

# Public Board meeting September 24

Tue 17 September 2024, 13:00 - 15:00

## Agenda

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### 13:00 - 13:00 **1. Declarations of Interest**

0 min

*Verbal Katharina Kasper*

To consider any declarations of interests with regard to agenda items

 1. Board Agenda September 2024.pdf (2 pages)

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### 13:00 - 13:00 **2. Minutes of Previous Meeting**

0 min

*Paper Katharina Kasper*

To approve the minutes of the previous meeting on 25 June 2024

 2. CHS-2425-13 Board Minute 25th June 2024.pdf (10 pages)

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### 13:00 - 13:00 **3. Action Log**

0 min

*Paper Katharina Kasper*

To monitor progress against actions due and agree action where required

 3. CHS-2425-14 Board Action Log sept 2024.pdf (1 pages)

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### 13:00 - 13:00 **4. Matters Arising**

0 min

*Verbal Katharina Kasper*

Seek assurance that actions from the previous meeting have been progressed

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### 13:00 - 13:00 **5. Chair Update**

0 min

*Verbal Katharina Kasper*

For information and discussion

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### 13:00 - 13:00 **6. PaCC Chair Update**

0 min

*Verbal Jo Derrick*

For information and discussion

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### 13:00 - 13:00 **7. ARMC Chair Update**

0 min

*Verbal Sean Austin*

For information and discussion

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## 13:00 - 13:00 8. National Convener/CEO Update

0 min

*Paper* *Elliot Jackson*

For consideration and discussion

 8. CHS-2425-15 NC Update September 24.pdf (5 pages)

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## 13:00 - 13:00 9. Financial Forecast Outturn

0 min

*Paper* *Jessica MacDonald*

For consideration and approval

 9. CHS-2425-16 Finance Report P5 24-25 Draft 2.pdf (2 pages)


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## 13:00 - 13:00 10. Impact Report

0 min

*Paper* *Jessica MacDonald*

For consideration and approval

 10. CHS-2425-17 Board Cover Paper - Impact Report 2023-24.pdf (1 pages)

 10. CHS-2425-17a DRAFT Impact Report 2023-24 v2.pdf (27 pages)

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## 13:00 - 13:00 11. Review of SG Framework Agreement

0 min

*Paper* *Jessica MacDonald*

For consideration and approval

 11. CHS-2425-18 Board Cover Paper - framework cover note.pdf (1 pages)

 11. CHS-2425-18a CHS - Framework document - 2024.pdf (13 pages)

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## 13:00 - 13:00 12. Q2 Performance Report

0 min

*Paper* *Jessica MacDonald*

For consideration and approval

 12. CHS-2425-19 Q2 Performance report 2425 Board Cover Paper.pdf (3 pages)

 12. CHS-2425-19a 2024-25 Q2 Board v2.pdf (1 pages)

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## 13:00 - 13:00 13. Quality Strategy

0 min

*Paper* *Carol Wassell*

For consideration and approval

 13. CHS-2425-20 Quality Strategy Board Cover Paper.pdf (2 pages)

 13. CHS-2425-20a Quality Strategy 2024-2027.pdf (17 pages)

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## 13:00 - 13:00 14. Volunteer Recognition Policy

0 min

*Paper* *Lynne Harrison*

For consideration and approval

 14. CHS-2425-21 Board Cover Paper Volunteer Recognition Policy.pdf (1 pages)

 14. CHS-2425-21a Volunteer Recognition Policy 2024-25\_V1\_10092024.pdf (10 pages)



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**13:00 - 13:00 15. Feedback Loop**

0 min

*Paper Carol Wassell*

For information and discussion

-  15. CHS-2425-22 Cover note feedback loop.pdf (2 pages)
  -  15. CHS-2425-22a The Feedback Loop (2024) (Final).pdf (13 pages)
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**13:00 - 13:00 16. AOB**

0 min

*Verbal Katharina Kasper*



**BOARD MEETING  
AGENDA**

**2<sup>nd</sup> Meeting 2024/25**

**17 September 2024**

The Board will meet 13:00 – 15:00 at Thistle House & virtually via Teams

Item	Topic	Lead Person	Paper Number	Purpose
1.	Declarations of Interests	Chair	Verbal	To consider any declarations of interests regarding agenda items
2.	Minutes of Previous Meetings		CHS-2425-13	To approve the minutes of previous meeting 25 June 2024
3.	Action Log	Chair	CHS-2425-14	To monitor progress against actions due
4.	Matters Arising	Chair	Verbal	Seek assurance that actions from the previous meeting have been progressed
5.	Chair update	Chair	Verbal	For information and discussion
6.	PaCC Chair Update	JD	Verbal	For information and discussion
7.	ARC Chair Update	SA	Verbal	For information and discussion
8.	National Convener/ CEO Update	EJ	CHS-2425-15	For consideration and discussion
The following items are for approval				
9.	Financial Forecast Outturn	JM	CHS-2425-16	For consideration and approval
10.	Impact Report 23/24	JM	CHS-2425-17	For information and approval
11.	Review of SG Framework Agreement	JM	CHS-2425-18	For consideration and approval
12.	Q2 Performance Report	JM	CHS-2425-19	For consideration and approval
13.	Quality Strategy	CW	CHS-2425-20	For consideration and approval
14.	Volunteer Recognition Policy	LH	CHS-2425-21	For consideration and approval
The following items are for discussion and noting				
15.	Feedback Loop	CW	CHS-2425-22	For information and discussion
16.	AOB	Chair	Verbal	

Next Meeting Key Topics:

1. Financial Forecast Outturn
2. Board Standing Orders
3. Governance Schedule and workplans

## Minutes of the Board Meeting of 25<sup>th</sup> June 2024

The meeting started at 10:00 at Thistle House / virtually.

**Present:**

Katharina Kasper (KK)	Chair
Henry Robson (HR)	Depute Chair/Board Member
Jo Derrick (JD)	PaCC Chair/Board Member
Sean Austin (SA)	ARC Chair/Board Member (virtual attendance)
Beth-Anne McDowall	Board Member
Katie Docherty	Board Member

**Also present:**

Nick Rougvie (NR)	Children’s Hearings Sponsor Team Lead, SG
Taiba Ali (TA)	Children’s Hearings Sponsor Team, Legislation and Policy Leader, SG
Elliot Jackson (EJ)	National Convener/Chief Executive (NC/CEO), CHS
Lynne Harrison	Director of Tribunal Delivery, CHS
Carol Wassell (CW)	Director of Positive Outcomes, CHS
Jessica MacDonald (JM)	Director of Business & Finance, CHS
Joanne O’Leary (JOL)	Director of People & Culture, CHS
Ross Mackenzie (RM)	Finance Manager, CHS/SCRA shared services - items 7 & 11 only
Rachel Kavish Wheatley (RKW)	Business Operations and Governance Manager, CHS - Agenda items 8, 10, 11 (minute taker)

**Apologies:**

Klaus Berchtenbreiter	Finance Manager, CHS
Barbara Neil (BN)	Board Member

Items		Actions / owner	Time-scales
<b>1</b>	<b>Declaration of interests</b>		
The Chair welcomed everyone to the meeting and confirmed any apologies. There were no declarations of interest to note.			
<b>2</b>	<b>Minutes of previous meeting</b>		
The Board approved the minutes of its meeting on 26 <sup>th</sup> March 2024.			
<b>3</b>	<b>Matters arising</b>		
No Matters arising were noted.			
<b>4</b>	<b>Action log</b>		
The Chair noted the following in relation to the action log:			
<ul style="list-style-type: none"> <li>All actions are either on the agenda, or due later in the year.</li> </ul>			

<b>Board decision:</b>			
<b>1. To note the updates to the action log as above.</b>			
<b>5</b>	<b>Chair Update</b>		
<b>The Chair updated the Board on the following;</b>			
<ul style="list-style-type: none"> <li>• The Chair updated the Board on events attended recognising the contributions of our volunteers, staff and community in the progress and implementation of our Tribunal Support Model. <ul style="list-style-type: none"> <li>○ Area Convener Liaison Group (ACLG) 9<sup>th</sup> of May – An event to recognise the years of outstanding service by our Area Conveners</li> <li>○ Staff event - the Board joined the National Team in an event to celebrate the achievement in the development and implementation of the Tribunal Support Model.</li> </ul> </li> </ul>			
<b>Board Decision:</b>			
<b>1. To Board noted the update from the Chair.</b>			
<b>6</b>	<b>National Convener/Chief Executive update</b>		
<b>The NC/CEO spoke to the paper shared;</b>			
The National Convener report offers us the opportunity to provide key updates to the Board, and to reserve formal papers for where approval is needed.			
<u>Capacity</u>			
<ul style="list-style-type: none"> <li>• We are currently working with SCRA on a project of Rota optimisation whereby we are working with the 9 localities to remove additional slots which are reserved for emergency hearings but which do not get used. These slots require Panel Members (PM) to be allocated but not required at a hearing. By removing these we have reduced the number of slots we need to allocate PM's for and improved capacity in some areas.</li> <li>• We have strong plan and strategy for our autumn recruitment campaign. We are working engaging more actively with employers across various sectors to promote our volunteering offer and its benefits.</li> <li>• The Minister will be meeting with the Board in September, where we anticipate capacity will be a key topic of conversation.</li> </ul>			
<u>Consultation on Hearings for Children (HfC)</u>			
We are working with our Sponsor Team on the approach to the public consultation which is anticipated to launch the end of July. It will be a significant consultation and open for 3-4 months. The consultation document will detailed and technical due to the nature of the legislation.			
<ul style="list-style-type: none"> <li>• In order to respond and support the process we are looking at the creation of a community wide survey. In addition to this, we will create the Peoples Panel made up of those community members who indicate through the survey they would like to take part and be part of more in-depth workshops.</li> <li>• We will have sperate Board engagement as well.</li> </ul>			

- Throughout the consultation and engagement period we will have open discussions within our regions on what these options might look like and how we would we pivot.

Redesign Group

- Next meeting of the group will be in August.
- Since the last meeting, Social Work Scotland and COSLA have responded to the HfC report. We now understand what they support and this will aid the work of the redesign group.

Awards and Recognition

- CHS is delighted to congratulate Brian McCann from Aberdeenshire who has been recognised with an MBE award for service to Children and to the Children’s Hearings System in Scotland.
- We are also pleased to inform he Board that a number of our CHS volunteers from across Scotland will be attending the King’s Royal Garden Party at Holyrood Palace on the 2nd of July 2024. Attendees are nominated through the Lord Lieutenants across Scotland for their contribution and impact locally.

**Board Discussion:**

- The Board asked for more clarity on the Peoples Panel, who will they be accountable to in terms of future recommendations and how will we ensure the representation of all PM’s through the small group selected to take part. SLT noted that selection to the Peoples Panel will be via the organisation who we appoint to take on the work. They will be developing the Peoples Panel, survey and workshops will use software to ensure those individuals picked are representative of the demographics of Scotland to give us a rich and nuanced response representative of our nation, and not just the demographics of our community. The workshop will be developed in such a way that we will be able to get a rich and diverse viewpoint, and the organisation who is appointed will be accountable for developing and delivering this.
- The Board were pleased to read the endorsement of the HfC report by COSLA and Social Work Scotland.
- The Board noted a recent news article highlighting a referral of young people to the children’s hearing system, implying this was lenient. The Board felt this was indicative of the type of increased media attention and scrutiny the hearing system will come under as the Care and Justice Act comes into practice. We will need to be ready to balance the important perspective of victims with the needs of young people who perpetrate violent crimes.
- The Board requested that going forward, the median and mean are presented for trainee demographics.
- The Board noted the Language in the Hearing Room and would like to ensure that they are reported to on the impact of this work, and the management of hearings from a trauma informed practice. CW noted impact of improvements will be part of the Quality Strategy and how PPA’s support the delivery of this through practice observation and improvement work. Language and the use of it comes through wider cultural change but core to this work is the need to listen to feedback from those with lived experience on what works best for them. The Board will have an opportunity to feed into the Quality Strategy when it is brought forward for Board approval in the Autumn.



<b>Board Decision:</b>			
1. The Board noted the update.			
7	<b>Financial Forecast Outturn &amp; Capital Spending 2024/25</b>		
<b>RM spoke to the paper shared;</b>			
<ul style="list-style-type: none"> <li>The 23/24 Outturn is provided to the Board for oversight and approval ahead of the annua accounts.</li> <li>These figures are provisional and the Board are asked to note that management accounts will never match the published accounts as there are non-cash items included in the published accounts (such as pension service costs, depreciation and staff annual leave accrual that we do not include in the outturn).</li> <li>CHS drew down 7,235k revenue cash and ended the year with around £500k more than required in order to cover year end accruals. Scottish Government (SG) is likely to note this and we anticipate that we will be expected to factor this into our 2024/25 Autumn Budget Review and Spring Budget Review requests.</li> <li>CHS drew down £0.5m capital cash and currently looks to have spent £350k (to be confirmed), leaving £150k that SG Finance is likely to allow CHS to retain in reserves for use in 24/25, though this is to be confirmed.</li> <li>Draft spending plans for 24/25 are presented for Board review and approval.</li> </ul>			
<b>Board Discussion:</b>			
<ul style="list-style-type: none"> <li>The Board sought clarity on the provision of Chromebooks and if these are issued to PM's as standard or if there is a vetting process for requirement of them. JMac explained they are currently sent out as standard however there was recently a survey carried out with the community on the use of Chromebooks which has been reviewed by the Audit and Risk Committee, with an options review paper to be submitted to the Committee in the coming months.</li> <li>The Board requested a meeting of the Board ahead of the autumn Budget Review.</li> </ul>			
<b>Board Decision:</b>			
1. The Board approved the Financial Forecast Outturn & Capital Spending Plan 2024/25.		EJ	Autumn 24
2. For the Board to have ahead of the autumn Budget Review.			
8	<b>Q1 Performance Report &amp; Data Summary</b>		
<b>RKW spoke to the paper shared;</b>			
<ul style="list-style-type: none"> <li>The Q1 Performance report is presented to the Board for oversight and assurance of CHS performance against objectives and milestones within the 2024-25 business plan.</li> <li>There were 3 milestones due for completion by the end of Q1 which have been delivered, r will be delivered by the end of the quarter which include: <ul style="list-style-type: none"> <li>Delivery of our codesigned and revised Participation &amp; Children's Rights strategy and the production of its implementation plan, both on today's agenda;</li> </ul> </li> </ul>			

<ul style="list-style-type: none"> <li>○ Revision of our Children’s Rights and Wellbeing Impact Assessment tools in line with new statutory guidance which is on track for completion by the end of the quarter.</li> <li>● Milestones scheduled for completion Q2-Q4 are all on track with updates on progress included within the report. No milestones have been retimed in Q1.</li> </ul> <p><b>EG spoke to the paper shared;</b></p> <ul style="list-style-type: none"> <li>● Panel Member (PM) forecasts have been updated based on newly available data.</li> <li>● We are currently above PM targets due to the appointment of 339 PM’s after preservice. This number will reduce as the year goes on due to attrition.</li> <li>● Forecasting now takes into account availability of PM’s which helps us to better understand capacity better and how to optimise rotas.</li> <li>● Chair number is not increasing as quickly as we would ideally need for C&amp;J Act. There are a number of training courses currently being offered after which we will have a better understanding of our position.</li> <li>● Our PPA’s have observed 22% of our PM’s which means we are on track to meet our 100% target however we will need to manage this carefully to mitigate the impact of recruitment campaigns when trainees require to observe hearings.</li> <li>● Forecasting confirmed the need for an additional 1,600 PMs to meet the demands of C&amp;J Act which has been plotted as 800 + 800 over the next 2 years campaigns. This will re-evaluated in October post the 2024 recruitment campaign.</li> </ul> <p>LH &amp; CW spoke to the capacity work underway regionally;</p> <ul style="list-style-type: none"> <li>● Centralising the rota has supported the understanding of PM availability and allows us to work with SCRA to improve the allocation of hearings and PM’s.</li> <li>● In terms of learning, we are looking at how we bring forward Chair training into pre-service to support the clear expectation for all PM’s to Chair.</li> </ul> <p><b>Board Discussion:</b></p> <ul style="list-style-type: none"> <li>● The Committee note that the data is becoming richer and more robust, which highlights our capacity challenges.</li> <li>● While general PM capacity remains a risk, the PM’s who are chair trained, and the risks in the reduction of chairs may be more critical. We cannot assume that TSM will bring all the benefits we expect, or that recruitment will be as fruitful as forecast, therefore we do need to forward plan. The Board recommended potentially fast tracking those applicants who may be best placed to become chairs sooner than others. CW noted that this was trailed with the 2024 cohort which resulted in 5 of the 339 stepping forward for early chair training.</li> <li>● KD noted that recent data indicates volunteering trends are further reducing posing a real risk that even with a robust campaign, we may not be able to recruit due to even further reduction in volunteer numbers nationally.</li> <li>● The Board noted that we have 2 recruitment campaigns planned over the next 2 years however the balance of probability is that we will not meet our target of 800.</li> <li>● The Board sought assurance around the phasing of remedial actions if our recruitment campaign does not meet target.</li> </ul> <p>The Chair requested that for the next Board meeting an update was given on the remedial actions that could be taken to support capacity, taking into account a number of scenarios and options, and at what point critical actions would need to</p>		
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	<p>take place. It may be worth considering the wider context of volunteering and the political and financial landscape that may be impacting peoples willingness and availability to volunteer.</p> <p>EJ noted that we have done much of this modelling, with the potential for additional recruitment campaigns to be stood up if required. The SLT are working closely with the Sponsor Team on preparation for Care and Justice Act.</p> <ul style="list-style-type: none"> <li>• LH noted that scheduling workshops with SCRA will support some of our capacity work around rota optimisation, and investment in hearing room improvements will support and improve PM experience of virtual and hybrid hearings.</li> <li>•</li> </ul> <p><b>Board Decision:</b></p> <ul style="list-style-type: none"> <li>• <b>The Board approved the Quarterly 1 Performance report.</b></li> <li>• <b>For an update to be given to the Board on the remedial actions that could be taken to support capacity providing scenarios and options, and their phasing.</b></li> </ul>	EJ	Sept 24
9	<b>Children’s Participation and Rights Strategy</b>		
	<p><b>CW spoke to the paper shared;</b></p> <ul style="list-style-type: none"> <li>• The Strategy was presented to PaCC on the 18<sup>th</sup> of June, which was well received. A few amendments were suggested by PaCC which will be actioned ahead of publishing.</li> <li>• This ambitious strategy reflects the strategic review of participation that was approved by the Board in September 2023 and is intended to build upon the work of our previous strategy. Key to this strategy is its co-production with children and young people with lived experience, their voice is front and centre in the work that was done.</li> <li>• We intend to review the strategy in 3 years, in line with our Strategic Outlook, however we will lightly review annually with young people.</li> <li>• The core principles of the strategy are respect, inclusion, empowerment, and accountability. As part of the co-production process young people have fed back that they felt valued and listened to as their views were reflected in the implementation plan and strategy. This will continue throughout our work and ensure that we are including and representing those young people that we serve.</li> <li>• Meeting will be held in July with those young people who participated in the design of the strategy to decide how we will approach the launch in September.</li> <li>• We understand the need to improve how we address and represent the voice of infants and non-verbal children, and this work will remain a core component.</li> <li>• CW thanked B-AM for her contribution to the strategy, providing support, advice and critique to the team.</li> </ul> <p><b>Board Discussion:</b></p> <ul style="list-style-type: none"> <li>• B-AM reflected on participating in the production of the strategy, commending the team on what has been produce, and the approach that was taken to co-design and amplifying the voice of lived experience within the strategy. It is a clear statement of intent to do the right thing with and by those we serve.</li> <li>• While the strategy does start from the position that participation is needed and a good thing, the Board noted a need to more overtly articulate the reasons we are producing this strategy and the benefits it will deliver.</li> </ul>		

	<ul style="list-style-type: none"> <li>• The Board were in support of a one year review of the strategy and ensuring co-design remains within the review process as well and ensuring the strategy is delivering as they want and anticipated. Expect in future reviews there may be more challenge to the Board to uphold and deliver on this strategy, which is welcome.</li> <li>• The Board noted the need to now implement the plan and show our commitment to the young people who have collaborated with us. Those who have participated in re-design work must now see and experience change.</li> <li>• Th Board raised concern in general around consultation fatigue among the lived experience community. As a nation, we need to honour those voices that participated 5 years ago and told us what needed to change and how. We need to protect the passion and drive of those activists in the community who want to work with us and partners to implement change. EJ noted there are a number of areas of current work where we can support children’s rights and amplify voice, particularly within: the Redesign Group, the upcoming consultation, and the Promise Bill.</li> </ul> <p><b>Board Decision:</b></p> <ul style="list-style-type: none"> <li>• <b>The Board approved the CHS Children’s Participation and Rights Strategy and implementation plan.</b></li> </ul>		
10	<b>Board Improvement Plan</b>		
	<p><b>RKW spoke to the papers shared;</b></p> <ul style="list-style-type: none"> <li>• The Board met In February 2024 to carry out their self-assessment, the assessment of the Chair, and their annual improvement objectives.</li> <li>• The themes and reflections from the Board development session have been used to draft the improvement suggestions for Board approval.</li> </ul> <p><b>Board Discussion:</b></p> <ul style="list-style-type: none"> <li>• The Board were in support of the consent agenda and ensuring we maintained the improvements being put in place going forward.</li> <li>• The Board noted the need to support succession planning.</li> </ul> <p><b>Board Decision:</b></p> <ol style="list-style-type: none"> <li>1. <b>The Board approved the Board Improvement Plan</b></li> </ol>		
11	<b>Annual Account Statement and Governance Statement 2023/24</b>		
	<p><b>RM spoke to the paper shared;</b></p> <ul style="list-style-type: none"> <li>• The report outlines key steps in the preparation of the 2023/24 Annual Accounts as well as offering the Board the opportunity to review the draft Governance Statement for inclusion in the 2023/24 Annual Accounts.</li> <li>• Audit Scotland started their audit of CHS and SCRA’s annual accounts on Wednesday 19th June, they are on-site in Ochil this week and throughout July. No issues have been identified as yet and nothing is anticipated to be an issue.</li> <li>• There are no significant changes to approach or processes since 2023.</li> </ul>		

<ul style="list-style-type: none"> <li>• The draft accounts were shared with Audit Scotland and included the Governance Statement reviewed by the accountable officer 2 weeks ago.</li> <li>• For noting, the actuary’s report on Lothian Pension Fund has been received and the Fund remains in surplus, like last year. The accounting treatment of this surplus is the same as last year – CHS will not be recognising an asset or liability in its financial statements.</li> <li>• The draft accounts will be reviewed at the August Audit and Risk Committee, following which the Accounts are formally signed at the Board’s September meeting before being laid before the Scottish Parliament at the end of October.</li> <li>• The Governance statement is included for assurance in line with the FReM and provides an overview of governance arrangements and reviews throughout 2022/23 including:             <ul style="list-style-type: none"> <li>• The activities of the Board and subcommittees;</li> <li>• Procurements exercises and management of the CHSLA contract, which satisfies one of our audit recommendations;</li> <li>• Management of risk, which reflects the step change within the organisation to raise awareness of risk management; and</li> <li>• Personal Data related incidents.</li> </ul> </li> </ul> <p><b>Board Discussion:</b></p> <ul style="list-style-type: none"> <li>• The Board did not have additional comment.</li> </ul> <p><b>Board Decision:</b></p> <p><b>1. The Board approved the Annual Account and Governance Statement 2023/24</b></p>		
<p><b>12</b>    <b>Audit and Risk Committee (ARC) Chair update:</b></p> <ul style="list-style-type: none"> <li>•        ARC Chair update &amp; Workplan</li> </ul>		
<p><u>ARC Chair Update</u></p> <p><b>SA updated the Board on the following;</b></p> <ul style="list-style-type: none"> <li>• The ARC last met on 4<sup>th</sup> June 2024.</li> <li>• The ARC Chair updated that they wrote write to Audit Scotland and received a response regarding the year on year increase in auditing service costs.</li> <li>• The Committee received an update from External Audit, Audit Scotland, on the plans and progress being made for the 2023/24 annual audit. In line with preparations for audit, the Committee reviewed and approved the annual governance statement and compliance checklist.</li> <li>• The Committee reviewed and approved the Internal Audit follow up report, Annual report, and the PPA Function &amp; Quality Assurance Audit report. The Annual and Follow up reports provided assurance on Internal Audit performance for 23/24 and the Committee were pleased to note that 3 previous recommendations have been fully implemented with a further 1 in process, while another is planned for implementation this year.</li> <li>• The Committee reviewed and approved the biennial review of the risk management and business continuity policies, noting a comprehensive action plan for re-invigoration of business continuity engagement and testing.</li> <li>• The strategic Risk Register for 2024/25. Actualised or mitigated risks have been closed since the last review, where others have been rearticulated to better</li> </ul>		

<p>capture the risk to the 24/25 business year. The Committee found the updated risk register captured the key risks associated with our overall strategic objectives well and approved the register.</p> <ul style="list-style-type: none"> <li>• The Committee reviewed the quarterly Information Governance as well as Feedback and Complaints reports, both providing a comprehensive view of the functions and assurance to the Committee they were operating well.</li> <li>• The Committee received a digital update which included a Review of volunteer digital devices, an assurance report on Cyber Resilience requested by the Committee, and the approval of an approach to Software procurement.</li> <li>• The Committee reviewed and approved their own annual reports and improvement plans, which are included here for the Boards noting and approval.</li> </ul> <p><u>ARC Annual Report</u></p> <ul style="list-style-type: none"> <li>• Annual report included for Board approval.</li> </ul> <p><u>ARC Improvement Plan</u></p> <ul style="list-style-type: none"> <li>• ARC improvement plan included for Board approval.</li> </ul> <p><b>Board discussion:</b></p> <ul style="list-style-type: none"> <li>• The Board thanked the ARC Chair for the update and did not have any further comment.</li> </ul> <p><b>Board decision:</b></p> <ol style="list-style-type: none"> <li><b>1. The Board noted the Chair update.</b></li> <li><b>2. The Board approved the ARC Annual Report and Improvement Plan.</b></li> </ol>		
<p><b>14</b>     <b>People and Culture Committee (PaCC) Chair update</b></p> <ul style="list-style-type: none"> <li>• PaCC Chair update and Workplan</li> </ul>		
<p><u>PaCC Chair Update</u></p> <p><b>JD updated the Board on the following;</b></p> <ul style="list-style-type: none"> <li>• The Committee met on June 18<sup>th</sup> 2024.</li> <li>• The Committee reviewed and approved a number of policies and approaches, including the Participation and Childrens Rights strategy and implementation plan, which has been discussed at the Board today.</li> <li>• The Committee received a number of updates from the Director of People and culture on the work underway within the team and directorate.</li> <li>• The Committee welcomed an update from one of the Team forum Chairs who shared a revised draft ToR for the Team Forum and laid out the approach the Forum would take working collaboratively with the People &amp; Culture team going forward.</li> <li>• The Committee reviewed and approved their own annual reports and improvement plans, which are included here for the Boards noting and approval.</li> </ul> <p><u>PACC Annual Report</u></p> <ul style="list-style-type: none"> <li>• Annual report included for Board approval.</li> <li>• 29 items of business were discussed and thanks is given to the Committee and National Team for the work that feeds into this.</li> </ul>		

<p><u>PaCC Improvement Plan</u></p> <ul style="list-style-type: none"> <li>Improvement plan included for Board approval which includes the addition of functions around learning and people to be added to the PaCC ToR.</li> </ul> <p><b>Board discussion:</b></p> <ul style="list-style-type: none"> <li>The Board thanked the PaCC Chair for the update and did not have any further comment.</li> </ul> <p><b>Board decision:</b></p> <ol style="list-style-type: none"> <li>The Board noted the Chair update.</li> <li>The Board approved the PaCC Annual Report and Improvement Plan.</li> <li>To amend the PaCC ToR in line with the PaCC Improvement Plan and present for approval at next PaCC meeting.</li> </ol>			
17	AOB	LHall	Sept 24
No points for AOB were raised.			

