CHS Public Board Meeting

Tue 23 November 2021, 13:00 - 15:00



Agenda

13:00 - 13:00

1**3:00 1.** 0 min _

Declarations of interests

Verbal

Garry Coutts

To consider any declarations of interest with regards to agenda items

1 Agenda Nov 2021.pdf (2 pages)

13:00 - 13:00

0 min

Minutes of previous meeting

Paper

2.

Garry Coutts

To approve the minutes of the previous meeting on 22nd September 2020

3 CHS-2122-31 Minutes of Sept 21 meeting.pdf (11 pages)

13:00 - 13:00

0 min

Matters arising

Verbal

3.

Garry Coutts

Seek assurance that matters from the previous meeting have been progressed

13:00 - 13:00 4.

0 min

Action Log

Paper

Garry Coutts

To monitor progress against actions due and agree actions where required

4 CHS-2122-32 Action Log Final.pdf (2 pages)

13:00 - 13:00

5

0 min

Chair update

Verbal

Garry Coutts

For information and discussion

13:00 - 13:00 6

0 min

National Convener/ CEO update

Paper Elliot Jackson

For consideration and discussion

6 CHS-2122-33 DRAFT NC update Nov Board.pdf (3 pages)

13:00 - 13:00

0 min

2021/212Financial Forecast Outturn

Paper

7.

Ed Morrison

For consideration and approval

† 7 CHS-2122-34 2021-11-17 Forecast Outurn Final.pdf (4 pages)

13:00 - 13:00

0 min

8.

Hearing System Working Group Update

Verbal

Carol Wassell

For information and discussion

13:00 - 13:00 0 min

9.

Area Support and Improvement Partners Update

Paper

Carol Wassell

For consideration and approval

9 CHS-2122-35 Area Support and Improvement Partners Update.pdf (8 pages)

13:00 - 13:00

10.

0 min

OHOV 40 Calls to Action - CHS Update

Verbal

Christine Mullen

For consideration and approval

13:00 - 13:00

11.

0 min

CHS Legislative and Policy Landscape

Paper

Stephen Bermingham

For consideration and discussion

11 CHS-2122-36 Legeslative and Policy Landscape.pdf (5 pages)

13:00 - 13:00

12.

0 min

CHSLA Annual Report

Paper

Christine Mullen

For consideration and approval

- 12 CHS-2122-37a CHS Learning Academy Annual Report.pdf (1 pages)
- 12 CHS-2122-37b CHSLA_Annual report 2021.pdf (12 pages)

13:00 - 13:00 **13.**

0 min

Board Standing Orders - Annual Review

Paper

Lynne Harrison

For consideration and approval

13 CHS-2122-38 Board Standing Orders.pdf (8 pages)

13:00 - 13:00 14.

0 min

Governance Work Plan & Calendar 2022

Paper

Lynne Harrison

For consideration and approval

14 CHS-2122-39 Board Work Plan 2022.pdf (5 pages)

14 CHS-2122-40 Governance Calendar 2022 final.pdf (1 pages)

13:00 - 13:00 **15.**

0 min

AOB

For noting

15.1.

Next meeting date: 25th January 2022

For noting

15.1.1.

Next SCRA/CHS Joint Board Meeting: 1st February 2022



The Children's Panel — life changing.

BOARD MEETING

AGENDA

3rd Meeting 2021/22

23rd November 2021

The Board will meet 1.00 pm - 3.00 pm

Ite m	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-2122-31	To approve the minutes of the previous meeting on 21st September 2021
3	Matters arising	Chair	Verbal	Seek assurance that actions from the previous meeting have been progressed
4	Action log	Chair	CHS-2122-32	To monitor progress against actions due and agree action where required
5	Chair update	Chair	Verbal	For information & discussion
6	National Convener/ CEO update	EJ	CHS-2122-33	For consideration and discussion
7	2021/22 Financial Forecast Outturn	RMc/LH	CHS-2122-34	For consideration and approval
8	HSWG update	CW	Verbal	For Information and discussion
9	Area Support and Improvement Partners Update	CW	CHS-2122-35	For consideration and approval
10	OHOV 40 Calls to Action - CHS Update	СМ	Verbal	For consideration and discussion
11	CHS Legislative and Policy Landscape	SB	CHS-2122-36	For consideration and discussion
12	CHSLA Annual Report	CM	CHS-2122-37	For consideration and approval
13	Board Standing Orders – Annual Review	LH	CHS-2122-38	For consideration and approval

