

Update for Criminal Justice Social Work

ViSOR

UNISON meetings have recently taken place with Criminal Justice Social Workers at Grindlay Court and Newkirkgate social work offices, to provide members with an update on the progression of ViSOR vetting.

UNISON had discussed the issues at its Scottish Local Government meeting in Glasgow, as ViSOR vetting is being rolled out to the other 32 local authorities in Scotland. This issue has also been discussed with the Social Work Issues Group as Criminal Justice Social Workers and admin. staff throughout Scotland are now expressing their concerns as to the intrusiveness of this vetting process.

UNISON has a lead officer from the Regional Office assisting with ViSOR and the lead officer of the Social Work Issues Group is now involved. Their involvement will increase once employers try to enforce the ViSOR vetting on its employees.

Questions were asked at the meetings we had with members and were sent to UNISON's Regional Officer for a response.

(Please see questions and responses above.)

QUESTIONS AND ANSWERS

Q Are we aware of how this issue has been handled by local authorities in England/Wales and what the response of UNISON branches or UNISON nationally has been?

A *Not known if there has been any issues in England/Wales.*

Q Do we know if Scottish local authorities have come to a common position regarding ViSOR and if COSLA has a position?

A *Position not known.*

Q Do we know if the social work regulatory body, the SSSC have taken a stance?

A *The SSSC would probably not view this as an issue.*

Q Will the tightening of the rules governing consent to having personal information stored on Council databases also apply to ViSOR? Members are concerned about the legality of the inclusion of data relating to family members who are not Council employees. *(See the higher standards for consent set out in the Information Commissioner's Office Guidance "Guide to the General Data Protection Regulation" - GDPR).*

A. *UNISON's Regional Officer advised the branch to ask the Council if they, or the Home Office, will be seeking the permission of any relatives which may be stored on their database. They may respond that they don't intend to keep these records. The relative's data is only required for the vetting process and could be destroyed afterwards in line with the Data Protection Act rules on proportionate retention of data.*

Our Legal Officer provided the following advice to get further clarity to what would happen if Criminal Justice Social Workers do not sign up to the vetting. Why are the City of Edinburgh Council and Police Scotland not coming up with an alternative plan? The ViSOR vetting process does raise issues relating to data protection and a person's right to privacy.

UNISON City of Edinburgh branch advised management that, whilst discussions are taking place, they should not have added a new line to the job adverts/descriptions, stating that Criminal Justice Social Workers applying for posts would be required to take part in ViSOR vetting.

Response from Management

The questions were put to management on 5 February 2018:

We contacted management again on 8 March and received the following reply:

"I can confirm that the Council is not able to negotiate a proportionate system with the Police as is suggested in the email from the UNISON Solicitor. That is because we are bound by what is set out in the action plan following the MAPPA Thematic Review carried out by HMICS and the Care Inspectorate. We remain hopeful that we will soon be able to reach agreement with affected staff on a voluntary sign up basis. In the meantime, the issue has been raised at SOLACE so a national steer is likely to inform our approach.

In relation to the point that the UNISON Solicitor makes about what will happen to staff who refuse to be vetted, we are anxious to work together with staff in order to reach agreement. The Council's position, as you will appreciate, is that the request for vetting is borne through our statutory obligations to protect vulnerable groups.

We will continue to consult with affected staff so that they are entirely clear what the process will involve."

This reply has been sent to our Regional Officer.

UNISON City of Edinburgh branch has also informed management that we have advised our Criminal Justice Social Work members not to comply with the ViSOR vetting, and if their employer decides to begin disciplinary action, all our members will be issued with a case-form to complete and these will be forwarded on to the Regional Officer.

Thank you all for your engagement in this process to date.

Please get in touch with myself or Duncan Smith for any further assistance.

Caroline McLean, Service Conditions Officer, UNISON City of Edinburgh

**RECALL ANNUAL GENERAL MEETING
Tuesday 13 March 6.30pm
METHODIST CHURCH, 25 NICOLSON SQUARE**

We need your support to get a quorate AGM with an attendance of 200 members. This will enable us to approve changes that will make future AGMs easier to go ahead. We will also have updates and discussions on a wide range of topics.

Join us in UNISON 0131 558 7488 or www.unison-edinburgh.org.uk