A/A	Action	Initiated	Target date	Owner	Progress Update	Status	Comments
22/23-31	KK to look at an opportunity to invite the Children's Commissioner to an upcoming Board meeting or development session.	Sep-22	<del>Sept-23</del> Jun-24	KK		Ongoing	Jan 24- Board agreed to move deadline to June 24
22/23-89	To bring to the Board a report on the stage gates and implementation of the Tribunal Support Model and approach to change.	Nov-23	Jan-24	CG		On agenda	Addressed in NC report
24/25-02	Board Update on remedial action to support capacity/scenarios/options & phasing	Jun-24	Sep-24	EJ		On agenda	Addressed in NC report
23/24-9	To progress a meeting with AW and the Minister with the Board in the Autumn.	Mar-24	Dec-24	EJ		On agenda	
22/23-87	To hold a development session for the Board on the Care and Justice Bill in terms of the forecasted numbers and what it means for us in terms of training and skills PM's need.	Nov-23	Nov-24	SB		Not yet due	In line with movement if implementation, the target date has been moved
23/24-10	For the organisation who will design the People Panel to engage with the Board as well.	May-24	Aug-24	CW		Completed	
24/25-01	Board Meeting to be scheduled before Autumn Budget Review	Jun-24	Aug-24	EJ		Completed	





## National Convener / Chief Executive Update

### Agenda Item 8

Paper Number CHS-2425-15

#### 1. Introduction

This report captures a range of organisational activity between the last Board meeting in June 2024 to now. It provides bite sized updates that can be expanded upon during the Board meeting.

#### 2. Recognizing the contribution of the CHS Community

- 2.1 More than 30 current and former members of our Panel Community were guests of the King and Queen at the Royal Garden Party in Edinburgh on 2 July. Nominated by Lord Lieutenants, the King's representatives in Scotland, CHS volunteers from across Scotland were invited to the Palace of Holyroodhouse in recognition of their services to infants, children, and young people. In addition to King Charles and Queen Camilla, the Duke and Duchess of Edinburgh, Prince Edward, and Sophie, were also present. One attendee even managed to meet and shake hands with the King and spoke about Children's Hearings. Comments from attendees included:

*'Wow, what an honour to be recognised and receive an invite. I'm feeling proud.'*

*'This honour not only recognises my personal commitment but also highlights the invaluable work that our organisation does in ensuring infants, children and young people are cared for and protected.'*

*'Being able to attend such a very special occasion representing Children's Hearings Scotland along with my husband is really exciting and gives me a sense that what I do is appreciated, recognised and making a difference.'*

*'My attendance at the Royal Garden Party is not just an honour and recognition for me, but for everyone involved in the work of Children's Hearings Scotland in our great city of Glasgow.'*

*'The next day, I went into hearings determined to do all I can to continue to make effective decisions and, improve my contribution to our amazing system of care and justice for children and young people.'*

- 2.2 I am incredibly proud of our volunteers who are making important decisions in the best interests of infants, children, and young people across Scotland. I am delighted to see them celebrated and honoured in this way, recognising the positive contribution their service brings.



### 3. Tribunal Support Model (TSM) Implementation

- 3.1 Our new Tribunal Support Model has been implemented across Scotland. We have 9 regions aligned to SCRA localities enabling critical operational synergy. Each region has a Delivery Manager alongside Partnership and Wellbeing Co-ordinators. Regions are building on the partner relations already in place and seeking new opportunities including leading on development of local Children’s Hearings Improvements Partnerships to anchor Promise reforms and improvements where they are not already in place. Our new national wellbeing approach is being well received, examples being local teams supporting Panel Members through their charring journey or providing support following complex hearings. The teams are listening and capturing themes of where support can be improved locally and nationally. This has enabled a joint workshop with SCRA to better understand hearing scheduling and a number of workstreams are being taken forward which will improve the experience for children, families, and Panel Members.
- 3.2 Each regional delivery team is supported by Local Authority Clerks and volunteer roles of Panel Engagement Leads, Lead Panel Practice Advisers and Panel Practice Advisers and Learning Champions. These roles continue to be developed in line with our developing Learning and Quality strategies and we are grateful to all our volunteers who continue to engage and support their communities.
- 3.3 The hearing rota is now managed centrally through our Resource Allocation Team who bring more than 50 years of rota experience with them. There are 34 rotas and approx. 30 hearings scheduled every day requiring 90 Panel Members. The first fully centralised rota run across all 34 rota’s is now complete. Working closely with SCRA, centralising the rota has resulted in over 100 digital improvements to our rota function and these include enabling Panel Members to indicate whether they can support hearings virtually nationally or face to face near to their local rota area. We have also introduced TEAMS telephone technology and an SMS text system to support management of swaps which in July alone were over 400 across Scotland.

- 3.4 Our thanks go to all our Panel community who have engaged in this change. The team continue to listen to feedback and can now begin to look for further improvements in how we manage, support, and communicate with Panel Members to engage with the rota in their areas which we look forward to taking forward over the coming months.

#### **4. Annual Review of Appeals**

- 4.1 In 2023/24, there were 331 appeals concluded in total. 271 appeals (82%) were against decisions relating to Compulsory Supervision Orders (CSOs). 46 appeals (14%) were in relation to interim orders and 14 (4%) related to relevant person determinations. This breakdown is to be expected when considering the frequency each type of decision is made in children's hearings. There are far more decisions made relating to CSOs each year than relevant person determinations.
- 4.2 In relation to the number of hearings during 2023/24 (21,613), 331 appeals equate to 1.5%. This is a drop of 0.5% on previous year. However, there are limitations to this calculation, as not every hearing makes a decision which can be appealed e.g. decisions to appoint a Safeguarder or request an independent report cannot be appealed, neither can decisions to provide advice to a Sheriff with regards permanence.
- 4.3 For the twelve-month period between August 2022 and July 2023, more detailed data was manually captured by SCRA which allowed for comparison of the total number of appeals concluded against only the number of hearings which made a decision that carried a right of appeal. During this period there were 352 appeals against 19,400 applicable hearings, which equates to an appeal rate of 1.8%. SCRA have now agreed to compile this data annually to allow for more accurate monitoring of the level of appeals.
- 4.4 Of the 331 appeals in 2023/24, 128 were upheld with the determination being that the Panel decision was not justified. This represents 39% of the appeals lodged. When comparing these 128 upheld appeals to the 21,613 hearings held in the year, this means that 0.6% of hearing decisions made in the year were overturned on appeal. The comparative % for 2022/23 was 0.9%.

#### **5. Hearings for Children Consultation**

- 5.1 We are pushing ahead with three strands of our work on the Scottish Governments consultation on Children's Hearing system reforms.
- 5.2 Firstly, we have received 205 responses to our dedicated survey which focused on those elements of the SG consultation that are most impactful on CHS. This represented 10% of our panel community. This is the longest and most detailed survey we have ever asked our volunteers to complete. The consultation closed on 8 September 2024 and responses will be analysed to inform the priorities for consideration at the deliberative weekend and provide further information for the CHS response to the consultation.

- 5.3 The deliberative weekend will be hosted in Glasgow in 21/22 September and will ensure a deeper dive opportunity to understand more of the detail and nuance of the wider CHS response. We had 197 applications for 30 places. The group selected is close to the demographic spread we were hoping for, and representative of citizens in Scotland.
- 5.4 Facilitation on the day will be delivered by our external partner and supported by five members of CHS's National Team who will be trained specifically for the day. We will also have a subject matter expert present to answer any questions that arise.
- 5.5 We are running a survey for the National Team and the board based on the above survey that went to the CHS community. This survey closes midnight 13 September 2024. Augmenting that, we are running a series of drop-in sessions for colleagues to understand all aspects of the survey.
- 5.6 Finally, the Consultation Team at SG are hosting a series of in person and online events to promote further engagement on the potential reforms.

## 6. Recruitment

- 6.1 The 2024 Panel Member recruitment campaign launched officially on Monday 2 September 2024 and applications will be open until 30 September 2024. Our campaign, which aims to increase the number of Panel Members across Scotland, will include advertising across multiple channels including TV and Video on demand, Radio, Digital, social media, Bus Backs and Rail Sheets and across wider stakeholder groups.
- 6.2 In line with the recommendations outlined in the external evaluation of our 2023 campaign, there are key improvements to the applicant's journey that have already brought about positive feedback. We have been proactively engaging closely with employers, universities/colleges and others to build partnerships and increase diversity; held a series of information sessions throughout the summer to raise the profile of both CHS and the Panel Member role; refreshed the website and application process to improve the user journey; created new social media graphics to educate and inspire; and created a new film with contributions from our Panel community which you can find here:

[Become a Panel Member in Scotland! - YouTube](#)

- 6.3 Natalie Don-Innes, the Minister for Children, Young People and The Promise, has recorded two messages: the first to encourage people to volunteer now that online applications are open; and the second to remind and prompt people to apply mid-way through the campaign. You can view both here: [Become a Panel Member in Scotland now! \(youtube.com\)](#)
- 6.4 Lived experienced recruiters will be supporting the selection of new Panel Members. We have worked with Our Hearings Our Voice to develop our interview questions, including recording the interview topic to ensure candidates understand the voice of young people with lived experience is central of the role of the Panel Member. This will be shared with candidates prior to interview.

6.5 We will be closely monitoring application numbers, identifying potential issues, and celebrating milestones throughout the duration of the campaign. This will determine next steps in relation to supporting a future campaign for early 2025.

**7. Language Leaders to host our October Townhall Meeting**

7.1 Town Hall webinars enable Panel Community to engage with experts in the hearings system, including asking questions, on subjects that matter to them. Five Town Halls since August 2024 have attracted more than 1,000 attendees and a similar number of post-event views of recordings. Three have featured external speakers and the topics covered have ranged from the Hearings for Children report to the Care and Justice Bill.

7.2 Format: a panel and a chair/facilitator are all present in front of a single camera, while the audience are all remote/online via Teams. The events last one hour, which usually includes short presentations, questions submitted in advance and a live Q&A.

Video of past event: [CHS Town Hall webinar: Care and Justice Bill \(youtube.com\)](https://www.youtube.com/watch?v=...)

7.3 Members of the Our Hearings, Our Voice board of care-experienced young people will present their involvement with the [Language Leaders group](#), which is part of the Children's Hearings Improvement Partnership.

7.4 They will present the [Articulate film](#), which they co-produced, and the [Language in the Hearing Room guide](#) that has been developed for Panel Members.

7.5 They will discuss the importance of language in the hearing room and how it has affected OHOV members. They will speak about their involvement in the development of the film and guides, and how they are used.

7.6 We expect between two and four young people to be in front of the camera. They will be accompanied by Stephen Bermingham, Practice and Standards Manager, and Gordon Mair, Chair of Language Leaders, and Project Lead at OHOV.

7.7 We are planning to run the event at 6pm on or near Tuesday 22 October, which falls in Care Experienced Week. The event will be recorded and available to view by all members of the Panel Community afterwards.

Elliot Jackson  
**National Convener and Chief Executive Officer**  
September 2024

## Finance Report

### Agenda Item 9

Paper number CHS-2425-16

**Accountable Officer:** Director of Business and Finance  
**Report author:** Finance Manager  
**Recommendation:** To note and feedback  
**Resources implications:** Within available resources

Impact Assessment Duties	Required	Completed
Equalities Impact Assessment	No	
Children's Rights Impact Assessment	No	
Data Protection Impact Assessment	No	
Islands Impact Assessment	No	

### 1 24/25 Financial & Funding Position

The published revenue grant in aid (GiA) allocation for CHS for 24/25 is £4,575k, with an acknowledgement from Scottish Government (SG) that CHS is carrying an additional ongoing £5,225k pressure and a further £500k shortfall to the board approved budget of £10,299k. A formal letter of agreement from SG to meet the £5,225k additional pressures been received and assurances to work towards closing the £500k shortfall to the board approved budget has been given with a view to address this during the ABR and SBR processes early autumn/early spring. During the ABR process, SG committed to additional funding of £2.5m and CHS agreed to reduce spend by £500k to manage the pressures. Both parties committed to an ongoing monthly review and working partnership leading up to SBR. After ABR the existing pressure now rests at £2,725k. Following SG announcement of significant funding pressures across SG budget, spending restrictions have been issued across SG as well as to all NDPBs.

2 2024/25 Forecast and Year to Date

Report as at August 2024

	2024/25 Annual Budget	budget past ABR	savings proposal against ABR agreed budget	2024/25 Budget forecast after SG restrictions and active pressure managemnt
	£000	£000	£000	£000
Staff	5,878	5,378	-166	5,212
+ Board	66	66	0	66
+ Training, travel and subsistence	121	121	-20	101
+ Property	139	139	0	139
+ Other Operating Costs	197	197	-15	182
+ ICT Costs	845	845	211	1,056
+ Corporate Costs	27	27	0	27
+ Panel and AST Expenses	540	540	-250	290
+ Panel and AST Training	1,222	1,222	24	1,246
+ Support for hearings	430	430	0	430
+ Volunteer recruitment	380	380	0	380
+ AST Devolved Funding	454	455	-91	364
= <b>Total</b>	<b>10,299</b>	<b>9,800</b>	<b>-307</b>	<b>9,493</b>
+ <b>Capital</b>	529	529	330	859
= <b>Budget requirements</b>	<b>10,828</b>	<b>10,329</b>	<b>23</b>	<b>10,352</b>
+ cash reserves per 31/03/24			-585	-585 +
= CHS generated reduction in cash required after ABR			-562	
GiA after SG requested spending review and cash reserve release				<b>9,767 =</b>
				<b>GiA funding position @P5 24</b>
ABR agreed cash drawdown for revenue & capital		<b>10,329</b>		<b>9,767</b>
- confirmed resources		7,604		7,604
= existing pressure		2,725		2,163

The above figures are calculated based on the CHS established requirement to recruit 1,600 Panel Members in the current fiscal year. This results in internal pressures growing, mainly for ICT and capital. We are actively managing these pressures and forecast to offset them via staff vacancy management and a review of the Panel and AST Expenses line; this line has always produced significant underspends in previous years, that we are now utilising via an active budget management process.

We have also recognised the government’s budget position and the call for urgent and essential budget spent review. In essence, we are using CHS cash reserves to help close the still existing funding gap to safeguard the ongoing delivery of agreed programmes.



## CHS 2023-24 Impact Report

### Agenda Item 10

Paper Number CHS-2425-17

<b>Accountable Director</b>	Director of Business & Finance
<b>Report author(s)</b>	Business Operations and Governance Manager
<b>Recommendation</b>	For Considerations and Approval
<b>Resources implications</b>	Within available resources

<b>Impact Assessment Duties</b>	<b>Required</b>	<b>Completed</b>
Equalities Impact Assessment	No	
Children’s Rights Impact Assessment	No	
Data Protection Impact Assessment	No	
Islands Impact Assessment	No	

### 1. Introduction

This cover paper accompanies the 2023-24 CHS Impact Report to gain Board approval for publication.

### 2. Context

The Impact Report is produced each year and designed to fulfil two main purposes: (1) to document key pieces of work undertaken by CHS during the year in a way that is more accessible than the Annual Report and allows more detailed description of that work and (2) to highlight Corporate Parenting activities undertaken by CHS and the National Convener.

### 3. Comment

This year’s Impact Report is divided into three areas of focus - the first half focuses on our Corporate Parenting activity and our work progressing children’s rights, participation and inclusion. The second part focuses on the work undertaken with and for our volunteer community. The final section focuses on our work to improve the system and deliver better outcomes for infants, children and young people. Within this last section we have taken the opportunity to highlight our organisation change programme, the reasons for it and the benefits it will and is already delivering.

As last year, the Impact Report will form the basis of a video animation for use on social media.

### 4. Next Steps, following Approval

- Video development and sharing
- Publication, with Annual Report (October 2024 post Ministerial noting)

### 5. Board Action

The Board are requested to approve the 2023-24 Impact Report for publication.



# Impact Report 2023-2024

# Foreword

**By Elliot Jackson, National Convener and Chief Executive**

It has been a year of substantial change for Children’s Hearings Scotland: 2023-24 brought significant advances towards system reform and improvement as well as changes to our own internal structures. In May 2023 the Hearings System Working Group (HSWG) published the ‘Hearings for Children: Hearings System Working Group’s Redesign Report’ detailing what a transformed hearings system could look like for children and their families. In December the Scottish Government published its response, accepting the vast majority of recommendations from the Hearings for Children report.

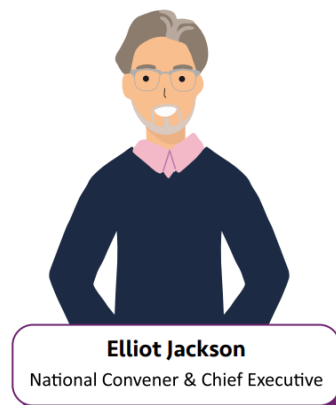
While we pored over the Hearings for Children report, eager to get started on its recommended improvements to hearings, we attended Parliament to provide our counsel and support for the Children (Care and Justice) (Scotland) Bill<sup>1</sup>. We welcomed the inclusion of all 16- and 17-year-olds into the children’s hearing system, as well as the opportunities and challenges that will bring.

Both the Care and Justice Bill, which has since become an Act, and the accepted recommendations from the Hearings for Children report offer us a unique opportunity to shape and improve a redesigned Children’s Hearings System in a way that would make Lord Kilbrandon proud. In order to achieve this, we knew we required internal changes to our organisational structure and the way we deliver tribunal support to ensure we have the resources and framework required to better fulfil our duties as a Corporate Parent.

In this report we set out how we have adapted and grown to meet the needs of our changing landscape. Among all this change, and change can be unsettling, I have been inspired by the depth of our Panel Community’s commitment to keeping children’s and young people’s needs the overriding priority.

Throughout this annual Impact Report we highlight our achievements in 2023-24 and how we have fulfilled our duty as a Corporate Parent. But as always, the biggest direct impact we had was on the infants, children and young people who come before hearings, and their families. In 2023-24 we worked with our partner organisations to ensure that 21,613 hearings took place to support and protect 10,197 children.

My sincere thanks go to our volunteers and staff for their work in achieving all of the impacts described in this report.



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<sup>1</sup> The Bill was passed on 25 April 2024 and became an Act on 04 June 2024

## Focus on: children and young people



### Progressing children's rights and our duties as a Corporate Parent

As a Corporate Parent under the Children and Young People (Scotland) Act 2014, it is the duty of CHS and the National Convener to make sure our attention and resources are focused on safeguarding and upholding the rights of, and promoting the wellbeing of, Scotland's looked-after children and care leavers. CHS and the National Convener deliver and monitor these duties together.

As part of our organisational change programme, we reaffirmed our commitment as a Corporate Parent to deliver the best outcomes for, and meet the needs of, looked-after children in Scotland by creating a new Directorate of Positive Outcomes. This Directorate incorporates our Practice and Policy, Participation, Feedback, Learning, and Quality teams to give us a joined-up approach to supporting Panel Members to make informed rights based decisions.

**In October 2023 we published our second Progressing Rights report covering our work to imbed the United Nations Convention on the Rights of the Child (UNCRC) in all that we do.**

'Progressing Rights at Children's Hearings Scotland 2020-2023' details how CHS has embedded children's rights in all aspects of its work, from recruiting and training volunteer Panel Members to influencing government policy. It is structured around the Articles of the United Nations Convention on the Rights of Children, mapping CHS's progress on children's rights against the convention.

Throughout the following section of this report you will read how we have fulfilled our duties as corporate parents to consult, involve, co-produce with and listen to the voices of children, young people and those with lived experience to improve our work and to uphold and promote children's rights in all we do.

"Our core purpose is upholding children's rights. Through collaboration and continued focus on this goal, the hearings system will provide a nurturing, inclusive space for Scotland's children."  
- Elliot Jackson, National Convener/CEO Children's Hearings Scotland

## Celebrating with the care-experienced community



### The Love Rally and Care Experienced Week

Care Experienced Week is a big week for CHS. We celebrate this by taking part in events, and sharing posts and information across our digital and social media, demonstrating why CHS matters to infants, children and young people. Care Experienced Week launches with the Love Rally and in 2023 this was hosted by Who Cares? Scotland, taking place in Glasgow on Sunday 29 October. CHS Board member Beth-Anne Mcdowall, a lifelong campaigner for care experienced people, took to the stage to deliver a powerful message and a poem.

Joining Beth-Anne from CHS were National Team colleagues Catherine Goodfellow and Michael Stewart. More than 300 people came together to march through the streets and to demand love and lifelong rights for care experienced people.



CHS and SCRA marked Care Experienced Week 2023 by launching our postcard pilot in hearing centres across Moray and Central and West Lothian. You can read more about the pilot further on in this report.

"Honoured and privileged to have spoken again at today's @whocarescot #LoveRally as part of #CEW23. Standing on that stage today looking out to so many people whom I love and adore beyond measure was so special. @Beth\_A\_Mcdowall on X (formerly Twitter)



## **Consultation and co-design with children and young people**

### **Children’s Rights and Inclusion Strategy refresh**

Following the publication of the Hearings for Children report, CHS’s Children’s Rights and Inclusion Coordinator convened a one-off ‘Review and Refresh’ session with the CHS Participation Group in May 2023 to refine our Children’s Rights and Inclusion Strategy for updated publication in June 2023. The group developed ways to refresh the strategy and improve the tone and layout of the document.

