

CHS Public Board Meeting September 26th 2023

Tue 26 September 2023, 10:00 - 12:30

Thistle House


Agenda

10:00 - 10:00 **1. Declarations of Interest**

0 min

Verbal Katharina Kasper

To consider any declarations of interests with regard to agenda items

 1. September 23 Board Agenda v1.pdf (2 pages)

10:00 - 10:00 **2. Minutes of Previous Meeting**

0 min

Paper Katharina Kasper

To approve the minutes of the previous meeting on 20h June 2023

 2. CHS-2324-14 Board minute June 2023 Draft v1.pdf (9 pages)

10:00 - 10:00 **3. Action Log**

0 min

Paper Katharina Kasper

To monitor progress against actions due and agree action where required

 03 CHS-2324-15 Board Action Log Sept 2023.pdf (1 pages)

10:00 - 10:00 **4. Matters Arising**

0 min

Verbal Katharina Kasper

Seek assurance that actions from the previous meeting have been progressed

10:00 - 10:00 **5. Chair Update**

0 min

Verbal Katharina Kasper

For information and discussion

10:00 - 10:00 **6. National Convener/CEO Update**

0 min

Paper Elliot Jackson


For consideration and discussion

 6. CHS-2324-16 NC update Sept 23.pdf (8 pages)

10:00 - 10:00 **7. Annual Report and Accounts 2022/23**

0 min

Paper Sean Austin

 7a CHS-2324-17 Draft 202223 Annual Accs covering report.pdf (2 pages)

7.1. ISA 580 Letter of Representation

paper Sean Austin

to note

 7b CHS-2324-18 ISA 580 Covering Letter - CHS.pdf (9 pages)

7.2. Annual Accounts

paper Sean Austin

To approve

 7c CHS-2324-19 Annual Accounts 2022-23 v2.3.pdf (66 pages)

10:00 - 10:00 8. Impact Report

0 min

Paper Rachel Kavish Wheatley

For consideration and approval

 8a CHS-2324-20a Board Cover Paper - Impact Report 2022-23.pdf (1 pages)

 8b CHS-2324-20b DRAFT Impact Report 2022-23 v7.pdf (28 pages)

10:00 - 10:00 9. 2022/23 Financial Forecast Outturn

0 min

Paper Ross Mackenzie

For consideration and approval

 9 CHS-2324-21 Finance Report August 2023 SMT-board final.pdf (3 pages)

10:00 - 10:00 10. Strategic Review of Participation

0 min

Paper Stephen Bermingham


For consideration and approval

 10 CHS-2324-22 Participation Board Report.pdf (10 pages)

10:00 - 10:00 11. Q2 Performance Report

0 min

Paper Rachel Kavish Wheatley

 11a CHS-2324-23 Q2 Performance & suplimentary plan 2324 Board Cover Paper.pdf (4 pages)

11.1. Q2 Data summary

paper Rachel Kavish Wheatley

to note

 11b CHS-2324-24 Board Data Summary.pdf (1 pages)

11.2. Q2 Performance report

paper Rachel Kavish Wheatley

For consideration and approval

 11c CHS-2324-25 Quarter 2 Performance Report 2023-24_Draft.pdf (9 pages)

11.3. Supplementary Plan

paper *Rachel Kavish Wheatley*

For consideration and approval

 11d CHS-2324-26 Draft 6 month in year review Business Plan 2023-24 V1.pdf (17 pages)

10:00 - 10:00 **12. UNCRC report**

0 min

Paper *Carol Wassell*

For consideration and approval

 12a CHS-2324-27a Board Report UNCRC Cover note.pdf (2 pages)

 12b CHS-2324-27b UNCRC Report v6.0.pdf (69 pages)

10:00 - 10:00 **13. Feedback Loop**

0 min

Paper *Carol Wassell*

For consideration and publication approval

 13a CHS-2324-28a Feedback Loop Board Report Paper.pdf (2 pages)

 13b-CHS-2324-28b The Feedback Loop (Final) (PDF).pdf (16 pages)

10:00 - 10:00 **14. Annual Review of Appeals**

0 min

Paper *Carol Wassell*

For consideration and discussion

 14 CHS-2324-29 Board Appeals Report 22-23.pdf (6 pages)

10:00 - 10:00 **15. ARMC Chair Update**

0 min

Verbal *Sean Austin*

To note

15.1. Annual Audit Plan

paper *Sean Austin*

For consideration and approval

 15 CHS-2324-30 CHS Internal Audit Plan 2023-2024 150823.pdf (18 pages)

10:00 - 10:00 **16. PaCC Chair Update**

0 min

Paper *Jo Derrick*

For consideration and approval

16.1. PaCC annual report

paper *Jo Derrick*


For consideration and approval

 16a CHS-2324-31 PaCC Annual Report 2023.pdf (3 pages)

16.2. PaCC ToR

paper *Jo Derrick*

For consideration and approval


 16b CHS-2324-32 PaCC ToR 2023.pdf (5 pages)

10:00 - 10:00 17. Board Workplan and Governance Schedule

0 min

paper *Rachel Kavish Wheatley*

For consideration and approval

 17 CHS-2324-33 Board Work Plan 2024 draft.pdf (4 pages)

 17 CHS-2324-33a Governance Calendar 2024 Draft.pdf (1 pages)

10:00 - 10:00 18. AOB

0 min

AGENDA

CHS BOARD MEETING

September 26th 2023

The Board will meet 10:00 – 12:00

Item	Topic	Lead Person	Paper Number	Purpose
1	Declarations of interests	Chair	Verbal	To consider any declarations of interests with regard to agenda items
2	Minutes of previous meeting	Chair	CHS-2324-14	To approve the minutes of the previous meeting on 28 th June, 2022
3	Matters arising	Chair	Verbal	Seek assurance that actions from the previous meeting have been progressed
4	Action log	Chair	CHS-2324-15	To monitor progress against actions due and agree action where required
5	Chair update	Chair	Verbal	For information and discussion
6	National Convener/ CEO update	EJ	CHS-2324-16	For consideration and discussion
7	Annual Report and Accounts 2022/23 <ul style="list-style-type: none"> Cover note ISA 580 Letter of Representation Annual Accounts 	SA	CHS-2324-17 CHS-2324-18 CHS-2324-19	For consideration and approval
8	22/23 Impact Report	RKW	CHS-2324-20	For consideration and approval
9	2023/24 Financial Forecast Outturn	RM	CHS-2324-21	For consideration and approval
10	Strategic Review of Participation	SB	CHS-2324-22	For consideration and approval
11	Q2 Performance Report & Mid-year Supplementary Business Plan <ul style="list-style-type: none"> Cover note Q2 Data summary Q2 Performance report Supplementary Plan 	RKW	CHS-2324-23 CHS-2324-24 CHS-2324-25 CHS-2324-26	For consideration and approval
12	UNCRC Report 2020-2023	CW	CHS-2324-27	For consideration and approval

13	Feedback Loop	CW	CHS-2324-28	For consideration and approval
14	Annual Review of Appeals	CW	CHS-2324-29	For consideration and discussion
15	ARMC Chair update <ul style="list-style-type: none"> Annual Audit plan 	SA	CHS-2324-30	For consideration and approval
16	PaCC Chair update: <ul style="list-style-type: none"> PaCC Annual Report & ToR 	JD	CHS-2324-31 CHS-2324-32	For consideration and discussion For consideration and approval
17	Draft Board Workplan and Governance Calendar	RKW	CHS-2324-33	For consideration and approval
18	AOB			

Next meeting: November 28th 2023

Next Board meeting key topics:

1. Financial Forecast Outturn
2. 5 Year Financial Plan Update
3. Board Standing Orders
4. Rights and Inclusion Strategy Annual Report
5. Biodiversity Report 21-23

Minutes of the Board Meeting of 20th June, 2023

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)	RAC Chair/Board Member (virtual attendance)
Barbara Neil (BN)	Board Member (virtual attendance)
Sean Austin (SA)	ARMC Chair/Board Member (virtual attendance)

Also present:

Nick Rougvie (NR)	Children’s Hearings Sponsor Team Lead, SG (virtual attendance)
Elliot Jackson (EJ)	National Convener/Chief Executive (NC/CEO), CHS
Lynne Harrison	Head of Strategy/development & DCEO, CHS
Carol Wassell (CW)	Head of Area Support & Community Improvement, CHS
Ross Mackenzie (RM)	Finance Manager
Rachel Kavish Wheatley (RKW)	Business Operations and Governance Lead, Agenda item 9 (minute taker), CHS

Apologies:

Beth-Anne Logan	Board Member
Katie Docherty	Board Member
Stephen Bermingham (SB)	Head of Practice and Policy, CHS

Items	Actions / owner	Time-scales
1 Declaration of interests		
The Chair welcomed everyone to the meeting and confirmed apologies as above. There were no declarations of interest to note.		
2 Minutes of previous meeting		
The Board approved the minutes of its meeting on 28 th of March 2023		
3 Matters arising		
LH updated the Board that the Minister has approved the updated Volunteer Expense Policy and this is now being implemented.		
4 Action log		
The Chair noted the following in relation to the action log: <ul style="list-style-type: none"> The Chair noted the action around meeting the new CEO of COSLA should be progressed after the summer. The Board noted the use of ‘ongoing’ was to be avoided and we should be putting a deadline against actions. 		

	<p>Board decision:</p> <ol style="list-style-type: none"> To note the updates to the action log and close those which are complete after this meeting. To review the action log and put dates against those actions which are currently sitting as 'ongoing'. 	<p>RKW RKW</p>	<p>June 23 June 23</p>
<p>5</p>	<p>Chair update</p>		
	<p>The Chair updated the Board on the following;</p> <ul style="list-style-type: none"> The Chair passed thanks to all the Officers, Volunteers and National Team members who have worked so hard imputing into the Hearings for Children redesign report, as well as the communications and delivery of the report. The collaborative and technically competent work has been noted not only by the Chair, but by other partners involved. The Chair passed thanks to officers on the progress made against the implementation of the Tribunal Support Model. The Chair noted the number of touch points the Board has had over recent months for development sessions, as well as joint Boards with SCRA and OHOV. Thanks were given to officers for organising these sessions and to Board members for attending. The Chair updated the Board on a number of meetings with Scottish Government they attended which provided opportunities to highlight our ambitions and commitment to change. <p>Board Decision:</p> <ol style="list-style-type: none"> To Note the update from the Chair. 		
<p>6</p>	<p>National Convener/Chief Executive update</p>		
	<p>The NC/CEO spoke to the paper shared;</p> <ul style="list-style-type: none"> EJ commented on the release of the Hearings for Children redesign report, noting it was well received within our community and expressed thanks to the Sponsor Team for their support around the release and communications. Based on feedback and recommendation from the Board, we will be taking forward plans to engage with the community on the report via a series of town halls in the autumn. <p><u>The Care and Justice Bill</u></p> <ul style="list-style-type: none"> The Bill is currently in stage 2 consultation with the Committee. The Committee has come back with a number of questions for both Scottish Government (SG) as well as ourselves to answer. Questions to us are around the recruitment of Panel Members, and what we may require to meet the demands of the Bills implementation for consideration. <p><u>Tribunal Support Model</u></p> <ul style="list-style-type: none"> LH & CW have taken on their new positions within the new organisational structure. LH is now the Director of Tribunal Delivery and CW the Director of Positive Outcomes. Both will be coexisting with some aspects of their current 		

<p>remit while we recruit the Director of Business and Finance and the Director of People and Culture.</p> <ul style="list-style-type: none"> • Significant work is ongoing with the National Team and Executives to take stock and prepare. <p><u>Meetings</u></p> <ul style="list-style-type: none"> • KK and EJ met Andrew Watson, our new Director of Children and Families. • KK and EJ will met with our new Minister Nathalie Don later today. <p>Board Discussion:</p> <ul style="list-style-type: none"> • The Board thanked the NC/CEO for his update. <p>Board Decision:</p> <ol style="list-style-type: none"> 1. The Board noted the update. 		
<p>7</p>	<p>Hearing System Working Group Report publication update</p>	
<p>CW updated the Board;</p> <ul style="list-style-type: none"> • The Hearings for Children redesign report has landed well within our community. Generally, our volunteers have understood the recommendations and the reasons for them, particularly as they are based on the views and needs of young people. • SG are reviewing the recommendations however we are in discussions with the Sponsor Team and SCRA, along with other duty bearers, on what we can implement now that does not require legislative change. • We are committed to being pro-active with our recommendations on what we can implement based on current capacity, and understanding the need for Government to review and consult on the recommendations. • The Government have advised they will respond to the report by the end of the year, with consultation likely in early 2024. <p>Board discussion:</p> <ul style="list-style-type: none"> • The Board asked now that the report has been released, who will be the driving force behind the implementation, as Sheriff Mackie was for the report and its content. There is a proposal that there will be a Project Delivery Board with membership from key stakeholders and duty bearers. This is still under discussion but the programme plan is being devised. It is in the Ministers gift to decide which recommendations will be put forward, and at that point it becomes a government programme. Sheriff Mackie has confirmed that he has been asked to continue a connection with the Promise around language, and a commitment to those with lived experience who lent their voices to this work. • The Board noted the contribution made by CW, officers, and the communications team at CHS that has helped the report be understood and accepted well by our community. • EJ noted there will be a Board report in September on the work between CHS and SCRA that can be taken forward ahead of any recommendations which require legislation. 		

	<ul style="list-style-type: none"> The Chair asked if there was an opportunity to have an update on the work which can be taken forward ahead of September. EJ confirmed that before September may not provide a thorough briefing. NR offered to have Emma Wilson attend a Board briefing session to update the Board on the activity within government around the programme plans. <p>Board decision:</p> <ol style="list-style-type: none"> The Board noted the update. To bring a report on the implementation work on recommendations that can be implemented ahead of Government response in September. To bring an update to a development session in August on the progress made around the HSWG report recommendations, and to extend an invitation to Emma Wilson to join. 	<p>CW/EJ</p> <p>CW/EJ</p>	<p>Sept 23</p> <p>Aug 23</p>
8	2022/23 Forecast Outturn		
	<p>LH spoke to the paper shared;</p> <ul style="list-style-type: none"> Final report for 22/23, ahead of submission to our annual accounts for 22/23. The Board approved budget last March of 5.4M with planned spend of 5.7M working capital. Reflected in the report is this use of reserves to balance the in year pressures of the budget, meeting our external audit recommendation to reduce our reserves. Officers made good use of the planned use of reserves to bring forward capital spend in 22/23 from 23/24 to support work around our Tribunal Support Model and other reforms. Audit Scotland are currently conducting their audit work ahead of closing the audit for approval at our next Board meeting in September. <p>Board Discussion:</p> <ul style="list-style-type: none"> The Board were pleased to see the spend of reserves, as we were required to by the auditors, and commended the team for completing this recommendation. The Chair of the Audit and Risk Committee noted the Committees thanks to the Executive team for the careful management of the budgets in year. <p>Board Decision:</p> <ol style="list-style-type: none"> The Board approved the outturn report. 		
9	Q1 Performance Report		
	<p>RKW updated the Board;</p> <ul style="list-style-type: none"> The Q1 Performance report is shared with the Board for oversight and assurance. A number of milestones have been achieved in the quarter including: Delivery of bespoke UNCRC training to all staff, Roll out Trauma training modules and resources through CHS Learning Academy, and access to digital data dashboard for AST members and the national team. 		

<ul style="list-style-type: none"> • Three milestones have been retimed, and the Board are asked to approve the new timelines. <ul style="list-style-type: none"> ○ 7.1 & 15.3 both require retiming due to interdependence on understanding which of the recommendations from the Hearing System Working Group Report the Scottish Government will be taking forward. ○ 16.1 has been retimed while AST’s continue to complete their area plans. • The Board are asked to note the content of the data summary attached to the performance report. All targets and forecasts have been updates. 		
<p>Board Discussion:</p> <ul style="list-style-type: none"> • The Board asked if it was the mean or median figure being used throughout the data summary and recommended median may be more accurate and useful in some areas, particularly around length of service. • The Board noted the capacity figures within the data summary and asked if a simple ratio of Panel Members to hearing numbers could be used. • The Board noted the forecasted increase in Chairs and questioned the degree of confidence around this. The forecasting in based on when Panel Members will be eligible to attend Chair training. • The Board noted the length of service of AST members, and that it was half of the average length of service of PM’s, further solidifying the need for sustainability which will the Tribunal Support Model will bring. • The Board noted the work around trauma and the resources that may be needed to fully embed into the culture and framework of the organisation, particularly around being able to demonstrate the work we are doing. • While the Board understand the need for milestones to be retimed there was a recommendation for the SLT to carry out scenario planning. There is a need to think about the options government might accept and understand what timelines and needs may be dependent on which recommendations SG take forward. EJ agreed this was required and an update would be provided to the Board in September, if possible based on other priorities. 		
<p>Board Decision:</p> <ol style="list-style-type: none"> 1. The Board noted the Q1 Performance Report. 2. The Board approved the re-timing of three milestones. 3. To bring to the Board in September, if possible, thinking around scenario planning around possible outcomes from the governments response to the recommendations. 4. To apply the median to data sets within the data summary where it will provide a more accurate figure. 	<p>EJ RKW</p>	<p>Sept 23 Nov 23</p>
<p>10 Rights and Inclusion Strategy update</p>		
<p>CW spoke to the report shared;</p> <ul style="list-style-type: none"> • The CHS Rights and Inclusion Strategy was launched in 2020 and covered a three year cycle, and is now due for update. The strategy in its current form 		

<p>the new directorate this work sits under, we plan to re-write the strategy for 2024/25.</p> <ul style="list-style-type: none"> • CHS Children’s Rights and Inclusion Coordinator convened a one-off ‘Review and Refresh’ session with the CHS Participation Group after the release of the HSWG report. The Participation group identified key points in the strategy that could be amended for a refreshed strategy this year, and points they would like to see addressed in a re-written strategy. • Some of the areas the group recommended were addressed this year were: <ul style="list-style-type: none"> ○ Adding child-friendly feedback and complaints into appropriate areas; ○ Highlighting the approach of including child’s views about who children participate in hearings, etc.; and ○ A number of recommendations around the actual presentation of the report. • The Board are asked to extend the current strategy in line with CHS business planning and strategic cycles, with a minimal re-refresh carried out now based on the input from the CHS Participation Group. <p>Board Discussion:</p> <ul style="list-style-type: none"> • The Board noted the CORA foundation is fund managing for the UNCRC innovation fund criteria and this is available to public bodies and this should be on our radar to support this piece of work. LH confirmed the Childrens Rights and Inclusion Coordinator was aware of this. • The Board noted the Participation Groups feedback on the strategy and were pleased to see the removal of acronyms would be put forward. • The Board asked about the Child friendly feedback and complaints and if this was still on track. CW confirmed this was still on track and will form an integral part of the Children’s Rights and Inclusion Strategy. <p>Board Decision:</p> <ol style="list-style-type: none"> 1. The Board approved the extension of the current Rights and Inclusion Strategy. 2. The Board approved the proposed re-refresh to the current strategy. 		
<p>11</p>	<p>Audit and Risk Management Committee</p> <ul style="list-style-type: none"> • ARMC Chair Update & Minute of May ARMC meeting • Internal Audit Report 22/23 • Annual Accounts Governance statement • ARMC Annual Report • ARMC ToR 	
<p>SA updated the Board;</p> <ul style="list-style-type: none"> • ARMC Chair Update & Minute of May ARMC meeting • The Committee met in May, as you will see from the notes. The Committee were particularly pleased to see the number of recommendations completed from the internal audit, as well as the positive feedback from the Auditors. • The Annual Report of the internal audit was approved by the ARMC, and is submitted here for Board approval. The Committee noted the improvements made to our Information Governance arrangements and 		

	<p>performance, with thanks given to Sophie-Elise Anker for her work in progressing this.</p> <ul style="list-style-type: none"> • The CHS Draft Annual Accounts and Governance Statement was approved by the ARMC and is submitted here for Board approval ahead of inclusion in the full Annual Accounts. • The CHS Annual Report was approved by the ARMC and is submitted here for Board approval. • The ToR was last reviewed in February however a small amendment has been made to Committee member term lengths to bring them in line with Board appointment terms. • BDO have been confirmed as our Internal Auditors for three years (with a one year optional addition) after the recent procurement exercise. <p>Board Discussion:</p> <ul style="list-style-type: none"> • The Board asked if there were any recommendations on how long an organisation should keep their internal auditors. LH noted that the procurement exercises was carried out without bias and BDO were the clear winner. Having now won two procurement exercises from the framework, they are not excluded from a third. SA noted that BDO gave the strongest presentation. There are no rules around how long internal auditors should be appointed. Our external auditors, Audit Scotland, who advised that they are not concerned about this second appointment, and that appointments of 10 years are not uncommon, or concerning. <p>Board Decision:</p> <ol style="list-style-type: none"> 1. The Board noted the Chairs update and ARMC minute of the may 2023 meeting. 2. The Board noted the Internal Audit report for 22/23. 3. The Board approved the Annual Accounts Governance Statement. 4. The Board approved the ARMC annual report. 5. The Board approved the amended ARMC ToR. 		
12	Remuneration & Appointment Committee – Chair update		
	<p>JD updated the Board shared;</p> <ul style="list-style-type: none"> • The Chair noted that the next meeting was Scheduled for the 27th of June and an update would be provided at the next Board meeting. <p>Board Decision:</p> <ol style="list-style-type: none"> 1. The Board noted the update. 		
13	Pre-service report		
	<p>EJ spoke to the paper shared;</p> <ul style="list-style-type: none"> • The pre-service report for our last cohort of trainees is presented for Board oversight and assurance. It highlights a number of areas of improvement on previous years in terms of the approach taken to training and the results 		

	<p>gained. This year was 4 days face to face with one day online, which has worked well for trainees.</p> <ul style="list-style-type: none"> • Improvements were made around trauma, with trauma informed approaches were imbedded around the use of language within the training environment and Trauma informed training was delivered for all frontline administration staff at the college. • Of the 376 invited for training, 320 went forward. This is an improvement on previous years due to the approach taken by West Lothian College on personal support and connection to those who wanted to withdraw. • Some care experienced trainees withdrew around day 3 due to some content which can be triggering. We take this anecdotal feedback and will continue to offer support. • This area of work now moves under a new directorate and will benefit from a fresh approach going forward. <p>Board discussion:</p> <ul style="list-style-type: none"> • The Board noted the helpful analysis within the report, particularly the trends. • The Board commended the team on the retention numbers. <p>Board decision:</p> <ul style="list-style-type: none"> • The Board noted the pre-service report. 		
14	Panel Member 2023 Autumn Recruitment & pre-service evaluation		
	<p>EJ spoke to the papers shared;</p> <ul style="list-style-type: none"> • This report outlines the 2023 – 2024 Panel Member Recruitment Plan and Evaluation proposal. We had the intention for our last campaign to have it externally evaluated however we were unable to secure a supplier. This year we are being more proactive by starting the evaluation approach at the same time as the campaign. • We will be targeting employers more directly in the campaign and will be increasing awareness through our partners and other volunteer networks throughout the country. We have had an offer from Andrew Watson to send a letter to government highlighting the opportunity to become a Panel Member among civil servants. • Improvements are being made to the way we record equality data, ensuring it is aligned to the census and all digital improvements are being tested to ensure a smooth experience for applicants. • A brief has been written to support the tendering of an external evaluator for the 2023 campaign who will evaluate the impact of the campaign creative in attracting interest and meeting recruitment targets. They will look at who we engaged with and how effective that engagement was, and overall if the campaign was cost effective. • The campaign will run through September. We continue to look at media planning and any contingency we may require. We are committed to return on investment for the campaign. 		

	<p>Board Discussion:</p> <ul style="list-style-type: none"> • The Board noted that we are recruiting against a national reduction in volunteering generally. The Board suggested that within the evaluation, the supplier look to include contextual data or comparison against the national picture of volunteering recruitment and uptake. • The Board noted the reframing around the campaign messaging and concern an external supplier might miss the mark. How will the campaign creatives be tested to ensure it is framed well. LH confirmed the campaign refresh is being taken forward with young people, care experienced panel members, and other members of our community. We have gotten helpful feedback from young people through the Frameworks Institute which is helping us to get it right around lived experience. We feel we need a stronger call to action on volunteering, which we are working on now. We are working on the messaging for employers to leverage the benefits being a Panel Member brings back to the workplace. • The Board noted the leverage we can use in the employer messaging around Corporate Social Responsibility and giving back. <p>Board Decision:</p> <ol style="list-style-type: none"> 1. The Board noted the report. 		
15	AOB		

A/A	Action	Initiated	Target date	Owner	Progress Update	Status	Comments
22/23-4	Ensure future CSAS developments include the recording of CYP participation numbers in hearings.	Sep-21	Mar-24	LH	Work on data sharing is underway between SCRA & CHS.	Ongoing	This work remains in CHS CSAS backlog. Data sits on the SCRA tenancy.
22/23-96	To bring to the Board in September, if possible, thinking around scenario planning around possible outcomes from the governments response to the recommendations.	Jun-23	Sept-23 Nov-23		Membership of the Children's Hearings Redesign Board will inform this work.	Ongoing	Update paper to be submitted to November Board
22/23-98	To bring a report on the implementation work on recommendations that can be implemented ahead of Government response in September.	Jun-23	Sept-23 Nov-23	RKW	Work is underway across CHS and SCRA to identify four potential areas to pursue later in the year – once our capacity and commitment to the Scottish Government led work has been considered. See NC report para 5.6 Sept 23'.	Ongoing	Update paper to be submitted to November Board
22/23-97	To bring an update to a development session in August on the progress made around the HSWG report recommendations, and to extend an invitation to Emma Wilson to join.	Jun-23	Aug-23 Nov-23	EJ	Membership of the Children's Hearings Redesign Board will inform this work.	Ongoing	Update paper to be submitted to November Board. Meeting with EW to be scheduled.
22/23-99	Prepare Governance Calendar for September Board meeting.	Jun-23	Sep-23	RKW		On agenda	
22/23-28	To bring to the monthly Board development session in August the remuneration and support package for discussion and approval.	Jun-22	Aug-23	CW		On agenda	Addressed within the Participation review
22/23-38	To consider including the PPM in a Board development session.	Nov-22	Sep-23	SB		Not yet due	
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	Sep-23	KK		Not yet due	RKW to progress
22/23-95	To apply the median to data sets within the data summary where it will provide a more accurate figure.	Jun-23	Nov-23	EG		Not yet due	
22/23-42	To organise a meeting for the CEO/Chair with the new Chief Executive of COSLA.	Mar-23	Jun-23	RKW		Completed	Set for 04/09/2023
22/23-43	To include local authority breaches in regular reporting.	Mar-23	Jun-23	CW		Completed	Included in the Board data summary
22/23-41	For CHS to explore increasing corporate recruitment reach through trade boards and bodies, such as Food and Drink Federation Scotland.	Nov-22	Sep-23	CM		Completed	

National Convener / Chief Executive Update

Agenda Item 6 CHS-2324-16

1. Introduction

- 1.1 This report captures a range of organisational activity between the last Board meeting in June 2023 to now. It provides bite sized updates that can be expanded upon during the Board meeting.

2. Organisational Change Update

- 2.1 The two primary drivers for the Board approved organisational change programme were the introduction of a new Tribunal Support Model (TSM) to make the delivery of Children's Hearings more sustainable by reducing the significant volunteer workload burden on our ASTs; and to restructure the organisation to cater for the likely reforms brought about by the 'Hearings for Children' report published in June 2023.
- 2.2 To achieve the objectives set out above, it necessitated a comprehensive organisational design review to ensure that our new structure had the right capability, capacity, and flexibility to meet the demands of the future. We have moved to a four Directorate model that cater for the functions of Tribunal Delivery, Positive Outcomes, People and Culture, and Business and Finance. The key changes that affected colleagues are now complete.
- 2.3 The new organisational structure increases the headcount by around 35 colleagues to a total of 70. CHS continues to recruit to a range of new and critical posts. To date we have attracted a high calibre of applicants, many of them drawn from the wider CHS Community.

3. Tribunal Support Model (TSM) Update

- 3.1 Following consultation with our Area Conveners, and the Society of Local Authority Chief Executive Officers (SOLACE), we have agreed the phasing for moving to our new regional model, aligned with SCRA Localities. Area Conveners and ASTs are working together with Regional Managers to plan for transition to the new model in each area. A copy of the implementation schedule is attached as Appendix A.
- 3.2 Each new region will have a Regional Area Support Team that will provide excellent support to Panel Members in the local areas within each region. Recruitment to Regional posts has generated significant interest with 140 applications for Partnership Co-ordinators and 200 for Wellbeing Co-ordinators. Regional Manager vacancies have been filled and the full complement will be in post through October 2023. Regional Area Support Teams will continue to have volunteer opportunities. These have been shaped from learnings about the roles and support structures currently in place that offer consistent support to Panel Members, and we are confident that many of our colleagues currently in existing support roles currently will be keen to continue in the new model.

3.3 Resource Allocation Team

3.3.2 An important part of the tribunal support model was to take responsibility for roles and responsibilities that put an unsustainable ask on our volunteer community. The rota is a significant commitment for volunteers in the CHS community and we know the skilful management and decision making that goes in to this. The Resource Allocation team, made up of experienced rota managers from within our community, are now in post and working alongside the project team to plan for rota centralisation. We are working with SCRA, our digital colleagues and those local teams with experience and knowledge of rota creation and management to progress the work and identify processes that are required to support centralisation.

3.3.3 We know the importance of local connection and local rotas will continue to be created and filled with local panel members. The Central Team will work closely with Rota teams in each AST to ensure a safe and measured transition into the Central team. Transition will begin in line with the phasing identified above but with the local and central rota teams working together closely over a number of weeks to ensure a safe and effective transition. Engagement with the rota teams in the first cohort has already begun and will continue into the new year.

4. **Town Hall Meetings**

4.1 The first in our series of three online ‘Town Hall’ style events took place on Tuesday 29th August with Sheriff David Mackie as our keynote speaker.

4.2 The event had 489 registrations, from which 40 questions were submitted in advance of the meeting. On the evening we had a turnout of 355 members of the community which included Panel and AST Members, National Team, and CHS Board members. Our preparation in advance to minimise tech difficulties and ensure support was available was beneficial, with very few difficulties encountered. Questions were also submitted during the event and were answered by Sheriff Mackie.

4.5 The feedback was incredibly positive, with many members of the CHS Community understanding the reports rationale and detail behind the recommendations following Sheriff Mackie’s input.

4.6 The two-remaining online ‘Town Hall’ meetings in the current series are as follows:

- 26th September: Fraser McKinlay, Chief Executive of The Promise Scotland
- 24th October: Tom McNamara, Scottish Government: Unit Head for Youth Justice and Children’s Hearings in the Scottish Government

5. **Update on Children's Hearings Redesign Board**

5.1 The Scottish Government recently outlined proposals for the governance of work relating to the redesign of the Children’s Hearings system. Ministers have approved the creation of a Children's Hearings Redesign Board, and this is now in the process of being established.

- 5.2 The Children’s Hearings Redesign Board will provide governance and oversight for the delivery of change to the Children’s Hearings System, ensuring that any changes made are underpinned by clear and compelling evidence with demonstrable benefits to children and their families. Central to the effective operation of the board will be core principles of collaboration, co-operation, inclusion, respect, and transparency.
- 5.3 The Board’s remit will include work flowing from the HSWG report following the publication of the Scottish Government response. To ensure appropriate pace and progress members of the Board will be a small and focussed group of system leaders with the statutory responsibility for the day-to-day management and effective functioning of the Children’s Hearings System.
- 5.4 The Board will be jointly chaired by Scottish Government and COSLA and will draw membership from the senior leadership of key statutory partners in the form of one member each from CHS, SCRA and Social Work Scotland (SWS).
- 5.5 The Redesign Board will be accountable to Ministers and COSLA and will provide progress updates to other connected strategic boards and groups as well as to the Promise Scotland and care experienced young people. We are working with key contacts to identify the best form of interaction with young people, building on the successful and trusting partnerships built by Sheriff Mackie in his role as chair of the HSWG.
- 5.6 We had hoped to bring a report to the September Board with a clear plan for improvement activity associated with the non-legislative recommendations from the ‘Hearings for Children’ report. Work has been undertaken across CHS and SCRA to identify four potential areas to pursue later in the year – once our capacity and commitment to the Scottish Government led work has been considered. The four initial development areas are:
1. Data sharing across organisations – solving the problem that data is owned by individual organisations and not shared, no one has the full picture – we all have a jigsaw piece.
 2. One door for children and their families for complaints and feedback – solving the problem that its confusing for people who is in ‘charge’ of what bit of the system.
 3. Language in the hearing room – solving the problem that children have told us about the language used, written and verbally can be difficult to understand and feel excluding.
 4. Children meeting the chair before a hearing – solving the problem that we want the hearing system to be built on relationships, engagement.

6. Children (Care and Justice) Bill update

- 6.1 The principles of the Children (Care and Justice) (Scotland) Bill were agreed to unanimously at the Stage 1 debate on 22 June. Ahead of this, the Education, Children and Young People Committee published its Stage 1 report. The timescales for royal ascent have been delayed until April 2024, there will then be a scheduled timeline for implementation. The specific details of

timescales have yet to be confirmed, as with other legislation it is likely that there will be a phasing in of the different components of the Bill. CHS and SCRA have requested a timescale of 12-18 months from royal ascent to allow for allow enough time to build capacity within the sector to respond to the increase of 16- and 17-year-olds coming into the system. CHS provided evidence to the committee and continue to work with the Bill Team and the National Implementation Group to inform and influence the design and timescales for implementation.

- 6.2 An area that received significant scrutiny and attention during the committee stage was the financial memorandum that accompanied the Bill. A new set of forecasting figures has been published and a number of planning assumptions revisited. Notably extending the age for all new referrals up until a child's 18th birthday. We have forecast an increase of 1170 additional young people coming to a hearing per year on welfare and offence grounds. Based on each young person requiring around 3 hearings, which will create approximately 3400 additional hearings.
- 6.3 Planning is well underway to respond to the increased demand for CHS, including the latest round of recruitment and the development of training. The training proposal includes two modules. The first module is how the tribunal responds to the needs of older children and the second module (mandatory) will include the technical aspects of the Bill. The e-modules and guidance will be developed with the Learning Academy and the Children & Young People's Centre for Justice will co-write the material alongside the CHS Practice and Policy team. There will also be regional training events to embed this learning.

7. The National Care Service (Scotland) Bill

- 7.1 The National Care Service (Scotland) Bill is currently at Stage 1, with a Stage 1 deadline of 31 January 2024.
- 7.2 An initial consensus has been reached with COSLA on a national framework for governance for the NCS, that will provide for shared legal accountability for integrated health and social care services. Discussions are ongoing with COSLA, NHS and trades unions and the Scottish Government to develop further detail.
- 7.3 The Bill includes an enabling power to allow for the transfer of children's services into the NCS by secondary legislation if, following further work, the decision is to do so. A decision has not been taken on whether children's social work and social care services will be included in the NCS.
- 7.4 The Scottish Government has commissioned the Centre for Excellence for Children's Care and Protection (CELCIS), with oversight and guidance from an independent steering group, to carry out independent research on children's services. This research is due to conclude in Autumn 2023. Interim reports are available as they are published on the CELCIS website.
- 7.5 As part of our wider commitment to build the National Care Service with people with lived experience, the Scottish Government has have held regional events across Scotland this summer to hear from the diverse range of people who use and deliver community health and social care support. The regional events took place from June to August 2023 and covered Stirling, Glasgow, Dundee, Stranraer, Oban, Skye, Shetland, and Elgin. A report of the events will be produced in September.

7.6 The Scottish Government will also be holding the second National Care Service Forum at the Glasgow Science Centre on 30 October 2023. The National Forum is an opportunity for stakeholders, people who access social care support, the social care workforce, carers, and unpaid carers to share their thoughts about the National Care Service. During the Forum we will share insights gathered from the regional forums. People will be able to attend in person or online.

8. Age of Criminal Responsibility

8.1 The Age of Criminal Responsibility (Scotland) Act 2019 requires the Scottish Ministers to carry out a review within 3 years of the commencement of section 1 of the Act (from 17 December 2021). I sit on the Advisory Group which has been meeting regularly to support Ministers with the review. Work is also ongoing to determine what might be required to support a future age of criminal responsibility in Scotland.

8.2 The next meeting of the Advisory Group is on 31 October 2023 and is chaired by the Minister for Children, Young People, and the Promise.

8.3 The Advisory Group is supported by four subgroups to look into four key areas: data and research, victim support, operational implications, and community confidence.

8.4 The subgroups meet on a regular basis to look at the issues which will help to inform the review of the Act and what would be needed by way of systems, structural and practice change to support a higher age of criminal responsibility. The Advisory Group will provide the Scottish Ministers with recommendations for a future age of criminal responsibility by December 2024.

9. Strategic and Local Engagement

9.1 Together with other senior leadership team colleagues, we have participated in a range of key multi-agency meetings in the last quarter. These are the National Child Protection Leadership Group; the Youth Justice Improvement Programme; the Children's Hearings Improvement Partnership (CHIP); and the Age of Criminal Responsibility Ministerial Advisory Group.

9.2 The senior teams at CHS and SCRA continue to meet regularly on operational and strategic issues. I recently attended the SCRA Staff conference in Peth Concert Hall to promote our collaboration around Hearings system redesign.

9.3 Throughout the summer, senior leadership colleagues together with a number of Board members have attended local information and, or Panel Member recognition events across Scotland. These events are well attended, and AST/Panel Members appreciate the opportunity to discuss the recommendations in the 'Hearings for Children' report and the shift to the new Tribunal Support Model.

10. Panel Member Recruitment Campaign

- 10.1 The 2023 Panel Member recruitment campaign launched on 30 August 2023. The campaign is being promoted on TV, radio, digital and printed media outlets with an exponential increase in social media engagement within the first few days:
- Facebook – increase from 13,000 to 150,937
 - Website (Panel Members) – 1,475 to 8,354
 - Twitter/X – 5,69 to 14,925
 - Instagram – 2,153 to 13,381
 - LinkedIn – video views – 3,212 (from one post)
 - Youtube – induction film: 82,713 views (34.4k viewers were unique)
- 10.2 Regular weekly meetings are taking place with our media buying agency, Media Shop, which provides the flexibility to target better performing markets and identify those who are positively engaging with the campaign e.g. part time workers.
- 10.3 Those who have expressed interest in volunteering with us throughout the year were contacted before the campaign to retain their interest and release the online application form to them prior to the launch date. The Scottish Government intranet and sector leads have also promoted the campaign, and a letter was sent from the National Convener to divisional leads promoting the opportunity. Partners and employers throughout Scotland have also been targeted to promote the campaign to employees with further engagement planned before the end of the campaign.
- 10.4 All 22 Area Support Teams are accepting applications for new Panel Members. At the time of writing, we are half way through the campaign with 91% of our Area Support Teams having received applications (Islands (Eilean Siar & Shetland) not yet having received applications). Information Sessions have started in various areas which should encourage applications. We anticipate most applications will be received in the last few days of the campaign following the pattern of previous campaigns where up to 40% of total applications were received towards the end. We have two weeks remain of the campaign, which due to close by midnight on 3 October 2023. The application count is currently ahead of the autumn 2022 at the same point but lower than pre-COVID levels.
- 10.5 Area Support Team members are developing relationships with individuals and agencies to include people with recent experience of the hearings system to be part of the selection of new Panel Members. A number of lived experienced recruiters have agreed to return to support another campaign, while others are now unavailable, having started studies or employment.

- 10.6 An external evaluation of the campaign has been commissioned. Three agencies expressed interest in delivering this evaluation and Progressive Partnerships were appointed. Initial meetings have taken place to agree their approach: a survey with members of the public to assess the reach and impact of the campaign; in-depth interviews with both those who did not fully submit an applications; and, interviews with those who are confirmed as trainees. Progressive Partnership are due to report on their analysis and findings in early December, which will be shared with the Board.

Elliot Jackson
National Convener and Chief Executive Officer
September 2023

Appendix A – Implementation Schedule

Regional Area Support Team – Aligned to SCRA Locality Structure	Current Local Area Support Teams	Transition date
Ayrshire	Ayrshire	November 2023
Central	Central & West Lothian	November 2023
Glasgow	Glasgow	February 2024
Highland, Moray & Eilean Siar	Highland & Moray Eilean Siar	February 2024
Tayside & Fife	Tayside Fife	February 2024
Lanarkshire/Dumfries & Galloway	North Lanarkshire South Lanarkshire D&G	February 2024
North Strathclyde	East Dunbartonshire West Dunbartonshire East Renfrewshire Renfrewshire Inverclyde Argyll & Bute	April 2024
South East	Edinburgh South East	April 2024
Grampian & Northern Isles	Aberdeenshire Aberdeen City Shetland Orkney	April 2024



Draft 2022/23 Annual Accounts and Management Representation Letter

Agenda Item 7 CHS-2324-17

- Accountable Director:** SCRA Head of Finance and Resources
Report author: Ross Mackenzie, Finance Manager
Recommendations: To approve:
- i. the 2022/23 Annual Accounts for approval and subsequent signature of the accounts and Letter of Representation (ISA 580) by the Accountable Officer;
- Resources implications:** Within available resources
Equalities duties: No Equalities Impact Assessment Required

Introduction

1. Audit Scotland has completed its external audit of CHS's 2022/23 accounts, and has submitted a draft Annual Audit Report (AAR) to the Accountable Officer. The auditor has issued a draft audit opinion on the financial statements and on the regularity of the financial transactions.
2. The Annual Audit Report (AAR) and Annual Accounts were approved by the Audit and Risk Committee on the 22nd of August 2023. They are now presented for Board approval. Post approval, the Annual Accounts will be shared with the Ministers and published on our website.

Issues arising from the audit

3. In the year ended 31 March 2023, CHS reported an excess of net expenditure over Scottish Government total funding of £0.834m (31 March 2022: an excess of Scottish Government funding over net expenditure of £0.467m). Excluding the excess of depreciation over capital funding (£0.019m) and pension adjustments (£0.425m), CHS exceeded the approved 22/23 revenue budget in order to reduce cash reserves. CHS overspent its capital budget by £0.025m: this is not expected to materially impact CHS's capital planning.
4. The General Fund has a deficit of £0.589m at 31 March 2023 (31 March 2022: surplus of £0.245m). The Pension Reserve has a surplus of £1.789m at 31 March 2023 (31 March 2022: deficit of £0.611m). Detailed figures and assumptions underlying the pension position can be found in notes 1.6, 1.15 and 9 to the Annual Accounts.

5. There is a net taxpayer surplus as a result of the movement in the pension reserve. The General Fund deficit position does not raise going concern issues, or impact on normal operations, given Scottish Government's ongoing support of CHS and the volatility and sensitivity of CHS's pension reserve to changes in actuarial assumptions and other external factors.

Audit Scotland's Annual Audit Report (AAR)

6. International Standards on Auditing ISA 260 requires auditors to report certain matters arising from the audit of the financial statements to "those charged with governance".
7. Audit Scotland has expressed unqualified opinions on the financial statements and on the regularity of the financial transactions reflected in the financial statements.
8. Audit Scotland are making one recommendation for 2022/23, concerning compliance with the FReM when preparing the Performance Report. Management responses are reflected in Appendix I of the AAR.
9. Recommendations from last year are complete.

Audit opinion and Management Representation Letter

10. The proposed Independent Auditor's Report and standard Letter of Representation (ISA 580) are attached to the auditor's covering letter at item 6 on the agenda. The opinion is incorporated in the draft final Accounts and the Letter of Representation sets out the Board Members' position on the key areas for consideration by the external auditor in arriving at their opinion.

Recommendations

11. Board members are asked to review the 2022/23 Annual Accounts for approval and publication.

Appendices

12. ISA 580 Letter of Representation
CHS Annual Accounts 2022/23

Audit and Risk Management Committee

Children's Hearings Scotland (CHS)
Thistle House, 3rd Floor
91 Haymarket Terrace
Edinburgh
EH12 5HE

22 August 2023

Children's Hearings Scotland Audit of 2022/23 annual report and accounts

Independent auditor's report

1. Our audit work on the 2022/23 annual report and accounts is now substantially complete. Subject to receipt of a revised set of annual report and accounts for final review, we anticipate being able to issue unqualified audit opinions in the independent auditor's report on 26 September 2023 (the proposed report is attached at [Appendix A](#)).

Annual audit report

2. Under International Standards on Auditing in the UK we report specific matters arising from the audit of the financial statements to those charged with governance of a body in sufficient time to enable appropriate action. We present for the Audit and Risk Management Committee's consideration our draft annual report on the 2022/23 audit. The section headed "Significant findings and key audit matters" sets out the issues identified in respect of the annual report and accounts.

3. The report also sets out conclusions on the wider scope areas that frame public audit as set out in the Code of Audit Practice.

4. This report will be issued in final form after the annual report and accounts have been certified.

Unadjusted misstatements

5. We also report to those charged with governance all unadjusted misstatements which we have identified during the course of our audit other than those of a trivial nature and request that these misstatements be corrected.

6. There are no unadjusted misstatements to be corrected.

Fraud, subsequent events and compliance with laws and regulations

7. In presenting this report to the Audit and Risk Management Committee we seek confirmation from those charged with governance of any instances of any actual, suspected or alleged fraud;

any subsequent events that have occurred since the date of the financial statements; or material non-compliance with laws and regulations affecting the entity that should be brought to our attention.

Representations from Accountable Officer

8. As part of the completion of our audit, we are seeking written representations from the Accountable Officer on aspects of the annual report and accounts including the judgements and estimates made.

9. A letter of representation template is attached at Appendix B. This should be copied onto headed paper and returned to us by the Accountable Officer with the final agreed version of the annual report and accounts before 26 September 2023. The letter of representation, annual report and accounts and the independent auditor's report will be signed electronically after the CHS board approves the annual report and accounts.

Asif A Haseeb OBE

Appendix A: Proposed Independent Auditor's Report

Independent auditor's report to the members of Children's Hearings Scotland, the Auditor General for Scotland and the Scottish Parliament

Reporting on the audit of the financial statements

Opinion on financial statements

I have audited the financial statements in the annual report and accounts of Children's Hearings Scotland for the year ended 31 March 2023 under the Children's Hearings (Scotland) Act 2011. The financial statements comprise the Statement of Comprehensive Net Expenditure, the Statement of Financial Position, the Statement of Cash Flows, the Statement of Changes in Taxpayers' Equity and notes to the financial statements, including significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and UK adopted international accounting standards, as interpreted and adapted by the 2022/23 Government Financial Reporting Manual (the 2022/23 FReM).

In my opinion the accompanying financial statements:

- give a true and fair view of the state of the body's affairs as at 31 March 2023 and of its net expenditure for the year then ended;
- have been properly prepared in accordance with UK adopted international accounting standards, as interpreted and adapted by the 2022/23 FReM; and
- have been prepared in accordance with the requirements of the Children's Hearings (Scotland) Act (2011) and directions made thereunder by the Scottish Ministers.

Basis for opinion

I conducted my audit in accordance with applicable law and International Standards on Auditing (UK) (ISAs (UK)), as required by the [Code of Audit Practice](#) approved by the Auditor General for Scotland. My responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of my report. I was appointed by the Auditor General on 02 December 2022. My period of appointment is five years, covering 2022/23 to 2026/27. I am independent of the body in accordance with the ethical requirements that are relevant to my audit of the financial statements in the UK including the Financial Reporting Council's Ethical Standard, and I have fulfilled my other ethical responsibilities in accordance with these requirements. Non-audit services prohibited by the Ethical Standard were not provided to the body. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Conclusions relating to going concern basis of accounting

I have concluded that the use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work I have performed, I have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the body's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from when the financial statements are authorised for issue.

These conclusions are not intended to, nor do they, provide assurance on the body's current or future financial sustainability. However, I report on the body's arrangements for financial sustainability in a separate Annual Audit Report available from the [Audit Scotland website](#).

Risks of material misstatement

I report in my separate Annual Audit Report the most significant assessed risks of material misstatement that I identified and my judgements thereon.

Responsibilities of the Accountable Officer for the financial statements

As explained more fully in the Statement of Accountable Officer's Responsibilities, the Accountable Officer is responsible for the preparation of financial statements that give a true and fair view in accordance with the financial reporting framework, and for such internal control as the Accountable Officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Accountable Officer is responsible for assessing the body's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless there is an intention to discontinue the body's operations.

Auditor's responsibilities for the audit of the financial statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of users taken on the basis of these financial statements.

Irregularities, including fraud, are instances of non-compliance with laws and regulations. I design procedures in line with my responsibilities outlined above to detect material misstatements in respect of irregularities, including fraud. Procedures include:

- using my understanding of the central government sector to identify that the Children's Hearings (Scotland) Act 2011 and directions made thereunder by the Scottish Ministers are significant in the context of the body;
- inquiring of the Accountable Officer as to other laws or regulations that may be expected to have a fundamental effect on the operations of the body;
- inquiring of the Accountable Officer concerning the body's policies and procedures regarding compliance with the applicable legal and regulatory framework;
- discussions among my audit team on the susceptibility of the financial statements to material misstatement, including how fraud might occur; and
- considering whether the audit team collectively has the appropriate competence and capabilities to identify or recognise non-compliance with laws and regulations.

The extent to which my procedures are capable of detecting irregularities, including fraud, is affected by the inherent difficulty in detecting irregularities, the effectiveness of the body's controls, and the nature, timing and extent of the audit procedures performed.

Irregularities that result from fraud are inherently more difficult to detect than irregularities that result from error as fraud may involve collusion, intentional omissions, misrepresentations, or the override of internal control. The capability of the audit to detect fraud and other irregularities depends on factors such as the skilfulness of the perpetrator, the frequency and extent of

manipulation, the degree of collusion involved, the relative size of individual amounts manipulated, and the seniority of those individuals involved.

A further description of the auditor's responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website www.frc.org.uk/auditorsresponsibilities. This description forms part of my auditor's report.

Reporting on regularity of expenditure and income

Opinion on regularity

In my opinion in all material respects the expenditure and income in the financial statements were incurred or applied in accordance with any applicable enactments and guidance issued by the Scottish Ministers.

Responsibilities for regularity

The Accountable Officer is responsible for ensuring the regularity of expenditure and income. In addition to my responsibilities in respect of irregularities explained in the audit of the financial statements section of my report, I am responsible for expressing an opinion on the regularity of expenditure and income in accordance with the Public Finance and Accountability (Scotland) Act 2000.

Reporting on other requirements

Opinion prescribed by the Auditor General for Scotland on audited parts of the Remuneration and Staff Report

I have audited the parts of the Remuneration and Staff Report described as audited. In my opinion, the audited parts of the Remuneration and Staff Report have been properly prepared in accordance with the Children's Hearings (Scotland) Act 2011 and directions made thereunder by the Scottish Ministers.

Other information

The Accountable Officer is responsible for the other information in the annual report and accounts. The other information comprises the Performance Report and the Accountability Report excluding the audited parts of the Remuneration and Staff Report.

My responsibility is to read all the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the course of the audit or otherwise appears to be materially misstated. If I identify such material inconsistencies or apparent material misstatements, I am required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard.

My opinion on the financial statements does not cover the other information and I do not express any form of assurance conclusion thereon except on the Performance Report and Governance Statement to the extent explicitly stated in the following opinions prescribed by the Auditor General for Scotland.

Opinions prescribed by the Auditor General for Scotland on Performance Report and Governance Statement

In my opinion, based on the work undertaken in the course of the audit:

- the information given in the Performance Report for the financial year for which the financial statements are prepared is consistent with the financial statements and that report has been prepared in accordance with the Children's Hearings (Scotland) Act 2011 and directions made thereunder by the Scottish Ministers; and
- the information given in the Governance Statement for the financial year for which the financial statements are prepared is consistent with the financial statements and that report has been prepared in accordance with the Children's Hearings (Scotland) Act 2011 and directions made thereunder by the Scottish Ministers.

Matters on which I am required to report by exception

I am required by the Auditor General for Scotland to report to you if, in my opinion:

- adequate accounting records have not been kept; or
- the financial statements and the audited parts of the Remuneration and Staff Report are not in agreement with the accounting records; or
- I have not received all the information and explanations I require for my audit.

I have nothing to report in respect of these matters.

Conclusions on wider scope responsibilities

In addition to my responsibilities for the annual report and accounts, my conclusions on the wider scope responsibilities specified in the Code of Audit Practice are set out in my Annual Audit Report.

Use of my report

This report is made solely to the parties to whom it is addressed in accordance with the Public Finance and Accountability (Scotland) Act 2000 and for no other purpose. In accordance with paragraph 108 of the Code of Audit Practice, I do not undertake to have responsibilities to members or officers, in their individual capacities, or to third parties.

Asif A Haseeb OBE
Audit Scotland
4th Floor
8 Nelson Mandela Place
Glasgow
G2 1BT

Appendix B: Letter of Representation (ISA 580)

Asif A Haseeb OBE
 Audit Scotland
 4th Floor
 8 Nelson Mandela Place
 Glasgow
 G2 1BT

Dear Mr Haseeb,

Children's Hearings Scotland Annual report and accounts 2022/23

1. This representation letter is provided in connection with your audit of the annual report and accounts of Children's Hearings Scotland for the year ended 31 March 2023 for the purpose of expressing an opinion as to whether the financial statements give a true and fair view in accordance with the financial reporting framework, and for expressing other opinions on the regularity of income and expenditure, remuneration and staff report, performance report and governance statement.

2. I confirm to the best of my knowledge and belief, and having made such enquiries as I considered necessary, the following representations given to you in connection with your audit of Children's Hearings Scotland's annual report and accounts for the year ended 31 March 2023.

General

3. I have fulfilled my responsibilities for the preparation of the 2022/23 annual report and accounts. All the accounting records, documentation and other matters which I am aware are relevant to the preparation of the annual report and accounts have been made available to you for the purposes of your audit. All transactions undertaken by Children's Hearings Scotland have been recorded in the accounting records and are properly reflected in the financial statements.

4. I confirm that the effects of uncorrected misstatements are immaterial, individually and in aggregate, to the financial statements as a whole. I am not aware of any uncorrected misstatements other than those reported by you.

Regularity of Expenditure and Income

5. I confirm that, in all material respects, expenditure was incurred, and income applied in accordance with applicable enactments and guidance issued by the Scottish Ministers.

Financial Reporting Framework

6. The annual report and accounts have been prepared in accordance with the Children's Hearings (Scotland) Act 2011 and directions made thereunder by the Scottish Ministers.

7. I have ensured that the financial statements give a true and fair view of the financial position of Children's Hearings Scotland at 31 March 2023 and the transactions for 2022/23.

Accounting Policies & Estimates

8. All significant accounting policies applied are as shown in the note included in the financial statements. The accounting policies are determined by the 2022/23 Government Financial

Reporting Manual (the FReM), where applicable. Where the FReM does not specifically apply, I have used judgement in developing and applying an accounting policy that results in information that is relevant and reliable. All accounting policies applied are appropriate to Children's Hearings Scotland's circumstances and have been consistently applied.

9. The significant assumptions used in making accounting estimates are reasonable and properly reflected in the financial statements. Judgements used in making estimates have been based on the latest available, reliable information. Estimates have been revised where there are changes in the circumstances on which the original estimate was based or because of new information or experience.

Going Concern Basis of Accounting

10. I have assessed Children's Hearings Scotland's ability to continue to use the going concern basis of accounting and have concluded that it is appropriate. I am not aware of any material uncertainties that may cast significant doubt on Children's Hearings Scotland's ability to continue as a going concern.

Assets

11. I carried out an assessment at 31 March 2023 as to whether there is any indication that an asset may be impaired and have recognised any impairment losses identified.

12. I have provided you with all information of which I am aware regarding any valuation exercises carried out after 31 March 2023.

13. There are no plans or intentions that are likely to affect the carrying value or classification of the assets recognised within the financial statements.

14. Owned assets are free from any lien, encumbrance or charge except as disclosed in the financial statements.

Liabilities

15. All liabilities at 31 March 2023 of which I am aware have been reported in the financial statements.

16. The accrual recognised in the financial statements for holiday untaken by 31 March 2023 has been estimated on a reasonable basis.

17. There are no plans or intentions that are likely to affect the carrying value or classification of the liabilities recognised in the financial statements.

