibility and how you'll monitor success.	The Code of Practice, published by Scottish Ministers under section 122 of Part V of the Police Act 1997, sets out the obligations that we must comply with, as recipients of disclosure information issued under the 1997 Act and the Protection of Vulnerable Groups (Scotland) Act 2007.

The UK GDPR and Data Protection Act 2018 require that we follow data protection principles, to ensure that personal information is used fairly, lawfully, and transparently.

If the SSSC failed to appropriately handle, store and destroy disclosure information, there would be a risk of criminal or civil proceedings, and reputational and financial damage.

We believe that this Policy will have a positive impact in this area.

SECTION G: SUSTAINABILITY ASSESSMENT

Please see guidance notes before completing the second column in this section, particularly Part 2 and Section G of the Appendix.

Question	SSSC approach
G1. Understanding impact: How is this piece of work relevant to sustainability? Use this section to briefly set out the context. Have you considered where there might be an impact?	We have not identified that this Policy is likely to have any impact on the SSSC's duties and responsibilities in relation to sustainability.
G2. Reviewing evidence and finding gaps What internal or external evidence on sustainability did you use to support your understanding (step 1) and assessment (step 3). Did you find gaps in the data?	N/A
G3: Assessing impact and taking action Identify any actions here, including timescales, lead responsibility and how you'll monitor success.	N/A

H. FINAL REVIEW AND SIGN-OFF

SSSC approach	SSSC approach
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H1. Summary of Assessment a. Summary of any actions or changes found during assessment b. How will we monitor this piece of work and any further impacts?	The Policy is monitored on an ongoing basis and will be updated as and when required. We adopt a three yearly review schedule, at which point it will be fully reassessed.
H2. Owner (Head of Department): Date approved by Head of Department:	Head of Legal and Corporate Governance 7 November 2024

NEXT STEPS

Send completed IA to [Policy and Equality Team](#). Please let know the Team know when the IA should be published on our website or if there is any reason why we should not publish the IA.

Reports to Council, Committee, Executive Management Team and Programme Boards must include your IA. Please contact [Legal and Corporate Governance team](#) for further information.