Next Board meeting date: 25th January 2022

Next meeting key topics

Corporate

Financial Forecast Outturn
Business Corporate Parenting Plan (Draft)
Q3 Performance Report

Policy/ governance

RAC Annual Report & work plan

Next Joint Board CHS/SCRA meeting date: 1st February 2022

Minutes of the Board Meeting of 21st September 2021

The meeting started at 13:00 at the Grosvenor Hotel and via Teams

Present:

Garry Coutts (GC) Chair

Sean Austin (SA) Board Member

Henry Robson (HR) ARMC Chair/Board Member

Beth-Anne Logan (B-AL) Board Member

Jo Derrick (JD) RAC 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

Michael Beardmore (MB) National Quality and Performance Lead, CHS

- Items 12,13, 14

Ed Morrison (EM) Director of Finance, CHS (SCRA shared services)
Ross MacKenzie Finance Manager, CHS (SCRA shared services)
Rachel Kavish Wheatley (RW) Business Support Lead, (minute taker), CHS

In attendance:

Iain Fitheridge Head of Children's Hearings Team Scottish Government

Apologies:

Susan Deery Head of Human Resources, Scottish Children's Reporter Administration

Barbara Neil Board Member

Christine Mullen Head of Practice, Improvement, and Learning, CHS

Ite	Actions / owner	Time- scales	
1	Declaration of interests		
The	Chair welcomed everyone to the meeting and presented the apologies as above		
The	re were no declarations of interest to note		
2	Minutes of previous meeting		
The	Board agreed to approve the minutes of its meeting on 22 nd of June 2021		

1/11 3/62

140	matters arising to note		
4	Action log		
The	Chair confirmed that all items were on the Agenda for discussion		
The	Chair noted the following items from the log:		
	All time line extensions have the Boards approval		
	OHOV meeting continues to be overdue and the Chair requested this be	LH	Jan 22'
	progressed as soon as possible.		
5	Chair update	I	
The	Chair updated the Board on the following;		
	Recruitment for Head of Practice and Policy has now concluded.		
	The Chair has had a number of engagements with SG colleagues around The		
	Promise and Hearing System Working Group (HSWG).		
	• SG remain supportive of CHS in terms of budgets and resource however it is a		
	challenging environment. The Chair extended his appreciation to the Sponsor		
	Team for keeping CHS on the fore.		
Boa	ad destates.		
БОа	rd decision: 1. To Note the update from the Chair.		
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2/11 4/62

Emergency legislation ends on 30th of September. CHS has been making good use of the National Panel and we do not foresee any issues delivering on our commitments to hearings, though we continue to be challenged by a lack of male panel members.

Recruitment

We have taken the decision to recruit 500 PM's in January based on analysis of data around current PM numbers, anticipated hearing numbers, and the gender split of PM's. We are working on the assumption that recruitment and pre-service training will be carried out online, though this is currently under evaluation.

Board discussion:

The Board noted how daunting a fully virtual experience, including a first hearing, must be. The Board sought assurance that appropriate levels of support were in place. SMT noted that all new PM's have mentors and support via their training group within the community and that there is an active community on Teams within which to engage. The Board asked for feedback on how the community has reacted to the delayed return of face to face and changes to legislation. It was noted that there is general acceptance of the delay to face to face hearings and the reasons for this which are due to the pandemic. However Area Conveners's and Rota Managers have noted concerned regarding the loss of emergency legislation, having hoped it may remain past the September 30th deadline. We are assuring our community that as part of Promise and redesign work any new model will take into account these concerns and that CHS will push for changes around gender.

The Board asked for more detail on the use of the emergency legislation. CW informed the Board that CHS reported to SG on when the emergency legislation was used every two month. The majority of occasions were due to technical difficulties of PM's ability to join the hearing. With the implementation of RAVHI, SCRA are now able to support last minute swaps via RAVHI, which was not possible with VScene.

Board decision:

- 1. To note the NC/CEO update.
- 2. To include detail of diversity statistics in the recruitment report for Novembers Board meeting.