Fraud

18. I have provided you with all information in relation to:

- my assessment of the risk that the financial statements may be materially misstated as a result of fraud
- any allegations of fraud or suspected fraud affecting the financial statements
- fraud or suspected fraud that I am aware of involving management, employees who have a significant role in internal control, or others that could have a material effect on the financial statements.

Laws and Regulations

19. I have disclosed to you all known instances of non-compliance or suspected non-compliance with laws and regulations whose effects should be considered when preparing financial statements.

Related Party Transactions

20. All material transactions with related parties have been appropriately accounted for and disclosed in the financial statements in accordance with IAS 24 as interpreted by the FReM. I have made available to you the identity of all the Children's Hearings Scotland's related parties and all the related party relationships and transactions of which I am aware.

Remuneration and Staff Report

21. The Remuneration and Staff Report has been prepared in accordance with the requirements of the FReM to the extent they apply in Scotland and all required information of which I am aware has been provided to you.

Performance report

22. I confirm that the Performance Report has been prepared in accordance with the requirements of the FReM to the extent they apply in Scotland and the information is consistent with the financial statements.

Corporate Governance

23. I have fulfilled my responsibilities for Children's Hearings Scotland's corporate governance arrangements. I have disclosed to you all deficiencies in internal control identified from this review or of which I am otherwise aware.

24. I confirm that the Governance Statement has been prepared in accordance with the Scottish Public Finance Manual and the information is consistent with the financial statements. There have been no changes in the corporate governance arrangements or issues identified since 31 March 2023 which require to be reflected.

Group Accounts

25. I have identified all the other entities in which Children's Hearings Scotland has a material interest and have classified and accounted for them in accordance with the 2022/23 FReM. Any significant issues with the financial statements of group entities, including any qualified audit opinions, have been advised to you.

Events Subsequent to the Date of the Statement of Financial Position

26. All events subsequent to 31 March 2023 for which IAS 10 as interpreted by the FReM requires adjustment or disclosure have been adjusted or disclosed.

Yours sincerely

Elliot Jackson

Accountable Officer

Annual Report and Accounts 2022 - 23

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Performance Report

Performance Overview

Introduction: From Our National Convener / Chief Executive

In 2022/23 we continued to deliver against our identified strategic themes. These are:

- Better protect and uphold the rights of children:
- Deliver consistently high-quality hearings:
- Continue to build an effective and empathetic panel, that is well-supported:
- Be well-informed and influential in our environment and communities:

As you will see in this Annual Report, I am pleased to report that strong progress across these areas was achieved during the year. These Themes represent an ambitious future for Children's Hearings Scotland (CHS), children's hearings, and those who come in to contact with hearings and will continue to shape our activity through 2023/24.

Activity in year has also significantly focussed on development in 3 significant areas of strategic reform and transformation for the Hearing System and CHS – The implementation of the Children (Care and Justice) (Scotland) Bill; the work of The Promise Hearings System Working Group and development of a new Tribunal Support Model for CHS. These are vital and exciting opportunities for CHS to contribute to a transformed Hearing's experience for children, young people and families and you will hear more about how we are contributing to or taking this work further within the report.

As we look forward to transformation and change it's important to reflect on the incredible and profound impact our Hearings System has already had on Scotland's society over a significant period. The first children's hearing was held in Scotland on 15th April 1971. In 2023/24 we will mark 52 years of children's hearings and in June, we will mark the 10th anniversary of the creation of CHS. We are immensely proud of the contribution we, alongside our volunteer community, have made over the past 10 years in protecting infants, children, and young people in Scotland's communities.

While reflecting upon the phenomenal impact of the work of the CHS Community, we also look forward to a new business year that will see CHS make a step change in the way that we support our volunteers across Scotland. New and inclusive support roles and structures will take the workload burden off our AST volunteer workforce.

This year will also see the publication of the Sheriff David Mackie led, Hearing System Working Group (HSWG) report. This report around the redesign of the Children's Hearings System, promises to set out a transformational future for the way that we can further support infants, children, young people, and their families.

Children's hearings continue to rise and whilst not back to pre-Covid levels, my continued key priority is to lead and support the CHS Community. We need to ensure that we continue to listen to children and young people and make decisions with, and for them, that result in an outcome that keeps them safe and allows them to flourish. The volunteers and staff within the hearings system again went above and beyond this year to make sure that children and young people have decisions that are well-considered and in the child's best interest. I would like to thank them all for their contributions.

- Elliot Jackson

Who We Are and What We Do: Our Purpose, Activities, Structure and Values

The children's hearings system was established as Scotland's unique care and justice system for children and young people over 50 years ago. It exists to ensure the safety and wellbeing of vulnerable children and young people through a decision making lay tribunal called a children's hearing. Each hearing is made up of 3 members of the national Children's Panel which is comprised of specially trained volunteers drawn from local communities.

The Children's Hearings (Scotland) Act 2011 – commenced in June 2013 – introduced a single national Children's Panel where volunteer Panel Members receive accredited national training which enables them to make the best possible decisions for children and young people in the children's hearing system. The Act created the role of the National Convener to lead this work. Currently, the National Convener also acts as the Chief Executive of CHS. The Act strengthened hearings by ensuring Panel Members have local and national support and advice on best practice through the National Convener – supported by one organisation – Children's Hearings Scotland (CHS), which was formed in 2011 and assumed its full responsibilities in 2013.

We are one of a number of organisations who work within the children's hearings system, including the Scottish Children's Reporter Administration (SCRA), local authorities, health, and Police Scotland. Our activities within this are focussed on recruiting, training and supporting the volunteer Panel Members.

Our Vision is of a forward looking and evolving children's hearings system, working as a community to ensure infants, children and young people are cared for, protected and their views are heard, respected and valued.

Our Purpose is to equip our volunteer community to engage positively with infants, children, young people and families; ensuring children are loved, cared for, respected and feel part of decisions taken to improve their lives.

CHS engages around 2,500 volunteer Panel Members in the children's hearings system, who are appointed for 3 year terms – there is no limit on multiple terms of appointment. The Panel Members are supported locally by an additional 400 volunteers as part of 22 Area Support Teams (ASTs) covering all 32 local authority areas. Each AST is led by a volunteer Area Convener.

CHS employs around 45 staff as part of our 'National Team', led by the National Convener/Chief Executive. CHS is governed by a Board of non-executive members, which meets formally at least four times a year to set and monitor the strategic direction of the organisation. CHS is financed by grant-in-aid from the Scottish Government as approved by the Scottish Parliament. The grant-in-aid value for 2022/23 was £5.75m.

Our Values:

- **Child centred** – making sure everything we do is in the best interests of children and young people.
- **Respectful** – treating children, young people, their families, partners and each other with care and consideration.
- **Fair** – making sure that everyone is treated with dignity and according to their individual needs; that our information and services are accessible to all; that we provide a consistent level of service to all.
- **Creative** – considering innovative and imaginative ways of approaching the issues we face in the work we do.
- **Challenging** – not being complacent, but questioning ourselves and others to help us improve.
- **Open** – listening, responding to, and learning from, feedback; acting honestly; ensuring processes are transparent; sharing information and being accountable for our actions and decisions.

What We Want to Achieve: Our Strategic Themes and Business Objectives

This was the fourth year of CHS's corporate plan, *Our Strategic Outlook 2020-23*¹ as this was extended to include 2023/24 given the work of The Promise Hearing System Working Group during 2022/23. In this plan, we set four strategic themes to guide our work:

Theme 1: Better protect and uphold the rights of children:

Rights-based working is built in to Scotland's children's hearings system. Decisions are required to be made in the best interests of the child and it gives children and young people the right to have a say in decisions about them. But we recognise that we have a responsibility to integrate the obligations of the United Nations Convention on the Rights of the Child (UNCRC) in to our work and this will form a major strand of our effort over the coming years.

Theme 2: Deliver consistently high-quality hearings: We want the hearings experience to be the best it can be and produce sound decisions which move infants, children, young people and their families forward, positively, in their journey. We want children's hearings to be seen as an exemplar of empathetic, loving and respectful practice that promote dignity and avoid stigma.

Theme 3: Continue to build an effective and empathetic panel, that is well-supported: Central to the quality of hearings is Scotland's Children's Panel. They must be knowledgeable and skilled to undertake their role and understand the range of experiences that infants, children and young people may have and the impact of those experiences. To do this, the Children's Panel must be supported with not only the technical aspect of their role, but also the personal effect of making significant decisions.

Theme 4: Be well-informed and influential in our environment and communities:

Over the coming years, we want to develop not only hearings, but also how we deliver our work and how we operate within the wider system and sector. We will look to evidence – from data, research, but also from what we are told by people with experience of hearings - to under-pin our decision making and adopt structured approaches to pilots and innovations. We will also look for opportunities to lead change within the care system and engage actively with our partners.

From these Strategic Themes, we produce an annual Business & Corporate Parenting Plan that establishes our key Business Objectives for the year.²

¹ [CHS Corporate Plan 2020-23 \(chscotland.gov.uk\)](https://www.chscotland.gov.uk)

² 2022-23 Plan: [CHS Business and Corporate Parenting Plan 2022-23 \(chscotland.gov.uk\)](https://www.chscotland.gov.uk)

What Concerns Us: Our Key Issues and Risks

The CHS Board monitors the strategic risks that have the potential to impact significantly on CHS' performance, fulfilment of statutory duties, and future prospects and developments.

In 2022-23, these risks were:

1. *CHS fails to fulfil our statutory responsibilities and deliver positive hearings experiences for children and young people by not embedding UNCRC and children's rights in core business.* After controls, this was considered a low level risk.
2. *CHS fails to contribute to positive outcomes for babies, infants, children, young people and their families due to poor quality hearings and hearing decisions made due to lack of quality assurance and consistency of practice.* After controls, this was considered a medium level risk.
3. *CHS fails to deliver outcomes/outputs that improve the experience of children and young people and ensures that their voice is represented in ongoing work by not embedding the voice of lived experience in its activities such as projects, recruitment and selection, business planning, etc.* After controls, this was considered a low level risk.
4. *CHS fails to contribute to positive outcomes for babies, infants, children, young people and their families by not maintaining an informed, trauma-sensitive, sustainable, resilient and motivated volunteer community.* After controls, this was considered a low level risk.
5. *CHS fails deliver its statutory function and provide adequate numbers of Panel Members for hearings due to reduced capacity and lack of experience of AST and/or Panel Members which leads to inability to fulfil core functions.* After controls, this was considered a medium level risk.
6. *CHS' and the hearing system's credibility is damaged because we fail to deliver and improve our functions in a data and evidence-driven manner.* After controls, this was considered a medium-to-low level risk.
7. *CHS' system experiences failures/breaches due to lack of cyber resilience processes.* After controls, this was considered a medium level risk.
8. *CHS is unable to fulfil its statutory duties due to failures in its current system and reliance on volunteers, unsustainability of current volunteer support/management models (impact on quality, scale etc). Current AST volunteering model does not meet the complex needs of the hearing system and/or the support needs of volunteer tribunal members and leads to operational failure.* After controls, this was considered a medium level risk.
9. *Senior management are unable to maintain oversight and control of business as usual, or do not have the change management skills or capacity required to manage competing priorities during a period of substantial change.* After controls, this was considered a medium level risk.

10. *CHS is not able to operationalise the coming reform agenda. Current system cannot operationalise the changes. After controls, this was considered a medium level risk.*
11. *CHS experiences delays in own work due to reliance on partner organisations inconsistencies in communications and processes, resulting in increased workload/processing, inconsistent messages to CHS Community. After controls, this was considered a medium level risk.*
12. *CHS loses volunteers due to coming changes to the system and organisation and/or CHS is unable fulfil statutory responsibilities of fulfilling the rota while we engage in the work of tests of change which may affect volunteer roles/model. After controls, this was considered a medium level risk.*
13. *Changes to external project scopes and shifting priorities leave CHS unable to change course quickly or deliver newly expected outcomes for own or co-design projects. Projects owned by or worked in collaboration with Promise partners impact outcomes and outputs for CHS own projects causing drift and delay. After controls, this was considered a medium level risk.*

The Governance Statement on page 27 explains in more detail how CHS manages its risks.

Performance Analysis

What We Did and Achieved in 2022-23: Performance Analysis and Key Activities

Context:

Three years on from the start of the Covid pandemic we continue to face challenges and changes we never could have anticipated before. The ingenuity, flexibility, and resolve we have developed through this experience has enabled us to realise tangible improvements to the hearing system and our impact on the lives of children and young people. Some major achievements from the year included:

- Ensuring that our Area Support Teams who recruited new Panel Members did so alongside young people with lived experience, not once but twice! Both our recruitment campaigns in 2022 saw **lived experienced recruiters** conduct interviews alongside members of the Area Support Team.
- Developed our **Child Friendly Complaints Process** to ensure that going forward children have an accessible way to provide feedback about their experiences at hearings to us. Responding to our changing society and the ongoing pressures of COVID by influencing **legislative changes** that help support us to deliver hearings, developing new guidance for our Panel Members, and improving our digital platforms.
- Launching our **CHS: #KeepingThePromise** webpage to report on our projects and progress under our Promise Programme of work.
- Undertaking a series of **local improvement projects** across Scotland focused on participation, preventing delays, and improving decision-making.
- Further embedding UNCRC in all our work by launching our **Children's Rights Impact Assessment Tool** to ensure all our projects and work uphold the rights of children.
- Celebrating and thanking our community during **Volunteers Week**.
- **Reappointing** over 700 Panel Members for a further 3 years.
- Carried out digital discovery work to scope improvements and changes within CSAS (our core case management system) to support reform and tribunal support projects.
- Worked with our Learning Academy (CHSLA) to map process and behaviours to bring forward new agreed ways of working to ensure accurate recording within CSAS of community learning journeys.
- Supporting Panel Member decision-making by updating our **Practice and Procedure Manual** and **Virtual Hearings Guidance** to reflect new legislation and hearings practices.
- Making available open access learning modules covering **baseline Trauma Informed practice** and hearing specific resources.
- As part of the UNCRC project, recruited an intern to support the Practice and Policy team to create a Rights Map tool.
- Created our Siblings Rights toolkit for our community in line with the implementation of the Children (Scotland) Act 2020.

In addition we have had 3 significant strategic development areas of focus in year (see below). These projects are driven by upcoming legislative change and anticipated reform which will require transformational change of the Hearings System and CHS contribution to service delivery.

We are embracing these opportunities to make real difference to the infants, Children, Young People and families who interact with the Hearings system in Scotland.

In 2022/23 CHS supported decisions in 22,365 Hearings across Scotland. Due to the limited capacity within the organisation (approx. 45 employed staff) which has an identified statutory responsibility to recruit, train and support Panel members to deliver these tribunal decisions, we have invested in additional short term professional expertise/support in year to support the development or implementation of these vital strategic areas:

Hearing System Working group

CHS are committed to #KeepThePromise, in 2022/23 our staff and volunteer community made a significant contribution to the work of The Promise Hearings System Working Group Hearing's redesign project which is due to make its recommendations in May 2023. Key investment in year has included:

- A member of the CHS Management Team and Board are substantive members of the Hearing System Working Group and participated in an intensive programme of meetings and deliberations throughout the year. Further information can be viewed here [Hearings System Working Group - The Promise](#)
- Led on the creation of a collaborative Project Initiation Document with SCRA and The Promise to define the redesign proposal parameters.
- Three co-designed project teams were created led by the Promise and Office of the Chief Designer focussed on before, during and after a hearing. CHS seconded staff to Chair two of these groups and provided staff and volunteers to participate in all three redesign groups.
- Seconded a member of the National team to undertake an internal research project on tribunal models around the world to assist with the hearing redesign work. The paper created was submitted to the Promise.
- Worked with The Lens to create consultation and engagement opportunities for all our community across Scotland on the future needs of children, families, and tribunal members to inform redesign and our support structures.

Care and Justice Bill

The Children (Care and Justice) (Scotland) Bill, which was introduced to the Scottish Parliament in December 2022 is expected to come into force in April 2024. This Bill is an endorsement of the Children's Hearings System and a recognition that the principles the system was built on should be extended to all children. Currently, the protections of the Children's Hearings System are not available to some children over 16, meaning when children are in conflict with the law, they receive different treatment depending whether or not they are on a Compulsory Supervision Order. To rectify this, and ensure Scotland is treating everyone under 18 as a child, the Bill raises the age of referral to the Children's Hearings System to include all 16- and 17-year-olds. This is a change that the CHS community has been calling for, for a long time. Raising the age of referral for 16 and 17 year olds, as set out in the Children's Care and Justice (CCJ) Bill, will see an anticipated annual increase of up to 2,415 Hearings and Pre-Hearing Panels (PHPs). Key investment in year has included:

- To prepare for the Care and Justice Bill significant organisational resources have been put into planning and influencing. We have liaised with the Bill team, responded to the formal consultation, and submitted evidence to the lead Parliamentary Committee. We have

consulted and engaged with our panel community, organising briefing and learning sessions.

- We have worked to analyse the data and carried out finance modelling to secure appropriate levels of resources in the financial memorandum. In addition, we are recruiting staff in preparation for implementation anticipated for April 2024.

Tribunal Support Model

The volunteer model of The Children’s Hearings System is not only unique to Scotland, but unique within Scotland. It is our country’s largest tribunal (operating approximately 30,000 Hearings a year and supporting around 10,000 children before the pandemic years). In delivering this, CHS currently provides over 500,000 tribunal hours each year through a national volunteer model. Whilst this model has been in place for now 10 years, it is critical that we prepare ourselves to be ready and able to lead, and implement those changes that will make hearings better for everyone involved especially for our children and young people.

During 2023 we have invested in evaluating and shaping how best we can support Panel members to deliver the expectations of the evolving Tribunal system and what we can do to reduce unreasonable pressures on volunteers, provide more consistent support to panel members (around well-being, learning, administration etc.) and ensure more consistent, high quality and measurable impacts for children and young people. A new Tribunal support model will allow us all to make CHS voluntary roles sustainable, manageable and rewarding and better enable our volunteer panel members to do what they do best, supporting children and young people. Key investment in developing a model for the future in year has included:

- Seconded a member of the National team to act as a Senior Responsible Officer on the Tribunal Support Model project developing the thinking and structures needed to better support our community going forward.
- Engaged professional advice and support to engage with our national team and community to understand issues and propose structural solutions and implementation plans.
- Engaged with community and staff members via short term working groups to identify our ‘as is’ and inform future improvement work.
- Considered feedback from the community wide participation and engagement project which hundreds of our community took part in.
- Considered the requirements for the wider organisational structure to support a new tribunal model and take on anticipated hearing system reform.
- Continued to support panel capacity through further developments in management information (MI) reporting and data, and via fortnightly operational support meetings.
- Continue to improve chairing capacity through the implementation of a chairing working group which saw a number of identified improvements realised and executed.

The Board have approved a new Tribunal Support and leadership model and during 2023 we will begin a phased implementation of changes to the way we support the delivery of high quality Hearings. This will allow us to make CHS voluntary roles sustainable, manageable and rewarding and better enable our volunteer panel members to do what they do best, supporting children and young people.

Organisational Performance Summary

In order to monitor organisational performance and the delivery of our Corporate and Business Plans, we tracked the delivery of 36 Business Objectives through the year. These Objectives were broken down in to milestones with timescales and/or targets. Progress on the milestones and Objectives were reported to the CHS Board and Senior Management Team on a quarterly basis. As in-year performance and delivery is reviewed, Board approval is sometimes sought to remove milestones or Objectives from CHS’ planned delivery for the year. This may be due to internal or external factors. This process of ‘de-scoping’ is documented in the quarterly performance reports and reflected in the ‘RAG’ status of Objectives, as detailed below.

As identified above, in 2022/23 there have been areas of substantial investments in time and organisational resource which the performance report does not include or expand upon. This has resulted in re-prioritisation of work and for some milestones not to be met in year.

A summary of our performance is provided in the table below, with Business Objectives categorised as ‘Green’ for completed, ‘Amber’ for some progress made (between 50% and 99% of the Objective) or the Objective was partially de-scoped during the year, ‘Red’ for little significant progress made towards completion (below 50% of the Objective) or Objective fully de-scoped during the year.

Business Activity Exception Report

Strategic Theme	Number of Business Objective in category		Number of ‘Red’ Objectives due to de-scoping
Theme 1: Better protect and uphold the rights of children	Green	4	n/a
	Amber	1	n/a
	Red	1	1
Theme 2: Deliver consistently high quality hearings	Green	5	n/a
	Amber	2	n/a
	Red	1	1
Theme 3: Continue to build an effective and empathetic panel, that is well-supported	Green	10	n/a
	Amber	1	n/a
	Red	0	n/a
Theme 4: Be well-informed and influential in our environment and communities	Green	7	n/a
	Amber	0	n/a
	Red	1	1
Organisational Effectiveness and Staff Support	Green	2	n/a
	Amber	1	n/a
	Red	0	0
TOTALS	Green	28	n/a
	Amber	5	n/a
	Red	3	3

Table below gives details of those activities that are not marked 'Green' above:

Theme	Business Objective	Status at Year End	Comment
1	Enable CHS staff to collaborate with people with lived experience on emerging improvements and projects through a new Mutual Mentoring programme	Red	<p>Our Mutual Mentoring Programme launched with its first cohort at the end of Q4, after in-year delays. There were two milestones under this objective which were descoped:</p> <ul style="list-style-type: none"> • Sharing the mentoring programme externally was de-scoped due to the delayed launch of the Programme. This work is scheduled to progress in 23/24 after an evaluation of the first cycle of mentoring pairs. • Evaluation and expansion of our mentoring programme was de-scoped due to the delayed launch. This work will progress in 23/24.
1	Develop a Participation Hub on the CHS website to advertise and define our participation opportunities	Amber	While the Participation Hub for the CHS website has been created, launch was delayed due to competing priorities. Plans are on track for launch in Q1 of 23/24.
2	All CHS volunteers complete baseline training on trauma	Red	Completion of baseline trauma training by all volunteers was descoped in-year however, this work will carry forward into 23/24 with Trauma training becoming mandatory and a KPI of 100% set for the new business plan.
2	Improve the quality of recorded reasons and decisions - Scope out pilot improvements to the ways reasons are delivered	Amber	There has been much activity to improve the quality of reasons and decisions including national sampling of Records of Proceedings and the development of a quality assessment tool. The Pilot of the quality improvement tool is currently paused while we await more clarity on coming reforms and the impacts they may have on this work.

Theme	Business Objective	Status at Year End	Comment
2	Implement a quality management framework for independent report writers and reports	Amber	In Q4 we anticipated the implementation of a quality management framework for independent reports. Focus throughout the quarter has been on improved access to data regarding the Panel Members who request and receive reports in order better understand the reasons why reports are required, and to ensure they are meeting the needs of decision makers. This will continue into 23/24.
3	Support ASTs to monitor and review their area plans	Amber	The Majority of ASTs have continued to implement and monitor progress against their Area Plans. The prioritisation of the second PM (Panel Member) recruitment and selection process late in 2022, and the work to drive Chairing capacity in all areas affected AST capacity to implement and monitor some Area Plan actions. ASIP's continue to provide support to ASTs to ensure core business and functions are delivered and bring forward any risks to the National Team.
4	Develop and influence research recruitment opportunities with partners and the CHS community	Red	The development and influence of research recruitment opportunities with partners and the CHS community was de-scoped due to other organisational priorities, though CHS continues to engage with research requests and partner opportunities.
Organisational	Provide up-to-date, appropriate generic and role-specific EDI training for all staff and volunteers	Amber	An in-depth Equality, Diversity and Inclusion (EDI) training session was delivered to all staff in Q1, and Q4. Plans are underway to make baseline learning available for all volunteers by the end of Q4. Bespoke video content from an external provider is in progress and will be hosted on the CHSLA site for all volunteers and will form part of a wider suite of materials.

Key Activities and Achievements

During the year, CHS volunteers sat on 22,365 Hearings.

Below are the key activities CHS undertook towards the delivery of our 2022/23 Business Objectives. Descriptions of all of our identified Objectives can be found in our 2022/23 Business and Corporate Parenting Plan.

Theme 1: Better Protect and Uphold the Rights of Children:

- Worked with the Scottish Public Services Ombudsman and a children's rights partner organisation to develop new processes and procedures for child friendly complaints and feedback;
- Carried out work to embed Children's Rights Impact Assessments in our work by launching a new impact assessment toolkit;
- Launched the CHS Mutual mentoring Programme Pilot with our first four sets of mentoring pairs from CHS staff and the Participation Group;

Theme 2: Deliver Consistently High-Quality Hearings:

- Defined change priorities using the Hearing System Working Group's (HSWG) issues list as the key terms of reference;
- Created and released a collaborative Programme Plan for the redesign work, utilising the Scottish Approach to Service Design;
- Agreed the final hearings model to be pursued ("the blueprint") and released this to the HSWG for approval; and
- Evidenced the impact of CHS's implementation of the Children (Scotland) Act 2020 via the Practice and Policy Bank at the start and end of this project showing significantly improved Panel Member confidence in embedding siblings' rights in children's hearings;
- Delivered local projects focussed on areas such as improving participation in hearings and improving the quality of reports at hearings.

Theme 3: Continue to Build an Effective and Empathetic Panel, that is Well-Supported:

- Carried out engagement and improvement work focused on PPA's.
- Developed engagement processes for use in projects across the organisation.
- Consulted with the community on new policy and procedures;
- Monitored the capacity of our panel members which resulted in the launch of a second recruitment campaign;
- Reappointed existing report writers and recruited additional experts;
- Carried out improvements to PPA digital tools and support;
- Reappointed over 700 Panel Members for a further 3 years;
- Recognised and celebrated our panel community during Volunteers Week;
- Supported ASTs to produce Area Plans.
- Launched our Equality, Diversity, and Inclusion Group.

Theme 4: Be Well-Informed and Influential in our Environment and Communities:

- Worked with staff, Area Conveners and the CHS community to identify structures to deliver redesign outcomes;
- Built and rolled out management information reports via Power BI for use by recruitment, National Team, ACs, DACs, and Clerks. In addition, rolled out data summaries for monthly Senior Management Team (SMT) and quarterly Board meetings;
- Responding to consultations on the Care and Justice Bill,
- Participated in a number of research advisory groups.

Organisational Effectiveness and Staff Support:

- Delivered a Neurodiversity training session and NES Trauma Skilled Practice Training Course to staff

Key Performance Indicators

The table below presents the results of our Key Performance Indicators. An asterisk (*) indicates that the KPI has a note below.

KPI		2022/23 Target	2022/23 Result	Past Performance
1	% of practice bank members who evidence familiarity with children's rights	20%	81%	New Measure
2	% of hearing sessions observed during the year	20%	12%*	New Measure
3	% of pre-service trainees who felt that their learning objectives were met	99%	98%	2019/20: 98% 2020/21: 98% 2021/22: 99%
4	% of applicants put forward for preservice training who complete the full training	90%	83%*	2018/19: 92% 2019/20: 61% 2020/21: 87% 2021/22: 87%
5	% of Panel Members successfully reappointed	60%	70%	2018/19: 68% 2019/20: 79% 2020/21: 62% 2021/22: 74%
6	% of Panel Members retained during the year	80%	78.50%*	2021/22: 86%
7	% volunteer community involved in the Practice & Policy bank	20%	13% *	New Measure

KPI		2022/23 Target	2022/23 Result	Past Performance
8	% of complaints resolved within SPSO guidelines	95%	97.50%	2018/19: 92% 2019/20: 100% 2020/21: 99% 2021/22: 85%
9	% CHS employee attendance	96%	97%	2018/19: 95% 2019/20: 97% 2020/21: 99% 2021/22: 85%
10	% invoices not in dispute paid within 10 working days, during normal operations	90%	83%*	2018/19: 92% 2019/20: 85% 2020/21: 85% 2021/22: 85%
11	% positive staff survey feedback on opportunities for learning and development	70%	70%	2018/19: 33% 2019/20: 52% 2020/21: 65% 2021/22: N/A

Regarding the specific KPIs above:

KPI 2: This was a new measure who’s achievement was affected by the prioritisation of two panel member recruitment campaigns and our PPA recruitment drive.

KPI 4: A number of factors have played into a below target score for this KPI. The reasons given by individuals vary from: family bereavement or illness, new employers not supportive of time commitment needed for training, not appreciating the training commitment required, or having a change of heart when fully understanding the commitment needed to fulfil the role of the Panel Member. In addition, there are those applicants who do not satisfactorily complete Pre Service training or who do not meet the background checks required. Similar to KPI 6, retention of volunteers is challenging in the current climate.

KPI 6: This result, although slightly short of target, represents a strong performance for a year in which the ongoing impacts of Covid recovery and the cost of living crisis impacted volunteer numbers nationally, not only within our own organisation.

KPI 7: This was a new measure within the business plan KPI’s, and a new way of interacting and gathering feedback on Practice related issues from our community. Once the Practice Bank was running with over 200 community members taking part, we realised that the numbers were sufficient for our needs and the target of 20% was not required to provide us with the engagement needed.

KPI 10: Absences within the Finance function in Q4 have impacted CHS’ payment performance.

National Convener Functions

The National Convener carried out the following statutory duties set out in the Children’s Hearings (Scotland) Act 2011:

- 1,434 requests for panel member continuity were made as part of decisions for 935 children.
- We received and responded to 2 requests for written advice, relating to 8 children under section 8 of the Children’s Hearings (Scotland) Act 2011.
- 2 requests to serve notice on the implementation authority of their failure to implement the terms of a Compulsory Supervision Order were made under section 146 and 147 of the Children’s Hearings (Scotland) Act 2011.
- 0 applications were made to the Lord President of the Court of Sessions to remove a panel member under para 1(6) of Schedule 2 of the Children’s Hearings (Scotland) Act 2011.
- 0 referrals were received about excluded pupils under section 127 of the Children’s Hearings (Scotland) Act 2011.

In addition, Children’s Hearings Scotland received 33 requests for independent reports.

Environmental Impact and Biodiversity

CHS is committed to meeting the Public Bodies duties set out the Part 4 of the Climate Change (Scotland) Act 2009. CHS does not have a property footprint beyond its Head Office, which, for the duration of the reporting year, was in Thistle House, Haymarket, Edinburgh. Office space in Thistle House has been rented by CHS from the Scottish Legal Aid Board (SLAB) from April 2019 and we occupy 8.5% of the building.

Owing to the timing of environmental reports by SLAB, only emissions associated with gas and electricity are available immediately after the end of the financial year. Other emissions associated with Thistle House will therefore now be reported in the Annual Report of the following year (ie recycling and waste emissions for 2022/23 will be reported in 2023/24).

	2022/23	2021/22	2020/21
Carbon Emissions (kgCO₂e) – Gas	7,538.2	6,551.2	5,539.5
Carbon Emissions (kgCO₂e) – Electricity	5,780.4	6,368.7	5,693.5
SUB-TOTAL (Gas and Electricity Only)	13,318.6	12,919.9	11,233.0
Carbon Emissions (kgCO₂e) – Water	Not Yet Available	3.5	3.2
Carbon Emissions (kgCO₂e) – Refuse	Not Yet Available	176.8	110.6
TOTAL	13,318.6	13,100.2	11,346.8

Our impact associated with business mileage is given below:

	2022/23	2021/22	2020/21	2019/20
Total Travel Distance (miles)	14,793	10,495	1,002	55,743
Emission Factor (kgCO₂/mile)³	0.27436	0.28053	0.28052	0.29103
Carbon Emissions (kgCO₂e) (travel distance × emission factor)	4,058.6	2,944.2	281.1	16,222.9

Relaxation in restrictions due to COVID-19 meant that business mileage increased in 2022/23 compared to 2021/22, when significant restrictions on movement and meeting remained in place.

Opportunities to promote biodiversity are kept under review, but these are restricted due to the limited property footprint with no outside space which could be effectively adapted to promote biodiversity. We will continue to assess the long-term impact and sustainability of home-working arrangements for the organisation and encourage staff to engage with opportunities that either promote biodiversity or help reduce carbon emissions.

How We Allocated Our Resources in 2022-23: Our Financial Performance

In the year ended 31 March 2023, CHS reported net expenditure before Scottish Government funding of £6.584m (31 March 2022: £5.379m) against Scottish Government funding of £5.75m (31 March 2022: £4.912m), an excess of net expenditure over Scottish Government funding of £0.834m (31 March 2022: £0.467m) with revenue grant-in-aid of £5.35m (31 March 2022: £4.629m). The General Fund has a deficit of £0.589m as at 31 March 2023 (a surplus of £0.245m as at 31 March 2022).

Capital grant-in-aid was £0.4m (2021/22: £0.283m). The final spend of £0.425m funded a significant programme of investment in technology for volunteers and staff technology refresh.

In accordance with *International Accounting Standard 19 (revised) 'Employee Benefits'*, the financial statements reflect at fair value the assets and liabilities arising from CHS' retirement benefit obligations. As a result, CHS has a surplus of £1.789m on its pension reserve at 31 March 2023 (a deficit of £0.611m at 31 March 2022). Further details of pension liabilities are provided in the Remuneration Report and the Notes to the Financial Statements.

The Board of CHS has no reason to believe that the Scottish Government's future sponsorship and future Ministerial approval will not be forthcoming or will only provide a reduced support to CHS. Given the above it is considered appropriate to adopt a going concern basis for the preparation of these financial statements. This is in line with the underlying assumption in the Government Financial Reporting Manual (FRoM) that Government accounts are prepared on a going concern basis.

³ Emission Factor for 'average sized petrol car' is used here.

In line with Scottish Government guidance, CHS' policy is to pay all invoices, not in dispute, within the lesser of 10 working days and the agreed contractual terms. During the year ended 31 March 2023, CHS paid 83% (31 March 2022: 85%) of invoices within the terms of its payment policy.

CHS Senior Management Team and Board have taken steps to ensure CHS has policies in place to guard against corruption and bribery, including CHS' procurement policy, Financial Regulations and Fraud and Corruption Policy.

Equalities, Social Responsibility and Human Rights

CHS' central purpose is to ensure that children in Scotland who come to hearings have decisions made that ensure they are loved, cared for, and respected. CHS aims to contribute to social progress within Scotland through the delivery of activities to the National Performance Framework for Scotland. Specifically, we undertake work that aligns with those outcomes focussed on (1) ensuring children and young people can realise their full potential (2) respecting and protecting children's rights (3) living in empowered, inclusive safe and resilient communities (4) creating a well-educated and skilled society (5) tackling poverty by sharing opportunities. Fuller exploration of these are available on page 16 our Corporate Plan.⁴

Better protecting children's rights is one of our core strategic themes. This year, work has continued on the embedding of our participation standards to enable our work to be more effectively informed by the views of children and young people. We also prioritised work in relation to UNCRC and launched learning to our CHS volunteer community in relation to rights within children's hearings.

CHS has continued to make steady progress towards achieving equality ambitions over the past year. The Equality, Diversity and Inclusion (EDI) working group formed in December 2019 was replaced by a CHS Strategic EDI group. Drawing on a cross section of the CHS staff and volunteers the group monitors and supports delivery of CHS' EDI strategy.

CHS published its third Gender Pay Gap report in March 2022.⁵ Since the last report the staff headcount had increased by 10% with females making up 72% of the staff headcount and accounting for 60% of our senior management team. When using the mean to calculate, our overall pay gap between male and female salaries is now 5.85% (in favour of men), compared with 1.8% two years ago. While the mean and median gender pay gaps within CHS have increased over past two years, this is largely due to an increase in the overall headcount as well as more equal gender distribution within the organisation. While the organisation grew by 10%, as stated before, the number of male employees increased by 50%. CHS next reports on this in 2024.

CHS published its Equality Outcomes 2022–2023 Report on April 1st 2023.⁶ A detailed update on how each outcome had been progressed during this time was presented to the CHS Senior Management Team and to the CHS Board in advance of publication. The report includes annual

⁴ [CHS Corporate Plan 2020-23 \(chscotland.gov.uk\)](https://www.chscotland.gov.uk/corporate-plan-2020-23)

⁵ [CHS Gender Pay Gap and Equal Pay Report 2022 \(chscotland.gov.uk\)](https://www.chscotland.gov.uk/gender-pay-gap-and-equal-pay-report-2022)

⁶ [CHS Equality Mainstreaming and Outcomes 2020 - 2022 Progress Report \(chscotland.gov.uk\)](https://www.chscotland.gov.uk/equality-mainstreaming-and-outcomes-2020-2022-progress-report)

breakdowns of equality monitoring for CHS staff and from all the staff recruitment campaigns covering the three year period 2020 – 2023.

The outcomes presented a blend of equality ambitions that focus on both our employee group and our volunteer community. They also follow the established principle of being proportionate to an organisation of CHS' size and were therefore achievable, having staggered deadlines within which to achieve the outcomes by April 2023.

Over the course of 2022, the EDI strategic group focused on implementation of the overarching Equality, Diversity, and Inclusion Strategy for CHS and created action plan with specific priorities. The group is now monitoring actions for 2023 – 2024. The EDI strategy was published in October 2021,⁷ encapsulating the ambitions that CHS has to create, promote and celebrate an equal, diverse and inclusive culture within the CHS community through a process of continual engagement, communication, training and development. The end goal of this work is to ensure that equality, diversity and inclusion underpins positive outcomes for children, young people and their families. Implementation of the strategy is now well underway. During 2022 staff and volunteer training and communications on the importance of acting to support equality, diversity, and inclusion – was the priority.

CHS and Island Communities

Under s.12 of the Islands (Scotland) Act 2018, CHS is required to publish information about the steps it has taken to comply with the duty to have regard to island communities in carrying out its functions. This section is designed to fulfil this requirement, covering the first reporting period since s.12 came in to force. This reporting period is 23/12/2021 to 22/12/2022.

CHS operates in every Local Authority in Scotland and is conscious of the particular challenges faced by island communities. We have three Area Support Teams that are dedicated to supporting volunteers to make effective decisions for children and young people in island communities (Eilean Siar, Orkney and Shetland) and others that include island communities as part of their areas (e.g. Argyll & Bute). These ASTs work alongside colleagues in other services and organisations (such as social work, children's reporters, third sector organisations) locally.

In 2022, Area Support Teams produced Area Plans to localise the delivery of national objectives and identify the priorities of the local volunteer community. All Island Community Area Support Teams have produced plans focussed on their specific local needs.

The CHS Learning Academy deliver training services nationally, regionally, and locally across Scotland offering in person and online learning events. Island requirements are taken into account for all delivery and include commitment to support groups of island learners in the most effective way possible e.g. providing virtual opportunities if preferred, covering accommodation and travel costs for attendance at face to face events, or where feasible and preferred by island communities, organising on island training events. Out of pocket expenses, including those incurred through any greater distances travelled, longer stays away from home to attend events etc. are reimbursed or pre-paid in advance. CHSLA organises accommodation for training

⁷ [Equality, Diversity & Inclusion Strategy \(chscotland.gov.uk\)](https://www.chscotland.gov.uk/equality-diversity-inclusion-strategy)

centrally to avoid community members being out of pocket. A combination of face to face and virtual learning sessions have been offered throughout 2022 – 2023. Virtual learning courses and the supporting online resources enabled Panel and AST members to complete essential and optional learning at times and a pace that suited them. Local learning and development co-ordinators, supported by CHS national team and the CHS supported local Learning and Development Co-ordinators forum, offered local learning and development sessions to bring island communities together either face to face or virtually to continue to complement national training.

CHS completed work in 2022 to integrate Island Community Impact Assessments in to an organisational impact assessment process that more robustly identifies when and how they should be completed. The process includes screening and guidance tools and be applied during 2023. CHS did not complete any Island Communities Impact Assessments during the reporting period.

What We'll Do Next Year

Our key priority for 2023/24 is to lead and support the CHS Community to deliver better outcomes for Scotland's children and young people. We will continue to deliver on our strategic themes, while listening to children and young people and making decisions with, and for them, that result in an outcome that keeps them safe and allows them to flourish.

Our Business Plan for 2023/24 focuses on building capacity and structures which will enable us to deliver change and reforms in support of the Promise, the Care and Justice Bill, and the Hearing System Working Group recommendations. Specific objectives from our 2023/24 Business Plan include:

Theme 1: Better Protect and Uphold the Rights of Children:

- Continue to embed and give further effect to the UNCRC in our work by revising our Children's Rights and Inclusion strategy.
- Prepare for the implementation of the Care And Justice Bill in children's hearings by Identifying, developing, and securing a comprehensive training programme for Tribunal members.
- Encourage hearing experienced feedback by young people through the provision of our child-friendly complaints and feedback processes.

Theme 2: Deliver Consistently High-Quality Hearings:

- Develop an implementation plan for the agreed reforms arising from the Hearing System Working Group report.
- Use management information and data available to inform business planning and improvement work through operational delivery by enabling access to data dashboards and improving our reporting structures.
- Improve the extent to which hearings and our work is trauma-informed through training and learning resources.

Theme 3: Continue to Build an Effective and Empathetic Panel, that is Well-Supported:

- Ensure CHS has appropriate and sustainable structures in place to effectively support the people needed to deliver a redesigned hearings system through a refreshed Tribunal Support Model.
- Undertake recruitment activities to ensure capacity to meet hearing demand.
- Equip new Panel Members with the skills and knowledge they need to make effective decisions.

Theme 4: Be Well-Informed and Influential in our Environment and Communities:

- Create a programme of engagement that informs and engages our community and stakeholders as we enter a period of reform and change.
- Continue to embed our digital systems across our community and identify on-going improvements and developments to support the needs of CHS volunteers and staff.
- Influence and engage in the development of emerging legislation that can improve outcomes for children and young people through the hearings system.

Organisational Effectiveness and Colleague Support

- Ensure CHS has the right skills and capacity needed to implement changes to the systems and the tribunal support model.
- Continue to build a culture of engagement and wellbeing across the organisation through a programme of structured activities.
- Continue to improve our feedback and complaints processes to ensure we maximise the opportunities for organisational learning

2022/23 was the third year of our Corporate Plan, Our Strategic Outlook 2020-23. This was due to be the final year of the plan, but to allow time for detailed planning focussed on the redesign of the hearings system to be finalised, an additional year has been added to the strategic planning cycle. The plan will therefore now come to an end in 2024.

Elliot Jackson
Accountable Officer

Accountability Report

Corporate Governance Report

Directors' Report

Senior Management Team (SMT) members' Service Contracts

Unless otherwise stated below, the officials covered by this report hold appointments which are open-ended. Any payment in relation to termination of employment through retirement or redundancy is governed by CHS' relevant policies and procedures. Any discretionary payment made to any member of staff on termination is subject to approval by the Board and/or Scottish Government.

SMT member	Job title	Appointment
Elliot Jackson	National Convener/Chief Executive	7 Oct 19 – 6 Oct 24
Stephen Bermingham	Head of Practice and Policy	25 Oct 21
Lynne Harrison	Head of Strategy, Development and Depute Chief Executive	7 Oct 19
Christine Mullen	Head of Learning	1 Jan 22
Carol Wassell	Head of Area Support and Community Improvement	13 Jan 20

There are three female senior managers and two male senior managers. All contracts have a notice period of 3 months and are permanent unless indicated otherwise by a future end date.

Board members in 2022/23	Original appointment	End of appointment
Garry Coutts (chair)	8 April 2014	7 April 2022
Katharina Kasper (chair)	1 April 2022	31 March 2026
Beth-Anne Logan	1 July 2017	30 June 2025
Henry Robson	1 March 2017	28 February 2025
Barbara Neil	1 February 2019	31 January 2025
Katie Docherty	21 June 2021	21 June 2024
Sean Austin	21 June 2021	21 June 2024
Jo Derrick	1 February 2019	31 January 2025

All Board members have fixed term contracts and of the above five are female and three are male.

Board members are appointed by the Scottish Ministers on the basis of having knowledge or experience relevant to the general purpose and specific requirements of CHS or to the functions of the National Convener/Chief Executive.

Audit

The Public Finance and Accountability (Scotland) Act 2000 places personal responsibility on the Auditor General for Scotland to decide who is to undertake the audit of each central government body in Scotland. For the financial years 2022/23 to 2026/27 the Auditor General appointed Audit Scotland to undertake the audit of CHS. The general duties of the auditors of central government bodies, including their statutory duties, are set out in the Code of Audit Practice issued by Audit Scotland and approved by the Auditor General.

Register of Interests

A Register of Interests for Board members and senior staff can be accessed on our website at <http://www.chscotland.gov.uk/about-chs/our-people/the-chs-board/meet-the-chs-board/> or by contacting the Business Operations & Governance Lead (<https://www.chscotland.gov.uk/about-us/meet-the-team>).

Personal data related incidents

For more information on incidents relating to personal data, please refer to the Governance Statement below.

Statement of disclosure of Information to Auditors

So far as the Directors are aware, there is no relevant audit information of which the auditors are unaware. Additionally, the Directors have taken all the necessary steps that they ought to have taken as Directors in order to make themselves aware of all relevant audit information and to establish that the organisation's auditors are aware of that information.

"Relevant audit information" means information needed by the organisation's auditors in connection with preparing their report.

Statement of Accountable Officer's Responsibilities

Under section 21(1) of the Children's Hearings (Scotland) Act 2011, the Scottish Ministers have directed CHS to prepare for each financial year a statement of accounts in the form and on the basis set out in the Accounts Direction.

The accounts are prepared on an accruals basis and must give a true and fair view of the state of affairs of CHS and of its net resource outturn, application of resources, changes in taxpayers' equity and cash flows for the financial year.

In preparing the accounts, the Accountable Officer is required to comply with the requirements of the Government Financial Reporting Manual (FReM) and in particular to:

- observe the Accounts Direction issued by the Scottish Ministers, including the relevant accounting and disclosure requirements, and apply suitable accounting policies on a consistent basis
- make judgements and estimates on a reasonable basis
- state whether applicable accounting standards as set out in the FReM have been followed, and disclose and explain any material departures in the financial statements,

and

- prepare the financial statements on the going concern basis.

Under section 15 of the Public Finance and Accountability (Scotland) Act 2000, the Accountable Officer of the Scottish Government Directorate with responsibility for sponsorship of CHS designated the National Convener/Chief Executive of CHS as the Accountable Officer for the organisation. The responsibilities of an Accountable Officer, including responsibility for the propriety and regularity of the public finances for which the Accountable Officer is answerable, for keeping proper records and for safeguarding the organisation's assets, are set out in Managing Public Money by the HM Treasury.

As Accountable Officer, I confirm that:

- as far as I am aware, there is no relevant audit information of which the auditors are unaware, and I have taken all the steps that I feel I ought to have taken to make myself aware of any relevant audit information and to establish that the auditors are aware of that information.
- the annual report and accounts as a whole is fair, balanced and understandable and that I take personal responsibility for the annual report and accounts and the judgements required for determining that it is fair, balanced and understandable.

Governance Statement

Scope of Responsibility

As Accountable Officer, I have responsibility for maintaining a sound system of internal control that supports the achievement of CHS' policies, aims and objectives, as set by Scottish Ministers, whilst safeguarding the public funds and assets for which I am personally responsible, in accordance with the responsibilities assigned to me in the Memorandum to Accountable Officers for Other Public Bodies.

Governance framework

CHS' governance framework accords with generally accepted best practice principles and guidance from Scottish Ministers in the Scottish Public Finance Manual and has been in place for the financial year ended 31 March 2023 and up to the date of the approval of the annual report and accounts.

CHS has a Board which meets at least every three months to consider the overall strategic direction of CHS within the policy, planning and resources framework determined by the Scottish Ministers. The Board seeks assurance that corporate objectives are being progressed through the delivery of agreed targets in the business plans and corporate plan on performance, implementation of strategic projects, effective use of resources and management of strategic risks.

The Board Committee structure comprises a Remuneration and Appointments Committee (RAC) and an Audit and Risk Management Committee (ARMC). Each Committee has developed its terms of reference which are documented, approved and reviewed on an annual basis.

The Remuneration and Appointments Committee meets a minimum of three times per year (in this year it met four times) and reviews the arrangements for:

- the performance appraisal process for the Chief Executive, Directors and CHS staff;
- the recruitment and remuneration of all CHS employees;
- the monitoring of the People Strategy and workforce planning arrangements.

In 2022/23 the Committee also considered Staff Forum progress, Equality, Diversity & Inclusion outcomes reporting, progress against Fair Work First requirements, HR policies, and the results of the employee engagement survey.

The Chair of the Remuneration and Appointments Committee briefs the Board following each meeting and the latter receives an annual report on the performance of the Committee.

The Audit and Risk Management Committee meets quarterly and reviews the adequacy of the arrangements for ensuring sound internal control arrangements and provides the Board and Accountable Officer with advice and assurance with regard to the arrangements for:

- financial control and reporting;
- risk management;
- Information Governance;
- legal and regulatory compliance;
- Digital Programme.

The Chair of the Audit and Risk Management Committee briefs the Board following each meeting and the Board receives an annual report on the performance of the Committee.

CHS has an internal audit service provided under contract by BDO, which operates to standards defined in the Public Sector Internal Audit Standards. During 2022/23 Internal Audit undertook reviews of the CHS Project Management Framework, Complaints Management, and Freedom of Information requests. The Committee scrutinises all internal audit reports and the actions taken by managers in response to audit recommendations.

In the internal auditor's opinion, the risk management activities and controls in the areas which they examined were found to be suitably designed to achieve the specific risk management, control and governance arrangements. Based on their verification reviews and sample testing, the risk management, control and governance arrangements were operating with sufficient effectiveness to provide reasonable, but not absolute assurance that the related risk management, control and governance objectives were achieved for the period under review.

Operation of the Board

The Board met five times for public meetings during 2022/23, held five Board development sessions for training opportunities and discussion, and two Strategy sessions to support ongoing work within the organisation and with the Hearing System Working Group.

Key issues for the Board in 22/23 included:

- CHS Participation Framework
- Impact Report
- Approving quarterly performance reports
- Board Standing Orders and Self-Assessment
- Scrutiny of ongoing work to improve capacity
- Approving the Budget for 2023/24
- Approving the Business and Corporate Parenting Plans for 2023/24
- Approving the Annual Accounts and Impact Report
- Reviewing Learning Academy progress
- Volunteer Recruitment
- Equalities
- OHOV Calls to Action
- Development and Approval of a new Tribunal Support Model
- Approving the accounting policies to be used for the preparation of CHS' statement of accounts for 2022/23

Strategic and operational finance support is provided through a shared services arrangement with SCRA and CHS has a dedicated HR/OD Lead. The Head of Finance & Resources provides strategic finance advice to the CHS Board and Committee meetings and other meetings as appropriate.

Assessment of corporate governance arrangements

As Accountable Officer, I have reviewed the effectiveness of corporate governance arrangements. My review is informed by:

- the executive managers within CHS who have responsibility for the development and maintenance of the internal control framework, including the organisation's Senior Information Risk Officer
- the work of the internal auditors who submit to the Audit and Risk Management Committee
- regular reports which include the Head of Internal Audit's independent and objective opinion on the adequacy and effectiveness of CHS' system of internal control together with any recommendations for improvement
- comments made by the external auditors in their management letter and other reports

The following internal control systems are assessed annually as part of the Scottish Government Certificates of Assurance process which must be completed by the National Convener. This process is underway for 2022/23 and to date no major control gaps have been identified.

- Risk Management
- Business Planning
- Major Investment
- Project Management
- Financial Management
- Fraud
- Procurement
- Human Resources
- Equality and Diversity
- Information
- Health & Safety
- Compliance

Assessment of procurement activities

As Accountable Officer, I have reviewed the effectiveness of procurement activities and arrangements. CHS is committed to fair process and best value resourcing and therefore in sourcing suppliers utilises SG procurement frameworks where possible and utilises shared service expertise from the SG procurement team through their Procurement Lite service. CHS has put in place a series of procurement KPIs to help demonstrate the contribution of procurement approaches to the efficient, effective and economical running of the organisation.

CHS reports on the effective contract management CHS Learning Academy by monitoring the contract meetings held, the financial management of the contract, and the KPIs delivered.

In 2022/23 there were 12 Operational meetings held and 3 Strategic contract meetings held. There were 18 KPIs reported against throughout the year. 13 were met or exceeded, 3 were not comparable with previous targets, and 1 KPI did not achieve its target (retention of trainees achieved a score of 83% against a target of 90%).

CHS reports against procurement activity for its annual recruitment campaigns as well as any contracts awarded above £5,000, contracts awarded using the SG framework above £20,000, and the number of contracts awarded using the 'quick quotes' approach.

In 2022/23 the following procurement activities took place which were awarded either via Quick Quotes, through the SG framework, and other procurement exercises.

- 12 procurement activities were awarded with a value between £5,000 - £20,000 which included the following services: consultancy services, learning and development, internal and external auditing, legal services, IT, wellbeing support, and business services.
- 10 procurement activities were awarded above £20,000 which included the following services: consultancy, digital design, IT equipment, media services for the recruitment campaign, legal services, and the provision of the CHS Learning Academy.

Key issues and risks

A framework for identifying, measuring, controlling and monitoring strategic risks has been in place throughout the financial year during which time the senior team and the Audit and Risk Management Committee reviewed and approved the Risk Management Policy. A regular review of the Operational and Strategic Risk Registers is undertaken by the Senior Management Team and the Strategic Risk Register is reported to the Audit and Risk Management Committee on a quarterly basis. Strategic and operational risk management is embedded in CHS' corporate and business planning processes and performance management arrangements.

The key strategic risks identified and monitored during 2022/23 included: An inability to fulfil ambitions due to budgetary constraints; Lack of quality assurance and consistency of practice; Systems fail due to poor cyber resilience, Damage to credibility by failing to deliver and improve our functions in a data and evidence driven manner; Failing to have an influential voice in sector policy and practice; Failure to meet UNCRC obligations; Failure to contribute to positive outcomes for babies, infants, children, young people and their families due to poor quality hearings and hearings decisions and not maintaining an informed, trauma sensitive, sustainable, resilient and motivated volunteer community; and a Reduction in Panel member capacity leading to inability to fulfil statutory requirements, loss of volunteers due to changes in the sector and CHS.

Digital Programme

The main focus of activity throughout 2022/23 has been continued functional improvements to our CSAS platform across several areas including Rota, Observations and Recruitment. Development work has also taken place to support the implementation of a new Tribunal Support Model in 2023/24. Joint Change Control Board and Control Assurance Boards are now in place with SCRA to support the governance and implementation of improvements or changes to the digital platform.

A digital Strategy and Implementation plan has been developed in year alongside significant work to access and provide Management Information derived from CSAS to the National Team and ASTs through Power BI reporting and dashboards to support the operation and improvement of our services. This can be evidenced through the provision of data snapshots in our quarterly performance reports.

We continue to support Panel Members to participate in virtual children's hearings through training and provision of devices to support virtual activity including provision to all new trainees in year.

Personal data related incidents

During 2022/23, CHS has had 44 information security incidents recorded and investigated (including near misses), two of which were reportable to the Information Commissioners Office. The increase in incidents, outside of identifiable trends, indicates a higher standard of consistency in reporting, and increased awareness of types of suspected incidents that may require investigation.

Mitigating measures are in place to reduce the likelihood of data breaches and include compulsory training for all panel and AST members, Clerks, CHS National Team and Board members. Observed trends in breaches lead to the introduction of new or updated mitigations when necessary.

Conclusion

As Accountable Officer, I am satisfied that CHS has effective corporate governance arrangements in place.

Remuneration and Staff Report

Remuneration and Appointments Committee (unaudited)

The Remuneration and Appointments Committee, a sub-committee of the full CHS Board, oversees the remuneration and performance management arrangements of all staff.

For 2022/23, the Remuneration and Appointments Committee consisted of:

- Jo Derrick (chair)
- Beth-Anne Logan
- Katie Docherty

Proposals on the remuneration of the National Convener/Chief Executive are made by the Remuneration and Appointments Committee and form the basis of recommendations to the Scottish Government. Proposals in relation to remuneration of other senior managers and staff remuneration are included in a pay and grading remit, which is submitted to the Scottish Government for approval following approval by the Remuneration and Appointments Committee.

CHS' overall remuneration policy aims to:

- attract, retain and motivate competent and skilled staff at all levels of the organisation
- ensure that salaries are as competitive as possible
- reward staff for their contribution to CHS by arrangements which are simple, fair and transparent.