Their recommendations included removing acronyms and simplifying language to make the document more child-friendly; adding child-friendly feedback and complaints into appropriate areas of the strategy; and highlighting the approach of including children’s views about who should be in the hearing room.

### **Impact: strategic consultation**

The Participation Group recognised the evolving landscape within the sector and the development of participation activities within CHS, which fed into the Strategic Review of Participation (noted below). By using the suggestions from the Participation Group’s ‘Review and Refresh’ session, the recommended approaches helped to streamline overall planning and delivery cycles and improve the accessibility of our strategy.

### **Strategic review of participation – consultation and influence**

In advance of the publication of our revised Children’s Rights Strategy in 2024-25, our Practice and Standards team carried out an extensive review of our approach to participation. The review focused both on children and young people’s participation in CHS and their effective participation in children’s hearings. The Hearings for Children report stated that the ‘most crucial aspect’ of a redesigned hearings system is the participation of children.

Our review of participation, informed by the views of children and young people, provided CHS the opportunity to be innovative, bold and at the forefront of realising children’s rights to participate in the work of CHS. The strategic review has provided the foundations for meaningful collaboration, co-production and consultation with children and young people with lived experience of the hearings system.

### **Impact: building a participation team and framework**

The review and its approach were enthusiastically approved by the CHS Board. It established new routes for participation at and with CHS including recruitment of Experts by Experience, the creation of a Partners Participation Network, and strengthening of relationships with Champs Boards, the Our Hearings, Our Voice (OHOV) Board, and other local and national groups of young people. As part of the participation review CHS now has a fully resourced participation team and has successfully recruited a Participation Coordinator and a Lived Experience Advisor to lead and deliver all participation and engagement work.

## Language Leaders

The Language Leaders group is an initiative backed by the Children’s Hearings Improvement Partnership (CHIP) which has seen CHS working alongside young people from Our Hearings, Our Voice, the CELCIS VIP project and a local Champions Board, as well as professionals within the hearings system. As a member since November 2022, CHS has supported the group’s aims to influence everyone involved in a children’s hearing to recognise the power of their language and to use it in a way that supports and de-stigmatises children and young people in their hearing.

Throughout 2023-24 we continued our membership in the group, which culminated in the producing a new Language in the Hearing Room Guide designed to help Panel Members change their approach to language.

To draft this guidance a series of workshops were carried out with children and young people giving the Language Leaders insight into the impact of words and phrases written in reports and spoken in meetings that a looked-after child attends, including their hearings. From these inputs, the Language Leaders developed four principles to be applied to language used in the hearings system:

- be personalised
- be balanced
- be non-stigmatising
- make the child feel involved

‘The language I hear, positive or negative, affects me at the time but some of it stays with me for life.’  
-Our Hearings, Our Voice Board Member

### Impact: Better guidance informed by the people language matters to the most

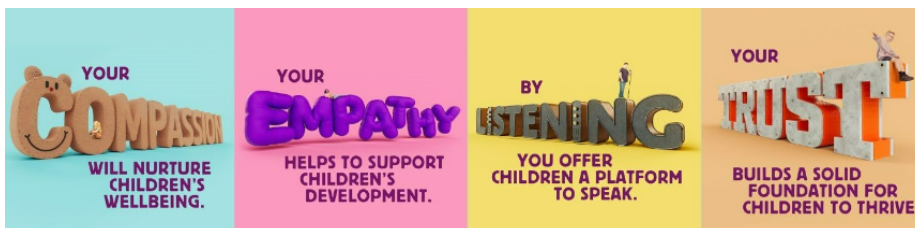
By working with children and young people with hearings experience to draft the guidance, we are confident we have the right principles and approach based on their needs, and not our impression of them.

### Refreshed Recruitment Campaign

For our Autumn 2023 Panel Member recruitment campaign, we refreshed our campaign materials to enhance the qualities that young people said were essential to make a good Panel Member.

As part of the creative process, we consulted with our Participation Group throughout to review the messaging and visuals. Alongside this process, we worked with Each and Every Child, an initiative set up to shift public views of the care system and put those with lived experience at the heart of the conversation. They provided guidance and supported us to review the language being used to promote the role of the Panel Member to prospective volunteers.

The results were a refreshed recruitment campaign which was driven by the feedback from young people:



### Impact: Getting our messaging right

The impact of having young people advise on projects like this is that it takes away the assumption that 'this is what they want'. Including them in the creative process provides a meaningful way of 'asking them' and for them to tell us and challenge us.

### The Better Meetings Project

The Better Meetings Project is a long-term collaboration between the Better Meetings group of care-experienced young people in Moray, Who Cares? Scotland, CHS, Moray Council, Highland Council and SCRA. It was initiated to increase the voice, choice and participation of children and young people in their meetings and hearings in the Moray and Highland Council areas.

As a group, the Better Meetings Project developed Practitioner Guides for Panel Members, social workers, reviewing officers and reporters that included a checklist of things they can do before, during and after a hearing or meeting to increase the voice, choice and participation of young people. The guides aim to foster a trauma-informed approach, giving the child or young person choice about how their meeting or hearing is conducted and how they give their views.



The group launched the guides in 2023 to practitioners across Highland and Moray and they are now being implemented.

### Impact: changing behaviours in meetings

'As a PPA I've seen some excellent use of the Practitioner guide in shaping the hearing and in making sure the child understood the decisions.'  
-Highland and Moray PPA

Feedback from those involved in the project has been that the guides are working well to change behaviours and put the young person at the centre of their meeting or hearing. They are helping to empower practitioners to make the hearings and meetings less formal and more child-centred. Below are quotes from an Advocacy Worker and Panel Members involved, showing just how beneficial this project has been.

"The most significant change for Moray's children and young people is having the opportunity to meet with the Chair of the panel along with the reporter in the waiting room immediately before the hearing. This is where they can agree how they would like to participate and the various choices open to them. On numerous occasions young people have taken up the offer to go into the hearing room first with myself alongside [advocacy] to share their views, thoughts, feelings and aspirations. Panel

Members have been incredibly welcoming, asking the young person where they would like to sit and engaging in age appropriate conversation to help them relax and ensure they feel comfortable speaking and sharing their views naturally. The main advantages are children and young people can be themselves, they are heard and not interrupted and gain a better sense of connection with panel members. Thereafter children and young people can decide whether or not they wish to stay in the hearing or not.” - Moray Advocacy Worker, Who Cares? Scotland.

## Involving children and young people

### Lived experience recruiters for Panel Members and staff

Having people with lived experience as part of our recruitment and selection team is integral to the work we do to select compassionate, empathetic and dedicated Panel Members.



As in previous years, CHS supported our Area Support Teams (ASTs) to recruit local people with lived experience, supporting and training them to interview and select the people they feel would become the future Panel Members they would like to see at hearings.

Before going on to participate in the recruitment and selection of new Panel Members, all our lived-experience recruiters received training and support from the CHS Learning Academy and the Children’s Rights and Inclusion Coordinator, alongside their local AST members.

Here is what some of our Lived Experience Recruiters have said about the role:

Three overlapping speech bubbles. The leftmost is green and contains the quote: "I enjoyed it. It was challenging because I was out my comfort zone but there was good support so I'm really happy I did it." The middle one is yellow and contains: "It was empowering. I felt I had an important responsibility to make the right choices." The rightmost is blue and contains: "I got promoted at work after being a lived experienced recruiter because I was able to show that I had experience interviewing people and that I was reliable and a good decision maker."

### Impact: lived-experience recruiters

In the autumn 2023 campaign, more than half of our Area Support Teams had people with lived experience of attending hearings fully involved in selecting new trainee Panel Members.



## Listening to children and young people

### Child Friendly Feedback and Complaints Portal



[I am a young person and I want to give feedback.](#)



[I am a family member and I want to give feedback.](#)

AS part of our programme of work to continue embedding the principles of the United Nations Convention on the Rights of the Child in all that we do, CHS has made it easier for children and young people to give feedback on their hearings experiences – good or bad.

Through talking to and consulting with young people who have lived experience of hearings it became clear that they sometimes left hearings feeling they were unable to express their views. They told the Practice and Standards team that the problem was less about being able to complain, more about being able to tell organisations and people involved in the hearings system how they felt at all. It was also clear that young people sometimes did not know who to give feedback to – which organisation was responsible for the different parts of their care and support.

With the help of young people, we developed and launched a new feedback and complaints portal on our website, which was tested and refined in collaboration with children and young people. In addition to a dedicated space for young people to share their views, we worked closely with SCRA to develop a single point of entry for children and families wishing to provide feedback, as recommended in the Hearings for Children report.

“If we are going to improve hearings for children, it is vital that they are encouraged and supported to provide feedback. We need to make it a routine part of their hearing journey, not just when things go wrong but also when things go well. We need to remove barriers to providing feedback and also show that children’s feedback does make a real difference.”

– Stephen Bermingham, Practice and Standards Team, CHS

#### **Impact:**

From July 2023 when the portal launched through to March 2024 CHS has received:

- 12 feedback submissions made through the portal
- 2,483 visits to our main feedback and complaints web page
- 178 visits to our child friendly complaints web page
- 309 visits to our child friendly feedback web page

### Complaint follow-up - visit to residential school

As a Corporate Parent, we have a duty to actively collect, listen and act on feedback received from children and young people. Following feedback received from a young person through our child friendly complaints portal about their hearing, two CHS colleagues visited a residential school to hear more from the young person and others about how hearings could be improved.



Meeting with residents of the school in their own space, and in the company of their trusted adults, allowed these young people to feel safe and supported, enabling open and honest conversations about the parts of hearings they don't like. After the visit, the CHS team made a short video summarising what they learned to share with all the residents and close the feedback loop.

"It is crucial that we learn from children's feedback and to do this effectively we need to remove barriers. This can mean getting feedback at a time and a place that works for the child and in an environment where they feel comfortable and have the support of trusted adults."

-Mel MacDonald, Complaints Management Officer, CHS

### Impact: Gaining insight to improve experiences

We received valuable insight from the young people including the importance of advocacy, hearings taking place where young people feel safe, being with people they trust and being more creative about hearings. We have taken this feedback and are using it to ensure that all Panel Members understand the importance of Advocacy and that it is offered at every hearing. We are pursuing, as part of collaborative work on hearing improvements, ways in which we can meet children's needs and wants in hearings, including looking at where they take place and who attends.

### Postcards for feedback trial

In order to help young people provide feedback easily and quickly after their hearings, CHS worked with SCRA to pilot the use of a QR-coded postcard at hearing centres in Stirling, Elgin, Alloa, Falkirk and Livingston. It was launched in October 2023 and ran until March 2024.

At the end of each hearing, Panel Members offered children a feedback postcard. If the child was not present, the card was given to a relative or caregiver to pass on. The postcards contained a QR code that linked to our child friendly feedback page where children are able to directly give views about their hearings to CHS and SCRA. Children were encouraged to share feedback on what went well or what needed improvement. Their input provided CHS and SCRA with vital feedback to enhance the hearings process from the viewpoint of those it most impacts.

"I felt that for once in my life I was actually listened to and my views were truly respected and taken into consideration. Having panel continuity throughout my hearings also played a big part ... these specific Panel Members really cared about me."

-Young person in pilot

## Impact: Making it easier for young people to share their views



During the trial, the QR code was scanned more than 150 times with more than 10 pieces of feedback received. This includes reports of really positive experiences and useful feedback on how hearings can be improved.

'This is all invaluable feedback that I believe we would not have received without the postcards in the hearing room. We always want to hear more about the hearings experience directly from the children and young people involved, and getting it can prove difficult. So this

additional feedback is really significant.' – Mel McDonald, Complaints Management Officer at CHS

CHS and SCRA colleagues involved in delivering the trial have received positive anecdotal evidence from Panel Members and professionals involved in hearings.

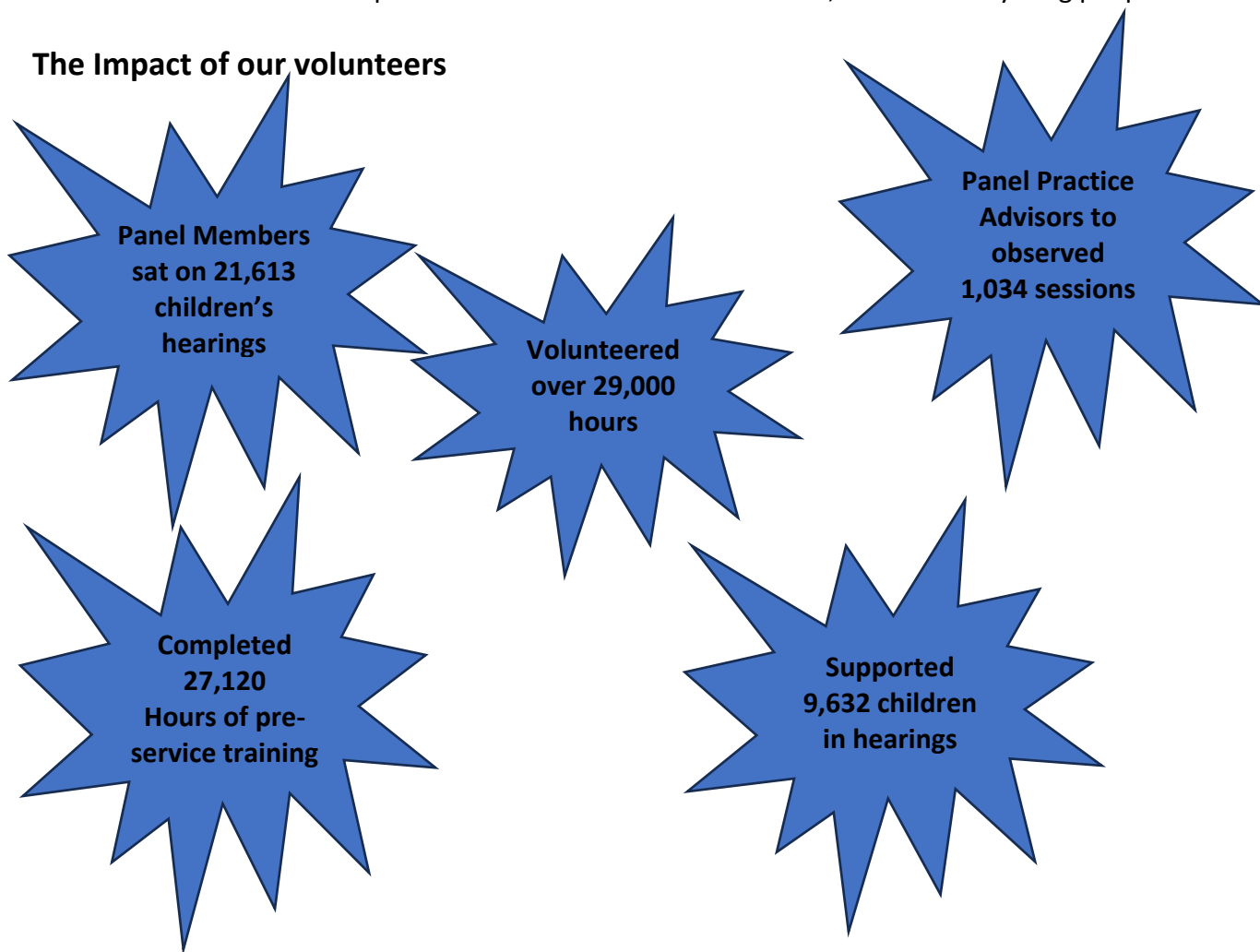


## Focus on: volunteers

Our volunteers make sure that all Scotland's infants, children and young people feel safe, loved, valued and respected. They can be Area Support Team members, Panel Practice Advisors, or Tribunal Panel Members.

In every children's hearing, Panel Members serve with professionalism and compassion to make the best decision for the wellbeing of the child. This important contribution to public life has a positive impact on our wider society, helping Scotland to be the best place to grow up and helping its children and young people to thrive. We remain grateful to our volunteers for the work that they do and their steadfast commitment to improve outcomes for Scotland's infants, children and young people.

### The Impact of our volunteers



"Panel Members continue to give so much to the children that the hearings system exists to help. Your care and concern for Scotland's children, and the desire to help them when it is most needed, is an inspiration."

Ian Donaldson, Deputy Director of Children's Rights, Protection and Justice at the Scottish Government

## Recognition

Our volunteers make life-changing decisions, and it is essential that their value to society is duly recognised by CHS and more widely. Members of our Board and Senior Leadership Team regularly visit our volunteers across the country for recognition events, and we proactively seek to highlight the work of Panel Members in the public and political arenas.

### Panel Members celebrated in Scottish Parliament

On the evening of 27 June 2023, volunteers from across Scotland joined 'A celebration of the Children's Panel', a Parliamentary Reception at the Scottish Parliament in Edinburgh.

More than 100 Panel Members, Area Conveners and Clerks mingled with MSPs, National Team staff and friends and partners from across the children's sector. Sponsoring the event was Rona Mackay MSP, herself a former Panel Member.

"Panel Members make some of the most difficult and important decisions of any public servant. They come from all walks of life and do an incredible job."  
-Rona Mackay MSP

Joining us on the evening were the CHS Participation Group, young people with lived experience of the hearings system. They took to the stage to share their experiences, good and bad, of hearings. Their stories made a big impact on everyone.

We presented 12 special recognition awards to Panel Members, from all over Scotland, to honour their exceptional hard work. The life-changing values of the Children's Hearings System were on show and everyone enjoyed the evening.



### Glasgow Recognition event

One of the biggest recognition events in the calendar took place at Glasgow's City Chambers on 16 November, with a large number of volunteers, staff and Board members in attendance. The event was generously hosted by Glasgow City Council, and Bailie Patricia Ferguson offered the council's thanks to those receiving awards.

The Civic Reception celebrated significant milestones reached by volunteers in their service to the children and young people of Glasgow. Robert McLean received the standout award, for 35 years' service as a Glasgow Panel Member.

### North Lanarkshire Recognition Event

In February, Tribunal Delivery Manager Iain MacDonald joined North Lanarkshire volunteers in celebrating 160 years' combined service. Volunteers raised more than £540 on the evening for Monkland's Women's Aid.

Later that month, North Lanarkshire Council honoured retiring Area Convener Eddie McDowell with a civic reception. The civic reception was attended by Elliot Jackson, National Convener, and CHS colleagues Lynne Harrison and Catherine Goodfellow, as well as our North Lanarkshire Area Support Team.



“Eddie has been an outstanding representative for the Children’s Panel here in North Lanarkshire. He is so highly thought of by everyone who has worked with him.

“Eddie has been instrumental in fostering a supportive environment for Children's Panel Members in North Lanarkshire, and his dedication and professionalism to helping children and young people has been inspirational.”

– North Lanarkshire Provost Kenneth Duffy

### Ayrshire Recognition Event



Across 2023-24, our Senior Leadership Team travelled across Scotland to meet Panel Members. We celebrated many years of service to the Children’s Hearings System.

National Convener Elliot Jackson joined our Ayrshire Area Support Team in June. 23 volunteers celebrated 237 combined years' service. During 2023-24, volunteers in Ayrshire attended 2,160 hearings.




## Volunteers' Week

"It gives me a great sense of value and worth that I can directly be a part of such powerful change for families."

-Panel Member, Fife

We celebrate Volunteers' Week each year during the first week of June. Across Volunteers' Week 2023, we explored the difference volunteers make to the lives of infants, children and young people within the hearings system by talking to and showcasing volunteer Panel Members across Scotland. Volunteers' Week celebrates the positive impact of volunteering on individuals. The contributions volunteers make go far beyond the hearing room.

CHS estimates that every year, volunteers put 500,000 hours into volunteering within the hearings system. This is the collective contribution of more than 2,200 volunteers supporting more than 10,000 infants, children and young people. The Children's Hearings System is one of Scotland's most essential volunteering roles. It can be demanding, time-consuming and challenging. But our volunteers make a vital contribution to the lives of children, young people and families every day.



"The Children's Panel allows for the child's views to be right at the centre, and for three independent people to make decisions on their behalf, to ensure a positive outcome which could literally change their life for the better."

Andrew Jones  
Panel Member, Aberdeenshire



"Forever grateful for the thousands of volunteers across Scotland supporting our country's children and their families. You matter. You make a difference. You help keep the promise."

Beth-Anne McDowall, Board Member

"It's a privilege to be trusted with the details of people's lives, and the feeling you get of doing something useful for people is very rewarding."

Stephen, Panel Member in West Dunbartonshire

## Supporting Panel Member decision making

Our key statutory duty, alongside recruiting Panel Members and Area Support Teams, is to train, support, and prepare them, ensuring they have the professional skills, knowledge and expertise required to make some of the most difficult and transformative decisions with and for the children of Scotland. Every year, not only do we evolve and adapt in response to changes in the policy and practice context in which we operate, but we drive improvement and lead change ourselves with our Panel Community.

### Independent Report Writers

When Panel Members do not have enough information to make a substantive decision one of the options available to them is to request a report from an expert with relevant knowledge. This is

referred to as an Independent Report. CHS works with a bank of Independent Report Writers with significant knowledge and expertise in the fields of social work, psychiatry, educational psychology, clinical psychology and forensic psychology.

In April 2023, a three-week recruitment campaign was initiated to increase the number of skilled Independent Writers within the CHS bank of professionals to meet the steady increase in requests for independent reports by Panel Members to support decision making in hearings.

Independent Report Writers are considered experts in their field and are based across the whole of Scotland, able to cover the full geographical span of children's hearings, which take place close to where a child or young person is based.

### **Impact: expert independent reports**

The Independent Report Writers Bank now has 36 writers in total. At present the bank is made up of 22 Social Workers, one Medical General Practitioner with a background in Psychiatry, five Educational Psychologists, seven Clinical Psychologists, one Forensic Psychologist and one Psychiatrist. Each member of the bank is an expert in their specialist field.

"We received an overwhelming number of applications to join the bank, and we've managed to select 17 professionals with diverse expertise and backgrounds. We are really pleased – this will help us prevent the drift and delay which can happen with complex situations and deliver the right outcomes for children and young people within the hearings system."

– Edward McKim, Practice and Policy Advisor

### **Equipping our community**

CHS's Panel Members undergo a rigorous and continuous training programme to ensure they are equipped with the knowledge, understanding and skills they need to make positive decisions that will affect the lives and futures of not only infants, children and young people, but also their families, communities and wider society in years to come. In 2023-24 we continued to improve our pre-service training approach and the ongoing training Panel Members receive.

### **Pre-service training**

For our 2024 trainee cohort, the CHS Learning Academy once again collaborated with our Area Support Teams to embrace our pre-service trainees through local welcome events. These events provided an opportunity for trainees to meet local teams and area buddies, as well as find answers to any questions.



### **Trauma-informed training and learning**

All CHS Learning Academy staff have undergone trauma training to support trainees as they are often 'first responders' in times of crisis. Maintaining this training and knowledge helps Learning Academy staff to support all of our trainees and promote trauma informed practice methods.

In addition to providing front line support during pre-service training, the Learning Academy team promoted the use of the Wisdom App from Health Assured, referring to helpful sections of the app when discussing triggering subjects during training.

"What is special about hearings is that the reason for being there is not held against the child or young person. We look at needs, not deeds, and treat every child or young person the same."

Barbara, Panel Member in South Lanarkshire

### **Instilling a rights-based approach**

Each of the five pre-service days involved embedding the principles of the United Nations Convention on the Rights of the Child (UNCRC) into the training modules. Each session promoted the rights of young people in the hearing room in the first instance, as well as understanding the rights of others in respect to that child. Sessions were enhanced through the introduction of destigmatising language and behaviour and how to promote this within the hearing room.

### **Impact: pre-service training**

The CHS Learning Academy successfully delivered pre-service training for the latest Panel Member cohort, with 98% of candidates once again stating their outcomes for the course were met. The improvements and new measures put in place improved retention and supported more trainees to complete their pre-service training and be appointed as Panel Members.

## **Ongoing training in 2023-24**

### **Trauma Informed Practice – Phase 1**

We began our journey to become a trauma responsive organisation in 2021 and are now well on our way to becoming trauma informed in all that we do. Building a trauma-responsive CHS is an ambitious aim, and is a short-, medium- and long-term commitment. As part of this commitment, we worked with NHS Education for Scotland (NES) to develop and deliver Trauma Informed Practice workshops, training modules and videos to our CHS colleagues and Panel Community. We have embedded levels 1 & 2 of the NES Trauma Informed learning modules into our pre-service training and have rolled out level 1 to all our staff and community.

