

# CHS Public Board Meeting

Tue 25 January 2022, 13:00 - 15:00

Teams

## Agenda

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

0 min

*Verbal*      *Garry Coutts*

To consider any declarations of interests with regard to agenda items

 1 Agenda Jan 2022.pdf (2 pages)

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### 13:00 - 13:00 **2. Minutes of previous meeting**

0 min

*Paper*      *Garry Coutts*

To approve the minutes of the previous meeting on 23rd of November 2021

 3 CHS-2122-41 Minutes of Nov 21 meeting.pdf (9 pages)

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### 13:00 - 13:00 **3. Matters arising**

0 min

*Verbal*      *Garry Coutts*

Seek assurance that actions from the previous meeting have been progressed

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### 13:00 - 13:00 **4. Action Log**

0 min

*Paper*      *Garry Coutts*

To monitor progress against actions due and agree action where required

 4 CHS-2122-42 Action Log.pdf (2 pages)

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

0 min

*Verbal*      *Garry Coutts*

For information and discussion

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### 13:00 - 13:00 **6. National Convener/ CEO update**

0 min

*Paper*      *Elliot Jackson*

For consideration and discussion

 6 CHS-2122-43 NC update Jan Board.pdf (4 pages)

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### 13:00 - 13:00 **7. Hearing System Working Group Update**

0 min

*Verbal*      *Carol Wassell*

**13:00 - 13:00** **8. Promise Update**

0 min

*Verbal* *Carol Wassell*

For consideration and approval

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**13:00 - 13:00** **9. 2021/22 Financial Forecast Outturn**

0 min

*Paper* *Ed Morrison*

For consideration and approval

 9 CHS-2122-44 Forecast Outturn.pdf (3 pages)

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**13:00 - 13:00** **10. CHS 2022-23 DRAFT Budget**

0 min

*Paper* *Ed Morrison*

For consideration and approval

 10 CHS-2122-45 2223 Budget Report for Jan Board.pdf (5 pages)

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**13:00 - 13:00** **11. RAC**

0 min

For information and approval

**11.1. RAC Annual Report**

*Paper* *Jo Derrick*

For information and approval

 11a CHS-2122-46 Annual Report RAC.pdf (1 pages)

**11.2. RAC Annual Work Plan**

*Paper* *Jo Derrick*

For information and approval

 11b CHS-2122-47 Workplan 2022 RAC.pdf (2 pages)

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**13:00 - 13:00** **12. ARMC Annual Work Plan**

0 min

*Paper* *Henry Robson*

For information and approval

 12 CHS-2122-48 Work plan 2022 ARMC.pdf (4 pages)

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**13:00 - 13:00** **13. Q3 Performance Report**

0 min

*Paper* *Lynne Harrison*

For consideration and approval

 13a CHS-2122-49 Q3 Performance Report - Board Cover Paper.pdf (2 pages)

 13b CHS-2122-49 Quarter 3 Performance Report.pdf (14 pages)

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**13:00 - 13:00** **14. Business and Corporate Parenting Plan DRAFT Update**  
0 min

*Verbal* *Lynne Harrison*



For information and discussion

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**13:00 - 13:00** **15. OHOV Evaluation and Update Report**  
0 min

*Paper* *Lynne Harrison*

For consideration and discussion

-  15a CHS-2122-50 OHOV Evaluation Cover paper.pdf (3 pages)
  -  15b CHS-2122-50 OHOV Evaluation Report - FINAL VERSION.pdf (34 pages)
- 

**13:00 - 13:00** **16. CHS Approach to Trauma**  
0 min

*Paper* *Christine Mullen*

For consideration and approval

-  16 CHS-2122-51 Approach to Trauma.pdf (9 pages)
- 

**13:00 - 13:00** **17. Social Media Policy Update**  
0 min

*Paper* *Lynne Harrison*



For consideration and approval

-  17 CHS-2122-52 CHS social media policy.pdf (6 pages)
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**13:00 - 13:00** **18. Board Code of Conduct Updated**  
0 min

*Paper* *Lynne Harrison*

For consideration and approval

-  18a CHS-2122-53 Board Code of Conduct Jan 2022 Cover note.pdf (2 pages)
  -  18b CHS-2122-53 DRAFT Model Code of Conduct updated V2.pdf (22 pages)
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**13:00 - 13:00** **19. Policy Amendment – Resignations**  
0 min

*Paper* *Christine Mullen*

For consideration and approval

-  19 CHS-2122-54 Board update\_Resignations.pdf (2 pages)
- 

**13:00 - 13:00** **20. AOB**  
0 min

*Verbal* *Garry Coutts*



## BOARD MEETING

### AGENDA

#### 5th Meeting 2021/22

25<sup>th</sup> January 2022

The Board will meet 1.00 pm – 3.00pm virtually via Teams

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-2122-41	To approve the minutes of the previous meeting on 24th November 2020
3	Matters arising	Chair	Verbal	Seek assurance that actions from the previous meeting have been progressed
4	Action log	Chair	CHS-2122-42	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-2122-43	For consideration and discussion
7	Hearing System Working Group Update	CW	Verbal	For information and discussion
8	Promise Update	CW	Verbal	For information and discussion
9	2021/22 Financial Forecast Outturn	EM/LH	CHS-2122-44	For consideration and approval
10	CHS 2022-23 DRAFT Budget	EM/LH	CHS-2122-45	For consideration and approval
11	RAC Annual Report Work plan	JD/LH	CHS-2122-46 CHS-2122-47	For information and approval
12	ARMC Work plan	HR	CHS-2122-48	For information and approval
13	Q3 Performance Report	LH	CHS-2122-49	For consideration and approval

14	Business and Corporate Parenting Plan DRAFT Update	LH	Verbal	For information and discussion
15	OHOV Evaluation and Update Report	LH	CHS-2122-50	For consideration and discussion
16	CHS Approach to Trauma	CM	CHS-2122-51	For consideration and approval
17	Social Media Policy Update	LH	CHS-2122-52	For consideration and approval
18	Board Code of Conduct Updated	LH	CHS-2122-53	For consideration and approval
19	Policy Amendment – Resignations	CM	CHS-2122-54	For consideration and approval
20	AOB	Chair	Verbal	

**CHS/SCRA Joint Board 1<sup>st</sup> of February 2022**

**Board Strategy dates: 24<sup>th</sup> / 25<sup>th</sup> February 2022 (TBC)**

**Next meeting date: 29<sup>th</sup> March 2022**

Next Meeting Key Topics:

1. Business and Corporate Parenting Plan Approval
2. Annual Pay Award Review
3. Gender Pay Report 2021-22
4. Equalities Outcome Report 2021-22
5. Budget Approval
6. Annual Accounting Policies Review
7. Annual Financial Regulations Review
8. *Board and Subcommittee review of effectiveness TBC*

## Minutes of the Board Meeting of 23<sup>rd</sup> November 2021

The meeting started at 13:00 via Teams

**Present:**

Garry Coutts (GC)	Chair
Sean Austin (SA)	Board Member
Henry Robson (HR)	ARMC Chair/Board Member
Katie Docherty	Board Member

**Also present:**

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
Christine Mullen (CM)	Head of Learning, CHS
Stephen Bermingham (SB)	Head of Practice and Policy, CHS
Ed Morrison (EM)	Director of Finance, CHS (SCRA shared services)
Rachel Kavish Wheatley (RW)	Business Support Lead, (minute taker), CHS

**In attendance:**

**Apologies:**

Iain Fitheridge	Head of Children’s Hearings Team Scottish Government
Beth-Anne Logan	Board Member
Jo Derrick (JD)	RAC Chair/Board Member
Barbara Neil	Board Member
Ross MacKenzie	Finance Manager, CHS (SCRA shared services)

Items	Actions / owner	Time-scales
<b>1 Declaration of interests</b>		
The Chair welcomed everyone to the meeting and presented the apologies as above  There were no declarations of interest to note		
<b>2 Minutes of previous meeting</b>		
The Board agreed to approve the minutes of its meeting on 21 <sup>st</sup> September 2021		
<b>3 Matters arising</b>		
No matters arising to note		

4	<b>Action log</b>	
The Chair confirmed that all items were on the Agenda for discussion		
5	<b>Chair update</b>	
<p><b>The Chair updated the Board on the following;</b></p> <ul style="list-style-type: none"> <li>• Details of the recruitment timeline for the new Chair have been shared with the Board.</li> <li>• The Chair confirmed with the Deputy Chair, HR, that as Deputy they was content to cover any gaps between his departure and the new Chair starting.</li> <li>• Work is ongoing to prepare for the joint Board meeting with SCRA early in the new year.</li> </ul> <p><b>Board decision:</b></p> <p style="padding-left: 40px;"><b>1. To Note the update from the Chair.</b></p>		
6	<b>National Convener/Chief Executive update</b>	
<p><b>The NC/CEO spoke to the paper shared;</b></p> <p><b>CHS Community recognition</b></p> <ul style="list-style-type: none"> <li>• As restrictions have eased, a number of in person recognition events have taken place, or are planned, which SMT have/will attend. Key messages being shared are those of thanks and appreciation of the contribution and value volunteers bring.</li> <li>• CHS will centrally be organising the provision of a recognition voucher for all volunteers carrying a national message from the NC and the Minister.</li> </ul> <p><b>ACLG</b></p> <ul style="list-style-type: none"> <li>• ACLG is being hosted as a hybrid event to include recognition at the Grosvenor Hotel Edinburgh.</li> </ul> <p><b>CHS Award nomination</b></p> <p>CHs has been nominated for the following awards:</p> <ul style="list-style-type: none"> <li>• Innovation Award Fife College – for the incorporation of young people in our recruitment campaign.</li> <li>• Public Sector Awards – Communication, for the inclusion of young people in our Panel Member Recruitment Campaign.</li> <li>• It is high praise and recognition of our work to be nominated, regardless of the result.</li> </ul> <p><b>Board discussion:</b></p> <p>The Chair asked that the Board’s thanks be passed on to Area Conveners for their continued commitment and resilience.</p>		

	<p><b>Board decision:</b></p> <ol style="list-style-type: none"> <li>1. To note the NC/CEO update.</li> <li>2. To congratulate and thank all those that have taken part in the nominated projects.</li> <li>3. To pass on the Board’s thanks to the Area Conveners at the ACLG on the 24<sup>th</sup> of November 2021.</li> <li>4. The Board to meet with AC’s early in the new year for an informal development session.</li> </ol>	<p><b>Mar 22’</b></p>	<p><b>EJ</b></p>
<p><b>7</b></p>	<p><b>2021/22 Financial Forecast Outturn</b></p>		
	<p><b>EM spoke to the paper shared;</b></p> <p>EM highlighted the following points from the final Financial Forecast Outturn report:</p> <ul style="list-style-type: none"> <li>• Revenue spend forecast 4.861M funded through core grant in aid of 4.629M and reserves of 232K with no need to draw down from the in-year pressure funding from SG.</li> <li>• Forecast 268K underspend will reduce to 18K once 250K is used to bridge gap from core grant. Majority of underspend due to reduction in panel and AST expenses, as we as ICT support and CHSLA event costs.</li> <li>• A small risk still remains around panel and AST expenses underspend due to covid impact</li> <li>• The five year forecast remains the same and we expect to bridge the underspend seen in this and past financial year as we return to more normal operations.</li> <li>• Capital requirement has been assessed as 283K for the year. The original capital allocation was 400K which included ICT costs for CSAS. CHS and SCRA have agreed that all CSAS development spend will be billed by the developer to SCRA directly, including CHS related services. To achieve this, £0.25m of capital GIA would need to be transferred to SCRA however 117K net will transfer over with SCRA able to cover the remainder on their balance sheet.</li> </ul> <p><b>Board discussion:</b></p> <ul style="list-style-type: none"> <li>• The Board questioned the underspend for Leidos support and if CHS has a more accurate picture of ongoing support costs. This is the first year of full costs of CSAS CHS/SCRA budgets, previous years were funded by grant from SG. Other than annual inflationary increases, this year’s costs should carry through as year-on-year support costs.</li> <li>• It was noted that CHS are investing budget in ICT support costs by expanding the digital staffing complement. These costs have been worked into the 5 year plan, along with staffing costs associated with the Promise, which we will see pull through in next year’s budgets.</li> <li>• The Board asked if the SG in-year pressure offer of 250K was not drawn down, would it carry forward. Normally, this would not be the case however last year CHS was allowed to add this to reserves to offset recovery. It is understood that SG finances are pressured and there is uncertainty around the position they will take with regards to in-year funding.</li> </ul>		



	<ul style="list-style-type: none"> <li>The Board noted the lack of depreciation charges in the budget and questioned why this was and how depreciation was charged. EM confirmed that CHS has a balance sheet with the principle charges comprising fit out of Thistle House and the device estate. A separate non-cash fund is offered by SG to cover both CHS and SCRA depreciations. We are required to provide SG with a figure for depreciation annually but this does not appear on our budget.</li> </ul> <p><b>Board decision:</b></p> <ol style="list-style-type: none"> <li><b>The Board agreed to approve the Report.</b></li> </ol>		
<p><b>8</b></p>	<p><b>Hearing System Working Group (HSWG) Update</b></p>		
	<p><b>CW shared with the Board;</b></p> <ul style="list-style-type: none"> <li>The Chair (GC) has a meeting planned with Michelle Miller, Fiona Duncan, and David Mackie next week and will report back to the Board.</li> <li>The next meeting of the HSWG will be held on 29/11. In advance of this meeting CW has been working with Fiona McFarlane and Christine Spicer to push forward the need for an agreement of the blueprint state of the future hearing system. In order see this work through there may be a need to resource outside of Government as the Office of the Chief Designer at SG is stretched. Anticipate an agreement on timescales at this meeting.</li> <li>CHS' position is to design with form following function – designing the blueprint concurrently with identifying the needs.</li> <li>CHS will be asking for a programme plan to map the HSWG's activity with milestones over the next 18 months to create a roadmap for the group and show the Secretary what we are working towards.</li> <li>CHS are looking to the Promise oversight board and HSWG to try and remove any blockages to the redesign and improvement work.</li> <li>SMT are working on capacity for the CHS Promise Programme and our Operating Model with staff to ensure we can make space for redesign.</li> <li>CHS are looking at how we engage and involve AST and young people in the process of redesign and tests of change.</li> </ul> <p><b>Board discussion:</b></p> <p>The Board noted that we are still in the formative stages with the HSWG and will be looking closely to next quarter to deliver a clearer picture of project programme and timelines.</p> <p><b>Board decision:</b></p> <ol style="list-style-type: none"> <li><b>The Board noted the update shared.</b></li> <li><b>GC to update the Board on the meeting with Michelle Miller, Fiona Duncan, and David Mackie at January Board.</b></li> <li><b>For the Board to reflect at a development session on the approach to be taken for CHS within the HSWG and Promise Oversight Board.</b></li> </ol>	<p>GC</p> <p>GC</p>	<p>Jan 22'</p> <p>Mar 22'</p>

<p>9</p>	<p><b>Area Support and Improvement Partners Update</b></p>		
<p><b>CW spoke to the report shared;</b></p> <ul style="list-style-type: none"> <li>• Report outlines the contribution that the Area Support and Improvement Partner (ASIP) role has made since being brought on board two years ago.</li> <li>• The ASIP role was originally recruited in response to the increasing demands and expectations on AC's and the need for national improvement and transformation across AST's.</li> <li>• Broadly, this has worked well, though the vision of the ASIP role driving improvement nationally and with consistency has been curtailed somewhat due to Covid. ASIP's were forced to step in and filled gaps that the pandemic created, replace AC's, AST's, rota managers etc. and it is clear we could not have continued to deliver hearings during the pandemic without them.</li> <li>• ASIP's not only support the volunteer teams in their areas but impact better outcomes for children in their areas through their improvement and partnership work.</li> <li>• As we go forward, the ASIP team will play a key role in delivering our transformational change.</li> </ul> <p><b>Board decision:</b></p> <ul style="list-style-type: none"> <li>• The Board were in agreement that the ASIP's were best placed to work nationally and strategically however, concern was noted that this Would need to be managed carefully.</li> <li>• The Board recognised the work that this team of staff have accomplished, particularly when faced with a pandemic shortly after joining, and expressed their gratitude acknowledging the difficulties faced.</li> <li>• The Board noted a need to reflect back on the aspirations held for these roles when first conceptualised, having petitioned SG for the increased budget to increase the CHS headcount. The business case was about transformational change and that the volunteer model needed to be supported and sustainable. It is important to step back from the work ASIP's are currently involved in and revisit the aspirations for what we had originally wanted them to achieve. There may be a need to revisit the original plans for this group and reposition them to ensure we are receiving impact where it is most needed and best placed.</li> </ul> <ol style="list-style-type: none"> <li>1. <b>The Board agreed to approve the report.</b></li> <li>2. <b>The Board expressed their appreciation to the ASIP team and recognition of the difficulties they faced early in their CHS career with Covid hitting.</b></li> <li>3. <b>To bring a proposal to the Board on how the ASIP's will fulfil the aspirations with which they were recruited with/or explain the redesign of the role to ensure their deployment and model does not drift.</b></li> </ol>		<p>CW</p>	<p>Mar 22'</p>

10	<b>OHOV 40 Calls to Action - CHS Update</b>											
	<p><b>LH shared with the Board;</b></p> <ul style="list-style-type: none"> <li>The 40 Quacks/Calls to Action were shared by OHOV just before the pandemic and CHS were asked how we would respond to them.</li> <li>LH &amp; CW attended the OHOV Board last week and presented the CHS actions in response to the 40 Calls to Action. Positive feedback was received, particularly around the involvement of YP in the PM recruitment process. The report will be shared publicly once finalised.</li> <li>The main question from the YP on the Board was how CHS are involving young people in co-design and taking the work forward.</li> <li>The evaluation of the OHOV YP Board is underway and will be reviewed by CHiP this week. There are questions around what is the future of OHOV in context of the Promise and CHiP has been asked to respond to this and give a picture on what the future looks like for OHOV.</li> <li>GC and LH met with Gordon Main, the OHOV Support Lead to put in place engagement with YP Board.</li> </ul> <p><b>Discussion:</b> The Chair noted it was a positive meeting had with Gordon Main. The Board commented that it was positive to see our 40 actions in response to the 40 Quacks as a clear intention on the part of CHS to engage. There is the intention that there will be ongoing engagement with both CHS and SCRA Boards and OHOV YP Board.</p> <p><b>Board decision:</b></p> <ol style="list-style-type: none"> <li>The Board noted the update shared.</li> <li>The Board to identify a key Board member to build a relationship with OHOV.</li> </ol>	<p>All</p> <p>Mar 22'</p>										
11	<b>CHS Legislative and Policy Landscape</b>											
	<p><b>SB spoke to the report shared;</b> Purpose of this report was to provide an overview to Board and to highlight areas of development the Board may wish to focus on. The paper can be broken down into two main areas of legislation and policy:</p> <table border="1" data-bbox="111 1585 1236 1825"> <thead> <tr> <th><u>Core policy</u></th> <th><u>Reform and redesign agenda</u></th> </tr> </thead> <tbody> <tr> <td>➤ Children’s Hearing Act 2020</td> <td>➤ The Promise</td> </tr> <tr> <td>➤ Age of Criminal Responsibility</td> <td>➤ Incorporation of UNCRC into Scots Law</td> </tr> <tr> <td>➤ Secure Care Standards</td> <td>➤ National Care Review</td> </tr> <tr> <td>➤ GIRFEC</td> <td>➤ Children’s Care and Justice Bill</td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>The reform agenda has provided space for CHS to fill where we can put forward our intentions and not wait for others to do our thinking for us.</li> <li>What comes through overall in the policy agenda is the overarching driver of Children’s Rights. positive to see CHS got a mention. Need to keep this drive ongoing.</li> </ul>	<u>Core policy</u>	<u>Reform and redesign agenda</u>	➤ Children’s Hearing Act 2020	➤ The Promise	➤ Age of Criminal Responsibility	➤ Incorporation of UNCRC into Scots Law	➤ Secure Care Standards	➤ National Care Review	➤ GIRFEC	➤ Children’s Care and Justice Bill	
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➤ Secure Care Standards	➤ National Care Review											
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<ul style="list-style-type: none"> <li>• Non-statutory guidance on the incorporation of UNCRC by SG with CHS being mentioned as an example organisation pioneering Children’s Rights. We are uniquely positioned to maintain this position but must ensure Children’s Rights guide all our decision making using a rights based approach.</li> <li>• There is a clear need for CHS to build bigger evidence bank, systematically gathering the views of children and YP so our work is data driven, not anecdotal.</li> <li>• There is an opportunity for CHS to hold to account those agencies that have statutory responsibility for delivering the decision of the panels and, in consideration of the new legislation, look for scope to increase the options available to panel members when it comes to decision making. These options should include incorporation of the Bairns Hoose Model using trauma informed, therapeutic practice which reduces the amount of times children have to recount their traumatic experiences.</li> </ul> <p><b>Board discussion:</b>  The Board found the paper extremely useful pulling together the complexities and scope of the legislative and policy landscape into one place. The Board would like to keep this paper as a live document to be used for discussion and development, further enhancing the document by adding a stakeholder map and legislative timeline. The Board discussed the need, in such a complex environment, to reflect on and then prioritise the areas that should be of focus for CHS.  The Board discussed the difficulties around a named person but also that it could be an opportunity to hold the responsible agencies accountable for delivering on outcomes for children and YP.</p> <p><b>Board decision:</b></p> <ol style="list-style-type: none"> <li>1. The Board noted the update shared.</li> <li>2. To create timeline and include in the paper of when these polices and changes will come into play for CHS.</li> <li>3. Create an influencing Strategy including stakeholder map identifying area of overlap and circles of influence.</li> <li>4. To maintain this document as a “live” document and reference point, regularly updated and used for discussion and development.</li> <li>5. Board members to identify the areas they would like to create space for development on to be used at an upcoming development session.</li> <li>6. SMT to identify the areas they would like to create space for development on and consultation with the Board.</li> </ol>		
<p><b>12</b>   CHSLA Annual Report</p>		
<p><b>CM spoke to the papers shared;</b></p> <ul style="list-style-type: none"> <li>• The goal of the CHSLA Annual report was to produce a public version profiling the scale and scope of the work as well as to thank the people who have supported it. This will sit on our public website however ARMC will continue to receive other contractual reporting.</li> </ul>		

	<ul style="list-style-type: none"> <li>• Some highlights:             <ul style="list-style-type: none"> <li>➤ Reimagining of Pre-service taking into consideration new legislation, The Promise, OHOV and hybrid/virtual hearings;</li> <li>➤ For the first time the report has interactive links with video’s;</li> <li>➤ It places the contribution to the development and delivery of people with lived experience at the centre and thanks them publicly for their involvement. It also credits the learning academy facilitators as well as all of the organisations who have supported content development;</li> <li>➤ As well as statistical data, it also references collaboration with other organisations; and</li> <li>➤ It captures training priorities for the year and reflects the enhanced level of wellbeing support.</li> </ul> </li> </ul> <p><b>Board discussion:</b> The Board noted the report was accessible and easy to read, visually pleasing, and enjoyed the interactive inclusions. The Board looked for assurance that we reported somewhere, such as at ARMC, on the areas where we have fallen and short and ensure this is acted on. This is managed via a ‘lessons learned’ approach within the contract management group.</p> <p><b>Board decision:</b> <b>1. The Board agreed to note the report.</b></p>		
<p><b>13</b></p>	<p><b>Board Standing Orders – Annual Review</b></p>		
	<p><b>LH spoke to the papers shared;</b></p> <ul style="list-style-type: none"> <li>• No substantive changes have been suggested within the standing orders for 21/22.</li> </ul> <p><b>Board discussion:</b></p> <ul style="list-style-type: none"> <li>• General section about suspending standing orders does not identify the reasons why we would suspend. It was explained that this allows the Board to take work or meetings out of sequence should the need arise. It was requested that an amendment was made to the standing orders to note that any meeting which suspends standing orders must be quorate.</li> <li>• The Board requested that the wording in point 1.2 be changed to remove the wording “works in close harmony” to ensure there is no implication that the Chair and CEO always work in harmony as there may be times where this is not the case.</li> </ul> <p><b>Board decision:</b> <b>1. The Board approved their Standing Orders for 21/22 pending minor amendments as noted above.</b></p>	<p>LH</p>	<p>Nov 21’</p>

14	<b>Governance Work plan 2022</b> <b>Governance Calendar 2022</b>		
	<p><b>LH spoke to the paper shared;</b></p> <ul style="list-style-type: none"> <li>• This lays out the work plan for the year based on the Governance calendar in accordance with our reporting cycles and standing orders.</li> <li>• Additional items are added to agendas through the year as required.</li> </ul> <p><b>Board discussion:</b> The Board did not have any additional comments.</p> <p><b>Board decision:</b></p> <ol style="list-style-type: none"> <li>1. The Board agreed to approve the Work plan.</li> <li>2. The Board agreed to approve the Governance Calendar.</li> </ol>		
18	AOB		
N/A			

**The meeting closed at 14:14**

**Children's Hearings Scotland Board Action Log**  
**Updated January 2022**

No.	Action(s)	Source	Target date	Owner	Status
1.	Develop a statement of key messages around the work we are currently doing and will be doing to deliver the Promise for reference and referral	June 21	<del>Dec 21</del> Dec 21	CW	Complete
2.	Formally write to OHOV to acknowledge receipt and endorse the NC suggestions on implementation. Suggest in letter we would like to meet representatives from their Board to discuss.	Nov 20	<del>Jan 21</del> Jan 22	GC/LH	Complete
3.	GC to update the Board on the meeting with Michelle Miller, Fiona Duncan, and David Mackie at January Board.	Nov 21	Jan 22	GC	On Agenda
4.	Board members to identify the areas they would like to create space for development.	Nov 21	<del>Jan 22</del>	Board	Ongoing
5.	SMT to identify the areas they would like to create space for development on and consultation with the Board at upcoming development session.	Nov 21	Jan 22	SMT	On Development Agenda
6.	Future Advocacy reports to include statistical data on trends analysis and fulfilment of requests.	June 21	<del>Sept 21</del> Jan 22	SB	On Agenda
7.	Review the Board appraisal process with RAC	Jan 21	March 22	JD	Initial Board development session undertaken in August '21. Strategy Sessions in Oct/Nov in place.
8.	Ensure future CSAS developments include the recording of CYP participation numbers in hearings.	Sept 21	March 22	LH	Not Yet Due
9.	Develop a data set for the Board for regular reporting – Board to determine what data it requires	November 21	March 22	GC	Not Yet Due
10.	The Board to meet with AC's early in the new year for an informal development session.	Nov 21	March 22	EJ	Not Yet Due
11.	For the Board to reflect at a development session on the approach to be taken for CHS within the HSWG and Promise Oversight Board.	Nov 21	March 22	GC	Not Yet Due

12.	To bring a proposal to the Board on how the ASIP's will fulfil the aspirations with which they were recruited with/or explain the redesign of the role to ensure their deployment and model does not drift.	Nov 21	March 22	CW	Not Yet Due
13.	The Board to identify a key Board member to build a relationship with OHOV.	Nov 21	March 22	All	Not Yet Due
14.	To compile and compare data around the percentage of observations across ASTs that give cause for concern to PPAs and which lead to recommendations	Jan 2020	<del>Dec 21</del> April 22	CM	Impacted by Covid – deadline moved
15.	Include a timeline in the Legislative Landscape paper of when these policies and changes will come into play for CHS.	Nov 21	April 22	SB	To be shared offline
16.	Based on the Legislative Landscape paper, create an influencing Strategy including stakeholder map identifying area of overlap and circles of influence.	Nov 21	June 22	SB	Not Yet Due
17.	Interrogate data in feedback loop around geographic areas which have not improved and for which no explanation or analysis is given.	March 21	Ahead of publication	MB	Not Yet Due
18.	To carry out a development session around Independent Report Writers and their function for the Board for further understanding	June 21	<del>Jan 22</del> June 22	SB	Not Yet Due
19.	Submit paper evaluating device pilot across the community. To include costs and plans to equip all panel members with devices	Jan 21	June 22	LH	To take forward into 22/23 to enable full implementation of RAVHI prior to evaluation
20.	To look at the creation of a child/young person friendly complaints policy once the policy has been finalised	November 19	<del>Sept 20</del> Sept 22	LH	Impacted due to Covid, will be prioritised in 22/23





## Agenda Item 6

CHS-2122-43

### National Convener / Chief Executive update

#### 1. Introduction

- 1.1 The period between the last Board meeting in November to now has seen the National Team and the CHS Community continue to flex our arrangements for Children's Hearings according to the latest Scottish Government Covid-19 guidance.
- 1.2 The pace has remained steady and working with the CHS Community to keep them updated with the latest guidance; seeking their views on next steps; and of course, keeping them safe, has remained our top priority. This work involves close collaboration with the senior team at SCRA.
- 1.3 This report provides an eclectic mix of updates to the Board, many of which are short bite sized briefings ahead of a number of areas separately heading to the Board in their own right.