Board and SMT Remuneration (audited)

Senior managers' remuneration as a single figure

Senior Management Team Members	2022/23 Salary and Allowances	2022/23 Pension benefits ¹	2022/23 Compensation	2022/23 Total	2021/22 Salary and Allowances	2021/22 Pension benefits ¹	2021/22 Total
	£000	£000	£000	£000	£000	£000	£000
Elliot Jackson	80-85	35-40	n/a	115-120	80-85	110-115	195-200
Stephen Bermingham ²	70-75	120-125	n/a	190-195	25-30	(5)-0	25-30
Lynne Harrison	70-75	35-40	n/a	110-115	65-70	25-30	90-95
Christine Mullen	55-60	30-35	n/a	90-95	50-55	20-25	75-80
Carol Wassell ³	70-75	70-75	n/a	140-145	65-70	230-235	300-305

- 1 The value of pension benefits accrued during the year is calculated as (the real increase in pension multiplied by 20) plus (real increase in lump sum) less (the contributions made by the individual). The real increase excludes increases due to inflation or any increase or decrease due to a transfer of pension rights.
- 2 Member was appointed on 25 October 2021 and has elected to link their previous service from another employer in the Scottish LGPS
- 3 This member's figures include a transfer in of benefits which took place in 2021/22.

Remuneration	Salary and allowances ¹	Salary and allowances ¹
	2022/23	2021/22
Board	£000	£000
Garry Coutts	0-5	20-25
Katharina Kasper	10-15	n/a
Sean Austin	5-10	0-5
Katie Docherty	0-5	0-5
Barbara Neil	5-10	5-10
Jo Derrick	0-5	0-5
Beth-Anne Logan ²	10-15	5-10
Henry Robson	5-10	0-5

- 1 CHS does not make any contribution to the Local Government Pension Scheme (LGPS) in respect of Board members, nor provide any other form of pension benefit.
- 2 Throughout 2021/22 and 2022/23, this Board member was been remunerated through CHS for additional duties in relation to wider Scottish Government Secure Care projects.

Senior managers' pension entitlements

Senior Management Team Members	Real increase in pension in year to 31 March 2023 £000	Real increase in lump sum in year to 31 March 2023 £000	Total accrued pension as at 31 March 2023 £000	Total accrued lump sum at 31 March 2023 £000	CETV ¹ at 31 March 2022 £000	CETV ¹ at 31 March 2023 £000	Real increase in CETV ¹ during year £000
Elliot Jackson	0-2.5	(2.5)-0	45-50	70-75	794	825	31
Stephen Bermingham ²	5-7.5	0	5-10	0	7	72	65
Lynne Harrison	0-2.5	0	5-10	0	68	91	22
Christine Mullen	0-2.5	0	5-10	0	85	107	22
Carol Wassell	2.5-5	0	15-20	0	150	189	39

¹ CETV stands for Cash-equivalent transfer value

² Member has elected to link their previous service from another employer in the Scottish LGPS

Prior year comparatives

Senior Management Team Members	Real increase in pension in year to 31 March 2022 £000	Real increase in lump sum in year to 31 March 2022 £000	Total accrued pension as at 31 March 2022 £000	Total accrued lump sum at 31 March 2022 £000	CETV ¹ at 31 March 2021 £000	CETV ¹ at 31 March 2022 £000	Real increase in CETV ¹ during year £000
Elliot Jackson	5-7.5	7.5-10	40-45	70-75	688	794	107
Stephen Bermingham ²	n/a	n/a	0-5	0	n/a	7	n/a
Lynne Harrison	0-2.5	0	5-10	0	50	68	18
Christine Mullen	0-2.5	0	5-10	0	67	85	18
Carol Wassell ³	10-12.5	n/a	10-15	0	21	150	129

¹ CETV stands for Cash-equivalent transfer value

² Member had under 2 years' service, therefore no accrued entitlements

³ This member's figures include a transfer in of benefits which took place in 2021/22. This member had no pension entitlement in 2020/21, so the entirety of the increase in pension is the full pension amount in 2021/22.

Other staff members' remuneration

The full time equivalent remuneration paid to CHS staff as at 31 March 2023 ranged from £26,443 to £82,572 (31 March 2022: £25,184 to £80,859).

Reporting bodies are required to disclose the relationship between the remuneration of the highest-paid director in their organisation and the following percentiles' remuneration of the organisation's workforce.

Remuneration (continued)	Salary	Allowances	Total remuneration	Salary	Allowances	Total remuneration
	2022/23	2022/23	2022/23	2021/22	2021/22	2021/22
Highest-paid director	£82,572	£0	£82,572	£80,859	£0	£80,859
25 th percentile	£34,609	£0	£34,609	£28,166	£0	£28,166
Median	£42,723	£0	£42,723	£39,793	£0	£39,793
75 th percentile	£55,622	£0	£55,622	£51,419	£0	£51,419

The highest-paid director's salary increased by 2.1% from 2021/22.

The 25th percentile pay has ratio has decreased from 2.87:1 to 2.39:1. The median pay ratio has decreased from 2.03:1 to 1.93:1. The 75th percentile pay ratio has decreased from 1.57:1 to 1.48:1. All these decreases are due to the highest-paid director's pay award being smaller in percentage terms than that awarded to other staff. CHS believes the median pay ratio for 2022/23 is consistent with its pay, reward and progression policies for CHS' employees taken as a whole.

In 2022/23 no employees received remuneration in excess of the highest-paid director (2021/22: none). CHS does not have a separate performance pay scheme for senior managers. The Scottish Government-wide remuneration policy is applied equally to all staff, including senior management.

Compensation

No compensation payments were made in 2022/23 (2021/22: none).

Benefits in Kind

The monetary value of benefits in kind covers any benefits provided by the employer and treated by HMRC as a taxable emolument. No benefits in kind were received in 2022/23 (2021/22: none).

Amounts payable to/from third parties for the services of a senior manager (audited)

CHS paid Scottish Children's Reporter Administration £5,430 and £nil in 2022/23 in respect of senior management services from Edward Morrison (Head of Finance and Resources) and Susan Deery (Head of Human Resources) respectively (2021/22: £5,165 and £2,583 respectively).

Staff breakdown by gender and permanent/non-permanent contracts (unaudited)

Average number of employees (whole-time equivalents)	2022/23	2021/22
Staff with a permanent contract – male	11	7
Staff with a permanent contract – female	26	23
Staff without a permanent contract – male	2	2
Staff without a permanent contract – female	4	4
	43	36

Staff costs (audited)

Staff with a permanent (UK) employment contract	2022/23 £000	2021/22 £000
Wages and salaries	1,595	1,328
Social security costs	174	143
Contributions to pension scheme	419	330
IAS 19 pension charge*	316	401
	2,504	2,202

Staff without a permanent (UK) employment contract	2022/23 £000	2021/22 £000
Wages and salaries	350	362
Social security costs	28	20
Contributions to pension scheme	64	50
IAS 19 pension charge*	50	-
	492	432

All Staff	2022/23 £000	2021/22 £000
Wages and salaries	1,945	1,690
Social security costs	202	163
Contributions to pension scheme	483	380
IAS 19 pension charge	366	401
	2,996	2,634

* In 2021/22, this charge was not split between staff with a permanent (UK) employment contract and staff without a permanent (UK) employment contract.

The average pay per FTE employee increased by 8.8% between 31 March 2022 and 31 March 2023, due to the pay award, an increase in headcount principally among the higher pay bands, and a number of newer staff progressing within their pay band.

Exit packages

No exit packages were agreed during 2022/23 (2021/22: none).

Expenditure on consultancy

In 2022/23, CHS spent £303,772 on consultancy (2021/22: £49,225). Due to the limited capacity within the small National team to enable effective shaping of the significant transformational reform required of the hearing system, whilst continuing to manage and support the statutory requirements of delivery of the children's hearings tribunal, additional external support has been engaged to work alongside the leadership team to enable development of key strategic plans; build and develop internal skill sets to take forward transformational change identified and has enabled effective consultation, and community wide engagement and analysis upon which to shape strategic responses.

Staff Absence (unaudited)

In the year to 31 March 2023, staff absence was an average of 6.6 days per full time employee (2022: 10.4 days).

Disability, Inclusion, Equality and Diversity (unaudited)

CHS is committed to equality and diversity.

- CHS has been recognised as a Disability Confident Committed Employer. We plan for, and make reasonable adjustments to, the assessment and interview process ensuring our recruitment process is inclusive and accessible when communicating and promoting vacancies.
- During employment, we anticipate and proactively offer and make reasonable adjustments as required.
- We provide an environment that is inclusive and accessible for staff and volunteers.
- We support employees to manage their disabilities or long term health concerns to enable them to stay in work.
- We ensure there are no barriers to the development and progression of disabled staff.
- We ensure managers are aware of how they can support staff who are sick or absent from work
- We promote information and advice on wellbeing and mental health conditions through our HR channels. Line managers are encouraged to have conversations with their staff about staff mental health and wellbeing during their regular 121 meetings.
- We provided a paid well being day as part of our 2022/23 Pay Policy, allowing staff an additional paid day for their wellbeing.
- We provide occupational health services and an employee assistance programme (EAP) and regularly promote EAP resources to staff.
- In 2022/23 CHS provided three wellbeing sessions for staff facilitated by The Wellbeing Project. Topics included; Flourish (how to optimise physical, emotional and mental wellbeing), Inner Driver, and the Energise programme.

CHS reports against the statutory Public Sector Equality Duty and in addition has several policies relating to supporting disability in the workplace including:

- Equal Opportunities policy
- Flexible Working policy
- Recruitment and Selection policy
- Dignity at Work policy

With regards to disability, CHS included the following over-arching Equality Outcome that is specifically focussed on supporting those with caring responsibilities.

Increasing accessibility, and promoting inclusion has removed participation barriers to all individuals who make up our CHS Community.

Under this outcome, CHS has a subset of outcomes with the following outcome particularly focused on carers, who by association, can be directly or indirectly discriminated against on the grounds of disability in the general working environment, due to their caring responsibilities for those who have disabilities.

CHS has been recognised as an employer of choice by individuals with caring⁸ responsibilities due to its positive and open recruitment approach and its flexible working and attendance management policies and practices.

Our Volunteer Community continue to be fully aware of and undertake their functions with equality in mind. Our CHS Learning Academy (West Lothian College) incorporate Equality and Diversity learning and assessment into essential training for our panel members before they are appointed. All new panel members complete a qualification awarded by the Scottish Qualifications Authority (SQA) – the Professional Development Award (PDA) Children’s Hearings in Scotland – Panel Members. Our National Team complete a compulsory Equality, Diversity and Inclusion training course.

The training delivered by our CHS Learning Academy focuses on the 2010 Equality Act. In particular, the qualification focuses on the acquisition of skills and knowledge that demonstrate awareness of the equality and diversity needs of children and young people and how to address them.

Our Area Support Teams receive training in the recruitment and selection of new panel members. This includes input on key principles of equality and diversity and an emphasis on understanding the importance of diversity when assessing and supporting candidates.

⁸ A carer is someone who provides unpaid care by looking after an ill, frail or disabled family member, friend or partner. (<http://www.carerpositive.org/>)

Parliamentary Accountability Report

CHS is required to report on any high-value losses and special payments incurred in the financial year, any fees and charges receivable in the financial year and any remote contingent liabilities as at the date the accounts were signed by the Accountable Officer.

- No reportable losses were incurred in the financial year to 31 March 2023.
- No reportable special payments were made in the financial year to 31 March 2023.
- No reportable fees or charges were received in the financial year to 31 March 2023.
- There are no remote contingent liabilities at the date the accounts were signed.

Elliot Jackson
Accountable Officer

Independent auditor's report to the members of Children's Hearings Scotland, the Auditor General for Scotland and the Scottish Parliament

Reporting on the audit of the financial statements

Opinion on financial statements

I have audited the financial statements in the annual report and accounts of Children's Hearings Scotland for the year ended 31 March 2023 under the Children's Hearings (Scotland) Act 2011. The financial statements comprise the Statement of Comprehensive Net Expenditure, the Statement of Financial Position, the Statement of Cash Flows, the Statement of Changes in Taxpayers' Equity and notes to the financial statements, including significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and UK adopted international accounting standards, as interpreted and adapted by the 2022/23 Government Financial Reporting Manual (the 2022/23 FReM).

In my opinion the accompanying financial statements:

- give a true and fair view of the state of the body's affairs as at 31 March 2023 and of its net expenditure for the year then ended;
- have been properly prepared in accordance with UK adopted international accounting standards, as interpreted and adapted by the 2022/23 FReM; and
- have been prepared in accordance with the requirements of the Children's Hearings (Scotland) Act (2011) and directions made thereunder by the Scottish Ministers.

Basis for opinion

I conducted my audit in accordance with applicable law and International Standards on Auditing (UK) (ISAs (UK)), as required by the [Code of Audit Practice](#) approved by the Auditor General for Scotland. My responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of my report. I was appointed by the Auditor General on 02 December 2022. My period of appointment is five years, covering 2022/23 to 2026/27. I am independent of the body in accordance with the ethical requirements that are relevant to my audit of the financial statements in the UK including the Financial Reporting Council's Ethical Standard, and I have fulfilled my other ethical responsibilities in accordance with these requirements. Non-audit services prohibited by the Ethical Standard were not provided to the body. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Conclusions relating to going concern basis of accounting

I have concluded that the use of the going concern basis of accounting in the preparation of the financial statements is appropriate.

Based on the work I have performed, I have not identified any material uncertainties relating to events or conditions that, individually or collectively, may cast significant doubt on the body's

ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from when the financial statements are authorised for issue.

These conclusions are not intended to, nor do they, provide assurance on the body's current or future financial sustainability. However, I report on the body's arrangements for financial sustainability in a separate Annual Audit Report available from the [Audit Scotland website](#).

Risks of material misstatement

I report in my separate Annual Audit Report the most significant assessed risks of material misstatement that I identified and my judgements thereon.

Responsibilities of the Accountable Officer for the financial statements

As explained more fully in the Statement of Accountable Officer's Responsibilities, the Accountable Officer is responsible for the preparation of financial statements that give a true and fair view in accordance with the financial reporting framework, and for such internal control as the Accountable Officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Accountable Officer is responsible for assessing the body's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless there is an intention to discontinue the body's operations.

Auditor's responsibilities for the audit of the financial statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of users taken on the basis of these financial statements.

Irregularities, including fraud, are instances of non-compliance with laws and regulations. I design procedures in line with my responsibilities outlined above to detect material misstatements in respect of irregularities, including fraud. Procedures include:

- using my understanding of the central government sector to identify that the Children's Hearings (Scotland) Act 2011 and directions made thereunder by the Scottish Ministers are significant in the context of the body;
- inquiring of the Accountable Officer as to other laws or regulations that may be expected to have a fundamental effect on the operations of the body;
- inquiring of the Accountable Officer concerning the body's policies and procedures regarding compliance with the applicable legal and regulatory framework;

- discussions among my audit team on the susceptibility of the financial statements to material misstatement, including how fraud might occur; and
- considering whether the audit team collectively has the appropriate competence and capabilities to identify or recognise non-compliance with laws and regulations.

The extent to which my procedures are capable of detecting irregularities, including fraud, is affected by the inherent difficulty in detecting irregularities, the effectiveness of the body's controls, and the nature, timing and extent of the audit procedures performed.

Irregularities that result from fraud are inherently more difficult to detect than irregularities that result from error as fraud may involve collusion, intentional omissions, misrepresentations, or the override of internal control. The capability of the audit to detect fraud and other irregularities depends on factors such as the skilfulness of the perpetrator, the frequency and extent of manipulation, the degree of collusion involved, the relative size of individual amounts manipulated, and the seniority of those individuals involved.

A further description of the auditor's responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website www.frc.org.uk/auditorsresponsibilities. This description forms part of my auditor's report.

Reporting on regularity of expenditure and income

Opinion on regularity

In my opinion in all material respects the expenditure and income in the financial statements were incurred or applied in accordance with any applicable enactments and guidance issued by the Scottish Ministers.

Responsibilities for regularity

The Accountable Officer is responsible for ensuring the regularity of expenditure and income. In addition to my responsibilities in respect of irregularities explained in the audit of the financial statements section of my report, I am responsible for expressing an opinion on the regularity of expenditure and income in accordance with the Public Finance and Accountability (Scotland) Act 2000.

Reporting on other requirements

Opinion prescribed by the Auditor General for Scotland on audited parts of the Remuneration and Staff Report

I have audited the parts of the Remuneration and Staff Report described as audited. In my opinion, the audited parts of the Remuneration and Staff Report have been properly prepared in accordance with the Children's Hearings (Scotland) Act 2011 and directions made thereunder by the Scottish Ministers.

Other information

The Accountable Officer is responsible for the other information in the annual report and accounts. The other information comprises the Performance Report and the Accountability Report excluding the audited parts of the Remuneration and Staff Report.

My responsibility is to read all the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or my knowledge obtained in the course of the audit or otherwise appears to be materially misstated. If I identify such material inconsistencies or apparent material misstatements, I am required to determine whether this gives rise to a material misstatement in the financial statements themselves. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact. I have nothing to report in this regard.

My opinion on the financial statements does not cover the other information and I do not express any form of assurance conclusion thereon except on the Performance Report and Governance Statement to the extent explicitly stated in the following opinions prescribed by the Auditor General for Scotland.

Opinions prescribed by the Auditor General for Scotland on Performance Report and Governance Statement

In my opinion, based on the work undertaken in the course of the audit:

- the information given in the Performance Report for the financial year for which the financial statements are prepared is consistent with the financial statements and that report has been prepared in accordance with the Children's Hearings (Scotland) Act 2011 and directions made thereunder by the Scottish Ministers; and
- the information given in the Governance Statement for the financial year for which the financial statements are prepared is consistent with the financial statements and that report has been prepared in accordance with the Children's Hearings (Scotland) Act 2011 and directions made thereunder by the Scottish Ministers.

Matters on which I am required to report by exception

I am required by the Auditor General for Scotland to report to you if, in my opinion:

- adequate accounting records have not been kept; or
- the financial statements and the audited parts of the Remuneration and Staff Report are not in agreement with the accounting records; or
- I have not received all the information and explanations I require for my audit.

I have nothing to report in respect of these matters.

Conclusions on wider scope responsibilities

In addition to my responsibilities for the annual report and accounts, my conclusions on the wider scope responsibilities specified in the Code of Audit Practice are set out in my Annual Audit Report.

Use of my report

This report is made solely to the parties to whom it is addressed in accordance with the Public Finance and Accountability (Scotland) Act 2000 and for no other purpose. In accordance with paragraph 108 of the Code of Audit Practice, I do not undertake to have responsibilities to members or officers, in their individual capacities, or to third parties.

Asif A Haseeb OBE
Audit Scotland
4th Floor
8 Nelson Mandela Place
Glasgow
G2 1BT

Financial Statements

Children's Hearings Scotland Statement of Comprehensive Net Expenditure for the year ended 31 March 2023

	Note	Year to 31 March 2023 £000	Year to 31 March 2022 £000
Expenditure			
Staff costs	2	2,996	2,634
Other administration costs	3	3,130	2,449
Depreciation	4,5,6	419	296
<i>Expenditure</i>		6,545	5,379
Income	1.8	(21)	(56)
Net expenditure		6,524	5,323
Pension scheme finance cost	10	59	56
Finance lease interest	5	1	0
Net expenditure before Scottish Government funding		6,584	5,379
Other comprehensive net expenditure			
Items which will not be reclassified to net expenditure:			
Actuarial loss/(gain) on pensions	10	(3,293)	(1,020)
Comprehensive net expenditure for the year		3,291	4,359

The notes following the financial statements form part of these accounts.

Children's Hearings Scotland
Statement of Financial Position as at 31 March 2023

	Note	2023 £000	2022 £000
Non-current assets			
Property, plant & equipment	4	494	717
Right of use asset	5	108	0
Intangible assets	6	283	0
<i>Total non-current assets</i>		885	717
Current assets			
Trade and other receivables	7	268	176
Cash and cash equivalents	8	938	1,146
<i>Total current assets</i>		1,206	1,322
Total assets		2,091	2,039
Current liabilities			
Trade and other payables	9	(782)	(430)
Lease obligation	5	(54)	0
<i>Total current liabilities</i>		(836)	(430)
Non-current assets plus net current assets		1,255	1,609
Non-current liabilities			
Net pension asset/(liability)	10	0	(1,975)
Lease obligation	5	(55)	0
Net assets/(liabilities)		1,200	(366)
Taxpayers' equity			
General fund		(589)	245
Pension reserve		1,789	(611)
Total taxpayers' equity		1,200	(366)

The Accountable Officer authorised these financial statements for issue on 26 September 2023.

Elliot Jackson
Accountable Officer

Children's Hearings Scotland
Statement of Cash Flows for the year ended 31 March 2023

	Note	2023 £000	2022 £000
Cash flows from operating activities			
Net expenditure before Scottish Government funding		(6,584)	(5,379)
<i>Adjustments for non-cash items</i>			
Increase/(Decrease) in pension fund liability	10	(1,975)	(563)
Increase/(Decrease) in pension reserve	10	2,400	1,020
Depreciation charges	4,5,6	419	296
Loss on disposal of assets		-	-
<i>Movements in working capital</i>			
Decrease/(Increase) in trade and other receivables	7	(92)	(47)
Increase/(Decrease) in trade and other payables	9	303	42
Net cash outflow from operating activities		(5,529)	(4,631)
Cash flows from investing activities			
Purchase of property, plant & equipment	4	(83)	(302)
Purchase of intangible assets	6	(293)	-
Cash flows from financing activities			
Scottish Government funding for year		5,750	4,912
Repayment of leasing liabilities	5	(52)	
Interest paid on lease obligations		(1)	
Net increase/(decrease) in cash and cash equivalents		(208)	(21)
Opening cash balance	8	1,146	1,167
Closing cash balance		938	1,146

Children's Hearings Scotland
Statement of Changes in Taxpayers' Equity
for the year ended 31 March 2023

	Note	General Fund £000	Pension Reserve £000	Total Reserves £000
Balance at 1 April 2021		712	(1,631)	(919)
Actuarial gain on pension reserve	10	0	1,020	1,020
Net expenditure for the year		(5,379)	0	(5,379)
Total recognised income and expense for 2021/22		(4,667)	(611)	(5,278)
Funding from Scottish Government		4,912	0	4,912
Balance at 31 March 2022		245	(611)	(366)
	Note	General Fund £000	Pension Reserve £000	Total Reserves £000
Balance at 1 April 2022		245	(611)	(366)
Actuarial gain on pension reserve	10	0	2,400	2,400
Net expenditure for the year		(6,584)	0	(6,584)
Total recognised income and expense for 2022/23		(6,339)	1,789	(4,550)
Funding from Scottish Government		5,750	0	5,750
Balance at 31 March 2023		(589)	1,789	1,200

Notes to the Accounts

1. Accounting Policies

1.1 Basis of Accounting

The accounts have been prepared in accordance with the accounting principles and disclosure requirements of the 2022/23 Government Financial Reporting Manual (FRM). The accounting policies contained in the manual follow International Financial Reporting Standards (IFRS) as adopted by the European Union and the Companies Act 2006 to the extent that it is meaningful and appropriate in the public sector context and in accordance with the Accounts Direction given by the Scottish Ministers. Where the manual permits a choice of accounting policy, the accounting policy which is judged to be most appropriate to the particular circumstances of CHS for the purposes of giving a true and fair view has been selected. The accounting policies selected have been applied consistently in dealing with items that are considered material in relation to the accounts.

1.2 Accounting convention

These accounts have been prepared under the historical cost convention modified to account for the revaluation of property, plant and equipment and intangible assets to fair value as determined by the relevant accounting standard.

1.3 Property, plant and equipment

The threshold for capitalisation of property, plant and equipment is £5,000, including non-recoverable VAT. Individual items of plant and equipment whose cost falls below the threshold, but are of a similar nature, are grouped and capitalised.

Expenditure on furniture, fixtures and fittings is charged to the statement of net expenditure in the year the cost is incurred and is not capitalised.

Given the short useful economic lives and low values of property, plant and equipment and intangible assets, these assets are disclosed on a depreciated historical cost basis, which is used as a proxy for fair value.

Depreciation is provided on all property, plant and equipment on a straight line basis, at rates calculated to write-off the cost, less estimated residual value, of each asset over its expected useful life as follows:

- ICT equipment – three years
- Office equipment – five years
- Leasehold improvements – five years (expected length of lease term)
- Right of Use assets – end of the useful life (or lease term if shorter)

Depreciation is ordinarily charged from when the asset was ready for use, rounded to the nearest whole month, up to point of disposal.

1.4 Intangible assets

Intangible assets are stated at historic purchase cost less accumulated amortisation. Acquired computer software licences, developed software and developed ICT infrastructure environments are capitalised on the basis of the costs incurred to acquire and bring to use the specific software. These costs are amortised using the straight line method over the shorter term of life of licence and its estimated useful economic life.

1.5 Assets under construction

Where expenditure is incurred in creating an asset (tangible or intangible), but that asset is not ready for use by the end of a financial year, it is deemed as an asset under construction. Depreciation is not ordinarily charged on such assets although they will be reviewed for potential impairment or obsolescence, with any write-down charged to the Statement of Comprehensive Net Expenditure if appropriate.

1.6 Employee benefits

CHS has an agreement with Edinburgh City Council under which all staff are eligible to enter the Local Government Pension Scheme managed by the Council in accordance with scheme rules. It is a defined benefit scheme providing pension benefits and life assurance for all staff members.

The defined benefits pension scheme's assets are included at market value and this is compared to the present value of the scheme liabilities using a projected unit method and discounted at a rate in accordance with the FReM and consistent with IAS 19. The increase in the present value of the liabilities of the scheme expected to arise from employee service in the period is charged to net expenditure. The expected return on the scheme's assets and the increase during the period in the present value of the scheme's liabilities arising from the passage of time are included in other finance income. Actuarial gains and losses arising from experience adjustments and changes in actuarial assumptions are charged or credited to reserves and are recognised in the Statement of Changes in Taxpayers' Equity.

The contributions are determined by a qualified actuary on the basis of triennial valuations using the projected accrued benefit method. The valuation used was at 31 March 2020. Details of this valuation were included in a report published by Lothian Pension Fund.

1.7 Short-term employee benefits

Salaries, wages and employment-related payments are recognised in the year in which the service is received from employees. The cost of annual leave and flexible working time entitlement earned but not taken by employees at the end of the year is recognised in the financial statements.

1.8 Income

CHS recognises income in the year to which it relates.

1.9 Leases

From 1 April 2022, IFRS 16 *Leases* is effective. The adoption of this new standard has resulted in CHS recognising a right-of-use asset and related lease liability in connection with all former operating leases, except for those identified as low-value or having a remaining lease term of less than 12 months from the date of initial application.

For any new contracts entered into on or after 1 April 2022, CHS considers whether a contract is, or contains, a lease. A lease is defined as ‘a contract, or part of a contract, that conveys the right to use an asset (the underlying asset) for a period of time in exchange for consideration’.

To apply this definition CHS assesses whether the contract meets two key evaluations:

- whether the contract contains an identified asset, either explicitly identified in the contract or implicitly specified by being identified at the time the asset is made available to CHS;
- whether CHS has the right to obtain substantially all of the economic benefits from use of the identified asset throughout the period of use, considering its rights within the defined scope of the contract.

Measurement and recognition of leases

At lease commencement date, CHS recognises a right-of-use asset and a lease liability on the balance sheet. The right-of-use asset is measured at cost, which is made up of the initial measurement of the lease liability, any initial direct costs incurred by CHS, an estimate of any costs to dismantle and remove the asset at the end of the lease, and any lease payments made in advance of the lease commencement date (net of any incentives received). CHS depreciates the right-of-use assets on a straight-line basis from the lease commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. CHS also assesses the right-of-use asset for impairment when such indicators exist.

At the commencement date, CHS measures the lease liability at the present value of the lease payments unpaid at that date, discounted using the HM Treasury discount rate promulgated in the PES papers (0.95% in 2022). Subsequent to initial measurement, the liability will be reduced for payments made and increased for interest. It is remeasured to reflect any reassessment or modification. When the lease liability is remeasured, the corresponding adjustment is reflected in the right-of-use asset.

In line with the FReM, CHS has elected to account for short-term leases and leases of low-value assets using the practical expedients. Instead of recognising a right-of-use asset and lease liability, the payments in relation to these are recognised as an expense in the Income and Expenditure Account on a straight-line basis over the lease term.

The new Standard has been applied using the modified retrospective approach, with the cumulative effect of adopting IFRS 16 being recognised in equity as an adjustment to the opening balance of retained earnings for the current period. Prior periods have not been restated.

CHS has also elected to measure the right-of-use assets at an amount equal to the lease liability adjusted for any prepaid or accrued lease payments that existed at the date of transition.

On transition, for leases previously accounted for as operating leases with a remaining lease term of less than 12 months and for leases of low-value assets, CHS has applied the optional exemptions to not recognise right-of-use assets, but to account for the lease expense on a straight-line basis over the remaining lease term. The costs relating to these leases amounted to £nil for the year ended 31 March 2023.

On transition to IFRS 16 the weighted average incremental borrowing rate applied to lease liabilities recognised under IFRS 16 was 0.95%.

1.10 Government grants

It is CHS policy to credit all government grants and grant-in-aid to the General Reserve in line with the FReM.

1.11 Financial Instruments

Cash requirements for CHS are met through the Scottish Government and therefore financial instruments play a more limited role in creating and managing risk than would apply within a non-public sector body. The majority of financial instruments relate to receivables and payables incurred through the normal operational activities of CHS. CHS is therefore exposed to little credit, liquidity or market risk.

1.12 Value Added Tax

CHS has no chargeable activities within the scope of VAT. Irrecoverable VAT is charged to the relevant expenditure category or included in the capitalised purchase cost of fixed assets.

1.13 Provisions

Provision is recognised in the statement of financial position when there is a present legal or constructive obligation as a result of a past event and it is probable that an outflow of economic benefits will be required to settle the obligation.

1.14 Related Party Transactions

Material related party transactions are disclosed in line with the requirements of IAS 24.

1.15 Review of Accounting Policies and Estimation Techniques

These financial statements have been prepared under IFRS. Areas of judgement in how CHS' accounting policies are applied include pension estimation technique.

The most significant financial impact arises from assumptions used to calculate the pension deficit/asset. The sensitivities regarding the principal assumptions used to measure the scheme liabilities are set out below:

Changes in assumptions at 31 March 2023	Approximate % increase to Defined Benefit Obligation	Approximate monetary amount £000
0.1% decrease in real discount rate	3%	120
1 year increase in member life expectancy	4%	176
0.1% increase in the salary increase rate	0%	8
0.1% increase in the pension increase rate (CPI)	3%	114

The principal demographic assumption is the longevity assumption (i.e. member life expectancy). For sensitivity purposes, the actuary estimates that a one year increase in life expectancy would approximately increase CHS' Defined Benefit Obligation by around 3-5%. In practice the actual cost of a one year increase in life expectancy will depend on the structure of the revised assumption (i.e. if improvements to survival rates predominantly apply at younger or older ages).

In order to quantify the impact of a change in the financial assumptions used, the actuary has calculated and compared the value of the scheme obligations at the accounting date on varying bases. The approach taken is consistent with that adopted to derive the accounting figures provided in this report, based on the profile (average member ages, retirement ages etc.) of CHS as at the date of the most recent valuation.

The approach taken in preparing the sensitivity analysis shown is consistent with that adopted in the previous year. However, at 31 March 2023 the fair value of plan assets exceeded the estimated present value of liabilities. In accordance with International Financial Reporting Interpretations Committee Interpretation 14 ("IFRIC 14"), CHS is not recognising this excess as a net asset in its Statement of Financial Position.

1.16 Accounting standards not yet adopted

As at the date of authorisation of these financial statements, no key standards were not yet adopted.

2. Staff numbers and related costs

A detailed breakdown of Staff Costs and Numbers is contained within the Remuneration and Staff Report section of the Accountability Report.

3. Other administration costs

	2022/23	2021/22
	£000	£000
Board fees and expenses	64	69
Shared services	55	98
Legal fees	35	10
Running costs	1,063	673
Direct support for panel	113	58
Training, recruitment and other staff costs	70	76
Auditor remuneration	14	11
Internal auditors' remuneration	12	14
Recruitment of Panel Members	257	268
Training of Panel and AST Members	1138	971
Panel and AST Member Expenses	309	201
	3,130	2,449

4. Property, Plant and Equipment

Additions of total property, plant and equipment in the schedule of £0.129m (2021/22: £0.302m) appear in the cash flow as £0.083m (2021/22: £0.302m) after adjustment for opening and closing property, plant and equipment accruals in trade and other payables.

2021/22	Leasehold Improvements £000	Computer equipment £000	Assets under construction £000	Total £000
Cost/Valuation				
Opening Balance	192	680	0	872
Additions	0	302	0	302
Transfers	0	0	0	0
Disposals	0	0	0	0
Closing Balance	192	982	0	1,174
Accumulated depreciation				
Opening Balance	76	91	0	167
Provided in year	38	252	0	290
Withdrawn on disposal	0	0	0	0
Closing Balance	114	343	0	457
Net Book Value				
At 31 March 2022	78	639	0	717
At 31 March 2021	116	589	0	705

2022/23	Leasehold Improvements £000	Computer equipment £000	Assets under construction £000	Total £000
Cost/Valuation				
Opening Balance	192	982	0	1,174
Additions	0	129	0	129
Transfers	0	0	0	0
Disposals	0	0	0	0
Closing Balance	192	1,111	0	1,303
Accumulated depreciation				
Opening Balance	114	343	0	457
Provided in year	39	313	0	352
Withdrawn on disposal	0	0	0	0
Closing Balance	153	656	0	809
Net Book Value				
At 31 March 2023	39	455	0	494
At 31 March 2022	78	639	0	717

5. Leases and Right of Use asset

In the years ending 31 March 2022 and 31 March 2023, CHS had only one lease obligation relating to a right of use asset: an office building called Thistle House. CHS signed a Memorandum of Terms of Occupation (MOTO) with Scottish Legal Aid Board (SLAB) for occupancy of this office space at 91 Haymarket Terrace, Edinburgh. The MOTO is a 1 year rolling agreement.

Total commitments under non-cancellable operating leases are as follows:

	2022-23	2021-22
	£000	£000
Buildings		
Not later than one year	0	54
Later than one year and not later than five years	0	54
Later than five years	0	0
	<u>0</u>	<u>108</u>

The following is a reconciliation of total operating lease commitments at 31 March 2022, as disclosed in the financial statements to 31 March 2022, to the lease liabilities recognised at 1 April 2022:

	£000
Operating lease commitments as at 31 March 2022 under IAS 17	108
The effect of extending lease to March 2025 and of discounting using the incremental borrowing rate at 1 April 2022	54
Total lease liabilities recognised under IFRS 16 at 1 April 2022	<u>162</u>

The right of use asset recognised in CHS' Statement of Financial Position, and the depreciation charged in respect of that asset, is as follows:

	2022-23	2021-22
	£000	£000
Cost/Valuation		
Opening Balance	0	0
Additions	162	0
Transfers	0	0
Disposals	0	0
Closing Balance	<u>162</u>	<u>0</u>
Accumulated depreciation		
Opening Balance	0	0
Provided in year	54	0
Withdrawn on disposal	0	0
Closing Balance	<u>54</u>	<u>0</u>
Net Book Value at 31 March	<u>108</u>	<u>0</u>

Maturity analysis of lease liabilities as at 31 March 2023

	Lease payments	Finance charges
	£000	£000
Within one year	54	1
Later than one year and not later than two years	55	0
	<hr/>	<hr/>
	109	1
	<hr/>	<hr/>

6. Intangible Assets

Additions of total intangible assets in the schedule of £0.296m (2021/22: £0) appear in the cash flow as £0.293m (2021/22: £0) after adjustment for opening and closing intangible asset accruals in trade and other payables.

2021/22	Developed Software	Website	Assets under construction	Total
	£000	£000	£000	£000
Cost/Valuation				
Opening Balance	517	18	0	535
Additions	0	0	0	0
Transfers	0	0	0	0
Disposals	0	0	0	0
Closing Balance	517	18	0	535
Accumulated amortisation				
Opening Balance	517	12	0	529
Provided in year	0	6	0	6
Closing Balance	517	18	0	535
Net Book Value				
At 31 March 2022	0	0	0	0
At 31 March 2021	0	6	0	6
2022/23				
Cost/Valuation				
Opening Balance	517	18	0	535
Additions	296	0	0	296
Transfers	0	0	0	0
Disposals	0	0	0	0
Closing Balance	813	18	0	831
Accumulated amortisation				
Opening Balance	517	18	0	535
Provided in year	13	0	0	13
Closing Balance	530	18	0	548
Net Book Value				
At 31 March 2023	283	0	0	283
At 31 March 2022	0	0	0	0

7. Trade and other receivables

7.1 Amounts falling due within one year

	2023	2022
	£000	£000
Other receivables	0	15
Prepayments	268	161
at 31 March	268	176

7.2 Intra governmental balances

	Receivables: amounts due within one year	Receivables: amounts due within one year
	2023	2022
	£000	£000
Balances with other central government bodies	0	1
Balances with local government bodies	0	0
Intra governmental balances	0	1
Balances with bodies external to government	268	175
at 31 March	268	176

8. Cash and cash equivalents

	2023	2022
	£000	£000
Balance at 1 April	1,146	1,167
Net change in cash and cash equivalents	(208)	(21)
Balance at 31 March	938	1,146
Bank accounts	938	1,146
at 31 March	938	1,146

All bank balances at 31 March 2023 are held with commercial banks.

9. Trade and other payables

9.1 Amounts falling due within one year

	2023	2022
	£000	£000
Trade payables	64	217
Tax and social security	52	48
Other payables	(3)	45
Accruals	669	120
	782	430

The increase in total trade and other payables of £0.352m (2021/22: increase £0.042m) is shown in the statement of cash flows as an increase of £0.303m (2021/22: increase £0.042m) after adjustment for movements in property, plant and equipment (note 4) and intangible assets (note 6).

9.2 Intra governmental balances

	Payables: amounts due within one year 2023 £000	Payables: amounts due within one year 2022 £000
Balances with other central government bodies	86	116
Balances with Local Authorities	206	38
Intra governmental balances	292	154
Balances with bodies external to government	490	276
at 31 March	782	430

10. Pensions

Information about the assumptions underlying the figures in this note can be found in Note 1.6 Employee benefits and Note 1.15 Review of Accounting Policies and Estimation Techniques.

The financial assumptions CHS instructed the actuary to use are:

Year ended 31 March	2023 % p.a.	2022 % p.a.
Pension increase rate (CPI)	2.95	3.15
Salary increase rate	3.45	3.65
Discount Rate	4.75	2.75

As at the date of the most recent valuation, the duration of CHS' funded obligations is 26 years.

Life expectancy is based on the Fund's VitaCurves with improvements in line with the CMI 2021 model, with a 10% weighting of 2021 (and 2020) data, standard smoothing (Sk7), initial adjustment of 0.25% and a long term rate of improvement of 1.5% p.a. for both males and females. Based on these assumptions, the average future life expectancies at age 65 for CHS are:

	Males	Females
Current pensioners	19.9 years	22.9 years
Future pensioners*	21.2 years	24.7 years

* Figures assume members aged 45 as at the last formal valuation date.

Life expectancies for the prior period end are based on the Fund's VitaCurves. The allowance for future improvements are the CMI 2021 model, with a 0% weighting of 2021 (and 2020) data, standard smoothing (Sk7), initial adjustment of 0.5% and a long term rate of improvement of 1.5% p.a. This applies to both current and future pensioners.

Please note that the mortality assumptions used to value the obligations in CHS' closing position are different to those used to value the obligations in CHS' opening position.

A commutation allowance is included for future retirements to elect to take 50% of the maximum additional tax-free cash up to HMRC limits for pre-April 2009 service and 75% of the maximum tax-free cash for post-April 2009 service.

All other demographic assumptions are as per the latest funding valuation of CHS.

Change in the Fair Value of Plan Assets, Defined Benefit Obligations and Net Liability for year ended 31 March 2023

	Assets £000	Obligations £000	Net (liability) £000
Fair value of plan assets	4,590	0	4,590
Present value of funded liabilities	0	6,565	(6,565)
Opening Position as at 31 March 2022	4,590	6,565	(1,975)
Current Service Cost	0	849	(849)
Past Service Cost	0	0	0
Total Service cost	0	849	(849)
Interest income on plan assets	134	0	134
Interest cost on defined benefit obligation	0	193	(193)
Total Net Interest	134	193	(59)
Total defined benefit cost recognised in profit or (loss)	134	1,042	(908)
Plan participants' contributions	144	144	0
Employer contributions	483	0	483
Benefits paid	(36)	(36)	0
Expected closing position	5,315	7,715	(2,400)
Remeasurements			
Change in demographic assumptions	0	(39)	39
Change in financial assumptions	0	(3,692)	3,692
Other experience	0	410	(410)
Return on assets excluding net interest	(28)	0	(28)
Asset ceiling adjustment	(893)	0	(893)
Total remeasurements recognised in Other Comprehensive Income (OCI)	(921)	(3,321)	2,400
Fair value of plan assets	4,394	0	4,394
Present value of funded liabilities	0	4,394	(4,394)
Closing position as at 31 March 2023	4,394	4,394	0

Change in the Fair Value of Plan Assets, Defined Benefit Obligations and Net Liability for year ended 31 March 2022

	Assets £000	Obligations £000	Net (liability) £000
Fair value of plan assets	3,702	0	3,702
Present value of funded liabilities	0	6,240	(6,240)
Opening Position as at 31 March 2021	3,702	6,240	(2,538)
Current Service Cost	0	770	(770)
Past Service Cost	0	0	0
Total Service cost	0	770	(770)
Interest income on plan assets	81	0	81
Interest cost on defined benefit obligation	0	137	(137)
Total Net Interest	81	137	(56)
Total defined benefit cost recognised in profit or (loss)	81	907	(826)
Plan participants' contributions	121	121	0
Employer contributions	369	0	369
Benefits paid	(28)	(28)	0
Expected closing position	4,245	7,240	(2,995)
Remeasurements			
Change in demographic assumptions	0	(33)	33
Change in financial assumptions	0	(658)	658
Other experience	0	16	(16)
Return on assets excluding net interest	345	0	345
Total remeasurements recognised in Other Comprehensive Income (OCI)	345	(675)	1,020
Fair value of plan assets	4,590	0	4,590
Present value of funded liabilities	0	6,565	(6,565)
Closing position as at 31 March 2022	4,590	6,565	(1,975)

Fair value of employer assets

The below asset values are at bid value as required under IAS19.

	2023	2023	2023	2022	2022	2022
	Quoted	Unquoted	Total	Quoted	Unquoted	Total
	£000	£000	£000	£000	£000	£000
Equity Securities	2,983	0	2,983	2,559	0	2,559
Debt Securities	806	0	806	487	0	487
Private Equity	3	17	20	0	21	21
Real Estate	43	204	247	43	201	244
Investment Funds and Unit Trusts	70	911	981	165	598	763
Derivatives	0	0	0	0	0	0
Cash and Cash equivalents	250	0	250	516	0	516
	4,155	1,132	5,287	3,770	820	4,590

Analysis of projected amount to be charged to operating profit for year to 31 March 2024

Year ended 31 March 2024	£000	% of pay
Projected current service cost*	359	18.6
Interest income on plan assets	(265)	(13.7)
Interest cost on defined benefit obligation	220	11.4
Total included in Statement of Comprehensive Net Expenditure	314	16.3

* The current service cost includes an allowance for administration expenses of 0.3% of payroll. The monetary value is based on a projected payroll of £1.933m.

11. Financial Instruments

Because the cash requirements of CHS are met through grant-in-aid, financial instruments play a limited role in creating and managing risk than would apply in a non-public sector body of a similar size.

12. Related party transactions

CHS is a Non-Departmental Public Body sponsored by the Care and Justice Division in the Children and Families Directorate. CHS receives funding from the Care and Justice Division in the Children and Families Directorate which is regarded as a related party. During the year 2022/23, CHS received grant-in-aid of £5,750,000 (2021/22 £4,912,000).

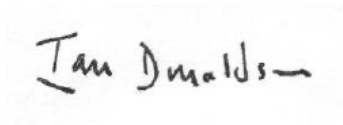
No Board Member, key manager or other related party has undertaken any material transactions with CHS during the year 2022/23 (2021/22: £nil).



CHILDREN'S HEARINGS SCOTLAND

DIRECTION BY THE SCOTTISH MINISTERS

1. The Scottish Ministers, in pursuance of Schedule 1 of the Children's Hearing Scotland Act (2011), hereby give the following direction.
2. The statement of accounts for the financial year ended 31 March 2023, and subsequent years, shall comply with the accounting principles and disclosure requirements of the edition of the Government Financial Reporting Manual (FRM) which is in force for the year for which the statement of accounts are prepared.
3. The accounts shall be prepared so as to give a true and fair view of the income and expenditure and cash flows for the financial year, and of the state of affairs as at the end of the financial year.
4. This direction shall be reproduced as an appendix to the statement of accounts. The direction given on 9 June 2022 is hereby revoked.



Ian Donaldson

A member of the staff of the Scottish Ministers

Dated: 22 May 2023



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This publication has not been printed to save paper. However, if you require a printed copy or a copy in an alternative format and/or language, please contact us to discuss your needs.



Draft Impact Report

Agenda Item 8

Paper number CHS-2324-20

Accountable Director	Director of Tribunal Delivery (Director of Business & Finance)
Report author(s)	Business Operations and Governance Manager
Recommendation	For Considerations and Approval
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. Introduction

This cover paper accompanies the 2022-23 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 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. In addition, we have taken the opportunity within the report to celebrate the success of our Promise Programme and the projects within it.

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 23rd 2023)

5. Board Action

The Board are requested to approve the 2022-23 Impact Report for publication.

Children's Hearings Scotland

Impact Report

2022-23

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Foreword

By Elliot Jackson, National Convener and Chief Executive

In this annual Impact Report, we highlight our achievements in 2022-23 and how we have delivered on our duty as a Corporate Parent. The report necessarily includes descriptions of the work we've undertaken, but the most important sections are those headed 'impact', where we aim to show the concrete positive outcomes of our activities.

A relatively short written document will always struggle to do justice to the lasting human impacts of the hard work and dedication of our Panel Members, Area Support Teams and CHS National Team over the course of a year. But the details in this report are nevertheless testament to the variety and volume of good work being done across Scotland by our volunteers and my colleagues who support them.

Although the effects will not be felt immediately, among our most impactful activities of recent years is the contribution we made in 2022-23 to the Hearings System Working Group (HSWG), and our response to the Children (Care and Justice) (Scotland) Bill. In both these areas we took our rightful place in representing the interests of Scotland's young people to help shape national policy proposals.

We have also made important progress in developing the knowledge base of our Panel community through, for example, new training on siblings' rights, trauma-informed practice and the UN Convention on the Rights of the Child.

But as in every year, the biggest direct impact we had was on the infants, children and young people who come before hearings, and their families. In 2022-23 we worked with our partner organisations to ensure that 22,340 hearings took place to support and protect 10,980 children.

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



1. The Promise Programme

The CHS Promise Programme was established in 2021 following the publication of the Independent Care Review to ensure that CHS was driving change for infants, children and young people across Scotland. Through collaboration, engagement and consultation CHS worked alongside its partners to deliver a programme of improvement. Below is an overview of what was achieved by its projects, which you can read more about throughout this report.

1.1 Improving Reasons

The aim of this project was to identify how we could support Panel Members in writing reasons for decisions, to improve how reasons are articulated.

What did we achieve?

- Developed a framework tool to help us assess the quality of reasons written
- Explored the future of auditing of reasons across Scotland in partnership with the Scottish Children's Reporter Administration (SCRA)
- Identified training opportunities for Panel Members based on these audits

1.2 Trauma Informed Practice

This project was the first phase of our long-term journey to improve our understanding of trauma and community practice in response to it. In this first phase we set out to deliver trauma-informed learning for our volunteers and evaluate its impact on our community.

What did we achieve?

- Trauma learning has been embedded into existing learning materials and is now part of all pre-service training
- A new trauma learning module has been created and rolled out across the CHS Community and made accessible to CHS staff
- A trauma survey was launched to understand the impact of training in order to inform the next phases of our trauma training and upskilling

1.3 UN Convention on the Rights of the Child (UNCRC)

The goal of this work was to provide tools for staff and volunteers to develop skills and knowledge on children's rights ahead of the incorporation of the United Nations Convention on the Rights of the Child (UNCRC) into Scots law.

What did we achieve?

- Created a Rights Map which matches UNCRC rights with CHS duties and the decisions of Panel Members
- Created a training plan and material for staff and the CHS Community on UNCRC
- Created a child-friendly complaints and feedback system with children's rights at its heart
- Shared information on children's rights through public-facing forums

1.4 Hearings Redesign

For this project we worked collaboratively on the redesign of the Children's Hearings System through participation in the Hearings System Working Group and Collaborative Redesign Project alongside The Promise Scotland, SCRA and the Scottish Government.

What did we achieve?

- Co-produced more than 20 proposals to redesign the Children's Hearings System
- Submitted proposals to the Hearings System Working Group, which fed into the ['Hearings for Children'](#) report published in May 2023
- Ensured that the voice of people with lived experience was included in the work we did

1.5 Participation, Engagement and Consultation

We set out to develop a consistent approach to enhance participation, engagement and consultation with our volunteer community and those with lived experience across CHS. The project team worked to embed the voices of these groups within our Hearings Redesign project with the Hearings Systems Working Group as well as CHS's operational delivery.

What did we achieve?

- Lived experience people and the CHS Community were given the opportunity to contribute to the development, redesign and improvement of hearings
- Established a stakeholder reference group to critically evaluate what works well in the hearings system and identify areas for improvement
- Played a key role in influencing recommendations of the 'Hearings for Children' report

1.6 Upholding Siblings' Rights

Siblings' Rights was a two phased project to improve knowledge and implementation of sibling rights, and ensure best practice, in line with the Children's (Scotland) Act 2020, across our community.

What did we achieve?

- Rolled out a new mandatory learning module on Siblings' Rights
- Updated our practice guidance
- Created the Practice & Policy Bank to get feedback from Panel Members about rights in the hearing room
- Created the Sibling Toolkit to support multi-agency learning sessions, ensuring everyone is supporting brothers and sisters

2. Focus on: children and young people

Progressing children’s rights and our duties as corporate parents

As Corporate Parents under the Children and Young People (Scotland) Act 2014, CHS and the National Convener have responsibilities 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.

In December 2022 we published a report on the progress we have made during the year against our Children’s Rights and Inclusion Strategy.



Participation of people with lived experience of hearings was central to that work, which saw our CHS Participation Group (a group of young people with lived experience of the hearings system) work with our Children’s Rights and Inclusion Coordinator on a number of projects, including:

- Further development of our participation framework for the involvement of lived-experience young people in CHS’s work
- The recruitment of Panel Members, Area Support Team volunteers and CHS staff
- Co-designing training and support materials for volunteers and staff

The following pages detail our activities to progress children’s rights within hearings and engage with those with lived experience to inform our work.

2.1 Progressing UNCRC throughout the CHS Promise Programme

Ahead of the anticipated incorporation of the UNCRC into Scots law, CHS continues to uphold, promote and raise awareness of the rights of children and young people in contact with the Children’s Hearings System.

We launched the UNCRC project as part of our Promise Programme. The goal of this project was to incorporate the UNCRC into all CHS functions and help enhance the Children's Hearings System as an international exemplar of children’s rights in practice. In order to do this, we embarked on a two-year programme to ensure that all of our current and future work streams are fully compliant with UNCRC terms and aspirations, and to upskill staff and volunteers so that every CHS function is undertaken in a way that respects and betters children’s rights.

The following are highlights from this project. You can read more about our progress to embed the UNCRC within the co-design and training sections of this report.

2.1.1 UNCRC Rights Map

Our UNCRC Rights Map was developed by an intern who joined us from the [Robertson Trust](#). They analysed the 54 articles of the UNCRC and mapped them across to Panel Members' and CHS's statutory obligations. Their work to create this map provides CHS and our community with a comprehensive understanding of our UNCRC duties, and highlights where training and practice materials should focus to make the biggest impact on children's rights in hearings.

The Rights Map groups the 54 UNCRC articles into a traffic-lights system. 26 Red rights are those directly relevant to Panel Members' and CHS's statutory obligations; six amber rights are relevant to the wider role of CHS in the hearings system; and 22 green rights are relevant to children and young people's rights in Scotland in a broader sense.

UNCRC Rights Mini-map Summary

This resource divides the UNCRC articles in terms of their relevance to Panel Members and CHS' statutory obligations.

Under the UNCRC, all children have a right to:

ARTICLE 1 THE UNCRC STATES IF THEY ARE UNDER 18	ARTICLE 2 NON-DISCRIMINATION	ARTICLE 3 THESE RIGHTS BEING THE TOP PRIORITY IN DECISIONS	ARTICLE 4 GOVERNMENTS WHO KNOW THAT THEIR RIGHTS ARE BEING VIOLATED AND RESPECTED	ARTICLE 5 GOVERNMENTS WHO HAVE RESPECT FOR THE RIGHTS AND DIGNITY	ARTICLE 6 LIFE, SURVIVAL AND DEVELOPMENT
ARTICLE 7 BEHOLD INFORMATION, NAME, NATIONALITY, CARE	ARTICLE 8 THEIR IDENTITY BEING PROTECTED AND RESPECTED	ARTICLE 9 LIVE WITH THEIR FAMILIES IF IT IS HELPFUL TO THEM	ARTICLE 10 LIVE WITH THEIR FAMILIES IF THEY ARE IN ANOTHER COUNTRY	ARTICLE 11 GOVERNMENTS WHO PROTECT THEM FROM ABDUCTION AND HELP THEM RETURN HOME	ARTICLE 12 THEIR VIEWS BEING RESPECTED
ARTICLE 13 FREEDOM OF EXPRESSION	ARTICLE 14 FREEDOM OF THOUGHT, BELIEF AND RELIGION	ARTICLE 15 FREEDOM OF ASSOCIATION	ARTICLE 16 PRIVACY	ARTICLE 17 ACCESS INFORMATION FROM ALL LEVELS OF MEDIA	ARTICLE 18 FAMILIES WHO DRIVE RESPONSIBILITY FOR THEIR LIVESHARES
ARTICLE 19 PROTECTION FROM TORTURE, ABUSE, NEGLECT AND BAD TREATMENT	ARTICLE 20 SPECIAL PROTECTION IF THEY ARE UNABLE TO LIVE WITH THEIR FAMILY	ARTICLE 21 ACCESS SERVICES AND LAWFUL ADOPCTIONS	ARTICLE 22 GOVERNMENTS WHO PROTECT THEM FROM SPECIAL ABUSE AND EXPLOITATION	ARTICLE 23 BE SAFE AND HAPPY IF THEY HAVE A DISABILITY	ARTICLE 24 HEALTH AND HEALTH SERVICE
ARTICLE 25 REGULAR REVIEW OF THEIR TREATMENT WHILE IN CARE	ARTICLE 26 SOCIAL SECURITY	ARTICLE 27 STANDARD OF LIVING	ARTICLE 28 EDUCATION	ARTICLE 29 EDUCATION WHICH DEVELOPS THEIR PERSONALITY, TALENTS, ABILITIES, RESPECT FOR OTHERS AND THE ENVIRONMENT	ARTICLE 30 FOLLOW THEIR FAMILY WAY OF LIFE
ARTICLE 31 LEISURE, PLAY AND CULTURE	ARTICLE 32 BE PROTECTED FROM EXPLOITATION AND BE AT A WORKING AGE BEYOND WORKING	ARTICLE 33 BE PROTECTED FROM ILLEGAL AND HARMFUL DRUG USE	ARTICLE 34 BE PROTECTED FROM ALL FORMS OF SEXUAL ABUSE AND EXPLOITATION	ARTICLE 35 GOVERNMENTS WHO PROTECT THEM FROM BEING ABducted, SOLD OR TRAFFICKED	ARTICLE 36 BE PROTECTED FROM EXPLOITATION AND HARM
ARTICLE 37 BE HELD IN CARCER WITHOUT NECESSARY TREATMENT AND DETENTION	ARTICLE 38 NOT PARTICIPATE IN WAR OR NOT JOIN THE ARMED FORCES IF THEY ARE UNDER 15	ARTICLE 39 ACCESS SPECIAL CARE AND RECOVERY IF THEY HAVE EXPERIENCED TRAUMA	ARTICLE 40 LEGAL HELP, A FAIR TRIAL AND A JUSTICE SYSTEM WHICH TAKES THEM AGE INTO ACCOUNT	ARTICLE 41 GOVERNMENTS WHO HAVE A RESPECT FOR THEIR NATIONAL STANDARDS	ARTICLE 42 GOVERNMENTS WHO PROMOTE CHILDREN, YOUNG PEOPLE AND ADULTS TO KNOW ABOUT THE CONVENTION

The UNCRC has 54 articles altogether. Articles 43-54 set out how the government and other organisations can allow children to enjoy their rights.