### **Impact: Trauma Training Phase 1**

98% of our volunteer Panel Members have completed level 1 of the NES training. We are now working to ensure all CHS colleagues have completed this first part of the learning journey and increasing our community completion rates to 100% ahead of launching part two of the training in 2024-25.

## Engaging with our Panel Member community

### Local engagement

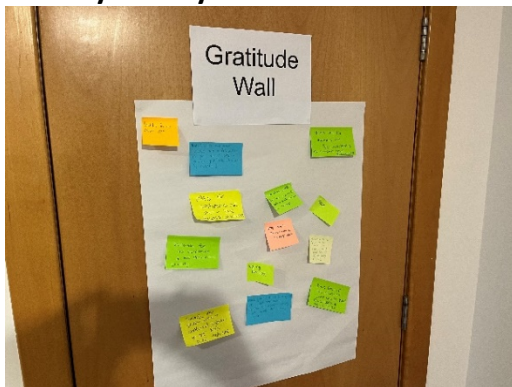
Across Scotland, Area Support Teams (ASTs) support Panel Members. They work with local partners to celebrate and improve the work of the Children's Hearings System.

Area Support Teams were preparing our Panel Community for upcoming changes to how the hearings system will run. These include the Children (Care and Justice) (Scotland) Act, which will bring more young people aged 16 and 17 into hearings, and the implementation of the Tribunal Support Model.



We met volunteers across Scotland, from Argyll and Bute to Scottish Borders, Eilean Siar and Shetland. Our trip to Shetland included Rota Allocation Manager Judy Wilson joining remotely to explore the new rota system. The National Convener joined Laura Mearns, Frank Ross and Louise Robertson in Shetland. They met newly qualified Panel Members making a difference in their island community.

### 100 days for Ayrshire



During March, Ayrshire marked 100 days since transitioning to their new team model. Tribunal Delivery Manager Michael Stewart, and colleagues Melanie McLean and Laura McDonald, took time to meet volunteers. This included undertaking pre-service training alongside trainee Panel Members. On Thursday 21 March, Ayrshire hosted a development session. Joining in were Michael, Melanie and Laura alongside our Panel Engagement Leads, Panel Practice Advisers, our Learning Champion, and Clerking support service.

We asked volunteers to fill a gratitude wall to thank everyone for their hard work. Thanks included: 'Thanks to PPAs for supporting our PMs and your delivery of observations.' 'I'm grateful to be part of a team who care so much about Ayrshire's infants, children and young people.'

### Town Hall Webinars

In August 2023 CHS held the first in a series of Town Hall webinars for the Panel Community. These were designed as large-scale online meetings where volunteers could put questions to key figures in the hearings system about policy and practice developments.

The first featured Sheriff David Mackie, chair of the Hearings System Working Group, whose 'Hearings for Children' report, published in May 2023, proposed the biggest changes to the hearings system since its inception. The second featured Fraser McKinlay, Chief Executive of The Promise Scotland, and the third featured Tom McNamara, Unit Head for Youth Justice and Children's Hearings at the Scottish Government. In the final event of 2023-24 members of CHS's leadership team discussed the Scottish Government's response to the Hearings for Children report.

These four events attracted collective attendance of more than 1,000, and recordings of the sessions have since been watched more than 600 times. Each received a wide range of questions from the Panel Community before and during the event. Follow-up feedback surveys received overwhelmingly positive reviews, while providing suggestions that we took on board to improve the design of the events with each iteration.



Continuing on a quarterly schedule in 2024-25, these Town Hall webinars complement in-person meetings and events to provide a valuable additional way for our Panel Community to engage with both the CHS National Team and partners in the wider sector.

For the individuals involved, they have proved very engaging, and they reflect and demonstrate our commitment to engaging with our volunteer Community on issues that matter to them.



## Focus on – Improving the system

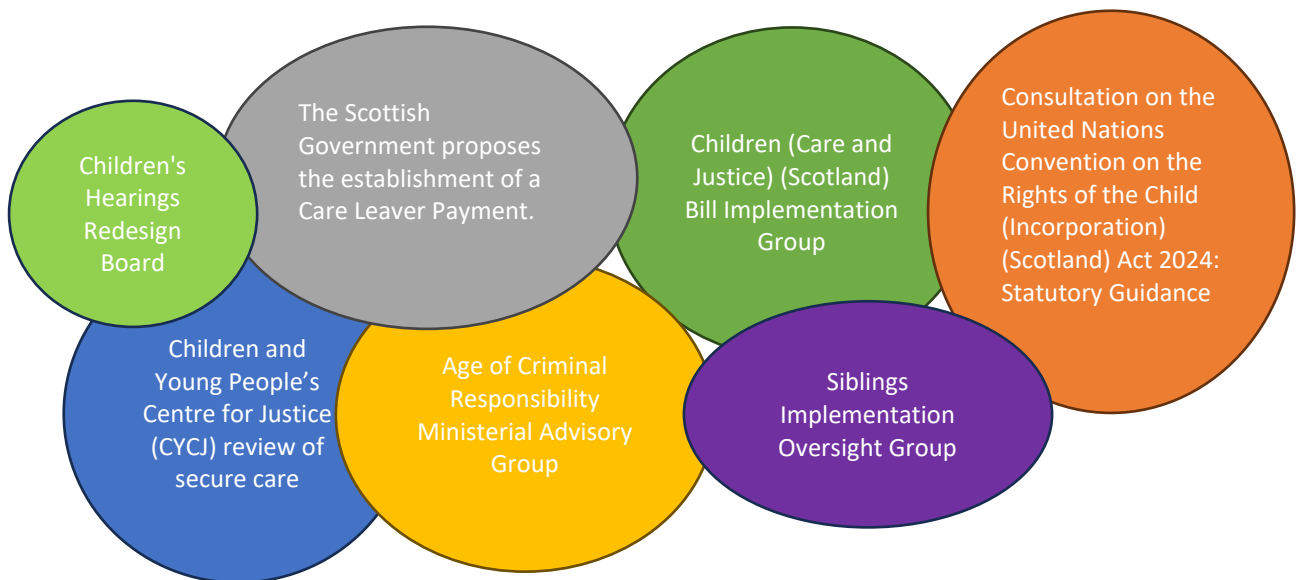
### To deliver better outcomes for infants, children, young people and their families

We are proud of Scotland’s Children’s Hearings System, but complacency is not an option. Along with our partners, we are driving the change that is needed to ensure the system delivers for infants, children and young people today, tomorrow and long into the future.

In the following section we outline transformative development work we have been a part of to shape and improve the system.

### Consultation, participation, and influence

As a statutory body central to the hearings system, CHS is well placed to leverage a wealth of expertise and experience, including the insights of care-experienced people and Panel Members, to inform and influence policy and practice across the care and justice and youth sectors. Below are some of the groups, consultations and policy development processes in which CHS has been involved in 2023-24, helping to shape better outcomes for Scotland’s children.



### Care and Justice Bill

The Children (Care and Justice) (Scotland) Bill was introduced to the Scottish Parliament in December 2022. Now passed into law, the Care and Justice Act will extend access to the Children’s Hearings System to everyone under the age of 18. This Act is an endorsement of the Children’s Hearings System and a recognition that the principles the system was built on should be available to all young people.

It is a change that the CHS Community has been calling for, for a long time. Raising the age of referral to include 16- and 17-year-olds, as set out in the Act, will see an anticipated annual increase of up to 2,415 hearings and 1,020 more young people being supported by the welfare-based system. Together with SCRA, we have worked towards a commencement date (18 months post-Royal Assent) that will support and enable this positive but challenging change to the Children’s Hearings system.

In support of this change, Stephen Bermingham represented CHS and presented to the Scottish Parliament on two occasions to give evidence to the Education, Children and Young People Committee and communicate our support for the Bill. We did not gloss over the challenges our community and their capacity we will face as a result and the actions we will need to address before changes can take place.

The CHS Practice and Policy Team worked closely with the Government throughout the year to influence the content and timeline of the Bill, and to ensure the proposed changes will work for CHS and the Panel Members it supports. This has involved:

- providing guidance to the government on suggested additions and amendment to the Bill
- representing CHS at Parliamentary consultation on the Bill
- developed a forecasting model with SCRA to accurately plan for the implementation of the Bill
- producing communications and engaging with our Community and the wider sector to promote our stance on the Bill

**Impact:**

The Practice and Policy Team were invited to join the Children (Care and Justice) (Scotland) Bill Implementation Group, which was established to provide strategic oversight of the implementation of the Bill and communicate needs to the government surrounding it.

**Staying Together and Connected: National Implementation Group**

Children tell us how vitally important it is to them to maintain relationships with their siblings. For many within the hearings system they are an anchor during tumultuous times. The Promise highlighted the separation often endured by siblings within the system, despite the legislative progress made to protect these relationships.

To better understand the challenges and barriers to implementing the legislative changes that aim to enshrine sibling rights, a Staying Together and Connected (STAC) National Implementation Group was established in November 2021, of which members of the CHS Practice and Standards team were a part.

To progress this work, four working groups were established from within the implementation group to focus on: learning, development and leadership; scaffolding and infrastructure; legal matters ; and data. The groups worked with Who Cares? Scotland on a small participation project to receive feedback from care experienced children and young people aged six to 27.

**Impact:**

In May 2023 the National Implementation Group submitted its final report which detailed the priority areas for action to ensure the ‘aspirations of the legislation and guidance can be met for all brothers and sisters’. The report was presented to the Minister for Children, Young People and Keeping the Promise.

## Transformational Change

### Hearings Redesign

The launch of the Promise in 2020 was a landmark moment, pushing Scotland's care system to further embed children's rights. CHS was part of the Hearings System Working Group that was formed to implement the Promise, which extensively consulted care-experienced children and young people. This work culminated in the 'Hearings for Children: Hearing System Working Group's Redesign Report', published in May 2023. In December 2023 the Scottish Government published its response, widely accepting the majority of recommendations and committing to consult further on those which require legislative change.

Publication of the Scottish Government's response to the report gives us a renewed opportunity to work with the government and all our stakeholders, including our Community and people with lived experience, to make transformational changes to how the hearings system operates.

### Tribunal Support Model

During 2023 we began an organisational change programme to better support the delivery of high-quality hearings through a new Tribunal Support Model. The model was designed to provide a supportive structure that made CHS voluntary roles more sustainable, manageable and rewarding and to better enable our volunteer Panel Members to do what they do best: support children and young people.

As part of our Tribunal Support Model, we have introduced several new roles in our National Team and volunteer Community to deliver our ambition that a children's hearing will be a place that upholds and promotes children's rights, is a child and family friendly care and justice space, and puts children's participation at its heart. These roles have enabled CHS to improve the experience of its volunteers, maintain national consistency and quality, and most importantly, prepare for the coming reforms to the Children's Hearings System.

Due to the level of changes within the sector, as well as our organisation, we have engaged widely with our Panel Community to keep them informed about and involved in the thinking and process. Members of the National Team attended local meetings or created materials to present and deliver information and updates as required. Presentations centred on challenges and opportunities facing the hearings system and highlighted for our Community how these align with our work to implement the Tribunal Support Model.

In implementing the Tribunal Support Model we moved from 22 Area Support Teams to nine regional Area Support Teams, aligned with SCRA localities, providing alignment and clarity with our key hearings system partner. This change enables CHS to:

- deliver better outcomes for children and young people
- address unrealistic expectations placed on volunteers, enabling them to focus more directly on supporting children, young people and their families
- provide an enhanced support structure to Panel Members that is consistent across the country

- provide a strong foundation to support our panel community to take on the requirements of the Care and Justice Act and any recommendations the Scottish Government takes forward from the Hearings for Children report

Throughout the 2023-24 year we have worked with our Community and National Team to successfully implement this new model and deliver substantial improvements to the infants, children and young people in the hearings system.

## **Organisational Transformational Change Programme**

CHS embarked on a substantial organisational change programme starting in April 2023. The primary drivers for this organisational change programme were the launching of our Tribunal Support Model and to ready ourselves for the anticipated reforms brought about by the Hearings for Children report.

We carried out a comprehensive organisational review and redesign to ensure that our new structure would have the right capability, capacity and flexibility to meet the demands of the future. We reshaped our National Team structure to focus on the areas of Tribunal Delivery, Positive Outcomes, People and Culture, and Business and Finance.

The new organisational structure increased the headcount by 35 colleagues. We created new roles to enable us to deliver change, improved tribunal delivery and Panel Member support, and ultimately an improved hearings system. Below are the new roles that are already delivering positive impacts for Panel Members and the children and families they serve.

### **Wellbeing**

Hearings are increasingly complex and in line with our trauma-informed approach we appointed nine Wellbeing Co-ordinators, one in each region, who work alongside our volunteer roles to enable timely and effective wellbeing support to Tribunal Panel Members across Scotland. Supporting our overall approach is a new Wellbeing Manager, a subject expert and central resource to support practice across the organisation.

### **Learning**

The legislative context for hearings is changing with the introduction of the Care and Justice Act, the UNCRC (Incorporation) (Scotland) Act, and accepted recommendations from Hearings for Children report. This requires high quality and effective learning to enable our Panel Members to continue to make effective decisions that support children and young people in the new context. Our expanded Learning team is responsible for the implementation of a modern and refreshed five-year Learning and Development strategy, building on the foundation work that has already been done, to further develop and evolve CHS's learning culture and Learning Academy brand.

### **Quality**

The new role of Quality Manager is central to driving CHS to strive for continuous improvement and the highest possible standards in volunteers' decision-making. Building on the improvements led through our Panel Practice Advisors Forum, our Quality Manager will support PPAs to provide vital feedback to Panel Members and identify thematic improvements and best practice through delivery of a quality agenda.

### Change Management

The incorporation of a dedicated change function, supported by Change Managers and a Programme Management Office (PMO), has enabled us to successfully implement the Tribunal Delivery Model, including its new Resource Allocation function. Our Change team are supporting us to shape and deliver the changes we can currently deliver from the accepted recommendations within the Hearings for Children report, and those that may come through any legislative change.

### Partnership

Partnership Co-ordinators in each region support Regional Delivery Managers to maintain vital links with our key hearings system partners and to support our Corporate Parenting responsibilities. They enable us to maintain our strong local relationships with other people who care passionately about children, young people and families.

### Resource Allocation – rota management

Our Resource Allocation team, made up of experienced rota managers from within our Community, made it possible for CHS to bring 34 area rotas into a central system. Centralisation has enabled us to offer more consistent support to Panel Members and deliver a better experience for children, young people and their families attending hearings. In its first six months of operation, rota centralisation has facilitated over 300 additional hearings and 350 continuity requests.

### Volunteer roles

In order to make our Panel Community volunteer roles more sustainable and rewarding we introduced new roles and ways of working. The volunteer roles of Local Panel Engagement Leads, Learning Champions and Lead Panel Practice Advisors look after Panel Members in their areas by providing feedback, support and guidance.





## Conclusions: a year of change

In any given year, in any organisation of CHS's size and nature, there will be business-as-usual activities punctuated by one-off events or changes, some more exceptional or dramatic than others. In 2023-24, CHS underwent the biggest transformation to date in its history.

While this included growth to the size of the National Team, the purpose was to improve the support for our most important people, the volunteers serving children and young people across the country, and to put the organisation on the right footing for the future, as we approach further changes to the hearings system that we know lie ahead.

Always following the north star of children's and young people's needs, and guided by our Board, we successfully designed and implemented a phased transition to our new Tribunal Support Model. This was a complex process involving many individuals, which we needed to achieve without interruption to hearings. Meanwhile the business-as-usual cycle, including volunteer recruitment and training, and one-off events such as our Parliamentary Reception, received their requisite energy and dedication.

Having achieved this transformation means we are now ready for the changes that will follow the Scottish Government's Hearings Redesign Consultation, and those that will result from the implementation of the Care and Justice Bill. In 2023-24 and beyond, we look forward to working with our care-experienced advisers to best support our volunteers to help make Scotland the best place to grow up.



## Glossary

### **Area Support Teams (ASTs)**

Teams who provide support and guidance to Panel Members at the local level. There are 22 of these across Scotland, with 400 volunteer members.

### **Corporate Parent**

An organisation or person that has specific responsibilities and duties to people with care experience and their wellbeing. These responsibilities are defined in Part 9 of the Children and Young People (Scotland Act) 2014.

### **Deferring/Deferral**

When Panel Members are unable to make a decision (for example due to missing information), so the hearing is stopped ('deferred') until a later date.

### **Hearings System Working Group (HSWG)**

Group made up for partners from the hearings system established to facilitate the redesign of the hearings system. It was chaired by an independent chair.

### **(CHS) Learning Academy**

Provides a range of training to ensure our volunteer community's learning is current and relevant for the role.

### **National Convener**

This role leads and oversees the Children's Panel. He or she is responsible for recruiting people to serve as Panel Members across Scotland, and making sure they have the right training and support to make sound decisions in the best interests of infants, children and young people. The current National Convener is Elliot Jackson.

### **Panel Members**

People who take part in children's hearings and make legal decisions about the care and protection of infants, children and young people. There are around 2,500 Panel Members in Scotland. Three Panel Members sit on each hearing.

### **Relevant Person**

Someone who has been deemed to have, or to have recently had, significant involvement in the upbringing of a child.

### **Scottish Children's Reporter Administration (SCRA)**

The Children's Reporter works for SCRA; they decide if a child needs a children's hearing, arrange children's hearing and ensure all necessary documentation reaches the necessary stakeholders.

### **Language Leaders**

The Language Leaders group is a Children's Hearings Improvement Partnership (CHIP) backed initiative which has seen Children's Hearings Scotland working alongside young people from Our

Hearings, Our Voice, the CELCIS VIP project and a local Champions Board, as well as professionals within the Childrens Hearing System.

**Children’s Hearings Improvement Partnership (CHIP)**

The CHIP brings together a range of people from organisations across Scotland who have a common interest in developing and improving the Children’s Hearings System. Chaired by the Scottish Government, it includes representatives from all key partners in the Hearings System



## CHS-SG Framework Agreement

### Agenda Item 11

#### Paper Number CHS-2425-18

<b>Accountable Director</b>	Director of Business & Finance
<b>Report author(s)</b>	Director of Business & Finance
<b>Recommendation</b>	For Considerations and Approval
<b>Resources implications</b>	Within available resources

<b>Impact Assessment Duties</b>	<b>Required</b>	<b>Completed</b>
Equalities Impact Assessment	No	
Children's Rights Impact Assessment	No	
Data Protection Impact Assessment	No	
Islands Impact Assessment	No	

### 1. Introduction

- 1.1 This cover paper accompanies the updated Framework Agreement between Scottish Government and CHS. It forms a key part of the accountability and governance framework and, as a live document, it should be reviewed by SG and CHS regularly, and at least every 2-3 years.
- 1.2 The Framework has been reviewed by SLT and the Sponsor Team and any proposed changes agreed with the Portfolio Accountable Officer, Public Bodies Unit, the Governance and Risk Branch in Scottish Government Financial Management Directorate.
- 1.3 The final version is presented to the Board for approval ahead of approval by the Scottish Ministers.

### 2. Summary of Changes

- 2.1 The document has been drafted in the updated model framework document which is used by all Executive NDPBs.
- 2.2 The most substantive change has been to Annex A, Specific Delegated Financial Authorities, where additions have made to the areas of spending within which delegated limits are required to be set. These have been allocated by CHS and the Sponsor Team.

### 3. Recommendation

- 3.1 The Board are asked to approve the reviewed and revised Framework Agreement.

## Model Framework Document – Executive NDPBs

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Approved	Version	Next Review	Signed by
[date]	[e.g. 2.1]	As required, but before [date plus 3 years]	[names as signatories]

## Introduction

1. This framework document is agreed between Children's Hearings Scotland ("CHS") and the Scottish Ministers. It summarises how CHS and the Scottish Ministers will work together, and the key roles and responsibilities of:

- the members and the chairing member ("the Chair") of CHS (who constitute "the Board"),
- the Chief Executive and Accountable Officer of CHS,
- the Scottish Ministers, and
- the Portfolio Accountable Officer within the Scottish Government ("SG") whose remit includes CHS.

2. While this document does not confer any legal powers or responsibilities, it forms a key part of the accountability and governance framework and, as a live document, it should be reviewed by SG and CHS regularly, and at least every 2-3 years. Any significant changes will be agreed between the Board and the Scottish Ministers.

3. Any question regarding the interpretation of this document will be determined by the SG after consultation with CHS. Legislative provisions take precedence over any part of this document.

4. CHS is not permitted to establish any subsidiaries or enter into joint ventures without express approval from Scottish Ministers

5. Copies of this document will be published on the CHS website.

## Purpose

6. CHS was established as a body corporate by [section 2 of the Children's Hearings \(Scotland\) Act 2011](#) ("the Act").

CHS's key functions, duties and powers are set out in the Act (see, in particular, sections 11 -13 and schedule 1 as introduced by section 3). The key statutory functions are to:

- Assist the National Convener in carrying out his or her functions under the Act, or any other enactment, and to facilitate the carrying out of those functions (see section 11 of the Act).

7. With approval by the Scottish Ministers, appoint or reappoint the National Convener and determine their terms and conditions (see paragraph 8 of schedule 1 of the Act).

8. CHS must comply with any direction given to it by the Scottish Ministers in relation to the carrying out of its functions (section 13) and also must comply with requests for assistance from certain other persons in relation to the carrying out of their functions under the Act, in accordance with section 183.

9. The children's hearings system provides the operational setting in which CHS and its partner agencies work. CHS's purpose, strategic aims and objectives, as agreed by the Scottish Ministers, are set out in its Corporate and Business Plans. CHS's aims are to pursue, with care and creativity, outcomes which are in the best interests of children and young people who are, or may be, referred to children's hearings; to work collaboratively with, lead and influence partner agencies in the children's hearings system and to improve delivery and outcomes for children.

10. The key objectives of CHS are:

- To inform and implement national policy initiatives to support children and young people who need support, their families and communities;
- To work with Children's Hearings partners and The Promise on the [24-30 Promise Plan](#);
- To improve outcomes for children by working effectively with partners in an integrated hearings system;

- To optimise the quality of children’s panel decision-making and to work with partners to realise the best possible outcomes for children in the hearings system;
- To make the hearings experience more accessible and responsive to children and their families; and
- To create and maintain organisational excellence by investing in staff and infrastructure.

11. The key performance targets relating to these objectives are to be set out in the CHS’s corporate and operational plans.

### **Governance and Accountability**

12. This section summarises the specific responsibilities and accountabilities of the key people involved in governance of CHS.

#### The Board

13. Members of CHS, including the Chair, constitute the Board. They are non-executives appointed by the Scottish Ministers in line with the Act and the [Code of Practice for Ministerial Public Appointments in Scotland](#). The Chair and Members are accountable to the Scottish Ministers and also to the Scottish Parliament and may be required to give evidence to Parliamentary Committees.

14. **The Board has overall responsibility for the delivery of the functions of CHS**, in accordance with the aims, policies and priorities of the Scottish Ministers. It [the Board] has corporate responsibility, under the leadership of the Chair, and will:

- set strategic plans to deliver the functions of CHS, focusing on how its work can most effectively contribute to achievement of the outcomes in the [National Performance Framework](#), the [Programme for Government](#) and [Scotland’s Economic Strategy](#) in collaboration with the SG and other public bodies;
- regularly scrutinise current and projected performance against the aims, objectives and targets set out in plans and take decisions on remedial action where required;
- ensure that effective governance is established and maintained, including ensuring that decision-taking is open and transparent and, with support from the Accountable Officer and the Audit and Risk Committee, ensure that key risks are identified and managed;
- approve the annual report and accounts and ensure these are provided to the Scottish Ministers to be laid before the Scottish Parliament;
- promote the efficient, economic and effective use of resources consistent with the principles of [Best Value](#), and regularly scrutinise financial performance and compliance with financial guidance issued by the SG;
- promote the wellbeing, learning and development of staff, provide support and challenge to the Chief Executive on staffing matters and ensure that CHS meets the **CHS staff management responsibilities** described in the section below.

15. The Chair will:

- lead the Board, ensuring that all Board members have suitable induction to understand the role and their responsibilities, that the skills and experience of all Board members are used effectively and that the Board undertakes regular self-assessment of its performance;
- ensure that the performance of each Board member is reviewed at least once per year and that the Board and/or individual Board members undertake development activity when required to ensure the effectiveness of the Board;

- c. ensure that the Board reviews its effectiveness annually;
- d. ensure that a Code of Conduct (aligned to the Model Code of Conduct for Board Members) is in place, that corporate actions are taken to implement it as required and that Members understand their responsibilities, using the guidance provided by the Standards Commission;
- e. work with the Portfolio Accountable Officer or their delegate(s) and the Public Appointments Team in SG on succession planning for the Board, action necessary to fill vacancies as they arise, skills requirements and promoting diversity by encouraging applications from less represented groups, including younger people, people from minority ethnic backgrounds and people with disabilities.