CM

Nov 21'

7 2020/21 Financial Forecast Outturn

RMacK spoke to the paper shared;

RMacK highlighted the following points from the final Financial Forecast Outturn report:

- Forecasted underspend of 188k with the potential to increase to 300k dependent on the resolution of uncertainties.
- SMT are engaging with SG to agree a revenue to capital transfer of some of the underspend to support digital devices to support new Panel Member cohort in 2022.
- Finance team within CHS have monthly meetings with Sponsor Team to ensure careful monitoring and continued engagement on budgets and in-year spend.

3/11 5/62

.. ...

• Investment to enable recognition of the CHS Volunteer community both locally and nationally are in train.

Board discussion:

 The Board agreed that capitalising and purchase of devices to support new trainees is the right approach, both for the use of the underspend as well as supporting our community.

Board decision:

 The Board agreed to approve the Report and the approach to capitalisation of underspend.

8 CHS 5 Year Plan DRAFT

LH spoke to the report shared;

- This annual update to our 5 year plan is set against our strategic themes in addition to 3 key priorities:
 - Impact of Covid and recovery
 - Impact of The Promise and its transformational changes
 - Digital and return on investment
- There remains a high level of uncertainty for both CHS and SG as we move into the next financial year. Engagement with SG has been positive but everyone recognises the challenging financial context over the next few years post pandemic.
- SG has had sight of this plan and are utilising these draft figures into their own financial planning, final submission is due in December.
- The plan includes proposed changes to staffing and our continued obligations to staff.

Board discussion:

The Board asked what assumptions have been made around inflation. It was reported that CHS makes modest assumptions for inflation within financial planning as this is generally covered via efficiencies within the envelope annually. As an NDPB we have there is the expectation that CHS will follow SG pay policy guidance issued. If SG were to offer a more generous award to staff there could be a risk that CHS could not follow suit, however SG have been working closely with NDPB's to ensure appropriate levels of Grant in Aid to avoid such discrepancies.

The Board commented that there is a need to clearly articulate the assumptions made within the plan to assure we can track them.

Board decision:

- 1. The Board agreed to approve the report.
- 2. Clearly articulate the assumptions used in future iterations of financial plans.

LH/RMc

Ongoing

9 **CHS Framework Document** LH spoke to the report shared; The CHS Framework identifies our responsibilities as an NDPB and is reviewed every 2 years. Julie Duncan within the Sponsor Team has worked on this with us and it has been updated to articulate our commitments within The Promise. The Board as asked to approve the report, after which it will be approved by SG and published. **Board decision:** 1. The Board agreed to approve the report. **ARMC – Audited Annual Accounts** 10 HR spoke to the Report shared; • The format and approach for the audit was reviewed by ARMC in May. • The final Report was formally reviewed and approved by ARMC at their meeting on the of 24th August. • There are only two recommendations from the auditors, both of which have been accepted. • The identified Pensions deficit did not raise any concern to the auditors. Discussion: The Board welcomed the audit report and opinion and thanked the ARMC and CHS teams for supporting the audit activity and robust financial management throughout the year. **Board decision:** 1. The Board approved the report. EJ Oct 21' 2. EJ to sign the accounts after approval from Board. **CHS Core Projects Updates** 11 EJ updated the Board on the Children's Rights and Inclusion Participation Progress Report shared and highlighted the following; A Children's rights and wellbeing assessment was carried out which has concluded that audio hearings should only be used in necessary for business continuity but should not be incorporated into business as usual. CHS succeeded in including young people in 1600 interviews for our last cohort of panel members. This will be repeated in 2022. Laura Beveridge has been working with a group of young people to create Participation and Engagement Standards which will be enshrined in all that we do.

5/11 7/62

Board discussion:

The Board were pleased to see the activities within this report. We have proven we can engage young people to participate in our work and the Board questioned what more we can do to push this forward and do so more regularly. There is the possibility to create our own young people's advisory group however we should be cautious of creating another group or duplicating the work of other organisations such as OHOV. The Board noted that we should remain bold in our own planning and not to wait for other organisations. JD has offered her expertise in this area and in any forthcoming work around setting up an advisory group.

Board decision:

- 1. The Board noted the update shared.
- 2. SMT will bring the OHOV evaluation to the Board in November for review and as a tool to determine ongoing actions around engagement with CYP.
- 3. JD to support with background and knowledge around any advisory group planning.