COLOUR KEY
RED: directly relevant to Panel Members' statutory responsibilities
AMBER: relevant to the wider work of the children's hearing system
GREEN: relevant to children and young people's rights in Scotland

Impact: the Rights Map

The Rights Map was shared with young people with lived experience, who said they liked the fact it shows which UNCRC articles are likely to be addressed during hearings. They were keen for the Rights Map to become a tool which Panel Members use when reading their papers and forming questions specific to the child's circumstances. We used the priorities set out by these young people to help develop a survey of our volunteer community. The results showed that our Panel Members had firm knowledge of the key principles of children's rights and helped us develop further training.

2.1.2 Children's Rights Impact Assessment

As part of our progress to embed the UNCRC, we identified the need for a robust tool to aid our project planning and determine if new initiatives would have an impact on children's rights. We developed the Children's Rights Impact Assessment (CRIA) by pulling on resources and information from the Scottish Government and the office of the Children and Young People's Commissioner to inform its design and accompanying screening tools. We carried out training with our staff team on how to use the screening tools and carry out the full assessments when required. The Children's Rights Impact Assessment sits alongside our Data Protection, Islands, and Equality and Diversity impact assessments and is firmly embedded in our way of working as an organisation.

Impact: the Children’s Rights Impact Assessment in action

A full Children’s Rights Impact Assessment was undertaken for the Child-Friendly Feedback and Complaints project as part of the CHS Promise Programme. This involved the Children’s Rights and Inclusion Coordinator talking to the CHS Participation Group about our UNCRC project and processes, and asking them for suggestions on how they may impact children in a positive or negative way.

The group identified two additional impacts that had not been previously considered. Potential mitigations were discussed and included within the assessment. This impact assessment is now used as an example of good practice in both involving young people in this process and the benefits this can bring to project planning.

“People with lived experience of hearings have a unique understanding of what it’s like to enter a room where decisions about your life will be made, often by people you’ve not met before.”
– Jennifer Smith, Children’s Rights and Inclusion Coordinator

2.2 Consultation with children and young people**2.2.1 Mixed gender legislative change consultation**

Over the course of 2022, CHS worked with the Scottish Government to secure an amendment to the Coronavirus (Recovery and Reform) (Scotland) Act 2022, in order to make the requirement that both men and women serve as Panel Members on every children’s hearing more flexible. This change was based on our learning from the coronavirus emergency legislation where this flexibility helped ease capacity issues for our Panel Members. In some areas of the country, a few male Panel Members had been over-relied-upon, placing significant pressure on those Panel Members and those members of the Area Support Team responsible for allocating them onto hearing sessions. While the change was welcomed by the CHS Community, it was important that we took the views of children and young people into account before progressing any changes.

Impact: consultation on mixed gender panels

CHS consulted children and young people from Our Hearings Our Voice and the CHS Participation Group. Of those who participated in the consultation, half were aware of the requirement for gender-mixed panels. Most said that they didn’t mind the requirement or that it wasn’t important, but some said it should depend on the wants and needs of the child in the hearing.

By consulting with young people on gender mixed panels and gaining their views, we were able to progress with our recommendations to amend the legislative requirement, secure in the knowledge we had taken the views of those most affected into account.

Young people’s comments:

“I think it might be good to think about steps taken to ensure the panel remains a safe space for those with trauma that might associate a certain gender with a traumatic event that might make them uncomfortable.”

“I think it should be lenient and not so black and white – for some people sorting themselves into either male/female can be uncomfortable. And both the young person and the panel deserve to be comfortable.”

2.2.2 Child friendly feedback and complaints consultation

Throughout the year, we worked closely with the CHS Participation Group on a number of projects and consultations. When it came to designing a child friendly feedback and complaints process, they told us it was important for children and young people to have an accessible way to provide their feedback. We took this advice and used it throughout 2022-23 when developing our child-friendly complaints process in line with the principles of the UNCRC.

Working alongside the CHS Complaints Management Officer, the Children’s Rights and Inclusion Coordinator facilitated a workshop with a group of young people with lived experience to hear their ideas on improving how children and young people can offer feedback or make a complaint to us. A consultation survey was sent out to members of the CHS Participation Group, OHOV Board Members, Kibble residents, and various Champions Boards. The survey sought to gather information about how young people would prefer to interact with a feedback process, and what should be included. The results of the survey were used to design the service and its new webpage.

Impact: child friendly feedback and complaints consultation

Overwhelmingly, the feedback highlighted the importance of keeping it as simple as possible, with ideas such as symbols or talking head instructions being suggested. The young people also said social media should be used to signpost to the webpage but not to convey feedback itself. There was enthusiasm for a quarterly report back from CHS in a ‘you said, we did’ style.

The feedback received has been used to design the webpage and processes, including the creation of a ‘feedback loop’ to young people on what improvements have been made as a result of their feedback or complaint.

“The importance of feedback cannot be stressed enough. It is how we learn what works well and it helps us improve what happens in hearings.”

– Mel McDonald, Complaints Management Officer

2.2.3 Siblings’ Rights

Significant new rights for brothers and sisters were set out in the Children (Scotland) Act 2020. As part of our Promise Programme, a project team was put together to identify the changes and training needs to ensure Panel Members were equipped to meet these new rights for children in hearings. As part of this project, the Area Support and Improvement Partner for Central & West Lothian worked with young people with lived experience of the hearings system to identify what was needed to address siblings’ rights within the system from their perspective. These young people from Quarriers and Falkirk Champs Board shared their thoughts, feelings and experiences on siblings’ rights to inform our planning and approach to implementing the legislation with our community.

Impact: sharing views on siblings’ rights

The project team incorporated the feedback from these young people into their work to raise awareness and improve practice in relation to siblings’ rights within the hearing.

Actions included:

- Adding a new module to the Learning Academy and including the changes to legislation in the Learning Academy’s Refresher course
- Delivering in-person and online training sessions to highlight the new siblings-focused legislation and how to implement it
- Surveys for Panel Members to assess their understanding of siblings’ rights before and after the project work was implemented

“[We need] thoughtful placements – don’t place me with other brothers and sisters when you have separated me from my own.”

– Young person

“By the end of the project, Panel Members reported a significant increase in their awareness of, and confidence in, the rights of brothers and sisters in relation to contact and potential participation in hearings. By knowing these rights, they can uphold these rights.”

– Laura Conachan, Practice and Policy Lead

2.3 Co-design with children and young people

2.3.1 Pre-service training – top tips from children and young people

In December 2022 our Children’s Rights and Inclusion Coordinator facilitated a co-production session with members from Our Hearings Our Voice (OHOV) and the Voice and Inclusion Project (VIP) to create short animations delivering key messages they wanted to share with the Panel Community.

They created three animations: [Ways to Make a Hearing Positive](#), [What we want Panel Members to Remember](#) and [Top Tips for Panel Members](#).

Each of the animations shares direct feedback and advice from young people with lived experience on how Panel Members can make a hearing more inclusive, accessible and less traumatic for the children involved.



From "Ways to Make A Hearing Positive"

Impact: creating learning material for Panel Members

These three animations are a powerful example of how we can amplify the voice of those with lived experience. They are used to remind Panel Members of what is important to people with lived experience and how they can adapt their language and approach to better meet their needs. They form part of a larger offering of online learning and are invaluable tools for keeping our community members engaged directly with the voice of lived experience.



"[The animations] are just brilliant! Really engaging, easy to watch and listen to and with such clear messages from young people to Panel Members."
 – Gordon Main (OHOV Project Lead)

2.3.2 Primary School Project

The Childrens Rights and Inclusion Co-ordinator went "back to school" to lead a collaborative design project on the UNCRC with a local primary school class. *An Introduction to Children's Rights* is a video offering foundational knowledge about the UNCRC, children's understanding of it in practice, and its role in the hearing room. It was created to enhance Panel Member training and bring the voice of children into Panel Member learning. It is viewed as part of Panel Members' pre-service training in preparation for conducting a mock hearing, which forms an integral part of their final assessment.

Impact: Creating pre-service content for Panel Members

To date, the video has been seen by 1,014 people who have benefited from the important message presented by young people, about young people.

"Wonderful use of language, driven by the children themselves. Even more pertinent as we focus on the voice of the child within the hearings system, both outside and inside the actual hearing space."
 – Panel Member

"I like that it is Scottish, contemporary and it's good to have children involved and to hear their voices directly."
 – Panel Member

"I think it has more of an impact because it's children explaining their own understanding of rights rather than adults just saying what the rights are and why children should have them."
 – Panel Member

2.3.3 The Better Meetings Project

This project was initiated to increase the voice, choice and participation of children and young people in their meetings and hearings in the Highlands and Moray Council areas. The group was made up of members of the Better Meetings Group of Care Experienced Young People, Who Cares? Scotland, Moray Council, Highland Council and SCRA.

As a group, they 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 group launched the guides in January 2023 to practitioners across Highland and Moray and they are now being implemented.

Impact: changing behaviours in meetings

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. Below are quotes from young people and Panel Members involved, showing just how beneficial this project has been.

“This hearing felt much better than my last one. It was easier because there weren’t so many issues to talk about and they were talking to me more and I said more than I usually do. Contributing to my assessment before the hearing was really good because if the child is too anxious to speak at the hearing, they have the child's views in the report.”

– Child at a hearing

“The good thing about meeting the child before the hearing was that I knew that she was very anxious, so I was able to reassure her that I was very aware of her concerns which definitely helped her to get involved.”

– Panel Member

“I read the Practitioner Guide a few times before the hearing and found it a useful reminder as to how we should approach hearings, particularly the Chair, but parts apply to all Panel Members.”

– Panel Member

2.4 Involving children and young people

2.4.1 Lived experience recruiters for Panel Members and staff

As in previous years, CHS supported our Area Support Teams (ASTs) to recruit local people with lived experience to select and appoint new Panel Members as part of our recruitment campaign. Having those 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.

In order to prepare for selection, bespoke welcome sessions were commissioned by CHS. Who Cares? Scotland hosted the sessions, which were delivered via the CHS Learning Academy. Before going on to participate in the recruitment and selection of new Panel Members, all our lived experience participants received training and support from the CHS

Learning Academy and the Children’s Rights and Inclusion Coordinator, alongside their local AST members.

In August 2022 we made a number of improvements to our processes, ahead of our autumn 2022 Panel Member campaign in order to further build on our relationships with young people with lived experience of the hearing system and provide more dedicated support to those who wish to participate in recruiting and selection activities:

- Updated our AST Best Practice Guidance for including lived experience recruiters based on feedback and evaluations from previous lived experience recruiters as well as from those who supported them.
- Created a dedicated information pack to attract young people with previous experience of the hearing system clearly outlining the remit, expectations and benefits.
- Held a dedicated session with our Panel Practice Advisor (PPA) forum on Top Tips for PPAs when supporting lived experience recruiters. The presentation was co-produced by two lived experience recruiters who were able to share their views about the role and highlight the mutual benefits which motivated them to become recruiters.

Impact: Lived experience recruiters

In the autumn 2022 campaign, 75% of our Area Support Teams had people with lived experience of attending hearings fully involved in selecting new trainee Panel Members.

“The hardest part is being confident. I’m shy with strangers so I was nervous about asking questions. Practising beforehand helped, and after the first couple of interviews, I felt much better.”
– Lived experience recruiter

“I felt that I made a difference being part of the interview panel along with other volunteers. I really believe by me and others all over Scotland being part of the selection panel shows candidates that we are serious about putting lived experience at the heart of the Children’s Panel community.”
– Lived experience recruiter

“I’ve had experience interviewing in other jobs but having a buddy was useful and we worked well as a team.”
– Lived experience recruiter

2.4.2 Engaging on the Collaborative Redesign Project

As part of our Promise Programme, we collaborated with the Hearings System Working Group (HSWG) on a project to discover what a redesigned hearings system could look like and how it could improve the hearings experience and outcomes for infants, children and young people. As part of our Hearings Redesign Project it was essential we consulted and

worked with those with lived experience to ensure their voice was embedded in future design models. Actions included the following:

- Two young people with lived experience sat on the panel recruiting CHS Community members to the project teams, representing half of the recruiting panel.
- Design-led days were held with The Promise Scotland, the Scottish Government’s Office of the Chief Designer, Sheriff David Mackie as independent chair of HSWG, and Our Hearings Our Voice. These days enabled people with lived experience to connect directly with the chair of the HSWG and have their views heard.
- We engaged with families with lived experience as part of the ‘As Is’ mapping of the hearings system, including birth parents, adoptive parents, kinships carers and foster carers to ensure their experience was represented.
- A submission was made to the young people of Our Hearings Our Voice outlining the impact the consultation with young people had on the design process, as well as including them in a prototyping day in October 2022.

Impact: Collaborative Redesign

The impact of those with lived experience lending their voice to the collaborative redesign project is immeasurable.

“The voice of people with lived experience of the hearings system was a vital part of the Collaborative Redesign Project. We sought to find opportunities throughout the work to listen to those who had already shared their story and voice in the Independent Review of Care and also create new opportunities for people to influence the design of a new system. Young people and the adults important to them, all with lived experience of the hearings system, influenced and shaped the work from end to end. During the Collaborative Redesign Project, the time we spent with young people and the relationship the project built with young people was invaluable. The work would have been lacking without their voice.”

– Claire Gibson, CHS Project Manager for the Collaborative Redesign Project

2.4.3 Local events

Tending the Light in the North festival

The Tending the Light in the North festival took place across the weekend of Care Day in February 2023. It provided an opportunity for care experienced young people and Corporate Parents from across the north of Scotland to work and learn together. It was organised and supported by Who Cares? Scotland, care experienced young people, the University of Highlands and islands, Highland Council, Inspiring Young Voices, the Care and Creativity Programme, The Promise Scotland and CHS. The invitation for the festival was extended to care experienced young people and Corporate Parents, including Panel Members, from across all four CHS AST areas in the north: Highland and Moray, Shetland, Orkney and Eilean Siar.

The Light in the North festival built on the connections and collaborations of three previous Festival of Care events that took place in Shetland over the previous three years, led by care experienced young people known as the #Shetlandcrew. The programme included

workshops for professionals and leaders alongside the care experienced community, a Home and Belonging exhibition of mixed medium artwork, and a celebratory prom to close the event hosted by Highland's Care Experienced CHAMPS group.

Impact: the Light in the North

The Light in the North event was a huge success receiving positive feedback from those who attended. Vicky Strange, Highland and Moray Area Support and Improvement Partner, says: "The aim was for people to leave feeling energised, better connected and better equipped in their work to #Keepthepromise alongside the care experienced community and I believe it did that. The opportunities it created were incredibly positive and support our strategic aims as an organisation and how we work alongside the care experienced community. It also provided great opportunities for us to build the relationships with our local partner organisations."

"At Tending the Light in Inverness we met young people from all across the north. It was a neutral space not owned by any of the groups of young people, an entirely new environment. It was a chance to speak about important stepping stones for care-experienced young people. Since the Festival of Care and Tending the Light, more people in all organisations and systems seem to be more open to listening."

– Young person attending Tending the Light

"Talking and listening to the care experienced youngsters was the highlight for me. I would recommend such opportunities to learn to everyone."

– Panel Member

3. Focus on: volunteers

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 the outcomes for Scotland’s infants, children and young people.

Volunteers’ week



We estimate that every year, our volunteers put 500,000 hours into volunteering with us. Recognising the profoundly important work our volunteers carry out is important to us, and among the communication activities we undertook in 2022-23 was our participation in Volunteers’ Week in June when we devoted our social media coverage to telling our volunteers’ stories and celebrating their role.



“Our lay tribunal members make some of the most important decisions in public life today. Volunteers Week is a time to focus on how important volunteers are in every walk of life, but at CHS, we make a conscious effort to celebrate our volunteers all year round to show our appreciation for all they do.”

Elliot Jackson, National Convener

“The input of ordinary people with a range of different experiences and backgrounds is important in upholding the ethos of the panel system, keeping it accessible, relevant, reflective and open.” Helen, Highland and Moray.

“I’m forever in awe of the passion, commitment and compassion our volunteers show on a daily basis.

Thank you just doesn’t seem enough. But, from someone who once sat at the other side of the table, your decisions make a difference.” Beth-Anne Logan, Board Member and care experienced young person.

“I have always enjoyed the rewards of volunteering which enhances your own engagement with society and helps make a difference to people’s life experience. It is challenging but also so rewarding as one is contributing to hopefully enhancing children and young people’s lives.” Iain Burns, Fife.



“Because I want to make a difference to children and young people when they really need it most, and to listen to their voices being heard when they want them to be heard the most.”

Beth, Panel Member
Central and West Lothian



#VolunteersWeek

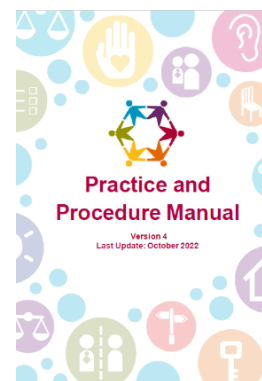
3.1 Supporting Panel Member decision making

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.

3.1.1 Supporting decision-making: our practice guidance

The Practice and Procedure Manual (PPM) is our key advice and guidance document for volunteers. It tells them what they need to know about practice and keeps them up to date with the latest legislation and guidance.

In 2022-23 there were a number of updates and changes made to the Practice and Procedure Manual focused on current legislation, practice guidance and policy updates to ensure Panel Members had the knowledge needed to aid their decision making. The PPM is updated regularly throughout the year, and supported by the Practice and Policy team's engagement with our volunteer community.



Topics updated in 2022-23 included:

- Guidance on non-attendance and excusals
- Minimising attendance
- Guidance on agreeing decisions and reasons ('I agree'), and the recording of 'non-decisions'
- Independent Reports, following the introduction of a new duty to consider the need for an independent report when deferring a hearing
- Guidance on types of non-disclosure, to reflect developing case law
- Understanding poverty and its impact on those in the hearings system

Impact: the Practice and Procedure Manual

The updates in the Practice and Procedure Manual enabled Panel Members to be more informed about current practice, which ultimately results in better decisions being made for children and young people.

"Panel Members can only make the best decisions for children when they have the most up to date knowledge. This years PPM changes included giving Panel Members the freedom not to repeat their decision and reasons when it agrees with a decision which has already been vocalised. This prevents children and families from hearing the same difficult information several times which we know can be difficult to hear."

– Laura Conachan, Practice and Policy Lead

3.1.2 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 2022, the Practice and Policy team updated the guidance on Independent Reports for Panel Members following the introduction of a new duty to consider the need for an Independent Report when deferring a hearing. This guidance was followed with refresher training sessions carried out online and in person throughout 2022.

Impact: Independent Reports

The changes to the guidance and subsequent training resulted in 31 Independent Report requests being received in 2022-23, up from 24 in 2021-22. Requests were received from 14 locality areas with the most common requests for psychology-based reports. The second most common report requests were for independent social workers to carry out parenting capacity assessments or assessments relating to contact with family members. These Independent Reports gave the Panel Members the expert information they required to make better decisions in hearings and provide more positive outcome for infants, children and young people.

3.1.3 Policy and Practice team training events

Throughout 2022-23, the Practice and Policy team delivered refresher training across Scotland on the legislative and practice changes since 2020. For those who were unable to attend those live sessions, a video was made available on the Learning Academy website.

This course was requested by AST members and included different styles of learning, including slides, voiceover and practice examples to think about. It addressed the changing landscape in which Panel Members make decisions and ensured their knowledge and understanding of practice and policy remained current.

The video and training covered:

- The changes in the Children (Scotland) Act 2020 and rules such as siblings' rights, additional powers of exclusion and requiring individuals to only attend electronically
- Requesting independent reports
- Advocacy duties
- Minimising attendance
- 'Agreeing with' decisions and reasons

Impact: Practice and Policy training

This bespoke training course refreshed Panel Members' knowledge and allowed opportunities for discussion around practice issues. The training equipped Panel Members and Chairs with more understanding of legislation, allowing better management of hearings and decision making to take place.

"This course was excellent at bringing home and reinforcing the changes that we all need to know in order to be effective and competent PMs. Thank you." – Panel Member

"As a newly appointed Panel Member I found this really informative, in particular the piece around decisions and reasons was very helpful." – Panel Member

3.2 Training our community

3.2.1 Pre-service training

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 2022-23 we continued to improve our pre-service training approach and the ongoing training Panel Members receive.

Pre-service in 2022-23

We consistently look at feedback from previous trainee cohorts to deliver improvements on the previous year’s pre-service training. In 2022-23 those improvements included:

- Extending the pre-service delivery model from four days to five days, ensuring more time was dedicated to skills practice, with more opportunity for face-to-face learning
- Embedding trauma-informed approaches around the use of language within the training environment
- Carrying out trauma-informed training for all frontline administration staff of the CHS Learning Academy to better support our trainees

Rights-based approach

Each of the pre-service training days incorporated the theme of Children’s rights within the hearing room, how to promote them, and understanding the rights of others in respect of that child. We enhanced our pre-service topics to include and improve the use of destigmatising language and behaviour, to understand and overcome unconscious bias, and to provide guidance on how to fully engage with everyone in 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 stating their outcomes for the course were met, a 2% increase on 2021. The measures put in place resulted in the highest retention figure we have seen since 2017 and a huge leap from last year, up by 6.7%.

“I thought Day 5 was well structured and was surprised how realistic the role play hearings were. Everyone involved was excellent and played their parts so well that it was easy to become immersed in the experience. The facilitators were knowledgeable and very helpful as usual. An extremely useful, if somewhat nerve-wracking, training day which pulled together our learning to date.”

– Trainee Panel Member 2022

“I have learned a huge amount from the facilitators. It’s been a hugely rewarding process so far and I am amazed at how much information I have taken in from the training.”

– Trainee Panel Member 2022

Ongoing training in 2022

3.2.2 UNCRC training

In order to identify training needs within our community a baseline survey was undertaken in December 2022 of Panel Members' awareness of the UNCRC and how these rights manifest in children's hearings. Of the CHS Community sampled:

- 99% confirmed they are aware that children have specific rights under the UNCRC
- 85% either strongly agreed or agreed they are confident they understand the impact of UNCRC rights in the context of a children's hearing
- 97% of were extremely or very confident in their understanding of the child's best interests being paramount

Impact: UNCRC training survey

The survey highlighted the areas where Panel Members were less confident in their understanding. In partnership with Children in Scotland (CiS), CHS and CHSLA developed expert UNCRC training, which was presented by Dana Vreeswijk, Policy, Participation and Projects Officer at CiS. The online event was fully booked and recorded and is now hosted on the CHS Learning Academy where all pre-service cohorts and Panel Members are asked to view it as part of the UNCRC training module.

"I enjoyed the session and the two hours went by very quickly. I think it was a very good positioning of where the hearings system sits in the landscape of rights for children and adults and why we do a lot of what we do."

– Panel Member

3.2.3 Trauma

Building a trauma-responsive CHS is an ambitious aim, and is a short-, medium- and long-term commitment. We have embarked on a multi-year project creating a knowledge and skill framework which builds on four levels of practice:

- Trauma Informed
- Trauma Skilled
- Trauma Enhanced
- Trauma Specialist

We are at stage one, building a Trauma Informed community and organisation. We have ensured that trauma learning is grounded within our pre-service training and all new trainees from 2021 onwards have completed this. In addition, CHS Learning Academy administrative staff have undergone trauma training to support trainees as they are often 'first responders' in times of crisis. We have worked with NHS Education for Scotland to deliver *Developing Your Trauma Informed Practice* workshops, training modules and videos.

Impact: Trauma Informed Training

To date 1,615 active Panel Members have completed the training.

"The video helped show different reactions from the three children participating and how we need to be aware of different levels of support being needed to help promote participation."

– Panel Member

3.2.4 Sibling Rights

This course on siblings' rights focuses on how the changes in the Children (Scotland) Act 2020 will affect the Panel Member role and ways to meet the requirements to ensure their practice complies with the Act and that they have the skills they need to implement the legislation.

Impact: Sibling Rights Training

The learning outcomes achieved by participants of the course has been:

- To understand the definition of 'siblings' under the new legislation
- To understand the updated duty on Panel Members to consider contact with siblings and relevant persons
- To be aware of the new and updated duties on Local Authorities
- To understand the new participation rights introduced by the Act

Neurodiversity

The Independent Care Review, and subsequent reports issued by The Promise, identified a lack of suitable approaches and learning to support people experiencing neurodiversity. As part of our commitment to ensuring that we support neurodiversity in children's hearings, CHS invited two expert organisations, FASD Hub Scotland and Salvesen Mindroom Centre, to host an exclusive online learning event in June 2022.

Impact: Neurodiversity Training event

The event was attended by 120 Panel Members and a recording of it is hosted on the CHS Learning Academy as part of our ongoing training and development suite of resources. The course offered insight and skills to Panel Members to help them identifying what neurodiversity means, recognising and using key terminology, identifying key challenges and strengths associated with common neurodevelopmental conditions, and applying basic approaches which are known to support neurodiverse children in a hearing situation.

3.3 Consulting and engaging with our Panel Member community

3.3.1 Participation, Engagement and Consultation Project

CHS is committed to creating genuine opportunities for stakeholders to develop ideas and identify areas of innovation and change across the hearings system. The Participation, Engagement and Consultation Project, as part of our Promise Programme, sought to deliver consultation and engagement opportunities for CHS with the Panel Community and its key stakeholders to inform the development and work of the Hearings Redesign Project and the HSWG.

We invited the CHS Community to contribute to the design process of our consultation. Working alongside CHS staff, they helped shape the focus and format of engagement with the wider community. More than 300 members of our Panel Community took part in a survey on the themes emerging from the HSWG's Issues List. The results fed into live and virtual engagement sessions, facilitated by The Lens, which were attended by more than 500 members of the Community.

A stakeholder reference group was established as part of the HSWG's Redesign Project with eight volunteers from our Panel Community (recruited by lived experience recruiters) influencing the Redesign Project across the Before, During and After a Hearing strands.

Impact: Participation and Engagement Project

The use of facilitated engagement and consultation across the HSWG Issues List was well received by those who engaged with the process. Many appreciated the opportunity to meet with fellow Panel Members from different areas. The work established a core group of participants who, alongside the Practice and Policy Bank, could contribute to communication and engagement that will be required as a result of the HSWG recommendations and the Tribunal Support Model.

3.3.2 Practice and Policy Bank

As part of our ongoing work to engage and collaborate with the Panel Community, the Practice and Policy team convened the Practice and Policy Bank. The Practice and Policy Bank includes more than 260 Panel Members who have signed up to take part in surveys, consultations, focus groups and feedback opportunities in relation to the hearings system. They offer the Practice and Policy team a sounding board for new ideas and offer valuable insight and understanding of how practice and policy issues are being addressed and how they can be improved. During 2022-23, the Bank offered insight into consultations such as the Children (Care and Justice) Bill and focus groups to help shape our updated Internal Complaints policy.

Impact: Practice and Policy Bank

Areas where the Practice and Policy Bank has had the most impact include the following:

Practice and Procedure Manual update

Four online focus groups were held with the Panel Community, which resulted in significant changes and amendments being made to the Practice and Procedure Manual.

Advocacy survey

This survey gathered feedback from 87 Panel Members on children's advocacy during hearings. The findings were shared with the national Advocacy Expert Reference Group on Children's Advocacy, a group that CHS is represented on; the CHS senior management team; and the CHS Board. Next steps include continual engagement with advocacy providers and the national Advocacy Expert Reference Group to ensure Panel Members are kept updated on practice and policy developments.

Siblings survey

This was carried out in two stages: one survey in 2022 after new sibling legislation was introduced and one in 2023 to see the impact it has had. 87 Panel Members from 18 Area Support Teams completed the 2022 survey and 68 completed the 2023 survey. The survey provided a baseline to identify areas where further training, guidance and consolidation of knowledge are required.

3.3.3 Engagement/events

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. Here are a few of their stories from 2022-23.



AYRSHIRE

In September 2022, our Panel Community celebrated achievements across Ayrshire, coming together at the Park Hotel in Kilmarnock. Special recognition was given to Helen from South Ayrshire, who celebrated her retirement with a long service award, having volunteered for 28 years in service of Scotland’s children.

38 Panel Members and Area Support Team members received recognition for long service,

totalling 350 years across East, North and South Ayrshire. Our team in Ayrshire are passionate about what they do and make a difference to lives every day.

INVERCLYDE

The Inverclyde Panel Community welcomed the then-Minister for Children and Young People, Clare Haughey, to Greenock in July 2022. Ms Haughey met children and young people from care-experienced group Proud2Care and signed her pledge to



KeepThePromise to all children and young people in Scotland. The Minister observed a mock children’s hearing and pre-hearing discussion. She then made presentations to long-serving and recently appointed Panel Members. Ms Haughey’s visit recognised how our Panel Community deliver the best outcomes for children and young people.



ABERDEENSHIRE

Our Aberdeenshire Panel Community enjoyed a reception at Beach Ballroom in Aberdeen in late 2022. They were joined by Katharina Kasper, Chair of the CHS Board, National Convener Elliot Jackson and Provost Judy Whyte. Panel Members and Area Support Team members of five to 30 years’ service received recognition and enjoyed good food and good fun.

Every day, our Panel Community in

Aberdeenshire put children and young people at the centre of decisions made, big and small, in our communities and we welcomed the opportunity to celebrate them.

EAST DUNBARTONSHIRE

Our Panel Community in East Dunbartonshire hosted a training event with our Children’s Rights and Inclusion Coordinator and a member of the CHS Participation Group. The care experienced young person from the CHS Participation Group prepared a session for the attendees, sharing her experience and demonstrating how, by being open and respectful, hearings make a difference.

“[Young person] is a great advocate for the children and young people involved with the Children's Hearings System and her presentation, about ways to include young people in their hearings, was engaging and really enlightening. Her personal experience is invaluable when considering how to improve our practice. It's given us a lot to think about for future hearings.”
 – Lynn, East Dunbartonshire Panel Member

4. 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.

4.1 Collaborative Redesign Project

The Collaborative Redesign Project was created to provide design-led proposals to the HSWG. Alongside other sources of information, the proposals informed the recommendations of ‘Hearings for Children’, the HSWG Redesign Report.

The focus of the project was on transformation. The intention was set to redesign the hearings system so that it prioritises the child, their experience and outcomes over the process. In order to do this, three areas of focus were identified: before, during, and after a hearing. The redesign project work involved objectively reviewing the structure and procedures of those spaces, including mapping the ‘As Is’ – how things are in the Children’s Hearings System today – in order to identifying areas for transformational improvement.

As part of the Collaborative Redesign Project, three members of CHS staff led the before, during, and after reviews and were directly responsible for delivering the redesign recommendations for their parts of the process, which was a huge task. At all stages the voice of young people was sought, respected and amplified, with the focus always on their welfare and upholding the rights of the children in the hearings system.

Stakeholder engagement sessions were held to gather the input and views of our Community through our Participation, Engagement and Consultation project. The project

team and The Lens worked together to design a bespoke programme of consultation and engagement which would enable CHS staff and volunteers to:

- Gain a better understanding of the Hearings System Redesign Programme
- Connect with their wider CHS volunteer community
- Share their views on how the Hearings System could be redesigned to #KeepThePromise and improve the lives of children and young people

To start this work, a survey was developed and results used to form the basis of our large scale consultation and engagement sessions, which included face-to-face and virtual sessions at flexible times, including evenings and weekends. The sessions were designed to encourage everyone to participate, no matter their experience and length of service.

Consultation questions were developed based on the five themes of the HSWG Issues List:

- Scaffolding of the Hearings System
- Avoiding the need for compulsory measures of supervision
- Children and their Hearings
- Meeting the needs of children after a Hearing takes place
- Relationship between the Children’s Hearings System and the Criminal Justice System

Themes and ideas from the consultation and engagement sessions were collated and delivered back to the Collaborative Redesign Project lead to support their input into the recommendations of the HSWG.

Our role in the co-design project was an opportunity to celebrate the CHS contribution to the transformation of the hearings system and our commitment to Keep the Promise.

Impact: Collaborative Redesign

The delivery of the Collaborative Redesign Project required highly collaborative working from all involved with a focus on the project aim, working across organisational boundaries. This relied on high levels of trust and focus, understanding of the design process, a strategic perspective and an ability to think and act systemically. The success of this project is a reflection on each person who contributed and supported it, understanding that its success would support our commitment to keep the promise made to Scotland’s children.

“CHS representatives on the collaborative redesign project entered this work with passion and drive to consider how the children’s hearings system should change. You could tell the reps were carefully selected for a combination of service design and system specific knowledge and experience. This added a lot to their contribution to the overall project. Working relationships were strong and this included the ability to disagree and challenge each other where necessary”

– Partner in the Collaborative Redesign Project

“If the aim was to generate change that could make the hearing system better for children, then I think that aim was met.”

– Panel Member involved in the Collaborative Redesign Project

“The energy, positivity and investment in the collaborative approach from CHS staff was evident throughout the work. They demonstrated a strong ability to shift approaches, adapt to change and be solution focused in challenging situations.”

– Partner in the Collaborative Redesign Project

4.2 Care and Justice Bill

The Children (Care and Justice) (Scotland) Bill was introduced to the Scottish Parliament in December 2022. The Care and Justice Bill will extend access to the Children's Hearings System to everyone under the age of 18. This Bill 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 Bill, 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.

Our system recognises that when children and young people come into conflict with the law and authorities, it is often a reaction to the circumstances and experiences around them. Extending the system will ensure that all young people are given fair and equal opportunities to address the causes of behaviours and the problems they experience.

We welcome the Bill and look forward to working constructively with others to implement the legislation and continue to make decisions at the children's hearings that have positive outcomes for infants, children and young people – and those who love and care for them.

We are ensuring that Panel Members are equipped to extend their important work to all young people under 18, and are able to uphold principles of justice, fairness and compassion, always.

Key activity in 2022-23 to prepare for incorporation of the Bill has included:

- Significant organisational resources have been put into planning and influencing. We have liaised with the Bill team, worked with a range of national partners, responded to the formal consultation, and presented evidence to the lead Parliamentary Committee. We have consulted and engaged with our Panel Community, organised briefing and learning sessions and published articles making clear our position.
- We have analysed the data and carried out financial modelling to secure appropriate levels of resources in the financial memorandum. In addition, we are recruiting additional staff and Panel Members in preparation for implementation.

Thematic conclusions

This report details the impact of our work over the year 2022-23, supported by quantitative and qualitative evidence. Taking a high-level view of that work and evidence produces clear themes to our impact over the year.

Valuing our Panel Members

CHS's primary duties are to the Panel Members we recruit, train and support. The decisions they make have profound effects for families across Scotland. We are immensely grateful to our volunteers and are focused on providing all they need to make the best decisions with and for infants, children and young people in hearings. In 2022-23, activities that delivered impact here included our engagement and consultation with volunteers, new and updated training and resources and expansion of our report-writing capacity service.

Involving people with lived experience

We work hard to put the young people within the hearings system at the heart of everything we do, and this report details the many ways we are proactively increasing our collaboration with young people who have experience of hearings. These efforts are delivering a wide range of outcomes, from recommendations for legislative change to practice in the hearing room.

Hearings redesign work

A standout impact in 2022-23 was our input into the Hearings System Working Group, whose work led to the publication of the 'Hearings for Children' Redesign Report in May 2023. Guided as always by those with lived experience of hearings, and the changes they have identified as necessary, CHS made an exemplary contribution to the HSWG.

UNCRC and children's rights

As incorporation of the UNCRC into Scottish law makes progress through Parliament, at CHS we can be proud of our work to ensure that the convention is embedded in our policies and practice. In 2022-23 we produced new tools and training, and carried out evaluations, that are ensuring the rights of the child are paramount in the hearings system.

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.



Finance Report 2023-24 Forecast Outturn

Agenda item 9 CHS-2324-21

Accountable Officer:	Head of Strategy and Development
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 Background, summary and recommendation

- 1.1 The published revenue grant in aid (GiA) allocation for CHS for 2023/24 is £4,629k, with an acknowledgement from Scottish Government (SG) that CHS is carrying an additional ongoing £3,483k pressure.
- 1.2 Board members are asked to note the forecast, its associated risks and the approach.

2 2023/24 Forecast and Year to Date

Report as at 31 August 2023

	Actual YTD Period 5	Variance YTD Period 5	2023/24 Annual Budget	2023/24 Forecast	2023/24 Forecast Variance	2023/24 Forecast Variance
	£000	£000	£000	£000	£000	%
Staff	1,022	-369	2,997	2,087	-910	-30.4
Board	9	-11	62	61	-1	-1.6
Training, travel and subsistence	160	28	112	155	43	+38.6
Lease Obligation	0	-13	51	51	0	+0.0
Property	33	14	77	77	0	+0.0
Other Operating Costs	0	-14	49	49	0	+0.0
ICT Costs	179	76	772	814	42	+5.5
Corporate Costs	101	12	156	226	70	+45.0
Panel and AST Expenses	7	-35	500	390	-111	-22.1
Panel and AST Training	383	-53	1,131	1,006	-125	-11.1
Support for hearings	65	17	175	175	0	+0.0
Volunteer recruitment	83	83	234	288	54	+23.1
PVGs	2	-36	80	41	-39	-48.8
AST Devolved Funding	1	-5	66	66	0	+0.0
Total	2,045	-306	6,462	5,486	-976	-15.1
Tribunal Support Model (TSM)			1,244	813	-431	
Child Care & Justice Bill (CCJB)			406	106	-301	
			8,112	6,405	-1,707	-21.0

2.1 Of the £3,483k pressure mentioned in paragraph 1.1, around £2,000k related to wages and salaries, with the remaining £1,483k related to goods and services. According to our estimates, the wages/salaries pressure is likely to be only £1,000k against the published GiA, based on the estimated costs of staff in post plus live recruitment and implementation of the minimum SG pay policy. Recruitment being phased through the financial year resulting in savings. We estimate Staffing costs at £2,577k including associated staffing for TSM & CCJB.

Our Autumn Budget Revision (ABR) submission highlighted that we are unlikely to require the full £3.3m budget pressure that was identified at the start of the year, but this will be confirmed in Spring Budget Revision (SBR) as costs may increase though the year.

We estimate the current goods/services pressure is likely to be only £500k against published GiA rather than £1,483k, so our forecast for this area is £3,709k. This also results from the new structure being implemented during the current financial year and spend now filtering through, showing us behind the expected spending levels.

Considering the above we forecast service delivery costs of £6,405k these have gone up from the previously reported £6,286k at period 3. Overall, the current forecast represents an underspend of £1,707k against the board-approved budget.

Looking further into the future in line with our 5 year planning, we are updating the 5 year plan to reflect the current situation in line with the further expectations of legislative and financial developments. Aiming to bring this to the board for sign off at the next board meeting in December.

2.2 In order to determine the forecast cost of our service delivery to the end of the year, we have made the following assumptions.

- Staffing combined with TSM & CCJB shows an underspend of £1,642k based on all new appointments to date and all known appointments until the end of the fiscal year.
- Training, travel and subsistence cost have increased and are forecast to be overspend by £43k due to an increase in headcount and resulting training needs.
- Corporate Costs are forecast to be overspend by £70k due to an identified increase in consultancy fees.
- Underspend of £111k on Panel and AST Expenses in line with last year's expenditure.
- Panel and AST Training costs are predicted to be underspent by £125k considering current costs and the now fully signed Non-Competitive Action (NCA) for the learning academy.
- For all costs showing a 0% or a variance to budget below 5% in the last column of the above table, we assume the cost to meet budget or be very closed and have forecast in line with this assumption, not expecting any additional costs.

3 Conclusion

3.1 Board members are asked to note the forecast, its associated risks and the approach in the ongoing management of the projected budget movements.



Participation Strategic Review

Agenda Item 10 CHS-2324-22

Accountable Officer: Carol Wassell, Director of Positive Outcomes
Report author: Stephen Bermingham, Practice and Standards
Resources implications: Fully resources participation team with support from across the directorates.

Recommendation: To discuss and approve the review

Approval(s) sought:

Impact Assessment Duties	Required	Completed
Equalities Impact Assessment		
Children's Rights Impact Assessment		
Data Protection Impact Assessment		
Islands Impact Assessment		

Initial impact screening assessment completed for all aspects. Further assessments to be carried out on approval.

1. Introduction and background

The review has been precipitated by the organisational restructuring which has seen participation work move from the leaning function to a newly established Positive Outcomes Directorate. This represents an opportunity to take stock and refocus our participation work to ensure the views of children and those with recent lived experience of children's hearings is elevated and influences decision making across CHS. This is an initial review based on the current state of play, and further engagement is required as this work evolves.

2. Purpose

For the Board to discuss and approve the direction of travel contained within the recommendations in the strategic review of participation.

3. Summary / review / details of project

There are a number of key recommendations included in the review:

1. The Children's Rights and Inclusion Strategy is co-produced and reviewed with young people as agreed by the Board.
2. The post of Children Rights and Inclusion Coordinator is redesigned as a Participation Coordinator.
3. A business case for a new post is developed to support the Participation Coordinator as outlined in the new organisational structure.
4. Children's rights reporting and monitoring forms part of the practice and policy teams work.
5. Participation work is co-delivered by the Practice and Standards Team, in particular aligned to the feedback and complaints function.

6. A working group established to ensure that participation is coordinated across CHS.
7. A practice guide for involving children and young people in recruitment is developed with the People and Culture Directorate.
8. Development opportunities for young people are further developed with the Robertson Trust internship scheme.
9. A participation partners network is established as a consultative vehicle with organisations supporting children in the hearing system.
10. Online engagement opportunities are developed with national partners to gather feedback from children and young people.
11. The participation group and mutual mentoring work ceases and is replaced by an Expert by Experience cohort.
12. The remuneration levels are increased and based on the Scottish Governments Social Research Participation and Lived Experience Working Group guidance.
13. Closer collaboration and partnership working is developed with Our Hearings Our Voice.
14. A review of the regional lived experience panel member recruiters is undertaken and a named member of staff in each of the regions leads this work going forward.
15. All staff involved in the involving children and young people complete the trauma informed training and are provided with bespoke support.
16. A quality assurance programme is established to measure and improve the way in which children participate in hearings.
17. An external provided is commissioned to regularly evaluate CHS' participation work.

4. Benefits

There is an opportunity for CHS to be sector leaders in involving children and young people. Involving children and young people will improve the services CHS provides and lead to improved outcomes for the children and families that we serve.

5. Risks

This review is an initial appraisal of the current state-of-play. The risks of not adequately involving children and young people in the work of CHS are mitigated by the recommendations in this report.

6. Recommendations

It is recommended that the Board;

1. Discuss and approve the strategic review of participation.
2. Approve further engagement with young people on the recommendations outlined in the report.
3. Acknowledge that the strategic approach to participation must remain agile and fluid to reflect the views of children and young people and reforms within the system.

7. Appendices

Participation Strategic Review Paper



Participation Strategic Review

1. Purpose and Opportunity

- 1.1 This paper is a review of CHS's participation work. The review has been precipitated by the organisational restructuring which has seen participation work move from the leaning function to a newly established Positive Outcomes directorate. This has presented an opportunity to take stock and refocus our participation work to ensure the views of children and those with recent lived experience of children's hearings is elevated and influences decision-making across CHS.
- 1.2 There is a strong and well-established leadership commitment to participation in CHS. With the Promise reform agenda and the expansion of CHS, now is an exciting time to revisit and develop an ambitious programme of participatory work that builds on what has already been done. We will elevate the involvement of children, so it becomes core to our standards, practices and organisational culture. Effective participatory practices have the potential to enhance CHS's influence and credibility within the sector.

2. Process and Limitations

- 2.1 It is important to acknowledge that whilst elements of this plan are informed by the views of children and young people, CHS need to engage further with them so they can shape this work. A plan is in place to do this. There will also be further engagement with the directorates across CHS. The plan will evolve as we establish a CHS working group and take forward this work with children and young people.
- 2.2 Effective participation needs to be agile and therefore plans and activities need to flex and change depending on the feedback the organisation receives. We will bring creativity and innovation to this work, and this will be reflected in how we report on its impact and progress.

3. Policy Context

- 3.1 CHS need to involve people with lived experience in the policy and practice standards and implementation decisions that affect them, for example, the Children's Hearings (Scotland) Act 2011, the Children (Scotland Act) 2020, United Nations Convention on the Rights of the Child (UNCRC) (particularly considering the UNCRC Incorporation (Scotland) Bill). Article 12 of the UNCRC should be the foundational policy for directing our approach to participation. It states:

12:1 "States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child."

12:2 "For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law."

- 3.2 This review will focus both on children and young people’s participation in CHS and their effective participation in children’s hearings. The ‘Hearings for Children: Hearing System Working Group’s Redesign Report’ made it clear that **“The most crucial aspect”** of a redesigned Children’s Hearings System is the participation of children. There is therefore an opportunity for CHS to be innovative, bold and at the forefront of realising children’s rights to participate in the work of CHS. We have put the foundations in place for this work, but as the organisation and sector evolves, we will become more sophisticated in our approach to participation.

4. Children’s Rights and Inclusion Strategy

- 4.1 A refresh of CHS’s 2020 Children’s Rights and Inclusion Strategy was approved by the Board in June 2023. CHS will deliver the Children’s Rights and Inclusion Strategy as a core component of the Corporate Plan.

It is proposed that:

- The strategy, along with the participation standards, will be reviewed and revised based on the four key principles of the [Lundy Model of Participation: Space, Voice, Audience and Influence](#).
- The review of the strategy will reflect the commitments we have made in the ‘What CHS will do next to Progress Children’s Rights’ section of the 2020 - 2023 UNCRC Report Progressing Children’s Rights, and the new strategy will be co-designed with children and young people.

5. Participation Team

- 5.1 To date participation work has been delivered by the Children’s Rights and Inclusion Coordinator. Recently the children’s rights elements of this work has moved to the Practice and Standards team as they already have a locus on the reporting and delivery of the UNCRC as part of the Promise Programme.
- 5.2 Effective participation work is resource intensive, and it is good practice for this be delivered by more than one staff member. Within the new organisational structure there is the potential for an additional post that will add additional capacity to the function.

In addition to the new Participation Coordinator that is currently being recruited, it is proposed that:

- Children’s rights move to the practice and policy team but sit within the practice and standards to allow for collaboration and joint delivery;
- An additional developmental post is created which has a strong focus on professional development enabling us to be promoted as a career development opportunity for a young person with lived experience, for example; and
- Participatory work is supported and co-delivered by staff in the Practice and Standards team, and other staff with the right aptitude and experience.

6. Feedback and Complaints

- 6.1 The Feedback and Complaints team have shifted emphasis from reacting to complaints to taking a more proactive approach to gathering feedback. In particular a new approach and online portal has been developed for child friendly feedback and complaints. This new

approach has resulted in developing new opportunities to engage with children and young people.

It is proposed that:

- The feedback and complaints team work closely with the participation team, to seek out opportunities to build relationships and gather feedback from children with lived experience and build the Participation Partners Network (see below); and
- Our people use feedback and complaints as a vehicle to support the development of a network of relationships with organisations supporting children with a view to consult evolve these relationships so that CHS can reach out to different organisations and use these as consultative vehicles for specific areas of work.

7. Coordinated Participation Across CHS

7.1 Participation activities, intelligence, practice-sharing and influencing should be embedded across CHS. The Rights and Inclusions Strategy outlines this aspiration. There are pockets of good practice and a real opportunity to take a strategic approach to this to help ensure the work is coordinated, has deliverable outcomes and children’s views have optimal influence. With the establishment of new staffing structures at a regional level there is an opportunity to further develop relationships with local organisations that work with children and young people and improve our intelligence gathering to ensure the voice of the child is amplified in CHS.

It is proposed that a participation oversight steering group is established made up of our people from across the organisation that have a role and commitment in listening to the views of children to improve practice.

8. Staff Recruitment

8.1 Involving young people in recruitment must include training and support, remuneration, influence and adaptation so that young people can participate effectively.

It is proposed that:

- The Practice and Standards team and the People and Culture team develop guidance, based on existing best practice, for recruiting managers on how they meaningfully involve people with lived experience in recruitment;
- An ‘Expert by Experience’ cohort are recruited, supported and remunerated to participate in recruitment;
- Remuneration is based on the Scottish Government framework (see section on remuneration);
- The model is tested by the national team initially and adapted and rolled out for lived experience recruiters within the regional tribunal delivery teams; and
- This model is adapted and refined, and the Expert by Experience could be offered a pathway to be involved in other participation work within CHS.

9. Development Opportunities for Young People with Lived Experience

9.1 Young people with lived experience face barriers to employment including low educational attainment, a lack of support structures, low levels of emotional wellbeing, high levels of poverty and poor health outcomes. Although it would not be possible to create posts exclusively for young people with lived experience (due to equality laws) it is possible to create developmental opportunities or interns that would have lived experience as a

‘desirable’ specification and promotion targeted through specific networks as part of CHS’s Corporate Parenting responsibilities.

It is proposed that:

- A strengthening of our partnership with the Robertson’s Trust is explored with a view to continue to create opportunities for young people with lived experience;
- Additional intern opportunities are created that include a high level of training and development; and
- Further research is undertaken to explore options, costs and partnerships opportunities.

10. Participation Partners Network

10.1 Involving children with lived experience of the hearing system often works best in settings of their choice and with trusted adults that they know. Every local organisation that supports children (e.g., residential homes, fostering agencies, youth justice providers, education establishments, secure units, youth work providers) are required to involve children and young people and are accountable to an inspection regime to assess its effectiveness.

It is proposed that CHS:

- Build a network of participation partners with a view to consult them on issues relevant to them within their existing participation structures;
- Provide support and opportunities for participation partners to facilitate participation with the children they support;
- Work with dedicated lead staff in the new regional tribunal delivery teams to identify and establish connections with partners at a local level; and
- Establish a network of named persons in each organisation as the point of contact for engagement work.

11. Children’s and Young People’s Online Participation

11.1 The practice and policy bank has proved an efficient tool for gathering the views of panel members. This includes feedback via online surveys and hosting one-off online focus groups on specific practice and policy areas.

It is proposed that:

- We work with national organisation to scope out options for engaging young people through existing online networks;
- We consider the development of a bank of children and young people on a range of organisational, practice and policy issues; and
- Information and opportunities are promoted and hosted via our participation station that can be accessed here (umbraco.io).

12. Participation Group

12.1 CHS have organically established a participation group of young adults with lived experience. Nominally there are five members of the group. Typically, the group meets every three months with attendance ranging from one to four (typically two). The group have made some significant contributions in terms of voice and audience, for example at CHS’s 10 Year

Anniversary, event members spoke passionately about their experience of children’s hearings.

Continuing the group would benefit from greater structure regarding roles and expectations, term of office, recruitment process, remuneration, safeguarding procedures, and additional staffing support.

It is proposed that:

- CHS establish an Expert by Experience cohort, as an alternative to the participation group. This would enable more structured involvement in specific work areas, initially tested with staff recruitment and quality assurance;
- We hold a review meeting with the members of the participation group to evaluate their experience, lessons learnt and how participation work should proceed going forward; and
- Each young person is provided with bespoke support to ensure they can continue to be involved with CHS through an alternative structure and support is offered for them to access other opportunities and/or ensure a positive ending.

13. Our Hearings Our Voice

- 13.1 Our Hearings Our Voice (OHOV) is a board of young people with lived experience that co-design and influence improvements to the hearing system on behalf of the Children’s Hearings Improvement Partnership. The group was established in 2016 and currently consists of about 12 young people aged 14-21.
- 13.2 The group is well structured and includes an application process, terms of reference, appropriate infrastructure (such as safeguarding procedures) and young person-centred support. The group meet six times a year and is supported by two dedicated full-time members of staff – an experienced social worker who is the project lead and an experienced teacher who is the project worker – illustrative of the level of resource required to support an effective participation group.
- 13.3 The team receive management and infrastructure support from SCRA who host the group. The group is funded by the Scottish Government to provide young person input and influence to the entire hearings system and is independent of SCRA. A firm commitment has been made going forward to work more closely with CHS to collaborate with the young people and make improvements to the hearings system. CHS does consult/involve OHOV and there is an opportunity to strengthen our collaboration with them.

It is proposed that:

- CHS form a closer working relationship with OHOV as an equal partner and beneficiary of their feedback;
- The CHS Participation Coordinator attends the core meetings and works closely with the young people and support staff to design and deliver engagement/improvement activity; and
- CHS consults the group on their terms as well as how and what the young people would like to engage with within CHS.

14. Expert by Experience Cohort

- 14.1 There is an opportunity to recruit and support young people with recent lived experience of the children’s hearings system to contribute to specific projects and activities. To do this

effectively the role is co-designed with young people that have experience of participatory structures.

It is proposed that:

- A role description is developed with each young person with a set term of office, clear terms of reference and higher levels of remuneration;
- There are a clear set of expectations and standards for the cohort co-designed with young people;
- Each successful applicant is matched with a member of the national team who will provide support and guidance and lead responsibility for a personal development plan; and
- The model is tested initially with staff recruitment and quality assurance and continually evaluated and reviewed.

15. Remuneration and Financial Support

15.1 There is a budget of £16,200 to support young people's engagement in the work of CHS, although this is consistently and significantly underspent. Currently young people on the Participation Group are offered vouchers to participate with CHS. The reprofiled budget makes provision for IT, support, travel, training and remuneration. Based on 2022 levels of involvement of the Participation Group it would have cost approximately £5,000 to remunerate young people at the levels detailed below. What is being proposed with the Experts by Experience group represents a significant upturn in participatory activity. It is important to acknowledge that there may be extra resources if any of the young people require additional support due to a protected characteristic e.g., signer.

15.2 The Scottish Government Social Research Participation and Lived Experience Working Group has produced draft guidance for remunerating people involved in research and participatory activity. This includes an index of rates, for example they recommend £180 for a full day's participation, £40 for an hour's participation and includes provision in relation to remunerating preparatory activities. The Scottish Government have sought advice from HRMC which has been that this type of one-off payment would "unlikely fall within the definition of earnings for PAYE and no employment relationships exists". The DWP recommends using vouchers to avoid a potential impact for people in receipt of benefits.

It is proposed that:

- CHS apply the Scottish Government guidance to inform levels of remuneration; and
- We test the remuneration model with recruitment and quality assurance in the first instance, then extend to programme where appropriate and where there is the budget in the programme to support the work.

16. Regional Lived Experience Recruiters for Panel Members

16.1 Currently most areas have young people with lived experience involved in the recruitment of panel members. This has evolved differently in different areas. There is guidance to support the work. Each area should have a named contact to coordinate this work at a local level; 16 of the 22 areas have a named contact. This varies from clerks to regional managers, and there are different relationships with voluntary sector organisations in the different regions. Each young person should have a named buddy as their point of contact and support. There are some areas, that are doing fantastic work in supporting this. The new tribunal delivery model will bring consistency in this area. This work is currently being supported for the 2023 recruitment campaign by a practice and policy advisor.

It is proposed that:

- A review of the guidance and an evaluation of the process is undertaken to propose improvements to inform the next campaign;
- The guidance is updated to reflect the guidance for the national team, in particular the support and remuneration offered; and
- A dedicated member of staff in each of the regions (e.g. the partnership coordinator) is the named contact and has overall responsibility for coordinating the involvement of lived experience recruiters in each of the areas.
- We develop a network of panel members with lived experience as a consultative group to inform improvements in the delivery of CHS's services.

17. Mutual Mentoring & Experts by Experience

- 17.1 A mutual mentoring programme has been devised but delivery has been delayed. The premise is that staff and young people complete the training offered by the Scottish Mentoring Network and then are matched to provide mentoring and support to each other. To pilot the programme, three staff have completed the training, and one young person – although the young person was heavily guided through the process and now is unable to proceed with the programme.
- 17.2 An Expert by Experience cohort should be established which extends the premise of the mentoring programme. The Experts by Experience could provide bespoke support to CHS with mutually trusting relationships built between staff and potentially board members. Further work is needed to fully appreciate the scope of this work.

It is proposed that:

- A review meeting is held with the staff involved to gauge future direction;
- The programme is re-profiled, and a new Expert by Experience role is co-designed with young people (see above); and
- This role is initially tested with the staff recruitment and quality assurance programme then refined and potentially extended to other programmes of activity.