#### 2. CHS Community Recognition

##### New Year's Honours

- 2.1 We are delighted to confirm that two of our volunteers have been recognised in the 2022 New Years Honours. Our congratulations go out to Lorna Ward (Dundee) on the award of MBE and Alison Christie (Aberdeen) on the award of BEM.
- 2.2 Annually, the New Year Honours List pays tribute to outstanding contributions from citizens across the Nation, and in 2022 63% of awards recognise leadership in local communities.
- 2.3 Lorna and Alison join a growing number of CHS Panel Members recognised by the New Year Honour's List. The ongoing nomination of Panel Members reaffirms the importance of the Children's Hearing system, and the invaluable contribution and commitment that our volunteers make to ensure young people are at the heart of every decision.
- 2.4 We are proud to share these awards with the wider CHS Community. Panel Members are dedicated to listening and thoroughly deliberating on the best of outcomes for infants, children, and young people. Every decision, no matter how big or small, has a huge impact and often the volunteers' unseen efforts and sacrifices behind the scenes can be hidden, so this recognition is well and truly earned.

##### Panel and AST Member Recognition

- 2.5 All members of the CHS Community were given a small token of our thanks for their commitment and endeavour in participating in Hearings in the form of a gift card. The letter which accompanied the gift was co-signed by the Minister for Children and Young People and the National Convener.

- 2.6 The feedback from the CHS Community was warm and appreciative of the sentiments in the letter and the gift card.

### **CHS Award winning Panel Member Recruitment Campaign**

- 2.7 We are delighted that the CHS Panel Member Recruitment Campaign has been awarded the prestigious Public Sector Communications Award 2021. The Scottish Public Service Awards celebrate the daily contribution made to Scotland's civic society from within the civil service, Scottish Government, Scottish Parliament, local Government, health and social care sector, broader public sector and their partners within the Third Sector.
- 2.8 The award was received due to the outstanding partnerships developed across every Area Support Team to include children and young people with lived experience into our Panel Member recruitment and selection processes.
- 2.9 This recognition is even more special in a year when we recruited our largest ever cohort of trainees and undertook the process in a fully virtual world. None of this could have been achieved without the outstanding efforts of all the local teams. These efforts contributed directly to the campaign ensuring that it could be the best it could be and we are delighted this award recognises those efforts.

### **3. Resilience and Recovery**

- 3.1 We stepped up our Resilience and Recovery group in early December in light of the Omicron variant of Covid-19. Discussions with our Scottish Government and SCRA colleagues resulted in pivoting Hearings online from face to face through late December and January. We are currently reviewing plans for February and March; Prioritising key infants, children and young people who are in most need for a Children's Hearing; and undertaking scenario planning/impact assessments around the 25% reduction in our paid and unpaid workforces.
- 3.2 This collaborative planning approach has allowed all stakeholders who work within the Children's Hearings environment to move swiftly to a virtual service. The agility to change and the goodwill shown by Panel Members and our wider partners has been impressive, as well as the ability to maintain high levels of business continuity to keep infants, children and young people safe.
- 3.3 News that infection rates of the Omicron variant are reducing have allowed us to reconsider our planning assumptions into February and March. We expect a gradual return to face to face, where appropriate, over the next few weeks.
- 3.4 We await the publication of the revised strategic framework from the Scottish Government in early February. This framework promises to provide guidance and advice on managing and operating services without the need for recourse to legal restrictions.

4. **Cross-border placements of children and young people into residential care in Scotland**

- 4.1 The Scottish Government have published a policy position paper on [Cross-border placements of children and young people into residential care in Scotland](#). The Government is proposing a change in legislation so that Deprivation of Liberty Orders granted by the High Court of England and Wales are automatically treated as Compulsory Supervision Orders for cross border placements in Scotland. This is intended to address the legal loophole that arises when children’s residential homes in Scotland receive cross-border secure placements. The position paper proposes that Children’s Hearings will be convened to “facilitate information sharing with regard to the child’s progress” appoint a safe-guarder / advocacy worker, and review the placement every three months. The Government is proposing to introduce a short term fix to section 190 of the Children’s Hearings (Scotland) Act 2011 in the spring of 2022. The long term legislative solution will be addressed in the Children’s Care and Justice Bill that the Government is planning on consulting on as soon as the end of February 2022.
- 4.2 CHS supports the position of the Government that all children in Scotland are afforded the same rights and protections. However, we are seeking reassurance that the proposals adequately address issues of legal representation, appeals, safe-guarders, review periods, information sharing, and the decision making of panels. The timescales for implementation are challenging. CHS will need to ensure that Panel Members are adequately equipped with the right support, guidance and information in order to oversee the support to these vulnerable children and young people. Currently the numbers of young people in these cross border placements is quite small (10-15 at time of writing) although likely to increase. In order to respond CHS and SCRA are developing a proposal to establish a national specialist panel to oversee these complex cases across different legal jurisdictions.

4. **Advocacy**

- 4.1 In 2021 the Board received two update reports in June and September on the provision of independent Advocacy in Children’s Hearings. These reports came about in response to amendments to the Children Hearings (Scotland) Act 2011. The amendments, that came into force in November 2020, introduced a new right for children to have access to independent Advocacy and placed a duty on the chairing Panel Member to inform the child of their rights to this service. Panel Members have received training though the Learning Academy and guidance has been issued to ensure compliance with this directive.
- 4.2 The Scottish Government commissioned ten organisations to provide this Scotland wide advocacy service. Progress is overseen by the Advocacy Expert Reference Group hosted by the Scottish Government, with representation from CHS. The Government is currently finalising the first years evaluation of this new service. As the lead commissioning body it is the Government that owns this information. The evaluation report will provide information on the uptake, demographic, and experience of children accessing the service. This report will be shared with the Board as soon as it becomes available. To complement the evaluation, the Practice and Policy Team will consult Panel Members on their experiences of provision via the newly created Practice Bank and share this feedback with the Board.

- 4.3 On 19 January 2022 an event took place to celebrate the anniversary of the provision for Advocacy in Children’s Hearings with input from a CHS Board member and Clare Haughey, Minister for Children and Young People. This event resulted in positive publicity for CHS and demonstrated our support for advocacy in Children’s Hearings.

## 5. Delivering The Promise

- 5.1 We have made significant gains in the last 8-weeks in our discussions with The Promise, The Hearings System Working Group (HSWG) and the Office of the Chief Designer, located within the Scottish Government. We are clearer on the likely timelines and approach of the review elements of Children’s Hearings.
- 5.2 I think the timing is right, against that backcloth, to write to the whole of the CHS Community in the spring to set out what they can expect to be reviewed and where they can play a part. Panel and AST Members will play an ongoing, and crucial role in the redesigning of the Hearings system. Now that CHS is occupying that redesign space, we will need to engage and consult widely to ensure that we continue to inform and inspire.

## 6. Strategic Partnership Working

- 6.1 My programme of engagement with senior leaders across the Scottish Government and the wider children and young people services sector is continuing. This quarter has seen me continue to participate and influence:
- The Scottish Government Covid-19 Children and Families Collective Leadership Group on recovery and renewal;
  - The National Child Protection Leadership Group on new National Child Protection Guidance;
  - The Youth Justice Improvement Board on 16/17 Year olds in the Hearings system;
  - The Age of Criminal Responsibility Ministerial Advisory Group, where we will support the Scottish Government’s move from the age of 8 to 12 from the 18<sup>th</sup> December 2021;
  - The National Child Protection Committees Scotland on new guidance for CHS to participate in Significant Case Reviews;
  - The Children’s Hearings Improvement Partnership on improvement and alignment with The Promise 80 intentions and the 40 asks from the young person’s group – Our, Hearings, Our Voice;
  - The Scottish Government over the consultation over the proposed Care and Justice Bill.

Elliot Jackson  
**National Convener and Chief Executive Officer**  
21 January 2022

**Agenda Item 9**  
**CHS-2122-44**

**Finance Report: 2021/22 forecast outturn**

**Accountable Director:** Director of Finance  
**Report author:** Anne Kerr  
**Resources implications:** Within available resources  
**Equalities duties:** Equalities Impact Assessment Required  
 Yes  No

**1 Background, summary and recommendation**

- 1.1 The revenue grant in aid (GiA) allocation for CHS for 2021/22 is £4.879m, comprising £4.629m published GiA and £0.25m of a noted “in-year pressure”, to be drawn down if required. The Board approved a revenue budget of £5.129m in March 2021, with Scottish Government approval to use a further £0.25m of reserves.
- 1.2 The published capital GiA allocation for CHS for 2021/22 is £0.4m.
- 1.3 CHS and Scottish Children’s Reporter Administration (SCRA) have agreed that all CSAS development spend will be billed by the developer to SCRA directly, including £0.25m of spend that relates to CHS services. Therefore £0.25m of capital GiA has been transferred to SCRA.
- 1.4 Given CHS’s projected capital requirements (para 2.12) and revenue underspend, SG has transferred £0.133m of revenue GiA to capital GiA and limited the in-year pressure to £0.133m. This brings CHS’s total revenue GiA for 2021/22 to £4.629m and capital GiA to £0.286m.
- 1.5 SMT is asked to note the YTD position and year end forecast.

## Finance Report as at 31 December 2021

	Actual YTD Period 9	Variance YTD Period 9	2021/22 Annual Budget	2021/22 Forecast	2021/22 Forecast Variance	2021/22 Forecast Variance
	£000	£000	£000	£000	£000	%
Staff	1,574	-138	2,282	2,255	-27	-1.2
Board	50	+13	55	65	+10	+18.2
Training, travel and subsistence	45	+5	60	64	+4	+6.7
Property	30	-31	121	121	+0	+0.0
Other Operating Costs	39	+2	56	59	+3	+4.5
ICT Costs	220	-138	491	445	-46	-9.3
Corporate Costs	26	+23	155	216	+61	+39.5
Panel and AST Expenses	37	-195	464	145	-319	-68.7
Panel and AST Training	564	-135	1,049	967	-82	-7.9
Support for hearings	19	-68	177	99	-78	-44.1
Volunteer recruitment	9	+6	177	225	+48	+27.1
PVGs	31	+31	30	32	+2	+4.3
AST Devolved Funding	79	+46	66	88	+22	+33.3
Income	-14	+13	-54	-54	+0	+0.0
<b>Total</b>	<b>2,709</b>	<b>-566</b>	<b>5,129</b>	<b>4,727</b>	<b>-402</b>	<b>-7.8</b>

## 2 2021/22 Year to Date spend and forecast

- 2.1 The staffing year to date (YTD) underspend of £138k has arisen from vacancies. Based on the latest staffing update and likely recruitment timescales to vacancies, the year end staffing underspend is expected to reverse to £27k.
- 2.2 The staff Training, Travel and Subsistence forecast overspend is due to a focus on staff development including wellbeing and underspend being re-deployed to support digital agency recruitment costs.
- 2.3 The slight overspend on the other operating costs line is due to higher than anticipated postage and mobile phone charges.
- 2.4 The YTD and forecast ICT underspends are primarily due to savings on the Leidos support and maintenance contract. There is a possibility of further underspend on this line due to the CSAS support & development provider facing ongoing capacity issues. The IT manager is in discussion with the provider on the extent of this and further info will be brought to SMT when quantified.
- 2.5 The forecast Corporate Costs overspend is consultancy on trauma-informed training (£20k) and on digital facilitation with the Lens (£25k) and smaller facilitation exercises to develop Area Convener leadership and National Care Service community engagement. The

Lens consultancy is offset by savings on venue costs within the training contract.

- 2.6 Volunteer expenses are underspent in the year to date as a number of areas have yet to submit invoices. However, the overall level of expenses is still relatively low, compared to pre pandemic and budgeted levels. As at the end of November, there were just under £73k of volunteer expenses approved in the Digital Expenses Service system. Furthermore, there is a likelihood that expenses will reduce significantly in quarter 4 due to the reduction in face to face hearings as a result of the omicron variant. Therefore a prudent saving of just under 70% of the original budgeted figure has been included in the forecast, which will be monitored closely during the last quarter.
- 2.7 The training forecast includes £24k of venue costs (the savings on which are set aside for The Lens consultancy as detailed in para 2.5), £73k pre-service costs arising from increased volume of trainees, up to £15k for RAVHI rollout and further PPA training as well as £15k for additional online learning modules/evaluation.
- 2.8 The support for hearings budget includes £70k for Independent Reports, £10k Participation of Children and Young People, plus budget for some smaller events including two which are planned around CHS Promise activity at a cost of approximately £6.5k each.
- 2.9 With a target of 750-800 new trainees rather than 500 as in previous years, the recruitment budget has been supplemented by £50k to achieve this.
- 2.10 AST Devolved Funding spend as at the end of December is just under £78k, which includes the expenditure on the Christmas recognition vouchers issued to the volunteer community. The forecast has been updated to reflect this YTD expenditure plus additional expenditure to the end of March 2022.
- 2.11 Given the GIA adjustments mentioned in section 1, the forecast underspend above of £402k, principally arising from in-year non-recurring savings, effectively reduces CHS's 20/21 carry forward reserves from £250k to £152k,. However, risks remain that travel and subsistence, consultancy, volunteer expenses and particularly volunteer expenses all underspend further than the forecast. SG may explore significant further underspends being handed back, or not drawn down in March 2022, if it is not spent.
- 2.12 CHS's capital spend to date is £73k, concluding the 2020/21 devices rollout. Due to recruitment requirements for 2022, 550 more devices will be purchased for 2022 trainees (£231k), meaning CHS is forecasting a capital spend of £304k. This would be a modest £18k overspend manageable within the margins of existing resources.

### **3 Conclusion**

- 3.1 SMT is asked to note the YTD position and year end forecast.

**Agenda item 10**  
**CHS-2122-45**

**Draft 2022/23 Budget**

**Accountable Director:** Director of Finance  
**Report author:** Anne Kerr  
**Recommendation(s):** To note the draft 2022/23 budget and comment on and approve SMT’s approach to closing the budget gap  
**Resources implications:** Within available resources  
**Equalities duties:** Equalities Impact Assessment Required  
 No                       Yes

**1 Background**

- 1.1 CHS’s grant in aid (GIA) in 2021/22 was £4,629k revenue, plus £250k in-year support with Scottish Government (SG) with further approval to use £250k from reserves, totalling £5,129k. The published capital GIA allocation for CHS for 2021/22 was £400k.
- 1.2 SG has indicated that CHS should budget based on flat GIA settlement in 2022/23, CHS’s anticipated revenue grant in aid in 2022/23 is therefore £4,629k and capital is £400k.
- 1.3 It should be noted that, following publication of the draft Scottish Government budget on 9 December, the SG Sponsor Team contacted the National Convener to provide reassurance that it would work in-year to secure the necessary additional resource required at the Spring Budget Revision, with CHS rigorously managing its budget position to mitigate the resource required as far as possible.
- 1.4 CHS’s latest five year plan identified a revenue requirement of £5,764k and a capital requirement of £450k for 2022/23. This £450k capital requirement was predicated on £250k CSAS development and £200k for devices.
- 1.5 The Digital Programme for which CHS and Scottish Children’s Reporter Administration (SCRA) are jointly responsible has no funding in 2022/23, with all CSAS costs being met from SCRA and CHS’s core budgets.
- 1.6 The first draft budget contains revenue spending plans totalling £5,756k which is £1,127k over available grant in aid resource of £4,629.

**2 Recommendation**

- 2.1 Board members are asked to note the challenges in the draft 22/23 budget and comment on SMT’s approach to bridging the revenue budget gap.



### 3 Draft 2022/23 budget consolidation

	2021/22 Original Budget	2021/22 Forecast	<b>2022/23 Draft Budget</b>	Increase from 2021/22 Budget	2022/23 5 year plan	Variance from 5 yr plan
	£000	£000	<b>£000</b>	£000	£000	£000
Staff	2,282	2,255	<b>2,590</b>	+308	2,593	-3
Board	55	65	<b>59</b>	+4	56	+3
Training, travel and subsistence	60	64	<b>86</b>	+26	61	+25
Property	121	121	<b>123</b>	+2	122	+1
Other Operating Costs	56	59	<b>49</b>	<b>-7</b>	57	<b>-8</b>
ICT Costs	491	445	<b>486</b>	-5	556	<b>-70</b>
Corporate Costs	155	216	<b>150</b>	-5	148	+2
Panel and AST Expenses	464	145	<b>619</b>	+155	619	+0
Panel and AST Training	1,049	967	<b>1,130</b>	+81	1,049	+81
Support for Hearings	177	99	<b>162</b>	<b>-15</b>	189	<b>-27</b>
Volunteer Recruitment	207	257	<b>292</b>	+85	302	<b>-10</b>
AST Devolved Funding	66	88	<b>66</b>	+0	66	+0
Income	<b>-54</b>	<b>-54</b>	<b>-57</b>	-3	-54	<b>-3</b>
	5,129	4,727	<b>5,756</b>	+627	5,764	<b>-8</b>

- 3.1 The **staffing** budget currently reflects the previously anticipated 2022/23 pay policy of £800 increase for all scale points up to £25k, then 2% increase for all points from £25k-£40k and 1% on all points above £40k. Published pay policy (cash uplifts of £775, £700 and £500 on these salary bands respectively) will be used for the next draft of the budget, but this will not materially change the resourcing required. The budget includes a 2% savings target (£52k).
- 3.2 Following CHS' pension investment and continued membership of the Lothian Pension Stability Mechanism In 2021/22, superannuation costs were 24% of pensionable pay. This will increase to 24.5% in 2022/23.
- 3.3 The draft staffing budget is in line with the 5 year plan figures , increasing by £308k from the 21/22 budget set reflecting CHS' ongoing staffing requirements to meet delivery of the Promise and the Corporate Plan. There is an increase of 5 FTE staff members from the 21/22 budget.
- 3.4 The **board** budget presumes a full complement of seven members and provision for the induction of a new Chair in summer 2022. Overall the proposed board costs budget has increased by 7.5% compared to last year's original budget.
- 3.5 **Training, travel and subsistence** has increased by £26k compared to last year's original budget and the five year plan, reflecting increased staff training and development, in line with CHS' people strategy, plus a modest increase in travel costs, reflecting further easing of travel restrictions post pandemic.
- 3.6 The **Property** budget reflects increased Thistle House costs in relation to potential rates charges on parking spaces plus a modest budget for using the venue for training in 2022/23.

- 3.7 **Other Operating Costs** includes Health Assured (10k), provision for a Community Survey (£4k), and other costs. Increased costs are anticipated on mobile phones and postage, with continued savings on photocopying, printing and other costs primarily derived from hybrid working arrangements. There is no provision for a hard copy Policy and Procedures Manual (PPM) nor external design and branding as per the 21/22 budget.
- 3.8 The provisional **ICT** budget reflects:
- £49k SCOTS charge (around 48 devices being supported at just over £1k per device);
  - £204k software, website and hosting costs
  - £195k estimated CSAS support costs.
  - £38k XMA chromebook management fee

The five year budget presumed higher CSAS support costs.

- 3.9 **Corporate costs** comprises audit (£24k), consultancy (£20k) and actuarial/corporate legal costs (£3k) alongside shared services (£103k). Shared services breaks down as:
- £12.5k core charge for Accounts Payable and Payroll
  - £35k for Finance and HR SMT support
  - £5k for 15 anticipated drawdown days
  - £50k for digital including Head of IT cost-shared with SCRA
- 3.10 **Volunteer expenses** were forecast in the 5 year plan as £619k, close to the 2019/20 actuals of £613k. Actuals in 20/21 were £80k and are currently forecast at £145k for 21/22, with potential for some further underspend in 21/22. For this draft of the budget, the level of expenses has been retained at the full level of £619k as per the 5 year plan. This is an area that could reduce the budget gap as there are likely to be ongoing savings in this area due to the continuance of a number of hearings being held virtually in a post pandemic world (refer 3.17)
- 3.11 The **panel and AST training** proposed budget is set at £1,130k. Savings may be possible due to further utilisation of online training reducing venue costs.
- 3.12 **Support for Hearings** comprises reference groups and networks (£60k) to support virtual, face to face plus PPA consultations during the redesign of the Hearings system. This will be a significant piece of work during 22/23 as demonstrated by the operating plan.
- 3.13 **Volunteer recruitment** nominally breaks down as £177k dedicated to the annual panel member recruitment campaign plus £70k for full redevelopment of the recruitment campaign. , normally conducted every 3 – 4 years and £45k for PVG costs ( based on full PVG costs for 750 recruits) Requirement for campaign refresh will be kept under review once 2022 recruitment figures are available and given the ongoing Promise transformation work.

- 3.14 **AST devolved funding** remains at £66k, although there remains scope for this sum to be distributed differently depending on need and numbers within ASTs.
- 3.15 The **income** represents reimbursement for a secondee on CHS's payroll throughout 2022/23.
- 3.16 SMT has a number of options at its disposal to close the budget gap, including but not limited to:
- a) The savings target on the staffing budget could be increased in respect of natural staff turnover levels and on the expectation of future decisions around vacancy management;
  - b) A decision can be made in quarter 3 of 22/23 as to the scale of the recruitment campaign required and whether full redevelopment of the campaign could be deferred for another year;
  - c) The training budget may be reviewed in light of increased online delivery
  - d) The level of Panel & AST expenses can be reviewed closely. As indicated above there are likely to be ongoing savings resulting from a number of hearings continuing to be held virtually going forward;
  - e) Volunteer expenses will continue to be reviewed given the ongoing impact of the pandemic and anticipated levels of virtual hearings.
  - f) SMT has agreed that, given the budget pressure, an overall savings target of around £450k could be targetted (approx 10%) , which would be monitored on a monthly basis during 22/23 to ensure tight control and management of the budget gap;
  - g) Provision for reference group/network & consultation fees for redesign of Hearings system will closely monitored and/or external funding sources may be explored in relation to these costs for delivery of the Promise;
  - h) Discussions will be held with the Sponsor Team around an increase to GIA to support the additional budget pressure that will arise from the 22/23 pay policy;
  - i) Discussions with Sponsor Team may also result in a small carry-forward from 2021/22 to support Hearings System recovery and delivery of the Promise.

## **Capital**

- 3.17 CHS's five year plan indicated a capital requirement of £450k in 2022/23, being £200k for devices and £250k for CSAS development. Discussions with Sponsor Team are ongoing to ensure this necessary resource is available.