16. Specific guidance on how the Chair and Board members should discharge their duties will be provided in their appointment letters and in [On Board – A Guide for Members of Statutory Boards](#). Guidance on governance good practice is available in the Scottish Public Finance Manual and from the sponsor team, who may consult the SG Governance and Risk Team. A list of key aspects of governance to consider is included in the section on Governance and Risk below.

### The Chief Executive

17. The Chief Executive is employed and appointed by CHS, on terms and conditions approved by the Scottish Ministers, and is the principal adviser to the Board on the discharge of its functions and is accountable to the Board. The Chief Executive role is to provide operational leadership to staff working for CHS and to ensure that its aims and objectives are met, its functions are delivered, and its targets are met through effective and properly controlled executive action.

18. The specific duties of the Chief Executive will be set out in a job description, and annual objectives will be agreed with the Chair and used in appraisal of the Chief Executive's performance.

19. In addition to any other specific duties, the Chief Executive will:

- a. advise the Board on the discharge of its responsibilities – as set out in this Framework Document, in the founding legislation and in any other relevant instructions and guidance issued by or on behalf of the Scottish Ministers;
- b. implement or oversee implementation of the decisions of the Board;
- c. work with the Board on preparation of the Corporate Plan, including liaising with the Senior Sponsor and/or Sponsor Team on key points which need to be addressed and the timetable for preparation and review, and work with the Board to ensure that business plans are put in place to meet the Corporate Plan aims, objectives and performance measures;
- d. lead and manage the staff of CHS ensuring their wellbeing, learning and development are prioritised, and ensuring that the **CHS staff management responsibilities** set out in the section below are addressed;
- e. manage the budget for CHS in line with Scottish Government Finance guidance, policies and procedures, including the Scottish Public Finance Manual, and advise the Board on financial implications of all Board decisions, ensuring that appropriate financial appraisal and evaluation techniques are followed (see the [Appraisal and Evaluation](#) section of the SPFM);
- f. agree with the Board and the Portfolio AO or Senior Sponsor what information is required to enable the Board and SG to scrutinise the performance of CHS and progress against overall strategic and business plan aims and objectives, and ensure that the agreed information is provided and that is both accurate and timely;
- g. through the Chief Executive's Executive Team, manage the day-to-day relationship with the Senior Sponsor and/or Sponsor Team, with other SG officials who have an interest in the work of CHS and other key stakeholders, including staff of other public bodies.



20. In advising the Board, the Chief Executive will ensure that the key governance issues highlighted in the section on Governance and Risk below are addressed.

#### The CHS Accountable Officer

21. The Principal Accountable Officer for the Scottish Administration (the Permanent Secretary of the SG) will designate a senior official in CHS as the Accountable Officer. Usually this will be the Chief Executive, unless there are specific reasons why this would not be appropriate. The Accountable Officer is personally responsible for the propriety and regularity of the public finances of CHS and ensuring that its resources are used economically, efficiently and effectively, as required by section 15 of the Public Finance and Accountability (Scotland) Act 2000 and they may be called to give evidence to the Public Audit Committee of the Scottish Parliament. The responsibilities of the Accountable Officer are set out in full in the [Memorandum to Accountable Officers for Other Public Bodies](#) in the Scottish Public Finance Manual.

22. It is important for the Chair and Board members to recognise that one aspect of these duties is the requirement under section 15(8) of the Public Finance and Accountability (Scotland) Act 2000, where the Accountable Officer considers that any action they are required to take is not consistent with their Accountable Officer responsibilities, they must obtain written authority from the Board and send a copy of the written authority to the Auditor General for Scotland as soon as possible and to the Clerk of the Public Audit Committee. The Accountable Officer should consult the Portfolio Accountable Officer before seeking written authority from the Board in these circumstances and should always notify the Portfolio Accountable Officer when such a written authority has been issued.

23. Where the duties of the Accountable Officer and the Chief Executive are not combined in one person, the Accountable Officer will work closely with the Chief Executive on governance, and in particular to ensure that the key governance issues highlighted in the section on Governance and Risk below are addressed.

#### The Scottish Ministers

24. The Scottish Ministers appoint the Chair and Board Members and hold the Board to account for the performance of CHS and its use of resources. Ministers are ultimately accountable to the Scottish Parliament for ensuring that the CHS is discharging its duties effectively, although the Parliament will scrutinise the performance of CHS directly as it does with all public sector bodies. The Scottish Ministers are not directly responsible for the operation of CHS.

25. The Scottish Ministers will:

- a. agree the strategic aims, objectives and key targets of CHS as part of the corporate planning process;
- b. agree the budget for CHS, and secure the necessary Parliamentary approval;
- c. approve the Code of Conduct of the CHS Board;
- d. approve pay remits or proposals, remuneration and superannuation arrangements for the staff, Chief Executive, Chair and Board members;
- e. Lay the accounts of the CHS before the Scottish Parliament;

#### SG Portfolio Accountable Officer

26. The Principal Accountable Officer for the Scottish Administration (the Permanent Secretary of the SG) has designated the Director General for Education and Justice as the Portfolio Accountable Officer (AO) for the SG portfolio budget which will provide funding for CHS.

27. The Portfolio AO's duties are to establish a framework for the relationship between SG and CHS, oversee the operation of that framework, ensure the public appointments to CHS are made appropriately and ensure that appropriate assurance is provided on the performance and governance of the body. These activities are known collectively as '**sponsorship**'. In practice, the Portfolio AO is likely to delegate some or all sponsorship duties to a Director or Deputy Director as Senior Sponsor

and/or to other SG officials in a 'Sponsor Team'. The responsibilities of a Portfolio Accountable Officer are set out in detail in the [Memorandum to Accountable Officers for Parts of the Scottish Administration](#).

28. The Portfolio AO will:

- a. make sure the framework document is agreed between the Scottish Ministers and the Board of CHS, reviewed regularly and oversee the operation of the roles and responsibilities set out;
- b. ensure that financial and other management controls being applied by CHS are appropriate and sufficient to safeguard public funds and conform to the requirements both of propriety and of good financial management;
- c. in line with [Code of Practice for Ministerial Appointments](#), ensure that public appointments are made in good time and secure appropriate skills, experience and diversity amongst Board members, working with the Chair on succession planning; that there is effective induction for new appointees; and ensure that there is regular review and a formal annual appraisal of the performance of the Chair;
- d. support regular and effective engagement between CHS and the relevant Scottish Minister(s); and
- e. make sure there is clear, documented delegation of responsibilities to a Senior Sponsor and/or Sponsor Team and that the Board and senior officials of CHS are aware of these delegated responsibilities.

29. The Portfolio AO remains personally answerable to the Scottish Parliament for the effectiveness of sponsorship activity.

### **Relationship between Scottish Government and CHS**

30. Strategic engagement between the SG and CHS is essential in order that they work together as effectively as possible to maintain and improve public services and deliver improved outcomes. Specific governance and accountability roles are described in the section above, but more generally, both the SG and CHS will take all necessary steps to ensure that their relationship is developed and supported in line with the jointly agreed principles set out in the statement on '[Strategic Engagement between the Scottish Government and Scotland's NDPBs](#)'. This emphasises the need for cooperation and good communication, and particularly early warning from either side about any emerging risk or issue with significant implications for the operation or governance of CHS.

31. The Sponsor Team's primary function is to carry out the responsibilities delegated to it by the Portfolio AO, directly or via the Senior Sponsor, as described above. In addition to ensuring that the arrangements in this framework document operate effectively, managing public appointments and providing assurance to the Portfolio AO, the Sponsor Team will usually be the first point of contact for CHS on any issue with SG. As part of the assurance they provide to the Portfolio AO, they must ensure that key actions and decisions agreed are documented and implemented. This includes ensuring that SG teams implement any agreed actions.

### **CHS staff management responsibilities**

#### Broad responsibilities for CHS staff

32. The Chief Executive, challenged and supported by the Board, has responsibility for the recruitment, retention and motivation of CHS staff. The broad responsibilities toward staff are to ensure that:

- HR policies, practices and systems comply with employment and equalities legislation, and standards expected of public sector employers;
- the level and structure of staffing, including grading and staff numbers, are appropriate to its functions and the requirements of economy, efficiency and effectiveness (subject to the SG Public Sector [Pay Policy for Staff Pay Remits](#));

- the performance of staff at all levels is regularly appraised and performance management systems are reviewed from time to time;
- staff are encouraged to acquire the appropriate professional, management and other expertise necessary to achieve the body's objectives;
- proper consultation with staff takes place on key issues affecting them;
- effective grievance and disciplinary procedures are in place and that staff know where to access and how to use these;
- effective whistle-blowing policy and procedures, consistent with the Public Interest Disclosure Act 1998 are in place and staff know where to access and how to use these; and
- a code of conduct for staff is in place.

#### Pay and conditions of service

33. CHS will comply with SG Public Sector Pay Policy in relation to staff including the Chief Executive. The Chief Executive will ensure that a pay remit, in line with the SG Public Sector [Pay Policy for Staff Pay Remits](#), is submitted to the Scottish Ministers for approval in line with the timetable notified and negotiate a pay settlement within the terms of the approved remit. This should normally be done annually, unless a multi-year deal has been agreed. Payment of salaries should also comply with the [Tax Planning and Tax Avoidance](#) section of the SPFM. Proposals on non-salary rewards will comply with the guidance in the [Non-Salary Rewards](#) section of the SPFM.

34. CHS will also seek appropriate approval under the SG Public Sector [Pay Policy for Senior Appointments](#) for the chief executive's remuneration package prior to appointment, annually or when a new appointment or change to the remuneration package is being proposed.

#### Pensions, redundancy and compensation

35. Superannuation arrangements for staff are subject to the approval of the Scottish Ministers. CHS staff will normally be eligible for a pension provided by Lothian Pension Fund. Staff may opt out of the occupational pension scheme provided, but the employers' contribution to any personal pension arrangement, including stakeholder pension, will normally be limited to the national insurance rebate level.

36. Any proposal by CHS to move from existing pension arrangements, or to pay any redundancy or compensation for loss of office, requires the prior approval of the Scottish Ministers. Proposals on compensation payments will comply with the [Settlement Agreements, Severance, Early Retirement and Redundancy Terms](#) section of the SPFM. This includes referral to the Scottish Ministers of any proposed severance scheme (for example, a scheme for voluntary exit), business case for a settlement agreement being considered for an individual, or proposal to make any other compensation payment. In all instances, a body should engage with the Sponsor Team prior to proceeding with proposed severance options, and prior to making any offer either orally or in writing.

#### **Corporate and business plans**

37. CHS will prepare a draft strategic or corporate plan every 3 to 5 years setting out its strategic aims, objectives and targets over that period, for consideration by the Scottish Ministers. When a new plan is to be prepared, the Chief Executive or their delegate will liaise with the Sponsor Team to agree the key points to be addressed and the timetable for preparation and review;. The final, agreed version of the strategic or corporate plan will be published on the CHS website.

38. The corporate plan will include CHS's:

- purpose and principal aims;

- contribution to the national outcomes set out in the [National Performance Framework](#), the Programme for Government and Scotland's Economic Strategy in collaboration with the SG and other public bodies;
- analysis of the environment in which it operates;
- key objectives and associated key performance targets for the period of the plan, and the strategy for achieving those objectives;
- indicators against which its performance can be judged;
- details of planned efficiencies, describing how better value for money will be achieved, including through collaboration and use of shared services; and
- other key points agreed with the Sponsor Team as described above.

39. The corporate plan will inform the development of a separate annual business plan for each financial year, which will include key targets and milestones for the year immediately ahead, aligned to the NPF, and be linked to budgeting information so that, where possible, resources allocated to achieve specific objectives can be identified. A copy of the business plan will be provided to the sponsor unit prior to the start of the relevant financial year.

### **Annual report and accounts**

40. CHS will publish an annual report of its activities together with its audited accounts after the end of each financial year. The annual report and accounts will cover the activities of any corporate, subsidiary or joint ventures under the control of CHS. It will comply with the Government [Financial Reporting Manual](#) (FRoM) and outline the CHS's main activities and performance against agreed objectives and targets for the previous financial year. It is the responsibility of the Chief Executive, as Accountable Officer, or their delegate, to sign the accounts.

41. The accounts will be prepared in accordance with relevant statutes and the specific accounts direction and other relevant guidance issued by the Scottish Ministers. Any financial objectives or targets set by the Scottish Ministers should be reported on in the accounts and will therefore be within the scope of the audit.

42. The SG Sponsor Team should receive a copy of the annual report for comment, and a copy of the draft accounts for information as soon as reasonably practicable, and no later than the end of September. In accordance with paragraph 23(2) of the Act, the report must include a copy of the annual report submitted separately to CHS by the National Convener under paragraph 24 of schedule 1. CHS is responsible for the publication of the annual report and accounts after they have been laid before the Scottish Parliament by the Scottish Ministers. Whilst the statutory deadline for laying and publishing accounts audited by the AGS is 31 December after the end of the relevant financial year, the Scottish Ministers expect that accounts will be laid before the Scottish Parliament and published as early as possible.

### **External audit**

43. The Auditor General for Scotland (AGS) audits, or appoints auditors to audit, CHS's annual accounts and passes them to the Scottish Ministers who then lay them before the Scottish Parliament, together with the auditor's report and any report prepared by the AGS. The AGS, or examiners appointed by the AGS, may also carry out examinations into the economy, efficiency and effectiveness with which the body has used its resources in discharging its functions and/or carry out examinations into the arrangements made by CHS to secure Best Value.

44. The AGS, or the AGS's appointed auditors or examiners, have a statutory right of access to documents and information held by relevant persons, including any contractors to or recipients of grants from CHS. CHS will ensure that this right of access to documents and information is made clear in the terms of any contracts issued or conditions of any grants awarded and will also use its best endeavours to secure access to any other information or documents required which are held by other bodies.

## Internal audit

45. CHS will:

- establish and maintain arrangements for internal audit in accordance with the [Public Sector Internal Audit Standards](#) and the [Internal Audit](#) section of the SPFM;
- set up an Audit Committee of its Board, in accordance with the [Audit Committees](#) section of the SPFM, to advise both the Board and the Accountable Officer;
- ensure that the Sponsor Team and the Portfolio AO/Senior Sponsor receive promptly after they are produced or updated: the audit charter, strategy, periodic audit plans and annual audit assurance report, including the Head of Internal Audit opinion on risk management, control and governance – and provide any other relevant audit reports as requested by sponsors;
- keep records of, and prepare and forward promptly to the SG an annual report on fraud and theft suffered by CHS and notify the Portfolio AO or Senior Sponsor immediately of any unusual or major incidents.

46. The SG's Internal Audit and Assurance Directorate has an expectation of cooperation and access to relevant material when required, the parameters for which would be set out in an engagement document before information is shared. CHS should make it clear its own Privacy Notice that material may be shared with SG's Internal Audit and Assurance Directorate in certain circumstances.

## Budget management and delegated authority

47. Each year the Sponsor Team will send the Board a Budget Allocation and Monitoring letter, notifying CHS of the budget provision, any related matters and details of the budget monitoring information required. CHS will comply with the format and timing of the monitoring information requested and with any requests for further information.

48. The statement of budgetary provision will set out the budget within the classifications of resource Departmental Expenditure Limits (RDEL), capital DEL (CDEL) and Ring-fenced (non-cash) (RfDEL) – and, where applicable, Annually Managed Expenditure (AME). These categories are explained in [Annual Budget Processing](#) in the SPFM, and CHS will not transfer budgetary provision between the categories without the prior approval of the SG Finance Directorate, which should be sought via the Sponsor Team. Transfers within the categories are at the discretion of the Board or, subject to delegated authority, the Chief Executive or relevant senior manager, if these do not breach any other constraints, for instance the approved pay remit.

49. Where budgetary provision includes projected income, including any income from disposal of non-current assets, the Chief Executive will ensure that the SG Finance Directorate and Sponsor Team are made aware promptly of any forecast changes in income – usually via the monthly budget monitoring statement. The Scottish Ministers' expectation is that any shortfall in income will be offset by a matching reduction in gross expenditure, and prior approval from the SG Finance Directorate and the Sponsor Team must be sought for any alternative arrangement. Similarly, if income is higher than originally projected, this may only be used for additional spending or to meet pressures with the prior approval of the SG Finance Directorate and Sponsor Team. Failure to obtain prior approval for the use of excess income to fund additional expenditure may result in corresponding reductions in budgets for the following financial year. The only exception is where the income is from gifts, bequests and donations, but this must be spent within the same financial year as the receipt.

50. CHS's specific delegated financial authorities - as agreed in consultation between the Board and the Scottish Ministers - are set out in Annex A. The Board will obtain the prior written approval from sponsors and SG Finance before entering into any undertaking to incur any expenditure that falls outside these delegations, and before incurring expenditure for any purpose that is or might be considered novel, contentious or repercussive or which has or could have significant future cost implications.

## Governance and Risk

51. Guidance on governance requirements is available in several documents referred to earlier in this framework document:

- [the Scottish Public Finance Manual](#) (SPFM)
- [the Audit and Assurance Committee Handbook](#)
- [On Board - A Guide for Members of Statutory Boards](#)

52. If in any doubt about a governance issue, the Chair or Chief Executive should consult the Senior Sponsor or Sponsor Team in the first instance, and sponsors may in turn consult the SG Public Bodies Unit, the SG Governance and Risk Branch and/or other teams with relevant expertise.

53. The Board and Chief Executive are advised to pay particular attention to guidance on the following issues.

### Risk management

54. CHS must develop an approach to **risk management** consistent with the Risk Management section of the Scottish Public Finance Manual and establish reporting and escalation arrangements with the Portfolio AO or Senior Sponsor.

55. The Board should have a clear understanding of the key risks, threats and hazards it may face in the personnel, accommodation and cyber domains, and take action to ensure appropriate **organisational resilience**, in line with the guidance in: [Having and Promoting Business Resilience](#) (part of the Preparing Scotland suite of guidance) and the [Public Sector Cyber Resilience Framework](#).

### Internal control

56. The Board should establish **clear internal delegated authorities** with the Chief Executive, who may in turn delegate responsibilities to other members of staff and establish an **assurance framework** consistent with the [internal control framework](#) in the SPFM.

57. **Counter-fraud** policies and practices should be adopted to safeguard against fraud and theft - see the [Fraud](#) section of the SPFM.

58. Any **major investment programmes or projects** undertaken should be subject to the guidance in the [Major Investment Projects](#) section of the SPFM and in line with delegated authorities. The Sponsor Team must be kept informed of progress on such programmes and projects and Ministers must be alerted to any developments that could undermine their viability. **ICT investment plans** must be reported to the SG's Office of the Chief Information Officer.

59. CHS must comply with the requirements of the **Freedom of Information** (Scotland) Act 2002 and ensure that information is provided to members of the public in a spirit of openness and transparency. CHS must also register with [Information Commissioners Office](#) and ensure that it complies with the **Data Protection Act 2018** and the General Data Protection Regulations, commonly known as **GDPR**.

### Budget and finance

60. Unless covered by a specific delegated authority, **financial investments** are not permitted without the prior approval of sponsors and SG Finance. This includes equity shares in ventures which further CHS's objectives. Public bodies should not invest in any venture of a speculative nature.

61. Non-standard **tax management** arrangements should always be regarded as novel and/or contentious and must therefore be approved in advance by the Portfolio AO and SG Finance. Relevant guidance is provided in the [Tax Planning and Tax Avoidance](#) section of the SPFM. CHS must comply with all relevant rules on taxation, including **VAT**, and recover input tax where it is entitled to do so.

62. **Optimising income** (not including grant-in-aid) from all sources should be a priority, and sponsors should be kept informed about any significant projected changes in income. Novel or

contentious proposals for new sources of income or methods of fundraising must be approved by sponsors and SG Finance. Fees or charges for any services supplied must be determined in accordance with the [Fees & Charges](#) section of the SPFM.

63. **Gifts, bequests or donations** received score as income and should be provided for in the agreed resource DEL and capital DEL budgets, but should not fund activities or assets normally covered by SG grant-in-aid, trading or fee income, and conflicts of interest must be considered – see the principles in the [Gifts](#) section of the SPFM. Note that this relates to gifts to CHS - gifts to individuals are covered in the Model Code of Conduct.

64. **Borrowing** cannot be used to increase CHS's spending power. All borrowing - excluding agreed overdrafts - must be from the Scottish Ministers in accordance with guidance in the [Borrowing, Lending & Investment](#) section of the SPFM.

65. Any lending must be in line with the guidance in the [Borrowing, Lending & Investment](#) section of the SPFM on undertaking due diligence and seeking to establish a security. Unless covered by a specific delegated limit CHS must not **lend money, charge any asset, give any guarantee or indemnity or letter of comfort, or incur any other contingent liability** (as defined in the [Contingent Liabilities](#) section of the SPFM), whether or not in a legally binding form, without the prior approval of sponsors and SG Finance. Guarantees, indemnities and letters of comfort of a standard type given in the normal course of business are excluded from this requirement.

66. An accurate and up-to-date record of **current and non-current assets** should be maintained, consistent with the [Property: Acquisition, Disposal & Management](#) section of the SPFM. CHS is also subject to the [SG Asset Management Policy](#), including the requirement for acquisition of a new lease, continuation of an existing lease, decision not to exercise a break option in a lease or purchase of property for accommodation / operational purposes, to be approved in advance by Scottish Ministers. The Property Controls Team should be consulted as early as possible in this process.

67. Assets should be recorded on the balance sheet at the appropriate valuation basis in accordance with the FReM. When an asset (including any investment) suffers **impairment**, when there is significant **movement in existing provisions** and/or where **a new provision needs to be created**, this should be communicated to sponsors and SG Finance as soon as possible to determine the implications for the NDPB's budget.

68. Any **funding for expenditure on assets by a third party** should be subject to appropriate arrangements to ensure that they are not disposed of without prior consent and that a due share of the proceeds can be secured on disposal or when they cease to be used by the third party for the intended purpose, in line with the [Clawback](#) guidance in the SPFM.

69. Unless covered by a specific delegated authority, prior approval from sponsors and SG Finance is required before **making gifts or special payments or writing off losses**. Special payments and losses are subject to the guidance in the [Losses and Special Payments](#) section of the SPFM. Gifts by management to staff are subject to the guidance in the [Non-Salary Rewards](#) section of the SPFM.

70. Unless covered by a specific delegated authority CHS must not enter into any **finance, property or accommodation related lease arrangement** – including the extension of an existing lease or the non-exercise of a tenant's lease break - without prior approval from sponsors. Before entering/ continuing such arrangements CHS must be able to demonstrate that the lease offers better value for money than purchase and that all options of sharing existing public sector space have been explored.

Non-property / accommodation related operating leases are subject to a specific delegated authority. There must be capital DEL provision in the budget allocation for finance leases and other transactions which are in substance borrowing.

71. **Procurement** policies should reflect relevant guidance in the [Procurement](#) section of the SPFM and any other relevant guidance issued by the SG's Procurement and Property Directorate. The SG's directory of [SG Framework Agreements](#), is available to support organisations but they should check the Framework Agreement's 'buyer's guide' before proceeding to ensure they are eligible to use the Framework

72. All matured and properly authorised **invoices** relating to transactions with suppliers should be paid in accordance with the [Expenditure and Payments](#) section of the SPFM wherever possible and appropriate within Scottish Ministers' target of payment within 10 working days of their receipt.

73. CHS is subject to the SG policy of self-insurance. Commercial **insurance** must however be taken out where there is a legal requirement to do so and may also be taken out in the circumstances described in the [Insurance](#) section of the SPFM - where required with the prior approval of sponsors and their finance business partner subject to the level of inherent financial risk. In the event of uninsured losses being incurred the SG shall consider, on a case by case basis, whether or not it should make any additional resources available to CHS. The relevant sponsor team will provide a Certificate of Exemption for Employer's Liability Insurance.

74. Unless covered by a specific delegated authority CHS must not provide **grant funding to a third party** without prior agreement from sponsors and SG Finance. Guidance on a framework for the control of third party grants is provided as an annex to the [Grant & Grant in Aid](#) section of the SPFM. Subsidy control requirements for any such funding are discussed below.