Nov 21'

EJ

JD Ongoing

CW updated the Board on the Improvement Project Report shared;

- Since February, the ASIP team have been working with the SG Leading Improvement Team on local improvement projects.
- The National Care service and Audit Scotland have spoken frequently on how valuable a tool Quality Improvement frameworks are and it was determined the ASIP team should be given the skills, knowledge, and support to put these into practice. The team have been given monthly mentoring and regular sessions to build their understanding and practice.
- As part of this learning, a number of local projects have been implemented using QI frameworks that aim to deliver change. Projects focus on themes such as the maintenance of sibling relationships, language in hearings, voice and participation within hearings, and reducing barriers to attendance. These projects are scheduled to run for a year, mindful that embedding the changes will take longer.
- Once we have data on the impact of these local projects, we plan to scale what has worked well across other areas.
- The majority of these projects have CYP involved via local Champions Boards and CYP working with Who Cares. Some projects have struggled to get individuals with care experience at the table however we are listening to what those with care experience are telling us in the broadest sense.

Board discussion:

- The Board commented on the gap between children's voice and participation in hearings policy and practice, noting concern and disappointment about the levels of participation and inclusion of CYP in hearings and the low numbers of attendance of CYP at hearings. The Board noted the need for more information from SCRA around non-attendance.
- It was noted that within the context of emergency legislation, there is one piece that will remain which is that children do not have to attend hearing. CHS are

working with SCRA to ensure we can influence and encourage more attendance within this context.

- The Board noted the Promise transformational system change would enable more CYP to want to attend hearings rather than relying on legislation to compel them to attend, however to continue pace of improvement and better hearings experiences, work should continue to improve/encourage and enable participation whilst transformational change is in development.
- Advocacy was discussed as an important support to enable participation.

Board decision:

- 1. The Board noted the update shared.
- 2. The Board support the project work and that much of it will be of fundamental importance.
- 3. The Board requested a development session at the strategy day/weekend to look at pace and resource needed to move participation in hearings forward.

4. Ensure future CSAS developments include the recording of CYP participation numbers in hearings.

CW Nov 21'

LH Mar 22'

LH updated the Board on the Brand and Language Report shared;

- The report identifies CHS' progression to utilising trauma informed positive language and progresses the relationship developed with Frameworks Institute and the Each and Every Child group.
- CHS branding has evolved and the focus is on a clean simple and professional image for the organisation.
- The communications team have been working with a number of agencies and Young people to help us develop our language and messages around key strands of work. We now have a number of messages around our strategic themes to help us articulate and demonstrate what we do.

Board discussion:

The Board welcomed the report.

Board decision:

1. The Board noted the update shared.

12 | Q2 Performance Report

MB spoke to the papers shared;

- Items 13 & 26 have been proposed for de-scoping.
- Item 13 proposed to look at PM experience of advocacy. It was felt that
 practice capacity was better focussed on current legislative work as CHS will
 continue to have a link through the Expert Reference Group (ERG) on
 Advocacy. CHS is part of this group and their role is to look at the effects of
 advocacy. The group is hosted by CELCIS and will next meet in October.
- Item 26 proposed to evaluate the device pilot. This will be moved to next year to ensure better establishment of the estate and RAVHI.

7/11 9/62

MB/CW

CW

CW

Nov 21'

Nov 21'

Nov 21'

Board discussion:

The Board raised concern around the de-scoping of Advocacy work, particularly when hearing engagement for CYP is low.

It was reported that the Expert Reference Group (ERG) will be evaluating the use and efficacy of Advocacy however timescales and exact methods of engagement are yet to be defined.

The Board asked that we look at engaging PM's to gain a better understanding on the use of Advocacy in hearings, how often it is offered and how often it plays a part, and does it support the views of the CYP in hearings. This would ensure we understand the position and any additional work required to fill gaps and ensure a consistent approach. This work should be lined up with the ERG to ensure there is no duplication, or in fact if some of this work has already been carried out.

The Board sought further information about recognition and engagement events for the CHS Community.