## **4. Conclusions**

- 4.1 The proposals are aligned to CHS's business plan priorities for 2022/23 and correlate to the 5 year plan figures submitted to SG. Whilst a significant funding gap has been identified, a corresponding table of actions has been drawn up, as shown above to mitigate and manage the gap. In addition to CHS SMT identifying potential savings to reduce the resource required, Sponsor Team have provided reassurance to the National Convener that they will continue to work with CHS to support their priorities by securing additional resource at the Spring Budget Review.
- 4.2 SMT will continue to make the case for sufficient capital funding in 2022/23 in line with the Financial Plan.
- 4.3 Board members are asked to note the challenges in the draft 22/23 budget and the approach to closing the revenue budget gap.

**Agenda item 11a  
CHS-2122-46**

**Remuneration and Appointments Committee Annual Report 2020-21**

**Background**

1. This report covers the work of the Remuneration and Appointments Committee (RAC) from 1<sup>st</sup> April 2020 to 31 March 2021.
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.

**Overview**

3. The committee met on two occasions during the year (normally 3 but impacted due to Covid) : 2<sup>nd</sup> July '20; 16<sup>th</sup> March '21; and considered 20 items of business including:
  - The NC/CEO appraisal for 2020/21, and objectives and pay award for 2020/21 were reviewed and agreed.
  - 2020 Staff survey feedback was considered.
  - The Equality, Diversion and Inclusion strategy was approved.
  - An annual report on appraisals was reviewed and Pensions Discretion policy was approved.
  - The committee agreed a 1 year pay policy for CHS staff effective 1<sup>st</sup> April 2021.
  - The committee welcomed the continued engagement with the Staff Forum who attended every meeting.
4. Meetings were held in private to discuss confidential internal policies and staffing matters.
5. The Committee reviewed it's ToR and Work Plan in March 2021.
6. Members of the committee who served during the year were:
  - Jo Derrick, Chair
  - John Anderson (retired June '21)
  - Beth Anne Logan

Attendance

Members' attendance at committee meetings was as follows:

	2 <sup>nd</sup> July 2020	16 <sup>th</sup> March 2021	Attendance
Jo Derrick	√	√	100%
John Anderson	√	√	100%
Beth Anne Logan	√	√	100%
Garry Coutts	x	√	N/A

7. Having been reviewed by the RAC , the Board is asked to approve this report.

**Agenda item 11b**  
**CHS-2122-47**

**RAC Annual Work Plan 2022/23**

<b>Accountable Director:</b>	Head of Strategy, Development and DCE
<b>Report author(s):</b>	Rachel Kavish Wheatley
<b>Recommendation:</b>	For Approval
<b>Resources implications:</b>	Within available resources
<b>Equalities duties:</b>	Equalities Impact Assessment Required <b>No</b> Equalities Impact Assessment Completed <b>N/A</b>

**1. Introduction**

The RAC Annual Work Plan for 2022/23 was submitted for review at the RAC meeting on 09/11/2021 and approved.

**2. Recommendation**

The Board are asked to consider and approve the RAC Annual Work Plan.

## RAC Work Plan 2022/23

### **Winter Meeting – 03 (March 15<sup>th</sup> 2022)**

- Review and approve HR policies as required
- Review committee’s Terms of Reference
- Consider and approve for submission the CHS pay remit, ensuring compliance with all relevant guidance
- People Strategy update
- Staff Forum update
- Staff Survey report
- Annual Equality Reporting
- Gender Pay Report

### **Spring/Summer Meeting – 01 (14<sup>th</sup> June 2022)**

- Review and approve HR policies as required
- People Strategy update
- Staff Forum update
- CEO Appraisal outcome 2020/21 and key objectives 2021/22
- Annual Report on outcomes of staff appraisals

### **Autumn/Winter Meeting – 02 (15<sup>th</sup> November)**

- Review and approve HR policies as required
- People Strategy update
- Staff Forum update
- Review of committee’s own effectiveness
- Annual Report
- Mid-year review 2021/ 22 performance on objectives for the NC/CEO
- Committee’s draft work plan for 2022/23

### **RAC Work Plan Summary**

<b>BUSINESS</b>	<b>Winter</b>	<b>Spring</b>	<b>Autumn</b>
Review and approve HR policies as required	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pay remit approval and update	<input type="checkbox"/>	<input type="checkbox"/>	
Annual review of CHS Staff appraisals		<input type="checkbox"/>	
Annual Staff Survey Report	<input type="checkbox"/>		
Staff Forum Update	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People Strategy Update	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CEO Appraisal and objective setting		<input type="checkbox"/>	
CEO Mid-year review			<input type="checkbox"/>
Equality Report	<input type="checkbox"/>		
Gender Pay Report	<input type="checkbox"/>		
<b>Other</b>			
RAC Committee Self-Assessment			<input type="checkbox"/>
RAC ToR Review	<input type="checkbox"/>		
RAC Annual Work Plan	<input type="checkbox"/>		

**Agenda item 12**  
**CHS-2122-48**

**ARMC Annual Work Plan 2022/23**

<b>Accountable Director:</b>	Head of Strategy, Development and DCE
<b>Report author(s):</b>	Rachel Kavish Wheatley
<b>Recommendation:</b>	For Approval
<b>Resources implications:</b>	Within available resources
<b>Equalities duties:</b>	Equalities Impact Assessment Required <b>No</b> Equalities Impact Assessment Completed <b>N/A</b>

**1. Introduction**

The ARMC Annual Work Plan for 2022/23 was submitted for review at the ARMC meeting on 02/09/2021 and approved.

**2. Recommendation**

The Board are recommended to consider and approve the ARMC Annual Work Plan.



## ARMC Work Plan 2022

### 1. **Winter meeting - 04 (15 February 2022)**

#### Risks

Review of the performance of CHS' strategic risk register

#### Audit

External Audit general update report

External Audit Annual Plan 2022/2023

Internal Audit Annual Plan 2022/2023

Consider any reports from Internal Audit and management responses

#### Policy/ governance

Information Governance Report

Accounting Policies - Review and consider continued appropriateness of CHS accounting

Policies for approval by the Board

Financial Regulations - Review of financial regulations

ARMC ToR - Review of the committee's Terms of Reference

Digital Update

### 2. **Spring meeting - 01 (10 May 2022)**

#### Risks

Review of the performance of CHS' strategic risk register

#### Audit

External Audit general update report

External Audit Annual Plan Update 2022/2023

Internal Audit Annual Report 2021/2022

Internal Audit Follow-up 2021/2022

Internal Audit Plan 2022/2023 Update

Consider any reports from Internal Audit and management responses

#### Policy/ governance

Information Governance Report

Governance Statement - Review CHS draft Governance Statement and provide advice to the Accountable Officer on its contents

ARMC Annual Report – Consider and review Committee's activities to present to the Board and Accountable Officer

Business Continuity Plan - Review CHS Business Continuity Plan

Digital Update

#### Corporate

Draft Annual accounts 2021/2022

Annual Compliance Report - Review annual compliance on Health & Safety, Data Protection Act, Freedom of Information and other compliance issues

### 3. **Summer meeting - 02 (23 August 2022)**

#### Risks

Review of the performance of CHS' strategic risk register

#### Audit

External Audit general update report

Eternal Audit Annual Report (AAR)

Internal Audit Update - consider any reports from Internal Audit, management responses and outstanding Internal Audit recommendations

Chair/Auditors Private meeting

Policy/ governance

Information Governance Report

Review and consider the draft 2022/22 Annual Report and Accounts Statements

Annual Audit Report to Board members and the Auditor General for Scotland (ISA 260)

Review of the Letter of Representation

Digital Update

Corporate

Annual Report Covering Letter and Letter of Representation

Annual Report and Accounts 2021/22

**4. Autumn meeting - 03 (8 November 2022)**

Risks

Review of the performance of CHS' strategic risk register

Audit

External Audit general update report

Consider any reports from Internal Audit and management responses

Summary progress on Internal Audit recommendations (*date to be confirmed with Internal Auditors*)

Policy/ governance

Information Governance Report

Annual Fraud Report

Review committee's own effectiveness

Review committee's work plan for 2023

Digital Update

**CHS Audit & Risk Committee Work Plan Summary 2022/23**

<b>BUSINESS</b>	<b>15/02/22</b>	<b>10/05/22</b>	<b>23/08/22</b>	<b>08/11/22</b>
<b>Internal Audit</b>				
Annual Report		<input type="checkbox"/>		
Annual Audit Plan	<input type="checkbox"/>			
Internal Audit Reviews per Annual Plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>External Audit</b>				
Accounting Policies	<input type="checkbox"/>			
External Audit Annual Report			<input type="checkbox"/>	
Annual Audit Plan	<input type="checkbox"/>	<input type="checkbox"/>		
General Updates on current issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Policy/Governance</b>				
Information Governance Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHS Governance Statement Review		<input type="checkbox"/>		
CHS BCP Annual Review		<input type="checkbox"/>		
CHS Annual Compliance Report		<input type="checkbox"/>		
Digital Update	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Corporate</b>				
Audit Committee Annual Report		<input type="checkbox"/>		
Risk Management – Risk Registers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHS Financial Regulations Review	<input type="checkbox"/>			
CHS Compliance Report Annual Review		<input type="checkbox"/>		
Annual Accounts			<input type="checkbox"/>	
Annual Report			<input type="checkbox"/>	
Annual Fraud Report				<input type="checkbox"/>
<b>Other</b>				
Audit Committee Self-Assessment				<input type="checkbox"/>
Private Meetings with Internal and External Auditors			<input type="checkbox"/>	
ARMC ToR Review	<input type="checkbox"/>			
ARMC Annual Work Plan	<input type="checkbox"/>			<input type="checkbox"/>

**Agenda item 13**  
**CHS-2122-49**

**Quarter 3 Performance Report**

**Accountable SMT member:** Head of Strategy, Development & DCE  
**Report author:** National Quality & Performance Lead  
**Resources implications:** Within available resources  
**Purpose:** For note  
**Equalities duties:** Equalities Impact Assessment Required

**Yes?**                       **No**

**1. Introduction / Purpose:**

1.1 This paper accompanies the quarter 3 Performance Report 2021-2.

**2. Comment:**

2.1 From Q3 of the year, the report is based on the re-calibrated Oct-March Business Plan. Changes to the original plan are documented at the end of the report, and will (once objective statuses and milestone completion numbers are finalised) be reflected in the summary tables on the first page.

2.2 The following objectives should be noted by the Board, as they are at Amber or Red status:

- Objective 8 – RED - UNCRC Project Delivery. This project has been slowed due to the uncertainty caused by the challenges to incorporation of UNCRC in to Scots Law. The deliverables originally planned are now unlikely to be delivered, or progressed significantly, in Q4. A re-scoping exercise will be taking place during Q4 under the leadership of the Practice team.
- Objective 9 – AMBER - Children (Scotland) Act Project. The first stage of this work was successfully delivered, and training on sibling involvement in decisions was in place in advance of the implementation date. The second phase of the project is now being assessed by the Practice team, with an expectation that the planned milestones will change.
- Objective 11 – AMBER – Views on advocacy – this will now form part of work being undertaken on the development of a ‘practice bank’ to gather feedback on a range of issues from Panel Members. Development of this Practice Bank will take place in Q4, with an aim to gather views on advocacy as a priority area.
- Objective 17 – RED – CHS Community engagement events. These will not now be deliverable in their intended form during the final quarter of the year. A change of approach is being adopted, with a range of consultation and engagement approaches and opportunities being developed aligned to the Promise Programme. **It is proposed to de-scope this Objective.**

- Objective 23 – AMBER – Digital delivery – Development of Management Information reporting is taking longer than expected due to complexity of accessing the data held in the system. Significant progress did occur in this work during Q3, however.

**3. Board Actions:**

The Board are asked to note the content of the report and approve the de-scoping of Objective 17.

# Children's Hearings Scotland: Quarterly Performance Report

## QUARTER 3 (Oct, Nov, Dec 2021)



### Quarter Summary - Objectives:

	Objectives				
	B	G	A	R	-
COVID-19 Recovery	1	6	0	0	0
Theme 1 - Rights	0	1	2	1	1
Theme 2 - Hearings	0	3	0	0	0
Theme 3 - Panel	0	5	0	1	0
Theme 4 - Evidence & Environment	0	3	1	0	0
Organisational Effectiveness and Staff Support	0	3	0	0	0
<b>TOTAL</b>	<b>1</b>	<b>21</b>	<b>3</b>	<b>2</b>	<b>1</b>
From March - September Plan	7	0	0	1	0

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 descope, or whole objective re-timed
Red = Objective at serious risk of not being delivered on time / budget - or Objective has been descope
Dash (-) = Not yet due for reporting / update

### Milestones:

	Number of Milestones at End Q3
Planned to Complete*	<b>8</b> (37)**
Completed - Actual	<b>7</b> (34)
Still to Complete	<b>41</b>
Descope	<b>1, plus 2 proposed</b>

\* as published in the Business Plan

\*\* Main figure in bold refers to Oct - March plan. Figure in brackets refers to total from both April - Sept and Oct - March plans.

### Q3 Note

In Sept 21, CHS carried out an in-year Business Plan review. This quarterly reporting is based on the revised Oct - March plan. Reconciliation with the April - Sept plan is included, however, in the tables on this summary page, and at the end of this report.

## COVID-19 Recovery

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
1	Work closely with SCRA nationally and locally to monitor and manage the <b>recovery of the hearings</b> system, matching capacity with need - <i>Area Support; SMT; Resilience Group</i>					1.1 Strategic and operational collaborative activities with colleagues, locally and nationally	Continue as required	Q1: 25% Q2: 50% Q3: 75%	Nationally, CHS and SCRA Senior Teams have continued to meet on a bi-weekly basis. Collaboration around recovery data continues.
2	Keep our volunteer community updated on what the changing environment means for hearings and recovery through <b>effective communication</b> – <i>Communications; Senior Management Team (SMT)</i>					2.1 Produce and distribute “Coronavirus Updates” to the whole CHS volunteer community	Continue as required	Q1: 25% Q2: 50% Q3: 75%	Updates on operations have been distributed to the community as stand-alone items and in the newsletter.
						2.2 Communicate specifically to our Area Conveners, through a programme of regular calls	Continue as required	Q1: 25% Q2: 50% Q3: 75%	Bi-weekly ‘AST Operations’ meetings have been taking place, bringing together ACs and CHS staff. Dedicated channel on Teams also continues to be used.
3	Re-instate observations by <b>Panel Practice Advisors</b> to quality assure hearings practice and conduct – <i>Area Support</i>					3.1 Continue, with the CHS Learning Academy, to support PPAs to return to observations	Progress to end Q4	Q1: 25% Q2: 50% Q3: 75%	During Q3, restarting of PPA observations has continued across the country.

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
4	Ensure <b>CHS staff</b> are supported to undertake their work safely and productively, while managing their wellbeing effectively during restrictions – <i>HR &amp; OD; SMT; Staff Forum</i>					4.1 Undertake relevant actions to explore and embed new models for effective staff working	Progress to end Q4	Q1:25% Q2: 50% Q3: 75%	During the quarter, a new suite of working support was introduced, including training for staff on safe working and updates to existing organisational and individual risk assessments. Q4 is seeing the return to extremely limited use of Thistle House, however.
						4.2 Undertake relevant activities to promote staff wellbeing through the Staff Forum	Progress to end Q4	Q1:25% Q2: 50% Q3: 75%	Staff Forum continues organise and lead activities focussed on staff wellbeing and support. Additionally, a series of wellbeing seminars began to run during Q3.
5	<b>Support our volunteers</b> to continue to deliver hearings during restriction, while looking after their wellbeing – <i>Area Support; Resilience Group; Digital</i>					5.1 Continue to promote and develop our volunteer wellbeing package	Progress to end Q4	Q1:25% Q2: 50% Q3: 75%	Expense claims for flu jabs have again again ben made available for volunteers. A Christmas recognition gift and thank you message was sent to all volunteers. Further material on Health Assured has been circulated via wellbeing coordinators.
						5.2 Continue the provision of, and support with, devices across the community	Progress to end Q4	Q1:25% Q2: 50% Q3: 75%	Support for the 1700 chrombeooks continues as part of the overall digital support offer. Preparation has been taking place for new volunteers from the 2022 campaign.
						5.3 Work alongside ASTs to understand and manage capacity to deliver hearings	Progress to end Q4	Q1:25% Q2: 50% Q3: 75%	Local planning is on-going with partner agencies. Nationally, data exercises have been undertaken to assess capacity.



	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
6	Contribute to whole-system recovery by working with partners at <b>national multi-agency leadership groups and forums</b> focussed on hearings and children's services recovery - <i>SMT</i>					6.1 Participation in multi-agency recovery groups and meetings	Progress to end Q4	Q1:25% Q2: 50% Q3: 75%	CHS continues to participate in, and take a leadership role, the Children's Hearings Covid Recovery Group (CHCRG). This group has received a renewed focused and re-engagement due to additional restrictions that came in to force during Q3.
7	Continue to improve the virtual hearings experience, through the roll out of a <b>new platform</b>	-	-			7.1 Complete the implementation of a new virtual hearings platform across all areas, including the provision of training opportunities.	Complete by end Q3	Q3: 100%	The Remote Attendance Virtual Hearing Interface (RAVHI) roll out was completed in November, meaning it is now operational in all areas.

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

Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
	Q1	Q2	Q3	Q4				
8 Under our <b>Promise Programme</b> , carry out activities to give further effect to the <b>UNCRC</b> in our work, in line with its incorporation in to law – <i>Area Support; Practice</i>	-	Green	Red		8.1 Implement UNCRC by delivering learning and development to all volunteers	Progress to end Q4	Q2: 10% Q3: 10%	Significant UNCRC project work slowed due to changes in planned incorporation and supporting legislation. Project will now be taken forward by Practice team, which result in re-scoping or deliverables. Planning for delivery is expected to take place in Q4.
					8.2 Focus on ensuring the views of the child on decisions that are made in hearings are included in the Record of proceedings from a hearing	Progress to end Q4	Q2: 10% Q3: 10%	
					8.3 Engage Panel Practice Advisors (PPAs) to quality assure the voice of the child in heard in hearings (or that of their carer if they are unable to verbally express their views)	Progress to end Q4	Q2: 10% Q3: 30%	
					8.4 Area Support Improvement Partners work with multiagency partners to ensure PMs have the information they need to avoid delay in decision making	Progress to end Q4	Q2: 10% Q3: 10%	

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update	
		Q1	Q2	Q3	Q4					
9	Under our <b>Promise Programme</b> , carry out activities to ensure compliance with the <b>Children (Scotland) Act</b> in our work– <i>Area Support; Practice</i>	-	-	-	-	9.1	Focus on ensuring the inclusion of brothers and sisters is accurately reflected in written reasons for decision	Progress to end Q4	Q2: 10% Q3: 30%	First milestone, delivery and roll out of training to Panel Members, was completed in Q1-2. Project is, as of end of Q3, being led by Practice. Current milestones will be rescoped during Q4, and delivery of the work will continue in to 2022-23.
						9.2	Engage PPAs to quality assure the inclusion of brothers and sisters in hearings (or that of their carer if unable to verbally express their view).	Progress to end Q4	Q2: 10% Q3: 20%	
						9.3	Area Support Improvement Partners work with multiagency partners to ensure PMs have the information they need to avoid delay in decision making	Progress to end Q4	Q2: 10% Q3: 30%	
10	Ensure our Panel Members understand the change in the <b>Age of Criminal Responsibility</b> – <i>Area Support; Practice</i>	-	-	-	-	10.1	Implement legislative changes through learning and development with support from the CHS Learning Academy	As required by legislation timescales	-	-

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
11	Review how Panel Members ensure children are supported to express their views and opinions by implementing the national <b>Advocacy Scheme</b> in children's hearings - <i>Practice</i>	-		Q3		11.1 Investigate the most appropriate way for Panel Member experiences of advocacy to be collected	As recovery allows	Q3: 100%	Agreed to establish a Practice Bank, to gather feedback from panel members on a range of practice issues. Will undertake a consultation with the Practice Bank members on their experience of advocacy in quarter 4.
				11.2 Undertake a collection and reflection exercise as appropriate if needed		As recovery allows	-	As above	
12	Improve how we deliver on our responsibilities as a rights duty holder by implementing our <b>Rights &amp; Inclusion Strategy</b> in an inclusive and co-designed way – <i>Rights &amp; Inclusion</i>	Q1	Q2	Q3		12.1 Develop and begin to implement new Participation Standards for CHS	Complete by end Q3	Q3: 100%	Participation Standards launched in December, and learning session was provided for staff.
		Q4	12.2 Broaden opportunities for care experienced people to be involved in our work	Progress to end Q4		Q3: 50%	New Rights & Inclusion Coordinator is now in post; development work on processes for working with children and young people has been taking place. Including children and young people in recruitment is a major area of focus.		

Theme 2: Deliver Consistently High-Quality Hearings									
Business Objective	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update	
	Q1	Q2	Q3	Q4					
13 Under our <b>Promise Programme</b> , carry out activities to improve the extent to which hearings are <b>trauma-responsive</b> – <i>Area Support</i>	-				13.1 Development of learning opportunities for our volunteer community	Progress to end Q4	Q2:10% Q3: 20%	Trauma Project team formed and kicked off - new Project Manager to be named by end of January and refreshed PID to be completed and signed off by SMT by Q4 which is planned to scope more dedicated planned around CHSLA requirements for Trauma Informed Practice	
					13.2 Monitor the effectiveness of implementation of approach built on an understanding of trauma	Progress to end Q4	Q2:10% Q3: 10%	As above - progress to build project and PID underway, evidencing impact and effectiveness will be included within scope as part of the CHS Project Framework requirements	
14 Keep Panel Members equipped with accurate, up-to-date information and advice to be able to make <b>effective and timely decisions</b> - <i>Practice</i>					14.1 Issue guidance focussed on good quality hearings and decision making	Progress to end Q4	Q1: 25% Q2: 50% Q3: 75%	Q3: Practice update on duty for Panel Members to consider the need for further reports when you are considering deferring certain hearings issued in December.	
15 Collaborate as a key partner in <b>locally-driven projects</b> to improve hearings environments and experiences– <i>Area Support</i>	-				14.2 Attendance and involvement in groups and projects as appropriate	Progress to end Q4	Q2: 30% Q3: 70%	A number of improvement projects have begun by CHS in AST drawing on champions boards and other stakeholders. Some localities have begun to resume Better Hearings projects.	

### Theme 3: Continue to Build and Effective, Empathetic Panel, that is well-supported

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
16	Continue to work with the CHS <b>Learning Academy</b> to offer innovate solutions for learning during restrictions and beyond - <i>Training</i>					15.1 Development and delivery of the CHS Learning Academy (CHSLA) contract and training provision	Progress to end Q4	Q1: 25% Q2: 50% Q3:	During Q3, the CHSLA prospectus for the next year was launched, support for reappointment was made available, and recruitment training began in December. Development on courses for launching during Q4 took place.
17	Connect and include our volunteer community by running a programme of <b>engagement events</b> across Scotland – <i>Communications; Area Support</i>					16.1 First wave of events	Complete by end Q3	-	Q3: Propose de-scoping. Dedicated engagement events will not be deliverable in Q4. Engagement on the Promise work has taken place in a number of areas, however, through contribution to local events and meetings. A range of engagement and consultation approaches are being planned for the future as part of the Promise Programme.
						16.2 Second wave of events	Complete by end Q4	-	
18	Work with our community to implement <b>Area Plans</b> that identify key activities for each area based on national and local priorities – <i>Area Support; Quality &amp; Performance</i>					18.1 Support ASTs to develop local Area Plans	Complete by end Q3	Q1: 30% Q2: 90% Q3: 90%	19 of the 22 ASTs have submitted their Area Plans.
						18.2 Support ASTs to monitor and review plans	Progress to end Q4	Q2: 10% Q3: 75%	The Area Plan working group met to review the plan development process, from collected feedback. Advice on local monitoring of plans were developed, as were plans for national collection of monitoring information.

	Business Objective	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update	
		Q1	Q2	Q3	Q4					
19	Understand <b>recruitment activities</b> needed that respond to recovery and longer-term requirements of hearings– <i>Recruitment &amp; Retention</i>	-				19.1	Plan and prepare recruitment and selection activities for 2022 campaign	Complete by end Q3	Q3: 100%	Plans were finalised to run a January 2022 (Q4) campaign.
						19.2	Implement and deliver recruitment and selection activities of 2022 campaign	Complete by end Q4	-	
20	Deliver on our equality and diversity ambitions through the implementation of our <b>Equality Diversity &amp; Inclusion Strategy – HR &amp; OD; ED&amp;I</b>					20.1	Identify activities from strategy for delivery through the year	Complete by end Q3	Q1: 80% Q2: 80% Q3: 100%	Equality Diversity & Inclusion strategy was published in October.
						20.2	Undertake appropriate actions	Progress to end Q4	Q3: 50%	Participative, meaningful EDI training has been delivered by an external partner to all staff. New starts will have the same opportunity before end of Q4. Plans are in development to offer training to all CHS volunteers on this topic.
21	Retain AST Members by ensuring they are <b>reappointed</b> in an efficient and effective way – <i>Recruitment &amp; Retention</i>					21.1	Carry out necessary reappointment processes	Progress to end Q4	Q1: 25% Q2:50% Q3: 75%	All necessary process took place to re-appoint those AST members who were eligible and recommended. This will continue through the year, according to individual reappointment dates.

