

Scottish Child Abuse Inquiry

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Protocol on information

This protocol is about what types of information we hold and what we do with it. This protocol provides detail on some issues covered by our privacy notice.

What information does the Inquiry hold?

1. We obtain information about people, living and dead.
2. We may hold some of the following types of information about you:
 - name
 - date of birth
 - contact details
 - financial information and bank account details (e.g. to enable the reimbursement of reasonable expenses)
 - family background
 - sex life and sexual orientation
 - employment status and history
 - details of abuse experienced
 - allegations of abuse by you
 - details of criminal convictions
 - health problems and lifestyle.
3. People contact the Inquiry for many different reasons and, as a result of that contact, we may hold information about them. A person may get in touch to:
 - ask us about how to give evidence
 - provide evidence or documents to the Inquiry
 - apply for a job with the Inquiry
 - provide a service to the Inquiry
 - talk to us because they represent a witness
 - ask the Inquiry to pay their travel expenses or their lawyer's fees.

Who is responsible for this information?

4. The Secretary to the Inquiry is our “data controller”. This means that she is responsible in law for all our information. She is responsible for how it is held and how it is used or destroyed.
5. Each year the Inquiry registers with the Information Commissioner – who supervises the Data Protection Act in the UK. A copy of our current registration certificate is available here: <https://www.childabuseinquiry.scot/key-documents/ico-registration/>.

6. Everyone who works for the Inquiry must use the information we hold correctly and must keep it secure at all times.

Why does the Inquiry hold this information?

7. We obtain, and hold, information as part of our work. Our work is outlined in our “Terms of Reference”, which require us to look into the abuse of children in care in Scotland over a period from within living memory to 17 December 2014.
8. In carrying out our tasks, we need to get information from many people, including those who:
 - tell us they were abused
 - have information about others having been abused
 - have been accused of abuse, or convicted of abuse
 - worked in places where children in care lived during our time period
 - worked for the organisations that provided care for children, or arranged for care to be provided
 - have access to any records about places where children in care lived
 - supervised and/or inspected places where children in care lived
 - were responsible for local government and central government policies about children in care.
9. We meet people who tell us they were abused at what we call “private sessions” where we hear what they have to tell us about their experiences. We record these sessions. These recordings help us prepare full and accurate witness statements. Once a person has signed their witness statement we destroy the recording. We occasionally allow members of our statement taking team to listen to recordings before they are destroyed, but only for training purposes.

Making information public

10. The Inquiry will not generally redact to protect the identities of people who are not protected by the General Restriction Order. This is because the Chair has a duty to make a record of the evidence given to the Inquiry available to the public, subject only to the General Restriction Order or any specific restriction orders she makes.
11. Any person who wishes to have their identity protected because they are not protected by the General Restriction Order must make an application as soon as possible. See the protocol on [Restriction Orders](#) for more information.

People who tell us they were abused

12. The Chair has issued a [General Restriction order](#) to protect, among others, the identities of people who tell us they were abused. It means that their identities cannot be published or disclosed without their consent.
13. There are some exceptions to this general rule. For more information see our [Protocol on Restriction Orders](#) which describes when we may have to

disclose information, on a confidential basis, to organisations or people named as abusers, to organisations which hold records which could assist the Inquiry with its investigations, to experts or to the police.

People named as abusers

14. The Inquiry will not, whilst carrying out its investigations or during hearings, reveal the identity of people who have been named as abusers by others unless they have been convicted of abusing children in care.

Redaction – what does this mean?

15. “Redaction” means blacking out any words in documents which could reveal a person’s identity.
16. For more information see our [Protocol on Redaction and the Inquiry Transcript](#) which explains when the Inquiry uses redaction.

What happens at the end of the Inquiry?

17. The Inquiry requires to create and keep a record of its work. At the end of the Inquiry that record will be transferred to the Keeper of the Records of Scotland to be archived.
18. This means that we must retain some information and records, even if they are not publicly available, to transfer to the Keeper.

Your personal data

19. We process personal data that we hold as a result of or for the purposes of our investigations for special purposes, and so we do not need to tell you that we are processing your personal data and we do not need to give you access to it.

Contact and complaints

20. If you wish to contact us about the terms of this protocol please write to information@childabuseinquiry.scot
21. If you wish to make a complaint about how the Inquiry has handled your personal data, you can contact the Information Commissioner’s Office online at: <https://ico.org.uk/concerns/getting/> , by calling their helpline on 0303 123 1113 or by writing to them:

UK Information Commissioner’s Office
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