It was reported that originally, engagement events were scheduled for Q1/2 but this has been shifted to Q3/4 due to ongoing pandemic recovery. SMT are looking at a package of support events for the community around the Promise, HSWG, BAU, and recognition. The Communications lead and ASIP Michael Stewart have been working with AC's to develop tools for consultation and engagement. There will be a communications plan in place to support Promise requirements, our consultation model, and how we slot these virtual events in through the year. While this work is reported as amber, it is more to do with pushing back on face to face events rather than pushing back on virtual or other types of engagement.

Board decision:

- 1. The Board agreed to note the report.
- 2. The Board did not approve the removal of Advocacy work until a report was produced on PM's experience with Advocacy, such as number of times offered, number of times used, etc.

3. The Board requested more information on how the ERG are going to evaluate Advocacy and the time scales ahead of any de-scoping.

- 4. Based on the information from the ERG, decide if there is a need to report on Advocacy within hearings and present a proposal to the Board in November.
- 5. The Board agreed to de-scope the device pilot analysis till next year.

13 | Revised Business Plan 21/22

MB spoke to the papers shared;

- The Board previously agreed this year's plan would be in two parts reporting a six month view at a time;
- This report is updated from the initial plan presented in March to cover Q3 and Q4 of 2021/22;

Board discussion:

The Board were in support of the approach used to the business plan.

8/11 10/62

Board decision: 1. The Board approved the business plan update for 21/22. 2. To adjust plan to include proposed re-scoped Advocacy work.	МВ	Nov 21'
24 CHS Impact Report		
MB spoke to the paper shared;		
 The DRAFT impact report was presented including aspects of our Corporate parent activities and the Annual report. 		
 An animation is currently being worked on to summarise and illustrate the work in this report. 		
Both will be published along with annual report in October.		
Board discussion:		
The Board were complementary of the way the report has been presented and felt it was a great example of brand design and consistency.		
Board decision:		
1. The Board agreed to approve the report.		
Promise Oversight Update		
CW updated the Board;		
The first meeting of the HSWG was held on the 6 th of September. The first meeting of the HSWG was held on the 6 th of September.		
The meeting was attended by CW, B-AL, David MacKay, Sue Bestride, Alistair Hogg, Tom McNamara, Figure McFaylane, Christina Spicer Hogg, Tom McMaylane, Christina Spicer Hogg		
 Hogg, Tom McNamara, Fiona McFarlane, Christina Spicer. The meeting focused on the values of the group, scope of the programme, and redesign approach. 		
 Fiona McFarlane is engaging with the office of the Chief Designers but there is difficulty gaining this resources. 		
 The group agreed a consistent approach to communication ensuring agreement and congruence going forward. 		
 A number of actions were agreed including: 		
 A number of actions were agreed including: Engaging the office of the Chief Designer; 		
 Engaging the office of the Chief Designer; The issue of draft communications going out after meetings; 		
 Engaging the office of the Chief Designer; The issue of draft communications going out after meetings; Promise team to create composite stories from CYP in the hearing 		
 Engaging the office of the Chief Designer; The issue of draft communications going out after meetings; Promise team to create composite stories from CYP in the hearing system from a lens of age and stage; 		
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	rd decision:		
	1. The Board noted the update		
	2. HSWG updates to be standing agenda item at CHS Board meetings	CW/BA-L	Ongoing
16	CHS Learning Academy Prospectus 2021/22		
EJ s	poke to the paper shared;		
	 The Board are asked to note the 5 priorities: 		
	Pre-service training;		
	Management of hearings;		
	Trauma informed practice;		
	UNCRC and;		
	Enhancing digital capacity.		
	While the National Convener has the right to deem any training mandatory,		
	and new legislative training would normally be mandatory, we are acutely		
	aware of the pressures on our community. There is a need for us to be		
	cautious how we present mandatory training.		
Boa	rd discussion:		
The	Board agreed there was a need to investigate further how Covid implications		
con	tinue to impact our community resilience and asked for a focused discussion at the		
Νον	rember Board weekend. The Chair also encouraged all Board members to contact		
Ch.,			
Cnr	istine Mullen and arrange attendance at a training session if they have not done so		
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	k at ensuring at least one PM at a hearing has been trained to Trauma Enhanced el in order to have an impact. This could be tied into Hearing Chair training.	
Воа	ard decision: 1. The Board agreed to approve the report.	
18	AOB	
N/A	A	