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

	Business Objective	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update	
		Q1	Q2	Q3	Q4					
22	Active contribution to the improvement and recovery of the sector through <b>strategic and advisory groups</b> – <i>SMT; Area Support</i>	Green	Green	Green	Green	22.1	Involvement with key national strategic groups e.g. CHIP; YJIB	Progress to end Q4	Q1: 25% Q2: 50% Q3: 75%	National Convener (or appointed substitute) continues to attend strategic and key partnership meetings
						22.2	Involvement with key local groups e.g. Corporate Parenting boards; GIRFEC groups	Progress to end Q4	Q1: 25% Q2:50% Q3: 75%	ASIPs are representing CHS through attendance at local groups.
23	Embed our new <b>digital systems</b> across our community and identify on-going improvements and developments to support the needs of CHS volunteers and staff - <i>Digital</i>	Green	Yellow	Yellow	Green	23.1	Develop and improve management information reports at a variety of operational levels	Progress to end Q4	Q1: 20% Q2: 20% Q3: 75%	Significant development work took place during Q3. This will continue during Q4.
						23.2	Undertake a series of digital sprints to continue to develop our system.	Progress to end Q4	Q3: 50%	Sprints are underway across a number of development areas, including data access for reporting.
24	Contribute to driving change in the sector through collaboration with <b>The Promise</b> , as required – <i>SMT</i>	Green	Green	Green	Green	24.1	Work with partners on the Hearings System Working Group to drive system redesign	Progress to end Q4	Q3: 50%	First meetings on the Working Group have taken place.
25	Connect with, and influence, knowledge development in the sector by being involved in <b>research</b> – <i>Quality &amp; Performance; Practice</i>	Green	Green	Green	Green	25.1	Participate in external research advisory groups as appropriate	Progress to end Q4	Q1: 25% Q2: 50% Q3: 75%	Contribution of Age of Criminal Responsibility advisory group continues.
						25.2	Advertise research recruitment opportunities within the CHS community as they arise	Progress to end Q4	Q1: 25% Q2:50% Q3: 75%	Q2: Project on decriminalisation advertised to community.



## Organisational Effectiveness and Staff Support

	Business Objective	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update	
		Q1	Q2	Q3	Q4					
26	Support and enhance our staff through a new <b>People Strategy – HR &amp; OD</b>	Green	Green	Green	Green	26.1	Launch strategy	Complete by end Q3	Q1: 90% Q2: 90% Q3: 100%	People strategy launched October, together with a staff session.
						26.2	Implement appropriate actions from strategy, focussing initially on wellbeing approaches	Progress up to end Q4	Q3: 50%	
27	Establish a system of programme management to effectively manage and monitor delivery of projects and programmes - <i>Area Support</i>	Green	Green	Green	Green	27.1	Implement software across the Promise Programme delivery	In line with Programme delivery	Q1: 25% Q2: 80% Q3:85%	Projects LIVE on ZOHO with movement from Programme Manager responsibility for input and updating moving across to Project Managers; New project coordinator shortlisting completed with interviews scheduled for Jan 2022 who will also play a key role in supporting data entry and coordination of the software and reporting
						27.2	Scope use of software across the rest of the organisation, and implement as appropriate	In line with above milestone	Q1: 25% Q2: 80% Q3:85%	As above - similar progress made, with project coordinator due to play key role in supporting the use of this system Programme Manager also in process or creating formalised Project Handbook and revising ZOHO manual to aid in the smooth transition of ZOHO use going forward
28	Fulfil our equality and diversity responsibilities through the delivery of our <b>Equalities Outcomes - HR &amp; OD</b>	Green	Yellow	Green	Green	28.1	Identify activities from Equalities Outcomes for delivery through the year	Complete by end Q3	Q1: 80% Q2:80% Q3:100%	Equality Diversity & Inclusion strategy was published in October.
						28.2	Undertake appropriate actions	Progress to end Q4	Q3: 50%	Participative training has been devliered to staff, with futher planned in Q4.

**KEY PERFORMANCE INDICATORS**

	KPI	Past Performance	2021/22 Target	2020/21 Performance
1	% of Panel Members successfully reappointed	17/18 - 83%; 18/19 - 68%	70%	62% (estimate)
2	% of Panel Members retained during the year	New measure	86%	-
3	% of complaints resolved within SPSO guidelines	17/18- 100%; 18/19 - 92%; 19/20 - 100% 20/21 - 99%	100%	Q1: 90% Q2: 60%
4	% CHS employee attendance	17/18- 96%; 18/19 - 95%; 19/20 - 93% 20/21 - 99%	96%	Q2: 98.4% (excluding long-term absences); 96.8% (including long-term absences)
5	% invoices not in dispute paid within 10 working days, during normal operations	17/18- 80%; 18/19 - 92%; 19/20 - 85%	90%	Q1: 76% Q2: 97%
6	% of applicants put forward for preservice training who complete the full training	17/18 - 89%; 18/19- 92%	92%	-
7	% of pre-service trainees who felt that the learning objectives were met	19/20 - 98%	98%	-
8	% positive staff survey feedback on opportunities for learning and development	18/19 - 33%; 19/20 - 51%; 20/21 - 65%	70%	-

**Note on KPI 3:** Complaints continue to be handled by members of the National Team

**Note on KPI 5:** Payment performance has dipped in Q1 primarily due to Local Authority expense invoices being issued without back up or appropriate information to reconcile to CSAS expense payments. CHS is working with clerks and LA Finance team to address this.

## Record of Changes to Planned Delivery

Milestone(s) Changed	Date of Change	Details of Change	Rationale for Change
15.1	Q1	Milestone extended from Q1 completion to Q2	To allow further improvements to be recorded in Q2.
22.1	Q1	Engagement events moved from Q1 and Q2 to Q3 and Q4	To allow further planning to make place around engagement approach and events
22.2	Q1	Engagement events moved from Q1 and Q2 to Q3 and Q4	
23.1	Q2	Development of Area Support Plans moved from end Q1 to Q3	To allow ASTs to develop plans fully within available capacity
25.1	Q2	Planning of Equality, Diversity & Inclusion Strategy moved from Q1 to Q3.	Staged launch of strategy anticipated, to ensure sufficient capacity available to support implementation.
33.1	Q2	Launch of People strategy moved from end Q1 to end Q3.	To allow for further organisational and staffing developments that will have significant bearing on strategy during Q2.
35.1	Q2	Equalities Outcomes planning moved from Q1 to Q3.	To align with publication of Equality, Diversity & Inclusion Strategy

## Activity from April-Sept Plan not in Oct-March Plan

Activity Removed	Activity Summary	Rationale for Removal
Objective 3	Monitoring of emergency legislation	Objective complete
Objective 4	2021 Pre-service training	Objective complete
Milestones 5.1 and 5.2	Developing pathway for PPA observation return	Milestones complete
Objective 6	Testing and evaluating new hearings platforms	Objective complete
Milestone 11.1	Training development for Children (Scotland) Act	Milestone complete
Milestone 14.1	Rights & Inclusion planning	Milestone complete
Objective 15	Improvements to virtual hearings	Objective complete
Objective 17	Progressing new complaints process	Objective complete
Objective 20	Volunteers Week Campaign	Objective complete
Objective 26	Evaluation of device pilot	Objective descoped
Objective 27	Panel Member reappointment 2021	Objective complete
Milestone 34.1	Selection of project management software	Milestone complete

**Agenda Item 15**  
**CHS-2122-50**

**OHOV Evaluation and Next Steps**

<b>Accountable Director:</b>	Lynne Harrison Head of Strategy, Development and DCE
<b>Report author:</b>	Lynne Harrison
<b>Recommendation:</b>	For consideration and Discussion
<b>Resources implications:</b>	N/A
<b>Equalities duties:</b>	Equalities Impact Assessment Required <input checked="" type="checkbox"/> <b>No</b>

**Introduction**

Following 2 years of activity an evaluation of the Our Hearings, Our Voice (OHOV) Board has been undertaken through the SCRA research team.

Our Hearings, Our Voice (OHOV) are a Board of nine young people aged 15 to 20 years old. They were established in 2018 to enable Hearings-experienced young people to have an influence on the operation and development of the Children’s Hearings System.

The evaluation draws on data from OHOV Board Members, senior Scottish Children’s Reporter Administration (SCRA) and Children’s Hearings Scotland (CHS) staff and Chairs of their respective Boards, OHOV staff and CHIP members. It involved a survey, interviews, a focus group and an analysis of evaluation forms from OHOV Board meetings.

It considered the following questions:

1. What do OHOV Board members, OHOV staff and CHIP partner organisations see as the future strategic direction of OHOV?
2. What value has been added by OHOV and how has this been utilised by agencies involved in the Hearings System and how does the work of OHOV fit in and influence the strategic direction of CHIP partner organisations (e.g. participation, equalities, children’s rights)?
3. What has enabled and hindered the operation of OHOV?
4. Is the current operating model of OHOV effective and resource efficient?

**Summary Findings:**

The report identified:

1. A strong core group of young people are in place within OHOV and they, along with partner organisations, are ready to think about Phase 2. While organisations that have worked with OHOV are positive about their impact, OHOV have not necessarily received the support needed to fully achieve their initial aims and objectives.
2. OHOV have been effective within the context and constraints that they have been subject to. Their 40 Calls to Action have been useful and important, particularly to

SCRA and CHS, giving the voice of lived experience within the Hearings System and have been responded to by and incorporated into the work of both organisations.

3. From this evaluation it is clear that the organisations involved in the Hearings System and the young people in OHOV have similar aspirations. It is therefore a case of ensuring that these are aligned and the infrastructure is in place to ensure that OHOV are supported to achieve these. Decisions need to be made around what the aims of OHOV are within the next phase of their development. These aims will themselves be dependent on the role and purpose of OHOV, something which, again, will require to be decided as it moves forward.

The report was presented at the Children's Hearings Improvement Partnership (CHIP) on 24<sup>th</sup> November.

### **Next Steps**

To help shape the future role of the OHOV Board a sub group of CHIP partners, including CHS, have been asked to consider 2 questions relating to the future role of OHOV, identified in Appendix I, at a follow up session in mid January '22. A verbal update on this discussion will be provided at the Board meeting.

### **Recommendation:**

The Board are asked to consider and discuss the evaluation report and findings and verbal update.

**Appendix I**

**Questions for the CHIP to Consider**

<b>Questions to Consider</b>	<b>Who needs to be involved</b>
<p>How should the work of OHOV align with the requirements of The Promise?</p> <ul style="list-style-type: none"> <li>○ What is the unique role that they could hold within this work?</li> <li>○ How can we ensure that the work of OHOV compliments the redesign work that will come from the changes required to Keep The Promise?</li> <li>○ How can OHOV be a part of this wider transformational change?</li> </ul>	<p>OHOV                      OHOV Project Team                      Key partner organisations                      CHIP</p>
<p>What model is right for OHOV to then be able to carry out this role?</p> <ul style="list-style-type: none"> <li>○ What should their aims and objectives be?</li> <li>○ Are they a project-based group or do they have a more strategic role?</li> <li>○ Could they be involved in the governance of organisations?</li> <li>○ How are they able to engage with organisations and truly hold them to account around the changes that they have said they will make?</li> </ul>	<p>OHOV                      OHOV Project Team                      Key partner organisations                      CHIP</p>



# OHOV Evaluation Report 2021



Children's Hearings Improvement Partnership



The Children's Hearings Improvement Partnership - working together, sharing ideas and co-ordinating our efforts to improve services for children and young people



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## Acknowledgements

Thank you to all of the participants in this evaluation, for taking the time to speak to me and sharing your insights on being part of, or working with, Our Hearings, Our Voice.

Thank you to our Research Advisory Group for your guidance and support throughout this project. Thank you also to Gillian Henderson, Catherine Nixon and Sarah McGarrol, Scottish Children's Reporter Administration, for reviewing and commenting on drafts of this report.



## Executive Summary

Our Hearings, Our Voice (OHOV) are a Board of nine young people aged 15 to 20 years old. They were established in 2018 to enable Hearings-experienced young people to have an influence on the operation and development of the Children's Hearings System.

This evaluation draws on data from OHOV Board Members, senior Scottish Children's Reporter Administration (SCRA) and Children's Hearings Scotland (CHS) staff and Chairs of their respective Boards, OHOV staff and CHIP members. It involved a survey, interviews, a focus group and an analysis of evaluation forms from OHOV Board meetings.

It considers the following questions:

1. What do OHOV Board members, OHOV staff and CHIP partner organisations see as the future strategic direction of OHOV?
2. What value has been added by OHOV and how has this been utilised by agencies involved in the Hearings System and how does the work of OHOV fit in and influence the strategic direction of CHIP partner organisations (e.g. participation, equalities, children's rights)?
3. What has enabled and hindered the operation of OHOV?
4. Is the current operating model of OHOV effective and resource efficient?

## The Story so Far

In the almost three years since their first meeting OHOV have been involved in a number of [projects](#) with partner organisations, as well as leading on work driven by their own experiences of the Hearings System which culminated in the production of a [Zine](#) and [40 Calls to Action](#) – their demands for changes and improvements within the Hearings System. While numbers of respondents to the survey of CHIP members were low, those who had commissioned work from OHOV or were aware of the work that they had produced were overwhelmingly positive about the quality, usefulness and impact of this work.

## Learning From Phase 1 of OHOV

A number of enablers and barriers for OHOV were identified. Enablers included the enthusiasm, drive and support of OHOV project staff, as well as the support of the host organisation, though also their independence from the host and other partners. The support of wider partner organisations was also seen as key, including both long-term and sustained partnerships as well as shorter term collaborative partners for specific pieces of work. Relationships were seen as an enabler in a number of senses, including between the Project Lead and the young people, and between the young people themselves. The dedication and commitment of the young people to OHOV, particularly during Covid 19, was also important.

Evaluation participants discussed some of the barriers, which included the Project Lead being unable to fully carry out their role, and particularly its strategic function, due to capacity challenges. Also, there were occasional strained relationships between OHOV and some partner organisations, and evaluation participants also indicated that a lack of

meaningful engagement by the CHIP have all affected OHOV's success. The model and lack of clarity around the process of organisations working with OHOV has also impacted on their effectiveness. Finally, Covid 19 has clearly had an impact on the ability of OHOV members to fully engage with each other and organisations, due to the limitations placed on them during the pandemic.

## **Phase 2 of OHOV – It's Future Direction**

CHIP members, and evaluation participants from SCRA and CHS, were positive about the future of OHOV, though recognising that decisions had to be made around what this would look like. 74% of 31 survey respondents saw OHOV as having a role in enabling or contributing to the changes necessary in the Children's Hearings System to Keep The Promise. Although only 52% of these respondents thought OHOV could enable their own organisation to Keep The Promise. There was a recognition that some organisational and strategic development was necessary as OHOV moves forward. Low numbers of survey respondents does indicate a lack of awareness or perhaps engagement with CHIP member organisations, therefore while the responses to OHOV may have been positive, they may not be representative.

Key areas identified as needing consideration going forward were around staffing, recruitment of young people, and the model which OHOV is using. The positioning of OHOV, as well as aspects of partnership working, and how OHOV engages with both the CHIP and key partner organisations within the Children's Hearings System were also raised by evaluation participants as needing to be considered.

In the context of The Promise, evaluation participants raised concerns around OHOV potentially becoming lost within the huge level of transformational change which is beginning within the Hearings System. There is a need to think carefully about what OHOV's unique position is within this work, and how they can contribute and be part of this change most effectively.

## **Conclusion**

A strong core group of young people are in place within OHOV and they, along with partner organisations, are ready to think about Phase 2. While organisations that have worked with OHOV are positive about their impact, OHOV have not necessarily received the support needed to fully achieve their initial aims and objectives.

OHOV have been effective within the context and constraints that they have been subject to. Their 40 Calls to Action have been useful and important, particularly to SCRA and CHS, giving the voice of lived experience within the Hearings System and have been responded to by and incorporated into the work of both organisations.

From this evaluation it is clear that the organisations involved in the Hearings System and the young people in OHOV have similar aspirations. It is therefore a case of ensuring that these are aligned and the infrastructure is in place to ensure that OHOV are supported to achieve these. Decisions need to be made around what the aims of OHOV are within the next phase of their development. These aims will themselves be dependent on the role and purpose of OHOV, something which, again, will require to be decided as it moves forward.

## 1. Background

The Children's Hearings Improvement Partnership (CHIP) recognised the importance of children and young people having an influence on the operation and development of the Children's Hearings System. Work on a children and young people's board for the Hearings System started in 2015, and Our Hearings, Our Voice (OHOV) was established at the end of 2018. They are currently hosted by the Scottish Children's Reporter Administration (SCRA) but are an independent Board, linked to the oversight of the project held by the CHIP.

The core OHOV Board members are currently a group of nine children and young people aged between 15 and 20 years old from across Scotland. They have a wide range of care experience, have all been involved in the Hearings System, and at the time of their recruitment were all still attending Hearings. This gives them a unique position amongst other care-experienced groups in that they are specifically focusing on Hearings and all were also currently taking part in Hearings, rather than reflecting back on historic experiences. They are currently supported by a Project Lead (CHIP funded post), a Project Development Worker (currently vacant post) and a Project Assistant (Trainee).

Our Hearings, Our Voice aims to:

- Hold the Children's Hearings System to account
- Ensure that children and young people have a decision making role in the Hearings System
- Identify and recommend improvements across the Hearings System
- Scrutinise and support the work of partners across the Hearings System.

The first OHOV Board meeting took place in November 2018, and two years after this an evaluation of OHOV was requested by the CHIP. Delays due to Covid 19 and recruitment of a researcher into post meant this evaluation began in May 2021 and data collection was carried out between June and August 2021.

The context within which OHOV now operates has changed from when it was first established. The UNCRC (Incorporation) (Scotland) Bill, which is currently with the Scottish Government for amendment after being challenged in the Supreme Court, and the findings of The Independent Care Review which were realised in The Promise in February 2020 recognise the importance of children's rights and voices being the focus of decision making. This means that this is a timely point to carry out this evaluation given the significant period of transformational change that will be happening in the Children's Hearings System.

## 2. Methods

This evaluation aimed to answer the following questions:

1. What do OHOV Board members, OHOV staff and CHIP partner organisations see as the future strategic direction of OHOV?

2. What value has been added by OHOV and how has this been utilised by agencies involved in the Children's Hearings System and how does the work of OHOV fit in and influence the strategic direction of CHIP partner organisations (e.g. on participation, equalities, children's rights)?
3. What has enabled and hindered the operation of OHOV?
4. Is the current operating model of OHOV effective and resource efficient?

The evaluation used a number of data collection methods to engage with different participants and stakeholders. These included focus groups and interviews with OHOV Board Members, interviews with senior SCRA and Children's Hearings Scotland (CHS) staff and the Chairs of their respective Boards, interviews with OHOV staff, an online survey with CHIP members, and an analysis of evaluation forms completed by OHOV Board Members and the adults who accompanied them following OHOV Board meetings.

## 2.1 Focus Groups/Interviews with OHOV Board Members

All OHOV Board Members were offered the option of taking part in either a focus group or a one-to-one interview with the researcher, whichever they would prefer. One in-person focus group was held with four OHOV Board Members in July 2021. An online interview took place over Teams with one further OHOV Board Member who was unable to attend this face-to-face meeting. Arrangements were made for a further online focus group which was not attended by any of the young people.

As well as being asked about their own experiences and thoughts about OHOV and its development, the young people were also given the opportunity to provide questions to be included in the interviews with SCRA and CHS staff and the Chairs of their Boards.

## 2.2 Interviews with SCRA and CHS Staff and Board Chairs

Online interviews took place in July and August 2021 over Teams with:

- Principal Reporter/Chief Executive, SCRA
- Head of Strategy and Organisational Development, SCRA
- National Convenor/Chief Executive Officer, CHS
- Head of Strategy and Development and Deputy Chief Executive, CHS
- SCRA Board Chair
- CHS Board Chair

These interviews all took around an hour. All interviewees answered questions for the evaluation from the researcher and from the OHOV Board Members themselves. Responses to both sets of questions are included within this evaluation report, where relevant. Separate feedback has been provided to the OHOV Board Members in respect of the responses to their questions specifically.

## 2.3 Interviews with OHOV Staff

Online interviews through Teams were carried out in June 2021 with the current Project Lead and Project Assistant as well as the Press & Communications Manager at SCRA, who had previous line management responsibility for OHOV, and the Head of Policy and Practice at SCRA who has current line management responsibility for OHOV staff. An interview with the previous Project Lead took place in December 2020.

## 2.4 Survey of CHIP Members

An online survey was created using Survey Monkey to explore CHIP members' experiences of OHOV. It asked questions on their general knowledge of OHOV specifically from the point of view of those who had commissioned work from them, and about their thoughts on the future direction of OHOV.

The survey was disseminated to the partner organisations through the CHIP administrator on 8<sup>th</sup> July 2021 with an initial closing date of 30<sup>th</sup> July 2021. Due to a low response rate to the survey, a reminder email was sent through the CHIP administrator on 28<sup>th</sup> July 2021 with an extended closing date of 3<sup>rd</sup> August 2021. Further dissemination of the survey took place through the Deputy CEO of CHS, the Twitter account of OHOV, the SCRA and OHOV websites, SCRA's intranet, the CELCIS newsletter and emails sent to SCRA's Participation Group members.

243 responses were received to the survey, with 241 indicating that they consented to taking part. Of these 241 responses, 62% (n=149) of these contained no responses to any of the questions, and 7% (n=17) of these contained a response to only the question regarding which organisation they worked for. The reason for this level of minimal completion is unknown. These 166 responses have therefore been discounted as they do not contain any data which could be used in the following analyses.

This leaves 75 responses which contain data which could be used in this evaluation. Responses came from a range of organisations including:

- Advocacy services (CHA East Ayrshire and Unspecified)
- CELCIS
- Children 1st
- Children's Panel Members
- Children's Hearings Scotland
- Education Scotland
- Girl Guiding
- Local authorities (Perth & Kinross and Unspecified)
- Police Scotland
- Scottish Legal Aid Board
- Scottish Children's Reporter Administration
- Scottish Government

Analysis of the survey responses took place using Excel.

## 2.5 Analysis of OHOV Board Meeting Evaluation Forms

Evaluation forms were completed by the OHOV Board Members and the adults who accompanied them following these meetings. These forms were available for eight meetings over a two year period, November 2018 to November 2020. These were analysed by the researcher for key themes arising from them.

The focus of these forms was very practical and concentrated on grading aspects of the meetings such as space, catering and activities. As such they would have been useful to the Project Lead in planning future OHOV Board meetings but were less useful in the context of this evaluation so are drawn on, but not heavily, within this report.

## 3. Key Findings

### 3.1 The Story So Far

#### 3.1.1 Setting Up

There was a significant lead in period to OHOV becoming operational as a Board. Work prior to establishing the project identified that OHOV would be a Board based on the English CAFCASS (Children and Family Court Advisory and Support Service) model, and initial visits to the Family Justice Young People's Board in England and Wales took place as early as 2012. A number of aspects then delayed the inception of OHOV which included: delays in obtaining funding; work around ensuring the correct model was developed for the Board and implementing a suitable framework; recruiting of staff; and recruiting young people. During this period a number of organisations worked together to move this project forward including SCRA, CHS, Who Cares? Scotland, Young Scot, CELCIS and the Scottish Government. The first meeting of the OHOV Board took place on 10<sup>th</sup> November 2018.

While the set-up period of the project was longer than had been anticipated, and reflections on this and the processes undertaken may have resulted in different decisions being taken should the project be set up today, this should not detract from the achievements of OHOV since their inception. There has been, and continues to be, a consistent level of enthusiasm expressed by senior staff within SCRA and CHS, and their Boards, about this project and its potential to engage with children and young people and for their voices to be heard within the Hearings System and by the organisations who work within it.

#### 3.1.2 Achievements / Impact

*"They should be incredibly proud of the work they have done, particularly the Zine and the Quacks to Action. They have had an impact at that level and they should be rightly proud of that." (Interview – CHS)*



*“It’s not just about us saying as adults or “the system” saying, we ought to hear what children and young people are saying and how are we going to do that, how do we make it representative, they’ve actually created that forum that allows us to do that. So I think that is hugely impactful because it’s a place to go and clearly they have an identity, they have a presence.” (Interview – SCRA)*

*“I think the young people have done so much work, absolutely magnificent work.”  
(Interview – SCRA)*

Our Hearings, Our Voice have been involved in a number of different projects and attended various events since their inception. Resources from and details of these can be found [here](#).

Of the 69 survey respondents from CHIP member organisations, only 57% (n=39) stated that they were aware of OHOV.

When asked what specific pieces of OHOV work they were aware of, the responses were as follows.

Table 1. CHIP Members' Awareness of OHOV Work

Piece of OHOV Work	Percentage of Respondents Who Are Aware <sup>1</sup>
“Hearing Children?” Scottish Parliament Event	26% (n=10)
Our Voices Zine	51% (n=20)
Virtual Hearings Testing and Feedback	23% (n=9)
Panel Member Recruitment	41% (n=16)
Training Sessions	21% (n=8)
UNCRC Consultation Response	26% (n=10)
Returning to Face to Face Hearings Consultation	26% (n=10)
CHS Children’s Rights and Inclusion Strategy Consultation	28% (n=11)
40 Calls to Action <sup>2</sup>	44% (n=17)
Total Number of Respondents	39

Of the 39 respondents who were aware of OHOV, 14 did not complete any of the ratings questions on these projects and one response contained all N/A responses. Therefore the analysis below is based on the 24 respondents who completed this part of the survey by providing numerical ratings to at least some of the following questions. The rating scale was from 1(low) to 5(high).

<sup>1</sup> Note that these do not add to 100% as some respondents were aware of more than one piece of work.

<sup>2</sup> The 40 Calls to Action are OHOV’s list of changes and improvements they feel require to be made within the Children’s Hearings System and can be found [here](#).