75. The EU State aid regime was effectively revoked from UK law from 1 January. Following this, subsidy control provisions were covered by the UK-EU Trade and Cooperation Agreement (TCA) and the UK's international obligations, including various Free Trade Agreements and those arising as a consequence of World Trade Organisation membership. However, a new UK subsidy control regime came into force on 4 January 2023 as a result of UK Government's Subsidy Control Act 2022. Currently, any activity that a public body undertakes itself, or funds other bodies to undertake, that can be offered on a commercial market for goods and services, is subject to the regulations set out in the Subsidy Control Act 2022. A full assessment is required prior to disbursing any funding, subject to the guidance in the subsidy control section of the SPFM.

#### Remuneration

76. **Remuneration, allowances and any expenses paid to the Chair and Board Members** must comply with the latest SG Public Sector Pay Policy for Senior Appointments and any specific guidance on such matters issued by the Scottish Ministers.

77. **Staff pay, pensions and any severance payments** must be in line with the requirements of Public Sector Pay Policy and the responsibilities described in the section on NDPB Staff Management Responsibilities.

78. All individuals who would qualify as employees for tax purposes should be paid through the payroll system with **tax deducted at source**.

#### Banking and cash management

79. **Banking** arrangements must comply with the [Banking](#) section of the SPFM.

80. **Cash management** arrangements need to be addressed as well as overall budget management. Any [grant in aid](#) (i.e. the cash provided to CHS by the SG to support the allocated budget) for the year in question will be authorised by the Scottish Parliament in the annual Budget Act. CHS will normally receive monthly instalments based on updated profiles and information on unrestricted cash reserves and will not seek any payment in advance of need. CHS will keep its unrestricted cash reserves held during the year to the minimum level needed for efficient operation and any relevant liabilities which have to be met at the year-end. Grant in aid not drawn down by the end of the financial year will lapse. CHS not pay grant in aid into any restricted reserve it holds.

#### Helpful information

75. The Public Bodies Support Unit has produced a register of reporting requirements for devolved public bodies which will help in regard to compliance with certain legislative asks. Copies of the register can be obtained from the [PBSU mailbox](#).



**Annex A: Specific Delegated Financial Authorities<sup>1</sup>**

		<b>Delegated Limit</b>
Operating leases – other than property/ accommodation related leases		n/a
Gifts		Up to £200
Special payments		£1,000 in individual circumstances, annual aggregate limit of £5,000
Claims waived or abandoned		£1,000 in individual circumstances, annual aggregate limit of £5,000
Write-off of bad debt and/or losses		£1,000 in individual circumstances, annual aggregate limit of £5,000
Others as appropriate e.g.		
Guarantees etc. out with normal course of business		n/a
Charges on assets		n/a
Loans		n/a
Grants		Direct escalation to Sponsor Team
Financial investments and equity shares		n/a
Major investment programmes/ projects		Projects over £128,000, and any new, novel and contentious spend, will be approved by Sponsor Team.

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<sup>1</sup> Limits are subject to any additional financial controls applied by the Scottish Government.



## Quarter 2 2024-25 Performance Report

Agenda Item 12

Paper Number CHS-2425-19

<b>Accountable Director</b>	Director of Business & Finance
<b>Report author(s)</b>	Business Support & Governance Manger / Data and Performance Analyst / Data and Evidence Officer
<b>Resources implications</b>	Within available resources
<b>Approvals sought</b>	The Board are asked to consider and note the Performance Report The Board are asked to approve the de-scoping of one milestone

<b>Impact Assessment Duties</b>	<b>Required</b>	<b>Completed</b>
Equalities Impact Assessment	No	
Children’s Rights Impact Assessment	No	
Data Protection Impact Assessment	No	
Islands Impact Assessment	No	

### 1. Introduction

1.1 This paper includes the Quarter 2 Performance Report 2024-25, the mid-year Business Plan review, and this covering note highlighting data and performance in the quarter and any proposed changes to any business plan objectives and milestones.

### 2. Mid-Year Business & Corporate Parenting Plan review

2.1 As in previous years, CHS committed to review its business plan mid-year to ensure business objectives remain relevant and in line with current priorities.

2.2 The Senior Leadership Team have reviewed the business plan objectives and milestones, which remain relevant to current priorities therefore there is no need for a mid-year business plan update beyond any amendments within the performance report.

### 3. Performance during Quarter 2

3.1 A selection of activities that have been completed during the quarter included:

- Begun to implement and operationalise our agreed and approved plans for participation through our refreshed participation activity aligned to the revised Children’s Rights and Inclusion strategy;
- Implemented a clearly defined national approach to joint feedback and complaints for CHS & SCRA;
- Launched a revised approach to communications and engagement which provides a clear and consistent voice to our organisational brand for all our audiences and stakeholders through our Board approved Communications Strategy;

3.2 No milestones have been retimed

- 3.3 One milestone is proposed for descoping from this year’s business plan;  
 Milestone 22.3: *Develop an internal colleague intranet to complement our Community intranet and consolidate our approach to sharing key information*  
 We are proposing this milestone is descoped from this year’s business plan and considered for inclusion in next year’s plans to allow for the further development and embedding of the community intranet.

**4. Data Summary**

- 4.1 The quarterly data summary details key capacity and operational data from the last quarter alongside changes since the previous quarter. Dates in relation to the data are provided in the data summary.

**5. Trends and Performance**

- 5.1 Panel Member numbers: The total number of Panel Members is currently 2,104 (-105 since Q1 end) and the number of active Panel Members is 1,859 (-231 since Q1 end). The number of ends of service seen in Q2 was expected and is higher than other times of the year due to the reappointment period. During the reappointment period, Panel Members can decide whether or not to commit to another three years of service, and some Panel Members decide to end service at the end of their three-year term, resulting in a higher end of service rate for that period. Panel Member trends can be seen in Figure 3 in the Board Data Summary. The number of Panel Members will now decrease until around April 2025 when the next cohort is due to be appointed. Capacity continues to be carefully monitored through the capacity programme with strategies to aid retention.
- 5.2 Panel Member targets: The number of appointed Panel Members against the target is 99% (-5% since Q1 end). This will decrease as the year goes on and Panel Members end service. The number of available Panel Members (those who state they are available to sit on sessions in the month) against the target is 95% (-7% since Q1 end).
- 5.3 Chair numbers: The number of Chairs is 1,212, which is a decrease of 15 from Q1 end. The number of active Chairs is 1,123 (-82 since Q1 end). Four Management of Hearings courses ran in August and a further five are running in September, which we anticipate will result in an increase of Chairs through Q2 into Q3. Chair trends can be seen in Figure 3 in the Board Data Summary.
- 5.4 Chair targets: The number of appointed Chairs against the target is 86% (-1% since Q1 end). This percentage should increase as the year goes on and Panel Members attend training. The number of available Chairs (Chairs who state they are available to sit on sessions in the month) against the target is 87% (-5% since Q1 end).
- 5.5 PPAs: There are 132 PPAs, an increase of 1 since Q1, and 96 active PPAs, a decrease of 1.
- 5.6 Observations target: The number of Panel Members observed this year (to 26/08/24) is 45.84% against our target of 100% (active and eligible) Panel Members, an increase of 18.56% from Q1 end. This percentage will increase as the year goes on and more

Panel Members are observed, but there is a risk that the 100% target will not be met. This is due to the recruitment campaign in Q3, which many PPAs will be involved with, and the priority for trainee Panel Members to observe session in Q4, rather than PPAs, meaning over Q3-Q4, fewer observations are expected.

- 5.7 Hearings: The number of Hearings and sessions remains mostly stable, with seasonal fluctuations. Session trends can be seen in Figure 3 in the Board Data Summary.

**6. Panel Member Forecasts**

- 6.1 The Panel Member forecast can be seen in Figure 1 of the Board Data Summary; it was last updated in May 2024. The figure plots the targets for the next two recruitment campaigns – appointing 800 in each. It is estimated that ~1,600 Panel Members will need to be appointed by 2026 in order to meet our statutory function when Hearings numbers increase as a result of the Care and Justice Act. The Panel Member forecast is anticipated to undergo minor revisions in Q3 and a full update in Q4.

**7. Chair Forecasts**

- 7.1 The Chair forecast can be seen in Figure 2 of the Board Data Summary; it was last updated in May 2024. The Chair forecast plots the estimated number of people who may complete Chair training, based on previous completion rates. It is estimated there will be a shortfall of ~350 Chairs when Hearings increase as a result of the Care and Justice Act. The Chair forecast is anticipated to undergo minor revisions in Q3 and a full update in Q4.

**8. Breaches**

- 8.1 No Compulsory Supervision Order implementation breaches were reported in Q2 (to 29/08/24).

**9. Board Actions:**

- 9.1 The Board are asked to note the content of report and make any comments.
- 9.2 The Board are asked to approve the descoping of milestone.

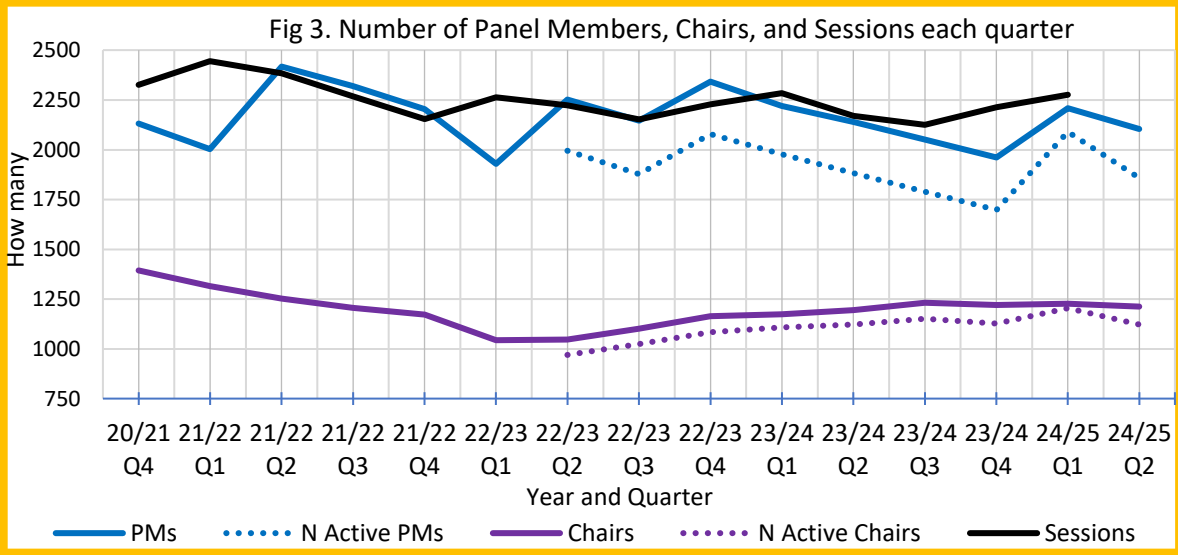
Volunteer data 30/08/24

	PMs	Active PMs	Chairs	Active Chairs	PPAs	Active PPAs
<b>Total</b>	2,104	1,859	1,212	1,123	132	96
<b>Change vs. Q1 end</b>	-105	-231	-15	-82	+1	-1

Demographics 30/08/24	PMs	Change	PPAs	Change
Mean length of service (yrs)	5.97	+0.23	3.21	+0.12
Median length of service (yrs)	3.13	+0.18	2.50	+0.09
% Female	72.62%	+0.92%	60.61%	+1.83%
% Male	26.28%	-0.38%	28.03%	-1.74%
% Other genders or no data	1.09%	-0.54%	11.36%	-0.09%
Mean age (yrs)	54.19	+0.44	57.48	-0.16
Median age (yrs)	56.33	+0.60	60.21	+0.39
% Lived experience (at least)	3.14%	-0.12%	3.03%	-0.02%

Trends over time to 30/08/24



Performance overview 30/08/24

Appointed PMs (2,104) against target (2,134)	
Available PMs (1,710) against target (1,791)	
Chairs (1,212) against target (1,409)	
Available Chairs (1,034) against target (1,183)	
PMs observed (838) against target (1,828) (to 26/08/24)	

Trends: Volunteer Numbers

**Demographics** have changed slightly. Average length of service has increased for PMs and PPAs. % of female PMs and PPAs has increased, and the % of male PMs and PPAs decreased slightly. PM and PPA median age has increased. % who state they have lived experience of the hearing system is about the same.

**Panel Member** numbers have decreased by 105 since Q1. Active PMs = -231. PMs will now decline until ~April 2025.

**Chair numbers** have decreased by 15 since Q1. Active Chairs = -82. **PPA numbers** have increased by 1 since Q1. Active PPAs = -1.

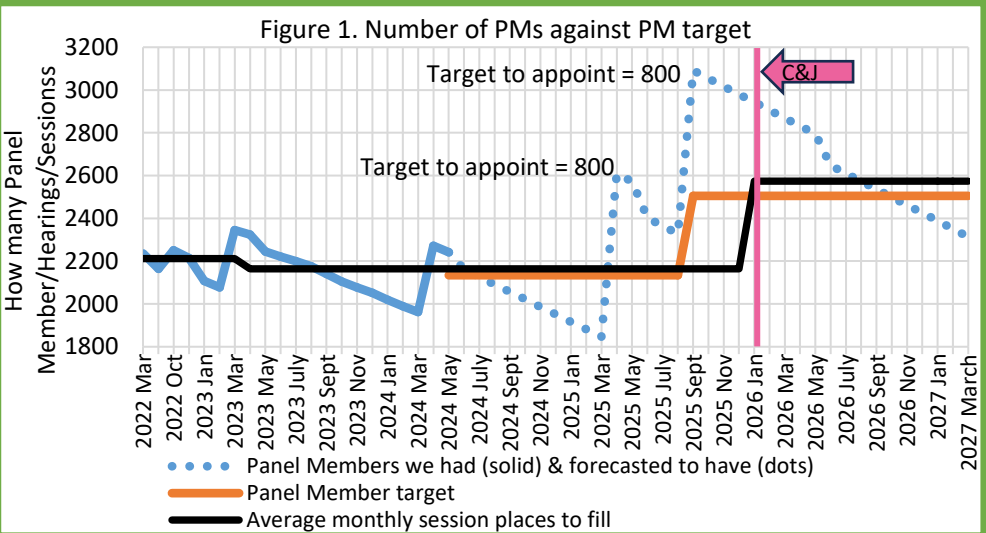
**Breaches to 29/08/24**  
0 breaches reported in 24/25.

Definition  
*Active = rota'd on in the last 3 months or in future.*

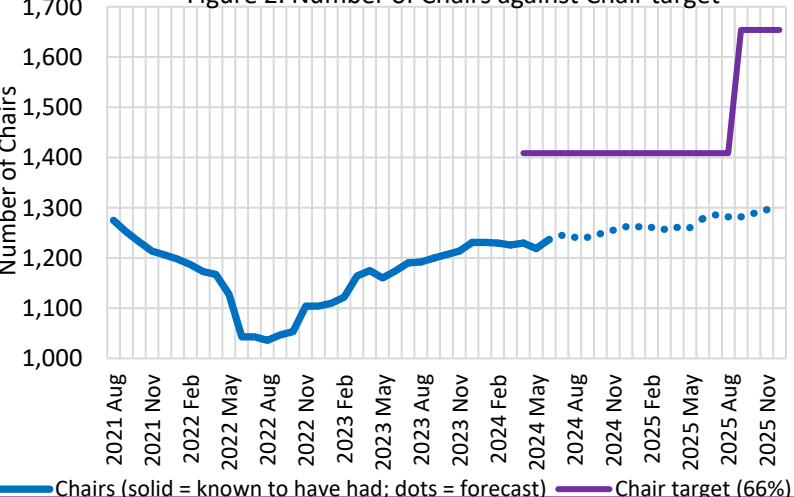
**Hearings & Sessions**  
Hearings and sessions have remained relatively stable with continued seasonal fluctuation.

Panel Member forecast

Targets and data last updated May 2024; PM target= 2,134 then 2,505  
 ● Forecast based on live operational data and is subject to change. ● Sessions as a result of Care & Justice Act modelled from Jan 2026. ● Impact of TSM not captured here but will be included when data is available. ● PM target expected to be lower following rota optimisation. ● Estimated ~1,600 PMs needed before March 2027. ● We continue to closely monitor capacity and risk; risk dependent on ends of service, inactive rate, number of sessions PMs do, rota optimisation, and change in number of sessions.



Chairs forecast



Targets and data last updated May 2024; Chair target= 1,409 then 1,654  
 ● Forecast based on live operational data and is subject to change. ● Sessions as a result of Care & Justice Act assumed from Jan 2026. ● Ability to reach target impacted by number of PMs who complete training, courses available, and time to complete training.



## Quality Strategy

Stepping up, stepping forward – Quality at our core

**Agenda Item 13**  
**Paper Number CHS-2425-20**

**Accountable Officer:** Director of Positive Outcomes  
**Report author:** Quality Manager  
**Recommendation:** To review and approve  
**Resources implications:** The Quality team and commitment across the directorates  
**Approval(s) sought:** Quality Strategy

Impact Assessment Duties	Required	Completed
Equalities Impact Assessment	Yes	No
Children’s Rights Impact Assessment	Yes	No
Data Protection Impact Assessment	Yes	No
Islands Impact Assessment	Yes	No

Impact assessments will be completed to support the implementation plan.

### 1. Purpose

For the Board to review and approve.

### 2. Background

This Quality Strategy has been developed by reviewing relevant strategic plans, particularly our Strategic Outlook and builds on early work with Ahead consultancy. In parallel, high level, structured exploratory dialogue on quality is taking place across the national team and with representatives from our volunteer communities.

The need for a quality strategy and the post of Quality Manager was identified and agreed during the TSM development work.

### 3. Purpose

The purpose of the Quality Strategy is to provide an overarching framework to help plan and deliver on our quality ambitions, setting out a collaborative and holistic approach to quality that will draw on our relationships as well as robust data and evidence. It will also help shape thinking to inform decision making on identifying key priorities for implementation, particularly our first two years.

### 4. Summary/Review

Our Strategic Outlook describes our ambition to have ‘Quality as the cornerstone of our hearings system’ and sets out how we will deliver this up to 2027.

The Strategy outlines our quality vision, purpose and approach, providing detail on what we will do over the next 3 years across three principal areas.

- Standards, consistency, and shared understanding
- Evidence and data
- Collaboration, culture, and communication

## **5. Benefits**

5.1 An agreed approach and set of principles will ensure that throughout planning, delivery and evaluation of any developments we can be structured and measured with our developments. This shared understanding across any work stream teams will help provide some cohesion and direction when workstreams are dealing with complexity and understandable, competing priorities.

5.2 This strategy closely aligns with our current strategic ambitions, supports a necessary narrow focus on our tribunals. It details our commitment to building mechanisms to gather our learning and evidence will ensure that projects and outcomes are clear before scaling up or scaling out. With the recent organisational restructure and the national redesign work, it is essential that we both contain and future proof (as best we can) our activities, creating direction and a sense of purpose without overwhelming.

## **6. Risks**

Risks will be fully considered in the Quality Strategy implementation plan and detailed in our Strategic and Operational Risk Registers. The monitoring of progress against our Quality Strategy will, be assured at the Audit and Risk Committee.

There are two broad risks to note for the Board.

Rightly, we are striving for excellence, and it is important to be ambitious in doing the best job we can for children and young people. However, there is risk is of raising expectations with our ambitions. To minimise this risk we will be clear, focused and transparent with achievable outcomes and key priorities in our implementation plan. Our scope, messaging and activities need to be sharp given the level of expectations as well as the volume and reach of our community.

Aligned with this, effective engagement and collaboration takes time and resource, meaning there can be tensions with views on the pace and extent of implementation. To minimise this risk we will have a clear engagement plan and promote clear messaging that we will move at pace at appropriate times but our focus is on getting things done the best we can, rather than as fast as we can.

## **7. Recommendations**

7.1 Review and approve the Quality Strategy 2024-2027.

7.2 Agree proposal that a detailed implementation update will be delivered to the Board/Audit and Risk Committee, first quarter of 2025.



children's  
hearings  
scotland



# Stepping Up, Stepping Forward - Quality at our core

## Quality Strategy 2024-2027



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## Foreword

# Introduction

## Quality in context

Everything we do is underpinned by our values. They reflect who we are, what we believe in and what we stand for. In delivering this Quality Strategy, our values guide us to be fair, respectful and transparent as we step up to challenges and ensure that as we step forward with our ambitions, we are driven with infants, children and young people at their core.



CHALLENGING



CREATIVE



CHILD CENTRED



RESPECTFUL



FAIR



OPEN

Across Children’s Hearing Scotland, our National Team and our Volunteer community hold quality as a shared purpose and ambition in making sure our hearings make child-centred decisions which respect and protect children’s rights and support them to thrive.

Nothing is more important than maintaining the high quality of our work to do the best job we can for infants, children, and young people.

## Aligning our strategic planning

This Quality Strategy comes at a time of change for Children’s Hearing Scotland. The **Children (Care and Justice) (Scotland) Act 2024**, **The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024** and the **Scottish Government’s consultation on Children’s hearings redesign** are all helping drive Scotland’s ambition to keep the promise made to children, families, and the care experienced community. For CHS, this broader context brings both responsibility and opportunity to continue work with partners across the system, playing our part in change, building on what we do well and improving on what needs to be better.

Our Strategic Outlook sets out our planning and ambitions to drive consistency in quality and standards across the regions of Scotland. It is a powerful roadmap, guiding us towards meeting our ambitions across three themes: **Delivering Positive Outcomes, Valuing Our People** and **Driving Transformation**.

This Quality Strategy directly aligns to the objective that “**Quality will be the cornerstone of our hearings system.**” This Strategy sits alongside our **Children’s Participation and Rights Strategy** and our **Learning Strategy**, adding another planning lens as we work together in Delivering Positive Outcomes for infants, children and young people.

# Stepping Up

## Why have a Quality Strategy

Quality is a recurring theme across our planning documents, National Standards, and operational guidance. It is an area that does not respect departmental boundaries, **instead it is a thread that runs through, connects, and cuts across a range of tribunal related work** including recruitment, training, practice standards, rota management and tribunal quality assurance observations. However, quality is a challenging concept, meaning different things to different people and plays out in different contexts. Quality can be hard to define and measure and this strategy is an essential step towards knitting our organisational quality threads together.

With 2,500 panel members across Scotland, we need to ensure that regardless of location, tribunals are consistent and reliable. We have to hold our people as active partners, delivering quality with a systems approach, clarity on our agreed operational standards with ways to test these with monitoring and feedback systems to ensure quality is sustained. It is vital that we have programmed audit and review procedures to fully appreciate the way decisions are made, understand how our infrastructure supports our tribunals and have in place mechanisms to share any learning to do the best that we can.



## Quality vision

Our vision is for our component parts to work together to ensure there is support, capacity and evidence for our panel members and tribunals to deliver the best possible hearings across Scotland. That, regardless of location, the quality of decisions and standards will be consistent and reliable.

Quality is everyone's responsibility, integral to our culture and day to day work. Our vision is for our National Team and our community of volunteers to have a shared understanding of our standards, champion 'doing things better', striving for continuous improvement and designing change, and with more positive outcomes in mind.

Our vision is for our National Team and our community of volunteers to have a shared understanding of our standards, champion 'doing things better', striving for continuous improvement and designing change with more positive outcomes in mind.

## Quality purpose

CHS purpose is to ensure our hearings make child-centred decisions which respect and protect children's rights and support them to thrive.

As the largest legal tribunal in Scotland, our hearings are the core of our organisation. The primary function for our panel members is to make complex and legally binding decisions. It is a demanding role and every tribunal with every child at its centre, brings great responsibility. Our national team work to ensure Panel Members are valued and supported. With quality, our purpose is to ensure our tribunals make the best possible decisions; decisions most likely to bring positive outcomes to children and young people.

## Limitations

Our planning needs to take account of the contextual limits with setting out a three-year strategy. First, with this being an initial plan with quality as a central focus, we have a great deal to learn as we move through thinking, planning and real-world practice. Second, there is lots to do so it is essential that we do fewer things and get these right rather than run the risk of becoming overwhelmed and ineffectual. Finally, there will be knowledge and impact from legislative change and Hearings for Children redesign work that will influence developments. We need clear direction during the first two years grounded in what we can achieve and what will have the greatest impact, using this early work as building blocks for later activities.

We will maintain a sharp focus on our remit within Scotland's care and justice system, our tribunals. Alongside this, we will continue working with partners across the Children's Hearing System, recognising that any developments can only be meaningful if we work together to deliver the best possible experience to children and families in need of support.

