



Mental Health Tribunal for Scotland

Data Protection and IT Supplement



Data Security Awareness

The landscape in which we work has changed significantly over the past few years, but one thing that remains is the importance of data security. We must remain vigilant in ensuring that we follow processes that are in place for data security and handling.

One of the main aspects of data security, and something that every member should be abiding by, is that you should only ever use a device that has the appropriate level of encryption active on it – whether this is a laptop, PC or iPad.

To recap on the expectations regarding encryption; if you have a Windows laptop or PC you should have encryption software on it that the Tribunal previously provided, or you should have Windows 10/11 Professional operating system with BitLocker turned on – as per the email in February 2022. If you have a Mac laptop or PC you should have the built in encryption turned on (the Mac encryption is called FileVault); this is a very simple process and a quick google search will show you how to do this. The other option is using an iPad to access your Tribunal papers. To be clear, the iPad is the only tablet device that you should be using to access your papers – the reason for this is that the iPad comes with the appropriate level of encryption built in to the device. All that is required to permit you to use an iPad is for the device to have a 6 digit security passcode to access it and for the operating system software to be kept up to date (to note, the fingerprint/facial recognition technology are also acceptable levels of security).

When accessing your case papers from the website you should only save files to your device for as long as you require to use them. If you are printing the files, you should simply open them from the website and print them directly from there, with no need to save on your hard drive. If you require the files on your hard drive you should ensure you only retain the files for as long as is needed to complete the hearing and written decision. If you use a device that belongs to your employer (such as the NHS), you must only save files to the hard drive of the device and not to a shared server. If you are in the practice of saving files to your device hard drive you should save files to the same folder/location each time as this will allow you to routinely clear out old files much more easily.

On top of the encryption software that your device should have, you should ensure that your device has up to date anti-virus software, as well as making sure to keep other software on the device up to date – this includes the operating system, internet browsers and Adobe software. Ensuring all these are up to date will provide your device with a high level of protection at all times.

One final point to note is in relation to USB memory sticks. You shouldn't have reason to have to store files on a memory stick on many occasions, maybe to transfer a draft decision every now and then, but if you do you must use an encrypted USB memory stick to do so. This will protect the data to the same level as your laptop, PC or iPad.

If you ever have any questions regarding encryption, data security or data handling please feel free to contact me by email at sblythe@scotcourtribunals.gov.uk,

Scott Blythe
Tribunal Liaison Officer

Good Practice

- Do – ensure your device has the appropriate encryption
- Do – routinely check your device for saved files that are no longer required
- Do – take the appropriate level of care when in possession of confidential data in a public setting
- Do – report any losses of data immediately to headquarters in Hamilton
- Do not – store or save any confidential files on a shared server
- Do not – retain any confidential data longer than is necessary

Privacy - Reminder to everyone that when taking part in a hearing by teleconference that you should ensure you participate in hearings from a room where you are alone (and will not be overheard). More generally, we are all spending more time with laptops open, accessing sensitive personal data in our own homes. At all times, we must remain attentive to the need to protect the security of this information.

Process for finalising FFRs remotely – The convener should upload the draft to the website where it can be read by the other panel members. The members will contact the convener if they are content with the FFR or to provide any comment. When contacting the convener via an unsecure method (email or text) please remember to never include any confidential details, such as the patient's name – you can say 'Regarding the FFR for the 10am hearing...' as a way of identifying the correct hearing if you have had more than one that day.

Phishing/nefarious emails – a phishing email is a fraudulent email that is sent to users in an attempt to acquire sensitive information from them, or indeed to hack into their device by getting you to click on what seems like a legitimate link. Things you should look out for include: repeated strange phrasing, grammar or spelling; legitimate looking links for you to click on, you can hover your mouse over these links (without clicking) to see the fully expanded link which will likely look odd; have you received the email at an unusual time, through the night for instance; does the email contain a sense of urgency in asking you to act on something quickly? Always be mindful of these points when reading through your emails on a daily or weekly basis.

Documents on the website – these should be removed from your account automatically after the hearing has taken place, failing that there is a process in place where we ask IT for a sweep to be done to remove any papers from the site that shouldn't be there. This sweep is done on a monthly basis, so files should not still be on your account more than one month after a hearing date has passed. Please get in touch with us if you have files that are still showing on your account more than a month after the hearing date.

Help with Marking up PDF documents

This document has been created to assist members in marking up PDF documents and making notes in these documents in preparation for Tribunals where they are scheduled to be part of the panel.