Table 2. CHIP Members' Rating of OHOV Work (from knowledge of OHOV)

From your knowledge of OHOV's work or outputs can you please rate the following aspects:	Average Rating
Quality of the work/output	4.435 (Range: 2-5)
Usefulness of the work	4.565 (Range: 2-5)
Level of impact the work has had on my own awareness of issues within the Hearings System	3.875 (Range: 1-5)
Level of impact the work has had on identifying any training needs for myself	3.208 (Range: 1-5)
Level of impact the work has had on organisational policies	3.958 (Range: 2-5)
Level of impact the work has had on organisational processes	3.625 (Range: 1-5)
Level of impact the work has had on staff awareness	3.609 (Range: 1-5)
Level of impact the work has had on identifying training needs for staff	3.435 (Range: 1-5)

When asked to provide further detail on their rating responses, the following comments were provided:

*"I think that the impact of the OHOV is very welcomed, and I look forward to seeing this project grow and develop." (Survey Respondent – East Ayrshire Advocacy Services)*

*"Lack of visibility amongst staff group affects the above scores." (Survey Respondent – SCRA)*

Of the 39 respondents who were aware of OHOV, 14 did not complete any of the ratings questions on how valuable they felt the project had been, therefore the following analysis is based on the 25 respondents who completed at least one of the rating questions below. The rating scale was from 1(low) to 5(high).

Table 3. CHIP Members' Rating of Value of OHOV

How valuable do you think OHOV has been so far:	Average Rating
...for your organisation?	3.542 (Range: 1-5)
...for the Children's Hearings System generally?	3.96 (Range: 1-5)
... in ensuring that Hearings-experienced children and young people's voices are heard?	4.28 (Range: 1-5)



When asked to provide further comments in relation to these ratings the following were included:

***“We should not measure the success short term especially when others are not ready!! This is a great model!” (Survey Respondent – CELCIS)***

***“The OHOV project is still very embryonic, so the impact will have been limited by numbers and time. But there is potential to influence much wider.” (Survey Respondent – CHS)***

***“I think that OHOV is really important for ensuring that the voices of hearing experienced children and young people inform our work. I think more could be done to raise awareness of what the group is working on, the impact the group would like it to have and why it is important/what legislation/practice/change it is informing.” (Survey Respondent – CHS)***

Survey respondents were also asked if they had commissioned work from OHOV. Of the 75 survey respondents from CHIP member organisations who answered the question on this, 16% (n=12) stated that they had. Those who responded that they had commissioned a project came from a range of organisations: Children 1<sup>st</sup>, CHS, CHA East Ayrshire Advocacy Service, Police Scotland, the Scottish Government and SCRA.

Eight of these respondents then went on to complete the following rating questions on what they felt about the work that had been done and the impact on themselves or their organisation from it. The ratings were from 1(low) to 5(high).

Table 4. CHIP Members’ Rating of OHOV Work (from commissioned projects)

Thinking about these specific commissioned projects can you please rate the following aspects:	Average Rating
Quality of the work/output	4.75 (Range: 4-5)
Usefulness of the work	4.875 (Range: 4-5)
Level of impact the work has had on my own awareness of issues within the Hearings System	4.375 (Range: 3-5)
Level of impact the work has had on identifying any training needs for myself	3.625 (Range: 2-5)
Level of impact the work has had on organisational policies	4.625 (Range: 4-5)
Level of impact the work has had on organisational processes	4.25 (Range: 2-5)
Level of impact the work has had on staff awareness	4.286 (Range: 2-5)
Level of impact the work has had on identifying training needs for staff	3.857 (Range: 2-5)

When asked to provide further detail on their rating responses one respondent provided the following comment:

*“The comments raised were so significant and powerful it made us stop and consider lots of our current policies and practice.” (Survey Respondent – Children 1<sup>st</sup>)*

Survey respondents were asked specifically if they felt the work they had commissioned had had an impact on the practice of the Children’s Hearings System. Of the 8 respondents to this question, 88% (n=7) felt that it had.

When asked to provide further detail the following comments were made:

*“Publicising the added value of independent advocacy to children and young people going through the hearings processes has been invaluable. Feedback from our advocacy organisations has been very positive. The website has been developed to reflect the views of OHOV Board members and we are very grateful for their continued input and support. In terms of the siblings contact work, views and comments from the Board Members were incorporated into the Children's Right and Wellbeing Impact Assessment (CRWIA) and the Equality Quality Impact Assessment (EQIA). Both of these "living" documents are required to be completed and kept under review as part of the legislation process. The work of OHOV was invaluable in providing information for those assessments.” (Survey Respondent – Scottish Government)*

*“We had young people from OHOV taking part in the recruitment campaign last year for our PMs [panel members] and the positive feedback certainly contributed to the roll out of this practice in all areas this year.” (Survey Respondent – CHS)*

*“OHOV involvement over two recruitment campaigns influenced selection decisions locally and reinforced the importance of ensuring this inclusion of those with personal and direct experience of the hearings at a national, Scotland wide level.” (Survey Respondent – CHS)*

*“I think OHOV constantly makes us think about what we do - however there is a real difficulty translating that thinking into affirmative action.” (Survey Respondent – SCRA)*

Based on survey respondents’ awareness of OHOV, rather than on their experiences of commissioned work, of the 25 respondents to the question of whether they thought OHOV had been able to have an impact on the Hearings System, 88% (n=22) said they had.

When asked to provide further detail the following comments were made:

*“The 40 Calls to Action are a very tangible plan for SCRA/CHS which will be useful in keeping The Promise. Similarly the work around returning to hearings was really helpful and led to small improvements in relation to this.” (Survey Respondent – SCRA)*

*“Prioritised and legitimised the need to hear voices of children.” (Survey Respondent – Local Authority)*

***“OHOV have encouraged the Hearing System to keep the child or young person at the centre of their delivery.” (Survey Respondent – East Ayrshire Advocacy Service)***

***“The essence of OHOV is excellent and worthwhile. However a lot of their work is in the background/preparatory [...] and although it is good work, I do not feel that there is a general recognition of this work and their presence.” (Survey Respondent – CHS)***

When senior SCRA and CHS staff responded to questions around the impact that OHOV had had on their organisations, as well as the Hearings System more widely, they most often highlighted the work in the Zine and the 40 Calls to Action. These have been incorporated into both organisations’ strategic plans, and both SCRA and CHS are currently reporting back to OHOV on the progress they have made towards these 40 Calls to Action.

OHOV members have also recently been involved in the recruitment of SCRA Board members, with two elements of the recruitment criteria being delegated to OHOV for interviewing.

A more intangible impact identified by SCRA was a change in mind-set within the organisation.

***“It’s just that, a different way of thinking, different way of looking at things, different way of approaching things in relation to how we work, the language we use, how we consider participation, how we consider experience, all of these things.” (Interview – SCRA)***

However, the relatively low number of survey responses from SCRA staff (n=12), along with the fact that 2 out of 7 respondents from SCRA rated OHOV’s value to the organisation as less than 3 on the scale (1-5), and 3 out of 7 SCRA survey respondents rated OHOV’s value to the Children’s Hearings System as less than 3, indicates that this impact has not been across all within the organisation.

Similarly, within CHS, there were low numbers of survey responses in terms of volunteer respondents (n=9), although relatively high for staff within the organisation (n=5). Comments suggested an awareness of OHOV but not more than this.

***“In summary - I am aware of OHOV but I am unclear about what they have achieved to date. I do think we will need some kind of "OHOV support" as we proceed in implementing The Promise, but what form that support will be is the challenge.”***  
***(Survey Respondent – CHS)***

Another achievement of OHOV was said to be the raising of visibility and awareness of issues within the Hearings System. While this has taken place in a number of ways, the Hearing Children? Exhibition and Event held at the Scottish Parliament in 2019 is perhaps the highest profile example. Comments made in response to this event by attendees included:

- MSP – That children and young people are at the centre of every decision and that they will feel like they are at the centre
- Education Scotland – Raise awareness with schools and school staff of the impact Hearings can have on children and young people
- CHS – Commitment to listen more to children and look at ways that every panel member/board member/staff member/AST member all listen to those voices as well.
- Children 1<sup>st</sup> – “I will try to bring children’s voices into conversations I have with any CHIP partners so that children’s rights are respected and you can be at the centre – not a table!”
- Children and Young People’s Commissioner – “Today I feel inspired and awed. I promise to make sure that the Commissioner’s office considers the rights issues that matter to children and young people with experience of the Hearings System by listening to their voices when we make our decisions and use our powers.”
- SCRA – “I’m going to commit myself to give young people more choice about how they wish to participate in their Hearings in the future (e.g. through video/digital and apps!) I’m going to make sure that all SCRA staff are warm, welcoming, caring and kind to young people – before, during and after their Hearings.”

When the OHOV Board Members themselves were asked about whether they felt they had been able to influence the Hearings System, they spoke about the importance of the Zine including the 40 Calls to Action and the response to this particularly from SCRA, their involvement in the UNCRC consultation, and work with Panel Members for CHS.

Looking beyond the impact of OHOV on organisations or the Hearings System more widely, there has also been an important impact on the young people themselves from their involvement with OHOV. They spoke about how being part of the Board has improved their confidence, whether this came from being able to take on more of an advisor role within the group, or from presenting to groups of people, often those who would previously have been seen as having “power” for example Panel Members. Being part of OHOV also meant that some of the young people felt less alone, being able to meet others with shared experiences. The opportunity to be involved in team working was another personal impact which came from being part of OHOV for the young people.

*“Yeah, so we had a sheet to do, your confidence level and that, so when we updated that I became a lot more [confident] than what I thought I would be. ‘Cause even doing interviews now, in my college one I got in, but I was shy at first but then I remembered I’ve done the exact same before and that.” (OHOV Board Member)*

*“Yeah, and more like the team work as well. Like that I used to struggle with as well because working in a team used to be too much to take on for me, ‘cause I was used to doing stuff individually, so when it came to team work I never liked it in primary and that. But doing it now in OHOV has been better because, like, you really do, do it was a team, and you’re all together.” (OHOV Board Member)*

*“I’d say confidence, because I’m taking, like, a leadership role as being one of the young advisors that have been there since the start [...] I think at that stage it would not be me*

*to, like, stand up in front of a crowd and speak to people. So the fact that I can look back and, like, I would not be the same person without OHOV. I wouldn't have that ability to speak to loads of people and be part of a group like that.” (OHOV Board Member)*

*“It's definitely, being with OHOV has definitely given me confidence, it's made me feel, like, not so alone in my experiences, and made me feel, like, less of a weirdo because there's other people that have been through the same stuff as me and in a lot of ways are the same as me. It's definitely, like, it's definitely given me a lot of confidence, shown what, like, changes I can actually make if I put myself into a project and actually become a part of something.” (OHOV Board Member)*

### 3.1.3 Changes / Adaptations

Over the almost three year period which OHOV has been operating there have been various changes and adaptations which have taken place. Some of these have been natural evolutions, as learning has taken place or challenges have arisen which have required to be overcome. Others, such as Covid 19, have been changes and adaptations which were forced on to OHOV and their staff.

#### Staffing

There have been two main changes in staffing. The first is that the original job specification for the Project Development Worker did not result in the recruitment of someone with the required skillset which it became apparent was needed as OHOV progressed. As a result, the fixed term contract was not extended and this post is currently vacant. Secondly, the Project Lead left her role in December 2020. The position was vacant until April 2021 when it was filled by the new Project Lead, who had previously been involved with OHOV through being a member of its steering group and advisor to OHOV while in his previous position. This is currently a 12-month secondment position.

While OHOV continue to be hosted by SCRA, (which provides the infrastructure through HR, communications, administrative and line management support) the positioning of OHOV staff within this structure has changed. Initially they sat within the Communications team and now they are in Policy and Practice.

#### Recruitment / Model

Initial recruitment plans were to recruit 32 young people, one from each local authority area. It became clear that this was too prescriptive, and that these numbers were unmanageable given the small project staff team. This was reduced to twelve young people, which was achieved, with the intention that this could be reviewed once OHOV had been established. The core OHOV group currently consists of nine young people.

The initial model saw OHOV as a strategic level Board which would have a decision-making role in the Hearings System, was able to hold the System to account, and scrutinise and support the work of partners across the Hearings System. OHOV has, in some ways, moved away from this role and instead become more project-led over the period of its existence.

## Impact of Covid 19

Covid 19 and the resulting restrictions have forced changes within OHOV, particularly in how the group have been able to meet and work together. Initially the group used BAND to meet and communicate online, and this was later supplemented by the use of Teams. While engagement as a group has continued and OHOV have continued to contribute to projects during this time, it is recognised that there has been a reduction in engagement and a fatigue by OHOV members with only being able to meet in a virtual space. As restrictions eased some of the group were able to meet in a face-to-face outdoor setting in August 2021 with a full group meeting taking place indoors on 28<sup>th</sup> August 2021.

## 3.2 Learning from Phase 1

### 3.2.1 Enablers

#### Staff

The enthusiasm, drive and support of all the staff working directly with OHOV has been extremely important to them being able to achieve what they have. The initial Project Lead was instrumental in setting up the group, and provided the infrastructure and personal support which allowed the building of safe and rewarding relationships with and between the young people in OHOV. These have been key in the group reaching a stage where they could produce their 40 Calls to Action, and has sustained them through the difficult Covid 19 period, where interaction has been reduced and moved to an online format.

The support of the host organisation SCRA, in both practical and emotional terms for OHOV and their project team, has enabled OHOV to develop as a group and achieve the impact they have had to date. The strong support and commitment from both SCRA and CHS has also been key. Part of this support took a practical form through the attendance of SCRA and CHS staff as volunteers at OHOV meetings, assisting the OHOV project team. Without these volunteers OHOV meetings would not have taken place as the staffing resources required to hold such events were greater than could be provided from the project team alone.

Going forward, support from the host organisations will continue to be seen as playing an important role in enabling the success of OHOV.

*“[Enablers are] The young people involved. SCRA & CHS commitment. All those supporting the young people.” (Survey Respondent – CELCIS)*

#### Support of partners

There are a range of different partner organisations which have been involved with OHOV since its inception and throughout its development. These partners have performed different roles, though all have been important.

The Scottish Government has been key in providing both a moral and financial backing for the project. The buy-in from senior Ministers, reflected in both Nicola Sturgeon, the First Minister, and Maree Todd, the Minister for Children and Young People at the time,



attending OHOV Board meetings, is something which was highlighted by evaluation participants.

The support of partner organisations within the Hearings System, particularly CHS and SCRA, but also Who Cares? Scotland, Young Scot and CELCIS, have also been extremely important to OHOV and their development.

While these are long-term and sustained partnerships with organisations specifically within the sector, OHOV has also worked with other partners who have provided specific skills and experience in relation to particular aspects of their development. For example, OHOV collaborated with Napier University and the Verbatim Formula team to create, develop and deliver an immersive exhibition and event within the Scottish Parliament; worked with design students from Napier University to produce their interactive Zine; and collaborated with professionals from Edinburgh University to design their logo.

## Relationships

Relationships have been an enabler for OHOV in a number of different senses. Firstly, the relationship between the original Project Lead and the young people was particularly strong, and enabled the group to develop and provided them with a safe, trauma-informed space to work within. This has continued with the current Project Lead, although this building of relationships has been more difficult as he came into post during lockdown and has required to build these relationships mainly through the use of virtual platforms.

Secondly, the relationships between the young people themselves has been key to enabling the group to work well together. Again, the OHOV staff, and the model used for the group, has played a role in allowing these relationships to develop.

*“And even actually to, like, bring out a trust at first ‘cause, like, I know that’s sometimes hard for people and that was hard for me at the start as well, but then doing the games and that you then build a bit of trust and bond. And then also you can trust to say things in front of them all.” (OHOV Board Member)*

*“So I think one good thing about it is the relationships that you’ve made with people, so friendships and stuff. We can, like, all relate to each other somehow and that’s always a nice thing to have ‘cause we’ve all gone through similar things with the Hearings System, like, and the good and the bad of that so we can all relate in that way and it’s really nice to rant I guess. It’s therapeutic.” (OHOV Board Member)*

*“I think the project as a whole works well for the young people because the young people have become really close and built really good friendships.” (OHOV Staff Member)*

## Independence

While OHOV has been hosted by SCRA, they are an independent group, reporting to the CHIP rather than being part of any single organisation within the Hearings System. While this has at times been difficult to establish and tensions have arisen around this, attempts have been made to assert and emphasise this independence. This has included providing

OHOV with an office space outwith the SCRA building, and involved a continual reiterating of the independence of the group by Project Leads.

## Recruitment

While the recruitment of OHOV Board members was dependent on who applied for the role, rather than being prescribed, the fact that the young people have come from a wide geographic range rather than concentrated in the central belt, are a range of ages and generally younger than participants in similar groups, and are (or at least were at the time of their recruitment) currently involved in the Hearings System, have all been important enablers. OHOV are also specifically focused on the Hearings System, which is not the case with other groups within the care sector which will look at the care-system more widely. The majority of the young people had also not been involved in other groups prior to joining OHOV. This is an important enabler in ensuring that as wide a range of voices, and unheard views, are included within participation work.

The young people themselves are also a key enabling factor contributing to what OHOV have achieved. Despite the challenges of engaging online during Covid 19, the change of Project Lead, and it being a period of restrictions and severe detrimental impact on young people throughout Scotland, the core group of OHOV members remained determined and committed to the project, and are still in place currently.

*“They all have experience of children's hearings and are passionate about making it better.” (Survey Respondent – SCRA)*

## OHOV Board meetings

A final enabler for the young people, and the success of the group, are the OHOV Board meetings themselves. While the term can conjure up a specific idea of what being a part of a Board might involve the young people commented on the fact that it was much more enjoyable, and less “boring” than they had expected.

*“Well it was more funner than I'd expected. At first I thought it would be, like, boring. That was just my expectation. So at first I thought this is probably boring so then my first time going we actually got to play some team games and that so I found it more fun than I expected.” (OHOV Board Member)*

*“Better. I think it's definitely better than what I first thought it was going to be because I thought, you know, it's going to be Board meetings, I was expecting, like, obviously it wouldn't be boring but I get to travel now and it's, and we're all a group now so you get to be, like, oh I'll go and see everyone else, it's nice.” (OHOV Board Member)*

*“They [the Board members] loved coming to the Board meetings. When I used to phone them to ask about their vouchers they were buzzing to come to the meetings.” (OHOV Staff Member)*

This was important in ensuring that the young people remained engaged with OHOV, which is reflected in the fact that almost three years after OHOV's first Board meeting there is still a consistent core of young people involved in it.



The structure of when and what these Board meetings would involve was also important. Knowing that there would be six meetings per year and when these would take place, as well as the structure and focus for the day, was key.

### 3.2.2 Barriers

Some aspects of OHOV could be seen as both enablers and barriers, such as staff and partnership working as discussed below.

#### Staff

The initial recruitment of staff did not result in a team which had the correct skillset which became clear as the project progressed. This resulted in the role of the Project Development Worker not being renewed at the end of the initial fixed term post. It is still currently unfilled, awaiting the result of this evaluation. While this was not the only factor that produced barriers to the Project Lead being able to engage in the level of strategic work required of their role (see the Model section below) it did have some impact on this. The result was that a great level of support was required to be given to the Project Development Worker, which detracted and took time away from other aspects of the Project Lead role needed to allow OHOV to develop.

#### Partnership working

While the support of partner organisations has been an important enabler for OHOV, aspects of these relationships have also been barriers. There were some strained relations between some of the partner organisations and OHOV staff, particularly around unmet expectations. Where OHOV began to evolve differently to initial expectations this led to a lack of clarity around their role or purpose which may have contributed to some of these tensions.

While the CHIP is the body to which OHOV reports, there appears to have been a lack of meaningful engagement between the CHIP and OHOV up to this point. This is reflected in the low response rates to the survey of CHIP members, and the lack of respondents from a number of key partner organisations, particularly social work. While this may not have been a barrier to the development of OHOV and their work up to now, it has been identified as a potential barrier to their development and effectiveness going forward.

*“There needs to be a stronger CHIP structure around OHOV to support their independence and to filter their thoughts / ideas etc back out to organisations to make change - and to then monitor the impacts of that change. These mechanisms are just not present at the moment.” (Survey Respondent – SCRA)*

#### Model

The support provided by the initial Project Lead to the young people was recognised above as an enabler, and its importance is reflected in comments made by the young people themselves about the Project Lead. However, her support and relationship with them,

aspects of this relationship and the model of working have also been identified as a barrier to the development of the group. With more of the Project Lead's time focused on supporting the young people directly rather than working with their existing support workers, impacting on the amount of strategic work and development of the group that was able to take place. This has already begun to be addressed through the setting of clearer boundaries and responsibilities for the Project Lead role.

One of the outcomes of this limitation in the level of strategic development work by the initial Project Lead is perhaps a lower knowledge of OHOV amongst CHIP members than may otherwise have been seen. This is evidenced both by the low numbers of CHIP member survey responses, and in some of the survey respondents' comments on barriers to the success of OHOV so far.

*“Profile not high enough nationally.” (Survey Respondent – CHS)*

*“Not well enough known.” (Survey Respondent – Education Scotland)*

*“As outlined above, I think it's important to make partners and stakeholders more aware of the projects they are working on and their impact.” (Survey Respondent – CHS)*

The initial model for OHOV was designed to be commission-based, with organisations proposing ideas and OHOV then deciding on what projects they wanted, and had the capacity, to work on. This process appears not to have been as effective as it was envisaged. This has been identified as potentially being due to a lack of clarity and understanding about what this process would involve, or that the capacity of the group to take part in a number of projects was not sufficient, or that OHOV worked in this more project-focused rather than strategic way. The role of OHOV and how this relates to the commissioning process appears to have been unclear among organisations and will have impacted on OHOV's effectiveness.

Concerns around the commissioning model as a barrier to allowing the work to be young person driven or led have also been raised by participants in this evaluation. Instead, the work has been driven by what organisations have wanted and this could potentially have hampered OHOV's ability to impact change based on the young people's own expertise and knowledge.

## **Covid 19**

As with all projects over the last 18 months, Covid 19 will clearly have been a barrier to some of the progress or impact that OHOV could have had. It will have had an impact on the effectiveness of OHOV, as they have had to move to online working, with no face-to-face engagement, as well as the reduction in engagement with organisations involved in the Hearings System, or at the least a change in how this engagement has been able to take place.

That there was no Project Lead in post between December 2020 and April 2021 has been a barrier, as will the new Project Lead coming into post in the middle of a period of lockdown which necessitated relationship building with the group taking place online. While this has

taken place, and the young people of OHOV were positive about the new Project Lead, it is acknowledged that this work would have been easier had interactions not been taking place solely in a virtual setting.

The limitations on working and engaging in a virtual space is something all organisations and employees have experienced, and this has been no different for OHOV. While the group have continued to meet and remain highly motivated, there have been difficulties with engaging in this format, including challenges around digital access and exclusion.

*“COVID has impacted and caused major disruption to all aspects of our daily lives so this will have been a barrier.” (Survey Respondent – SCRA)*

*“So, yeah, online, I think made it difficult for us. Obviously it’s nice to be able to get out again. I definitely felt that some people were a wee bit, like excluded from it, because bad internet, no, like, don’t have access to the right equipment, like, iPads, computers, phones, so that was-, and I think that actually drove some people away [...] Yeah, maybe some support for applying for things like that. Just trying to get, so get some of the same support that the schools have had would be good for us. Getting people more involved.” (OHOV Board Member)*

### 3.3 Phase 2 – Future Direction

There were 35 survey respondents who completed at least one section of the CHIP member survey on the future of OHOV. The following analysis is based on the respondents who completed at least one of the rating questions below. The rating scale was from 1(low) to 5(high)

Table 5. CHIP Members’ Rating of Future Value of OHOV

Thinking about the future, how valuable do you think OHOV could be:	Average Rating
...for your organisation?	4.029 (Range: 1-5)
...for the Children’s Hearings System generally?	4.265 (Range: 1-5)
... in ensuring that Hearings-experienced children and young people’s voices are heard?	4.286 (Range: 1-5)

When asked to provide further detail around their ratings, those who rated the future value of OHOV highly provided responses that included:

*“OHOV is very valuable to our children and young people for now and in the future and I look forward to seeing this project grow and develop.” (Survey Respondent – East Ayrshire Advocacy Services)*

*“This group could be the representative 'go to group' often discussed, but think the level of maturity would need to be considered. Needs clarity on the role of OHOV, now that it has been in place and active for two years - what is in and out of scope.” (Survey Respondent – CHS)*

*"I liked the 40 points in the call to action but a lot depends on legislative changes."  
(Survey Respondent – SCRA)*

While lower ratings were less common (only 9% of the responses to this question were rated below 3 on the scale), some of the responses which explained those lower scores are included below:

*"Have had no impact to date and not shown itself as likely to from previous actions."  
(Survey Respondent – SCRA)*

*"I have never heard of this and therefore cannot provide an accurate answer. Having never heard of it, I can only assume it would not be relevant to me in carrying out my role and subsequently not impactful." (Survey Respondent – Police Scotland)*

Of the 35 respondents who completed at least one part of this section, 69% (n=24) stated that they would commission OHOV to do work in the future:

*"Most definitely - I really value the young people's input. It would be far too easy for me "as an adult" to think I know best what is needed, when that is the furthest from the truth. I need the experiences of the young people to tell me what works well, what doesn't work well (or at all) as I plan with them to expand and improve the service." (Survey Respondent – Scottish Government)*

*"Important to sense check the resources and information we provide educators about the CHS [Children's Hearings System] through the lens of 'lived experience'." (Survey Respondent – Education Scotland)*

### **3.3.1 Operational**

A number of the operational aspects highlighted by the participants in this evaluation are linked into addressing some of the barriers or limits to OHOV's effectiveness.