## Our Principles

Regardless of our role and place of work in CHS, the following five principles can be applied to how we understand and shape quality thinking and activities.

### People

Our tribunals are the space where infants, children, young people, and families experience our values and standards of practice. It is our people, who bring these alive through interactions and work to provide a contained, respectful and trauma responsive hearing. It is the Volunteer community and the national team who will ensure fair, consistent and real-world implementation of strategic planning.

Across CHS, we will collaborate and work together as a team, putting infants, children, and young people at the centre of everything we do to help shape quality developments. Working with CHS participation colleagues to ensure when we gather perspectives from children's experience of hearings, it is done in the best way possible.



### Leadership and culture

Quality is a transformational journey; we know that meaningful and lasting change takes time. With culture and leadership as drivers of success, CHS leaders at all levels will help shape an organisational environment that empowers and enables people to feel safe to discuss quality issues, address concerns and who are enthusiastic to promote good practice. Effective communication and processes will help ensure everyone feels included and engaged.

Our CHS Board and CHS senior leaders commitment to this strategy and their authorisation of three additional quality posts (if possible within the current financial restraints) demonstrates the continued commitment to our quality ambitions and to the time and resource required to deliver in a meaningful way.

## Planning and priorities

We take a holistic approach to quality - planning for quality, designing and delivering improvement projects and, implementing controls to monitor and provide proactive assurance. There is continuous planning, a rhythm to releasing improvements and clarity on processes for evaluation and feedback loops.

We have key organisational priorities to allow focus on achievable outcomes that recognise the complexity of hearings, with unique situations, many stakeholders, and legal processes. There is ample room for slight changes to have unforeseen side-effects. Our approach is therefore responsive and iterative, taking small steps, testing at small scale, and collecting evidence that demonstrates that we are moving in the right direction.



## Our standards

We will use our National Standards, Competence framework for panel members and Practice and procedure manual to benchmark best practice. We will build assessment and monitoring that is proportionate, supportive, and transparent. To do this, we need tools, frameworks and processes that clearly outline what quality looks like in our tribunals and for those across CHS who help make hearings happen.

Working closely with Participation, Policy and Standards, Complaints and Feedback and Learning colleagues across Positive Outcomes we will ensure that crosscutting themes are identified and collaborate across our community together shaping developments and ensuring effective evaluation of tribunals.



## Data and evidence

Our Strategic Outlook sets out our ambition to become a data-informed and data-driven organisation. The most valuable data we could know would be “how the decisions made today play out in the life of the child concerned.” But there is complexity in making links and capturing that evidence. The best available data for CHS will come from events in and around the hearing and we will build up our ability to capture, process and analyse that information.

Data and evidence are essential to monitor quality, identify good practice and identify areas for improvement. A solid evidence base with clear learning and appropriate feedback loops is the only way to inform any scaling out or scaling up of developments.





## Our Approach

This visual provides an overview of the core components of our approach, with infants, children, and young people in the centre. Stepping up on quality will only work if we do this as a team, moving forward nested in collaborative relationships. Our values and National Standards underpin all of our work and along with our people ensure our culture is one of continuous learning and improvement.



## Our Aims

Aim of the Quality Strategy	Link to Strategic Outcomes
Develop and deliver a systemic and holistic approach to quality and improvement	<b>Delivering Positive Outcomes</b> <b>Driving Transformation</b>
Ensure our tribunals are delivered in line with our standards and values with the best possible decision making	<b>Delivering Positive Outcomes</b>
Introduce a proactive approach to audit, review and assurance of our work, optimise the PPA network and activity	<b>Driving Transformation</b> <b>Valuing Our People</b>
Improve consistency and quality of our tribunals and the decision making in place, co creating tools where necessary	<b>Delivering Positive Outcomes</b>
Engage across the community, improve our systems of drawing on evidence to inform areas for improvement, monitoring that with clear feedback loops for continuous learning	<b>Valuing Our People</b> <b>Driving Transformation</b>
Identify and agree data sources to monitor our practice standards, using this to build our shared understanding and shape improvement activities	<b>Driving Transformation</b>
Bring pan-CHS quality data and relevant management information together with KPIs onto a useful dashboard	<b>Delivering Positive Outcomes</b> <b>Driving Transformation</b>
Collaborate with partners on quality improvement and data sharing	<b>Delivering Positive Outcomes</b> <b>Driving Transformation</b>

# Stepping Forward

We have drive and commitment, shared purpose, and aspiration across our community to deliver the highest possible quality of tribunals. Our Strategic Outlook describes our ambition to have 'Quality as the cornerstone of our hearings system' and sets out how we will deliver this up to 2027.

This quality strategy provides more detail on what we will do over the next three years across three principal areas.

**Shared understanding and consistency**

**Collaboration, culture, and communication**

**Quality assurance, evidence and data**



## Shared understanding and consistency

We will be able to clearly articulate what quality looks like in the work we do and put in place Quality Frameworks that help us to measure this and share the learning (Strategic Outlook 2024 – 2027)

We will

- Sustain and strengthen our focus on quality by identifying and driving forward key priorities for implementation, using our national infrastructure to promote consistency in our developments.
- Focus on the pre-conditions that lead to high quality hearings and positive outcomes. This will involve continuing to look across recruitment, rota management, training, well-being, and communication.
- Build on our current Competence framework for panel members and National Standards guidance to enhance clarity and consistency, clarifying “what good looks like” at every tribunal stage - pre, during and post hearing.
- Review how we monitor and measure our performance standards and practice indicators that inform skills, knowledge and behaviours. Developing new frameworks with our community to promote transparency, self-assessment and self-reflection.
- Engage and collaborate across our community to understand what aspects of the hearing we can influence and drive consistent best practice.
- Develop additional tools and frameworks to improve consistency

across hearings, targeting key aspects of the tribunal for improvement, using a systemic process and change theory to improve performance and quality.

## Collaboration, culture, and communication

Building on the work of our Panel Practice Advisors, we will ensure that our Panel Members get feedback on their performance, and on the impact of the decisions they make (Strategic Outlook 2024- 2027)

We will

- Work as a system to learn from others, engaging leaders at every level across our community to bolster our continuous learning and improvement culture and build structures to drive consistency.
- Engage with Panel Members and PPA’s to understand their perspective on quality issues, ensuring effective processes to capture ideas, and insights. Partnering also, with participation colleagues to gain the views and perspectives of infants, children, and young people.
- Formulate an implementation plan that engages all relevant parts of the community, promotes shared purpose, with clarity of role. Set out details on improvement activities for complex projects along with measures to monitor and maintain standards.
- Build our capacity for, and engagement with continuous improvement by creating opportunities for shared learning and clear communication across our community
- Use effective communications to support our credibility and

reputation through promoting what we do well, sharing ‘what good looks like’ and sharing successful tangible outcomes of our work.

- Celebrate our successes, sharing examples where a quality lens has been effective for panel members, PPA’s, tribunal delivery and importantly for our infants, children, and young people.

## Quality assurance, evidence, and data

We will embed Quality Assurance across the organisation and demonstrate how we are using this data and evidence for management information leading to improvement. (Strategic Outlook 2024 – 2027))

We will

- Identify and clarify current, base line data across our tribunals, that informs us on how we are making high quality decisions leading to positive outcomes. Our ability to measure quality in and around hearings in detail has limitations, we will continue to explore what additional data would better help us determine and drive improvements.
- Build on the work of our xxx Panel Practice Advisors, our invaluable resource presently delivering quality assurance on standards through panel practice observations. In partnership, we will explore challenges with capacity and impact, improve consistency and better link observations findings with other data and learning across CHS.

- Develop processes for routine programmes of proactive audit and review, focusing on thematic areas emerging from our evidence and exploring potential areas of evaluation across process, outcomes, and impact.
- Explore options for frameworks for areas to self-assess, measuring how well they are delivering and performing.
- Identify key management information, developing new quality measures and KPI’s, pulling this into a quality dashboard with key performance indicators to allow us to quickly assess the current state of quality and make informed decisions.

## Implementation

It is challenging to outline a three-year strategy whilst in a period of transformational change, much of which is not within CHS control. This, along with this first Quality strategy for CHS leads us to take a phased approach to implementation, using learning from the first two years of implementation to build on later stages of development.

We have an opportunity to focus on the areas where we have greatest influence and may have the greatest impact on the hearing experience and outcomes for infants, children and young people. At CHS we have a wealth skills, knowledge and commitment to harness across our organisation and community as we step forward together to deliver the highest quality tribunals that we can.

It will be important to identify key priorities, to target activity with the greatest impact and learning from that before any scaling up or out. Our implementation plan for years 1-2 will set out:



### PLANNED, PROACTIVE PROGRAMME

A new process for programmed audit and evaluation activity. Balancing proactive planned activity whilst maintaining responsive quality systems, measures and controls. This will include continued engagement with, and building on, the quality assurance activity of our Panel Practice Advisors.



### FRAMEWORKS AND TOOLS

When we will refine our frameworks outlining 'what good looks like', how we will take these developments forward, including how we will learn from the process and monitor any impact or change.



### ENGAGEMENT AND RELATIONSHIPS

How and when we will engage and connect, making sure our developments include views and perspectives from across our community



### DATA AND EVIDENCE

How current data and evidence can generate base line data and how new evidence or measures will help us track progress and collate learning on any identified performance standards, frameworks and improvement developments. This will include working closely with our data and evidence colleagues and aligning with existing work in this area.

## Impact

To measure our effectiveness and impact, this strategy will be subject to formal reviews on an annual basis. We will evaluate our progress across appropriate process, outputs, outcomes, and impact measures from our implementation plan. We will draw on relevant data, ensuring evidence and that views across our community informs understanding of our progress and continues to shape our developments.

## Governance

The monitoring of progress against our Quality Strategy will, be assured at the Audit and Risk Committee. Principle risks will be added to the operational or strategical risk register as required.





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## CH Volunteer Recognition Policy

### Agenda Item 14

Paper Number CHS-2425-21

<b>Accountable Director</b>	Director of Tribunal Delivery
<b>Report author(s)</b>	Recruitment & Retention Manager National Wellbeing Manager Tribunal Delivery Manager - Central
<b>Recommendation</b>	For Considerations and Approval
<b>Resources implications</b>	Within available resources

<b>Impact Assessment Duties</b>	<b>Required</b>	<b>Completed</b>
Equalities Impact Assessment	No	To be completed for individual events as required
Children's Rights Impact Assessment	No	
Data Protection Impact Assessment	No	
Islands Impact Assessment	No	To be completed for individual events as required

### 1. Introduction

This cover paper outlines the policy for recognition for CHS volunteers.

### 2. Context

Children's Hearings Scotland (CHS) is responsible for recruiting, training and supporting volunteer Panel Tribunal Members to sit on Children's Hearings, the statutory function set out in the Children's Hearings (Scotland) Act 2011. In line with CHS Values and National Standards, recognition is a key feature of CHS' volunteer retention approach, which aims to improve the experience of the volunteer Panel Community and keep highly-skilled, empathetic community members volunteering.

### 3. Comment

This policy will enable CHS to implement a consistent approach to local and national recognition to ensure that there is more fairness across localities in how volunteers experience being part of the Panel Community. The policy:

- Defines the ways in which CHS recognises the contributions CHS Panel Community volunteers make.
- Sets guidelines for CHS recognition delivered through activities at a local, regional, and Scotland-wide level.
- Sets out the guidance around use of resources, types of recognition, and promotion and communications about events within and beyond the community.
- Applies Best Value principles to all forms of recognition.

The policy has been reviewed by CHS Internal Auditors (BDO).

### 4. Board Action

The Board are requested to approve the CHS Volunteer Recognition Policy.



## CHS Volunteer Recognition Policy

### 1. Context

Children's Hearings Scotland (CHS) is responsible for recruiting, training and supporting volunteer Panel Tribunal Members to sit on children's hearings, the statutory function set out in the Children's Hearings (Scotland) Act 2011. This care and justice system is unique to Scotland and exists to protect the safety and wellbeing of infants, children and young people across all of Scotland.

Approx 21,000 hearings are held annually supporting 10,000 infants, children and young people and Children's Hearings Scotland is reliant on approx. 2,100 volunteers to deliver this vital statutory service. These Panel Member and Panel Practice Advisor volunteers (CHS Panel Community) undertake extensive training and continuous development as part of honing a consistent practice that enables effective management of hearings. In good practice of management of volunteers, this unique societal volunteer contribution must be valued and recognised to support attraction and retention of volunteers.

Recognition is a key feature of CHS' retention approach, which aims to improve the experience of the Panel Community and retain highly-skilled, empathetic community members volunteering.

The Volunteer Recognition policy is supported by CHS values and [National Standards](#), which sets the ambition to recognise the commitment the volunteer community makes to the Children's Panel. In all cases, [Best Value](#) principles will be applied to all forms of recognition.

### 2. Purpose

This policy aims to define the ways in which CHS recognises the contributions CHS Panel Community volunteers make. This policy sets guidelines for CHS recognition delivered through activities at a local, regional, and Scotland-wide level. This policy sets out the guidance around use of resources, types of recognition, and promotion and communications about events within and beyond the community.

### 3. Principles of Recognition

Volunteer recognition is an integral part of the mission and values of CHS, reflected as a strategic theme "Valuing Our People" in the [Strategic Outlook 2024-27](#). Recognition is the overarching term that encompasses engagement, activities, and events held locally, regionally, and nationally to demonstrate appreciation for the skills, time, commitment and valuable contributions of Panel Community volunteers.



Recognition and being valued is integral to CHS' volunteer support approach however suggested milestones which can act as more formal recognition points include:

- On **appointment**, to welcome new Panel Community members;
- At **Reappointment**, to acknowledge continued commitment as a volunteer;
- At a **significant milestone**, as part of length of service;
- When a volunteer goes **above and beyond** the role; and
- When they **retire** from their role.

This policy will enable CHS to implement a consistent approach to local and national recognition to ensure that there is more consistency across localities in how volunteers experience being part of the Panel Community. The below guidelines should be reviewed alongside the Devolved Funding Policy and implemented in agreement with Local Authority Clerks.

#### 4. Types of Recognition

Recognition can take multiple forms but should be as consistent as possible, informed by individual, local and regional preferences as understood by the Regional Area Support Team (AST). Types of recognition applicable to all CHS Panel Community volunteers are set out in this policy include:

Type of Recognition	Suggested Recognition Points
<b>Internal appreciation</b> <i>(i.e. Thank you letter, communication, email)</i>	<ul style="list-style-type: none"> <li>• At any point in the volunteer journey to thank the community for their contribution; may be triggered by a specific event or contribution</li> </ul>
<b>Goodwill gesture*</b> <i>(i.e. Gift voucher; certificate)</i>	<ul style="list-style-type: none"> <li>• Reappointment</li> <li>• Significant length of service or milestones</li> </ul>
<b>Recognition event</b> <i>(i.e. Event to formally celebrate contribution Children's Hearings System)</i>	<ul style="list-style-type: none"> <li>• Annually at local or regional level to formally recognise and celebrate Panel Community contributions across the area (see detailed guidance below and Annex A for business case template)</li> </ul>
<b>Local Authority volunteer recognition opportunities</b> <i>(i.e. Lord Provost community event)</i>	<ul style="list-style-type: none"> <li>• Significant contribution/length of service milestone</li> </ul>
<b>Nationally recognised volunteer recognition opportunity</b> <i>(i.e. Royal Garden Party; Honours nomination; volunteer awards)</i>	<ul style="list-style-type: none"> <li>• Annual intervals set by external organisations outwith CHS control (see nomination criteria in Annex B)</li> </ul>

\*See gift guidelines in Devolved Funding policy

Where the type of recognition includes procurement of goods or services, CHS procurement guidance must be followed.

## 5. Principles of Recognition Events

Recognition events can be held annually to acknowledge the contribution of CHS Panel Community volunteers. A recognition event provides a unique opportunity for the volunteer community to be formally celebrated on a collective basis and take pride in each other's unique contributions.

CHS Panel Community Volunteers are only able to give the significant time to undertake their vital role through the support given by their partners and/or families. It may therefore be appropriate for a significant other to accompany volunteers to these events.

All local or regional recognition events must include a business case (see Annex A for template), approved by the Director for Tribunal Delivery, which should set out the reasonable and appropriate approach for optimised engagement of the event set out in Section 7. This includes consideration against key areas around event planning, travel, and attendance.

National recognition events may also be appropriate when considering significant organisational milestones. These will be determined by the CHS Senior Leadership Team, approved by the Accountable Officer following business case submission.

## 6. Procurement and Budgeting

When considering a recognition event, an initial discussion with Local Authorities should be held to determine how they may be able to support event cost, venue and catering in line with the Memorandum of Understanding and financial agreements with the Local Authority.

Where this is not available or suitable, Tribunal Delivery Managers should refer to the Devolved Funding policy to support commissioning of event. All procurement should adhere to CHS Procurement guidance, in line with Scottish Government procurement policy. A business case as set out in Annex A must be submitted to and approved by the Director of Tribunal Delivery prior to any procurement/contract commitments being made.



## 7. Event Planning / Business Case

Decisions made around recognition events need to be volunteer-centric and justifiable, in line with procurement guidelines. Events should be planned with the following considerations detailed in the business case:

### 7.1. Location and Logistics

- Recognition events can be held at local or regional level dependent on which optimises [Best Value](#) when all factors have been considered including travel and accommodation requirements. This is particularly relevant for rural and islands community members, alongside ensuring principles of fairness and equity to support all eligible CHS Panel Community volunteers having the ability to attend.
- The event should be held at an appropriate venue within the region and should consider accessibility via vehicle and public transport.
- The start and end time of any event should enable reasonable same day return travel for the majority of attendees.

### 7.2. Travel

- Travel should be booked in line with CHS expenses policies and the public body biodiversity duty, which encourages the use of public transport and car sharing.
- Bookings should be mindful of potential disruptions and potential seasonal impact on public transport services particularly for rural communities.

### 7.3. Accommodation

- Overnight accommodation should only be considered where travel time or distances would disadvantage a volunteer community member or prevent them from attending.
- Due to the diverse geography of Scotland and availability of access/transport links, it is not possible to identify a mileage radius or exact travel distance beyond which accommodation should be considered. It is suggested that a principle of where travel to an event exceeds 90 minutes each way, where this is beyond the norm for regular volunteering travel, accommodation may be appropriate. This information must be provided in the business case (see Annex A).
- It is recognised that the rural nature of some regions may result in an increased requirement for accommodation. In such cases consideration should include linking recognition into local learning or development activity to maximise best value and volunteer time commitments.
- Equality, diversity and inclusion considerations needed to support volunteer wellbeing or safety may result in an identified accommodation need in exception to the above principles. In such cases, accommodation approvals must be sought from the Director of Tribunal Delivery.



- There may be inevitable unplanned absences for individuals who are unable to attend, resulting in bookings made that cannot be refunded. Where this is the case and funds are committed, it is appropriate for this place to be used by another attendee.

#### **7.4. Venue and Meal**

- Provision of food at recognition events is permitted, particularly as these may be in evenings where volunteers have travelled from work or other commitments and not had time to have dinner.
- Decision on the type of catering should be proportional to the timing and duration of the event and Best Value must be considered.
- Equality, diversity and inclusion requirements of attendees should be understood to ensure dietary requirements are met.
- The event space should be suitable for Panel Community and other members with diverse needs, with floor level, ramp access, room size, and lighting all considered.

##### **7.4.1 Consumption of Alcohol**

- In line with Scottish Government policies, providing alcohol at Government expense is allowed when official hospitality is at a restaurant or at a reception, where a modest amount can be provided. This could be provision of a welcome drink or a glass of wine with a meal for the volunteer community, depending on the event. Permission from the Director of Tribunal Delivery or National Convener must be sought.

#### **7.5. CHS Attendance**

- Essential CHS national team members delivering the event should be identified well in advance to optimise travel to the venue location.
- In line with CHS National Standards, it may be appropriate for CHS Board or wider team colleagues to attend to promote and celebrate volunteer contribution at an organisational level.
- Where possible location of colleagues/Board in relation to the event should be considered to enable Best Value for travel and accommodation considerations.
- Proposed colleagues/Board attendance should be identified in the Business Case for approval by the Director of Tribunal Delivery.

#### **7.6. Reasonable Adjustments**

- Considerations of CHS Community wellbeing, including travel distance and reasonable adjustments in line with Equality, Diversity, and Inclusion objectives should be reviewed.
- This may include additional travel costs, venue inspections, or overnight accommodation.

#### **7.7. Value for Money**

- Best Value principles must always be applied to all aspects of event planning.

## 8. Internal/External Promotion, Media, and Public Relations

In addition to demonstrating how CHS is committed to the strategic theme of valuing volunteers, recognition events can provide an opportunity to communicate the organisation's culture, brand, and upcoming opportunities. Promotion will differ based on the type of recognition being communicated and will only be delivered after consent is provided by the volunteer.

### 8.1 Internal Promotion

With the volunteer's permission, any recognition opportunity can be promoted internally (i.e. through local, regional or national articles in newsletters or other email communication within the community). Volunteer consent must always be sought.

### 8.2 External Promotion

In line with National Standards, opportunities of external local or national recognition, will also help to promote volunteer contributions, which support wider ambitions to increase capacity in recruiting new volunteers. This media could include coverage in newspapers or websites, on social media, or public newsletters. In addition to volunteer consent, photo permissions should be obtained with any personal information agreed prior to release.

External promotion, media, and public relations should be managed by communications colleagues to ensure this is focused on achievements of the volunteers, is mindful of public perception, and communications sufficiently demonstrates the alignment to organisational objectives. Guidance about external promotion can be directed to [communications@chs.gov.scot](mailto:communications@chs.gov.scot).

## 9. Waivers

There may be occasions where elements of the principles and guidance in this policy are required to be waived (i.e. to support or enable individual volunteers to attend events safely). In all cases these must be approved by the Director of Tribunal Delivery.

## 10. Continuous Improvement

For individuals to feel valued in being part of the CHS volunteer community, recognition must be conducted in ways that is purposeful for individuals being recognised and proportionate to what is being recognised. The views of the Panel Community are paramount to how CHS delivers values-based, impactful work. Feedback from volunteers on the implementation of this policy will be conducted to support positive changes and the organisation's commitment to continuous improvement in volunteer management practices.



## 11. Review

This is a new policy and therefore will be reviewed within six months of approval, alongside the Volunteer Recognition Guidance. Relevant changes should be made to align with related policies & Guidance:

- CHS Procurement Guidance (links to SG Procurement Policies)
- CHS Values
- CHS National Standards
- CHS Code of Conduct
- CHS Wellbeing and Retention Approach





## Annex A: Pro Forma Business Case for Recognition Event

This Pro Forma is to provide assurance on use of funds for recognition events. This should be submitted for authorisation of Director for Tribunal Delivery at least 2 months before event.

<b>Region</b>	Choose an item.
<b>Type of recognition event</b>	Choose an item.
<b>Summary rationale for choices</b>	<i>[Insert text]</i>
<b>Venue details</b>	<i>Name and address</i>
<b>Meal provided</b>	Choose an item.
<b>Time proposed</b>	
<b>Alcohol provision</b>	Yes No <i>[Delete as required]</i>
<b>Cancellation policy</b>	<i>[Insert text]</i>
<b>In line with Scottish Government Procurement guidelines?</b>	Yes No <i>[Delete as required]</i>
<b>Estimated cost</b>	£ <i>[insert]</i>
<b>Local authority support sought</b>	Yes No <i>[Delete as required]</i>
<b>In line with devolved funding arrangements</b>	Yes No <i>[Delete as required]</i>
<b>Have 3 Quick Quotes been provided</b>	Yes No <i>[Delete as required]</i>
<b>Volunteer details</b>	<i>[Insert who is invited to this event]</i>
<b>Attendance</b>	<b>Essential Regional AST members:</b> <i>[List names and roles]</i> <b>Other CHS national colleagues:</b> <i>[List names and roles]</i> <b>Proposed Board members:</b> <i>[List names and roles]</i>
<b>Overnight accommodation</b>	<i>[Detail who, if anyone, will require overnight accommodation and set rationale for why]</i>
<b>Islands impact assessment required</b>	Yes No <i>[Delete as required; If yes, submit alongside this business case]</i>
<b>Sustainability considerations</b>	<i>[Insert text]</i>
<b>Adjustments to support equality and diversity</b>	<i>[Insert text]</i>
<b>Exceptions to policy</b>	<i>[Insert text]</i>



<b>Pre-event communications plan to volunteer community</b>	<i>[Insert text summarising how and when the community will be invited to event]</i>
<b>External promotion of event</b>	<b>External communication methods</b> Yes No <i>[Delete as required and include detail routes of any planned external promotion]</i>

**Prepared by:** *[Insert name]*

**Date of submission:** *Dd/mm/yy*

**Approved by:** *[Insert Director name and role]*

**Date of approval:** *Dd/mm/yy*



## Annex B: National External Recognition Events

External recognition events are delivered at a national level to recognise the community in a way that promotes significant contribution to the Children's Hearings System. External recognition events are hosted by external organisations outwith CHS control, but in many cases for National external recognition events CHS will be able to propose volunteers to be invited.