18. Trauma Informed Participatory Practice

- 18.1 Young people with lived experience of the hearing system are far more likely than their peers to have experienced a high number of adverse childhood experiences resulting in trauma responses, speech and language challenges, neurodiversity issues and other related challenges. This is not inevitable, nor should it be deficit-based; however, the evidence is startling particularly for children that have experienced maltreatment and those that have come into conflict with the law. Organisationally staff need to adjust their approach and expectations when working with young people and try to avoid basing their expectations on their own experiences. Staff need to be aware that some children and young people will display hyperarousal (e.g., overreacting to a decision or a social media comment) and dissociation (e.g., completely disengaging) during their engagement with CHS and that this will often be because of childhood adversity.

It is proposed that:

- All staff that engage with young people in an area of work are provided with bespoke support and guidance in advance of undertaking the work;

- All staff working with young people undertake trauma-informed training;
- All staff involved in projects that have a component of involving young people must ensure expectations are realistic, timescales are worked out with the young people and communication is appropriate.
- Each project or programme of work that involves children and young people has a nominated person with responsibility for supporting children’s involvement and is supported to do so.

19. Quality Assurance Programme

19.1 There is well established policy and practice for ensuring the views of children people is heard and influences the decision-making in hearings for children. There are also legislative provisions in place, such as the provision of independent Advocacy, to ensure the views of children are heard. Panel Members are well versed in making sure the child’s views are heard. We know from feedback and complaints that this could be improved. Our quality assurance from Practice Panel Advisors observes how well panels engage with children but do not monitor the extent to which the views of children influence decision-making. Children’s participation in hearings is different from attendance, and with partners, we need to do more to provide opportunities for children to share their views in a way, at time and place that works best for them. Section 3(2) of the Children (Scotland) Act 2020 would amend section 27 of the Children’s Hearings (Scotland) Act 2011, to provide that a child may express their views in “the manner that the child prefers”. Although this provision has yet to be enacted it reflects the consistent feedback we have had from children.

It is proposed that:

- CHS work with the sponsor team and partners to enact section 3(3) of the Children (Scotland) Act 2020 and amend the Children’s Hearings (Scotland) Act 2011 accordingly;
- Staff from the practice and standards teamwork with a cohort of Experts by Experience to drive forward this work.
- CHS work with SCRA and other key stakeholders to ensure that the views of children can be expressed and shared with a children’s hearing in a way that works for them: whether that isa video, an art piece, written material or any other medium that works best for the child.
- CHS include in the proposed Quality Framework measures for systematically evaluating the impact and accessibility of children’s views in the children’s hearings

20. Evaluation of CHS Participation Work

20.1 It is proposed that an external provider with expertise in participation is sourced to undertake to undertake an independent evaluation and improvement review of our participation work **with** children and young people. We will look within existing resources to identify appropriate resources as the work evolves.



Quarter 2 2023-24 Performance Report

Agenda Item 11 CHS-2324-23

Accountable Director	Director of tribunal Delivery (Director of Business & Finance)
Report author(s)	Business Support & Governance Manger / Data and Performance Analyst
Resources implications	Within available resources
Approvals sought	The Board are asked to approve the retiming of three milestones as per the quarterly report, and the changes to objectives and milestones as per the Supplementary Plan.

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

1. Introduction

- 1.1 This suite of papers includes the Quarter 2 Performance Report 2023-24, the Supplementary mid-year Business Plan review, and this covering note highlighting data and performance in the quarter and proposed changes to any business plan objectives and milestones.
- 1.2 The quarterly Performance Report and Q3-4 draft Supplementary Business Plan should be read in conjunction as this identifies what objectives and milestones will be carried forward to the second half of the year, and what may need to change, pending approval.
- 1.3 The Board are being asked to approve the re-articulation, re-scoping, and any new objectives or milestones in the attached report, as highlighted in this cover note.
- 1.4 Once approved, the accompanying Supplementary Plan will replace the current Business Plan, and will form the basis of the quarterly performance reporting for Q3 & Q4.

2. Performance during Quarter 2

- 2.1 A selection of activities that have been completed during the quarter included:
 - Report on CHS's work to incorporate UNCRC during 2020-23 by publishing our 2020-2023 UNCRC report;
 - Roll out Trauma training modules and resources through CHS Learning Academy to all volunteers;

- Co-produce a refreshed recruitment creative with children and young people with lived experience;
- Identify critical roles needed within the organisation through a revised organisational structure;
- Create and implement a continuous improvement plan for our feedback and complaints process based on lessons learned.

2.2 Three milestones have been retimed (15.3, 21.1, 30.2). These changes are documented on the final page of the Performance Report, and as below:

- 15.3 - The revision of the CHS Learning and Development Strategy's target timelines has been extended to end of Q4 in recognition of the need to understand the recommendation from the Hearings for Children report which will be accepted by the Scottish Government, and the recruitment of the National Learning Manager who will lead and shape this work.
- 21.1 – We have extended our timeline of engaging with our community and stakeholders on the reforms and coming changes from Q2 (initially) through to Q4 in recognition of the scope and breadth of these changes. We will continue to engage through our Community Hub, Town Halls, newsletters, and attendance at local events while awaiting the Scottish Government response to the recommendation in the Hearings for Children Report.
- 30.2- We have extended the timeline to revise the CHS communication strategy to the end of Q3. The communications team have built a new approach to communications with our community and the public focused on specific messaging to our various stakeholders. Results have been positive and this approach will be further expanded within the revised strategy.

2.3 One objective (3) and its accompanying milestones (3.1, 3.2) are currently reported as red, meaning the objective is at risk of not being delivered on time as it is currently planned. The objective has been re-articulated and re-scoped, as detailed in the Supplementary Plan.

3. Data Summary

The quarterly data summary details key capacity and operational data from the last quarter alongside changes since the previous quarter. Data is updated as required/ when new data is available.

3.1 Changes to content since the last report

3.1.1 Since the last reporting period we have seen an increase in the number of Panel Members who are now Chair trained and active. Additional training sessions are planned for autumn/winter 2023 for those PM's now eligible for training, which will increase our Chairing numbers.

3.1.2 Since the last report an additional 3 Compulsory Supervision Order implementation breaches were reported. As in the previous quarter, all were resolved at Stage 1 (none progressed to stage 2).

3.2 Forecasts and targets

Panel Member and Chair forecasts are based on data and calculations from May 2023. The Hearings forecast has a 2% increase added to the estimated 22/23 data. We can now confirm 2% is the accurate % hearings grew in 22/23 (as reported by SCRA’s official data). The 24/25 data has the estimated additional Hearings from the Children’s Care and Justice (CCJ) Bill included.

4. **Supplementary Business Plan 2023-24**

4.1 At the beginning of the financial/operational year, we committed to publishing a revised Business Plan during 2023-24 that reassessed the on-going work in the organisation, taking stock of the impact of the anticipated Hearings for Children Report, our Organisational Change Programme and Tribunal Support Model implementations, available resources, any decisions relating to work taken in-year, and any other relevant developments.

4.2 The accompanying Supplementary Plan is the result of that reassessment, and covers the second half of the year (Q3-4, October – March). It replaces the current Business Plan, and will form the basis of the quarterly performance reporting going forward.

4.3 Differences from April 23’ Plan

Documented below are changes to the plan published in April that have been incorporated into this Supplementary Plan.

The Objective number in column A is that in the original plan. The Objective number in column B is that in the supplementary plan.

A	B	Objective Summary	Changes / Proposals
3	3	Launching our Mutual mentoring Programme	Objective and milestones have been re-scoped and re-articulated to more broadly recognise the need to formalise our approach to participation including: mentoring, feedback, and engagement with those with lived experience. With this re-scoping, the KPI of participation in the mutual mentoring programme has been removed.
7	7	Develop an implementation plan for the agreed reforms	Milestone has been re-articulated to reflect ongoing work in this area.
9	9	Ensure our quality management mechanisms are operating effectively	Slight adjustment to milestone 9.3 to include the development of a Quality Assurance Strategy and Framework.
11	-	Management information and data reporting	Objective removed – complete for 2023. Management information and data reporting has been implemented and incorporated into regular reporting across AST’s, SLT, and the Board.
12	-	Volunteers Week campaign	Objective removed – complete for 2023.

15	13	Continue to deliver learning and development via the Learning	Milestone 13.3, revision of the CHS learning strategy has been re-timed to end of Q4.
17	15	Undertake recruitment activities to ensure capacity to meet hearing demand	New milestone 15.3 added to encompass the evaluation of the 2023 recruitment campaign and influence of future planning.
18	-	Re-appointment of Panel Members	Objective removed – complete for 2023.
-	17	Develop a consistent approach to wellbeing (including recognition) within our community	New objective and milestones added to include the development of a wellbeing strategy and embedding of the Wellbeing Manager and Coordinators.
21	19	Create a programme of engagement that informs and engages our community	Milestone 19.1 re-scoped to include all current and planned engagement work. Milestone 19.2 added.
25	23	Influence and engage in the development of emerging legislation	Milestone re-articulated to reflect the ongoing work with partners in this area.
26	24	Collaborate as a key partner in hearing system reform projects	Milestone re-articulated to reflect the ongoing work with partners in this area.
27	25	Ensure CHS has the right skills and capacity	Milestone 27.2 slightly re-articulated to indicate the organisational development programme is multi-year
27	25	Ensure CHS has the right skills and capacity	New milestone 27.3 added in recognition of the ongoing work to develop a Leadership Framework within CHS.
28	26	Build a culture of engagement through a programme of structured activities	Milestone 28.1 rearticulated to define the purpose of pulse surveys for staff engagement. Milestone 28.2 slightly re-articulated to include the context of broader organisational transformation.
30	28	Develop an innovative and creative Pay and Reward Strategy for 2023/24	New objective added to reflect this priority area of work.

5. Board Actions:

- 5.1 The Board are asked to note the content of report and make any comments.
- 5.2 The Board are asked to approve the re-timing of three milestones.
- 5.3 The Board are requested to review the Q3-4 Supplementary Plan and its changes for approval and publishing.

Board Data Summary: 2023/24 Q2

Volunteer data 31/07/2023

	PMs	Active PMs	ACs & DACs	PPAs	Chairs
Total	2,199	1,953	40	137	1,190
Change since 07/06/23	-42	-51	-2	+5	+32

Breaches

up to 18/09/23
5 Compulsory Supervision Order implementation breaches reported. All resolved at stage 1.

Chairs

Number of active chairs increased since last reported.

PMs

PMs will continue to decline due to natural attrition until April 2024, when next PM cohort is appointed.

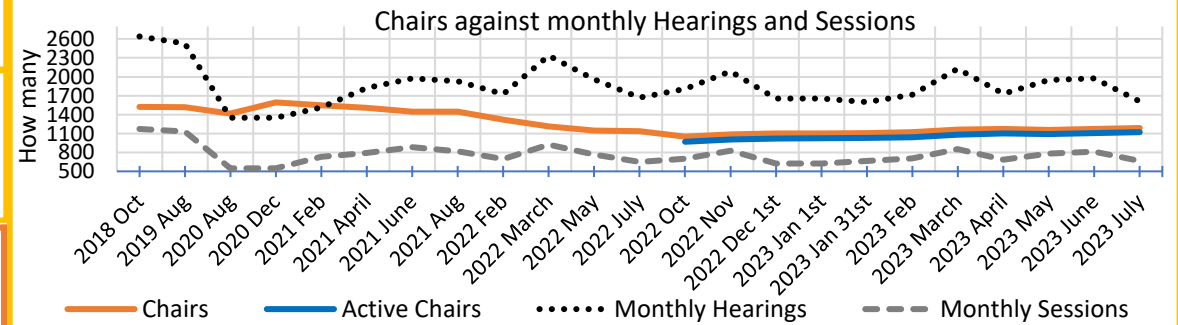
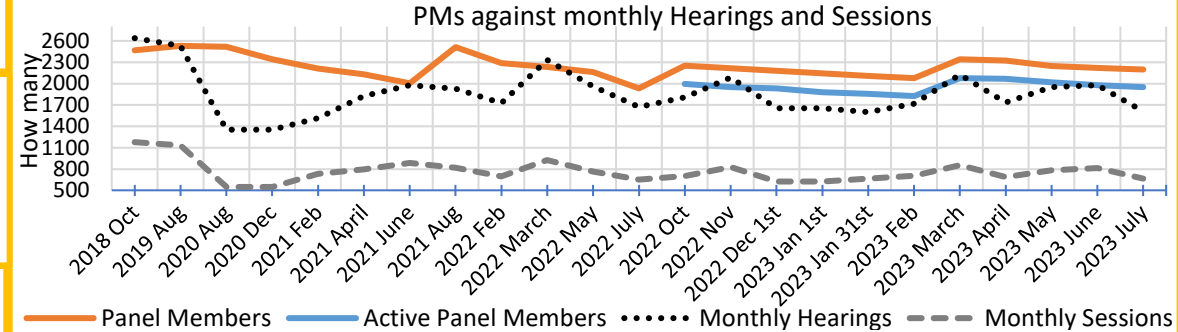
Hearings & Sessions

Hearings, slots, and sessions remain are within the typical range.

Note: Active is defined as being rota'd on in CSAS in the last 3 months or in future.

Targets below are based on data from May 23

Trends over time to 31/07/23

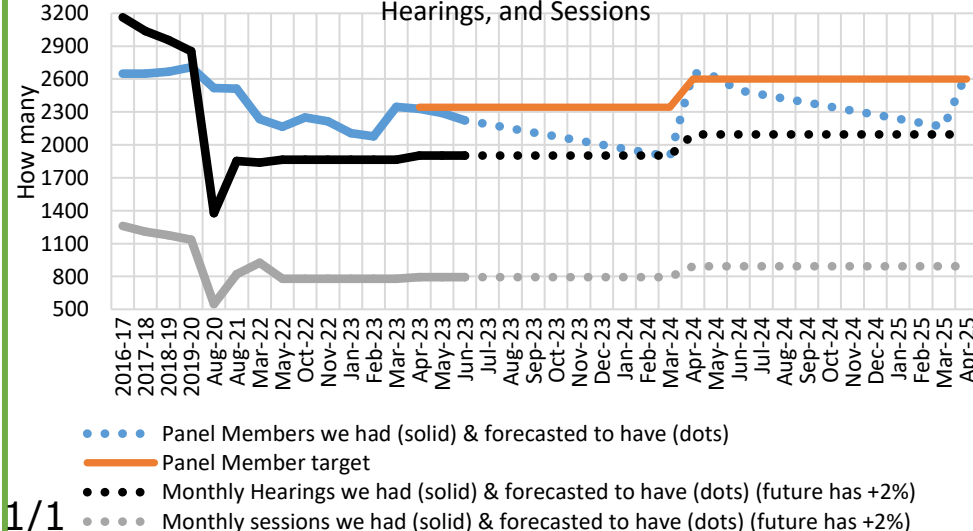


Demographics as at 07/06/23 <small>(current figures unavailable at time of reporting)</small>	PMs	PM change	ASTs	AST change
Average length of service (years)	5.37	-0.58	3.39	-0.13
% Female	70.06%	+1.49%	52.87%	+10.45%
% Male	29.81%	-1.48%	29.89%	+7.46%
% Other genders or no data available	0.13%	-0.01%	17.24%	-17.91%
Average age (years)	52.84	-0.10	58.80	-0.29
% Lived experience (at least this %)	3.80%	+0.54%	4.02%	+0.39%

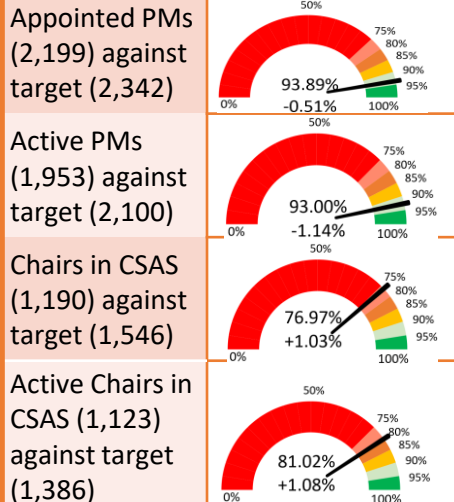
Panel Member forecast – Forecast Data last updated May 2023

- Hearings and sessions are forecasted to increase in 23/24 and 24/25, inline with the CCJ Bill. Anticipate a high number of PMs will need to be appointed in 2024 to manage the additional CCJ Hearings. Forecasts will be updated when new data is available.
- Number of PMs will now decline until April 2024, when next PM cohort is appointed. Capacity remains closely monitored.

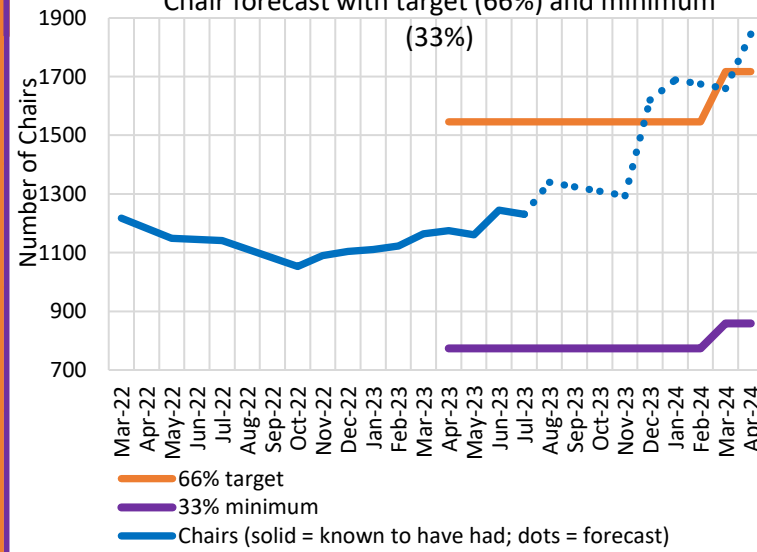
Number of Panel Members against Panel Member target, Hearings, and Sessions



Performance overview 31/07/23



Chair forecast with target (66%) and minimum (33%)



Chairs forecast

- Data last updated May 2023
- Data based on numbers in training now/estimated to join in autumn 23/winter 24.
 - Realising our target of 66% chair-trained will take time given the number of new PMs and course timings.
 - Anticipate increases in Q3 when new MOH courses start. Forecasting to be updated in line with CHSLA data. 144/296

Children's Hearings Scotland: Quarterly Performance Report QUARTER 2 (July, August, September 2023)



Quarter Summary - Milestones:

	Milestones				
	B	G	A	R	-
Theme 1 - Rights	2	6		2	
Theme 2 - Hearings	3	7			
Theme 3 - Panel	3	12	2		
Theme 4 - Evidence & Environment	1	8	1		
Organisational Effectiveness and Staff Support	3	6			
TOTAL	12	39	3	2	56

Key:
Blue = Objective completed
Green = Objective on track to be completed on time / budget
Amber = Objective at risk of not being delivered on time / budget, partially descoped, or whole objective re-timed
Red = Objective at serious risk of not being delivered on time / budget - or Objective has been descoped
Dash (-) = Not yet due for reporting / update

Milestones:

	Number of Milestones at End Q2
Planned to Complete*	14
Completed - Actual	12
Still to Complete during year	42
Descoped	2

* as published in the Business Plan

Theme 1: Better Protect and Uphold the Rights of Children

z	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update		
	Q1	Q2	Q3	Q4						
1	Continue to embed and give further effect to the UNCRC in our work – Practice & Policy (Learning)	Blue	Blue			1.1	Deliver UNCRC training to all CHS staff	Complete by end Q1	100%	All staff completed mandatory training in Q1. The Practice and Policy team are undertaking a series of meeting with all departments to support practical operational implementation of children’s rights into their business areas.
		Green	Blue			1.2	Report on CHS’s work to incorporate UNCRC during 2020-23	Progress to end Q4	100%	Final report submitted September Board for approval and subsequent publishing.
		Yellow	Green			1.3	Revise our Children’s Rights and Inclusion strategy	Progress to end Q4	25%	(Milestone re-timed June 2023) At their meeting in June 2023 the Board approved a minimal refresh of the current strategy with a re-write of the whole strategy anticipated in 2024, in-line with CHS business planning cycle.
2	Prepare for the implementation of the Care And Justice Bill in children’s hearings – Practice & Policy (Learning)	Green	Green			2.1	Identify, develop and secure training programme for Tribunal members	Complete by end Q3	50%	On track. Project PID created with key project outcomes and stage gates proposed. The PID is focused on developing required training and outcomes to meet the needs of Tribunal Members.
3	Enable collaboration with people with lived experience on emerging improvements and projects through our Mutual Mentoring programme – Rights & Inclusion	Green	Red			3.1	Work with the mentors to share the programme externally	Complete by end Q3	-	We are reviewing this programme as part of our larger Strategic Participation Review. As part of this review we propose to continue to provide support, in partnership with other organisations, whereby staff can support the young people involved in CHS’s structured development opportunities. The review of the mentoring programme will form part of this work. A recommendation of this review is to reach out and promote opportunities to children through a network of organisations working with young people as part of our child friendly feedback and complaints function.
						3.2	Evaluate the programme and consider expansion further within the CHS staff team	Complete by end Q4	-	
4	Involve young people with lived experience in our work by creating co-design opportunities – Rights & Inclusion	Green	Green			4.1	Promote opportunities for those with lived experience through our participation hub	Complete by end Q4	25%	On track. Opportunities are promoted via email to current participants and support workers from other agencies. Where appropriate, opportunities are shared via social media. The Participation Station, an online platform hosted on the CHS web site, has been designed with an anticipated launch post the current recruitment campaign.
						4.2	Recruit young people through the participation hub on CHS website	Complete by end Q4	-	On track. The Participation Station, an online platform hosted on the CHS web site, has been designed with an anticipated launch post the current recruitment campaign.
5	Encourage hearing experienced feedback by young people through the provision of our child-friendly complaints and feedback processes – Practice & Policy	Green	Green			5.1	Evidence improvements in response to feedback and complaints from children and young people including the development of a feedback loop	Progress to end Q4	50%	On track. An improvement plan as been implemented addressing record keeping and case management. Updates have been made to CSAS enabling tracking and reporting. Feedback pages are now live on the CHS website and aa pilot is planned in partnership with SCRA to promote and encourage feedback via hearing centres. CHS monthly newsletter will include key learning points from recent feedback and complaints. Feedback loop established with improvements being actioned based on feedback.
						5.2	Improve our feedback systems and complaints process by reflecting best practice from the SPSO Child Friendly Complaints Guidance for public bodies in Scotland	Progress to end Q4	75%	On track. Child friendly complaints and feedback systems are operational with improvement plan implemented.

Theme 2: DELIVER CONSISTENTLY HIGH-QUALITY HEARINGS

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update	
		Q1	Q2	Q3	Q4					
6	Improve the extent to which hearings and our work is trauma-informed – Area Support; (Learning)					6.1	Roll out Trauma training modules and resources through CHS Learning Academy to all volunteers	Complete end Q2	100%	Complete. Resources and training modules have been launched on the CHSLA. All PM's attending pre-service have completed trauma training.
						6.2	All CHS volunteers and staff complete base-line training on trauma	Complete end Q4	75%	On track. 75% of active of the community have completed training.
						6.3	Develop and launch the Language in the hearing room advisory pack for PMs	Complete by end Q4	-	On track for delivery by end Q4.
7	Develop an implementation plan for the agreed reforms arising from the Hearing System Working Group report – Area Support					7.1	To be confirmed post the publication of the HSWG report and government response	Progress through Q4	-	Timeline extended to Q3/Q4 (June 2023). Government response anticipated in December 2023. CHS working with SCRA, Scottish Government, COSLA, and Social Work Scotland as part of the Redesign Planning Group to prepare for implementation of agreed reforms, and those which do not require legislative change to implement.
8	Keep Panel Members equipped with accurate, up-to-date information and advice to be able to make effective and timely decisions – Practice & Policy					8.1	Issue and update practice guidance focused on high-quality hearings and decision-making ²	Progress up to Q4	50%	On track.
9	Ensure our quality management mechanisms are operating effectively– Area Support					9.1	Continue to support PPA's to observe, quality assure, and improve practice in hearings	Complete by end Q4	50%	Work ongoing and on track.
						9.2	Develop and deliver engagement work focused on quality assurance	Progress to end Q4	25%	Work ongoing and on track.
10	Ensure Panel Members have access to a high quality Independent Report Writers function to support effective decision making - Practice & Policy					10.1	Review the effectiveness of the Independent Report function through audit and identify any areas for improvement	Progress to end Q3	25%	Auditing of the IRW function planned for Q3.
11	Use management information/data available to inform business planning and improvement work through operational delivery – Area Support (Info & Performance)					11.1	Implement access to data dashboard for AST	Complete by end Q2	100%	Implementation complete. Evaluation to be completed. Data access for rota managers has been established. Implementation complete.
						11.2	Implement a management information reporting structure to the Board, SMT, and national team	Progress through end Q4	100%	Implementation complete.

Theme 3: CONTINUE TO BUILD AN EFFECTIVE, EMPATHETIC PANEL, THAT IS WELL-SUPPORTED

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
12	Promote the contribution of our volunteers through a dedicated volunteer recognition campaign – Communications					12.1 Volunteer recognition campaign during Volunteers Week (1st - 7th June)	Complete by end of Q1	100%	we delivered a week of targeted social media activity to celebrate our community during Volunteers Week. Milestone complete.
13	Ensure CHS has appropriate and sustainable structures in place to effectively support the people needed to deliver a re-designed hearings system through a refreshed Tribunal Support Model– Strategy & Development					13.1 Work with staff, Area Conveners and the CHS community to deliver the first phase implementation of our Tribunal Support Model	Complete by end Q4	50%	The Tribunal Support Model Programme comprises of two key projects - Rota Centralisation and the Launch of Regions. Project work is underway, structured and governed around Stage Gates that outline the specific deliverables required to pass each gate - Ready to Start, Ready to Deploy, Ready to Close. Ready to Start for both projects commenced mid July and will be completed by the end of Q2. Planning for Ready to Start has commenced with a projected completion of mid October (Q3).
						13.2 Ensure digital infrastructure is in place to support the new model	Complete by end Q4	50%	National Rota Manager role implemented in CSAS. Discovery work to enable SMS notifications commenced. Improvements to rota function rolled out in Q1.
						13.3 Ensure there are facilities in place to support new and existing panel members wellbeing	Progress through end Q4	25%	National Wellbeing role & regional wellbeing resource identified in organisational restructure. Recruitment of Wellbeing Manager & Wellbeing Co-ordinators on track.
						13.4 Work with our community to improve rota management process to support sustainability and capacity	Complete by end Q4	50%	The Rota Centralisation Project is one Project within the Tribunal Support Delivery Programme. The Rota Centralisation Project comprises of three cohorts. The first phase / cohort is the rota centralisation of Central and West Lothian and Ayrshire and project work is well underway. The Project is broken in to three cohorts with a project completion projected for Q4 - 23/24 / Q1 - 24/25.
14	Equip new Panel Members with the skills and knowledge they need to start making effective decisions in hearings – Learning					14.1 Delivery of Pre-service training which provides understanding of the legislative context in which Panel Members must make decisions, the care and development needs of children, the balancing of rights in a hearings context as well as the need to adopt a trauma informed approach to all points	Complete by end Q4	-	Currently on schedule to take place Q4 as planned.

15	Continue to deliver learning and development via the Learning Academy to offer innovative solutions for learning – Learning, (Practice & Policy)			15.1	Support chairing capacity through the promotion of Enhanced Practice, Management Of Hearings and ongoing development training	Progress to end Q4 initially	50%	Recruitment for new National Training Manager underway and will take on responsibility for this remit of work. Work currently on schedule as planned.
				15.2	Design and deliver a high quality training programme and resources with subject matter experts in preparation for the implementation of the new requirements of the Care and Justice Bill	Progress to end Q4	-	On track for delivery by end of Q4, see update in 2.1 above.
				15.3	Revise CHS Learning and Development Strategy with consideration of the impacts from the HSWG report and proposed reforms	Q2 initially	25%	Recruitment for the new role of National Training Manager underway to lead and shape this work. Milestone re-timed to end Q4.
16	Work with our community to implement Area Plans that identify key activities for each area based on national and local priorities – Area Support; (Info & Performance)			16.1	Support ASTs to develop local Improvement Area Plans	Progress to end Q4	60%	Timeline extended to Q4 (June 2023). All areas have been supported to complete area plans. 65% have now been completed by AST's. Area plans will be reviewed in line with TSM implementation planning through 2023/24. ASTs will continue to be supported by National Team in delivering national priorities.
				16.2	Support AST's to monitor and review improvement plans	Progress to end Q4	50%	Support will continue via Regional Tribunal Delivery Managers and is an ongoing process. Plans will be reviewed during implementation of TSM to ensure regional priorities are aligned.
17	Undertake recruitment activities to ensure capacity to meet hearing demand – Recruitment & Retention			17.1	Co-produce a refreshed recruitment creative with children and young people with lived experience	Progress to end Q2	100%	Complete
				17.2	Undertake national Panel Member recruitment campaign with lived experience recruiters	Complete by end Q3	-	Panel Member Recruitment campaign taking place September 2023. Meetings held community selectors to determine innovative approaches to participation. CHS Participation group have reviewed creatives & selection processes.
18	Retain Panel Members by ensuring they are reappointed in an efficient and effective way – <i>Recruitment & Retention</i>			18.1	Carry out necessary reappointment processes	Complete by end Q1	100%	Complete. Reappointments for 2023 have been carried out.
19	Retain AST Members by ensuring they are reappointed in an efficient and effective way - Recruitment & Retention			19.1	Carry out necessary reappointment processes	Progress up to Q4	50%	Re-appointments scheduled throughout the year and in progress.
20	Ensure we have a digitally enabled and supported volunteer community – Digital; Business Support			20.1	Provision of devices to trainees	Complete by end Q4	50%	All trainees in Autumn 22 intake where furnished with a Chromebook in time for all trainings (Completed). Planning in progress to provide Chromebooks for the for 23/24 cohort.
				20.2	Provide on-going community support including frontline response, user guides and training	Progress to end Q4	50%	Digital Support review is in progress with initial Security Focus Group attended. Work continues to build a Digital Hub in CHS Intranet. Recruitment carried out to build resource in the CHS Digital team.

Theme 4 BE WELL-INFORMED AND INFLUENTIAL IN OUR ENVIRONMENT AND COMMUNITIES

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
21	Create a programme of engagement that informs and engages our community and stakeholders as we enter a period of reform and change – Area Support (communication and engagement)					21.1 To be developed post the publication of the HSWG report and government response	Q2 initially	50%	Milestone re-scoped to end Q3 as we continue engage with our community through our Community Hub, Town Halls, newsletters, and attendance local events while awaiting the Scottish Government response to the recommendation in the Hearings for Children Report .
22	Continue to lead change in the sector and hearings system through on-going collaboration with national partners – Area Support					22.1 Continued leadership with the Hearings System Working Group	Progress to end Q1 initially	100%	Complete. Hearing System Working Group devolved. Continued engagement with key stakeholders.
						22.2 Involvement with key national strategic groups e.g. Children’s Hearings Improvement Partnership; Child Protection Leadership group and other national forums	Progress to end Q4	50%	CHS continues to have a seat at the table at national groups and forums to ensure we have stake in influencing and shaping policy and practice.
						22.3 Involvement and influence with key local groups e.g. Corporate Parenting Boards; GIRFEC groups	Progress to end Q4	50%	CHS continues to have a seat at the table at national groups and forums to ensure we have stake in influencing and shaping policy and practice
23	Continue to embed our digital systems across our community and identify on-going improvements and developments to support the needs of CHS volunteers and staff - Digital					23.1 Transfer Learning Academy (LA) data into CSAS and ensure LA data is regularly uploaded and accessible	Progress to end Q4	50%	Work continues with the uploading of historical data.
						23.2 Begin to put in place a system for data validation and cleansing	Progress to end Q4	50%	Automated clean up on Recruitment in CSAS now deployed successfully. Work progressing to clean up disabled accounts on CHS tenancy where no corresponding CSAS log-in or CHS Tenancy requirement exists.
						23.3 Improve our user engagement approach to digital development, that increases response of user needs	Progress to end Q4	50%	Survey for Chromebook users within the community complete with evaluation report progressing to ARMC in November. User personas will be created to better understand and improve user engagement.
24	Continue to work with partners to lead on the implementation of the Care and Justice Bill – Practice & Policy					24.1 Continue to work closely with partners to feed into the development of the Bill	Complete by end Q3	60%	On track. CHS have submitted evidence for the financial memo, provided in person evidence at the Parliamentary Committee and worked with partners to improve the content of the Bill; now part of the National Implementation Group.
25	Influence and engage in the development of emerging legislation that can improve outcomes for children and young people through the hearings system – Practice & Policy					25.1 To be developed post the publication of the HSWG report and government response	Progress up to end Q4	-	On track.
26	Collaborate as a key partner in hearing system reform projects to improve hearings environments and experiences– Area Support					26.1 To be confirmed post the publication of the HSWG report and government response	Progress up to end Q4	-	On track. New Senior Change Manager in post and leading on the creation of a programme of projects on what we can implement immediately, what requires government approval into next year, and remaining items beyond that.

ORGANISATIONAL EFFECTIVENESS AND COLLEAGUE SUPPORT

	Business Objective	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
27	Ensure CHS has the right skills and capacity needed to implement changes to the systems and the tribunal support model– HR&OD					27.1 Identify critical roles needed within the organisation through a revised organisational structure	Progress to end Q2	100%	Complete. CHS has carried out a re-structure to add resilience, resource, and future proof the organisation for the coming changes.
						27.2 Introduce an organisation wide development programme to upskill and support our team to operate efficiently as part of our broader change programme	Progress to end Q4	50%	On track. Multi-year programme in development starting with senior leadership. Continue to develop the skills and capabilities of our leaders at all levels via implementation of a Leadership Framework and programme of contextualised learning and development opportunities.
28	Continue to build a culture of engagement and wellbeing across the organisation through a programme of structured activities – HR&OD					28.1 Implement a programme of pulse survey's across 2023/24 to engage with colleagues and inform staff development opportunities	Progress to end Q4	50%	Pulse surveys being implemented as required, designed to 'check in' with the National Team and enhance employee engagement across the organisation. Ongoing engagement to be undertaken with the SLT and Team Forum to ensure accuracy and relevance of subject areas.
						28.2 Launch a Wellness Programme (Be Well, Work Well) focused on building resilience, helping our colleagues to feel valued, motivated and part of the wider change process	Progress to end Q4	30%	Recruitment for National Wellbeing Manager currently underway. The successful candidate will be supporting the planning and delivery of the CHS Wellness Programme. This area of activity supports the "Nurture our People" part of the 3 People and Culture strategic priorities within the 2023 People Strategy and Plan.
29	Continue to deliver on our commitments to Equality, Diversity & Inclusion (EDI) Learning; (Area Support)					29.1 Continue supporting the EDI group to shape the work of CHS including the consideration of our new strategic outlook	Progress to end Q4	50%	The EDI strategy has been extended for one year to align it with our Strategic Outlook cycle. The EDI group has met and agreed an action plan for 2023/24 to progress priorities in year. An employer assessment has been carried out to set a baseline for CHS and inform those priority areas. Review of ongoing work to be presented to PaCC in December.
30	Ensure CHS has a future focused communications strategy in place - Communications					30.1 Implementation of short term communication strategy and plan	Through end Q1	100%	The communications team have built a new approach to communications with our community and the public focused on specific messaging to our various stakeholders. Results have been positive and this approach will be further expanded in the wider Communications Strategy.
						30.2 Revise the CHS Communications strategy to effectively promote and support CHS through reform and change	TBC Post the HSWG report	-	Milestone retimed to end Q3.
31	Continue to ensure CHS has policies and practices in place to effectively manage our information - Information Governance					31.1 Review, revise, and implement a more future focused records management plan	Progress to end Q4	50%	Contact in place with National Records Scotland. We anticipate receiving a formal invitation from the Keeper of the Records to submit our revised plan in December.
32	Continue to improve our feedback and complaints processes to ensure we maximise the opportunities for organisational learning – Practice & Policy, Learning					32.1 Continuous improvement plan based on lessons learned to be developed and operationalised	Progress through end Q2	100%	Improvement plan based on internal audit implemented. Milestone complete.
						32.2 Feedback and complaints report to include full set of new KPI's compliant with SPSO requirements to be published quarterly	Progress through end Q4	50%	KPI's included in new report format.

KEY PERFORMANCE INDICATORS

Strategic Theme	Objective	Performance Measure	Baseline	2023/4 Performance
1- Rights	1	% staff complete UNCRC training	New measure: 100%	100% (of staff in post 3+ months)
1- Rights	3	# of participants actively engaged in our Mutual Mentoring Programme	New measure: 4	N/A in Q2
1-Rights	4	# of young people with lived experience taking part/recruited via participation hub	New measure: 6 Participants	N/A in Q2
1 - Rights	5	# of submissions made through the child friendly feedback complaints portal	New measure: No set target – monitor number submitted through portal to evidence use and awareness of child friendly feedback and complaints	3 from Q1 to point of reporting views have been recorded to the new webpage * 150
2 - Hearings	6	% of PM and staff completed Trauma Informed training	New measure - 100%	75% Q2
2 - Hearings	9	% of active and eligible Panel Members observed during the year	New measure - 100%	18.81% for Q1 / Data for Q2 unavailable until the close of the quarter
3 - Panel	14	% of pre-service trainees who felt that the learning objectives were met	2021/22: 99% 2022/23:98% 2023/24 target: 99%	N/A for Q2
3 - Panel	14	% of applicants put forward for preservice training who complete the full training	2021/22: 87% 2022/23: 83% 2023/24 target: 90%	91%
3 - Panel	15	% of eligible PM's completed Enhanced Practice and Management of Hearings training	New Measure - 70%	Year to date: Enhanced practice completions – 57% MoH completions – 55%
3 - Panel	17	% of areas recruiting do so with lived experience recruiters	New Measure - 100%	N/A in Q2
3 - Panel	18	% of Panel Members successfully reappointed	2021/22: 62% 2022/23: 70% 2023/24 target: 60%	92% (for those scheduled for re-appointment) in June.
3- Panel	New Measure	% of Panel Members retained during the year	2021/22: 86% 2022/23:78.50% 2023/24 target: 80%	92% year to date as at 18/09/23
Organisational Operations		% CHS employee attendance	2021/22: 85% 2022/23: 93% 2023/24 target: 99%	90.48% Q2
Organisational Operations		% invoices not in dispute paid within 10 working days, during normal operations	2021/22: 85% 2022/23: 83% 2023/24 target: 95%	75% for YTD 23/24
Organisational Operations		% positive staff survey feedback on opportunities for learning and development	2021/22: NA 2022/23: 70% 2023/24 target: 80%	Not relevant in Q1: will be implementing more concentrated pulse surveys rather than one annual staff survey.

Record of Changes to Planned Delivery

Milestone(s) Changed	Date of Change	Details of Change	Rationale for Change
7	Jun-23	target timelines extended to end of Q3/beginning of Q4	The anticipated timelines for governments review of the HSWG reports recommendations are likely to extend beyond Q2.
15	Jun-23	target timelines extended end of Q3/beginning of Q4	The anticipated timelines for governments review of the HSWG reports recommendations are likely to extend beyond Q2.
16	Jun-23	target timelines extended through Q4	While many areas have completed, or are in the process of completing area plans these are based on the current AST set up. All area plans will need to be reviewed and revised as part of TSM implementation.
15.3	Sep-23	target timelines extended through Q4	Recruitment of National Training Manager underway to lead and shape this work.
21.1	Sep-23	target timelines extended through Q4	Engagement will continue while we await the Scottish Government response to the recommendations.
30.2	Sep-23	target timelines extended through Q3	Strategy in progress.



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Parenting Plan in-year review

2023-2024

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INTRODUCTION



In April 2023, we published our Business and Corporate Parenting Plan for the year during a time of uncertainty and excitement over the anticipated change and reform within our sector. We knew that the recommendations within the 'Hearings for Children: Hearings System Working Group's Redesign Report' would bring needed revisions to our annual business plans and committed to carrying out a review post publication.

Despite some uncertainty around the changes the Hearings for Children report would bring, the first six months of the year have been busy and eventful for Children's Hearings Scotland (CHS). Significant achievements have included:

- Delivering bespoke UNCRC training to our staff and community, and report on our work towards implementation.
- Rolling out Trauma training modules and resources through our CHS Learning Academy to all volunteers, and including them as standard in pre-service training.
- Celebrating our volunteers through a Volunteers Week campaign.
- Co-producing a refreshed recruitment creative with children and young people with lived experience.
- Identify critical roles needed within the organisation through a revised organisational structure.
- Implementing access to management information and data to our AST's.
- Reappointing dedicated Panel and AST Members for further terms.

We committed to republishing our plans, with the needed revisions, during the year. This Supplementary Plan has been created from a reassessment of those plans we made at the beginning of the year. Most of our planned areas of work are progressing as originally stated, whereas others have been adapted to better reflect our changing priorities and landscape.

In the second half of our 2023-24 business year, we will work with Scottish Government, COSLA, SCRA, and other partners to plan the approach to implementation of agreed reforms from the Hearings for Children Report, subject to government approval. We will continue to implement our Tribunal Support Model and ready our community for the changes ahead.

I remain ever grateful for the commitment and dedication of everyone who contributes to the work of Children's Hearings Scotland to improve the outcomes for Scotland's infants, children and young people. Together we continue to build a better children's hearings system, one that ensures that children's rights are upheld, and that their views are respected and valued.



Elliot Jackson
National Convener
& CEO

OUR COMMITMENTS FOR 2023-24



Commitment 1: **Voice**

- Incorporating the voice of lived experience in our work through co-design and consultation opportunities via our Participation Hub
- Promote and grow our Participation Hub with our partners and stakeholders
- Continue to work with Our Hearings Our Voice to deliver on the 40 Calls to Action
- Continue to work with the Better Meetings project in Highland and Moray and our colleagues at Who Cares? Scotland to improve the experience of children and young people in hearings

Commitment 2: **Participation and engagement**

- Gather the critically important views of our community to inform our reform work
- Ensure our communications and engagement strategies meet the needs of our organisation and its stakeholders
- Streamline and refine our ways of communicating with our community and stakeholders

Commitment 3: **Working with Partners**

- Improve the Management Information reports available to us and how we can use our digital system to improve our knowledge sharing with the CHS Learning Academy and SCRA
- Continue to drive improvements through collaboration with our partners in the sector such as SCRA, The Promise, Social Work Scotland, COSLA, CELSIS, CYPCJ, and other partners

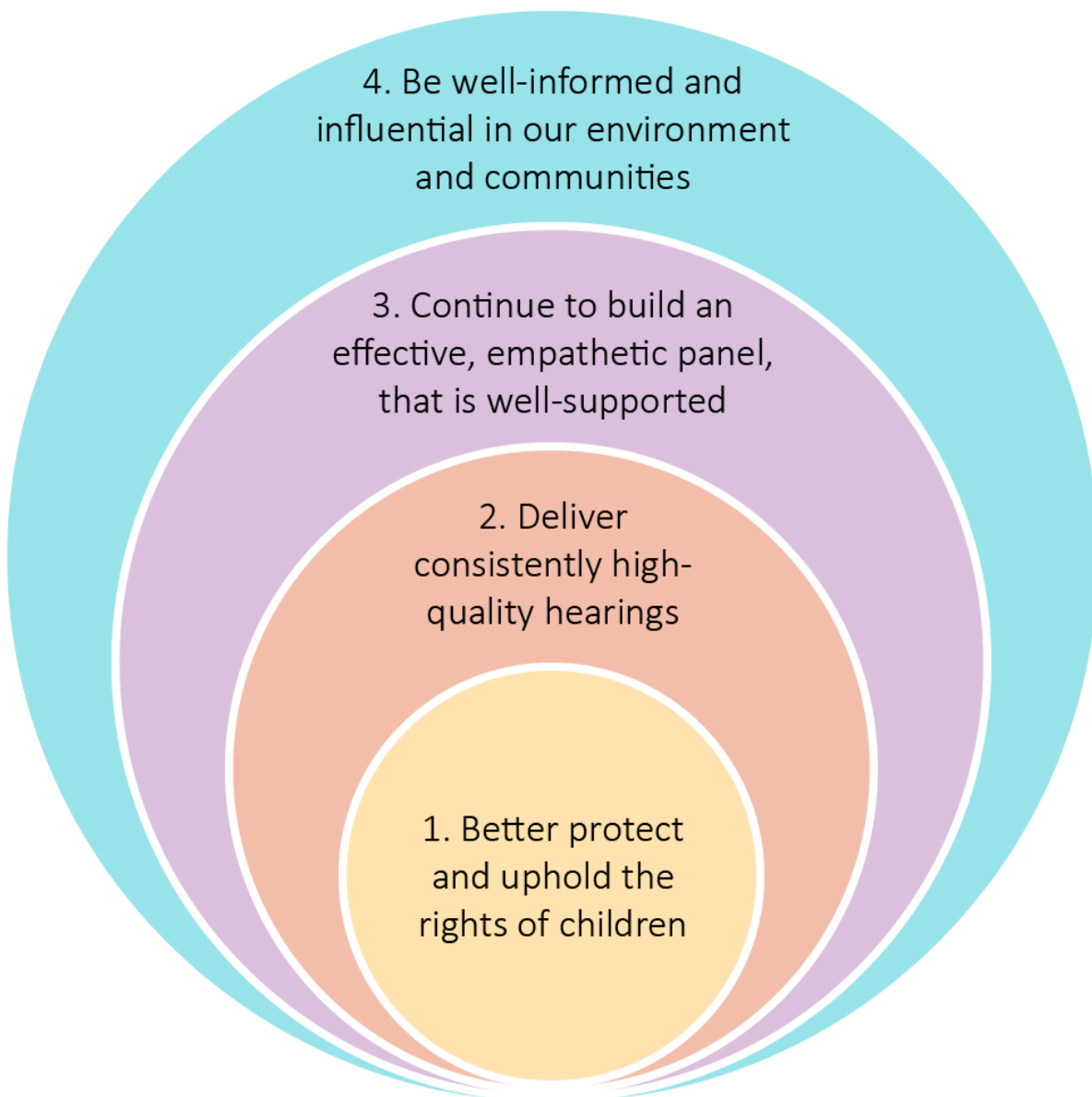
Commitment 4: **Strategic Leadership and involvement**

- Continue to provide leadership as part of the Hearing System Working Group
- Continue to provide leadership through involvement with key national strategic groups e.g. Children's Hearings Improvement Partnership; Child Protection Leadership group and other national groups

OUR STRATEGIC THEMES 2020-2024



In *Our Strategic Outlook 2020-2023*, we set out what our priorities for the next three years will be. We will continue to deliver on those same themes in 2023-24. We call these priorities our “Strategic Themes” and together, they set out an ambitious, improvement-driven direction for CHS that places children’s rights at its centre. Our Strategic Themes are:



OUR PLANS - THEME 1: BETTER PROTECT AND UPHOLD THE RIGHTS OF CHILDREN



	Objective, Lead Function; and (Main Support Function)	Milestones / Activities	Timescales / Targets
1	Continue to embed and give further effect to the UNCRC in our work – <i>Practice & Policy (Learning)</i>	Deliver UNCRC training to all CHS staff	Complete
		Report on CHS’s work to incorporate UNCRC during 2020-23	Complete
		Revise our Children’s Rights and Inclusion strategy	Progress to end Q4
2	Prepare for the implementation of the Care And Justice Bill in children’s hearings – <i>Practice & Policy (Learning)</i>	Identify, develop and secure training programme for Tribunal members	Complete by end Q3
3 ¹	Building on our Children's Rights and Inclusion Strategy, undertake a Strategic Participation Review to develop participation and collaboration opportunities for people with lived experience on emerging improvements and projects – <i>Rights & Inclusion</i>	Work with partner agencies to engage with young people and those with lived experience	Complete by end Q3
		Improve and strengthen our approach to participation, feedback, mentoring, and engagement	Complete by end Q4
4	Involve young people with lived experience in our work by creating co-design opportunities – <i>Rights & Inclusion</i>	Promote opportunities for those with lived experience through our participation hub	Complete by end Q4
		Recruit young people through the participation hub on CHS website	Complete by end Q4
5	Encourage hearing experienced feedback by young people through the provision of our child-friendly complaints and feedback processes – <i>Practice & Policy</i>	Evidence improvements in response to feedback and complaints from children and young people including the development of a feedback loop	Progress to end Q4
		Improve our feedback systems and complaints process by reflecting best practice from the SPSO Child Friendly Complaints Guidance for public bodies in Scotland	Progress to end Q4

¹ Updated objective and milestones

OUR PLANS - THEME 2: DELIVER CONSISTENTLY HIGH-QUALITY HEARINGS



	Objective, Lead Function; and (Main Support Function)	Milestones / Activities	Timescales / Targets
6	Improve the extent to which hearings and our work is trauma-informed – <i>Area Support; (Learning)</i>	Roll out Trauma training modules and resources through CHS Learning Academy to all volunteers	Complete end Q2
		All CHS volunteers and staff complete base-line training on trauma	Complete end Q4
		Develop and launch the Language in the hearing room advisory pack for PMs	Complete by end Q4
7	Develop an implementation plan for the agreed reforms arising from the Hearing System Working Group report – <i>Area Support</i>	Work with Scottish Government, COSLA, SCRA, and other partners to plan the approach to implementation of agreed reforms from the Hearings for Children Report subject to government approval ²	Through end Q4
8	Keep Panel Members equipped with accurate, up-to-date information and advice to be able to make effective and timely decisions – <i>Practice & Policy</i>	Issue and update practice guidance focused on high-quality hearings and decision-making	Progress up to Q4
9	Ensure our quality management mechanisms are operating effectively– <i>Area Support</i>	Continue to support PPA's to observe, quality assure, and improve practice in hearings	Complete by end Q4
		Develop and deliver engagement work focused on quality assurance	Progress to end Q4
		Carry out an audit of the PPA and quality assurance functions within CHS to inform the development of a Quality Assurance Strategy and Framework ³	Progress to end Q4
10	Ensure Panel Members have access to a high quality Independent Report Writers function to support effective decision making - <i>Practice & Policy</i>	Review the effectiveness of the Independent Report function through audit and identify any areas for improvement	Progress to end Q3

² Updated milestone and timescale

³ New milestone

OUR PLANS - THEME 3: CONTINUE TO BUILD AN EFFECTIVE, EMPATHETIC PANEL, THAT IS WELL-SUPPORTED



	Objective, Lead Function; and (Main Support Function)	Milestones / Activities	Timescales / Targets
11	Ensure CHS has appropriate and sustainable structures in place to effectively support the people needed to deliver a re-designed hearings system through a refreshed Tribunal Support Model– <i>Strategy & Development</i>	Work with staff, Area Conveners and the CHS community to deliver the first phase implementation of our Tribunal Support Model	Complete by end Q4
		Ensure digital infrastructure is in place to support the new model	Complete by end Q4
		Ensure there are facilities in place to support new and existing panel members wellbeing	Progress through end Q4
		Work with our community to improve rota management process to support sustainability and capacity	Complete by end Q4
12	Equip new Panel Members with the skills and knowledge they need to start making effective decisions in hearings – <i>Learning</i>	Delivery of Pre-service training which provides understanding of the legislative context in which Panel Members must make decisions, the care and development needs of children, the balancing of rights in a hearings context as well as the need to adopt a trauma informed approach at all points	Complete by end Q4
13	Continue to deliver learning and development via the Learning Academy to offer innovative solutions for learning – <i>Learning, (Practice & Policy)</i>	Support chairing capacity through the promotion of Enhanced Practice, Management Of Hearings and ongoing development training	Progress to end Q4 initially
		Design and deliver a high quality training programme and resources with subject matter experts in preparation for the implementation of the new requirements of the Care and Justice Bill	Progress to end Q4

		Revise CHS Learning and Development Strategy with consideration of the impacts from the HSWG report and proposed reforms	Complete by end Q4 ⁴
14	Work with our community to implement Area Plans that identify key activities for each area based on national and local priorities – <i>Area Support; (Info & Performance)</i>	Support ASTs to develop local Improvement Area Plans	Complete by end Q1
		Support AST's to monitor and review improvement plans	Progress to end Q4
15	Undertake recruitment activities to ensure capacity to meet hearing demand – <i>Recruitment & Retention</i>	Co-produce a refreshed recruitment creative with children and young people with lived experience	Complete
		Undertake national Panel Member recruitment campaign with lived experience recruiters	Complete by end Q3
		Undertake a recruitment campaign evaluation in order to understand applicant trends and enable a measured and effective approach to future campaign planning ⁵	Complete by end Q4
16	Retain AST Members by ensuring they are reappointed in an efficient and effective way - <i>Recruitment & Retention</i>	Carry out necessary reappointment processes	Progress up to Q4
17	Work in collaboration with Tribunal Delivery colleagues and the wider People & Culture team to develop a consistent approach to wellbeing (including recognition) within our community of Tribunal Members - <i>Recruitment, Retention, and Wellbeing</i> ⁶	Begin to developing a consistent approach to recognising the contributions of our community members	Progress through Q4
		Recruit, induct and support the introduction of a Wellbeing Manager post within the organisation to develop and implement a Wellbeing Strategy in conjunction with the Tribunal Delivery team and broader Wellbeing Coordinator roles	Complete by end Q3
18	Ensure we have a digitally enabled and supported volunteer community – <i>Digital; Business Support</i>	Provision of devices to trainees	Complete by end Q4
		Provide ongoing community support including frontline response, user guides, and training	Progress to end Q4

⁴ Revised timescale

⁵ New milestone

⁶ New milestone

OUR PLANS - THEME 4: BE WELL-INFORMED AND INFLUENTIAL IN OUR ENVIRONMENT AND COMMUNITIES



	Objective, Lead Function; and (Main Support Function)	Milestones / Activities	Timescales / Targets
19	Create a programme of engagement that informs and engages our community and stakeholders as we enter a period of reform and change – <i>Area Support (communication and engagement)</i>	Continue to engage with our community through our Community Hub, Town Halls, newsletters, and attendance local events while awaiting the Scottish Government response to the recommendation in the Hearings for Children Report ⁷	Q3 initially
		Using existing engagement frameworks, create a communication plan in coordination with the Scottish Governments response to the Hearings for Children Report ⁸	Progress through Q4
20	Continue to lead change in the sector and hearings system through on-going collaboration with national partners – <i>Area Support</i>	Continued leadership with the Hearings System Working Group	Progress to end Q1 initially
		Involvement with key national strategic groups e.g. Children’s Hearings Improvement Partnership; Child Protection Leadership group and other national forums	Progress to end Q4
		Involvement and influence with key local groups e.g. Corporate Parenting Boards; GIRFEC groups	Progress to end Q4
21	Continue to embed our digital systems across our community and identify on-going improvements and developments to support the needs of CHS volunteers and staff - <i>Digital</i>	Transfer Learning Academy (LA) data into CSAS and ensure LA data is regularly uploaded and accessible	Progress to end Q4
		Put in place processes for data validation, cleansing, and maintenance of CHS data	Complete by end Q1
		Begin to roll out the cleansing and validation process for all CHS's data	Progress to end Q4

⁷ Updated milestone

⁸ New milestone

		Improve our user engagement approach to digital development, that increases response of user needs	Progress to end Q4
22	Continue to work with partners to lead on the implementation of the Care and Justice Bill – <i>Practice & Policy</i>	Continue to work closely with partners to feed into the development of the Bill	Complete by end Q3
23	Influence and engage in the development of emerging legislation that can improve outcomes for children and young people through the hearings system – <i>Practice & Policy</i>	Work with Scottish Government, COSLA, SCRA, and other partners to plan the approach to implementation of agreed reforms from the Hearings for Children Report subject to government approval ⁹	Progress up to end Q4
24	Collaborate as a key partner in hearing system reform projects to improve hearings environments and experiences– <i>Area Support</i>	Work with Scottish Government, COSLA, SCRA, Social Work Scotland, and other partners to deliver improvements to the hearing system, within the scope of current legislation, while awaiting the government response to the Hearings For Children report ¹⁰	Progress up to end Q4

⁹ Updated milestone

¹⁰ Updated milestone

OUR PLANS – ORGANISATIONAL EFFECTIVENESS AND COLLEAGUE SUPPORT



	Objective, Lead Function; and (Main Support Function)	Activities / Milestones	Timescales / Targets
25	Ensure CHS has the right skills and capacity needed to implement changes to the systems and the tribunal support model– <i>HR&OD</i>	Identify critical roles needed within the organisation through a revised organisational structure	Complete
		Introduce an organisation wide multi-year development programme to upskill and support our team to operate efficiently as part of our broader change programme	Progress through Q4 ¹¹
		Continue to develop the skills and capabilities of our leaders at all levels via the implementation of a Leadership Framework and programme of contextualised learning and development opportunities ¹²	Progress to end Q4
26	Continue to build a culture of engagement and wellbeing across the organisation through a programme of structured activities – <i>HR&OD</i>	Implement a programme of pulse survey’s across 2023/24 designed to ‘check in’, assess and enhance employee engagement across the organisation and inform staff development opportunities ¹³	Progress to end Q4
		Launch a Wellness Programme (Be Well, Work Well) focused on building resilience, helping our colleagues to feel valued, motivated and part of the wider change process and broader organisational transformation ¹⁴	Progress to end Q4
27	Continue to deliver on our commitments to Equality, Diversity & Inclusion (EDI) Learning; (Area Support)	Continue supporting the EDI group to shape the work of CHS including the consideration of our new strategic outlook	Progress to end Q4
28	Ensure CHS has a future focused communications strategy in place - <small>¹¹ Timescale amended to reflect multi-year programme ¹³ Amended milestone ¹⁴ Amended milestone</small>	Implementation of short term communication strategy and plan	Complete

	<i>Communications</i>		
		Revise the CHS Communications strategy to effectively promote and support CHS through reform and change	Complete by end Q3 ¹⁵
29	Continue to ensure CHS has policies and practices in place to effectively manage our information - <i>Information Governance</i>	Review, revise, and implement a more future focused records management plan	Progress to end Q4
30	Continue to improve our feedback and complaints processes to ensure we maximise the opportunities for organisational learning – <i>Practice & Policy, Learning</i>	Continuous improvement plan based on lessons learned to be developed and operationalised	Progress through end Q2
		Feedback and complaints report to include full set of new KPI's compliant with SPSO requirements to be published quarterly	Progress through end Q4
31	Develop an innovative and creative Pay and Reward Strategy for 2023/24, underpinned by the principals set out by Scottish Government Pay Strategy - <i>People and Culture</i> ¹⁶	Carry out benchmarking activities and engage with colleagues within the sector, as well as our Team Forum, to ensure we maximise the benefits and rewards for our people	Progress through end Q4

MONITORING OUR WORK: KPI's



¹⁵ Updated timescale

¹⁶ New objective

To monitor the performance of the organisation through the year, we have set the following Key Performance Indicators:

Strategic Theme	Objective	Performance Measure	Baseline	2023/24 Target
1- Rights	1	% staff complete UNCRC training	New measure	100%
1- Rights	4	# of young people with lived experience taking part/recruited via participation hub	New measure	6 participants
1 – Rights	5	# of submissions made through the child friendly feedback complaints portal	New measure	No set target – monitor number submitted through portal to evidence use and awareness of child friendly feedback and complaints
2 – Hearings	6	% of PM and staff completed Trauma Informed training	New measure	100%
2 - Hearings	9	% of active and eligible Panel Members observed during the year	New measure (formerly % of hearing sessions observed)	100%
3 - Panel	14	% of pre-service trainees who felt that the learning objectives were met	2019/20: 98% 2020/21: 98% 2021/22: 99% 2022/23: 98%	99%
3 - Panel	14	% of applicants put forward for preservice training who complete the full training	2018/19: 92% 2019/20: 61% 2020/21: 87% 2021/22: 87% 2022/23: 83%	90%
3 - Panel	15	% of eligible PM's completed Enhanced Practice and Management of Hearings training	New measure	70%

3 - Panel	17	% of areas recruiting do so with lived experience recruiters	New Measure	100%
3 - Panel	18	% of Panel Members successfully reappointed	2017/18: 83% 2018/19: 68% 2020/21: 79% 2021/22: 62% 2022/23: 70%	60%
3 - Panel	New measure	% of Panel Members retained during the year	2021/22: 86% 2022/23: 78.5%	80%
Organisational Operations		% CHS employee attendance	2018/19: 95% 2019/20: 97% 2020/21: 99% 2021/22: 85% 2022/23: 97%	99%
Organisational Operations		% invoices not in dispute paid within 10 working days, during normal operations	2018/19: 92% 2019/20: 85% 2020/21: 85% 2021/22: 85% 2022/23:	95%
Organisational Operations		% positive staff survey feedback on opportunities for learning and development	2018/19: 33% 2019/20: 52% 2020/21: 65% 2021/22: NA 2022/23: 70%	80%

Children's Hearings Scotland

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UNCRC Statutory Reporting

Agenda Item 12 CHS-2324-27

Accountable Officer:	Director of Positive Outcomes
Report author:	Abbie Montgomery-Fox, Practice and Policy Advisor
Resources implications:	Within Available
Recommendation:	To approve prior to publishing
Approval(s) sought:	To approve

Impact Assessment Duties	Required	Completed
Equalities Impact Assessment	No	N/A
Children’s Rights Impact Assessment	No	N/A
Data Protection Impact Assessment	No	N/A
Islands Impact Assessment	No	N/A

1. Introduction and background

- 1.1 Part 1 (section 2) of the Children and Young People (Scotland) Act 2014 places a duty on CHS to report, "as soon as practicable" after the end of each 3 year period, on the steps we have taken to secure better or further effect of the requirements of the United Nations Convention on the Rights of the Child (UNCRC). There is limited scrutiny of these reports.
- 1.2 This report covers period 1 April 2020 – 31 March 2023. The previous report can be reviewed [here](https://www.chscotland.gov.uk/progressing-rights-at-children-s-hearings-scotland-2017-2020.pdf)
- 1.3 The UNCRC reporting requirements may be superseded if the UNCRC (Incorporation) (Scotland) Bill 2021 is passed by parliament. This will likely include a higher level of scrutiny of UNCRC compliance. CHS is actively engaged on what a future reporting framework will look like.