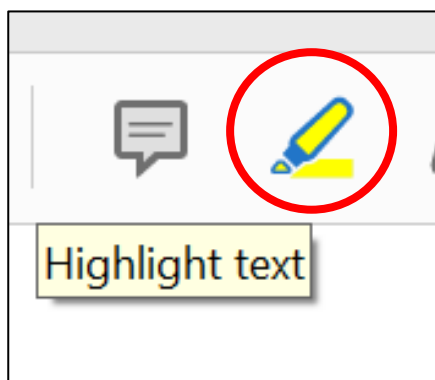
More of us are now deciding to work with electronic documents rather than printing things out to view. We received some feedback from members that it would be helpful to have some guidance on how documents can be marked up with notes and highlighted text to make it easy to find during a hearing process.

Most of you will have Adobe acrobat reader on your devices. This is what has been used to create the guidance. Adobe acrobat reader is a free version of the Adobe software which can be downloaded from the official Adobe website [here](#), you should download this if you haven't already got it. There is also other versions of Adobe which can be purchased and have more features than the standard free version, but this guidance will focus on using features which are available within the standard version.

Highlighting text

The first way of marking a PDF document to make it easier to refer to, is to use the 'Highlight text' function.

To use this function click the icon circled in red below. This will usually be found across the menu bar at the top of the document.



After clicking this icon you can click and drag across the text that you want to highlight.

You can chose to highlight full paragraphs or sentences

compulsion order) into the 2003 Act.
You should note that, while new sections 87A and 153A of the 2003 Act both came into force on 30 June 2017, neither section has effect where the determination by the RMO was made before 30 June 2017 (see articles 3 and 4 of the *Mental Health*

Or you can highlight individual words or phrases in a section of the document

Section 3 (transfer to another hospital)
Section 3 of the 2015 Act came into force on 30 June 2017. Section 3 amends section 124 (transfer to another hospital) of the 2003 Act so that it applies where detention of a patient in hospital is authorised by an *interim* CTO as well as by a CTO.

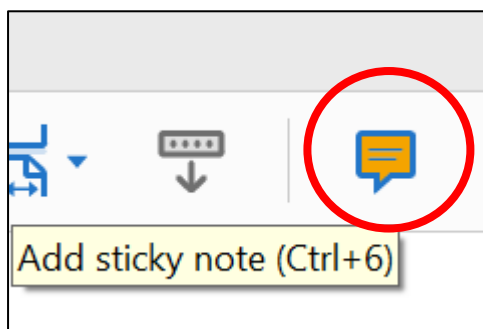
Some documents are original PDFs (like the examples above) where the text can be identified and marked by the program recognising that there is text contained in that section. Others PDFs are scanned documents where it is more difficult for the program to recognise text. These can still be marked in the same way, although you will do this with a more free hand method – like the example below.

Section 2 (information where order extended)
Section 2 of the 2015 Act inserts new section 87A into the 2003 Act. This requires MHOs to submit a written report to the Tribunal providing details about the patient when the Tribunal is required to review the RMO's determination to extend the CTO either due to a change in the type of mental disorder or where the MHO disagrees with the extension or has not indicated a view.

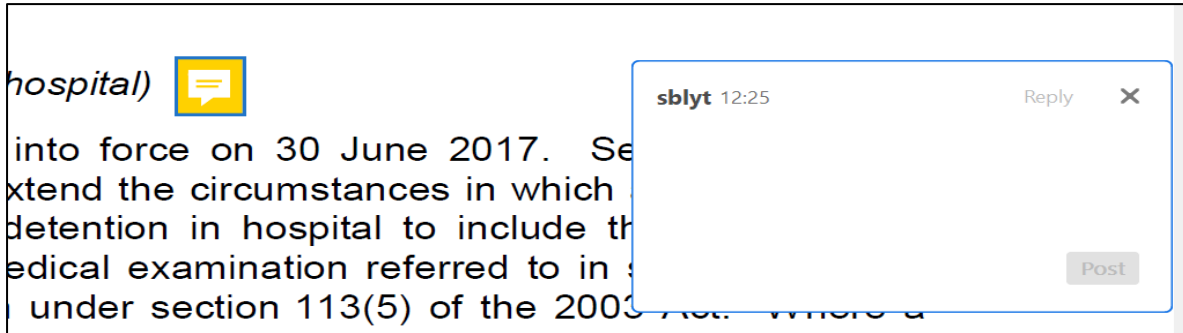
Adding a sticky note

A 2nd way of marking up a PDF document is to use the function that allows you to add a sticky note to any part of the PDF.