National external recognition event examples and suggested criteria that CHS uses to suggest to the organisers who invite volunteers are:

### Garden Party at Palace of Holyrood House

This Royal event is deemed to be a way to recognise and reward public service. This event should represent the entire CHS community and should include a range of volunteers who differ in:

- Length of service
- Role within the Panel Community
- First term of appointment volunteers
- Significant contributors to the hearings system
- Any other relevant factor

Nominations should be submitted and approved by the Director of Tribunal Delivery. As outwith the remit of CHS, there will be no guarantee that these nominations will be accepted.

### Honours Nominations

The honours system recognises the achievements in public life and commitment to serving Britain.

CHS will recommend volunteers to the honours committee who:

- are actively involved in volunteering for the Children's Hearings System and
- have contributed in a distinctive way to improving the lives of those less able to help themselves; or
- shown innovation or creativity in delivering lasting results; or
- earned the respect of their peers or are a role model in their field; or
- achieved outstanding results requiring courage, vision, tenacity and hard work, often against substantial difficulties; or
- made a positive difference to their community and be sure to include any voluntary contributions they may have undertaken.

Nominations should be submitted and approved by the Director of Tribunal Delivery. As outwith the remit of CHS, there will be no guarantee that these nominations will be accepted.



## The Feedback Loop

**Agenda Item 15**  
**Paper Number CHS-2425-22**

**Accountable Officer:** NC/CEO  
**Report author:** Kirsty Nelson, Practice and Policy Advisor  
**Recommendation:** To approve for progression to the Scottish Ministers and all Panel Members

**Resources implications:** N/A

Impact Assessment Duties	Required	Completed
Equalities Impact Assessment	No	
Children's Rights Impact Assessment	No	
Data Protection Impact Assessment	No	
Islands Impact Assessment	No	

### 1. Purpose

The purpose of the Feedback Loop is to report to the Scottish Ministers and to all Panel Members:

- (i) the number of compulsory supervision orders in all implementation authorities across Scotland;
- (ii) changes in the circumstances that led to the making of the orders; and
- (iii) the ways in which the overall wellbeing of children who are subject to the orders has been affected by them.

### 2. Background

Section 181 of the Children's Hearings (Scotland) Act 2011 requires the National Convener to, as soon as is reasonably practicable after the end of each financial year, prepare and submit to the Scottish Ministers a report about implementation of compulsory supervision orders during the year in Scotland as a whole and in each local authority area. The Scottish Ministers must lay the report before the Scottish Parliament and the National Convener must give a copy of the report to each member of the Children's Panel.

### 3. Summary/Review

The Report shows that over the 2023/24 financial year, there have been six breaches of implementation duties. Whilst this is the highest number recorded, this is still low, considering the number of orders in place over Scotland.

The issue of data sharing remains unchanged since the last Feedback Loop report. It is difficult to ensure that Compulsory Supervision Orders are carried out, and that they are having a positive impact on children, when Children's Hearings Scotland do not hold, store or process any data relating to children.

**4. Benefits**

This fulfils a statutory duty under the Children’s Hearings (Scotland) Act 2011.

**5. Risks**

The risk to the organisational goals/realisation of this project/etc are:

There is a risk that:	Inadequate data sharing arrangement
Which may be mitigated by:	Working with partners in the sector to pursue a better data sharing arrangement
Tolerance for risk (High/Med/Low):	Low
Treatment(Tolerate/Treat/Transfer/Terminate):	Treat
Action:	Working with partners in the sector to pursue a better data sharing arrangement

There is a risk that:	Under-reporting of breaches of implementation duties
Which may be mitigated by:	Working with partners in the sector to try to obtain a clearer and more accurate picture of breaches of duties
Tolerance for risk (High/Med/Low):	Low
Treatment(Tolerate/Treat/Transfer/Terminate):	Treat
Action:	Working with partners in the sector to try to obtain a clearer and more accurate picture of breaches of duties

**6. Recommendations**

That the Report be reviewed and approved to be passed to the Scottish Ministers and all Panel Members.



## 'The Feedback Loop'

A Report by the National Convener on the implementation of  
Compulsory Supervision Orders (under section 181 of the  
Children's Hearings (Scotland) Act 2011) for 2023-24

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## Foreword

A year has passed since the last Feedback Loop Report was shared with Panel Members and laid in the Scottish Parliament. In that Report, I spoke of how significant a time it was in the Children's Hearing System, with many changes taking place and on the horizon. This year is no different: much progress has been made to maintain and improve the system for the children, young people and families which our Panel Members support. Of huge importance to Children's Hearings Scotland (CHS) is the passing of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, which will require public authorities to act compatibly with the Convention, and will provide a legal route to hold public authorities to account when children and young people believe their rights have not been upheld.

Towards the end of this reporting period, the Children (Care and Justice) (Scotland) Bill had entered Stage 3 of the parliamentary process. This legislation will have a significant impact on the Children's Hearings System, including allowing a whole new demographic of children (those aged 16 and 17 who have had no prior involvement with the hearings system) to be referred to a hearing, and helping to uphold the rights of all children in Scotland.

Significantly, in December 2023, the Government published their response to the Hearings System Working Group's Hearings for Children: Redesign Report. From the 138 recommendations made in the report, only seven recommendations were rejected in full by the Scottish Government. The remainder were either accepted, accepted with conditions or required further exploration. Since this time, and during this reporting period, much work has gone into giving effect to the recommendations where legislative change is not required. A full public consultation on the Children's Hearings Redesign will be launched which will help cement the legislative direction of travel for reforms within the hearing system.

This is of direct relevance to my powers outlined in the Feedback Loop Report, given that one recommendation of the Hearings for Children: Redesign Report is that we must improve the way that we collect, share and learn from data across the Children's Hearings System, and partners in the sector must work towards positive solutions when faced with issues. Over the coming year we will be working closely with colleagues in the Scottish Children's Reporter Administration (SCRA) and Local Authorities to agree ways that we can better share data in order to improve outcomes for children.

This recommendation aims to resolve a core issue which I have referred to in previous Feedback Loop Reports. Primarily, the issue is that it is a difficult task to achieve the aims of this report when the information to do so is not available to the National Convener or CHS as an organisation. As stated in the Scottish Government's Policy Memorandum to the Children's Hearings (Scotland) Bill, the Feedback Loop Report is conducted: "To help provide a more accurate picture on how local authorities are implementing decisions, and to improve panel member decision-making."

That being said, I am optimistic that this recommendation will be fruitful in its results. I hope that as an organisation, we are given the tools that could help improve the system for the children and families we support. I hope that we are able to ascertain which orders are



helpful and effective in supporting children and young people, and I hope we are able to use this information to help support others. I hope that we can evidence quality and consistency in decision-making, not only for the children and families we support, but also for our 2,200 Panel Members, who put an incredible amount of time, effort and compassion into making decisions in the best interests of children across the country.

Joint work has begun on realising these aims with SCRA and Local Authorities and I am optimistic that by working collaboratively we can agree ways in which we can better share information in order to improve outcomes for children. This optimism is reinforced by the response from Local Authorities where children's hearings have reported breaches of orders over the last year. In five of the six breaches detailed in this report, corrective action was taken which has resulted in tangible improvements to children's lives. Better sharing of data and reporting will enable me to exercise my powers more effectively and improve the lives of more children in the hearing system.

This report presents the current legislative context, gives an overview of the history of the development of the Feedback Loop report, and presents data about decisions made at children's hearings and notifications of breaches by implementation authorities. Finally it takes a forward look at the possible future developments.

I would like to thank SCRA for providing the necessary data required for the preparation of this report.

As the legislation requires, this report will be provided to all Panel Members following the laying of the report before Parliament.

- Elliot Jackson, National Convener and CEO, Children's Hearings Scotland

## Legislative Context

Section 181 of the Children’s Hearings (Scotland) Act 2011 (‘the 2011 Act’) places a duty on the National Convener to prepare a report “about implementation of compulsory supervision orders” in Scotland as a whole and in each local authority area annually, as soon as practicable after the end of the financial year.

A copy of the report must be given to each member of the children’s panel and Scottish Ministers must lay the report before the Scottish Parliament.

## Past Developments of the Feedback Loop Report

The first two Feedback Loop reports published, covering the years 2014-15 and 2015-16, presented a range of data about children’s hearings and the implementation of Compulsory Supervision Orders (CSOs).

The third Feedback Loop report, covering four years (2016-17, 2017-18, 2018-19 and 2019-20) presented a smaller amount of more specific data than the previous reports, focusing exclusively on decisions made in hearings and reported breaches of implementation of CSOs. The last Feedback Report covered the previous three years (2020-21, 2021-22 and 2022-23). Going forward, this report will be conducted using data only from the most recent year.

As noted in previous reports, neither the National Convener nor CHS collect or store information about children, either on an individual or aggregate basis on the implementation of CSOs. This information is held and controlled by Local Authorities, who are responsible for implementing CSOs. Data on decisions made in hearings is held by SCRA. This distance from the data makes collection for the purposes of publication challenging for CHS. In addition, information on the wellbeing of children is not collected in the same way across Scotland.

Over the last few years, work has been progressed to try and achieve a consistent approach that allows for ease of collection, reporting and use, but this has had limited success.

The first two Feedback Loop reports used reported data on a yearly basis from September to August, in line with the data available from Local Authorities. This report, like the most recent Feedback Loop reports, uses financial years as specified in the 2011 Act.

## Implementation of CSOs

If Panel Members are satisfied that compulsory measures of supervision are necessary for a child’s protection, guidance, treatment or control, a children’s hearing may make a CSO.

The CSO, by including measures setting out what specific arrangements should be made, and by specifying an ‘implementation authority’ (the Local Authority in whose area the child predominantly resides or with whose area the child has the closest connection), places a duty on a Local Authority to take action.

Under section 144 of the 2011 Act, the implementation authority has a general duty to give effect to a CSO and also a duty to comply with any specific requirements imposed on it by the measures attached to a CSO (for example, a child is required to reside in a particular place or to undergo a specific assessment, or attend a particular school). The section states:

- (1) The implementation authority must give effect to a compulsory supervision order;  
and
- (2) The implementation authority must in particular comply with any requirements imposed on it in relation to the child by the compulsory supervision order.

‘Implementation’ therefore concerns whether implementation authorities have carried out the actions required of them by measures in CSOs.

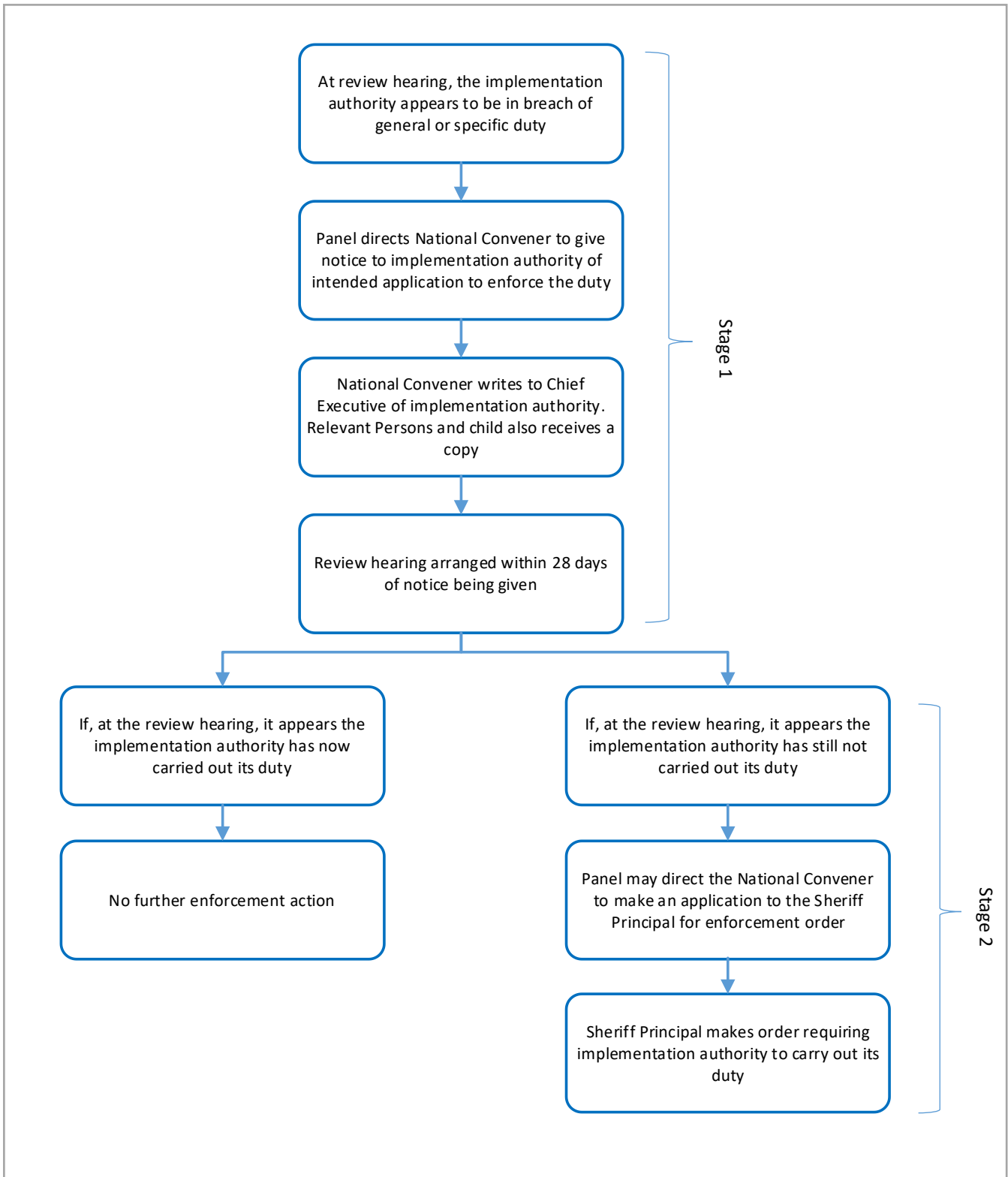
The Feedback Loop is intended to capture not only whether a CSO had been given effect by a Local Authority, but also what had been the impact of that on the lives of the children subject to them.

### Implementation Breaches

It may become clear, for example at a review hearing, that the supervision directed by the previous hearing has not happened. The implementation authority may have taken alternative action or taken no action at all. In these circumstances, a breach of the implementation duty may be considered to have taken place as the implementation authority has failed to carry out its duty, as directed within the CSO. Section 146 of the 2011 Act allows a hearing to direct the National Convener to take action to enforce the authority’s duty.

Any implementation breach is potentially serious. It may indicate that a child is not receiving the support that a children’s hearing has decided is necessary in their best interests. It is important to remedy that breach in order to improve outcomes for children.

A summary of the section 146 process for reporting and enforcement is given overleaf.



## Implementation Data

This report focuses on the implementation of decisions made in hearings by bringing together and providing information on three areas:

- (1) A count of hearings in which particular decision types were made in a given year (1<sup>st</sup> April to 31<sup>st</sup> March) that place an implementation duty – through a CSO - on an implementation authority. The relevant hearings decisions are:

Decision Type	Description / Definition
CSO Continued	The hearing was satisfied that an existing CSO was still required and that no variation to any of the measures was needed.
CSO Continued & Varied	The hearing was satisfied that a CSO is still required but a change to the measures was needed.
CSO Interim Continuation	The hearing was satisfied that an existing CSO should remain in place short-term, until another decision can be made.
CSO Made	The hearing was satisfied that a CSO was necessary for the child's protection, treatment, guidance or control.
CSO Varied	The hearing was satisfied that an existing CSO was still required but the 'relevant period' remained unaltered.

- (2) The number and types of breaches of implementation duty (s.146) that were reported to the National Convener.
- (3) The enforcement actions taken by the National Convener, and their result.

This data is presented over the following pages, separated by Local Authority.

Notes on the data are given at the end of this report.

## Report for 2023/24

### (1) Implementable Decisions made at hearings:

	CSO Continued	CSO Continued & Varied	CSO Interim Continuation	CSO Made	CSO Varied
Aberdeen City	99	129	64	63	12
Aberdeenshire	72	111	26	51	8
Angus	41	108	24	41	11
Argyll & Bute	34	42	28	22	0
Clackmannanshire	57	83	24	35	16
Dumfries & Galloway	97	276	18	102	>5
Dundee	75	152	20	77	25
East Ayrshire	89	130	77	59	>5
East Dunbartonshire	34	44	13	18	0
East Lothian	41	58	24	34	7
East Renfrewshire	48	33	10	20	0
Edinburgh, City of	208	304	49	102	17
Eilean Siar	17	21	6	11	0
Falkirk	125	118	73	56	28
Fife	124	289	74	143	29
Glasgow	435	593	265	178	20
Highland	78	230	24	98	11
Inverclyde	69	125	22	49	>5
Midlothian	27	46	34	34	6
Moray	20	61	19	31	>5
North Ayrshire	130	156	73	86	>5
North Lanarkshire	252	224	92	153	5
Orkney	>5	16	>5	>5	>5
Perth & Kinross	44	75	28	52	9
Renfrewshire	177	237	58	92	>5
Scottish Borders	32	54	7	25	>5
Shetland	>5	15	0	>5	0
South Ayrshire	51	75	17	44	0
South Lanarkshire	159	228	109	121	>5
Stirling	43	45	37	33	17
West Dunbartonshire	127	150	36	67	>5
West Lothian	65	60	118	34	13

## (2) Implementation Breaches

For the decisions made during the year from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024, there were 6 reports of breaches of implementation duties made to the National Convener, relating to 12 children. Two reports of breaches of implementation duties which were made in this year related to the same children and the same breach of duty (breaches 2 and 6 below), with corrective action being taken after the latter reporting.

The breaches reported in the year 2023/24 are listed below. The Local Authorities in question are not named in order to prevent children from being identified.

**Breach 1:** The Local Authority did not provide safe, adequate and clean housing for the child as soon as practicable.

**Breach 2:** The Local Authority did not urgently escalate all possible routes to re-house the children and their family. In the case of one child, the Local Authority did not provide an assessment for autism for the child by making an urgent referral to the relevant services.

**Breach 3:** The Local Authority did not prepare child for and arrange respite for the child, including potential overnight respite.

**Breach 4:** The Local Authority did not provide appropriate housing which was suitable to child's needs.

**Breach 5:** The Local Authority did not arrange and facilitate a full forensic mental health assessment for the child.

**Breach 6:** The Local Authority did not re-house the family within a reasonable timescale.

## (3) Action Taken

**Breach 1:** The National Convener wrote to the Local Authority and corrective action was taken. No application to the Sheriff Principal for enforcement was necessary.

**Breach 2:** The National Convener wrote to the Local Authority and progress appeared to be made in relation to the duty. No application to the Sheriff Principal for enforcement was necessary at that time.

**Breach 3:** The National Convener wrote to the Local Authority and corrective action was taken. No application to the Sheriff Principal for enforcement was necessary.

**Breach 4:** The National Convener wrote to the Local Authority and corrective action was taken. No application to the Sheriff Principal for enforcement was necessary.

**Breach 5:** The National Convener wrote to the Local Authority and corrective action was taken. No application to the Sheriff Principal for enforcement was necessary.

**Breach 6:** The National Convener wrote to the Local Authority and corrective action was taken. No application to the Sheriff Principal for enforcement was necessary.



## Comment and Future Developments

The duty of the National Convener to take action in the face of non-implementation of orders is a valuable mechanism in making sure that the rights of children to receive protection and assistance are upheld. In all instances of breaches, intervention by the National Convener was only required at the end of 'Stage 1'. No breaches were advanced to 'Stage 2'.

During this one-year reporting period, six implementation breaches were reported to the National Convener for action. These came from within three Local Authorities. Whilst this is the highest level of breaches reported since the beginning of the Feedback Loop Report, this is still a low total number relative to the overall number of orders requiring implementation by authorities over this period. As stated in previous Feedback Loop reports, whilst it is heartening to see that low numbers of breaches are reported, it raises the question of whether this is a true reflection of all breaches of implementation duties that occur across Scotland or whether they represent, for example, only the most serious or repeated breaches.

As can be seen from the preceding section of this report, effective action was taken by Local Authorities to improve the lives of children and young people in five out of six instances of reports of breaches of implementation duties. Furthermore, corrective action was eventually taken in response to the sixth report of a breach of duty. It therefore remains our view that the statutory reporting of breaches is an essential part of the National Convener's legislative 'toolkit' to protect the rights of children. Whilst its potential has yet to be fully realised, the National Convener is committed to addressing this.

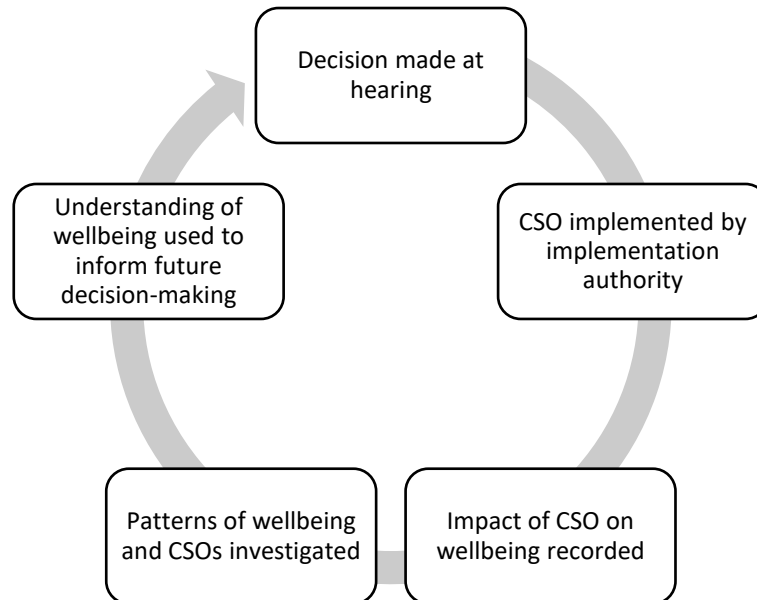
'The Promise' 2020 report from the Independent Care Review highlights the importance of ensuring orders are carried out: "...if implementing authorities fail to comply with orders and conditions of the Hearing, then they must be held to account to ensure children and families get the help and support that the Panel wants them to receive". The importance of this is reiterated by the Hearings System Working Group's Hearings for Children: Redesign Report.

That latter report highlights that a breach of implementation may, on occasion, only be brought to the hearing's attention after the lifespan of the order. In order to address this, CHS welcomes more robust oversight of the orders made by hearings and their implementation.

CHS will continue to monitor the number and types of breaches that are reported in order to identify any patterns and will also investigate whether breaches are being reported via this mechanism. CHS are continuing to raise awareness of the availability of the option to take action in response to a breach of an implementation duty amongst the panel community and welcome full accurate reporting of instances whereby a local authority fails to carry out their required duties.

Understanding and reporting on the processes around implementation breaches only gives us part of the picture. Both the National Convener and CHS remain committed to achieving a more meaningful data set for Scotland's care system – one that allows us to understand how effectively our systems work by capturing not just the elements of process, but the outcomes

and impact on the wellbeing of children. We hope to use wellbeing data to inform decision-making and therefore close the 'Feedback Loop':



This reflects the vision articulated in 'The Promise' report, which notes that "Scotland collects data on the 'care system' and its inputs, processes and outputs rather than what matters to the experiences and outcomes of the people who live in and around it...Scotland must improve the quality and completeness of its data and consider the potential of data linkage to improve accountability for outcomes rather than inputs alone".

There is clear alignment between what the Feedback Loop is trying to achieve, and the ambitions of both The Promise and the Hearings System Working Group. It is clear that further work is required to gather a more meaningful data set – we must ascertain if orders are being carried out, but we must also gain an understanding of whether these orders are leading to better outcomes for children in Scotland.

This work will inevitably take time and investment. However, the National Convener is committed to seeking these improvements so that the Feedback Loop and the data that informs it provide the right information to help improve outcomes for children.

### Notes on the Data

The tables feature a count of hearings that made a particular decision during the year. It includes only those decisions that require implementation by an implementation authority.

The years given refer to financial years (1 April to 31 March).