2. Purpose

- 2.1 To fulfil our statutory under the Children and Young People (Scotland) Act
- 2.2 To seek endorsement and feedback on the report.

3. Summary

- 3.1 This report is an **update report** covering the period 1 April 2020 – 31 March 2023.
- 3.2 There has been a significant amount of work to further embed the UNCRC into everything that we do during the timeframe covered by this report. All evidence of this has been included and discussed, either in main narrative or as a case study. Where relevant, links to published supporting documentation have been included.

3.3 This report commits CHS to the following future activity:

- To ensure all staff and Panel Members receive training on children’s rights
- To monitor and review Children’s Rights Impact Assessments
- To embed and improve our new child-friendly feedback and complaints process
- To review the CHS Children’s Rights and Inclusion Strategy
- To invest in staffing to involve children in the work of CHS
- To continue to involve people with lived experience in our recruitment of staff, and evaluate current processes with a view to continuously improve the way we do this
- To work energetically with partners to implement the recommendations of the Hearings for Children report
- To continue to champion the rights of children at a policy level
- To collaborate with partners to better protect the rights of children

4. Recommendations

4.1 For the Board to approve the report and its publication on our website (which satisfies our statutory reporting requirements).

5. Appendices

5.1 UNCRC report

Progressing Rights at Children's Hearings Scotland

2020 - 2023

A Report by Children’s Hearings Scotland on the steps taken to secure better or further effect of the requirements of the UN Convention on the Rights of the Child (under section 2 of the Children and Young People (Scotland) Act 2014)

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Foreword

Scotland has an ambition to be the best place in the world to grow up. Following the reports from the Independent Care Review in February 2020,¹ Scotland made a promise that our unique Children’s Hearings System would become best placed to truly listen and uphold the legal rights of children and their families.² To achieve this, children’s rights need to be at the heart of every decision made for every child in our country.

This is Children’s Hearings Scotland’s (CHS) second Progressing Rights report. Since the publication of our previous report covering the period April 2017 to March 2020,³ the Scottish Parliament has passed the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill. While the Convention has yet to become law, that has not stopped CHS taking action to embed the United Nations Convention on the Rights of the Child (UNCRC) in all that we do.

This report sets out our activity relating to embedding the UNCRC during the period April 2020 to March 2023. While it highlights great examples of work that have contributed to furthering children’s rights within CHS, it also identifies where we should do better and how we are going to address this over the next three years. Our previous report committed to undertaking a Promise Programme of work, specially ensuring that brothers and sisters are involved in decision-making at hearings, hearings embed a trauma-informed response and UNCRC implementation is evidenced across CHS’s work.

“These recommendations will transform the interaction between children, their families and the systems around them making some of the gravest and most significant decisions that can be made.”

Sheriff David Mackie,
Hearings System Working Group
Redesign Report

I am delighted to share the significant progress we have made in these areas. As for what comes next, we welcome the recommendations published within the Hearings System Working Group’s Redesign Report in May 2023 and are ready to embrace a period of substantial, positive and exciting reform for the Children’s Hearings System.

¹ [Care Review Reports – Independent Care Review](#)

² [The Promise Scotland’s response to the Education, Children and Young People Committee’s call for views on the Children \(Care and Justice\) \(Scotland\) Bill](#)

³ [Progressing Rights at Children’s Hearings Scotland 2017 - 2020](#)

Embedding the UNCRC underpins a significant amount of work and focus within CHS, highlighting our commitment to furthering children’s rights. The time period covered by this report was particularly challenging due to the global COVID-19 pandemic, but our determination to take a children’s rights-based approach to everything we do at Children’s Hearings Scotland has never faltered. This is fundamental not only to ensure effective hearings, but also to our ongoing commitment to deliver on the expectations of The Promise. We highlight examples of the work we have done and continue to do to #KeepThePromise within this report.

We are grateful to our community for their continued hard work, and we are confident that children’s rights will continue to be at the heart of the transformed hearings system. We would welcome feedback from any user of this report on how we can better protect the rights of children.



Elliot Jackson
National Convener
and CEO



Katharina Kasper
Chair of
the Board

About Children's Hearings Scotland (CHS)

CHS is one of several organisations that work within the Children's Hearings System, Scotland's unique care and justice system that exists to ensure the safety and wellbeing of infants, children and young people in Scotland.

Our activities focus on recruiting, training and supporting volunteer Panel Members who make decisions in children's hearings (sometimes known as the 'Children's Panel'), and volunteer Area Support Teams who provide support and direction at a local level.

We have a national team of 44 staff and approximately 2,500 volunteers within our community. We are led by the National Convener who is also our Chief Executive. The National Convener is responsible for the recruitment, training, retention and support of Panel Members.

Any person or organisation worried about the rights of a child or have protection concerns can make a referral to the Scottish Children's Reporter Administration (SCRA). This can include concerns about a child's care and protection, non-attendance at school, home conditions, neglect or abuse and offending behaviour (including drug and alcohol misuse). A children's hearing called due to these concerns will focus on the supports that can be put in place to address unmet needs, ensuring a child's rights are upheld and they are allowed to grow, learn, play, develop and flourish with dignity.

Between April 2020 and March 2023, our Panel Members sat on 60,498 hearings:⁴

- In 2020/21, hearings were held for 8,977 children.
- In 2021/22, hearings were held for 10,902 children.
- In 2022/23, hearings were held for 10,981 children.⁵

Although a large number of children are involved with the hearings system, this has been decreasing consistently over recent years.

⁴ 16,248 in 2020/21; 21,909 in 2021/22 and 22,341 in 2022/23.

⁵ CHS does not collect information on individual children therefore cannot produce disaggregated data.

Our Vision for Rights and Inclusion at CHS

We are committed to putting children's rights and the UNCRC at the heart of everything we do. Our Children's Rights and Inclusion Strategy clearly outlines our vision and ambition for children's rights in CHS.⁶

What is our Children's Rights and Inclusion Vision?

1. We want a Children's Hearings System that listens, acts and places real value and weight to the views of infants, children and young people.

2. At Children's Hearings Scotland inclusion will be central to our core values as an organisation. Expression and inclusion of views will be evident in all that we do and will influence how we work internally and with partners.

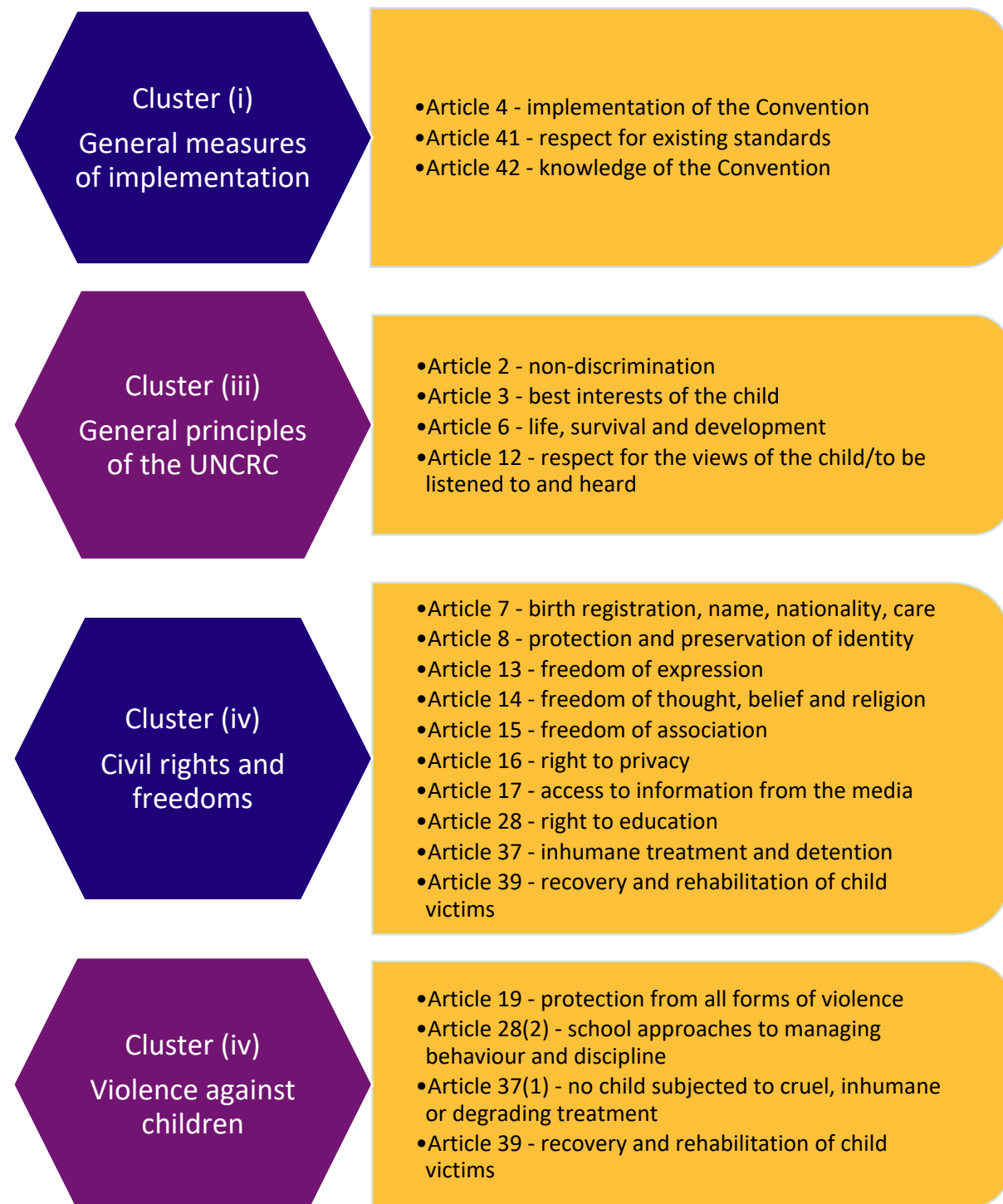
3. Infants, children and young people will feel respected, valued, heard and included across all aspects of the Children's Hearings System.

⁶ [CHS Children's Rights and Inclusion Strategy](#)

The UNCRC Clusters

To help us show how we have contributed to ensuring children's rights are respected, protected, enabled and fulfilled, our activities have been linked to the UNCRC Articles and then grouped into the eight UNCRC clusters.

The Clusters and Articles are:



Cluster (v)
Family
environment
and alternative
care

- Article 5 - parental guidance and a child's evolving capacity
- Article 9 - separation from parents
- Article 10 - family reunification
- Article 11 - abduction and non-return of children
- Article 18(1-2) - parental responsibilities and state assistance
- Article 19 - protection from all forms of violence
- Article 20 - children deprived of a family
- Article 21 - adoption
- Article 25 - review of treatment in care
- Article 27 - adequate standard of living
- Article 39 - recovery and rehabilitation of child victims

Cluster (vi)
Basic health
and welfare

- Article 6 - life, survival and development
- Article 18(3) - parental responsibilities and state assistance
- Article 23 - children with disabilities
- Article 24 - health and care services
- Article 27(1-2) - adequate standard of living
- Article 33 - drug abuse

Cluster (vii)
Education,
leisure and
culture

- Article 28 - the right to education
- Article 29 - the goals of education
- Article 30 - children in minority/indigenous groups
- Article 31 - leisure, play and culture

Cluster (vii)
Special
protection
measures

- Article 22 - refugee children
- Article 30 - children of minority/indigenous groups
- Article 32 - child labour
- Article 33 - drug abuse
- Article 34 - sexual exploitation
- Article 35 - abduction, sale and trafficking
- Article 36 - other forms of exploitation
- Article 37(a-d) - inhumane treatment and detention
- Article 38 - war and armed conflicts
- Article 39 - recovery and rehabilitation of child victims
- Article 40 - juvenile justice

Reporting on the Clusters

In this Progressing Rights Report we present how our activities from April 2020 to March 2023 contribute to each of the UNCRC clusters and corresponding Articles. While certain Articles sit in more than one cluster, we have reported activity relating to each under a single cluster to avoid repetition:

Cluster	Reports on Articles...
(i)	4, 42
(iii)	2, 3, 6, 12
(iv)	7, 8, 13, 16, 17, 37, 39
(iv)	19
(v)	9, 20, 21, 25, 27
(vi)	23, 24, 33
(vii)	28
(viii)	22, 30, 32, 34, 36, 40

Throughout the report we have presented case studies that show how we have protected and enhanced the rights of children. The final section of the report acknowledges our activity gaps and explains how we intend to address these.

Language

Throughout this report we use language that reflects the love, care and respect that all children have a right to. However, in certain places, we have had to use words and phrases more commonly used when referring to the hearings system.

At times, we have used these words because a hearing is a legal tribunal and certain words have a specific legal meaning attached to them (for example, they are used in legislation). At other times, such language is used as no single word is defined the same by all persons.

We are committed to work alongside children and external partners to improve the language used in the hearings system.

Where the terms 'child' or 'children' are used throughout this report, this includes infants, children and young people under the age of 18.

A glossary of key words and acronyms can be located in the Appendix to this report.

Our COVID-19 Response

The COVID-19 pandemic brought with it particular challenges to which we, as an organisation, had to quickly adapt. Significant time, resources and effort had to be diverted during 2020 and 2021 to respond to the evolving pandemic to ensure we continued to protect and care for the children who required children's hearings. We believe the examples of the changes implemented during these unprecedented times cannot be reported under one single cluster, as is the format of the remainder of this report.

In direct response to the COVID-19 pandemic, children's hearings had to be moved to secure digital platforms. This was delivered over the space of three weeks. This incredible achievement ensured we continued to operate throughout each lockdown period and evidenced our commitment to protecting the rights and welfare of children during these challenging times.

To achieve this, 1,600 digital devices were distributed to our panel community to enable them to participate in hearings virtually during periods of lockdown, accompanied by a full suite of training courses to enhance skills to manage the various challenges of a virtual hearing environment.

We worked closely with the Scottish Children's Reporter Administration to ensure that all children and their families were offered similar provisions in order to attend hearings, ensuring rights to participate and be heard were not obstructed during this time.

Legislative changes were required to allow us to continue operating through this challenging time. The Coronavirus (Scotland) Act 2020 enacted changes to the ways in which we operated. We worked alongside the Scottish Government to ensure that despite these changes, hearings would continue with as little impact on children's rights as possible. For example, children retained their right to attend their hearing, but their duty to attend was removed to reflect the difficulties that children and families faced during these uncertain times.

When restrictions were imposed, our trainee Panel Members were only partly through their pre-service training. It was vitally important that this training journey continued in order to ensure the right people, with the right skills, became fully active Panel Members. These new trainees had been selected from another successful recruitment campaign during which young people with lived

experience of the hearings system played a significant role in the shortlisting and selection of candidates.

Working closely with our training partner, the Children's Hearings Scotland Learning Academy (CHSLA), the final two days of training were adapted and delivered virtually with only minimal delay to the original pre-service training timetable. Online training delivery has continued for both trainee Panel Members and our serving volunteers from 2020 until the time of writing this report.


Attending hearings virtually has also remained an option for children, long after lockdown movement restrictions were lifted. We recognise that some children may feel more comfortable attending their hearing virtually, and that this platform allows more privacy with less disruption to education or requiring significant travel. We see this as a positive step to ensuring a child can express their view and be heard, in an environment that minimises stress, disruption and the risk of further trauma.

Over the course of 2022, Children's Hearings Scotland worked with the Scottish Government to secure an amendment to the Coronavirus (Recovery and Reform) (Scotland) Act 2022, in order to make the requirement that both men and women serve as Panel Members on every children's hearing more flexible. This change was based on our learning from the coronavirus emergency legislation where this flexibility helped ease capacity issues.

In certain areas, due to the underrepresentation of male Panel Members, a handful of male volunteers had been over-relied upon, placing significant pressure on those Panel Members and the Rota Managers. This legislative change helped ensure that CHS could continue to protect the rights of all children by providing skilled decision makers, irrespective of their gender.

Significant time and resources during the reporting period covered by this report have been utilised to ensure that our services to children and their families have continued and their rights have been protected. Changes made to how a children's hearing operates have been identified as hugely positive and we have continued to invest time and resources into making these changes permanent.

While this consumption of resources has meant that realising certain ambitions for progress, as detailed in our previous report, have been delayed. We do not view this as a negative outcome.



We are immensely proud of our rapid response to the challenges of the COVID-19 pandemic. We now have a successful digital platform to deliver hearings. We have streamlined the process for pre-hearing panels and achieved changes in legislation affecting the gender composition of panels, both of which allow us to focus resources on hearings for the most vulnerable children and families in our society. We have made significant positive steps forward while adapting to the challenging times faced during the COVID-19 pandemic and remain committed to progressing our ambitions as discussed in the final section of this report.

Cluster (i): General Measures of Implementation

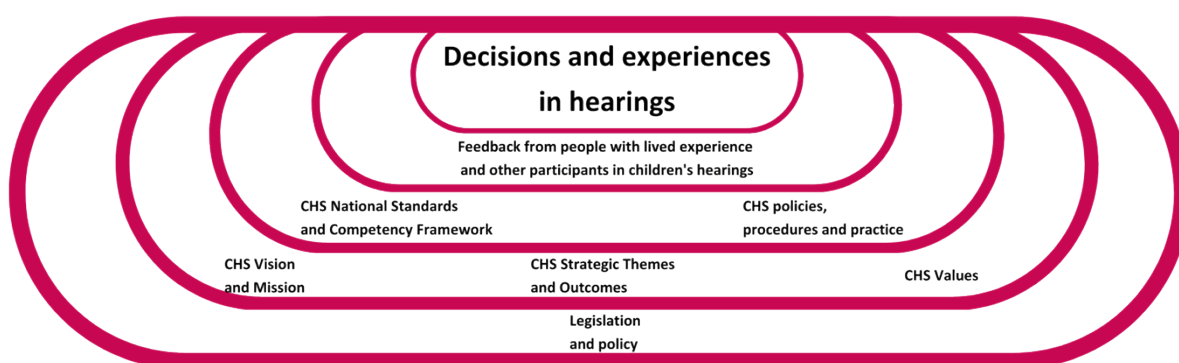
Cluster (i) focuses on knowledge of children’s rights and ensuring systems and structures are in place to respect and realise these rights. It includes activities such as the promotion of children’s rights, raising awareness, training, capacity building, resourcing and service planning.

This cluster covers **Article 4** (implementation of the Convention) and **Article 42** (knowledge of the Convention).

We operate within a strong child-centred context that ensures that the best interests of children lie at the heart of everything we do. Our work is guided by national legislation and policy, as well as our own values, vision and mission. Children’s Hearings Scotland’s strategic themes and outcomes focus on meeting the needs of children and ensuring that we better protect and uphold their rights.⁷

As part of this, we aim to prioritise the best interest of all children by making sure sound decisions are made in hearings and children have positive experiences of the hearings system, and to continually improve our performance.

A summary of our operational context is given below:



⁷ [CHS Corporate Plan 2020-23](#)

During 2020-23, Children's Hearings Scotland was actively involved in multi-agency groups working toward improving the Children's Hearings System and ensuring children's rights are met. These include:

- **UNCRC Embedding in Public Services Reference Group** - providing advice to the Embedding Children's Rights in Public Services project of the UNCRC Implementation Programme.
- **CHIP (Children's Hearings Improvement Partnership)** – working together with partner agencies to share ideas and co-ordinate efforts to improve experiences of the hearings system for children.
- **Youth Justice Improvement Board** – collaboratively working to promote a culture of improvement in the youth justice system through prioritising the whole system approach.
- **Secure Care Strategic Board** – working with partner agencies to create a vision for the future purpose of secure care and developing national standards for the care providers.
- **National Trauma Training Programme** – assisting the Scottish Government to meet their commitment to preventing Adverse Childhood Experiences (ACES).
- **Children's Hearings Advocacy Expert Reference Group** – advising Scottish Ministers on how to establish and develop a sustainable model of advocacy support services being offered to children.
- **Age of Criminal Responsibility Ministerial Advisory Group** – assisting Scottish Ministers to undertake the statutory review of the age of criminal responsibility in Scotland.
- **Resilience and Improvement Delivery Group (previously known as the Children's Hearings COVID Recovery Group)** – ensuring children's rights were protected in relation to the Children's Hearings System during periods of restrictions through the COVID-19 Pandemic.

The Hearings System Working Group

The Hearings System Working Group (HSWG) was formed to pioneer discussions, conduct consultations and present a list of recommendations to the Scottish Government of the ways in which the Children’s Hearings System must be changed in order to keep The Promise to the children of Scotland.

“You will grow up loved, safe and respected. And by 2030, that promise must be kept.”

The Promise Scotland

The HSWG comprised of board members and staff from CHS, and the Scottish Children’s Reporter Administration with the Scottish Government in an observer role. The HSWG led over 500 hours of discussion and deliberation, held 12 consultations with care experienced young people and 11 with parents and carers. Overall, the voices of over 5,500 children and young people with care experience contributed to the work of the HSWG. This is something we are particularly proud to be part of.

The HSWG was a core team to drive changes included in The Promise and legislation under the UNCRC within the Children’s Hearings System. Their work culminated in the publishing of their Redesign report in May 2023⁸ which details 97 recommendations that are now being considered by the Scottish Government. CHS believe the recommendations made by the group that can be implemented without legislative change should be progressed at pace. What can change now, should change now.

CASE STUDY - HSWG Before, During and After Project Groups

The full redesign process involved objectively reviewing the structure and procedures of a children’s hearing, separated into what happens before, during and after a hearing. Three key members of CHS staff individually led these reviews and were directly responsible for delivering the redesign recommendations for their parts of the process, which was a huge task. At all stages, the voice of our young people was sought, respected and amplified with the focus always remaining on the welfare and upholding the rights of the children in the hearings system.

⁸ [Hearings System Working Group's Redesign Report](#)

Our Vision

In 2022 we published Vision 2022, which outlined our vision for the future and what we want the Children’s Hearings System to look like by 2025.⁹

We collaborated with young people from various groups such as Our Hearings, Our Voice and the CHS Participation Group and are proud to make the following commitment.

Our vision for the hearings system is that:

We will provide, uphold
and promote children’s rights.

We will provide a child and
family-friendly care and justice space.

We will ensure participation is
at the heart of the hearings system.

It is crucial to everyone at CHS that we create a hearings system where everyone works together, making sure that the views of all children are heard, respected and valued. This document was pivotal in ensuring our Panel Members were fully aware of how their knowledge and experience could contribute to the redesign of the hearings system, and ultimately achieving this ambitious vision of children’s hearings in the future.

Our Children’s Rights and Inclusion Strategy

Our Children’s Rights and Inclusion Strategy, published in July 2020, is at the core of our work and it puts the child’s voice at the centre of all we do.¹⁰

We are focused on three key areas which CHS continues to work on to see our vision for Scotland’s children realised:

⁹ [Vision 2022](#)

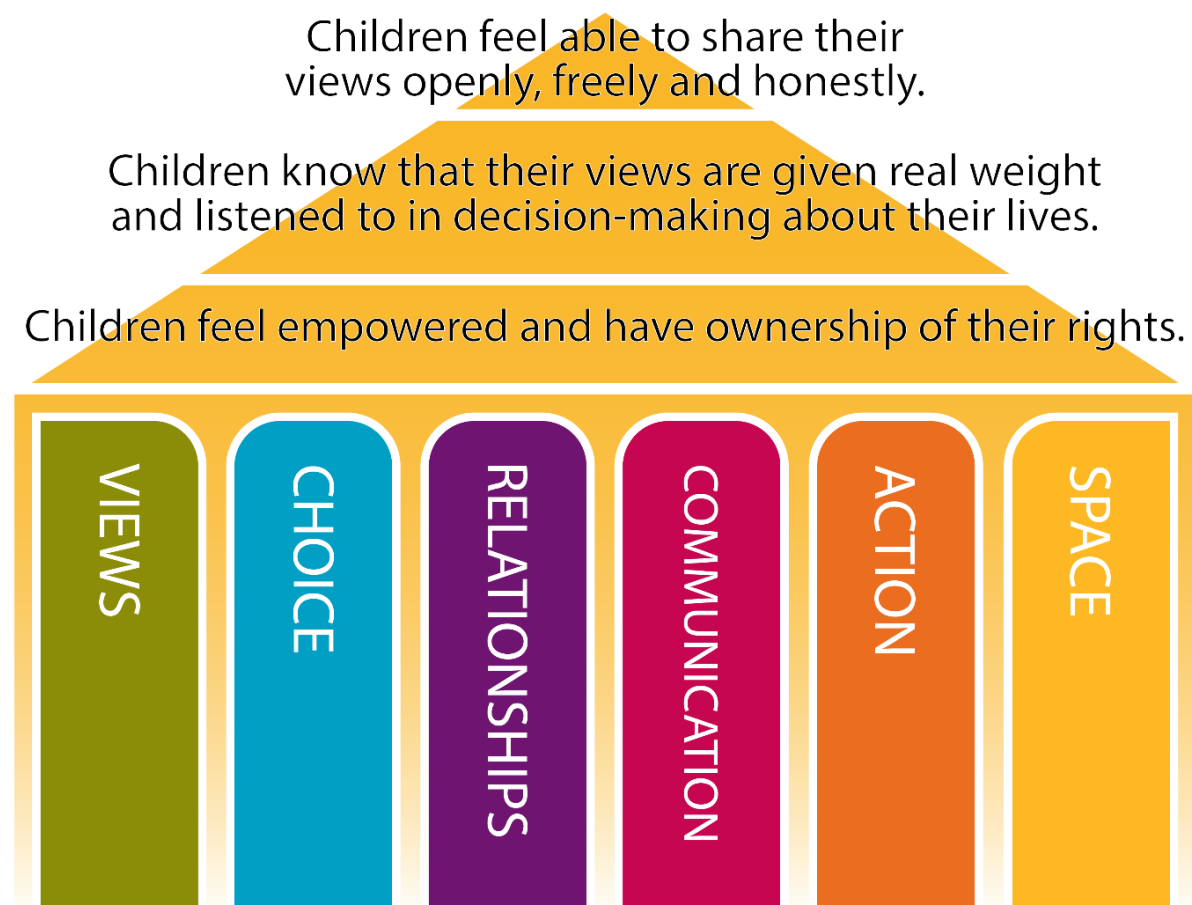
¹⁰ [Children's Rights and Inclusion Strategy](#)

Children’s Hearings: Children must feel that it is their hearing, where they can choose how to share their views about their lives. Panel Members’ interaction and communication with children will be as inclusive as possible, recognising and understanding trauma and its impact, as well as being open to the ways that children may choose to share their views.

Area Support Teams: Volunteer Area Support Teams support the delivery of the National Convener’s functions through providing local support to Panel Members. They will work to ensure the views of people with lived experiences of the hearings system contribute to recruiting and supporting local volunteers.

Children’s Hearings Scotland: This relates to the successful running of CHS as an organisation. CHS will model and demonstrate the ways in which the methods of consultation, engagement, participation, co-design and co-production can be used to improve our everyday work and practice.

People with lived experience of the hearings system have helped us identify six ‘pillars of inclusion’ that are considered essential in reaching the three outcomes described above.



The ways in which we have begun to embed these principles into everything we do are discussed in more detail within each cluster.

Our Strategic Themes and Outcomes

Our Strategic Outlook 2020-2023 defined our ambitious, improvement-driven strategy that placed children's rights at the centre of Children's Hearings Scotland and set out our priorities for this reporting period.¹¹ The first theme focused explicitly on rights - 'Better protect and uphold the rights of children'.

To achieve this, we identified that training needed to be delivered to both staff and volunteers, to ensure a full understanding of children's rights and how we should be embedding them in everything that we do.

Our priority was to focus on our volunteer community. The work done to produce our UNCRC Rights Map ([explained more below](#)) emphasised they are the people who work face to face with children and their families on a daily basis.

For children's rights to be fully at the centre of everything we do, we identified that we must promote ways in which children and those with lived experience of the Children's Hearings System can participate in our strategic planning and day to day operations.

Policies, Procedures and Practices

Our internal policies and procedures support children's rights and are discussed in relation to the relevant Articles in each cluster:

- [National Standards for the Children's Panel](#)
- [Competence framework for Panel Members](#)
- [Children's Rights and Inclusion Strategy](#)
- [Complaints Handling Procedure](#)
- [Equality, Diversity & Inclusion Strategy](#)







¹¹ [CHS Corporate Plan: Our Strategic Outlook 2020-2023](#)

Our business planning processes shows how we involve young people with lived experience in our work. Our budgets include an allocation for enabling the participation of young people with lived experience in various activities, for example recruitment and retention of Panel Members, and we provide devolved funding to each Area Support Team to empower them to meet local needs.

To emphasise our focus on this, our **Participation Standards** were launched in December 2021 and play a fundamental part in shaping and our operations.

CHILDREN'S HEARINGS SCOTLAND PARTICIPATION STANDARDS



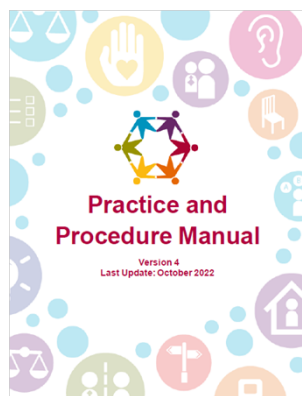
- 1** Children's Hearings Scotland will be guided by the voice of lived experience providing a welcoming, person centered participation package 
- 2** People with lived experience will be provided with options, information and support required to influence the work of Children's Hearings Scotland 
- 3** All influencing opportunities will be people friendly, inclusive and purposeful 
- 4** The role of lived experience and influencing will be fully understood across the Children's Hearings Scotland community 
- 5** Participation will be purposeful lived experience will work with the work with the Children's Hearings Scotland community together to guide, influence and inform all change and improvement work within Children's Hearings Scotland 
- 6** Children's Hearings Scotland is committed to the promise, improvement and change. Children's Hearings Scotland will make change now where possible and will act, plan and feedback to the care community 

Building from this, our Participation Framework is in development at the time of writing this report. This framework will recognise that people with lived experience who contribute their time, energy and expertise to shape the work of CHS have a vital role in ensuring that our approach keeps the best interests of the child at the heart of what we do.

The Participation Framework will provide a range of opportunities for those with lived experience to share their views, co-design projects, consult, engage and collaborate within the areas of CHS which most interest them. In return, we will

provide influencing opportunities, support, mentoring, skills development and learning experiences for everyone involved.

Practice and Procedure Manual



Our Practice and Procedure Manual¹² is key to ensuring Panel Members are fully informed so that they can make decisions in the best interests of every child. It provides access to current policy, good practice, legislation and comprehensive advice on how hearings are conducted. It includes guidance on areas relating to children's rights, such as managing complex hearings, minimising barriers in hearings, maintaining important relationships for children and improving outcomes.¹³

The Practice and Procedure Manual is regularly updated alongside practice guides to ensure decisions always reflect changes in legislation or policy and to support continuous improvement of Panel Member practice. There were two key updates rolled out during the period of this report, relating to a child's right to advocacy and sibling participation rights.

Coronavirus Practice Guide

A separate, specific practice guidance document was issued to support Panel Members implement the Coronavirus (Scotland) Act 2020. This guidance focussed on the changes made by this legislation, as explained in detail in the above section [‘Our COVID-19 Response’](#).

Impact Assessments

In 2022, a Joint Impact Assessment Tool was developed to encompass Children's Rights Impact Assessments, Data Protection Impact Assessments, Equalities Impact Assessments and Island Communities Impact Assessments. This was a hugely successful cross-organisational project that firmly embedded a consideration of our compliance with children's rights across all aspects of our organisation.

¹² [Practice and Procedure Manual \(chscotland.gov.uk\)](https://chscotland.gov.uk)

¹³ Our Practice and Procedure Manual is updated in collaboration with SCRA, the Learning Academy, CELCIS, CYCJ and CEDAR.

Any person implementing a new project or work plan must complete the first stage of our Impact Assessment process. This asks four key questions to determine whether there may be a potential impact, positive or negative, across four areas:

- Children’s wellbeing and their rights
- People from protected characteristics groups (Equality)
- People within Island Communities
- The gathering, handling and processing of personal data (Data Protection)

IMPACT ASSESSMENTS FORM 1
●●●●●



Will the project/work plan...

<ul style="list-style-type: none"> • Yes/No (delete as appropriate) • Summarise the data processing taking place 	<p>involve/create a way of processing (collecting, analysing, using, sharing, removing) personal data (information that can identify a living person) that is new for CHS?</p>	<ul style="list-style-type: none"> • Yes/No (delete as appropriate) • Summarise any direct and/or indirect impacts 	<p>result in new and significant impact for people within a protected characteristic group?</p>
<ul style="list-style-type: none"> • Yes/No (delete as appropriate) • Summarise any direct and/or indirect impacts 	<p>result in new and significant impact on children and young people under 18, either directly or indirectly?</p>	<ul style="list-style-type: none"> • Yes/No (delete as appropriate) • Summarise any direct and/or indirect impacts 	<p>result in new and significant impact on people living or working within Island Communities?</p>

Attach this completed form to SMT Papers/PID
 Answered YES to any area? Complete the relevant [Screening Tool \(Form 2\)](#)
[\(Data Protection, Equality, Children’s Rights, Islands\)](#)

If Form 1 highlights a potential impact in any of the key four areas, stages two and three analyse this impact further, identifying mitigating factors or modifications that may be required to the project plan. A key part of information that must be included at this stage is how the views of children have been incorporated into identifying impacts.

All staff have undertaken training on the use of impact assessments, and these are now firmly embedded in our way of working as an organisation.

Government Policy

We champion children's rights at a policy level. We will speak out when we feel children's rights are not being protected and we will be unapologetic in challenging legislation and policy that does not fully respect the rights of children. Over the reporting period we have responded to the following Scottish Government consultations:

- The incorporation of UNCRC into Scots law
- Raising the Age of Criminal Responsibility
- The Children (Care and Justice) (Scotland) Bill
- Scotland's National Care Service
- Getting it Right for Every Child (GIRFEC) refresh
- Cross-Border Placements of Children in Residential Care
- COVID-19 Recovery Committee

Our continuous message in these consultations is that children's rights must be promoted and upheld. In order to do that, all agencies, guidance and legislation within the Children's Hearings System must be compliant with the articles of the UNCRC. We have strongly voiced our belief that it is essential for there to be a duty to comply with the UNCRC when any decisions relating to a child's life are made, and that realising children's rights should be promoted as a wider culture change, not just something that could become enforceable in our courts.

Our most recent consultation involved giving evidence in person to the Education, Children and Young People Committee of the Scottish Parliament in April 2023 with regards the Children (Care and Justice) (Scotland) Bill. This Bill would implement a change in law so that any child, regardless of their previous involvement with the Children's Hearings System, can be referred to the Principal Reporter to arrange a hearing. The Bill defines child as any person under the age of 18, which would equalise the current disparity of treatment of 16 and 17-year-olds who are currently subject to compulsory measures of supervision and those who are not.

Our evidence strongly supported that all children under the age of 18 must be treated the same and have access to the welfare-based response of a hearing, rather than the punitive approach of the criminal justice system. We also made clear that any response that includes restriction of a child's liberty must be proportionate and accompanied by an intensive support package to minimise the length of time such restrictions are required.

Specific policy responses are discussed further in relation to their applicable Articles throughout the remainder of this report.

National Training and Development

We deliver a high-quality national training programme for staff and volunteers through our Children's Hearings Scotland Learning Academy. All training programmes are linked to our children's rights, values, National Standards and Panel Member competencies, to ensure that Panel Members feel supported in their role.

All Panel Members have to undertake comprehensive pre-service training and assessment, which is the first stage of our three-year Professional Development Award Programme. This ensures they understand the principles of the hearings system, the legislative framework within which it operates and how to make decisions in the best interests of children.

Pre-service training was redesigned during 2021 and 2022 in collaboration with people with lived experience of the Children's Hearings System, with new content introduced on children's rights, the UNCRC and communicating with children.

In addition to pre-service training for new volunteers, existing Panel Members and Panel Practice Advisors (PPAs) participate in a range of training throughout each year on various topics.

"99% of volunteers say they are aware that children have specific rights under the United Nations Convention on the Rights of the Child."

"85% of volunteers strongly agree or agree that they feel confident they understand the impact of UNCRC rights in the context of a children's hearing."

"97% of volunteers are extremely confident or very confident that the best interests of the child is a primary consideration at every hearing."

2022 UNCRC Survey

CASE STUDY - UNCRC RIGHTS MAP

During 2022, our UNCRC Rights Map was developed by an intern who joined us from the Robertson Trust. The map uses a traffic light system to identify which articles are directly relevant to the duties of a Panel Member (red), those which are relevant to the wider work of the Children’s Hearings System (amber) and those which are relevant to children’s rights in Scotland in a broader sense (green). This project identified that 26 of the UNCRC articles classified as red, 6 as amber and 22 as green. From this, we drew the conclusion that our immediate area of focus needed to be around Panel Member knowledge and practice.



The outcome of the Rights Map project shaped the development of a survey which was sent to our volunteer community in December 2022. This was split into 'Background Knowledge,' Understanding of General Principles' and 'Rights Based Practice.' The results of this survey demonstrated that our Panel Members had firm knowledge of the key principles of children’s rights. This provided evidence as to what training we needed to develop in order to support our Panel Members in their role going forward.

Following on from this in March 2023, expert UNCRC training was delivered in collaboration with 'Children in Scotland' to our Panel Member and Panel Practice Advisor communities. This training focused on practice issues such as

the questions Panel Members should be asking in hearings with regards to children's rights, how rights should be described to children and what Panel Members should do if they believe a right is not being complied with. These online sessions were followed by the launch of a UNCRC-specific module by the Learning Academy which shared further resources.

This will be a live module for ongoing learning and training refreshment going forward. Once the full scope of the revised United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill is known, we will assess whether a comprehensive training plan for Panel Members and Panel Practice Advisors which covers any new legislative changes is needed.

Staff training remains a priority, with new opportunities for specific UNCRC training currently in design. We commit to delivering an initial training module to all staff by the end of June 2023.

Further examples of training over the period 2020-2023 that support and protect children's rights include:

- **The Children (Scotland) Act 2020** – covering the introduction of participating individuals to the hearing room and furthering the ways in which children's views should be sought;
- **Advocacy** – covering a child's right to advocacy and the duty of a chairperson to ensure each child is aware of this right;
- **The Coronavirus (Scotland) Act 2020** – covering the emergency changes to legislation that were enacted due to the COVID-19 pandemic and associated restrictions;
- **Hearings in Lockdown** – equipping Panel Members with the skills required to conduct children's hearings virtually;
- **Neglect** – providing a deeper understanding of the types of neglect, how to recognise signs of neglect and the long-term effects neglect can have on a child's development;
- **Permanence** – providing guidance on the legal process of permanence and the factors that should be considered when giving advice to the Sheriff Courts in relation to this;


- **Neurodiversity** – providing an understanding of different types of neurodiversity and tools to better aid communication and ascertaining the views of affected children;
- **Information Governance** – giving an insight into the types of information that are protected about individuals, the procedures that should be followed in the event of a data breach, and practical guidance on storing hearing papers at home;
- **Equality, Diversity and Inclusion** – providing a deeper understanding about the groups who often suffer inequalities and the ways in which Panel Members should conduct a hearing to ensure full and fair participation by everyone;
- **Enhanced Practice** – further developing Panel Member skills ahead of undertaking Management of Hearings training; and
- **Management of Hearings** – the final training course a Panel Member must complete to be qualified to chair a children’s hearing.

Local Training and Development

Through our Area Support Teams, we deliver a local learning programme to enhance our approach to quality and provide national consistency in practice. This covers topics such as quality assurance, complaints investigation procedures and recruitment and reappointment.

Area Support Teams arrange their own local learning and development programmes and have run sessions (often involving external practitioners) on topics that help protect and promote children’s rights. These include events on child and adolescent mental health, drug abuse, domestic violence, adverse childhood experiences, trauma, LGBTI young people, unconscious bias, attachment, early intervention, advocacy and sibling participation in hearings.

We support Panel Members to make the best possible decisions for children through our team of Panel Practice Advisors. The PPA observation programme means each Panel Member has a minimum of two observations a year, where they are assessed against indicators in each of the competencies to ensure they can demonstrate their ability to meet them and continually improve their



practice. PPAs form a key part of our quality assurance process, playing a critical role in ensuring and maintaining the high quality of, and consistency within Children’s Hearings, so that they meet the needs of children.

The restrictions imposed during the coronavirus pandemic meant that PPA observations were logistically challenging, as often hearing rooms and online spaces were not able to accommodate observers. Our policy of each Panel Member being observed at least twice a year was not possible to achieve during 2020 and 2021. PPA observations recommenced when restrictions were lifted.

Cluster (iii): General principles

This section covers the four guiding principles of the UNCRC, which are Articles:

- 2 - non-discrimination
- 3 - best interests of the child
- 6 - life, survival and development
- 12 - respect for the views of the child

Article 2

The UNCRC applies to all children without discrimination of any kind, such as that relating to ethnicity, gender, religion, language, opinions, disability or any other status. Measures should be taken to protect children against all forms of discrimination.

At CHS we do everything we can to protect children from discrimination. Our vision, mission and values set out our commitment to provide a consistent level of service to all children and their families and to improve outcomes for everybody who comes, or may come, to a hearing. We treat everybody according to their individual needs and ensure our information and services are accessible to all.

Our ambition is to promote and celebrate an equal, diverse and inclusive culture within the CHS community through a process of continual engagement, communication, training and development. We continue to mainstream our equalities duties across all aspects of our work by publishing equality information to demonstrate our compliance in meeting the general and specific public sector equality duties in the Equality Act 2010 and our performance against our own Equality Outcome measures.

Our **Equality, Diversity and Inclusion Working Group**, which includes CHS staff, volunteer community members, partner organisations and young people with lived experience of the hearings system, developed our **new Equality, Diversity and Inclusion Strategy**,¹⁴ published in October 2021. Key areas of this policy that reflect our commitment to non-discrimination and the protection and promotion children's rights are as follows:

¹⁴ [Equality, Diversion and Inclusion Strategy](#)

- Outcome 1 – Providing training and development opportunities for the CHS community to ensure all are current in their knowledge, skills, attitudes and legal obligations concerning equality, diversity and inclusion, and are able to apply these approaches to all aspects of their roles. Having completed mandatory introductory online training on equality, diversity and inclusion, all staff, Area Support Team members, Panel Members and trainee Panel Members can demonstrate and apply awareness of how to support people with protected characteristics when carrying out their respective roles and duties.
- Outcome 2 – Raising awareness of equality, diversity and inclusion across the CHS community will enhance all our roles and lead to more effective decision making, as we proactively engage with our staff members, volunteers and external equality organisations who can support Children’s Hearings Scotland to achieve this aim:
 - 2.2 – We are proactive in raising awareness of equality, diversity and inclusion across the CHS community so that it leads to increased understanding, knowledge and empathy of all protected characteristics.
 - 2.4 – Staff are fully competent and confident in carrying out Equality Impact Assessments on any new or revised strategies, policies and processes that they are responsible for developing.

The **Children (Care and Justice) (Scotland) Bill**, which was introduced to the Scottish Government in December 2022, proposes to address a significant area of inequality regarding referrals to the Children’s Hearings System when a young person aged 16 or 17 has committed an offence. These changes are welcomed by CHS, and we have responded during the initial consultation phase and given evidence in person to the Scottish Parliament’s Education, Children and Young People Committee.

As previously discussed, we strongly support these proposals and believe it is important to ensure equal treatment for all children in Scotland. All children should be supported based on the fundamental Kilbrandon principle of ‘needs, not deeds’ and should be provided with intense support packages to aid rehabilitation, not subjected to punishment that may not address the underlying behaviours. We continue to monitor the progress of this bill carefully and remain

steadfast in our view that all young people under the age of 18 should be treated the same.

We use a **Complaints and Concerns Tracker** to monitor any concerns raised, including discriminatory conduct towards a child, young person or their family, on the basis of belonging to a protected characteristic group. Any complaints raised are addressed in line with Scottish Public Services Ombudsman (SPSO) requirements.

We also ensure that our communications with children and their families are accessible. We ensure child-friendly language is used, and utilising additional methods of conveying information such as animations and videos being published alongside various corporate reports to enhance understanding. We have increased our use of social media and introduced a new section on our website aimed specifically at children.¹⁵

Article 3

The best interests of the child must be a top priority in all the decisions and actions that affect children. This lies at the heart of **CHS' purpose, vision and values**.

We continue to apply our three overarching principles to every decision in every hearing. The first of these principles is the need to safeguard and promote the welfare of the child throughout childhood. This is the paramount consideration that Panel Members must apply when making decisions about a child.

Our volunteer Panel Members continually undertake **training and development** to make sure that they are well equipped to make decisions in the best interests of children and that they know how to conduct hearings fairly. They are continually kept informed about any changes to legislation and practice through practice updates.

In addition, we continue to consider the appointment of an independent **Safeguarder** at every hearing. The role of the Safeguarder is to safeguard the interests of the child to whom the hearing relates by ensuring that:

- The child's rights are protected;

¹⁵ [Children and Young People \(chscotland.gov.uk\)](http://chscotland.gov.uk)

- The views of the child are established and communicated to the hearing; and
- Any proposals being made are in the child’s best interests.

If a Safeguarder is appointed by the hearing they must prepare a report and include one or more of the following:

- Anything the Safeguarder thinks is relevant to the consideration of the hearing;
- The child’s views so far as practicable in light of the age and maturity of the child; and
- Any issue which the Safeguarder has been asked to consider by the hearings system.

CASE STUDY: Promise Programme – Improving Reasons Project

As part of our Promise Programme, we launched our Improving Reasons Project in May 2022. We recognised that for children to be confident that all decisions were being made in their best interests, our written reasons for our decisions needed to be clearer, more concise and written using language that all children and their relevant persons could comfortably relate to.

A framework for assessing the quality of reasons being recorded by panels has been created and tested on an anonymised sample of Record of Proceedings from across Scotland. We await the further recommendations of the Hearings System Working Group in the near future before we agree the best way to roll this framework of quality assessment and improvement across all our regional areas.

Article 6

All children have a right to life and organisations must do all they can to ensure that children survive and develop to their full potential.

The **role of a Panel Member** is to listen to children and to make decisions with and for them to ensure their needs are being met. Panel Members ensure that children can achieve their full potential and have a happy and fulfilling childhood. Children’s Hearings help children to access the help and support they need to thrive.

The **training** we provide for Panel Members focusses on how experiences can impact a child throughout their lifetime, covering issues such as adverse childhood experiences, trauma, attachment, maintaining family contact, improving relationships and child development.

Enhancing the wellbeing of children is at the heart of everything we do, and we **work collaboratively** with, lead and influence partner agencies in the hearings system and wider community, to ensure that the hearings system supports them to develop to their fullest potential. Hearings and the National Convener can make sure that the decisions made in hearings are implemented by initiating a **process of formal notification and enforcement**. This is covered [below at Article 20](#).

Article 12

Every child has the right to form their own opinion and for their views to be listened to and taken seriously. In particular, a child has a right to be heard, either directly or through a representative, in legal proceedings and their views must be considered when people are making decisions about things that involve them.

Children are encouraged to actively participate in their hearing. The second of our overarching principles state that in a hearing, 'the child must be given the opportunity to express a view and this view must be taken into account in line with the child's age and maturity.'¹⁶

At Children's Hearings Scotland, we work to help children of all ages express their views. This approach was supported by enactment of the **Children (Scotland) Act 2020** which amended existing legislation that had stated only children aged 12 years or over were considered able to form and express their own views. This is discussed in more detail in [Cluster \(iii\) – Civil rights and freedoms, Article 13 \(freedom of expression\)](#).

All children have a **right to attend** all stages of their hearing. The only circumstances in which these rights can be removed is when a hearing is considering withholding specific information from the child, or if the child's behaviour is violent, abusive or disruptive.

¹⁶ [Children's Hearings \(Scotland\) Act 2011, s27](#)

A pre-hearing panel can be called to consider excusing a child from their **duty to attend** an upcoming hearing if, taking account of the age and maturity of the child, the child would not be capable of understanding what happens at the hearing.

In September 2022, with the support of leading early years experts at CELCIS, there was a mutual agreement made between SCRA and CHS that pre-hearing panels to excuse a child based on their age and maturity would no longer be required for children under five years old, if the only reason for the pre-hearing panel being called is their attendance. This avoids the need for additional hearings and ensures that careful consideration is given to how all children aged five and above will be helped to give their views at their hearing.

Panel Members must be sure they have heard the views of the child before they make a decision. From November 2020, all children must be offered the services of an **advocate** who can help them ensure their voice is heard. The chairperson of all hearings to which a child attends, now has a **legal duty to ensure that their right to this service has been explained to them**. The decision whether or not to engage with an advocate is solely at the discretion of the child.

If the Chairperson of the hearing feels that somebody within the hearing is **preventing the views of the child being heard**, or their presence is causing or likely to cause, distress to the child, they can decide to **exclude** that person from the hearing. These powers were strengthened by the enactment of the Children's (Scotland) Act 2020 and was a power that was emphasised during our substantial **refresher training course delivered to all volunteers in 2022**.

Children and their families can also ask for **Panel Member continuity** which is a request to have one of the same Panel Members at their next hearing. This may encourage a child to participate in their hearing if they feel more confident or comfortable speaking to a particular person.

We strive to seek out opportunities for children with lived experience of the hearings and care system to be involved in our work. A key step taken during the period covered by this report was the creation of the **CHS Participation Group**, comprised of people with lived experience and our Children's Rights and Inclusion Coordinator. Since January 2022, this group have met bi-monthly and

Requests for continuity

Year	Number requested
2020/21	181
2021/22	635
2022/23	1,434

been involved in **consulting, co-designing and providing feedback on the work of CHS**. Examples of the group's invaluable contributions are:

- Development and implementation of our Children's Rights and Inclusion Strategy;
- Creation of our Participation Standards;
- Development of our Participation Framework;
- Development and implementation of our Equality, Diversity and Inclusion Strategy;
- Creation of our Lived Experienced Recruiter information pack;
- Consultation on responses to The Promise, The Hearings System Working Group and the hearing's system redesign project;
- Sitting on interview panels for new members of the CHS National Team and to select members of volunteer Area Support Teams;
- Consultation on the re-design of Pre-Service Training in 2021 and 2022
- Co-design of the Participation Hub; and
- Consultation on development of our new [child-friendly feedback and complaints portal](#).

CASE STUDY - Animations – What is important to us!