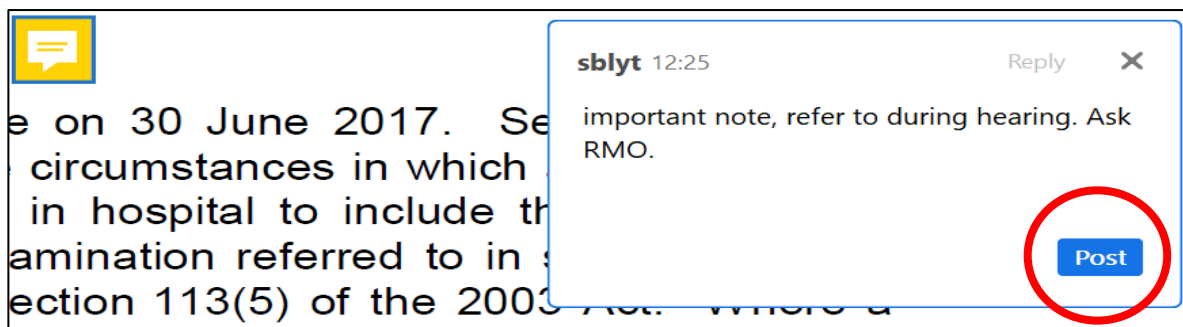
To use this function click the icon circled in red below. This will usually be found across the menu bar at the top of the document.



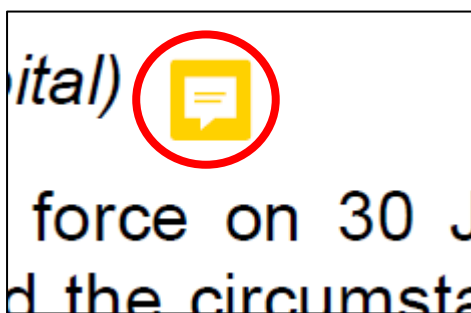
Once you have clicked the sticky note icon, you can click the area of the page where you would like to add the note. After selecting the area, a box like the one below will appear to allow you to enter text. You can enter any text here to provide a prompt or a reminder to you when in the hearing.



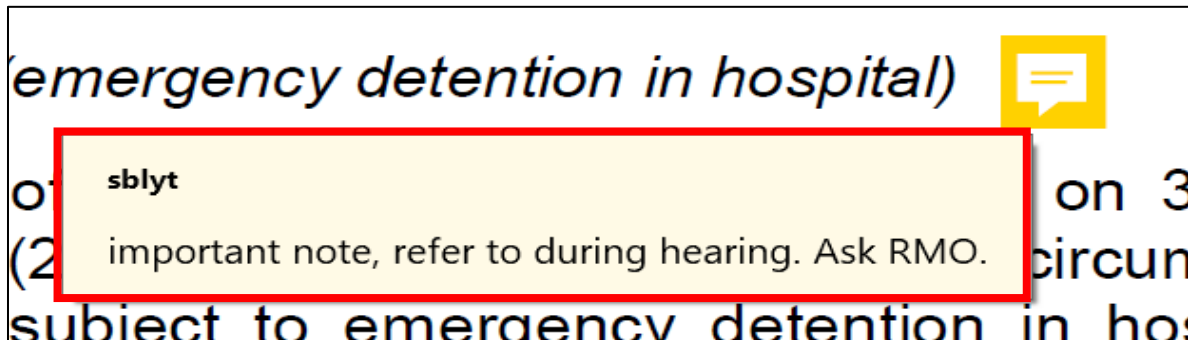
After entering your text, click the post button, circled red below, to save your note.



After you have clicked post, the text box will disappear and you will be left with the sticky note icon that you can see circled red below.



To view your note, simply hover your mouse cursor over the yellow sticky note icon and you will see the text in a preview box like the box inside the red square below. If you are using an iPad you will need to tap the yellow icon to view the text. From here you can also click icon and edit or add to the text that you have entered.



Other versions of Adobe

This guide is based on using the standard free version of Adobe and should hopefully assist you in managing case documents electronically. However, it is worth noting that other versions of Adobe, such as Adobe Acrobat Pro, provide the user with many more functions than the standard version. One of the most useful functions is the ability to bookmark sections of documents to allow you to jump to them quickly from a bookmark menu – this is not available on the standard free version of Adobe. Without this feature, it is possible just to note the page number of the page concerned on a paper note, and then enter the relevant page number manually in the page number box on your screen when you wish to refer to that page.