

INFORMATION SHARING INDEX: CONSULTATION ON DRAFT INFORMATION SHARING INDEX (ENGLAND) REGULATIONS AND PARTIAL REGULATORY IMPACT ASSESSMENT

Consultation Response Form

The closing date for this consultation is: 14 December 2006
Your comments must reach us by that date.

department for

education and skills

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The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

Please tick if you want us to keep your response confidential.

Name

Organisation (if applicable)

Address:

If your enquiry is related to the policy content of the consultation you can contact Chris Hirst on:

Telephone: 0207 273 4921

e-mail: chris.hirst@dfes.gsi.gov.uk

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 01928 794888

Fax: 01928 794 311

e-mail: consultation.unit@dfes.gsi.gov.uk

Please check one of the boxes that best describes you as a respondent:

<input type="checkbox"/> Child/young person	<input type="checkbox"/> Parent/carer	<input type="checkbox"/> Education – LA Staff
<input type="checkbox"/> Education – School/College Staff	<input type="checkbox"/> Health – PCT/SHA Staff	<input type="checkbox"/> Health – GP/Staff
<input type="checkbox"/> Social Services Staff	<input type="checkbox"/> Early years and childcare	<input type="checkbox"/> Local Authority
<input type="checkbox"/> ISA Team/Trailblazer	<input type="checkbox"/> Children’s Trust	<input type="checkbox"/> Connexions service
<input type="checkbox"/> Youth justice and probation	<input type="checkbox"/> Police	<input type="checkbox"/> Voluntary and Community Sector
<input type="checkbox"/> Youth Services	<input type="checkbox"/> Representative bodies	<input type="checkbox"/> Other (please specify below)

Please Specify:

Accessing the Index – Regulation 6

We propose to grant access to the index based on a practitioner’s role within the Children’s Workforce. The roles we propose are listed at (6)(3) of the regulations.

1 Are there other practitioner roles that you believe should be added?

If so, please use the comments box to list them.

Yes

No

Not Sure

Comments:

Conditions of Access – Regulation 6

We propose (regulation (6)(5)) to grant access to the index only to people who are working with children and young people or their information, that have a enhanced Criminal Records Bureau disclosure and have undergone appropriate training.

2 Should there be other conditions for access?

If so, please use the comments box to say what other conditions you believe should be added.

Yes

No

Not Sure

Comments:

Retaining Information on the Index – Regulation 7

We propose in regulation (7)(5) to retain contact details for practitioners for one year after their involvement with a child has ceased and that practitioners may decide that their contact details should remain on the index for a period of up to five years so that recent, relevant information can be shared between practitioners if appropriate.

3 Do you agree that there should be a facility to retain these contact details beyond one year but for no longer than five?

If you have any additional comments, please use the comments box below.

Agree

Disagree

Not sure

Comments:

Archiving Information from the Index – Regulation 7

In accordance with the Limitation Act 1980, we propose to archive material for a period of 6 years once it is no longer appropriate to hold it on the index. We have proposed in regulation (7)(13) a list of circumstances under which access would be provided to the information in the archive.

4 Are there circumstances, other than those listed at Regulation 7(13), that would justify providing access to archived information?

If so, please use the comments box to detail what other circumstances.

Yes

No

Not Sure

Comments:

Accuracy of Index Information – Regulation 8

The Data Protection Act and regulation 8(1)-(3) requires every person or body that supplies information to the index to take reasonable steps to ensure that the information they provide is and remains accurate.

5 Do you believe the Regulations contain the necessary safeguards to ensure that information on the index is kept accurate and up to date?

If you believe there are further safeguards that could be introduced to ensure accuracy of information held on the index please use the comments box to expand on your answer.

Yes

No

Not Sure

Comments:

Local Authority Complaints Procedure – Regulation 9

We propose at regulation 9, to require local authorities to put in place, and publicise, a complaints procedure relating specifically to their responsibilities under Regulation 6 (Access) and Regulation 8 (Accuracy).

6 Do you agree that there should be a local authority complaints procedure specifically for the index?

Please use the comments box if you wish to expand on your answer.

Agree

Disagree

Not sure

Comments:

Information to be held on the Index – Schedule 1

Section 12 of the Children Act 2004 sets out what information will be held on the index. We propose, under Schedule 1 (11-16) to add the following items to the information to be included on the index.

Do you agree that these additional data items will support the core aims of the index:

7 a) name and contact details of the child's health visitor (a key contact for under 5s)

Agree Disagree Not sure

7 b) name and contact details of the child's school nurse (a key contact for school age children)

Agree Disagree Not sure

7 c) name and contact details of the lead midwife (a key contact for babies and for young girls who become mothers themselves)

Agree Disagree Not sure

7 d) where the child has died, the date of death (we believe that this will help avoid practitioners making enquiries to the family without the knowledge of the child's death)

Agree Disagree Not sure

7 e) any number used by any person or body to identify the record relating to the child (although these will be used for data matching purposes and will not be visible to the users of the index)

Agree Disagree Not sure

7 f) metadata (which will not be visible to users but will include information such as the source of the data and the date it was last updated – to enable quality of data to be assessed)

Agree

Disagree

Not sure

Please use the comments box to expand on any of your answers above.

Comments:

Disclosing Information to the Index – Schedules 2 and 3

Schedule 2 of the regulations lists the persons and bodies 'required' to disclose information for inclusion in the index.

8 Are there any further persons or bodies that should be added to the list at Schedule 2?

Please use the comments box to let us know which persons or bodies you believe should be required to disclose information for inclusion on the index and why.

Yes

No

Not Sure

Comments:

9 Are there persons or bodies that you believe should not be listed at Schedule 2?

Please use the comments box to let us know if there are persons or bodies listed at Schedule 2 that you believe should not be required to disclose information to the index and why.

Yes

No

Not Sure

Comments:

The persons or bodies listed at Schedule 3 of the regulations are 'permitted' to disclose information for inclusion in the index.

10 Are there any further persons and bodies that should be added to the list at Schedule 3?

If so, please use the comments box to say what other persons or bodies you believe should be added and why.

Yes

No

Not Sure

Comments:

11 Are there persons or bodies that you believe should not be listed at Schedule 3?

Please use the comments box to let us know if there are persons or bodies listed at Schedule 3 that you believe should not be permitted to disclose information to the index and why.

Yes

No

Not Sure

Comments:

Partial Regulatory Impact Assessment

We have produced a partial regulatory impact assessment setting out the impact of the draft Regulations on stakeholders. A full regulatory impact assessment will accompany the final Regulations when they are laid before Parliament.

12 Does the partial Regulatory Impact Assessment correctly identify stakeholders in these Regulations?

If you answer No, please use the comments box to expand on your answer.

Yes

No

Not Sure

Comments:

The partial Regulatory Impact Assessment contains an assessment of the costs and benefits of enacting these regulations.

13 Does the partial Regulatory Impact Assessment correctly identify and address the impact of these Regulations?

If you answer No, please use the comments box below to expand on your answer.

Yes

No

Not Sure

Comments:

General Comments

We are keen to know your views and welcome any further general comments that you might have on these draft Regulations.

14 Have you any further general comments? Please use the comments box below.

Comments:

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply

Here at the Department for Education and Skills we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

No

All UK national public consultations are required to conform to the following standards:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

Further information on the Code of Practice can be accessed through the Cabinet Office Website:

<http://www.cabinetoffice.gov.uk/regulation/consultation-guidance/content/introduction/index.asp>

Thank you for taking time to respond to this consultation.

Completed questionnaires and other responses should be sent to the address shown below by 14 December 2006

Send by post to:

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