#### **Staffing**

The staffing structure and skillset required by the OHOV project team has already been identified as an area which needs to be addressed. A new job description has been created for the Project Development Worker role and recruitment was put on hold to await the result of this evaluation. Maintaining the correct balance of skills within the OHOV staff team will ensure that the Project Lead is able to fulfil both the operational and strategic aspects of their role.

The Project Lead role is currently a 12-month secondment position. This will end in March 2022.

The turnover of staff, and in particular where staff have been on short-term contracts, has been identified as an issue, both in relation to a lack of continuity for the young people and for the OHOV project team themselves.

## Recruitment

The need for the recruitment of new OHOV Board Members has been identified by a number of participants within this evaluation. This would involve a refreshing of OHOV and recruitment of new members, with the option of existing OHOV Board Members taking up advisor positions (which will first need to be created and defined more clearly). It has been noted as key that members of OHOV have current experience of the Hearings System, and that it would be desirable for younger members to be recruited who reflect those who currently attend Children's Hearings. This is a priority identified by the OHOV Board Members themselves.

Looking to the medium and long-term future of OHOV, as current Board Members move into advisor roles, consideration will need to be given to how to build and develop the skills of those within this role, as well as how to move forward and continue to build a network around the core OHOV members.

## Model

Thinking about how OHOV meet, initially all meetings took place face-to-face, which is both time and resource intensive particularly given the small OHOV staff team. Should decisions be taken to scale up OHOV and involve more young people, this model would likely be too time and resource intensive to allow this to be scalable. There may be learning from Covid 19 and the move to online meetings around working in a more virtual way. While there are negative aspects to this way of working including the potential for digital exclusion and that this type of engagement was not favoured by the young people, a hybrid model involving both face-to-face and virtual engagement may address some of the barriers around being able to meet more often. Participants in this evaluation did note, however, that good quality online work was only possible where there were existing good relationships, and that these are difficult to establish in an online only environment.

The initial model involved six OHOV Board meetings each year, although when working on different projects some of the young people would meet outside of this. When asked about the type of future work they would like to be involved in one young person did say they would like to meet more often as they did not feel like meeting every other month was enough. This was also reflected in comments made in evaluation forms following one of the Board meetings where one young person noted that they wanted to meet more than every three months.

The OHOV Board members enjoyed the creative aspects of the work that they have been involved in, and the innovative approaches used were also mentioned as an enabler by one of the CHIP member survey respondents. This may be something which could be explored in future pieces of work, depending on the direction OHOV takes. There was less enthusiasm for projects that involved worksheets or reading big reviews and reports, but also an acknowledgement that to be involved in pieces of work like this it just had to be conveyed in a different way:

*“I don’t like the ones where you have to, like, worksheets, like, I can’t, I don’t have the concentration for it, if that makes sense. But if you spoke about it.” (OHOV Board Member)*

Currently, the commissioning process sees organisations put forward ideas for working with OHOV on projects, and the group making a decision on which of these are feasible given their interests and capacity. A more structured process appears to be needed in engaging with OHOV so that there is clarity for the organisations involved in the Hearings System. The current commissioning process also appears to involve a focus on the needs of organisations rather than enabling the work to be youth led, which was the initial purpose of OHOV – allowing the group to generate their own ideas and impact change based on their own experiences and knowledge of the Hearings System.

### **Partnership Working / Positioning of the Group**

A more integrated strategic system requires to be in place to enable OHOV to meet its aims and function. A key part of this is their relationship with the CHIP which, as outlined above, may not have acted as a barrier to their development till now but which will require to be addressed as OHOV develops further.

Respondents to the CHIP member survey highlighted some of these issues:

*“Perception that there is a disconnect between what OHOV does and local activities - might be helped if we had a local named contact - not sure where this aligns/overlaps with the activities of CHSCYP Inclusion Officer Post?” (Survey Respondent – CHS)*

*“The bridges between OHOV and the people making the policy / developing change need to be stronger / less cluttered.” (Survey Respondent – SCRA)*

While a number of changes could and some will have to be made to the operation of OHOV going forward, firstly it will be necessary to consider the unique space OHOV holds particularly in The Promise and redesign of the Hearings System. This will require consideration to be given to the future direction of OHOV in a more strategic context (as is outlined below) which will then lead on to more operational aspects of OHOV.

### **3.3.2 Strategic**

#### **Model / Role**

*“I think that, like, a thing that we have had a taste of, being, like, being equals to the people that are usually the ones that are sitting in front of us and telling us all the things that are going to happen to us, and, like, what has happened to us. And just, like, the big important people, being equal to them, and being in situations where they’re not any different to us, and they don’t have any, like, they don’t have any power, so it’s kinda, like, shared. And sometimes it’s been good, like, actually young people having that power over them where, like, we’ve been on consultations and even just...(OHOV Board Member)*



*'Cause it was nice, yeah, remember when Elliot and Neil actually sat down with us not as, obviously who they are, but it was just, like, how we all just say Elliot and Neil, you know.'* (OHOV Board Member)

The OHOV Board members identified the importance of being able to share power with who they saw as the “important” people in the Hearings System. This was in reference to a meeting they had with Neil Hunter and Elliot Jackson who attended one of the OHOV Board meetings, as well as another meeting with the First Minister.

There were also positive comments about the OHOV Board meeting attended by Neil and Elliot within the evaluation forms completed by the young people. This was the only time OHOV has met with them. There was no follow-up or any opportunity for OHOV to then hold the two organisations to account for the promises made or work that they could do to meet the asks in the 40 Calls to Action. This is not a criticism of SCRA or CHS, whose staff made clear their keenness to engage with OHOV further, nor of OHOV themselves or the project staff. It is merely to point out that this is something which has not taken place and will require further consideration and a defined process to be agreed and implemented around the relationship between CHS and SCRA management and their Boards and OHOV.

It was felt that OHOV had not been able to hold SCRA or CHS to account.

*“I don’t feel OHOV has put me under any pressure and it should be. It should be a very, very uncomfortable thing for my Board to hear about children and young people’s experiences of the Hearings System, because we know we’re not getting it right in a lot of places. I find them quite a safe group. There are other groups out there, who if they want to speak to us or are telling us things then I will have higher levels of anxiety.”*  
(Interview – CHS)

Changes have begun to take place however, and processes implemented which are beginning to address some of these issues. SCRA has begun reporting back on the progress they are making towards the 40 Calls to Action in a regular accessible progress report to OHOV and CHS has also begun reporting back on their progress towards these Calls.

This feedback is not only important in allowing OHOV as a whole to hold the Hearings System to account, but also personally for the young people to see the impact that they have had.

*“I’d love what I’ve done to be recognised as a kind of ripple diagram showing what I have been involved in and how that has changed the Hearings System and made lives better”*  
(OHOV Board Meeting Evaluation Form Comment)

The initial aims and purpose of OHOV which saw them as having a decision-making role in the Hearings System and being able to scrutinise and support the work of partners across the System, would have required this sharing of power. However there have been limitations in them being able to meet these aims:

*“As they were set up or positioned as a Board we had anticipated that they would be operating at that strategic level and interact across the Boards of CHIP. [...] The children and young people, they contributed actively to individual projects [...] but I don’t feel that that Board have demonstrated a decision making role in the Hearings System, and that’s not down to their ability at all, I just think it’s not how it’s panned out.” (Interview – CHS)*

*“The dynamic that it feels like at the moment is we’ve asked them what they think and then we’ve said, okay we’ll go away and do that [...] but it just feels to me like there’s still an imbalance in terms of the power, that dynamic. As opposed to young people starting to say, I’m not responding to your question or asking me for my views, I’m saying what I think. So actually owning some of the change and driving some of that. So I suppose it’s a shift in power that I would like to see but that will depend on us supporting them to have the confidence to take on that power and to do that in a way that is constructive. [...] Filling a space that is their own space rather than one that we’ve given to them.” (Interview – SCRA)*

OHOV have not thus far been provided with the opportunities, infrastructure and support which would have enabled them to work in a more strategic way. This engagement at a more strategic level, the processes around it, and the infrastructure needed around OHOV to allow it to take place will all need to be considered as OHOV moves into Phase 2 of its development.

While the discussions with some of the young people in OHOV suggest that they would welcome a more strategic role, this would of course have to be discussed with all the young people to ensure that any decisions around their development are led by OHOV themselves. Support for making these decisions came through in interviews with both SCRA and CHS staff:

*“So should they (OHOV) take on oversight and governance, with organisations reporting in to them, to tell them how they’re doing - just in a less formal structure. Or are they wanting to be involved in the change itself, and it could be both, and it could be different for different people. Or are they satisfied that we (organisations) go off and engage with local Champs Boards or others, and work with them on asks, come back to OHOV, to say ‘we have now progressed that, here’s the evidence’. I think that needs to be clearer, or defined.” (Interview – SCRA)*

*“For me, it’s that next level up, what our ask is of them and how we interact with them that have challenges really. I think they need support to operate at that higher level. [...] Could be they’re an evaluation board or something, how do we evaluate those tests of change, the thing we really struggle with, whenever we go to evaluate something, children and young people don’t get involved, and they’re probably the one voice that we really want to hear from. [...] If we’re going to make improvements to the System that directly impact the experience and outcomes for children and young people, how do we capture that? There’s something in and around that maybe that is where they hold the key. [...] that concept of that wider model that was originally there, are they the ambassadors that then go out to groups of young people in areas to say, tell me, I’m one of you, is that how we do it? For me there’s something quite powerful in that, and it’s a bit*



*next level for them. I don't know if that's the right answer but I feel they've got to shift what they do otherwise they're going to get lost." (Interview – CHS)*

Once decisions have been made around this role and remit, this will then lead to decisions being made on the model of OHOV, its size, scale and formation, and the resourcing required to support it.

### **Positioning of OHOV**

The current positioning of OHOV, and considerations around this as OHOV develops, were raised by a number of participants.

Currently there is a lack of engagement between OHOV and the SCRA and CHS Boards. While some engagement has taken place up to this point, with the work of OHOV being fed back to the CHS Board by the Project Lead, and the 40 Calls to Action being fed into Plans for both organisations, both Board Chairs were keen for there to be further and deeper engagement with OHOV and to hear directly from the young people. They would like to work on the best way of ensuring this engagement is useful and productive, both for the organisations and OHOV themselves. Suggestions were made to hold annual development sessions with the SCRA and CHS Boards, or to enable OHOV members to sit on these Boards. Further consideration needs to be given to these ideas.

The importance of strategic links between OHOV and CHS and SCRA was highlighted by participants. Equally the importance of CHS and SCRA working in partnership with each other was also mentioned as key for the development of OHOV.

As has been outlined above, there has been a lack of engagement between the CHIP and OHOV, with few opportunities for OHOV to share experiences with the CHIP or get advice from its members. A need for greater clarity around the role of the CHIP and its members in relation to OHOV has been identified.

While OHOV have engaged with senior staff within SCRA and CHS, evaluation participants identified a need to improve the strategic interface with partners. Social Work was identified as a main partner within the Hearings System with whom there has been little engagement so far. No one responding to the CHIP member survey identified themselves explicitly as working for social work, although two members were listed as "local authority" or "council" so may have been social workers.

The low numbers of respondents to the CHIP member survey and the lack of knowledge of OHOV reflected in some responses, indicates a lack of awareness more widely beyond, and even within SCRA and CHS about OHOV.

*"I have never heard of this and therefore cannot provide an accurate answer. Having never heard of it, I can only assume it would not be relevant to me in carrying out my role and subsequently not impactful." (Survey Respondent – Police Scotland)*

*"Just not clear what the specific aims of OHOV are." (Survey Respondent – CHS)*

*“I’d like to hear more. On the ground we are not that aware of OHOV and would like to learn more.” (Survey Respondent - SCRA)*

While some of the barriers identified above may have contributed to this, it also indicates that additional work may be required as OHOV develops (some of which is beginning to be addressed by the Project Lead).

## **Context – The Promise**

Key to considering the development of OHOV, its positioning, and role and remit, is thinking about the current context in organisations Keeping The Promise.

Specific questions were asked within the CHIP member survey around the future strategic direction of OHOV, particularly in the context of Keeping The Promise.

Of the 31 respondents who completed the question, *Do you see OHOV as having a role in enabling or contributing to the changes necessary in the Children’s Hearings System to Keep The Promise?* 74% (n=23) responded that they did, with 26% (n=8) stating that they didn’t know.

*“The participation of CYP in all that we do is very important. I am not sure that OHOV is the ideal vehicle for that participation - but cannot give an alternative. Perhaps a revamped OHOV may be the answer. I think their role is crucial in delivering the promise - I am not speaking from a position of strength on this as I have not directly used their services to date.” (Survey Respondent – CHS)*

*“An important voice in system redesign and improvement to ensure changes have the well-being of children at their heart and to challenge agencies who may be reluctant to embrace major changes that are likely to be necessary to their systems and processes.” (Survey Respondent – SCRA)*

*“Would need to determine if OHOV is the voice of a younger range of those with lived experience. Is it unique or duplicating those already contributing to The Promise? Is it a reference group?” (Survey Respondent – CHS)*

*“Two fold supporting with the development of initiatives and secondly holding to account.” (Survey Respondent – SCRA)*

Of the 31 respondents who completed the question, *Would you like to see OHOV develop strategically in order to be able to fulfil this role?* 68% (n=21) responded that they did, 6% (=2) that they didn’t, and 26% (n=8) that they didn’t know.

When asked if anything needed to change for this strategic development to take place, 30 respondents answered this question, with 40% (n=12) stating it did, 7% (n=2) stating it didn’t, and 53% (n=16) responding that they didn’t know.

*“There needs to be a stronger CHIP structure around OHOV to support their independence and to filter their thoughts / ideas etc back out to organisations to make change - and to*

*then monitor the impacts of that changes. These mechanisms are just not present at the moment.” (Survey Respondent – SCRA)*

*“Better at communicating. Better service user engagement. Better partner engagement. Most folk only know they do something with ducks.” (Survey Respondent – SCRA)*

*“They need to be more integral to other decision making bodies eg. Children's Parliament to be have more influence.” (Survey Respondent – Education Scotland)*

*“More opportunities for true coproduction, More investment of resource to amplify support needed.” (Survey Respondent – CELCIS)*

*“To be fair, it is still quite new so not sure if requires to have an arm’s length distance from CHS to maintain objectivity or should there be a closer relationship where projects etc are shared, input received and developed together.” (Survey Respondent – CHS)*

Of the 31 respondents who answered the question, *Could OHOV better enable your particular organisation to Keep the Promise?* 52% (n=16) said it could, 3% (n=1) said it could not, and 45% (n=14) responded that they didn’t know.

Those who responded that they thought it could came from the following organisations: CHS, Police Scotland, CELCIS, SCRA, Education Scotland, East Ayrshire Advocacy Services, Scottish Legal Aid Board, Advocacy organisations and Girl Guiding.

*“Could be involved in pilot projects and help to shape what these should be.”  
(Survey Respondent – CHS)*

*“By sense checking our work - helping us be better corporate parents.”  
(Survey Respondent – Education Scotland)*

*“Linking in with third sector organisations would help us regarding The Promise.”  
(Survey Respondent – East Ayrshire Advocacy Services)*

A number of interviewees spoke of the wider change work around The Promise and where OHOV would need to be positioned within this for them to be able to fully contribute and influence and to add value. While not specifically in reference to The Promise, the OHOV Board Members themselves talked about the importance of being involved in this way:

*“I think it’s that, a lot of, like, every big discussion and a lot of decisions get made that it’s, I think it’s really important to have a young person just, like, even if it’s just one young person’s voice involved, but there should always be, like, I think that’s why OHOV is so important cause it’s, there’s things that do get young people involved but this is a young person led, like, completely, complete board of young people that freely get to share their experiences. And, like, they get kept safe as well, and also get to be involved in important decisions, and they have, like, that ear, like, to listen to what we think are problems and what we think needs to change.” (OHOV Board Member)*

This is a time of huge transformational change within the Hearings System, and a number of pieces of work and working groups are being, and will be, created within both the short and long-term. Consideration will need to be given on how OHOV, their work and their aims, engages with these.

#### 4. Conclusion

It is clear that a significant amount of time was needed to set up OHOV, to create a trauma-informed, safe environment for the young people to work in, and support and grow the relationships that are needed to be able to work in this way. Now that this work has taken place and a strong core group has been established, OHOV and their partner organisations are ready to think about Phase 2.

There has been a major change in the operational context of OHOV from their inception in 2018 given the publication of the findings of the Independent Care Review through The Promise in February 2020. This is now the driver of a period of significant transformational change within the Hearings System. This evaluation provides an opportunity to pause and reflect on the role OHOV can now take within this new landscape.

The organisations that have worked with OHOV already are overwhelmingly positive about their impact. This has been both in terms of tangible impacts on work that has been produced and more intangible aspects of changes in the way people and organisations think. Despite this, OHOV has not necessarily received the support needed to fully achieve their initial aims at this stage in its development.

Where we are looking at the effectiveness of OHOV it is perhaps important to consider whether we are talking about the group being effective in meeting their aims, which they have not been able to do fully, or whether they have been effective in other ways and within the context and constraints that they have been subject to. In terms of the outputs that OHOV has produced, and in particular the 40 Calls to Action, these have been recognised as having been both useful and important. This is particularly so to SCRA and CHS, by giving the voice of lived experience within the Hearings System, and have been responded to and incorporated into the work of both organisations.

Where OHOV have perhaps been less effective, this has been a result of the context which they have found themselves within, the support they have received to work as a Board, and due to some barriers. In particular, aspects of staffing and partnership working, as well as the model and positioning of OHOV, some of which have still not been resolved and need to be addressed as OHOV moves forward. Despite this they have achieved a great deal, as can be seen from the Achievements/Impact section above, and this has been recognised by both SCRA and CHS:

*“I would hate for some of the things that I think are issues to detract from the work they’ve done. It’s not about them it’s about us facilitating a better way. I think the young people have delivered what they were asked to deliver. The question for me is were we*

*asking them the right things, but they've absolutely stepped up and done everything that was asked of them." (Interview – CHS)*

To ensure that OHOV continues to be able to have an impact, and increase this impact and effectiveness, consideration needs to be given to how to address some of the barriers that have been identified within this evaluation, ensure that enablers continue to be in place, and think about its future direction. Some of this work has already begun, and this evaluation will hopefully prompt further discussions and considerations on what else may need to be addressed.

From this evaluation it is clear that the organisations involved in the Hearings System and the young people in OHOV have similar aspirations. It is therefore a case of ensuring that these are aligned and the infrastructure is in place to ensure that OHOV are supported to achieve these within the context of The Promise. There needs to be decisions made around what the aims of the group are within the next phase of their development, and these aims will themselves be dependent on their role and purpose, something which again will require to be decided as it moves forward.

### 5. Next steps...

The tables below outline the questions that need to be considered to address the issues raised by this evaluation. Who needs to be involved in discussing and responding to each of these are also included. This is particularly important in ensuring that there is greater co-production in the design of OHOV and their work, avoiding the adoption of a top-down approach to thinking about the solutions to these questions.

The questions have been separated into different sections below beginning with questions which the CHIP require to consider initially. Further strategic and operational questions will follow on once these initial questions have been answered.

### Questions for the CHIP to Consider

Questions to Consider	Who needs to be involved
<p>How should the work of OHOV align with the requirements of The Promise?</p> <ul style="list-style-type: none"> <li>■ What is the unique role that they could hold within this work?</li> <li>■ How can we ensure that the work of OHOV compliments the redesign work that will come from the changes required to Keep The Promise?</li> <li>■ How can OHOV be a part of this wider transformational change?</li> </ul>	<p>OHOV OHOV Project Team Key partner organisations CHIP</p>
<p>What model is right for OHOV to then be able to carry out this role?</p> <ul style="list-style-type: none"> <li>■ What should their aims and objectives be?</li> </ul>	<p>OHOV OHOV Project Team Key partner organisations CHIP</p>

<ul style="list-style-type: none"> <li>▪ Are they a project-based group or do they have a more strategic role?</li> <li>▪ Could they be involved in the governance of organisations?</li> <li>▪ How are they able to engage with organisations and truly hold them to account around the changes that they have said they will make?</li> </ul>	
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**Once the role of OHOV has been established, what else do we need to consider?**

Questions to Consider	Who needs to be involved
<p>How do we support OHOV to take on their role within the implementation of The Promise?</p> <ul style="list-style-type: none"> <li>▪ What does this mean for engagement with partner organisations?</li> <li>▪ How should they be positioned within the CHIP and what support does the CHIP and the organisations within it require to provide?</li> <li>▪ How do we strengthen the relationship between the CHIP and OHOV, and what does this relationship look like?</li> <li>▪ Do we need to raise the profile of OHOV within the CHIP and among the partner organisations who are involved in the Hearings System? If we do, how can we balance doing this with the limitations on the capacity for OHOV to take on work?</li> </ul>	<p>OHOV OHOV Project Team Key partner organisations CHIP</p>
<p>How can a strategic interface between OHOV and key partner organisations (for example CHS, SCRA and Social Work Scotland) be developed so that OHOV are able to hold these organisations to account, and the organisations have a feedback loop on their progress on any asks from OHOV?</p>	<p>OHOV OHOV Project Team Key partner organisations</p>

**Once the strategic questions have been answered, what are the operational issues that need to be addressed going forward?**

Questions to Consider	Who needs to be involved
<p>If OHOV have limited capacity due to their size how do they prioritise who they work with? Can it be all CHIP members or identifying the key partners around redesign of the Hearings System?</p>	<p>OHOV OHOV Project Team</p>
<p>What are the staffing requirements for the OHOV project team – in terms of role requirements and length of contracts?</p>	<p>OHOV Project Team</p>
<p>Do we need to carry out further recruitment for OHOV Board members?</p> <ul style="list-style-type: none"> <li>▪ How will this take place?</li> <li>▪ How do we ensure, as much as possible, a diversity of voices?</li> </ul> <p>What does the advisor role look like for OHOV Board members who are no longer within the Hearings System but still have a role to play with OHOV?</p> <p>Is there any opportunity for paid work opportunities for those who move on from but could return to OHOV?</p>	<p>OHOV OHOV Project Team</p>
<p>How will OHOV meet and engage with each other in future? Will this continue to be through face-to-face meetings or could there be a hybrid model where online engagement is also a part of this?</p>	<p>OHOV OHOV Project Team</p>

**9<sup>th</sup> November 2021**



Produced by  
Kirsty Deacon  
On behalf of  
Children's Hearings  
Improvement Partnership (CHIP)

November 2021





**Agenda item 16**

**CHS-2122-51**

**Approach to Trauma**

**CHS Trauma Plan Update January 2022**

<b>Accountable SMT member:</b>	Head of Learning
<b>Report author:</b>	Christine Mullen
<b>Resources implications:</b>	Within available resources
<b>Purpose:</b>	For consideration and discussion
<b>Equalities duties:</b>	Equalities Impact Assessment Required
	<b>Yes            No</b>
<b>Childrens Rights and Inclusion</b>	Childrens Rights and Wellbeing Impact Assessment required
	<b>Yes – not yet completed</b>

## 1. Introduction/Purpose

This paper sets out an update to CHS' approach to trauma, building on the paper submitted to the CHS Board in October 2021 which set out phase 1 of our plans.

## 2. Background

To echo the previous paper: understanding trauma in children and young people is one of our biggest goals, and:

2.1 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 must 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.

2.2 We must ensure that Panel Members are trained in how to listen and include children, recognising the challenges some children may face with communication and in recovering from trauma. They will embed a children's rights and child-centred approach during the child's hearing

## 3. Reminder of: What does 'Trauma' mean in our setting?

There are a number of respected definitions of trauma and lots of resources to draw on concerning the impact of trauma, and CHS must ensure that our definition and consequent work relates directly to what happens in and around children's hearings, and reference the needs of our volunteer community. Ultimately, anything we do in the area of trauma must be trauma responsive. For us, trauma responsive should mean that we are trauma informed and where possible trauma skilled in the first phase of this work. Positive outcomes for children and young people must be our key focus.

## 4. Reminder of: objectives and outcomes for our Trauma work:

Our Trauma Responsive Children's Hearings System should:

4.1 Take account of trauma, especially developmental and complex trauma (**Type 2**) and its long-term *effect* on a child or young person, in a way which will *inform* all elements of the system but importantly the hearing itself: the approach adopted in the room, and the decisions made.

4.2 Be aware of how the system itself may create trauma or re-traumatise a child or young person and reflect this understanding in both our approach and our decisions.

4.3 Know, and reflect the knowledge that professionals specialising in child abuse and neglect have become aware of the greater significance and impact of intra-familial trauma on the brains of developing children concluding that impact relating to such traumas create more profound long-term problems than those associated with post-traumatic stress disorder.

4.4 Understand that children and young people who have experienced developmental trauma are at risk of failing to develop the complex social, cognitive, emotional, psychological, and even biological skills required for dealing with stress in the world and are likely to have difficulty in addressing the challenges in life which are necessary for attaining positive outcomes.

4.5 Understand that developmental trauma can severely impact the developmental age of a child or young person and they should not be expected to be able to operate at their chronological age, and what implications that has for the hearing. Therefore, a panel will know that the patterns of developmental trauma are hard wired and difficult to rewire, and that the 13-year-old who has been exposed to trauma may behave in a manner younger than their chronological age and adapt their approach accordingly.

4.6 Know how residual the early working model of a child remains, presenting itself as challenging behaviour in the child, adolescent and adult.

4.7 Know that trauma creates a brain and a working model for a child which has wired not to trust, to expect something bad to happen at any moment, or have been unable to build positive attachments with a caregiver, whereby it is almost impossible to make or maintain friendships, trust your teacher, focus in class for fear something bad will happen, etc.

4.8 Understand that as a child with developmental trauma enters nursery and school, they find it hard to concentrate because of their hypervigilance and they talk, are removed from class, excluded from activities, and their social and educational attainment is impeded, leading to a potentially severe and detrimental domino effect on life chances.