In December 2022, three animations were released which were co-designed and co-produced by members of the CHS Participation Group, Our Hearings, Our Voice and VIP – Voice and Inclusion Project. These animations were created to be used as reminders for Panel Members of what is important to people with lived experience.

The 'Ways to make a Hearing Positive,' 'What we want Panel Members to Remember' and 'Top Tips for Panel Members' animations are a powerful example of how our commitment to collaborative working with children can amplify the voice of those with lived experience.

Watch them here:

[Ways to make a hearing positive](#)

[Key Learnings](#)

[Top Tips for Panel Members](#)

We recognise **people with lived experience provide invaluable input in the selection of new Panel Members.**

They help shape scenarios for candidates to discuss, sit on interview panels, score and select candidates and attend local welcome evenings.

“It was empowering. I felt I had an important responsibility to make the right choices.”

Lived Experience Recruiter
Feedback 2022

To increase, improve and embed the engagement of lived experience people in our local Panel Member recruitment process remains a key priority. Prior to participating in recruitment and selection, all our Lived Experienced Recruiters receive training and support from CHS Learning Academy and the Children’s Rights and Inclusion Co-ordinator, as well as local support from their respective Area Support Teams.

For our **2022 recruitment campaign, bespoke welcome sessions delivered by Who Cares? Scotland were attended by 50 people with lived experience and 80 Area Support Team members who would be working alongside them.** Of the 50 people with lived experience who attended this welcome session, 32 went on to participate fully in the Spring 2022 recruitment campaign.

CASE STUDY - Involving Lived Experienced Recruiters in Aberdeenshire

The Lived Experienced Recruiter who works alongside our Aberdeenshire Area Support Team has been extremely active for the last three recruitment campaigns. The skills and experience this has given her has helped contribute to her being promoted in her employment, a step we think was thoroughly deserved.

Cluster (iv): Civil rights and freedoms

This section covers Articles:¹⁷

7 - birth registration, name, nationality and care

8 - protection and preservation of identity

13 - freedom of expression

16 - right to privacy

17 - access to information and mass media

37 - inhumane treatment and detention

39 - recovery and rehabilitation of child victims

Article 7

Every child has the right to be registered at birth, have a name and nationality and, as far as possible, to know and be cared for by their parents. This is supported by CHS activity and one of the **fundamental principles** of the hearings system is that '**parents are usually the best people to bring up their own children and should be encouraged and enabled to do so wherever possible.**'¹⁸

Where it is not possible for a child to stay with their parents, the hearing will make decisions that support them to have a fulfilling and positive childhood. Hearings must listen and take account of the views of both children and their parents when making decisions about who should care for them.

Article 8

The Children (Scotland) Act 2020, which came into force on 26 July 2021, changed existing legislation on the way **sibling relationships** are promoted when families live apart, a change that CHS had long been supportive of. Individuals involved in a child's life can now ask to be deemed a **Participation Individual at a children's hearing** if all the following criteria are met:

- The individual is living with or has lived with the child;

¹⁷ How CHS contributes to Article 28 (right to education) is set out in Cluster (vii) - education, leisure and culture. Articles 14 (freedom of thought, conscience and religion) and 15 (freedom of association) do not directly apply to our duties.

¹⁸ [Practice and Procedure Manual, p171.](#)

- The individual and the child have an ongoing relationship with the character of a relationships between siblings (whether or not they have a parent in common);
- The children’s hearing is likely to make a decision significantly affecting contact or the possibility of contact between the individual and the child; and
- The individual is capable of forming a view on the matter of contact between the individual and the child.

Participation Individual status can be granted either by the SCRA Reporter, or via a panel decision at a pre-hearing panel, having considered the views of the child and Relevant Persons. If someone is deemed a Participating Individual, they have the right to be notified of any upcoming hearings, to be given the opportunity to submit a report or other documentation to that hearing, to receive certain documentation submitted by others to the hearing, to attend the part of the hearing that will be discussing their contact with the child (on authorisation from the chairperson), to bring a representative with them to the hearing and to receive a copy of any decisions (and reasons given) by the panel in relation to their contact.

A Participation Individual does not have any appeal rights in terms of decisions made regarding their contact with the child, but they can ask for any compulsory supervision order (CSO) that includes a measure of contact between themselves and the child to be reviewed.

We see this as a huge step forward in upholding the rights of a child to maintain family relationships and updated guidance on this was included in our **2021 revision of our Practice and Policy Manual**. An online learning module was released separately to our volunteer community in July 2021 and made part of Panel Member **mandatory learning** by the National Convener. The importance of this change in legislation was also heavily stressed during **Refresher Training** that was delivered by our Practice and Policy Team to all Panel Members in June 2022. These actions were driven by our **Sibling’s Rights Project**, which formed part of our Promise Programme and ran throughout the reporting period of this report.

Arrangements to maintain and promote family relationships are also discussed below in relation to [Article 37 \(inhumane treatment\)](#) and in [Cluster \(v\) - Family environment and alternative to care, Article 9 \(separation from parents\)](#).

Article 13

Every child must be free to express their own thoughts and opinions and to seek, receive and impart information and ideas in any form or media of their choice.

Before and During a Hearing

A key development in this area has been the introduction of **virtual attendance at hearings**. Prior to nationwide changes in response to the COVID-19 pandemic, if a child wanted to attend a hearing remotely, there had to be a pre-hearing panel to excuse their attendance in person, followed by necessary arrangements to facilitate their attendance virtually.

With the introduction of the Children (Scotland) Act 2020, participation by electronic means has been made far more accessible, giving children greater choice of how they wish to participate in their own hearings. Anyone who has a right to attend a hearing can now request to attend virtually, and provided the SCRA reporter is satisfied that they have good reason to do this or are more likely to be able to effectively participate in their hearing through virtual attendance, this will be facilitated. We also actively **promote other methods where technology can enable children to give their views** to their hearing e.g., the use of an avatar or pre-recorded video which will be played during the hearing.

Guidance on the use of technology to support a child to give their views was included in the 2022 update of our Practice and Procedure Manual, as well as in Refresher Training rolled out to all Panel Members by the Practice and Policy Team in June 2022.

After a Hearing

If a child does not think the decision of a hearing was justified, they can appeal the decision. The chairperson of the panel must inform them of their **right to appeal**, normally within **21 days**.

"In 2021/22, 45% of children and young people who appealed had the children's hearings decisions overturned."

SCRA Statistical Analysis 2021/22

This time limit was **increased to 42 days** (in almost all circumstances) by the Coronavirus (Scotland) Act 2020 **to protect children's rights** while restrictions were imposed during the COVID-19 pandemic. We supported this legislation and ensured all Panel Members received training on these changes and ensured children were informed correctly at the end of their hearing.

CASE STUDY – Child-Friendly Feedback

Our **Complaints Handling Policy and Procedure** reflects our commitment to improving outcomes for children across Scotland through listening to feedback and reflecting on our activities, giving us the opportunity to learn and improve.

Our **new child-friendly feedback** section on our website makes it more accessible for children to give us their feedback. This was designed with input from our CHS Participation Group and aims to encourage children attending hearings to tell us what we did well and what we could do better. Follow this link to find out more:

[Give feedback as a young person \(chscotland.gov.uk\)](https://chscotland.gov.uk)

Article 16

Every child has a right to privacy and to have their private, home and family life protected.

Hearings can sometimes involve a large number of people because, in addition to the child, a number of individuals have a right and/or a duty to attend (such as their parents or representative) and other people involved in a child's life may also attend.

"There should be less professionals at my hearing, and adults should leave my hearing when they don't need to be there."

Our Hearings, Our Voice
40 calls to action

The chairperson of every hearing has a **legal duty to ensure the number of persons present in a hearing at the same time is kept to a minimum**. New guidance was provided to our Panel Members in 2021 and 2022 to ensure a child's right to privacy was considered at every hearing. We recognise that large

numbers of unfamiliar people can be intimidating for children and may prevent them from being comfortable when sharing their views.

Journalists have a right to attend a hearing, however the Children (Scotland) Act 2020 gave the chairperson of every hearing **more powers to exclude** journalists from any part of the hearing where they are preventing the panel from obtaining the views of the child, or if the presence of the journalist is causing, or is likely to cause, significant distress to the child.

Sometimes a hearing decides that information about a child should remain private, for example, where they live or go to school. If a hearing makes a **non-disclosure** decision that means a child is to move to an address other than their home and is confident that disclosing information about the whereabouts of the child or other information is likely to cause significant harm to the child then a 'non-disclosure request' can be made to prevent this information being seen by others.

"In 2022, 816 children had a non-disclosure order attached to either an interim order or CSO."

SCRA Statistical Analysis 2021/22

CASE STUDY - Consultation on the Children (Care and Justice) (Scotland) Bill

This Bill looks to increase the information that is currently shared with victims of offending behaviour committed by children and young people. In our consultation response to these changes, we strongly argued that disclosure of information regarding the decisions made by a Children's Hearing to someone outwith that child's family is an infringement of privacy and should be carefully considered.

We propose that before information is disclosed, a hearing should consider whether this is appropriate and make a formal decision on this only once they have obtained the views of the child on this matter. At all times, the welfare of the child for whom the hearing has been called should be considered paramount.

We believe this to be section of this Bill that requires further consideration and will continue to argue for the privacy of children within the hearings system.

Panel Members have access to sensitive information about children and their families so that they can carry out their role as decision-makers. A key responsibility of all members of the CHS community is to keep information safe.

All members of the National Team and volunteer community are required to undertake, and to pass, **mandatory online Information Governance training**, with refresher training being mandatory every two years. The training focuses on keeping information safe, by ensuring all information is stored, used and shared appropriately, and also covers cyber awareness and security.

CHS updated this training course in 2023 to ensure it remains fully up to date with data protection requirements, which protects the privacy of everyone involved in a children's hearing.

Article 17

Every child has the right to reliable information from a variety of sources and that information should be provided in a way that children understand. It also aims to ensure children are protected from materials that could harm them.

We provide information about CHS and the hearings system on various platforms and in a variety of formats. We recognise that children have different learning styles and abilities, and we try to **ensure our communications are accessible to all**. To help us achieve this, we have involved people with lived experience in designing our published reports.

Our **website** provides children with information about attending a hearing, including what happens, what their rights are and who can help them prepare for a hearing. Our website will soon introduce a new section dedicated to increasing participation and understanding of children involved in the hearings system.

We have continued to increase our use of **social media** to make it easier for children and their families to access information about CHS.

Article 37

Every child has the right to be protected from cruel or degrading punishment and should only be arrested, detained, or imprisoned as a last resort and for the shortest time.

The hearings system is **welfare rather than punitive** in its basis. The principle of **minimum intervention** - that 'an order is only to be made if it is considered better for the child than if no order were made' – is the third overarching principle in a Children's Hearing and is at the core of Panel Member decision-making.

Hearings can make decisions that restrict the liberty of a child, but these are only made as a last resort and in a small proportion of cases. In order to implement such decisions, strict legal tests need to be made applied and Panel Members are required to explain how these have been met.¹⁹

CHS recognises that any decision to restrict a child's liberty is significant and the impact is wide ranging. These options are not considered punishments but ones that best address the needs of children who may require intensive support or require restrictions to keep them, and others, safe. In total, between April 2021 and March 2022, only 65 of the compulsory supervision orders made across the year, included secure authorisation.²⁰ This amounts to only 0.9% of all orders in place on 31 March 2022.

CASE STUDY - Consultation on the Children (Care and Justice) (Scotland) Bill

This bill seeks to lower the threshold for a Movement Restriction Condition (MRC) to be imposed on a child. In our response to the Scottish Government on consultation of this bill, we stressed that a Movement Restriction Condition, which restricts a child's liberty, should only be used where there is clear evidence it will safeguard them and that it should not be used as a punitive measure. MRCs should only be used alongside an intensive support package that when combined, will lead to better outcomes for any child who is in conflict with the law.

Article 37 also states that children should be treated with respect and care and should be able to stay connected with their family. This is supported by the Children's Hearings (Scotland) Act 2011, which stipulates that **every hearing** making or continuing an order must consider whether it is necessary and in the best interests of the child to include a '**direction of contact**' between them and

¹⁹ [Children's Hearings \(Scotland\) Act 2011, s83\(6\)](#)

²⁰ [SCRA's Official Statistics 2021/22](#)

any other person or class of persons. They must consider contact with any parent or sibling who the child does not live with.

How CHS contributes to maintaining and promoting family relationships is also discussed in at [Cluster \(v\) - Family environment and alternative to care, Article 9 \(separation from parents\)](#).

Article 39

Every child who has suffered from adverse childhood experiences, including neglect, exploitation or abuse by those who are supposed to care for them shall receive special support to help them recover their health, dignity, self-respect and social life.

Panel Members are trained to recognise signs of adverse childhood experiences, understand the impact on children, and to make the best decisions to meet their needs. In March 2023, we rolled out new **Trauma Informed Training** modules to our Panel Member communities, in partnership with NHS Education Scotland. The first milestone is to have 80% of the Panel Community complete the training modules by July 2023.

"In 2021/22, 3,404 children were referred to a hearing due to lack of parental care, and 751 because they were victim of a Schedule 1 offence."

- SCRA Statistical Analysis 2021/22

This delivery of training comes at the end of a large project undertaken by CHS as part of our Promise Programme. This **Trauma Responsive Project** involved members of our volunteer community alongside staff members and began by identifying 'Trauma Touchpoints' throughout the hearings process.

At each touchpoint, we analysed if our current practice could be improved to lessen the risk of re-traumatising people attending the hearing, identifying a range of ways in which our communication and actions within the hearing room can be more 'trauma informed.' The conclusions drawn from this project will form the basis of practice guidance updates, used to shape future standalone training courses and shape future re-design of existing training courses such as Pre-Service and Management of Hearings.

Parallel to this, **baseline measures** were identified to quantify how ‘trauma-informed’ our Panel Member and staff community felt they were, which will be analysed against the same benchmarks once the Trauma-Informed Practice Training modules above have been fully completed.

CASE STUDY – Trauma-Informed Practice – Pre-Hearing Discussions Test for Change


During the pre-hearing discussion, which is held approximately 30 minutes before a hearing begins, each Panel Member will highlight their key areas they wish to ask further questions and identify any specific topics that they anticipate may be challenging during the hearing. This then forms a collective agenda which broadly shapes the main discussion of the hearing and hopefully leads to Panel Members having enough information to make their decision.

A test for change programme was launched in March 2023 whereby Panel Members in three local authority areas were asked to consider the following four questions as part of their pre-hearing discussion, to frame the hearing to be more trauma informed.

- What traumatic events have happened to this child and family?
- How did these events affect them or change their life?
- How might this affect them in the hearing room today?
- How does this mean I should act? What should I do or not do today?
What language should I be careful using?

At the end of every hearing, each Panel Member must give their individual decision regarding whether a compulsory supervision order is required to provide protection, guidance, treatment or control to the child. Panel Members must verbally give **clear, concise reasons for each decision** they make and once all Panel Members have done this, the chair must then inform the child and Relevant Persons what the overall unanimous or majority decision of the hearing was. This means that the child may hear the same decisions and reasons given multiple times.

In cases where the reasons refer directly to past adverse experiences, this can be unnecessarily traumatic. Due to this, **practice guidance** was changed in 2022 to allow Panel Members to say **“I agree”** with the decisions and reasons made



by one of their fellow Panel Members, should they wholly and without exception have concluded the same independent decision. We believe this to be a positive step towards protecting a child from further harm to their mental welfare and promotes their right to support to recover from past adverse experiences.

Cluster (iv): Violence against children

This section covers **Article 19**.²¹

Article 19

Every child should be protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.


Any decisions by the hearing will only be made after Panel Members have taken into account the views of those experiencing the violence, abuse and neglect. If it is in the best interests to do so, Panel Members may decide to:

- Continue a child protection order that is in place to protect a child from actual or potential harm and neglect.
- Limit or prohibit contact with individuals who place them at risk of abuse, violence or neglect.
- Move a child to a safer home environment.
- Prohibit the disclosure of an address if they think disclosing this is likely to cause significant harm to the child.

Threats to safety should be considered in terms of physical safety and mental or emotional safety. Emphasis is placed on a hearing being for the child and therefore should be attended by the child to ensure their views are heard. If, however, attendance at a hearing may risk the mental, moral or physical welfare of that child, a panel can decide to **excuse** them of their duty to attend. A child can also be excused if they have been the victim of an assault or schedule one offence at the hands of someone who has a right to, and is likely to, attend the hearing.

The **2022 update of our Practice and Procedure Manual** highlighted a hearing's ability to do this, whilst reinforcing that a fundamental consideration before making this decision should be how the views of the child will be obtained in their absence.

²¹Articles 37 (no child subject to cruel, inhumane and degrading treatment) and 39 (recovery and rehabilitation) are covered in Cluster (iii) - Civil rights and freedoms. Article 28(2) (school approaches to managing behaviour and discipline) does not apply to CHS activity.



Although a Relevant Person has a right and a duty to attend all stages of a children's hearing, a hearing may decide to exclude any relevant person and/or their representative from a hearing if satisfied that:

- Exclusion is necessary to enable the hearing to ascertain the views of the child or another relevant person; and/or
- Their presence is causing or is likely to cause the child or another relevant person significant distress.

Our Practice and Procedure Manual now contains a section on **managing complex hearings**, with parts dedicated to enhancing Panel Members' understanding of domestic abuse and coercive control and how it can affect children and families who attend children's hearings.

Cluster (v): Family environment and alternative care

This section covers Articles²²:

- 9 - separation from parents
- 20 - children deprived of a family
- 21 - adoption
- 25 - review of treatment in care
- 27 - adequate standard of living

Article 9

Children must not be separated from their parents against their will unless it is in their best interests and, if they are separated, they have a right to stay in contact unless it could cause them harm.

If Panel Members decide that it is in the child's best interests to be separated from their parents, they have a **legal duty** to consider what arrangements should be put in place to help maintain relationships that are important to the child.

All Panel Members receive **training** about the importance of having legal arrangements in place to enable children separated from their parents to be able to communicate with them, either through meeting them face-to-face, speaking over the phone or maintaining contact online. This communication plays a critical role in maintaining relationships, promoting a sense of identity, and providing reassurance about others' wellbeing, health or safety.

Article 20

If a child cannot be looked after by their immediate family, they should be given special protection and assistance, including being provided with alternative care that is continuous and respects the child's culture, language and religion.

²²Article 19 (protection from all forms of violence) is presented in Cluster (iv) - Violence against children and Article 39 (recovery and rehabilitation) is presented in Cluster (iii) - Civil rights and freedoms. This section does not reference Articles 5 (parental guidance and a child's evolving capacity), 10 (family reunification), 11 (abduction and non-return of children) and 18 (parental responsibilities and state assistance) as they do not directly apply to CHS' duties.

Although CHS has no control over the services provided for children that attend hearings, the decisions Panel Members make can **impose a duty on local authorities** to implement the terms of a compulsory supervision order. It may become clear, for example at a review hearing, that something other than the measure of supervision directed at a hearing has happened. The implementation authority may have taken other action and may appear to be in breach of a duty placed on them by a children's hearing. In these circumstances, section 146 of the 2011 Act allows a hearing to direct the National Convener to take action to enforce the authority's duty.

"During the period 2020-23, three requests to serve notice were made."

CHS Annual Reports, 2020/21, 2021/22 and 2022/23

Article 21

The process of adoption should be lawful and safe and prioritise the best interests of the child.

Any recommendation for adoption coming before a hearing will have been based on a comprehensive social work assessment that has already been presented to the local authority

Adoption and Permanence Panel. The hearing's role is to **provide advice to the Sheriff** and local authority as to whether it supports this course of action for a child. Support for adoption will only be given if it is considered best for the child not to live with one or both parents for the rest of their childhood.

"In 2021-22, 612 hearings were held to give permanency-adoption advice representing 3% of all hearings."

SCRA Statistical Analysis 2021/22

A dedicated training module on the topic of **permanence** was launched in Autumn 2020 and remains available to all our volunteer community as a reference via the Learning Academy website.

"This module is excellent. Emily's case example is so helpful, and the trauma informed statements and questions are perfect."

Linda Davidson, Permanence Consultant (CELCIS)

Article 25

Every child has the right to regular review of their treatment, the way they are cared for and their wider circumstances.

In order to make these decisions, Panel Members must feel that they have **sufficient information to form a judgement** on what is the best course of action at each review. If they do not feel they have sufficient evidence, they must defer the hearing. The **Age of Criminal Responsibility (Scotland) Act 2019**, which came into force in December 2021, placed a duty on Panel Members who find themselves in this situation to always **consider whether any additional reports will be required** in order to obtain this missing information either ahead of, or at the next hearing. If this information cannot be obtained from professionals already involved in the child's life, then Panel Members can commission an **independent report** to be written. These additional powers go further to ensure that every review taken for every child is thorough and based on the most up to date, relevant information, protecting their right to a fair and regular review of their care plan throughout their time in care.

Requests for Independent Reports

Year	Number requested
2020/21	12
2021/22	24
2022/23	33

Prior to June 2020, the bank of independent report writers available when Panel Members require independent reports was managed by CELCIS (Centre for Excellent for Children's Care and Protection). At the point management of this bank of professionals was passed to CHS, there were 7 members. Recognising the need to expand the expertise, availability and locations of the bank members, CHS launched a **rigorous recruitment campaign** where all potential candidates were required to complete an application form, attend an interview and provide references. This process ensured we fully understood each writers' specialisms which is crucial to ensuring we commission the right person for each report.

CASE STUDY - Independent Report Writer Recruitment 2023

The number of requests for Independent Reports has steadily increased over recent years. Due to this, we launched a standalone recruitment campaign, aimed solely at attracting new report writers, with different specialities and backgrounds to our bank in March 2023. It is hugely important that when an independent report is requested, a highly skilled professional is available to fulfil this request in a timely manner, upholding and protecting a child's right to review of their treatment in care.

We were delighted to recruit 18 new professionals bringing the total number Independent Report Writers to 38. Their specialities include:


- Social Workers (child and family and criminal justice)
- Clinical Psychologists
- Educational Psychologists
- Forensic Psychologists
- Mental Health Professionals
- Psychiatrists

Although compulsory supervision orders usually last for one year, if there is good reason, they can be reviewed earlier. A child and all relevant persons may **request a review of a compulsory supervision order** after three months and at any time thereafter. The implementation authority may request a review at any time. If a hearing decides that a child needs to live in secure accommodation, a review hearing must be held within three months of the Compulsory Supervision Order being made.

If Panel Members are concerned that a child's plan is not progressing as it should, they can make a formal decision to direct the reporter to bring the hearing back to an **early review** at any point after a Compulsory Supervision Order has been put in place. This ensures that no child is subject to drift and delay in their care plan and that they are always receiving the best care and protection possible, at the correct time.

Article 27

Every child has a right to a standard of living that meets their physical and social needs and supports their development.



While CHS is not directly involved in service provision, Panel Members make decisions that help children access support and services to help ensure they are living in a caring and loving environment, which is of a standard that lets them grow and flourish, as well as promoting recovery and social integration.

Cluster (vi): Basic health and welfare

This section covers:²³

- Article 23 – children with a disability
- Article 24 – health and health services
- Article 33 – drug abuse

Article 23

Any child with a disability has the right to a full and decent life with dignity and additional support.

Panel Members are expected to treat all people with respect and to be polite and considerate. They must offer assistance and communicate effectively with anybody at the hearing with a disability and ensure that everybody coming to a hearing has the same opportunity to participate and be heard. They are also expected to be aware of, and respond appropriately to, differences in cultural views of disability.²⁴

In June 2022, a new learning module on our Learning Academy was launched on **neurodiversity**, developed in partnership with FASD Hub Scotland and Salvesen Mindroom Centre. The learning outcomes of this course, which was offered to all Panel Members and CHS Staff and covered topics such as identifying what neurodiversity means, recognising and using key terminology, identifying key challenges and strengths associated with common neurodevelopmental conditions, and applying basic approaches which are known to support neurodiverse children in a hearing situation.

Children, and others, attending hearings can have a wide range of disabilities and we have worked to **remove barriers within hearings**. So that every child feels comfortable and able to participate freely, we try to ensure everybody feels welcome, included and informed when attending a hearing. For example, we have:

²³Article 6 (life, survival and development) is covered in Cluster (iii) – General Principles and Article 27 (adequate standard of living) is covered in Cluster (v) – Family environment and alternative to care. Articles 18 (parental responsibilities and state assistance) and 26 (social security) do not apply to CHS activity.

²⁴ [Practice and Procedure Manual, page 283](#)

- Worked alongside SCRA to redesign hearing rooms, ensuring they are fully accessible and child and autism friendly;
- Provided options for alternative methods of communication for children who are non-verbal (such as sign language interpreters, the use of drawings, whiteboards, or flashcards); and
- Trained our volunteer community in how to minimise barriers.

Article 24

Every child has a right to the best possible health and care services.

Although CHS does not directly provide any health services, the decision a hearing makes can help ensure children access the medical and health services they need.

Article 33

Every child has a right to be protected from the use of narcotic drugs and psychotropic substances.


Under Section 67 of the Children’s Hearings (Scotland) Act 2011, **children can be referred to a hearing for a number of reasons related to drug misuse.**

They can be referred because:

- They, or the adults responsible for caring for them, are involved in, or at risk of, substance misuse;
- They are likely to suffer unnecessarily, or the health or development of the child is likely to be seriously impaired, due to lack of parental care which may result from their parent’s addiction to drugs, as well as other factors; or
- A Schedule 1 offence has been committed in respect of the child, including harmful behaviours, such as giving a child drugs.

“In 2021-22, six children were referred to a hearing due to the misuse of drugs.”

SCRA Statistical Analysis 2021-22



The training we provide ensures Panel Members have a sound **understanding of substance misuse issues**, an awareness of the impact on children and that they are able to **make decisions that protect children from further negative impact**. Our pre-service training covers substance misuse amongst children and carers and our Area Support Teams have run local learning and development sessions for example, on Alcohol and Drugs and Children Living with Parental Substance Use.

Cluster (vii): Education, leisure and culture

This section covers **Article 28**.²⁵

Every child has the right to an education.

Panel Members' decisions can help children to **access their right to education**, allowing them to develop to their fullest potential and achieve their aspirations. Although hearings do not provide services, their decisions can include measures to increase attendance or access alternative education provision.

Even if a child has been excluded from school or has withdrawn prior to being excluded, an education authority has a duty to continue to provide education for them. **A hearing can decide that an education authority is failing to comply with this duty and can require the National Convener to refer the matter to Scottish Ministers.**

"In 2021-22, 528 children were referred to a hearing for failure to attend school without reasonable excuse. The average age of these children was 12.2 years."

SCRA Statistical Analysis 2021-22

However, this is a rare occurrence, with no instances of this during the period 2020 - 2023.

Although hearings are relatively short, they do take place during school hours. This means that children can miss lessons and feel stigmatised.²⁶ The introduction of **virtual hearings** has significantly decreased these issues, as children can be offered the choice of attending their hearing from a private room in school, rather than at their local hearing centre. This can drastically reduce the impact on their education, particularly in situations where multiple hearings are required for a substantive decision to be made.

We continue to work with our partner organisations to consider how we can reduce any negative impact on children caused by how hearings operate.

²⁵Article 30 (children of minority or Indigenous groups) is discussed in Cluster (viii) – Special protection measures. Articles 29 (goals of education) and 31 (leisure, play and culture) do not directly apply to CHS activity.

²⁶ [The Promise, page 39](#)

Cluster (viii): Special protection measures

This cluster focuses on groups of children who are marginalised or find themselves in vulnerable situations and require extra help and protection. All of the children and families within the hearings system are considered to be in vulnerable situations.

This section covers Articles:²⁷

- 22 - refugee children
- 30 - children of minority or Indigenous groups
- 32 - child labour
- 34 - sexual exploitation
- 36 - other forms of exploitation
- 40 - juvenile justice

Under **Article 22**, children with refugee status are entitled to special protection and **Article 30** includes the right to learn and use the language, customs and religion of their family.

Our **legislative and organisational frameworks** are designed to ensure that all children receive a consistent level of service and that everybody is treated according to their individual needs.

Effective participation of children is an essential component of the hearing. Panel Members can support a child with refugee status by deciding to defer proceedings to arrange for an **interpreter** if it is apparent they do not have adequate language skills to participate or if they would prefer to speak in their own language.

How CHS ensures all children, including those with refugee status, do not experience discrimination within their hearings is found in [Cluster \(i\) - General Principles of Implementation, Article 2 \(non-discrimination\)](#).

²⁷CHS activity in relation to Article 33 (drug abuse) is presented in Cluster (vi) – Basic health and welfare. Articles 37 (no child subject to cruel, inhumane, or degrading treatment) and 39 (recovery and rehabilitation) are presented in Cluster (iii) - Civil rights and freedoms. Articles 35 (abduction, sale and trafficking) and 38 (war and armed conflicts) do not apply to CHS' work.

Under **Articles 32, 34 and 36**, children have a right to be protected from child labour and sexual and other exploitation.

CHS' **national training** programme ensures Panel Members understand exploitation issues, an awareness of the impact on children and are able to make decisions that protect them from further negative impact. This is supplemented by **local learning and development sessions** run by Area Support Teams, recent examples being sessions on Child Sexual Abuse, Sexual Exploitation and Grooming of Young People, Young People with Problematic Sexual Behaviour and Child Protection.

Article 40 states children should be dealt with outwith the criminal justice system and the response should be appropriate to their wellbeing and proportionate to their circumstances and offence.

Under s.67(2) of the Children's Hearings (Scotland) Act 2011, children can be referred to a hearing if the child has committed an offence and, under the Age of Criminal Responsibility (Scotland) Act 2019, only if the child is at least 12 years old.

"In 2021/22, 2,339 children were referred to the Reporter on offence grounds."

SCRA Statistical Analysis 2021-22

We **work collaboratively with, lead and influence partner agencies** in the Children's Hearings System and wider community, to ensure children are not brought into the criminal justice system unnecessarily. At present, a child can only be referred to a hearing up to the age of 16, although the system does accommodate 16 and 17 year old children who are already subject to a Compulsory Supervision Order. However, once a child turns 18, their order will be automatically terminated. CHS has expressed its **support for the Children (Care and Justice) (Scotland) Bill** which looks to address these issues and inequalities by maximising the use of the Children's Hearings System and its needs-based approach.

Article 40 also states that children have a right to legal assistance. Under the 2011 Act, a child is entitled to engage a solicitor at any point of the hearings process, and they can also apply to the Scottish Legal Aid Board for legal assistance.

Legal assistance for representation at a hearing is available to all children if it is to ensure their effective participation. Sometimes arrangements for legal representation have not been made before the hearing and if the panel feel a child may need a solicitor to ensure effective participation, and that the person is unlikely to make the arrangements themselves, they may **direct the Children’s Reporter to provide the child’s contact details to the Scottish Legal Aid Board**, who will then facilitate contact with a Solicitor. In such cases, the hearing has to be deferred to another day.

Sections 191 and 192 of the 2011 Act state that a child is **automatically entitled to legal aid** when:

- An application is made to the Sheriff for variation or recall of a Child Protection Order;
- A hearing is to be held on the second working day after a Child Protection Order has been granted;
- A hearing, or pre-hearing panel, considers that it may be necessary to make a Compulsory Supervision Order including a secure accommodation authorisation; or
- A hearing is arranged after the child is detained in custody by the Police.

Legal aid is also available for the child for any subsequent deferred hearings.

If a child is not accompanied by a solicitor at a custody hearing, Panel Members should ask the child whether they have been given the opportunity to be represented. If they have not, Panel Members should consider a short adjournment of the hearing to allow arrangements to be made, if possible.²⁸

If a child has been prosecuted in a criminal court and been found guilty of, or plead guilty to, an offence, a hearing may be asked to **provide advice to the court** about what it should do as a result of the offence. If it is a case to be heard in a Sheriff Court, it must ask the hearing for advice if the child is already subject to an order. If, on the other hand, the case relates to a serious offence, dealt

“In 2021-22, we held 93 hearings to give criminal advice.”

SCRA Statistical Analysis 2021/22

²⁸ [Practice and Procedure Manual, page 119](#)

with by the High Court, it is at the discretion of the court whether to ask a hearing for advice.

The key decision for the hearing when a court seeks advice is whether they consider it appropriate for the court to send the offence to a hearing for a decision to be made or whether it is more appropriate that the child is sentenced by the court. **The juvenile justice system in Scotland promotes children's hearings as preferable to courts** as a way of dealing with most children who have committed an offence.

We are currently working in collaboration with Clan Childlaw and other organisations who support children in conflict with the law. This study is focused on what good practice from a legal advisor to a child looks like, with the ultimate aim being to strengthen the code of conduct followed by legal advisors within a hearing situation and ensuring children are being represented by people that understand their unique circumstances and needs.

We have partnered with the Scottish Legal Aid Board to provide **Panel Member training** about working with legal representatives in hearings. This topic is also covered regularly within local training events hosted by our Area Support Teams.

Ongoing and Future Improvements

While much of our activity helps promote and protect children's rights, we know we can do more. We need to be ambitious, forward thinking and challenging. We have already demonstrated our commitment to this through *Our Strategic Outlook 2020-2023* and our *Children's Rights and Inclusion Strategy* which have pioneered our drive to embed a rights-based approach to all our work. But we want to do more.

The Promise

In February 2020, the Independent Care Review published its findings in The Promise report. This articulates a vision for Scotland's care system that takes the voice of people with lived experience of hearings and/or care as a key influence and places children's rights at its centre. The key findings for the hearings system to address include:

- The care system must protect and uphold children's rights, decriminalise children and destigmatise care;
- Active listening to children must be at the heart of the hearings system;
- There must be a culture change in decision-making, with children being included in decisions about their lives and being able to bring people they choose to places where decisions are being made;
- The care system must protect relationships important to children, including those with brothers and sisters;
- Every participant in the Children's Hearings System must be trauma-informed and aware;
- Help must be delivered much earlier, and the hearings system must plan to shrink and specialise; and
- The role of volunteers must be assessed and considered.

We have demonstrated significant steps forward in these key areas throughout this report. Children's voices are louder now than they have ever been in the hearings system, and we are listening to what is important to them. However, there are more changes to come – changes which are unknown at the time of writing this report. The Scottish Government's response to the **recommendations of the Hearings System Working Group** will undoubtedly bring more change that we will embrace and embed into our working practices without delay.

What CHS will do next to Progress Children's Rights

Staff Training

CHS will ensure that all staff have completed training on the UNCRC and the implications for policy and practice in CHS. We will also provide bespoke workshops for all staff groups to explore how children's rights can be further embedded and progressed in all of the organisation's functions.

Panel Member Training

CHS will ensure that all Panel Members receive training in children's rights and understand how their legal decision-making must be taken with a focus on children's rights. We will develop a quality assurance framework to assess the extent which decisions are taken through a children's rights lens.

Children's Rights Impact Assessments

We will continue to monitor Children's Rights Impact Assessments to ensure children's rights are considered at every level in the organisation. We will review and publish the changes made to better protect children's rights and help improve their outcomes. We will continue to map out children rights in the organisation to assess which areas we need to improve.

Feedback and Complaints

CHS will embed the new child-friendly feedback and complaints process, seek out new ways to ensure the voice of the child is heard and ensure what they tell us will influence CHS decision making. We will look for interactive ways of engaging children through online platforms and apps, whilst making sure we have the staffing capacity to speak directly to children at a time and place that works best for them.

Participation

CHS will deliver the Children's Rights and Inclusion Strategy as a core component of the Corporate Plan. The plan will be reviewed and revised based on the four key principles of:

- Space - children will be given the opportunity to express a view and CHS will look for new and imaginative ways to encourage and support this process. Wherever practicable this will happen at a time and place that works best for the children participating;
- Voice - resources and significant effort will be made to ensure that children are supported to express their views;
- Audience - children's views will be listened to across the organisation; and
- Influence - what children tell us will be acted upon, and where this is not possible it will be explained. We will develop a clear feedback loop, so children know what has happened as a result of their feedback.

In addition to involving children, we will continue to involve young people over 18 with recent experience of the Children's Hearings System. We will review our current participation opportunities with a view to offer structured development opportunities for the young people that we engage with.

We will work closely with existing groups and networks, such as Our Hearings Our Voice and local authority Champions Boards, and organisations that support children to gather feedback and help build their capacity to influence decision making in the hearings system. We will also work with organisations that support care givers of very young children to ensure they are listened to, and their needs are represented in our practices.

Staffing Resources

We will continue to invest in staffing to work directly with children to gather their feedback and better protect children's rights. We will invest in new roles and development opportunities, whilst also looking for new opportunities for existing staff to better connect with children and help shape CHS' services.

Lived Experience Recruitment

We will continue to involve young people with lived experience in the recruitment of staff and Panel Members, so far as practicable. We will evaluate the current arrangements with a view to providing high quality guidance and support to local areas and the national team.

Legislative Influence

We will continue to champion children's rights at a policy level. We will speak out when we feel children's rights are not being protected and we will be unapologetic in challenging legislation and policy that does not fully respect the human rights of children. We will continue to support the incorporation of the UNCRC into Scots Law and the opportunities that flow from this.

We will continue to influence the design and implementation of the **Children (Care and Justice) (Scotland) Bill**. This Bill is an endorsement of the Children's Hearings System and a recognition that the welfare-based principles the system was built on should be extended to all children. All children should be kept out of the adult criminal justice system, and the Children's Hearings System is a better place to support children in an age-appropriate way. CHS will continue to champion the rights of children to make sure that the resources are available at a local level to support all children that are in need of care and protection.

Hearings for Children

We will continue to work energetically with partners to implement the recommendations of the 2023 Hearings for Children Report to improve outcomes for children. Where improvements can be made quickly we will make these changes, where more structural and legislative changes are required we will champion them with vigour.

Collaboration

We will improve how we collaborate with key partners in the hearings system, such as SCRA, to work together to better protect the rights and experiences of children. In pursuit of this aim, we will continue to deliver our Influencing Strategy and develop new partnerships, platforms and audiences to promote the rights of children and help improve their outcomes.

Glossary

The following list provides simple and quick explanations of terms used in this report.

Adjournment

A short break during the hearing.

Adverse Childhood Experiences (ACES)

Highly stressful, and potentially traumatic, events or situations that occur during childhood that can have lasting impacts on a person's mental health, physical health and general wellbeing.

Advocate

A person who can meet with the child before their hearing and discuss what outcomes they want. They can accompany a child to their hearing for support or can speak on their behalf to help them share their views with the panel.

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.

Child Protection Order (CPO)

A legal order made by a Sheriff in an emergency. It means the child will be kept in a place of safety away from home.

Children's Reporter

The person who decides that a hearing is necessary and invites everyone to attend. They do not take part in the decision-making in a hearing.

Compulsory Supervision Order (CSO)

A Compulsory Supervision Order is a legal document that means the local authority is responsible for looking after and helping the child. It can contain decisions that say where the child must live and other decisions that must be followed.

Contact

Seeing family members (or other people who are important to a child) .

Deferred

Where the hearing decides to delay making a decision to another day.

Foster carer

Foster carers look after children when their parents are not able to do so. The children stay with the foster carer in their home.

Grounds

The legal reasons which the Children's Reporter writes explaining why a child has been referred to a hearing.

Implementation authority

The local council who have to make sure the decisions made by the hearing happen.

Interim Compulsory Supervision Order (ICSO)

A short-term decision when the hearing has decided to delay making a long-term decision to another day, but some decisions could not wait. It might decide where the child lives or how often they see someone important to them.

Learning Academy

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

Legal aid

Payment covering some, or all, of a person's legal expenses. This is managed by the Scottish Legal Aid Board (SLAB).

Measures

The order says that something has to happen to support the child, the measures say what those things are. For example, it could be seeing family members more or less or saying where the child should live.

Movement Restriction Condition (MRC)

An electronic tag which limits where a child can go at certain times. It can be a measure on a Compulsory Supervision Order or Interim Compulsory Supervision Order.

National Convener

Leads and oversees the Children's Panel. The current post-holder is Elliot Jackson. He is responsible for recruiting Panel Members across Scotland, and making sure they have the right training and support to make sound decisions in the best interests of children.

Non-disclosure request

When someone asks the hearing to keep information from someone. There must be good reasons.

Panel Members

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

Panel Practice Advisors (PPAs)

Specially trained volunteers responsible for observing Panel Members hearings to ensure they are following correct legal procedures and are providing a high quality experience to children and families.

Permanence

When a child has a stable, safe place to live without needing to come to children's hearings.

Relevant person

Parents and other people who have a parental-type role in a child's life.

Safeguarder

Someone who is independent can read the reports and speak to the child and any important people to make sure decisions are being made in the child's best interests.

Schedule 1 offence

A physical, emotional or sexual offence against a child.

Scottish Children's Reporter Administration (SCRA)

The Children's Reporter works for SCRA; they decide if a child might need a children's hearing. They arrange the hearing and send all the papers out.

**Secure accommodation**

A form of residential care which limits the freedom of children who stay there and offers intensive support.

Siblings

Brothers and sisters.

SPSO

The Scottish Public Services Ombudsman.

Substance misuse

Regularly using anything which affects the way you think and act and adversely affects your health. This can be alcohol, illegal drugs, prescription drugs or solvents.



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The Feedback Loop

Agenda Item 13 CHS-2324-28

Accountable Officer:	NC/CEO
Report author:	Kirsty Nelson, Practice and Policy Advisor
Resources implications:	N/A
Recommendation:	To approve the report
Approval(s) sought:	Yes
Accountable Officer:	NC/CEO

Impact Assessment Duties	Required	Completed
Equalities Impact Assessment	N/A	
Children’s Rights Impact Assessment	Form 1	Yes
Data Protection Impact Assessment	N/A	
Islands Impact Assessment	N/A	

1. Introduction and background

1.1 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.

2. Purpose

- 2.1 The purpose of the Feedback Loop is to report to the Scottish Ministers and to all Panel Members:
- the number of Compulsory Supervision Orders (CSOs) in all implementation authorities across Scotland;
 - changes in the circumstances that led to the making of the orders; and
 - the ways in which the overall wellbeing of children who are subject to the orders has been affected by them.

3. Summary

- 3.1 The Report shows that over the three preceding financial years, there have only been five breaches of implementation duties. This is very low, considering the number of orders in place over Scotland.
- 3.2 Given the low number of reported breaches, we are confident that not all breaches of implementation duties are formally reported as such.
- 3.3 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 when Children’s Hearings Scotland do not hold, store or process data relating to children.

4. Next Steps

- 4.1 The next steps would be to consider how we can build confidence in the Feedback Loop, so that we can be sure that it is an accurate record of local authority performance, that all breaches are appropriately recorded, that all decisions made are being implemented and this data is used to improve decision-making.
- 4.2 In order to ensure that Panel Members are aware of the options available to them, CHS will highlight breach proceedings amongst the panel community as a way to ensure orders are carried out effectively. We plan to do so through our communications channels and by producing a training animation so that Panel Members know how to effectively respond to breaches of CSOs.

5. Recommendations

- 5.1 That the Feedback Loop Report is reviewed and approved for publication and sharing with all Panel Members.

6. Appendices

- 6.1 The Feedback Loop



'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 years 2020-21,
2021-22, 2022-23

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Foreword

It would be difficult to find a more significant time in the recent history of the Children’s Hearings System than the period captured in this report. It begins in April 2020 – with the world quickly adapting to the changes ushered in by COVID-19 pandemic. At Children’s Hearings Scotland (CHS), we quickly adapted to a new functional and legal framework of hearings. In order to do so, we adopted new ways of working that became part of our everyday practice. Having weathered those challenges with the outstanding flexibility and commitment of volunteers and staff, we are now better prepared to adapt to, and lead, change.

The period covered by this report ends in March 2023. At this time, CHS were eagerly awaiting the publication of the ‘Hearings for Children’ Report produced by the Hearings System Working Group, a partnership between CHS, The Promise Scotland and the Scottish Children’s Reporter Administration (SCRA). The Report was produced after a 20-month review of the Children’s Hearings System and makes a number of recommendations to the Scottish Government about the ways in which the system could be changed to keep The Promise to Scotland’s children.

At the same time, a new Tribunal Support Model for CHS was being developed to support Panel Members, bring more consistency and quality to all hearings and deliver the best outcomes for children. On top of this, the Children (Care and Justice) (Scotland) Bill was introduced to the Scottish Parliament in December 2022. If passed, these reforms would afford all 16 and 17-year-old children the opportunity to be referred to the Principal Reporter, regardless of their prior experience of the hearings system.

With these key reforms on the horizon, it is important to recognise the essential functions and duties I hold as National Convener which remain unchanged. This report is one of those duties, and fulfils a statutory obligation to report to our Panel Members and to the Scottish Ministers on the implementation of Compulsory Supervision Orders (CSOs) in local authorities across Scotland. The intent of this report is to show why decisions are being made for children, what appears to be effective and how those decisions are helping to improve children’s wellbeing.

However, as stated in previous reports, the limited available data means that the report is only a partial realisation of the policy objectives underlying the requirement for this report in the Children Hearings (Scotland) Act 2011. That vision is to ensure the best outcomes for those children through the systematic reporting back to Panel Members (and other partners) on children’s wellbeing and to use this to improve decision-making. This remains a challenge that this report does not, on its own, overcome.

It is a difficult task to report on the implementation and impact of orders at a national level when the data regarding decisions and how well children are being supported is not held by CHS. One of the many recommendations made by the Hearings System Working Group is that there must be an improved way to efficiently collect, share and learn from data across the Children’s Hearings System. If accepted and implemented, this would deepen our understanding of successful decision-making, improve the learning and development of Panel

Members and provide a fuller picture of what measures are effective in improving outcomes for children. I am committed to working towards such a system which improves the availability and sharing of data, helping us to understand how implementation authorities are enforcing the orders which our Panel Members put in place.

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 and for their assistance in 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 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. This is replicated in this report, covering the last three years (2020-21, 2021-22 and 2022-23).

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 last Feedback Loop report, uses financial years as specified in the 2011 Act.

Implementation of CSOs

If Children’s 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.
- (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.

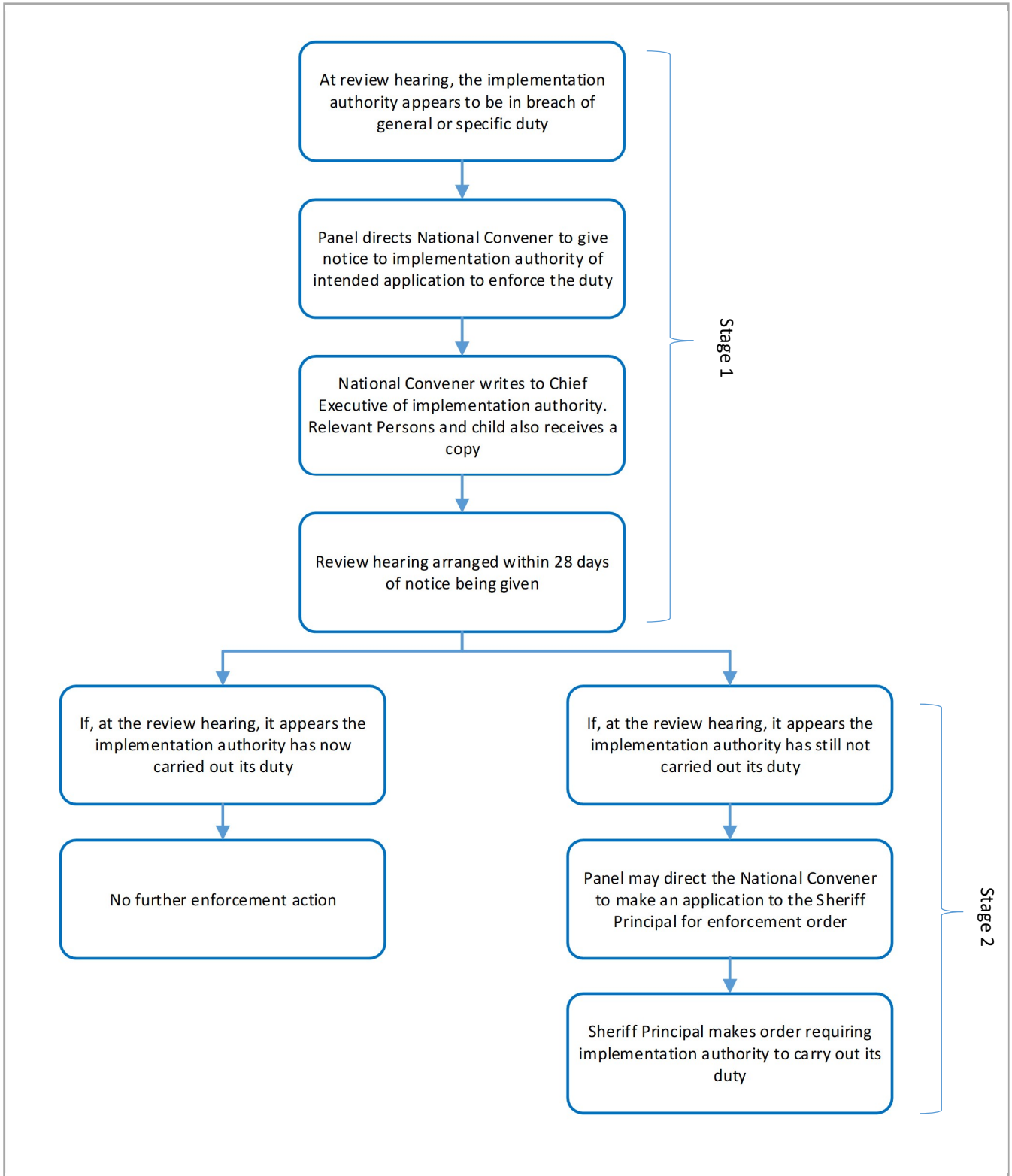
The Feedback Loop is intended to capture not only whether a CSO had been given effect by a Local Authority, but also what had been the impact of that on the lives of the children subject to them.

Implementation Breaches

It may become clear, for example at a review hearing, that something other than the measure of supervision directed at a hearing has happened. The implementation authority may have taken other 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 described above. 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 (1st April to 31st 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, with a Scotland-wide total also given.

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

Report for 2020-21

(1) Implementable Decisions made at hearings:

	CSO Continued	CSO Continued & Varied	CSO Interim Continuation	CSO Made	CSO Varied	Total
Aberdeen City	91	149	14	77	6	337
Aberdeenshire	80	96	3	55	2	236
Angus	34	69	2	24	1	130
Argyll & Bute	29	60	4	19	0	112
Clackmannanshire	42	62	22	38	7	171
Dumfries & Galloway	103	158	13	73	0	347
Dundee	42	87	17	55	2	203
East Ayrshire	56	110	12	60	0	238
East Dunbartonshire	38	50	4	30	0	122
East Lothian	62	76	9	27	4	178
East Renfrewshire	31	35	4	15	0	85
Edinburgh, City of	180	262	36	51	6	535
Eilean Siar	7	20	4	20	5	56
Falkirk	120	114	19	56	24	333
Fife	101	272	22	113	16	524
Glasgow	344	433	111	125	18	1,031
Highland	104	196	20	44	0	364
Inverclyde	42	63	5	46	0	156
Midlothian	9	43	1	13	1	67
Moray	26	62	0	12	0	100
North Ayrshire	107	129	16	63	0	315
North Lanarkshire	130	143	30	39	0	342
Orkney	5	15	1	2	0	23
Perth & Kinross	35	52	3	38	1	129
Renfrewshire	127	192	8	43	0	370
Scottish Borders	32	56	3	20	1	112
Shetland	4	14	0	3	1	22
South Ayrshire	49	81	3	27	1	161
South Lanarkshire	145	180	59	55	5	444
Stirling	53	49	4	33	6	145
West Dunbartonshire	72	127	8	46	1	254
West Lothian	95	113	10	23	5	246
Total	2,395	3,568	467	1,345	113	7,888

(2) Implementation Breaches and (3) Action Taken

No implementation breaches were reported between 1st April 2020 to 31st March 2021.

Report for 2021/22

(1) Implementable Decisions made at hearings:

	CSO Continued	CSO Continued & Varied	CSO Interim Continuation	CSO Made	CSO Varied	Total
Aberdeen City	98	189	39	68	10	404
Aberdeenshire	63	143	23	64	3	296
Angus	39	91	16	30	2	178
Argyll & Bute	38	63	7	21	3	132
Clackmannanshire	52	125	63	65	19	324
Dumfries & Galloway	92	208	29	87	0	416
Dundee	72	128	28	114	7	349
East Ayrshire	78	114	94	43	1	330
East Dunbartonshire	31	52	19	31	0	133
East Lothian	69	91	79	29	3	271
East Renfrewshire	34	48	6	20	0	108
Edinburgh, City of	242	336	117	155	5	855
Eilean Siar	17	19	8	7	0	51
Falkirk	121	141	75	79	24	440
Fife	122	386	72	140	35	755
Glasgow	481	636	289	199	34	1,639
Highland	82	211	84	88	3	468
Inverclyde	69	108	51	41	0	269
Midlothian	18	38	5	24	2	87
Moray	21	42	4	23	1	91
North Ayrshire	134	227	88	99	1	549
North Lanarkshire	164	234	90	147	4	639
Orkney	5	12	1	6	0	24
Perth & Kinross	47	93	24	50	7	221
Renfrewshire	153	240	62	80	0	535
Scottish Borders	30	68	5	37	1	141
Shetland	8	5	0	3	0	16
South Ayrshire	52	108	31	30	0	221
South Lanarkshire	174	280	64	107	7	632
Stirling	65	68	39	27	9	208
West Dunbartonshire	104	192	50	54	0	400
West Lothian	84	99	57	44	8	292
Total	2,859	4,795	1,619	2,012	189	11,474

(2) Implementation Breaches

For the decisions made during the year from 1st April 2021 to 31st March 2022, three reports of breaches of implementation were made to the National Convener, relating to three children from one family. These are detailed below. The Local Authority in question is not named in order to prevent children from being identified.

Breach 1: The Local Authority failed to provide appropriate therapeutic services for the child.

Breach 2: The Local Authority failed to provide appropriate therapeutic services for the child.

Breach 3: The Local Authority failed to provide appropriate therapeutic services for the child.

(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 corrective action was taken. No application to the Sheriff Principal for enforcement was necessary.

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.

Report for 2022/23

(1) Implementable Decisions made at hearings:

	CSO Continued	CSO Continued & Varied	CSO Interim Continuation	CSO Made	CSO Varied	Total
Aberdeen City	97	164	53	41	9	364
Aberdeenshire	50	115	29	57	7	258
Angus	38	103	17	61	4	223
Argyll & Bute	32	64	11	28	1	136
Clackmannanshire	72	102	80	20	23	297
Dumfries & Galloway	100	218	30	82	1	431
Dundee	78	176	39	85	22	400
East Ayrshire	126	127	84	83	0	420
East Dunbartonshire	40	47	22	17	2	128
East Lothian	42	79	10	27	4	162
East Renfrewshire	42	23	9	19	0	93
Edinburgh, City of	249	345	74	135	10	813
Eilean Siar	12	24	5	11	0	52
Falkirk	140	122	67	81	24	434
Fife	159	310	63	151	20	703
Glasgow	476	657	245	216	16	1,610
Highland	71	236	47	74	7	435
Inverclyde	81	101	59	43	0	284
Midlothian	23	49	10	35	3	120
Moray	17	50	5	31	1	104
North Ayrshire	134	227	118	67	0	546
North Lanarkshire	230	218	120	108	3	679
Orkney	9	13	4	13	3	42
Perth & Kinross	59	87	11	26	15	198
Renfrewshire	195	247	99	124	0	665
Scottish Borders	50	66	17	22	3	158
Shetland	4	9	0	8	1	22
South Ayrshire	62	73	17	31	5	188
South Lanarkshire	178	225	99	95	8	605
Stirling	55	57	23	19	14	168
West Dunbartonshire	90	181	33	45	5	354
West Lothian	62	92	104	42	9	309
Total	3,073	4,607	1,604	1,897	220	11,401

(2) Implementation Breaches

For the decisions made during the year from 1st April 2022 to 31st March 2023, two reports of breaches of implementation were made to the National Convener, relating to two children. These are detailed 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 appropriate supervision and support to the child.

Breach 2: The Local Authority did not facilitate contact between a child and a parent.

(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 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'.

