



7-Minute Briefing: Multi-Agency Protocol Non-Disclosure of Information

1. Background

This revised multi-agency protocol provides guidance on the provision of information in relation to the non-disclosure of information, including a person's location. [Children's Hearings \(Scotland\) Act 2011](#). This applies to Children's Hearings, Court and related Local Authority care and protection procedures.

7. What to do

- Read the [revised protocol](#) which can be found on the [Children's Services Website](#) under the tab "Child Protection Resources".
- Discuss with your line manager any aspects of the protocol that you are unclear about.

6. Questions to Consider

- Do you know when and how to submit a non-disclosure request?
- As a report writer, are you aware of your responsibilities in relation to making a non-disclosure request?
- Are you aware that the Reporter cannot apply Rule 16 for a future placement?
- Do you know what steps should be taken when non-disclosure activity occurs out with normal working hours?
- Do you know how to update your systems?
- Is the non-disclosure still required and why?
- Can I remove the information from my reports and put in a separate document?
- Is the information absolutely necessary for the Reporter or Children's Hearing?

5. Information

The Lead Professional will update Mosaic with any non-disclosure measure activity immediately following the Hearing. Where this is not possible the Lead Professional must contact the locality LAC Admin Team by protectively marked email. The recording of non-disclosure measures is explained more fully within the protocol.

2. Why it matters

Non-Disclosure is to protect a child or a relevant person. If specific information is shared it may place them at significant harm.

Anyone providing a report to the Reporter for a Children's Hearing or Pre-Hearing Panel should be aware of the process to follow when they want the Reporter to withhold information from an individual in order to safeguard a child or other relevant person.

Warning - If no non-disclosure request is made, the information will be provided in full.

3. Information

Reports provided to the Reporter or a Children's Hearing should contain only information relevant to a child's circumstances and life and must be lawful and appropriate.

Report writers should consider a non-disclosure request when disclosure of the information to an individual would be likely to cause significant harm to the child or relevant person.

The Reporter has a duty to tell everyone entitled to receive Hearing papers what information has been withheld and from whom; including the person from whom the information is being withheld.

4. Information

The protocol provides clear guidance on the following:

- The 3 provisions to withhold information: a non-disclosure request, Rule 16 and a non-disclosure measure.
- Non-disclosure submission, including templates, and details of the report writer's responsibilities, agency responsibilities and the Reporters responsibilities.
- The steps and risk assessment required in the event of a breach ie where information is disclosed contrary to the terms of a non-disclosure measure.