4.9 Understand that circumstances often don't change, and they can experience multiple incidents of 'toxic stress', with a prolonged exposure to negative events or more importantly a primary care giver who does not or cannot meet the needs of the child.

4.10 Mean (notionally) that the first question about a child will not be 'what have you done', but 'what has happened to you'?

## **5. Ensuring our community are knowledgeable and skilled as well as supported**

Adopting elements of in the 'Taking a Trauma Informed Lens and embedding meaningful work in the area of trauma, there is a Knowledge and Skills [framework](#) , incorporating four levels of practice focusing on those who are:

1. Trauma Informed
2. Trauma Skilled
3. Trauma enhanced
4. Trauma Specialist

5.1 In phase one of our work to be trauma responsive, we are adopting elements of this framework to ensure that our CHS volunteer community and staff team are fully informed and equipped to the level required and that our organisation practices e.g. staff and

volunteer recruitment and selection, take trauma into account. At this time levels 1 (Informed) and 2 (Skilled) are the most relevant to the roles undertaken by staff and volunteers in CHS. However, we may wish to develop into levels 3 (Enhanced) and 4 (Specialist) as we go forward depending on redesign of the Childrens Hearings System and any consequent changes of the role of CHS.

5.2 NES have created a range of learning resources to support organisations and individuals to use to embed appropriate levels of learning, development and to support implementation of trauma informed and responsive services. For each of the levels there are recommended learning outcomes and associated knowledge and skills.

**6. Trauma informed practice – (for all members of the workforce whether paid or unpaid). This is our starting point for equipping our community in the area of trauma.**

- **Opening Doors Animation** This animation explains why and how trauma is everyone’s business. It is designed to support anyone to become trauma informed - no matter what their job or role in society. It covers traumatic events like childhood sexual abuse and domestic abuse, and comes with a note to people so it is important to look after themselves as they watch it.
- Trauma Informed practice for anyone working with children and young people: **Sowing Seeds** This animation was developed by NHS Education for Scotland, in partnership with the Scottish Government. It is designed for everyone who works with children and young people. It aims to support people to understand the impact of trauma and to know how to adapt the way they work to make a positive difference to the lives of children and young people affected by trauma.

Both of the above resources have been used within CHS redesigned pre -service training in 2021 and will be used in Pre service 2022. CHSLA have also drawn on workshop delivery material linked to these 2 resources to enhance and embed the learning particularly focusing on five key pause points for reflection, discussion, planning and commitment.

**7. CHS Trauma Plan update**

**Progress made towards CHS Trauma Plan objectives is outlined below:**

7.1 **NES Modules** CHS have gained agreement from NHS Education for Scotland that the above learning modules can be hosted inside the CHS Learning Academy to enable learning to be targeted specifically at what panel members can and must do to ensure that the impact of trauma is at the forefront of their decision making as well as their own wellbeing. Hosting content within CHSLA allows for additional support materials, assessment and implementation mechanisms and practice reflections to be shared. It also enables CHS to ensure the support for Panel and AST Members who may be experiencing trauma. is profiled e.g. Health Assured.

7.2 NES Partnership

NES proved keen to work with CHS and SCRA to ensure that knowledge and skills are linked directly to our respective roles. To this end, NES has been working on a Train The Trainer

Model to enhance the skills and knowledge of practitioners across Scotland in the field of trauma.

7.2.1 CHS have agreed to be part of a Train the Trainer pilot which aims to equip people with the skills and knowledge to share learning on Trauma as well as to embed trauma responsive principles in respective employed and voluntary roles. CHS have agreed to offer this option to a cross section of CHS, CHSLA staff and CHS volunteers (where roles link to learning and development). This offer is free of charge to CHS.

7.2.2 There are 18 places maximum. The target group for attendance and participation are the CHSLA training team, members of CHS national team and a cross section of the CHS community – to enable embedding of the training and feedback from our community.

7.2.3 The above will take place by mid-February. The training and support package offered by NES consists of the following:

- A flyer outlining what is involved in the training with outcomes and support resources
- Pre work which includes completion of required elearning modules and associated reading (this will be hosted on CHSLA)
- Attendance at and participation in a bespoke Train the Trainer event delivered by NES
- Participation in evaluation of the pre learning and training event
- Application of learning in respective roles including incorporation of learning into CHSLA courses, embedding of trauma responsive principles

Following the delivery of the NES Train the Trainer pilot CHS will explore with CHSLA embedding the learning in national programmes.

7.3 Third Sector Consortium Contribution to CHS Trauma Plan

7.3.1 In April 2019, Coalition of Care Providers in Scotland (CAPS) was invited by the Deputy First Minister to participate in the Scottish Government National Steering Group on Trauma Training, in recognition of the range of experience and expertise on trauma informed practice held within its membership. 4 of these member organisations (See Appendix 1) from the third sector came together to form a Consortium to initially support the implementation of the Scottish Government's National Trauma Training Programme and has since worked closely with Scottish Government and NES on several developments on trauma.

7.3.2 The Consortium was invited to submit a proposal to CHS to contribute to the development of trauma responsive practice across CHS. The original project brief issued to the Consortium has been revised taking into account the offer from NES to CHS. CHS and NES are now working alongside the Consortium to provide post train the trainer learning focusing on reflective practice. STAF is the designated lead organisation for the consortium.

7.3.3 The Consortium will carry out the work below as a minimum Liaison with NES to ensure continuity of the learning experience by the CHS pilot cohort:

- Virtual facilitation of 2 x 2 hour bespoke, reflective, interactive reflective sessions supporting knowledge development into practice
- Collaborate with NES to support evaluation process
- End of pilot report with recommendations to support scalability/sustainability

The above work will be carried out by the end of March 2022. The Consortium proposal has also identified some follow on work for CHS consideration. Further timeline can be found at **Appendix 2.**

7.3.4 CHS staff will be meeting with colleagues from Apex to learn more about their approach that trauma practice is embedded across their organisation and work.

**8. The Board are invited to note the update.**

## **Appendix 1 Further information on NES and the Consortium**

### **NES**

- Objectives and parameters of the Train the Trainer offer in progress

### **The Consortium**

The following are Consortium Members: Aberlour Child Care Trust, Barnardo's, Kibble, Scottish Throughcare and Aftercare Forum (STAF)

#### **Aberlour Child Care Trust**

Aberlour has a 145 year history of providing love and care for children and young people and providing services that are tailored to help each child, young person or family to be the very best they can be; their vision is to transform the lives of the children and families they work with and, through this, contribute to building a fairer and more equal society.

#### **Barnardo's**

A well-known UK charity, Barnardo's has over 150 years history of supporting and protecting children and young people through a range of services including fostering and residential services. Barnardo's commitment to developing a trauma informed culture has evolved over recent years to see over 3,000 staff across 4 nations develop their trauma skills through a programme of training and a commitment to organisational culture change at the most senior level of the charity.

#### **Kibble**

Kibble is a specialist child and youth care charity and a leading social enterprise. For over 160 years they have been supporting children and young people (aged 5 – 26), many of whom have experienced significant trauma. Clinical Director Dan Johnson is leading on the development and integration of a therapeutic model of care which will see Kibble deliver services in a therapeutic and trauma informed way. The model has already been embedded within their early years' services and the workforce development element is well underway with staff working in their safe centre.

#### **Scottish Throughcare & Aftercare Forum (Staf)**

Staf, formerly the Scottish Throughcare and Aftercare Forum, was formed in 1998 and is Scotland's national membership organisation for all of those involved in the lives of young people leaving care. Staf is the only membership organisation for frontline workers and managers focused on throughcare and aftercare of young people from a care-experienced background, with over 70 members.

Staf has been involved in the Scottish National Trauma Training Programme Initiative from the outset, with representation on the National Implementation and Steering Group and latterly as the lead agency for this consortium of 3<sup>rd</sup> sector providers supporting the Trauma Training pilots.

Underpinning their work has been their own trauma informed journey as an organisation, facilitating several years of supporting the learning & development of the workforce on trauma and through the development of our Project Return which is all around trauma recovery and is led by Care Leavers.



**Appendix 2 Timeline**

Activity	Timeline	Quality Assurance – measurement
<b>Train the Trainer</b> Pilot – bespoke session delivered by NES	<b>February 4<sup>th</sup> 2022</b> with pre requisite work to be completed on the CHSLA site in advance	<ul style="list-style-type: none"> <li>• Training Completion</li> <li>• Evaluation feedback</li> <li>• Embedding of training via CHSLA</li> </ul>
<b>Evaluation</b>	<b>Post Feb 4<sup>th</sup> date to be agreed</b>	<ul style="list-style-type: none"> <li>• Methodology still to be agreed</li> </ul>
<b>Reflective Practice</b> sessions delivered by Third Sector Consortium	Dates confirmed as <b>March 3<sup>rd</sup> and March 17<sup>th</sup> 2022</b>	<ul style="list-style-type: none"> <li>• Evaluation</li> <li>• Implementation in to practice</li> <li>• Scalability explored</li> </ul>
<b>Trauma Project Group</b>	Convened – <b>next meeting January 2022</b>  Will run for the life of our work on Trauma – in phases	<ul style="list-style-type: none"> <li>• Has objectives, and project management approach in place</li> <li>• Includes a range of people from across CHS</li> </ul>
<b>Base line Trauma Practice Learning for CHS volunteer community and staff</b>	<b>Achieved for 2021 Pre service training</b>  <b>In train for 2022 Pre service training</b>  <b>Management of Hearings and</b>  <b>Mandatory learning</b> for whole CHS community proposed as by end of March 2023 (will be incorporated into existing courses and programme where possible)	<ul style="list-style-type: none"> <li>• Project group oversight</li> <li>• Project group to agree measurable outcomes</li> </ul>
<b>Enhanced Trauma Practice learning</b>	2023 – 2025	<ul style="list-style-type: none"> <li>• Project Group to scope further</li> </ul>

**Agenda item 17**  
**CHS-2122-52**

**CHS Social Media Policy**

<b>Accountable Director:</b>	Head of Strategy, Development and DCE
<b>Report author(s):</b>	Louise Farmer
<b>Recommendation:</b>	For Consideration and Approval
<b>Resources implications:</b>	Within available resources
<b>Equalities duties:</b>	Equalities Impact Assessment Required <b>No</b>

**1. Introduction**

The CHS Social Media policy has been reviewed and is submitted for approval. The policy can be found in appendix A of this paper.

The paper also outlines the planned approach for training and engagement to support policy implementation.

**2. National Team Social Media Policy**

The National Team Social Media Policy has been reviewed by the Communications & Engagement Lead taking cognisance of external policies such as: the Information Commissioner, Scottish Government and best practice in internal staff social media policies.

The proposed Policy is designed to support the CHS National Team to confidently use social media in support of the organisation. Additional information has been added to the policy to make clearer our expectations on National Team members using social media in a professional and personal context.

The Policy will be reviewed on a bi-annual basis to ensure that it remains up to date in an ever changing social environment.

**3. Training and ongoing engagement with the Policy**

3.1 Training

Training will be provided to all National Team members by an external training provider via a CHS Bites session. Training will focus on best practice in using online communities for professional purposes and align with the policy Training will take place within the next two months and going forward form part of CHS' annual development programme for staff.

To ensure that new starts within the National Team feel fully supported to use social media for professional purposes, where it is relevant and suitable to do so, a short video about our social media policy will be created for new starts. This will be developed in conjunction/line with the HR & OD Leads plans for induction.

### 3.2 Engagement

A set of hints and tips and best practice guide for the National Team will be developed to support use of the policy.

Using our newly created internal communications channels (Teams, National Team Newsletter) we will remind staff on a bi annual basis (in the New Year and 30<sup>th</sup> June on Social Media Day) to re-familiarise themselves with the policy including providing hints and tips on best practice for professional social media accounts.

The team will also facilitate two drop in sessions per year for National Team members to ask questions/ask for support on using social media in a professional capacity and will promote through our internal communications channels, the fact that they are available at any time for National Team members looking for support in using social media.

### **4. Recommendation**

The Board are recommended to consider and approve the Social Media Policy.

## APPENDIX A

### Children's Hearings Scotland National Team social media policy

#### 1. Children's Hearings Scotland (CHS) social media usage statement

We recognise the benefits and opportunities that having a strong social media presence offers to our organisation. CHS runs official CHS social media accounts for which the Communications Team are responsible. Our National Team (paid staff team) are also encouraged to make effective and appropriate use of their personal and/or professional social media accounts, building relationships and awareness of our organisation by sharing news, information and successes.

This Policy has been created to provide clarity and consistency for our National Team members who use social media for professional purposes. It offers procedures and best practice guidance on the use of social media as well as some common sense boundaries.

National Team members are expected to refresh their knowledge of the Social Media Policy on a regular basis and other relevant CHS policies which apply in the context of this Policy, specifically our Acceptable Use Policy [insert link].

#### 2. Scope of the Policy

For the purposes of this Policy, social media is defined as any online interactive communication tool which encourages participation and exchanges. Common examples include Facebook, Instagram, LinkedIn, Pinterest, Skype, TikTok, Twitter and YouTube.

This Policy applies to all National Team members and to all communications which directly or indirectly represent CHS. It applies to online communications posted at any time and from anywhere, whether to an individual, a limited group or to the general public.

Professional responsibilities apply regardless of the medium being used. All social media communications which might affect CHS' reputation, whether made either in a private or professional capacity, must comply with relevant organisational policies which address National Team member conduct, specifically this Policy and our Acceptable Use Policy.

#### 3. Professional v personal

Professional communications are those made through official channels, posted on an official CHS account and using our name. All professional communications are within the scope of this Policy.

Personal communications are those made via private social media accounts, as well as personal blogs and wikis. In all cases, where a private account is used which clearly identifies CHS it must be made clear that the member of the National Team is not communicating on behalf of CHS. An appropriate disclaimer (e.g. below) should be used.

"All views expressed here are my own. [and] They do not represent the views of the organisation I work for."

However, National Team members must understand that a disclaimer is not legal protection against action relating to views and content posted on personal accounts which could be interpreted as defamatory or damaging to CHS and its relationships with other individuals, groups and/or organisations.

Even if you are using social media in a private capacity, you should be aware that anything you post or put on your profile is a representation of you. Therefore you should not put anything online that you do not want to represent you. Remember standards of decency and the law apply.

CHS respects privacy and understands that National Team members may use social media in their private lives. However, personal communications likely to have a negative impact on professional standards and/or the organisation's reputation are within the scope of this Policy.

It is important for Our National Team to be aware of Purdah. This is the time leading up to elections or referendums in both central and local government, when publicity restrictions apply which includes the use of social media. For our National Team, this means that is important not to share updates on topics that are politically controversial or question political impartiality, including likes, comments, re-shares and re-tweets and re-posts.

#### **4. Roles and responsibilities**

The Communications & Engagement Lead is responsible for:

- Taking a lead role in managing CHS' corporate reputation, responding to and investigating any reported incidents;
- Making an initial assessment when an incident is reported and involving appropriate members of the National Team and external agencies as required;
- Maintaining a directory of organisational social media accounts;
- Reviewing and updating all relevant documentation;
- Delivering training and guidance on social media.

National Team members using their social media accounts in a professional capacity are responsible for:

- Ensuring that any use of social media is carried out in line with this and other relevant policies;
- Knowing and complying with the contents of the Policy and its procedures including ensuring that they have read, understood and agreed to this Policy and the Acceptable Use Policy before accessing and posting content via CHS social media accounts and are familiar with CHS brand guidelines;
- Attending appropriate training;
- Informing the Communications & Engagement Lead where a professional account has been set up and/or is to be used;
- Seeking relevant authorisation for official postings prior to publication;
- Regularly monitoring, updating and managing content they have posted via CHS professional accounts;
- Adding an appropriate disclaimer to personal accounts when naming the organisation;
- Reporting any incidents in line with section 9 below.

Line Managers are responsible for:

- Addressing concerns or questions regarding posts or comments via official and personal accounts and involving the Communications & Engagement Lead as appropriate;
- Reporting outcomes to the Communications & Engagement Lead, who may escalate the matter to the Senior Management Team;
- Attending additional relevant training.

## **5. Our standards**

CHS requires that all National Team members who are using social media in a professional capacity or that refers to CHS, adhere to the standard of behaviour as set out in this Policy and other relevant policies.

As a National Team member you are responsible for upholding our social media standards:

- Being aware of your language and conduct on social media. As in all cases where you are speaking in public, you should be aware of libel, defamation and slander;
- Never sharing confidential or sensitive information. You should know and follow the rules on confidentiality and official information. You may have an inside track, so be aware of the rules on data protection and financial regulations;
- Not using social media to infringe on the rights and privacy of anyone or make comments or judgments about other people;
- Ensuring that you conduct yourself in a responsible way on social media. Unacceptable social media conduct (e.g. defamatory, discriminatory\*, offensive, bullying, harassing content or a breach of data protection, confidentiality, copyright) should be reported as soon as possible to the Senior Management Team at CHS.

Where conduct is found to be unacceptable, The organisation will take appropriate action including invoking CHS disciplinary policies. Where conduct is considered illegal, the Senior Management Team will in addition, report the matter to the police and/or other relevant external agencies.

- Add value. Provide worthwhile information and perspective. CHS is best represented by its people and what you publish will reflect on the wider organisation;
- Digital communications by National Team members must be professional and respectful at all times and in accordance with this Policy. Where an incident is reported, refer to section 9 below.

*\* for the purposes of this Policy, the National Team will not discriminate unlawfully on the basis of race, age, sex, sexual orientation, gender reassignment, disability, religion or belief, marital status or pregnancy/maternity.*

## **5. Security**

National Team members are responsible for ensuring that passwords and other access controls for organisational social media accounts meet the requirements of the CHS Acceptable Use policy. National Team members should be familiar with relevant social media privacy settings and ensure that these are appropriate for both the content and intended audience.

## **7. Use of other peoples' materials**

Sharing content such as images, photographs and video is extremely popular and easy to do via social media sites. While this may have value, there is a real risk of breaching the rights of individuals who own the different media e.g. images rights, patents, copyright in a blog, or rights associated with collaborative outputs. All National Team members should ensure they have permission or other justification to share content in this way. Content is particularly risky where it is commercially valuable, confidential and/or sensitive.

National Team members will not post any images, photographs, videos, text etc. via social media platforms without appropriate permission from the rights holders.

If required, further guidance is available from the Communications & Engagement Lead.

#### **8. Personal information**

Personal information is information about a particular person. No personal information will be shared via social media sites without consent. Authorised National Team members posting content or setting up accounts are responsible for ensuring appropriate informed consents are in place. For further information see the organisations Privacy Policy. For support and questions about content, please contact the Communications & Engagement Lead.

#### **9. Incidents and response**

Where it appears that a breach has taken place, the Communications & Engagement Lead and, where appropriate relevant line manager, will review what has happened and decide on the most appropriate and proportionate course of action. Where the Communications & Engagement Lead considers the incident to be serious, this will also be reported to the Senior Management Team.

Where National Team members are in receipt of offensive and/or unacceptable content in the context of their job, via social media, this should be reported to a relevant line manager immediately.

#### **10. This policy**

Any questions relating to this Policy should be addressed to the Communications & Engagement Lead.

This Policy will be monitored regularly to ensure that it reflects the changing online environment and technologies. The Policy may also be amended where particular concerns are raised or where an incident has been recorded.

#### **11. Contacts**

For all social media questions and enquiries please contact the Communications & Engagement Lead on [communications@chs.gov.scot](mailto:communications@chs.gov.scot)

**Agenda Item 18**  
**CHS-2122-53**

**Board Code of Conduct – revised and updated**

<b><u>Accountable officer</u></b>	<u>Garry Coutts</u>
<b><u>Report author:</u></b>	<u>Rachel Kavish Wheatley</u>
<b><u>Resources implications:</u></b>	<u>Within available resources</u>
<b><u>Equalities duties:</u></b>	<u>Equalities Impact Assessment Required</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**1. Introduction**

The revised Model Code, produced by Ethical Standards, has been approved by Parliament and was issued by the Scottish Ministers on 7 December 2021. The revised Code has been published on the Standards Commission’s website at:

<https://www.standardscommissionscotland.org.uk/codes-of-conduct>.

The revised code has been reviewed by the Business Operations and Governance Lead with input from the CHS Board:

**2. Revised Code of Conduct**

**2.1 Changes made in the revised Code**

- A general rewrite in first person and ‘plain English’ to encourage Board Members to take ownership of their behaviour.
- Raising awareness of the need for careful consideration when a Board Member uses social media.
- Increased emphasis on addressing discrimination and unacceptable behaviour.
- Strengthening obligations regarding bullying and harassment.
- Strengthening rules around accepting gifts, both to protect Board Members and to build confidence in their impartiality.
- Section 5 has been redrafted to make it easier to follow and to apply the “objective” test.
- Section 6 has been amended to make the rules around access and lobbying clearer.
- Annex A has been amended to outline how complaints about potential breaches of the Code are investigated and adjudicated upon. It contains information about the sanctions available to the Standards Commission following a breach of the Code.

**2.2 Changes proposed specific to CHS**

- Information on where complaints regarding Board, Chair, and NC/CEO should be directed.
- Annex A has had points added regarding CHS’ own complaints process and how to raise a complaint locally.



**3. Actions**

3.1 CHS is required to adopt the code within 6 months of publication.

3.2 The process for adoption is Board review and approval followed by submission to the Scottish Government Sponsor Team and Public Bodies Unit for approval. Sponsor Team  
Once the Code is formally approved by Scottish Government, we receive a confirmation letter and a copy will be sent to the Standards Commission. This is anticipated by the end of June 2022.

3.3 On receipt of the confirmation letter, our revised Code will come into effect and will be published on our website. Until this time, the current Code remains in place.

**4. Recommendations**

It is recommended the Board adopt the revised Code of Conduct for submission to the Sponsor Team for approval.



*The Children's Panel – life changing.*

# **CHILDREN'S HEARINGS SCOTLAND BOARD MEMBERS' CODE OF CONDUCT**

**Commencement Date January 2022**

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## SECTION 1: INTRODUCTION TO THE MODEL CODE OF CONDUCT

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1.1 This Code has been modelled on the Revised Code of Conduct issued by the Scottish Ministers, with the approval of the Scottish Parliament, as required by the Ethical Standards in Public Life etc. (Scotland) Act 2000 (the “Act”).

1.2 The purpose of the Code is to set out the conduct expected of those who serve on the Board of Children’s Hearings Scotland (CHS).

1.3 The Code has been developed in line with the nine key principles of public life in Scotland. The principles are listed in [Section 2](#) and set out how the provisions of the Code should be interpreted and applied in practice.

### **My Responsibilities**

1.4 I understand that the public has a high expectation of those who serve on the Boards of public bodies and the way in which they should conduct themselves in undertaking their duties. I will always seek to meet those expectations by ensuring that I conduct myself in accordance with the Code.

1.5 I will comply with the substantive provisions of this Code, being sections 3 to 6 inclusive, in all situations and at all times where I am acting as a Board member of Children’s Hearings Scotland, have referred to myself as a Board member or could objectively be considered to be acting as a Board member.

1.6 I will comply with the substantive provisions of this Code, being sections 3 to 6 inclusive, in all my dealings with the public, employees of CHS and fellow Board members, whether formal or informal.

1.7 I understand that it is my personal responsibility to be familiar with the provisions of this Code and that I must also comply with the law and any rules, policies, Children’s Hearings Scotland standing orders and regulations of CHS. I will also ensure that I am familiar with any guidance or advice notes issued by the Standards Commission for Scotland (“Standards Commission”) and Children’s Hearings Scotland (CHS), and endeavour to take part in any training offered on the Code.

1.8 I will not, at any time, advocate or encourage any action contrary to this Code.

1.9 I understand that no written information, whether in the Code itself or the associated Guidance or Advice Notes issued by the Standards Commission, can provide for all circumstances. If I am uncertain about how the Code applies, I will seek advice from the Business Operations and Governance Lead of Children’s Hearings Scotland, failing whom the Chair or Chief Executive of CHS. I note that I may also choose to seek external legal advice on how to interpret the provisions of the Code.

### **Enforcement**

1.10 [Part 2 of the Act](#) sets out the provisions for dealing with alleged breaches of the Code, including the sanctions that can be applied if the Standards Commission finds that there has been a breach of the Code. More information on how complaints are dealt with and the

sanctions available can be found at [Annex A](#).

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## SECTION 2: KEY PRINCIPLES OF THE MODEL CODE OF CONDUCT

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2.1 The Code has been based on the following key principles of public life. I will behave in accordance with these principles and understand that they should be used for guidance and interpreting the provisions in the Code.

2.2 I note that a breach of one or more of the key principles does not in itself amount to a breach of the Code. I note that, for a breach of the Code to be found, there must also be a contravention of one or more of the provisions in sections 3 to 6 inclusive of the Code.

The key principles are:

### **Duty**

I have a duty to uphold the law and act in accordance with the law and the public trust placed in me. I have a duty to act in the interests of Children's Hearings Scotland, of which I am a member and in accordance with the core functions and duties of CHS.

### **Selflessness**

I have a duty to take decisions solely in terms of public interest. I must not act in order to gain financial or other material benefit for myself, family or friends.

### **Integrity**

I must not place myself under any financial, or other, obligation to any individual or organisation that might reasonably be thought to influence me in the performance of my duties.

### **Objectivity**

I must make decisions solely on merit and in a way that is consistent with the functions of Children's Hearings Scotland when carrying out public business including making appointments, awarding contracts or recommending individuals for rewards and benefits.

### **Accountability and Stewardship**

I am accountable to the public for my decisions and actions. I have a duty to consider issues on their merits, taking account of the views of others and I must ensure that Children's Hearings Scotland uses its resources prudently and in accordance with the law.