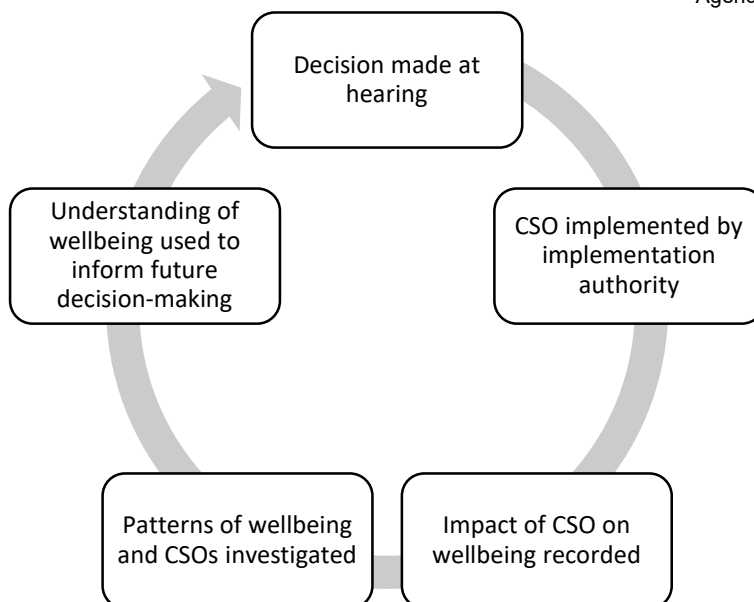
During this three year reporting period only five implementation breaches were reported to the National Convener for action. These came from within three Local Authorities. This is an exceptionally low total number relative to the overall number of orders requiring implementation by authorities over this period. As stated in our last Feedback Loop report, whilst it is heartening to see that such 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. It 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 for Children' Report published in May 2023.

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, and we look forward to the Scottish Government's response to the 'Hearings for Children' report, due in late 2023.

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. At the close of this reporting period, we are undertaking research to ascertain the true extent of the issues underlying the implementation of orders in Scotland. The National Convener is also committed to investigating whether there is sufficient awareness of the steps that can be taken to enforce orders in all local authority areas.

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 making 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).



Appeals 2022/23

Agenda Item 14 CHS-2324-29

Accountable Manager: Stephen Bermingham, Practice and Standards Manager
Report author: Abbie Montgomery-Fox, Practice and Policy Advisor
Recommendation: For discussion and reporting
Resources implications: None
Equalities duties: Equalities Impact Assessment Required: **No**
 Equalities Impact Assessment Carried out: **No**

1. Introduction

1.1 This paper is an Annual Review of appeals and overview of appeals against children’s hearings’ decisions in 2022/2023. The paper highlights gaps in the data available to Children’s Hearings Scotland (CHS) and outlines proposals to better understand the reasons for appeals and implications for Panel Member practice and training.

2. Background

2.1 Since 2020, the number of children’s hearings held per year has reduced. Pre-pandemic there were approximately 30,000 hearings each year. The immediate impact of the pandemic meant 16,248 children’s hearings took place in 2020/21, increasing to 21,909 in 2021/22 and 22,341 in 2022/23.

2.2 The number of appeals of children’s hearings’ decisions have not followed a similar pattern. Despite an increase in number of hearings in 2022/23, the number of appeals concluded has dropped to now represent only 2% of total hearings held.

	2018/19	2019/20	2020/21	2021/22	2022/23
Number of children's hearings held	31,653	30,363	16,248	21,909	22,341
Number of appeals concluded	824	686	517	568	450
% of appeals compared to children's hearings	3%	2%	3%	3%	2%

2.3 Calculating the number of appeals compared to the number of decisions of children’s hearings is complex and multifaceted. Children’s hearings may make appealable substantive decisions to make, vary, continue or terminate an order. They may also make interim orders or other decisions, such as to deem a relevant person, which also have rights of appeal. However, many hearings do not make appealable decisions, such as deferrals to appoint a Safeguarder, provide an independent report, or to allow a relevant person a further opportunity to attend. Advice provided to the Sheriff is also not appealable whether for permanence proceedings or where a child has pled or been found guilty of a crime. Furthermore, certain decisions of pre-hearing panels are appealable while most are not.

Despite this, comparing the number of children’s hearings held each year against the number of concluded appeals has returned a relatively static % over the last five year period.

3. Appeals Data 2022/23

3.1 In 2022/23 there were 350 appeals (78%) against decisions relating to Compulsory Supervision Orders (CSOs). 76 appeals (17%) were in relation to interim orders and 24 (5%) related to relevant person determinations. This breakdown is to be expected when considering the frequency these decisions are made in children’s hearings. There are far more decisions made relating to CSOs each year than relevant person determinations.

3.2 At appeal, 55.5% of children’s hearing decisions were upheld (i.e. the appeal was refused by the Sheriff). This is consistent with previous years:

	2018/19	2019/20	2020/21	2021/22	2022/23
Percentage of appeals with children's hearings' decisions upheld (appeal refused)	57%	56%	54%	55%	55%

3.3 Where the decision of the children’s hearing was not upheld, the most common outcome was for the Sheriff to require the Reporter to arrange a further hearing.

3.4 It is the Reporter’s role alone to decide whether or not to defend a challenge to the decisions of Panel Members. SCRA do not record this decision in a reportable format therefore it is unknown how many of the 44.5% of successful appeals in 2022/23 were due to SCRA not defending the decision of the children’s hearing.

3.5 The number of working days, from the date of the children’s hearing decision to the conclusion of the appeal, are shown below for the last two years:

Working Days	2022/23	2021/22
	Number of appeals	Number of appeals
0-19	110	142
20-39	157	249
40-59	131	148
60+	52	29
Total	450	568

When compared year on year, appeals during 2022/23 have taken longer to conclude. 68.8% of appeals in 2021/22 were concluded between 0 and 39 working days. This figure dropped to 59.3% in 2022/23. There is no data available to us to understand the reasons for this.

3.6 When the appeal is against the decision to make, vary, continue or terminate a compulsory supervision order, the appellant may request that a ‘suspension hearing’ be arranged to consider suspending the decision of the children’s hearing until the appeal is heard. In 2022/23, despite 350 appeals against a decision relating to a CSO, there were only 13 suspension hearings requested which equates to 4%. Comparable figures for 2021/22 were 439 appeals with 20 suspension hearings, which equates to 4.5% meaning this has remained constant year on year.

3.7 In Summary, the appeals data for 2022/23 is consistent with previous years. There has been no significant change in the number of appeals, the proportion of successful appeals, or the types of decision being appealed. Only 2% of hearings held in the year 2022/23 were taken forward to an appeal.

4. Local Authority Data

4.1 The breakdown of appeal decisions by Local Authorities below shows that there are some outlying areas with a slightly higher percentage of appeals than average, namely Argyll & Bute, and Dumfries and Galloway. Local relationships between Area Support Teams and SCRA Localities may help CHS understand why there are significantly higher appeals in these areas and may present a case for targeted training in specific Local Authorities.

Local authority	Number of Appeals 2022/23	Number of PHPs and Hearings held 2021/22	Percentage of appeals compared to number of hearings held
Aberdeen City	20	792	3%
Aberdeenshire	7	563	1%
Angus	0	537	0%
Argyll & Bute	11	254	4%
Clackmannanshire	<5	475	1%
Dumfries & Galloway	44	807	5%
Dundee	<5	953	0%
East Ayrshire	20	850	2%
East Dunbartonshire	5	251	2%
East Lothian	6	340	2%
East Renfrewshire	0	182	0%
Edinburgh, City of	31	1,509	2%
Eilean Siar	<5	92	2%
Falkirk	12	838	1%
Fife	24	1,581	2%
Glasgow	83	2,949	3%
Highland	31	893	3%
Inverclyde	<5	494	1%
Midlothian	<5	210	2%
Moray	7	286	2%
North Ayrshire	29	996	3%
North Lanarkshire	5	1,164	0%
Orkney	<5	93	2%
Perth & Kinross	9	400	2%
Renfrewshire	13	1,143	1%
Scottish Borders	8	355	2%
Shetland	<5	33	3%
South Ayrshire	14	429	3%
South Lanarkshire	18	1,280	1%
Stirling	<5	312	1%
West Dunbartonshire	10	651	2%
West Lothian	20	629	3%

5. Data gaps

5.1 Although it is reported¹ that where the decision of the children's hearing was not upheld, the most common outcome was for the Sheriff to require the Reporter to arrange a further children's hearing, this data is not gathered by SCRA in a reportable format. Without looking at each individual appeal record, it is unknown how often the Sheriff substitutes their own decision, discharges the case, or remits back to a hearing for disposal.

5.2 As noted in point 3.4 above, without changes to the way SCRA record decisions taken by the Reporter, the National Convener will not be informed whether the Panel's decisions were defended by SCRA or otherwise.

5.3 Furthermore, the reason(s) for the successful appeal is also not recorded in an easily exportable format. This means that it is not possible for CHS to know if appeals are successful due to procedural irregularities in hearings, lack of justification in the reasons provided, or because circumstances have changed since the order was made.

5.4 All data identified in points 5.1 and 5.3 has been requested from SCRA, but they do not collect it in a way that is easily identifiable. To provide data requires manual analysis of free text boxes, meaning significant work would be required to collate our request. To provide us with the data allowing us to perform our own analysis would require significant levels of redaction to ensure no identifiable child-level information was shared.

5.5 Without this crucial information, it is difficult for the Practice and Policy Team to plan or undertake improvement work or even to identify areas or themes to address because the data is held by SCRA and not systematically recorded.

6. Improvements underway

6.1 While the exact figures are not known, poor-quality reasons which do not justify the decisions made, have been a consistent reason for successful appeals. A CHS sampling of Records of Proceedings in 2020 highlighted concerns with the justification provided by Panel Members. This was further explored within the 'Improving Reasons' project which concluded in April 2023.

6.2 This project aimed to improve reasons and decisions through the development of a quality assurance tool to support panels to make robust and consistent decisions. This was then used to assess a sample of decisions and reasons within Record of Proceeding documents. The conclusion of this project was that consideration should be given to developing a clearly defined set of standards and expectations of what should be, and shouldn't be, included in written reasons. This is being considered as a viable project for the Practice and Policy Team in the near future.

6.3 There have been several successful appeals in previous years due to the lack of justification when a 'non-decision' is made. For example, where the hearing has discussed

¹ [SCRA Statistical Analysis 2022/23 \(scra.gov.uk\)](https://www.scra.gov.uk/2023/04/20/scra-statistical-analysis-2022-23/)

contact expectations at length but decides ultimately that a legal measure is not required. CHS and SCRA now have an agreement to record 'non-decisions' in the Record of Proceedings which require written justification in the same way as every other decision made by a hearing. This change in practice has been operating since November 2022. It is too soon to be able to ascertain whether this has had any significant impact on the number of decisions being upheld at appeal.

7. Further opportunities for improvement

7.1 The data available for analysis of appeals has remained consistent over recent years. There is an opportunity to understand the data further to identify trends and issues. There is also the opportunity for learning from appeals to become part of a regular feedback loop to Panel Members to support them to improve their practice.

7.1.1 **CHS's understanding of appeals:** There is limited sharing of appeals at a local or national level. This means there is not currently a process for Area Support Teams to review appeals for shared learning and improvement or for the Practice and Policy Team to have an overview of themes and trends which require addressing.

The Tribunal Support Model should enable a greater understanding of local practice, including appeals. This would require Locality Reporter Managers to share all appeals with CHS, whether successful or unsuccessful. This would also allow CHS to collate its own data on how many appeals are undefended by SCRA and the reasons for this.

Access to this information would enable all successful and unsuccessful appeals to be shared with the Panel Members involved in the decision to highlight good practice and/or provide opportunities for learning. The creation of this type of 'feedback loop' is noted as one of the recommendations in the Hearings for Children: Redesign Report.

At present, neither the National Convener nor CHS is informed of any appeal of the National Panel's decisions. This includes appeals heard at the Court of Session which only become known to CHS once the decision is published. This is not a sustainable position for the National Convener who is tasked with training, supporting and providing advice to Panel Members.

7.1.2 **Review of CHS and SCRA functions:** The Hearings for Children: Redesign Report makes reference to whether the decision to defend an appeal should lie with the National Convener, given the issue being defended is the decision of Panel Members they are responsible for recruiting, training, monitoring and supporting. This is an area which will require further consideration as part of the proposed review of the functions of CHS and SCRA.

8. Recommendations

The Board are asked to:

1. Note the annual review of appeals.
2. Provide feedback on areas of improvement.



CHILDREN'S HEARINGS SCOTLAND
INTERNAL AUDIT PLAN
FY2023 - 24 DRAFT

AUGUST 2023

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INTRODUCTION

Children's Hearings Scotland (CHS) is one of a number of organisations that work within the children's hearing system. Their activities focus on recruiting, training and supporting volunteer Panel Members who make decisions in children's hearings, and volunteer Area Support Teams (ASTs) who provide support and direction at a local level. CHS are currently undergoing a number of structural changes to increase capacity and improve outcomes.

Our approach, as set out in BDO's Internal Audit Manual, is to help CHS accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

Our approach complies with best professional practice, in particular, the United Kingdom's Chartered Institute of Internal Auditors' Position Statement on Risk Based Internal Auditing, and the Chartered Institute of Internal Auditors' (CIIA) International Professional Practices Framework (IPPF) Code of Ethics and International Standards.

The purpose of this paper is to set out and seek agreement from the Audit & Risk Management Committee on the Internal Audit Plan for 2023-2024. The 2023-2024 Internal Audit (IA) plan has been created to align the Internal Audit year to CHS's financial year (i.e., April to March).

Internal Audit at Children's Hearing Scotland

Our role as Internal Auditors is to provide an independent, objective assurance, and consulting activity, designed to add value and improve an organisation's operations. We are focused on helping management to improve risk management, governance and internal control mechanisms, so reducing the effects of any significant risks facing CHS.

Responsibility for CHS's internal control arrangements remain fully with management, who should recognise that Internal Audit can only provide 'reasonable assurance' and cannot provide any guarantee against material errors, loss or fraud.

The Audit & Risk Management Committee should use this document to confirm they are comfortable with the risks determined by management, management's assessment of the level of risk exposure and the mitigations that management have documented are in place and operating effectively.

Strategic Planning Approach

Our risk-based approach to Internal Audit uses CHS's own risk management processes as a starting point for audit planning, as this represents the organisation's own assessment of the risks to it achieving its strategic objectives.

The extent to which we can rely on management's own perception of risk largely depends on the maturity and effectiveness of CHS's own risk management arrangements.

In establishing the Internal Audit Strategy, we have sought to further clarify our initial understanding of the operations at CHS, together with its risk profile in the context of:

- ▶ The overall strategy and objectives of CHS
- ▶ Key challenges facing CHS, by reviewing the standing risk register
- ▶ Key areas where management wish to monitor performance and the manner in which performance is measured
- ▶ Financial and non-financial measurements and indicators of such performance
- ▶ The information required to 'run the organisation'
- ▶ Outcomes from previous Internal Audit plans
- ▶ Performance observations reported by CHS's External Auditors following completion of their work

INTERNAL AUDIT APPROACH

Our Risk Based Planning Approach for 2023-2024

As part of the planning process to align the Internal Audit Plan to the organisation's needs the Internal Audit Manager spent time with the Director of Tribunal Delivery and the Governance Manager to discuss key areas of focus and concern in 2023-24 and the following two years.

During these discussions we covered hearing system reform, upcoming changes to organisational structure and new legislation. The outputs from these discussions were incorporated into the Internal Audit Plan outlined within this document.

A draft Internal Audit Plan was shared with the Senior Leadership Team (SLT) and the Audit & Risk Management Committee to obtain their input and feedback before presentation of the final version to the Audit & Risk Management Committee.

Types of internal audit reviews

During our planning, we have considered the most appropriate reviews and indicated this in the Internal Audit plan. The four main types of review are:

- ▶ **Risk Aligned Audit Activities:** Assurance reviews that will provide an opinion over both the design and operational effectiveness of the internal controls in place for corporate risk areas.
- ▶ **Key Policy Assurance:** Compliance testing and assurance of CHS's key policies to help building a culture of compliance and accountability across the business.
- ▶ **Controls Assurance of Key Processes & Systems:** Controls testing and assurance of key processes and systems selected from the Audit Universe on a risk prioritised basis.
- ▶ **Assurance over Change:** Considering key change initiatives, capital expenditure and mission critical projects where assurance may be required as to progress made, realisation of notable benefits, and being delivered in line with good practice.
- ▶ **Follow up of previous Audit Activities:** Management's agreed actions in response to each audit periodically followed up to ensure that they have been properly implemented as agreed and to escalate any concerns regarding their implementation to management and the Audit & Risk Management Committee.

Individual Audits

In determining the timing of our individual audits, we will seek to agree a date most convenient to the business and which ensures the availability of key stakeholders. Once this plan is agreed we will discuss priorities and workloads with management and re-issue the plan including the proposed phasing of our internal audit work.

For each audit, we will identify the key objectives of the area subject to audit and the risks of those objectives not being met. We will assess the 'unmitigated' risk (i.e. before the operation of the controls in place) and, having identified and tested those controls, evaluate the 'mitigated' risk. This will enable us to confirm that the control infrastructure does reduce risk to a level that CHS is comfortable with.

Variations to the Audit Plan

We will continue to keep the Internal Audit Plan under review throughout the year. We will highlight for consideration any significant areas of risk identified during that period, which may need to be included as part of the annual plan.

We acknowledge that variations to this plan may arise if CHS's strategic priorities, risk profile or governance arrangements change. Approval will be sought from the Audit & Risk Management Committee before any changes to the Internal Audit Plan are made.

INTERNAL AUDIT RESOURCES & OUTPUTS

Staffing

The Core Internal Audit Delivery Management Team has been set out below. The team will be supported by specialists from BDO LLP's national Digital & Risk Advisory Services (DRAS) team and the wider firm, as and when appropriate.

NAME	ENGAGEMENT ROLE	CONTACT DETAILS
Claire Robertson	Head of Internal Audit	Claire.Robertson@bdo.co.uk
Chloe Main	Internal Audit Manager	Chloe.Main@bdo.co.uk

Our Core Delivery Management Team will from time to time be supported by specialists from across BDO, including our Digital and Cyber teams.

Staff Mix

Our indicative staff mix to deliver the programme is shown below:

Grade	2023-2024 (days)	GRADE MIX (%)
Director	2.5	10
Manager	7.5	30
Auditors	15	60
Total	25	100

Working Protocols

We have defined operating protocols for managing each assignment. These can be found in Appendix III. The procedures take account of how we will communicate with stakeholders before, during and after each audit, and the process we go through to create and confirm our reports and recommendations to improve the economy, efficiency and effectiveness of the CHS's activities.

Internal Audit Charter

We have formally defined Internal Audit's purpose, authority and responsibility in an Internal Audit Charter, which can be found in Appendix II. The Charter establishes Internal Audit's position within CHS and defines the scope of its activities.

Internal Audit Communications

Strong communication is fundamental to quality delivery and for maintaining trusting relationships with our stakeholders. We communicate with management in full accordance with agreed protocols, including during annual meetings to confirm the audit programme for the forthcoming year, and quarterly update meetings to evaluate progress and discuss activities and priorities for the next quarter.

We also provide quarterly updates against an agreed set of performance indicators and meet regularly with relevant directors and managers throughout the year to stay abreast of developments.

During audit assignments, we hold planning meetings in person or by video conference, by phone or by email to discuss the terms of reference and scope prior to commencement of any fieldwork, and hold debrief meetings at the conclusion of each piece of fieldwork to discuss audit findings and resolve any outstanding issues.

Note that travel expenses would be payable by CHS.

Reporting to the Audit & Risk Management Committee

We will submit the annual Internal Audit Plan for discussion and approval by the Audit & Risk Management Committee. We will liaise with senior leadership and other senior officers, as appropriate, to ensure that internal audit reports summarising the results of our visits are presented at the most appropriate Audit & Risk Management Committee meeting.

Following completion of the Internal Audit Plan for each year, we will produce an Internal Audit Annual Report summarising our key findings and evaluating our performance in accordance with agreed service requirements.

Definitions

We define in Appendix IV our approach for grading individual audit findings and overall audit reports. These definitions have been designed to make the ratings clear to both the Internal Audit team and audit stakeholders.

INTERNAL AUDIT PLAN - FY2023

INTERNAL AUDIT PLAN - 2023-2024

Set out below is the Internal Audit plan for 2023-2024. Executive sponsors have been assigned to each review. The Executive sponsors will be responsible for identifying the relevant colleagues who should be involved in each stage of the Internal Audit review (e.g., planning, fieldwork, reporting, follow up.). The budgeted number of days is subject to change, following the completion of the planning stage of each review and will be charged at the agreed day rate. In addition, the detailed corporate risks each Internal Audit is associated with can be found on page 12.

REF	INTERNAL AUDIT	RISK #	PRIMARY SOURCE	PROPOSED EXECUTIVE SPONSOR(S)	BUDGETED DAYS
CHS/FY23/01	Practice & Policy - Independent Reporter Write Function	N/A	Management	Stephen Bermingham	5
CHS/FY23/02	Area Support - Clerking Services	7	Risk Register, Management	Lynne Harrison	5
CHS/FY23/03	Practice & Policy - PPA function & Quality Assurance	2	Risk Register, Management	Carol Wassell	5
CHS/FY23/04	Follow Up	N/A	Audit Assessment	Rachel Kavish-Wheatley	3
NA	Audit & Risk Management Committee	N/A	N/A	N/A	3
NA	Client Liaison	N/A	N/A	N/A	3
NA	Annual Reporting	N/A	N/A	N/A	1
Total					25

INTERNAL AUDIT PLAN - 2023-2024

For each review which forms part of the proposed Internal Audit plan for FY2023, we have outlined a high-level scope for illustration purposes to support the planning phase. Executive sponsors have been assigned to each review. The Executive sponsors will be responsible for identifying the relevant colleagues who should be involved in each stage of the Internal Audit review (e.g., planning, fieldwork, reporting, follow up.). The budgeted number of days is subject to change, following the completion of the planning stage of each review.

REF	RISK REVIEW	HIGH LEVEL SCOPE	EXEC SPONSOR(S)
CHS/FY23/01	Practice & Policy - Independent Reporter Write Function	We will review the Independent Reporter Write Function which will consider compliance with relevant legislation including rule 61(1)(b) of the Children's Hearing Act and section 77 of the Age of Criminal Responsibility (Scotland) Act 2019. We will also review the recruitment and retention process to ensure it is fit for purpose and assess the payments, administration, management and governance processes and controls, including whether there are is appropriate management information and KPIs in place.	Stephen Bermingham
CHS/FY23/02	Area Support - Clerking Services	CHS has standard agreements in place with most councils across Scotland for the provision of clerking services. This review will consider whether roles and responsibilities are well defined, consistent and provide the required level of support. We will also consider whether Clerks are consistently using CSAS and other CHS tools to communicate, process and record data for the Area Support Team (AST).	Lynne Harrison
CHS/FY23/03	Practice & Policy - PPA function & Quality Assurance	We will review the current quality function within CHS and consider whether they deliver their defined function. We will evaluate the feedback channel between panel members and the quality function to ensure it supports open and honest feedback and that it feeds into the Learning and Practice function. There are been a number of recent improvements to the PPA function including improvements to the process for completing observations, communications at PPA forums on practice and direction and the addition of a Learning Academy pathway to develop skill sets for recruitment and observation. We will evaluate whether these improvements have been successfully delivered and whether any further improvements can be made.	Carol Wassell
CHS/FY23/04	Follow Up	The effectiveness of the internal control system may be compromised if management fails to implement agreed audit recommendations. Our follow up work will provide the Audit & Risk Management Committee with assurance that prior year, and in some cases in-year, recommendations are implemented within the expected timescales.	Rachel Kavish-Wheatley

INTERNAL AUDIT SCHEDULE - 2023-2024

The chart below sets out the proposed delivery schedule for the 2023-2024 Internal Audit plan.

REF	INTERNAL AUDIT	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	AC DATE
CHS/FY23/02	Area Support - Clerking Services									21 Nov 23
CHS/FY23/01	Practice & Policy - Independent Reporter Write Function									Feb 24
CHS/FY23/03	Practice & Policy - PPA function & Quality Assurance									May 24
UHI/FY23/06	Follow Up									May 24

INTERNAL AUDIT STRATEGY - 2023-2026

The chart below sets out the proposed delivery schedule for the 2023-2024 Internal Audit plan.

ASSURANCE THEME	INTERNAL AUDIT	RISK REGISTER	2023-2024	2024-2025	2025-2026
Governance, Risk & Finance	Finance				
	Risk Management				
	Governance & Change Management	10			
Operational	Practice and Policy - Independent Report Write Function				
	Area Support - Clerking Services	7			
	Practice and Policy - PPA function and quality assurance	2			
	Digital & Rota Management	5 & 9			
	Practice and Policy - Implementation of the Care & Justice Bill	11			
	Communications	8			
	Tribunal Support Implementation	1			
	People Strategy				
	Follow Up	14			

APPENDICES

APPENDIX I - RISK REGISTER COVERAGE

The table below sets out our mapping of planned internal audit assignments to the risk register as at June 2023.

#	RISK DESCRIPTION	GROSS RISK	RESIDUAL RISK	Audit Coverage	OTHER SOURCES OF ASSURANCE
1	CHS is unable to fulfil its ambitions for a new tribunal support system due to lack of budgetary support via Grant in Aid.	16	9	Tribunal Support Implementation 2025-26	
2	CHS fails to contribute to positive outcomes for babies, infants, children, young people and their families through a lack of quality assurance mechanisms and reporting.	25	12	Practice and Policy - PPA function and quality assurance 2023-24	PPA observations of Panel Member practice
3	CHS fails to contribute to positive outcomes for babies, infants, children, young people and their families by not creating and implementing a future focused learning and development strategy to provide tribunal decision makers with the skills they require.	16	9		Training quality evaluations in place with contract provider and feedback mechanisms in place
4	CHS system experiences failures/breaches due to lack of cyber resilience processes.	16	9		
5	CHS is unable to implement agreed reform due to digital system constraints.	20	12	Digital and Rota Management 2024-25	
6	CHS fails deliver its statutory function and provide adequate numbers of Panel Members for hearings .	25	16	Volunteer Recruitment & Retention 2018/19	
7	CHS' experiences delays to its work and projects due to reliance on partner organisations	16	9	Area Support - Clerking Services 2023-24	Representation on the Promise Oversight Board and HSWG
8	Changes to the hearing system bring CHS under more intense scrutiny with increased media attention	16	9	Communications 2025-26	
9	CHS is unable to fulfil its statutory duties due to failures in its current system and over reliance on volunteers	20	12	Digital and Rota Management 2024-25	
10	SMT are unable to maintain oversight and control of BAU, or do not have the change management skills required to manage competing priorities during a period of substantial change.	20	12	Governance & Change Management 2025-26	
11	CHS is not able to operationalise the coming reform and legislative agenda	16	12	Practice & Policy - Implementation of the Care & Justice bill 2025-26	
12	Reform agenda loses political support impacting CHS's ability to implement measurable hearing system improvements.	12	8		
13	CHS loses credibility and influence in the sector by vocally endorsing and supporting reforms which are not supported by Scottish Government.	12	8		
14	CHS fails to adequately engage and support its workforce during period of significant change and organisational restructure.	16	12	People Strategy 2024-25	HR consultants

APPENDIX II - INTERNAL AUDIT CHARTER

Purpose of this Charter

This Charter formally defines Internal Audit's purpose, authority and responsibility. It establishes Internal Audit's position within CHS and defines the scope of internal audit activities and its relationship with the Audit & Risk Management Committee and Senior Management.

Internal Audit's Purpose

Internal Audit provides an independent and objective assurance and consulting activity that is designed to add value and improve CHS's operations. It helps CHS accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

Internal Audit acts primarily to provide the Audit & Risk Management Committee (ARMC) with information necessary for it to fulfil its own responsibilities and duties. Implicit in Internal Audit's role is that it supports CHS's management to fulfil its own risk, control and compliance responsibilities.

Internal Audit's Authority

The BDO Head of Internal Audit and internal audit staff are authorised to:

- ▶ Have unrestricted access to all of CHS's records, property, and personnel relevant to the performance of engagements
- ▶ Obtain the necessary assistance of CHS's personnel in relevant engagements, as well as other specialised services from within or outside CHS.

Internal Audit has no authority or management responsibility for any of its engagement subjects. Internal Audit will not make any management decisions or engage in any activity which could reasonably be construed to compromise its independence.

Internal Audit's Responsibility

The BDO Head of Internal Audit is responsible for all aspects of internal audit activity, including strategy, planning, performance, and reporting.

For each, the BDO Head of Internal Audit will:

Strategy:

- ▶ Develop and maintain an Internal Audit Strategy
- ▶ Review the Internal Audit Strategy at least annually with management and ARMC.

Planning:

- ▶ Develop and maintain an Internal Audit Plan to fulfil the requirements of this Charter and the Internal Audit Strategy
- ▶ Engage with management and consider CHS's strategic and operational objectives and related risks in the development of the Internal Audit Plan
- ▶ Review the Internal Audit Plan periodically with management
- ▶ Present the Internal Audit Plan, including updates, to the ARMC for periodic review and approval
- ▶ Prepare an internal audit budget sufficient to fulfil the requirements of this Charter, the Internal Audit Strategy, and the Internal Audit Plan
- ▶ Submit the internal audit budget to the ARMC for review and approval annually
- ▶ Coordinate with and provide oversight of other control and monitoring functions, incl. risk management, compliance and ethics, and external audit
- ▶ Consider the scope of work of the external auditors for the purpose of providing optimal audit coverage to CHS.

Performance:

- ▶ Implement the Internal Audit Plan
- ▶ Maintain professional resources with sufficient knowledge, skills and experience to meet the requirements of this Charter, the Internal Audit Strategy and the Internal Audit Plan
- ▶ Allocate and manage resources to accomplish internal audit engagement objectives
- ▶ Establish and maintain appropriate internal auditing procedures incorporating best practice approaches and techniques
- ▶ Monitor delivery of the Internal Audit Plan against the budget
- ▶ Ensure the ongoing effectiveness of internal audit activities.
- ▶ Ensure the principles of integrity, objectivity, confidentiality and competency are upheld.

Reporting:

- ▶ Issue a report to management at the conclusion of each engagement to confirm the results of the engagement and the timetable for the completion of management actions to be taken.
- ▶ Provide periodic reports to management and the ARMC summarising internal audit activities and the results of internal audit engagements.
- ▶ Report annually to the ARMC and management on internal audit performance against goals and objectives.
- ▶ Report, as needed, to the ARMC on management, resource, or budgetary impediments to the fulfilment of this Charter, the Internal Audit Strategy, or the Internal Audit Plan.
- ▶ Inform the ARMC of emerging trends and practices in internal auditing.

APPENDIX II - INTERNAL AUDIT CHARTER

Independence and Position within CHS

- ▶ To provide for Internal Audit's independence, its personnel and external partners report to the Director of Tribunal Delivery, who in turn reports to the Chief Executive and to the ARMC.
- ▶ The BDO Head of Internal Audit has free and full access to the Chair of the ARMC.
- ▶ The appointment or removal of the BDO Head of Internal Audit will be performed in accordance with established procedures and subject to the approval of the Chair of the ARMC.
- ▶ The Internal Audit service will have an impartial, unbiased attitude and will avoid conflicts of interest.
- ▶ If the independence or objectivity of the internal audit service is impaired, details of the impairment should be disclosed to either the Chief Executive or the Chair of the ARMC, dependent upon the nature of the impairment.

The internal audit service is not authorised to perform any operational duties for CHS; initiate or approve accounting transactions external to the service; or direct the activities of any CHS employee not employed by the internal auditing service, except to the extent such employees have been appropriately assigned to the service or to otherwise assist the Internal Auditor.

Internal Audit's Scope

The scope of internal audit activities includes all activities conducted by CHS. The Internal Audit Plan identifies those activities that have been identified as the subject of specific internal audit engagements.

Assurance engagements involve the objective assessment of evidence to provide an independent opinion or conclusions regarding an entity, operation, function, process, system or other subject matter. The nature and scope of the assurance engagement are determined by Internal Audit.

Consulting engagements are advisory in nature and are generally performed at the specific request of management. The nature and scope of consulting engagements are subject to agreement with management. When performing consulting services, Internal Audit should maintain objectivity and not assume management responsibility.

Standards of Internal Audit Practice

The internal audit function undertakes its work in line with the mandatory elements of the IIA's International Professional Practices Framework, including the Core Principles for the Professional Practice of Internal Auditing, the Code of Ethics, the International Standards for the Professional Practice of Internal Auditing, and the Definition of Internal Auditing as set out by the Global IIA. This Charter is a fundamental requirement of the Framework.

Approval and Validity of this Charter

This Charter shall be reviewed and approved annually by management and by the ARMC on behalf of CHS's Board.

APPENDIX III - WORKING PROTOCOLS AND PERFORMANCE

The tables opposite set out the principal communication and reporting points between and Internal Audit, which are subject to regular review. Any future changes to the communication and reporting points are reported to the Audit & Risk Management Committee for approval.

Table One: Liaison Meetings Between CHS and Internal Audit and with External Audit

MEETING	FREQUENCY	AUDIT & RISK MANAGEMENT COMMITTEE	DIRECTOR OF TRIBUNAL DELIVERY	MANAGERS	RELEVANT STAFF	EXTERNAL AUDIT
Internal audit liaison meeting with management	Quarterly		✓			
Internal audit update meetings	As required		✓			
Quality Assurance Meeting	Annually		✓			
Liaison meeting with Chair of the ARMC	As required	✓				
ARMC to discuss audit progress	As necessary	✓				
Meetings to raise immediate concerns	As necessary	✓	✓	✓	✓	
Meetings with external audit	As necessary					✓

Table Two: Key Reporting Points Between CHS and Internal Audit

MEETING	AUDIT & RISK MANAGEMENT COMMITTEE	DIRECTOR OF TRIBUNAL DELIVERY	MANAGERS	RELEVANT STAFF
Annual Internal Audit Plan	✓	✓		
Individual internal audit planning documents			✓	✓
Draft Internal Audit Reports*			✓	✓
Final Internal Audit Reports*	✓		✓	✓
Quality Progress Reports	✓			
Annual Internal Audit Report	✓	✓		

*Internal Audit reports are distributed to the relevant Executive Committee members only.

APPENDIX III - WORKING PROTOCOLS AND PERFORMANCE

Internal Audit Performance Measures and Indicators

Internal Audit’s performance is assessed in two ways. Firstly, there is the ability for us to self-assess our performance on a regular basis and report back to the ARMC on certain measures around inputs and satisfaction from those members of management who have been subject to a review.

Secondly, the view of the ARMC as to the value being received from its internal audit provider has to be taken into account. Much of this can be drawn from our attendance at ARMC, in camera meetings and by the views of management. For our part, we look to report to the ARMC regularly on the internal audit inputs as detailed below.

The tables contain performance measures and indicators that we consider to have the most value in assessing the efficiency and effectiveness of Internal Audit.

Tables three and four contain performance measures and indicators that we consider to have the most value in assessing the efficiency and effectiveness of internal audit. We recommend that the ARMC approves the following measures which we will report to each meeting and/or annually as appropriate.

Table Three - Performance reporting to ARMC

MEASURE / INDICATOR
Audit coverage <ul style="list-style-type: none"> ▶ Audits completed against the Annual Audit Plan ▶ Actual days input compared with Annual Audit Plan
Audit planning and reporting <ul style="list-style-type: none"> ▶ Days to issue draft report after end of fieldwork

Table Four: Annual Performance Reporting

MEASURE / INDICATOR
Relationships and customer satisfaction <ul style="list-style-type: none"> ▶ Customer satisfaction reports
Staffing <ul style="list-style-type: none"> ▶ Colleague mix compared with budget ▶ Percentage of Director and Manager time ▶ Continuity of staffing ▶ Use of specialist staff (e.g. IT Risk and Advisory)

Management performance measures and indicators

Management’s ability to respond efficiently to internal audit findings and recommendations helps the ARMC to form its own view of the internal control framework.

Importantly, management’s consideration of internal audit findings plays a contributory factor in our ability to deliver timely reports to the ARMC. Therefore, the following measures are also reported to the ARMC.

MEASURE/INDICATOR
Audit reporting <ul style="list-style-type: none"> ▶ Days for receipt of management responses

Other performance measures

In addition to the above mentioned measures we will also provide the ARMC with the results of other reviews of our internal audit service as and when they become available, including:

- ▶ Independent quality assurance reviews as required by the Chartered Institute of Internal Auditors (IIA)
- ▶ BDO internal quality assurance reviews.

APPENDIX IV - DEFINITIONS

LEVEL OF ASSURANCE	DESIGN OF INTERNAL CONTROL FRAMEWORK		OPERATIONAL EFFECTIVENESS OF CONTROLS	
	FINDINGS FROM REVIEW	DESIGN OPINION	FINDINGS FROM REVIEW	EFFECTIVENESS OPINION
SUBSTANTIAL	Appropriate procedures and controls in place to mitigate the key risks.	There is a sound system of internal control designed to achieve system objectives.	No, or only minor, exceptions found in testing of the procedures and controls.	The controls that are in place are being consistently applied.
MODERATE	In the main there are appropriate procedures and controls in place to mitigate the key risks reviewed albeit with some that are not fully effective.	Generally a sound system of internal control designed to achieve system objectives with some exceptions.	A small number of exceptions found in testing of the procedures and controls.	Evidence of non compliance with some controls, that may put some of the system objectives at risk.
LIMITED	A number of significant gaps identified in the procedures and controls in key areas. Where practical, efforts should be made to address in-year.	System of internal controls is weakened with system objectives at risk of not being achieved.	A number of reoccurring exceptions found in testing of the procedures and controls. Where practical, efforts should be made to address in-year.	Non-compliance with key procedures and controls places the system objectives at risk.
NO	For all risk areas there are significant gaps in the procedures and controls. Failure to address in-year affects the quality of the organisation's overall internal control framework.	Poor system of internal control.	Due to absence of effective controls and procedures, no reliance can be placed on their operation. Failure to address in-year affects the quality of the organisation's overall internal control framework.	Non compliance and/or compliance with inadequate controls.

RECOMMENDATION SIGNIFICANCE	
HIGH	A weakness where there is substantial risk of loss, fraud, impropriety, poor value for money, or failure to achieve organisational objectives. Such risk could lead to an adverse impact on the business. Remedial action must be taken urgently.
MEDIUM	A weakness in control which, although not fundamental, relates to shortcomings which expose individual business systems to a less immediate level of threatening risk or poor value for money. Such a risk could impact on operational objectives and should be of concern to senior management and requires prompt specific action.
LOW	Areas that individually have no significant impact, but where management would benefit from improved controls and/or have the opportunity to achieve greater effectiveness and/or efficiency.

FOR MORE INFORMATION:

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Remuneration and Appointments Committee Annual Report 2022-23

Agenda Item 16

Paper number CHS-2324-31

Accountable Officer: Head of Strategy and Development, DCE
Report author: Business Operations and Governance Lead
Resources implications: NA
Approval(s) sought: To approve

Impact Assessment Duties	Required	Completed
Equalities Impact Assessment	NA	
Children’s Rights Impact Assessment	NA	
Data Protection Impact Assessment	NA	
Islands Impact Assessment	NA	

1. Background

- 1.1 This report covers the work of the Remuneration and Appointments Committee (RAC) from 1st April 2022 to 31 March 2023.
- 1.2 The RAC is responsible for assisting the CHS Board to deliver its responsibilities for effective staff performance management, recruitment, remuneration and appointment in accordance with its Terms of Reference.

2. Overview

- 2.1 The committee met on four occasions during the year: 14th June ‘22; 7th October 22’; 15th November ‘22; and 21st march 23’.
- 2.2 Meetings were held in private to discuss confidential internal policies and staffing matters.
- 2.3 The Committee reviewed its Work Plan in November 22’ and its Terms of Reference in March 23’.
- 2.4 Members of the committee who served during the year were:
 - Jo Derrick, Chair
 - Beth Anne Logan
 - Katie Docherty

2.5 Attendance

Members’ attendance at committee meetings was as follows:

	14 June 2022	7 October 2022	15 November 2022	21 March 2023	Attendance
Jo Derrick	√	√	√	√	100%
Beth Anne Logan	√	X	√	√	100%
Katie Docherty	√	-	√	√	75%
Katharina Kasper					NA

Over the course of these meetings I confirm the Remuneration and Appointments Committee met its Terms of Reference during 2022/23.

3. Remuneration and Appointment Committee Meetings

3.1 The RAC meetings are attended by the National Convener/ Chief Executive (NC/CEO), who is also the Accountable Officer, and the Depute Chief Executive. The Head of Strategy, Development and DCE, the Human Resources and Organisational Development Lead, and the Business Operations and Governance Lead also attend the meetings. At least one of the Co-chairs of the Team Forum attend all meetings.

3.2 A programme of work was agreed for the RAC through their work plan and allocated over the four meetings during the year. The RAC discussed 29 items of business during the year including:

- The NC/CEO 6 month review, annual appraisal, and objectives were reviewed and approved;
- A 1 year Staff Pay Policy, and CEO pay recommendations were considered and approved;
- The results of the Employee Engagement Survey were considered and discussed;
- An update to the Fair Work First report was considered a approved;
- A progress report on the Equality Diversity and inclusion Strategy was considered and approved;
- The Equality Outcomes report 2022-2023 was considered and approved;
- The Board member appraisal procedure was considered and approved;
- The CHS Pensions Discretions Policy was reviewed and approved;
- The 2023/24 Update to the People Strategy was considered and approved;
- Quarterly progress reports on the implementation of the People Strategy were considered and approved;
- HR policies were reviewed and approved as follows: Flexible Working Policy, Overtime Policy, Flexi Time Policy, Staff Expenses Policy, and the Whistle Blowing Policy.
- An annual report on appraisals was reviewed and approved;
- The Committee reviewed its own effectiveness;
- The committee welcomed the continued engagement with the Team Forum who attended every meeting.

3.3 Standard agenda items at each meeting are:

- Register of Interests;
- Minutes of the previous meeting and matters arising;
- Action Log;
- People Strategy and Planning update;
- Team Forum update.

4. Support to the Committee

On behalf of the Committee I would like to record our thanks to CHS Management, the National Team, and the Team Forum for their contribution and support throughout the year.

Jo Derrick
RAC Chair

June 2023



People and Culture Committee (PaCC) Terms of Reference 2023

Agenda Item 16

CHS-2324-32

Accountable Officer:	Head of Strategy & Development/DCE
Report author:	
Resources implications:	Within available resources
Recommendation:	To approve
Approval(s) sought:	Approve PaCC ToR for 23/24

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. Introduction and background

- 1.1 The People and Culture Committee (PaCC) Terms of Reference are submitted for review and approval.
- 1.2 Changes have been made to the ToR in line with the RAC/PaCC rebrand, as well as the requirement to align Committee appointment dates to Board member appointments.

2. Recommendations

- 2.1 RAC/PaCC are recommended to consider and approve the revised ToR for submission to the CHS Board.

People and Culture Committee

Terms of Reference

1. 1. Constitution

- 1.1 The Board of CHS hereby resolves to establish a committee of the Board to be known as the **People and Culture Committee**.

2. Membership

- 2.1 The members of the committee are appointed by the Board from its membership. There is a minimum of three members of the committee, including the Chair of the committee and the deputy Chair. Details of the current members are shown in Appendix 1.

The Board appoints one of its members to serve as the Chair of the committee. The committee determines the procedure to appoint its Deputy Chair. If the Chair of the committee is absent from the meeting, his/her Deputy chairs the meeting and assumes all the functions and authority of the Chair.

- 2.2 All members are appointed for the length of their current Board appointment which may be extended in line with any Board re-appointments. All re-appointments must be approved by the Board.
- 2.3 The Committee may appoint a substitute drawn from the membership of the Board of CHS.
- 2.4 A committee substitute may participate at a committee meeting in place of a member where a committee member:
- (a) is unavailable for a committee meeting (or any committee activity taking place other than at a meeting) because of illness, family circumstances, adverse travel conditions beyond the member's control, a requirement to attend to other urgent business; or
 - (b) has ceased to hold that office and a replacement committee member has yet to be appointed.
- 2.5 When a committee substitute attends a meeting (or other committee activity), he or she assumes the full rights of an ordinary member of the committee. In particular, the substitute can vote and is entitled to receive all committee papers.
- 2.6 The Chair of the Board is not a committee substitute.
- 2.7 The PaCC may co-opt independent members who are not members of the Board for a period of time (not exceeding a year) to provide specialist skills, knowledge, and experience subject to budgets agreed by the Board.

3. Authority

- 3.1 The committee is authorised by the Board to review and approve any activity within its Terms of Reference (ToR). In so doing, the committee is authorised by the Board to obtain outside legal or other independent professional advice and to secure the attendance of

*Reviewed by RAC: June 2023
Approved by the Board: TBC Sept 2023
Next review: March 2024*

outsiders with relevant experience and expertise if it considers this is necessary, subject to budgets agreed by the Board.

4. Meetings and Quorum

- 4.1 The PaCC meets at least three times a year subject to the possibility of cancelling a meeting should it not be required. The Chair of the committee may convene additional meetings as he/she deems necessary. Committee meetings are held in private and may be held virtually if required.
- 4.2 The Chair of the Board may also ask the Chair of the committee to convene further meetings to discuss particular issues on which he/ she wants the People and Culture Committee's advice.
- 4.3 A minimum of two members of the committee must be present for the meetings to be deemed quorate. To ensure that the meeting is quorate, committee substitute(s) may be required to attend.
- 4.4 If any matter falls within the remit of more than one committee, the committees concerned may, if they wish, seek the agreement of the Board to meet jointly.
- 4.5 The People and Culture Committee may ask any other officials to attend in order to assist with discussions and offer expertise on a particular matter.
- 4.6 The CHS Business Support Team will provide the PaCC with secretarial support services.
- 4.7 The agenda and meeting papers are issued to members at least seven calendar days prior to the meeting, unless agreed otherwise.
- 4.8 The CHS Business Support Team minutes the proceedings and resolutions of all committee meetings including the names of those present and in attendance.
- 4.9 Minutes of every committee meeting are circulated to the Chair for approval and approved minutes referred to the Board for noting as soon as practical.
- 4.10 An Action Log is maintained to monitor progress on key issues raised at meetings.

5. Decisions and voting

- 5.1 Where consensus on a decision is not arrived at and a vote is necessary, members should refer to, and apply, the procedure laid out in CHS Board Standing Orders.

6. Attendance

- 6.1 The National Convener/ Chief Executive Officer, the Depute Chief Executive and the HR and Organisational Development Lead are required to attend each meeting.
- 6.2 The People and Culture Committee may require any other officials to attend to assist it with its discussions on any particular matter.
- 6.3 The committee may ask any or all of those who normally attend and who are not members of the committee, to withdraw to facilitate open and frank discussion of particular matters.

No attendee should be present for discussion of his/her own remuneration and conditions of service

7. Reporting

- 7.1 The Chair of the committee reports back to the Board, verbally or in writing, after each meeting. The committee takes directions from the Board on general or specific action it should take.
- 7.2 The committee reports on its activities, to the extent that it can, without breaching confidentiality, in the CHS Annual Report and Accounts.

8. Responsibilities

The committee has the following responsibilities:

- 8.1 Approves and reviews procedures/policies and any changes in procedure/policies for CHS staff for:
 - the setting of performance objectives for the National Convener/ CEO;
 - the appraisal of performance for CHS staff;
 - the scale rates applicable to the various grades within CHS;
 - the recruitment process; and
 - and any other recognition strategies and policies.
- 8.2 Approves and reviews applicable people related procedures/policies and any changes in procedure/policies for CHS community.
- 8.3 Notes and/or approves CHS' employment policies and their revision from time to time, including the Pensions Discretionary Policy.
- 8.4 Reviews the objectives of senior staff annually.
- 8.5 Approves the annual pay remit for submission to the Scottish Government.
- 8.6 Approves the recruitment process for the NC/ Chief Executive and posts, when a vacancy arises.
- 8.7 Formulates proposals for the Chief Executive's salary progression and other aspects of their remuneration for recommendation to the Scottish Government.
- 8.8 Notes the Remuneration report in the CHS Annual Report and Accounts and seek assurance it fulfils disclosure requirements.
- 8.9 Considers the redundancy, early retirement or severance arrangements in respect of all CHS staff, excluding retirement on grounds of ill-health, and approve these or refer to CHS Board as it sees fit.
- 8.10 Considers/approves reports on:
 - People and Recognition
 - Equality, Diversity and Inclusion
 - Progress against the People Strategy

- Learning and Development
- Staff and Community Wellbeing

8.11 Approves any Employment Tribunal settlement.

8.12 Engages directly with representatives of the CHS Team Forum at PaCC meetings.

8.13 Where a question arises about whether a matter is within the committee’s Terms of Reference, it is for the Board, after consultation with CHS Senior leadership Team as appropriate, to decide.

9. Review

9.1 The committee reviews its Terms of Reference annually. Proposals for amendment to the terms are submitted to the Board for formal approval.

Chair

Date

Appendix - Membership of the People and Culture Committee (PaCC) Committee

Name	Term	
	1 st Appointment	2 nd Appointment
Jo Derrick (Chair)	05/19-31/1/23	1/2/2023- 31/1/25
Beth-Anne Logan	05/17- 05/20	05/20 – 05/23
Mrs Kathryn Docherty	06/21- 06/24	

Agenda item 17
CHS-2324-33

Board Annual Work Plan 2024

Accountable Officer: Director of Business and Finance
Report author: Business Operations and Governance Manager
Recommendation: To approve
Resources implications: N/A

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

1. Introduction

The Board Annual Work Plan for 2024 is submitted for review and approval.

2. Recommendation

The Board are recommended to consider and approve the Annual Work Plan as a tool for ensuring standing orders and governance requirements are met throughout the year.



Children's Hearings Scotland

Board Work Plan 2024

1. **Public Board Meeting – 05 (30th January 2024)**

Corporate

- Financial Forecast Outturn
- Draft Budget 24/25
- Draft Strategic Outlook 2024-2027
- Draft Business Plan 24/25
- Q3 Performance Report

Policy/ governance

- PaCC annual work plan
- ARMC annual work plan

2. **Board Development Session (February 20th 2024)**

- Board independent meetings
- Review of effectiveness
- Board objective setting

3. **Joint Board CHS/SCRA (March 2024)**

4. **Public Board meeting - 06 (26th March 2024)**

Corporate

- Financial Forecast Outturn
- Budget approval 2024/25
- Business Plan 24/25 (Approval)
- Strategic Outlook 2024-2027 (Approval)
- Q4 Performance Report
- Financial Regulations (ARMC)
- Accounting Policies (ARMC)
- Annual Pay Award Review (PaCC)

Policy/ governance

- Board Review of own effectiveness
- ARMC ToR
- PaCC ToR

5. **Board Strategy Weekend (10th/11th May 2024)**

- An opportunity for the Board to focus on development and strategic themes

6. *Joint Board CHS/SCRA Development Session (June 2024)*

7. *Public Board Meeting – 01 (25th June 2024)*

Corporate

Financial Forecast Outturn
Capital Spending 2024/25
Q1 Performance Report

Policy/ governance

ARMC Annual Report
PaCC Annual Report
PaCC Equality Outcomes Annual Report

8. *Board Development Session (27th August 2024)*

TBC

9. *Public Board Meeting – 02 (24th September 2024)*

Corporate

Financial Forecast Outturn
Q2 performance report
Annual Report & Accounts

Policy/ Governance

Impact Report
Annual Review of Appeals
Feedback loop
Review of SG Framework (every 2-3 years – next review 2024)

10. *Board Strategy Weekend (8th / 9th November 2024)*

An opportunity for the Board to focus on development and strategic themes

11. *Joint Board CHS/SCRA (October 2024)*

12. *Public Board Meeting 03 (26th November 2024)*

Corporate

Financial Forecast Outturn
5 Year Financial Plan Update

Policy/ Governance

Board Standing Orders
Rights and Inclusion Strategy Annual Report

Board Work Plan	30/01/2024	26/03/2024	25/06/2024	24/09/2024	26/11/2024
Policy/Governance					
UNCRC Report 2017-2020 (triannual report cycle - next report 2023-2026 for approval 2026/27)					
Accounting Policies		<input type="checkbox"/>			
Gender Pay Report (every 2 years – next report 2024)			<input type="checkbox"/>		
Equalities Outcome Report – Annual update (5 yearly report cycle – next report 2025)		<input type="checkbox"/>			
Impact Report				<input type="checkbox"/>	
Feedback Loop				<input type="checkbox"/>	
Annual review of appeals				<input type="checkbox"/>	
Rights and Inclusion Strategy Annual Update					<input type="checkbox"/>
Rights and Inclusion Strategy (every 3 years – next review 2024)		<input type="checkbox"/> Draft (2024)	<input type="checkbox"/> Final (2024)		
SG Framework Document (every 2 – 3 years – next review 2024)				<input type="checkbox"/> (2024)	
Biodiversity Report (triannual report cycle - next report -01/01/2023—31/12/2026)					
RAC & ARMC Work Plans	<input type="checkbox"/>				
RAC & ARMC Annual Reports			<input type="checkbox"/>		
RAC & ARMC ToR		<input type="checkbox"/>			
Corporate					
Business and Corporate Parenting Plan	<input type="checkbox"/> Draft	<input type="checkbox"/> Final			
CHS Financial Regulations Review		<input type="checkbox"/>			
Financial Forecast Outturn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHS Budget planning and reporting	<input type="checkbox"/>	<input type="checkbox"/>			
CHS 5 Year Financial Plan - update	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Quarterly Reports	<input type="checkbox"/> Q3	<input type="checkbox"/> Q4	<input type="checkbox"/> Q1	<input type="checkbox"/> Q2	
Annual Accounts				<input type="checkbox"/>	
Annual Report				<input type="checkbox"/>	
Other					
CHSLA Prospectus				<input type="checkbox"/>	
Governance & Board Work Plan					<input type="checkbox"/>
Board Standing Orders Review					<input type="checkbox"/>

CHS Governance Plan 2024

	Q4			Q1			Q2			Q3		
	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
CHS & SCRA Joint Boards			TBC			TBC				TBC		
Board	30th Public Board -Draft Strategic Outlook 2024-2027 -DRAFT planning Business & Corporate Parenting Plan 2024/25 -DRAFT budget planning -Q3 reports	Board Development 20th Board independent meetings -review of effectiveness -Board objective setting	26th Public Board -Budget approval 24/45 -Approve Strategic/ Business & Corporate Parenting Plan - approve review of effectiveness -ARMC: Accounting Policies & Financial Regulations -Pay award PaCC -Q4 reports		Development 10th/11th Board Strategy weekend Agenda TBC	25th Public Board -Q1 reports -PaCC Equality Outcomes Annual Report -PaCC Annual Report -ARMC Annual Report -Capital spending 24/25 -EDI strategy approval		Development 27th Board Development day 10:00 – 16:00 Agenda TBC	24th Public Board -Annual Report & Accounts -Impact Report -Feedback loop -Annual review of Appeals -Q2 reports -SG Framework Document review and approval (tri-annual) -Annual governance workplan		Development 8th/9th Board Strategy weekend Agenda TBC 26th Public Board -Board Standing Orders -Rights and Inclusion Strategy Annual Report -5 Year Financial Plan Update	
ARMC		27th -Accounting Policies -Financial Regulations -Review ToR -Q3 reports (complaints/IG) - -Review of own effectiveness			21st -CHS Governance Statement -Annual Compliance Statement -Draft accounts -Internal/External Audit Work Plans -ARMC Annual Report -Q4 reports (complaints/IG) -BCP Review -Risk policy review			20th Annual Report & Accounts final approval -Q1 reports (complaints/IG)			19th -Annual Fraud Report Annual Fraud policy review -Annual Work Plan -Q2 reports (complaints/IG)	
PaCC			19th -2024/25 Pay Award Guidance -Review ToR -EDI Strategy Draft People Strategy review -Review of own effectiveness - Gender pay gap report April 2022 – March 2024			18th -CEO Appraisal & Objectives -2024/25 Pay Award update -RAC Annual Report -Equality Reporting -PaCC Annual Report EDI strategy approval			17th -Annual report on outcomes of staff appraisals			17th -Policies for approval -Annual Work Plan - Equality, Diversity, and Inclusion Annual Strategy Review -Mid-year review of performance on objectives for the NC/CEO