### **Openness**

I have a duty to be as open as possible about my decisions and actions, giving reasons for my decisions and restricting information only when the wider public interest clearly demands.

### **Honesty**

I have a duty to act honestly. I must declare any private interests relating to my public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership**

I have a duty to promote and support these principles by leadership and example, and to maintain and strengthen the public's trust and confidence in the integrity of Children's Hearings Scotland and its members in conducting public business.

**Respect**

I must respect all other Board members and all employees of Children's Hearings Scotland, and the role they play, treating them with courtesy at all times. Similarly, I must respect members of the public when performing my duties as a Board member.

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**SECTION 3: GENERAL CONDUCT**

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**Respect and Courtesy**

- 3.1 I will treat everyone with courtesy and respect. This includes in person, in writing, at meetings, when I am online and when I am using social media.
- 3.2 I will not discriminate unlawfully on the basis of race, age, sex, sexual orientation, gender reassignment, disability, religion or belief, marital status or pregnancy/maternity; I will advance equality of opportunity and seek to foster good relations between different people.
- 3.3 I will not engage in any conduct that could amount to bullying or harassment (which includes sexual harassment). I accept that such conduct is completely unacceptable and will be considered to be a breach of this Code.
- 3.4 I accept that disrespect, bullying and harassment can be:
- a) a one-off incident,
  - b) part of a cumulative course of conduct; or
  - c) a pattern of behaviour.
- 3.5 I understand that how, and in what context, I exhibit certain behaviours can be as important as what I communicate, given that disrespect, bullying and harassment can be physical, verbal and non-verbal conduct.
- 3.6 I accept that it is my responsibility to understand what constitutes bullying and harassment and I will utilise resources, including the Standards Commission's guidance and advice notes, Children's Hearings Scotland's policies and training material (where appropriate) to ensure that my knowledge and understanding is up to date.
- 3.7 Except where it is written into my role as Board member, and / or at the invitation of the Chief Executive, I will not become involved in operational management of Children's Hearings Scotland. I acknowledge and understand that operational management is the responsibility of the Chief Executive and Senior Management Team.
- 3.8 I will not undermine any individual employee or group of employees, or raise concerns about their performance, conduct or capability in public. I will raise any concerns I have on such matters in private with senior management as appropriate. If my concerns are regarding the Chief Executive/NC, or that of another Board member, I will raise them in private with the Chair of the Children's Hearings Scotland Board as appropriate. If my concerns are regarding Chair of the Children's Hearings Scotland, I will raise them with the Sponsor Team/Minister as appropriate [*to be confirmed*].
- 3.9 I will not take, or seek to take, unfair advantage of my position in my dealings with employees of Children's Hearings Scotland or bring any undue influence to bear on employees to take a certain action. I will not ask or direct employees to do something which I know, or should reasonably know, could compromise them or prevent them from undertaking their duties properly and appropriately.

3.10 I will respect and comply with rulings from the Chair during meetings of:

- a) Children’s Hearings Scotland Board and Committees; and
- b) any outside organisations that I have been appointed or nominated to by Children’s Hearings Scotland or on which I represent Children’s Hearings Scotland.

3.11 I will respect the principle of collective decision-making and corporate responsibility. This means that once the Board has made a decision, I will support that decision, even if I did not agree with it or vote for it.

### **Remuneration, Allowances and Expenses**

3.12 I will comply with the rules, and the policies of Children’s Hearings Scotland on the payment of remuneration, allowances and expenses.

### **Gifts and Hospitality**

3.13 I understand that I may be offered gifts (including money raised via crowdfunding or sponsorship), hospitality, material benefits or services (“gift or hospitality”) that may be reasonably regarded by a member of the public with knowledge of the relevant facts as placing me under an improper obligation or being capable of influencing my judgement.

3.14 I will never **ask for** or **seek** any gift or hospitality.

3.15 I will refuse any gift or hospitality, unless it is:

- a) a minor item or token of modest intrinsic value offered on an infrequent basis;
- b) a gift being offered to Children’s Hearings Scotland;
- c) hospitality which would reasonably be associated with my duties as a Board member; or
- d) hospitality which has been approved in advance by Children’s Hearings Scotland.

3.16 I will consider whether there could be a reasonable perception that any gift or hospitality received by a person or body connected to me could or would influence my judgement.

3.17 I will not allow the promise of money or other financial advantage to induce me to act improperly in my role as a Board member. I accept that the money or advantage (including any gift or hospitality) does not have to be given to me directly. The offer of monies or advantages to others, including community groups, may amount to bribery, if the intention is to induce me to improperly perform a function.

3.18 I will never accept any gift or hospitality from any individual or applicant who is awaiting a decision from, or seeking to do business with, Children’s Hearings Scotland.

3.19 If I consider that declining an offer of a gift would cause offence, I will accept it and hand it over to Children’s Hearings Scotland at the earliest possible opportunity and ask for it to be registered.



3.20 I will promptly advise Children's Hearings Scotland's Business Operations and Governance Lead if I am offered (but refuse) any gift or hospitality of any significant value and / or if I am offered any gift or hospitality from the same source on a repeated basis, so that Children's Hearings Scotland can monitor this.

3.21 I will familiarise myself with the terms of the [Bribery Act 2010](#), which provides for offences of bribing another person and offences relating to being bribed.

## Confidentiality

3.22 I will not disclose confidential information or information which should reasonably be regarded as being of a confidential or private nature, without the express consent of a person or body authorised to give such consent, or unless required to do so by law. I note that if I cannot obtain such express consent, I should assume it is not given.

3.23 I accept that confidential information can include discussions, documents, and information which is not yet public or never intended to be public, and information deemed confidential by statute.

3.24 I will only use confidential information to undertake my duties as a Board member. I will not use it in any way for personal advantage or to discredit Children's Hearings Scotland (even if my personal view is that the information should be publicly available).

3.25 I note that these confidentiality requirements do not apply to protected whistleblowing disclosures made to the prescribed persons and bodies as identified in statute.

## Use of Public Body Resources

3.26 I will only use Children's Hearings Scotland's resources, including employee assistance, facilities, stationery and IT equipment, for carrying out duties on behalf of the public body, in accordance with its relevant policies.

3.27 I will not use, or in any way enable others to use, Children's Hearings Scotland's resources:

- a) imprudently (without thinking about the implications or consequences);
- b) unlawfully;
- c) for any political activities or matters relating to these; or
- d) improperly.

## Dealing with Children's Hearings Scotland and Preferential Treatment

3.28 I will not use, or attempt to use, my position or influence as a Board member to:

- a) improperly confer on or secure for myself, or others, an advantage;
- b) avoid a disadvantage for myself, or create a disadvantage for others; or
- c) improperly seek preferential treatment or access for myself or others.

3.29 I will avoid any action which could lead members of the public to believe that preferential treatment or access is being sought.

3.30 I will advise employees of any connection, as defined at [Section 5](#), I may have to a matter, when seeking information or advice or responding to a request for information or advice from them.

### **Appointments to Outside Organisations**

3.31 If I am appointed, or nominated by Children’s Hearings Scotland, as a member of another body or organisation, I will abide by the rules of conduct and will act in the best interests of that body or organisation while acting as a member of it. I will also continue to observe the rules of this Code when carrying out the duties of that body or organisation.

3.32 I accept that if I am a director or trustee (or equivalent) of a company or a charity, I will be responsible for identifying, and taking advice on, any conflicts of interest that may arise between the company or charity and Children’s Hearings Scotland.

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**SECTION 4: REGISTRATION OF INTERESTS**


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4.1 The following paragraphs set out what I have to register when I am appointed and whenever my circumstances change. The register covers my current term of appointment.

4.2 I understand that regulations made by the Scottish Ministers describe the detail and timescale for registering interests; including a requirement that a Board member must register their registrable interests within one month of becoming a Board member, and register any changes to those interests within one month of those changes having occurred.

4.3 The interests which I am required to register are those set out in the following paragraphs. Other than as required by paragraph 4.23, I understand it is not necessary to register the interests of my spouse or cohabitee.

**Category One: Remuneration**

4.4 I will register any work for which I receive, or expect to receive, payment. I have a registrable interest where I receive remuneration by virtue of being:

- a) employed;
- b) self-employed;
- c) the holder of an office;
- d) a director of an undertaking;
- e) a partner in a firm;
- f) appointed or nominated by Children’s Hearings Scotland to another body; or
- g) engaged in a trade, profession or vocation or any other work.

4.5 I understand that in relation to 4.4 above, the amount of remuneration does not require to be registered. I understand that any remuneration received as a Board member of this specific public body does not have to be registered.

4.6 I understand that if a position is not remunerated it does not need to be registered under this category. However, unremunerated directorships may need to be registered under Category Two, “Other Roles”.

4.7 I must register any allowances I receive in relation to membership of any organisation under Category One.

4.8 When registering employment as an employee, I must give the full name of the employer, the nature of its business, and the nature of the post I hold in the organisation.

4.9 When registering remuneration from the categories listed in paragraph 4.4 (b) to (g) above, I must provide the full name and give details of the nature of the business, organisation, undertaking, partnership or other body, as appropriate. I recognise that some other employments may be incompatible with my role as Board member of Children’s Hearings Scotland in terms of paragraph [6.7](#) of this Code.

4.10 Where I otherwise undertake a trade, profession or vocation, or any other work, the detail to be given is the nature of the work and how often it is undertaken.

4.11 When registering a directorship, it is necessary to provide the registered name and registered number of the undertaking in which the directorship is held and provide information about the nature of its business.

4.12 I understand that registration of a pension is not required as this falls outside the scope of the category.

### **Category Two: Other Roles**

4.13 I will register any unremunerated directorships where the body in question is a subsidiary or parent company of an undertaking in which I hold a remunerated directorship.

4.14 I will register the registered name and registered number of the subsidiary or parent company or other undertaking and the nature of its business, and its relationship to the company or other undertaking in which I am a director and from which I receive remuneration.

### **Category Three: Contracts**

4.15 I have a registerable interest where I (or a firm in which I am a partner, or an undertaking in which I am a director or in which I have shares of a value as described in paragraph 4.19 below) have made a contract with Children's Hearings Scotland:

- a) under which goods or services are to be provided, or works are to be executed; and
- b) which has not been fully discharged.

4.16 I will register a description of the contract, including its duration, but excluding the value.

### **Category Four: Election Expenses**

4.17 If I have been elected to Children's Hearings Scotland, then I will register a description of, and statement of, any assistance towards election expenses relating to election to Children's Hearings Scotland.

### **Category Five: Houses, Land and Buildings**

4.18 I have a registrable interest where I own or have any other right or interest in houses, land and buildings, which may be significant to, of relevance to, or bear upon, the work and operation of Children's Hearings Scotland.

4.19 I accept that, when deciding whether or not I need to register any interest I have in houses, land or buildings, the test to be applied is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as being so significant that it could potentially affect my responsibilities to Children’s Hearings Scotland and to the public, or could influence my actions, speeches or decision-making.

#### **Category Six: Interest in Shares and Securities**

4.20 I have a registerable interest where:

- a) I own or have an interest in more than 1% of the issued share capital of the company or other body; or
- b) Where, at the relevant date, the market value of any shares and securities (in any one specific company or body) that I own or have an interest in is greater than £25,000.

#### **Category Seven: Gifts and Hospitality**

4.21 I understand the requirements of paragraphs 3.13 to 3.21 regarding gifts and hospitality. As I will not accept any gifts or hospitality, other than under the limited circumstances allowed, I understand there is no longer the need to register any.

#### **Category Eight: Non–Financial Interests**

4.22 I may also have other interests and I understand it is equally important that relevant interests such as membership or holding office in other public bodies, companies, clubs, societies and organisations such as trades unions and voluntary organisations, are registered and described. In this context, I understand non-financial interests are those which members of the public with knowledge of the relevant facts might reasonably think could influence my actions, speeches, votes or decision-making in Children’s Hearings Scotland (this includes its Committees and memberships of other organisations to which I have been appointed or nominated by Children’s Hearings Scotland).

#### **Category Nine: Close Family Members**

4.23 I will register the interests of any close family member who has transactions with Children’s Hearings Scotland or is likely to have transactions or do business with it.

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**SECTION 5: DECLARATION OF INTERESTS**

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**Stage 1: Connection**

- 5.1 For each particular matter I am involved in as a Board member, I will first consider whether I have a connection to that matter.
- 5.2 I understand that a connection is any link between the matter being considered and me, or a person or body I am associated with. This could be a family relationship or a social or professional contact.
- 5.3 A connection includes anything that I have registered as an interest.
- 5.4 A connection does not include being a member of a body to which I have been appointed or nominated by Children's Hearings Scotland as a representative of CHS, unless:
- a) The matter being considered by Children's Hearings Scotland is quasi-judicial or regulatory; or
  - b) I have a personal conflict by reason of my actions, my connections or my legal obligations.

**Stage 2: Interest**

- 5.5 I understand my connection is an interest that requires to be declared where the objective test is met – that is where a member of the public with knowledge of the relevant facts would reasonably regard my connection to a particular matter as being so significant that it would be considered as being likely to influence the discussion or decision-making.

**Stage 3: Participation**

- 5.6 I will declare my interest as early as possible in meetings. I will not remain in the meeting nor participate in any way in those parts of meetings where I have declared an interest.
- 5.7 I will consider whether it is appropriate for transparency reasons to state publicly where I have a connection, which I do not consider amounts to an interest.
- 5.8 I note that I can apply to the Standards Commission and ask it to grant a dispensation to allow me to take part in the discussion and decision-making on a matter where I would otherwise have to declare an interest and withdraw (as a result of having a connection to the matter that would fall within the objective test). I note that such an application must be made in advance of any meetings where the dispensation is sought and that I cannot take part in any discussion or decision-making on the matter in question unless, and until, the application is granted.
- 5.9 I note that public confidence in a public body is damaged by the perception that decisions taken by that body are substantially influenced by factors other than the public interest. I will not accept a role or appointment if doing so means I will have to declare interests frequently at meetings in respect of my role as a Board member. Similarly, if any appointment or nomination to another body would give rise to objective concern because

of my existing personal involvement or affiliations, I will not accept the appointment or nomination.



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## SECTION 6: LOBBYING AND ACCESS

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6.1 I understand that a wide range of people will seek access to me as a Board member and will try to lobby me, including individuals, organisations and companies. I must distinguish between:

- a) any role I have in dealing with enquiries from the public;
- b) any community engagement where I am working with individuals and organisations to encourage their participation and involvement, and;
- c) lobbying, which is where I am approached by any individual or organisation who is seeking to influence me for financial gain or advantage, particularly those who are seeking to do business with Children's Hearings Scotland (for example contracts/procurement).

6.2 In deciding whether, and if so how, to respond to such lobbying, I will always have regard to the objective test, which is whether a member of the public, with knowledge of the relevant facts, would reasonably regard my conduct as being likely to influence my, or Children's Hearings Scotland's, decision-making role.

6.3 I will not, in relation to contact with any person or organisation that lobbies, do anything which contravenes this Code or any other relevant rule of Children's Hearings Scotland or any statutory provision.

6.4 I will not, in relation to contact with any person or organisation that lobbies, act in any way which could bring discredit upon Children's Hearings Scotland.

6.5 If I have concerns about the approach or methods used by any person or organisation in their contacts with me, I will seek the guidance of the Chair, Chief Executive or Business Operations and Governance Lead of Children's Hearings Scotland.

6.6 The public must be assured that no person or organisation will gain better access to, or treatment by, me as a result of employing a company or individual to lobby on a fee basis on their behalf. I will not, therefore, offer or accord any preferential access or treatment to those lobbying on a fee basis on behalf of clients compared with that which I accord any other person or organisation who lobbies or approaches me. I will ensure that those lobbying on a fee basis on behalf of clients are not given to understand that preferential access or treatment, compared to that accorded to any other person or organisation, might be forthcoming.

6.7 Before taking any action as a result of being lobbied, I will seek to satisfy myself about the identity of the person or organisation that is lobbying and the motive for lobbying. I understand I may choose to act in response to a person or organisation lobbying on a fee basis on behalf of clients but it is important that I understand the basis on which I am being lobbied in order to ensure that any action taken in connection with the lobbyist complies with the standards set out in this Code and the [Lobbying \(Scotland\) Act 2016](#).

6.8 I will not accept any paid work:

- a) which would involve me lobbying on behalf of any person or organisation or any clients of a person or organisation.
- b) to provide services as a strategist, adviser or consultant, for example, advising on how to influence Children's Hearings Scotland and its members. This does not prohibit me from being remunerated for activity which may arise because of, or relate to, membership of CHS, such as journalism or broadcasting, or involvement in representative or presentational work, such as participation in delegations, conferences or other events.

## ANNEX A: BREACHES OF THE CODE

### Introduction

1. [The Ethical Standards in Public Life etc. \(Scotland\) Act 2000](#) (“the Act”) provided for a framework to encourage and, where necessary, enforce high ethical standards in public life.
2. The Act provided for the introduction of new codes of conduct for local authority councillors and members of relevant public bodies, imposing on councils and relevant public bodies a duty to help their members comply with the relevant code.
3. The Act and the subsequent Scottish Parliamentary Commissions and Commissioners etc. Act 2010 established the [Standards Commission for Scotland](#) (“Standards Commission”) and the post of [Commissioner for Ethical Standards in Public Life in Scotland](#) (“ESC”).
4. The Standards Commission and ESC are separate and independent, each with distinct functions. Complaints of breaches of a public body’s Code of Conduct are investigated by the ESC and adjudicated upon by the Standards Commission.
5. The first Model Code of Conduct came into force in 2002. The Code has since been reviewed and re-issued in 2014. The 2021 Code has been issued by the Scottish Ministers following consultation, and with the approval of the Scottish Parliament, as required by the Act.

### Investigation of Complaints

6. Children’s Hearings Scotland has a robust complaints handling process whereby investigations are recorded in order to identify and address the complaints and, where appropriate, identify training opportunities and introduce service improvements. CHS reports on its performance in handling complaints annually in line with SPSO requirements.
7. If a member of the Children’s Hearings Scotland Board has acted in a way that could be construed as in Breach of the Code of Conduct, it is requested a complaint is logged here [Public Portal \(chscotland.scot\)](#).
8. The ESC is responsible for investigating complaints about members of devolved public bodies. It is not, however, mandatory to report a complaint about a potential breach of the Code to the ESC. It may be more appropriate in some circumstances for attempts to be made to resolve the matter informally at a local level.
9. On conclusion of the investigation, the ESC will send a report to the Standards Commission.

### Hearings

10. On receipt of a report from the ESC, the Standards Commission can choose to:
  - Do nothing;
  - Direct the ESC to carry out further investigations; or
  - Hold a Hearing.

11. Hearings are held (usually in public) to determine whether the member concerned has breached their public body's Code of Conduct. The Hearing Panel comprises of three members of the Standards Commission. The ESC will present evidence and/or make submissions at the Hearing about the investigation and any conclusions as to whether the member has contravened the Code. The member is entitled to attend or be represented at the Hearing and can also present evidence and make submissions. Both parties can call witnesses. Once it has heard all the evidence and submissions, the Hearing Panel will make a determination about whether or not it is satisfied, on the balance of probabilities, that there has been a contravention of the Code by the member. If the Hearing Panel decides that a member has breached their public body's Code, it is obliged to impose a sanction.

### Sanctions

12. The sanctions that can be imposed following a finding of a breach of the Code are as follows:
- **Censure:** A censure is a formal record of the Standards Commission's severe and public disapproval of the member concerned.
  - **Suspension:** This can be a full or partial suspension (for up to one year). A full suspension means that the member is suspended from attending all meetings of the public body. Partial suspension means that the member is suspended from attending some of the meetings of the public body. The Commission can direct that any remuneration or allowance the member receives as a result of their membership of the public body be reduced or not paid during a period of suspension.
  - **Disqualification:** Disqualification means that the member is removed from membership of the body and disqualified (for a period not exceeding five years), from membership of the body. Where a member is also a member of another devolved public body (as defined in the Act), the Commission may also remove or disqualify that person in respect of that membership. Full details of the sanctions are set out in section 19 of the Act.

### Interim Suspensions

13. Section 21 of the Act provides the Standards Commission with the power to impose an interim suspension on a member on receipt of an interim report from the ESC about an ongoing investigation. In making a decision about whether or not to impose an interim suspension, a Panel comprising of three Members of the Standards Commission will review the interim report and any representations received from the member and will consider whether it is satisfied:
- That the further conduct of the ESC's investigation is likely to be prejudiced if such an action is not taken (for example if there are concerns that the member may try to interfere with evidence or witnesses); or
  - That it is otherwise in the public interest to take such a measure. A policy outlining how the Standards Commission makes any decision under Section 21 and the procedures it will follow in doing so, should any such a report be received from the ESC can be found [here](#).

14. The decision to impose an interim suspension is not, and should not be seen as, a finding on the merits of any complaint or the validity of any allegations against a member of a devolved public body, nor should it be viewed as a disciplinary measure.

## ANNEX B: DEFINITIONS

**"Bullying"** is inappropriate and unwelcome behaviour which is offensive and intimidating, and which makes an individual or group feel undermined, humiliated or insulted.

**"Chair"** includes Board Convener or any other individual discharging a similar function to that of a Chair or Convener under alternative decision-making structures.

**"Code"** is the code of conduct for members of Children's Hearings Scotland, which is based on the Model Code of Conduct for members of devolved public bodies in Scotland.

**"Cohabitee"** includes any person who is living with you in a relationship similar to that of a partner, civil partner, or spouse.

**"Confidential Information"** includes:

- any information passed on to the public body by a Government department (even if it is not clearly marked as confidential) which does not allow the disclosure of that information to the public;
- information of which the law prohibits disclosure (under statute or by the order of a Court);
- any legal advice provided to the public body; or
- any other information which would reasonably be considered a breach of confidence should it be made public.

**"Election expenses"** means expenses incurred, whether before, during or after the election, on account of, or in respect of, the conduct or management of the election.

**"Employee"** includes individuals employed:

- directly by the public body;
- as contractors by the public body, or
- by a contractor to work on the public body's premises.

**"Gifts"** a gift can include any item or service received free of charge, or which may be offered or promised at a discounted rate or on terms not available to the general public. Gifts include benefits such as relief from indebtedness, loan concessions, or provision of property, services or facilities at a cost below that generally charged to members of the public. It can also include gifts received directly or gifts received by any company in which the recipient holds a controlling interest in, or by a partnership of which the recipient is a partner.

**"Harassment"** is any is any unwelcome behaviour or conduct which makes someone feel offended, humiliated, intimidated, frightened and / or uncomfortable, and it is reasonable for the individual to feel that way. Harassment can be experienced directly or indirectly and can occur as an isolated incident or as a course of persistent behaviour.

**“Hospitality”** includes the offer or promise of food, drink, accommodation, entertainment or the opportunity to attend any cultural or sporting event on terms not available to the general public.

**“Relevant Date”** Where a Board member had an interest in shares at the date on which the member was appointed as a member, the relevant date is – (a) that date; and (b) the 5th April immediately following that date and in each succeeding year, where the interest is retained on that 5th April.

**“Public body”** means a devolved public body listed in Schedule 3 of the Ethical Standards in Public Life etc. (Scotland) Act 2000, as amended.

**“Remuneration”** includes any salary, wage, share of profits, fee, other monetary benefit or benefit in kind.

**“Securities”** a security is a certificate or other financial instrument that has monetary value and can be traded. Securities includes equity and debt securities, such as stocks bonds and debentures.

**“Undertaking”** means:

- a) a body corporate or partnership; or
- b) an unincorporated association carrying on a trade or business, with or without a view to a profit.

**Agenda item 19**  
**CHS-2122-54**

**Amendment to Core Policies**  
**for the Operation of the Children's Panel and Area Support Team**

<b>Accountable SMT member:</b>	Head of Learning
<b>Report author:</b>	Christine Mullen
<b>Resources implications:</b>	Within available resources
<b>Purpose:</b>	For consideration and discussion
<b>Equalities duties:</b>	Equalities Impact Assessment Required
	<b>Yes                      No</b>

<b>Children's Rights and Inclusion</b>	Children's Rights and Wellbeing Impact Assessment required
	<b>No</b>

**1. Introduction**

The following amendment is being made/has been made to the "Resignations, Moving Area and Removal from the Children's Panel" Policy. This Policy is currently contained in Part 3, Section 7 of the following overarching document: Core Policies for the Operation of the Children's Panel and Area Support Teams. A full refresh of this section will be submitted to March meeting of the CHS Board.

**2. Amendment**

Panel Members are appointed for a period of 3 years in the first instance and are eligible to seek Reappointment for further term of three years of panel membership. As volunteers, Panel Members may end their service due to a number of factors at any point during their three year term.

When a member of the Community states that they are resigning from their role, either with immediate effect or at an agreed date in the future the next steps are as follows. If immediate, the Area (and National) Convener will ensure that a Panel Member who indicates they will be removed from the rota and that accounts will be closed as soon as possible.

For any Panel Member who has resigned but identifies they would like to return to the role, as designated by the National Convener the pathway is that they reapply through the CHS Panel Member Recruitment process. In the event of selection to become a Panel Member once more, prior learning and experience may be taken into account. However to re-join the CHS Community as a Panel Member, individuals would undertake the usual process of recruitment, selection and Pre Service Training before any outcome of appointment.



Where resignation is being considered by a Panel Member there are various avenues open to them before they make a final decision including the option to consider this with an Area Support Team Member, Alternatives to taking the step of resigning, which is final, include the facility to request a leave of absence from the Panel Member role.

**3. Recommendation**

The Board are requested to approve this amendment ahead of the wider policy review to be submitted at the March meeting of the Board.