The meeting closed at 15:00

Children's Hearings Scotland Board Action Log Updated November 2021

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	Dec 21	CW	To be completed following outcomes agreed at Board strategy sessions
2.	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	МВ	Not Yet Due
3.	To carry out a development session around Independent Report Writers and their function for the Board for further understanding	June 21	Jan 22	СМ	Not Yet Due
4.	Future Advocacy reports to include statistical data on trends analysis and fulfilment of requests	June 21	Sept 21 Jan 22	CM	National Advocacy evaluation work impacted by Covid - deadline extended
5.	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	Jan 21 Jan 22	GC/LH	Meeting with the Chair planned for Jan '22
6.	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.
7.	Ensure future CSAS developments include the recording of CYP participation numbers in hearings.	Sept 21	March 22	LH	Not yet due
8.	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	Dec 21 April 22	СМ	Impacted by Covid – deadline moved

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Agenda Item 4: CHS-2122-32

9. 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
10. To look at the creation of a child/young person friendly complaints policy once policy has been finalised	the November 19	Sept 20 Sept 22	LH	Impacted due to Covid, will be prioritised in 22/23



Agenda Item 6 CHS-2122-33

National Convener / Chief Executive update

1. Introduction

- 1.1 The period between the last Board meeting in September 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. This quarter has also seen the completion of the digital rollout of Microsoft Teams as the primary virtual platform for Children's Hearings across Scotland.
- 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 them separately heading to the Board in their own right in November.

2. CHS Community Recognition

- 2.1 A number of local ASTs across Scotland have hosted, or are planning to host, in person events within their local communities. I have attended a number of these events together with members of the senior team and they have been well organised and very successful. The formal purpose has been to recognise the service of Panel members, but in actuality, it has been the chance for colleagues to catch-up, rekindle friendships, and to reflect upon a job well done in helping the children and young people in their communities throughout the pandemic.
- 2.2 In discussion at these events, Panel and AST Members talk about the change and the gains that we have made as a service that provide opportunities, particularly for young people to attend their Hearing, using technology. They reflect upon the challenges of pivoting our system onto a virtual platform within 2-weeks of lockdown. They also ask me to pursue the removal of the need for a gender split for Panel members in Hearings going forward. This featured in the COVID-19 Emergency Legislation and is seen as a positive and modern move within the context of the Kilbrandon principles.
- 2.3 I expect further events into 2022 and I will be sure to extend invitations to Board members to attend and participate.

Agenda item 6: CHS-2122-33

3. Strategic Planning

3.1 Our work with the CHS Board in building our strategic direction for the next 5-years continues at pace. The recent Board strategy event in November considered our environment (see separate Board paper on the Legislative and Policy landscape); our commitments to keeping The Promise; and our statutory need to continue to deliver high quality Hearings for infants, children and young people.

- 3.2 The commitment to the redesign of the Children's Hearings System in Scotland remains key to unlocking a new Hearings experience and delivering better outcomes for the children and families we serve. It's also central to our collaborative work with our other statutory partners including the Scotlish Children's Reporter Administration, Social Work, and Police Scotland.
- 3.3 Strategic and operational planning around these priorities will continue over the next 3-months with the Board, the Scottish Government, The Promise Scotland, and the CHS Community. The publication of our future direction and plans will be in the spring of next year.

4. Area Conveners

- 4.1 The role and contribution to the successful running of local Hearings and the support to Panel Members by volunteer Area Conveners remains outstanding. Their individual and collective contribution to supporting the day to day business throughout the pandemic has been incredible, with many regularly working in excess of 30-hours per week on CHS business.
- 4.2 I have an open and positive dialogue with our colleagues over the sustainability of delivering a statutory service through the existing volunteer management model. Our Area Conveners provide excellent insight into the key workload pressure points and local challenges they face. They also reflect honestly about their ability to maintain an operational leadership role, whilst considering and driving The Promise reforms locally. This juxtaposition needs careful consideration, innovative and creative thinking, and strong collective leadership.

5. CHS Award Nominations

- 5.1 Children's Hearings Scotland has been successfully shortlisted (1 of 3) for the Communications Award at the Scottish Public Service Awards 2021 for our 2021 Panel Member Recruitment Campaign. The award recognises an exceptional performance by a team in the delivery of a highly effective communications campaign, targeting either internal or external stakeholders/ audiences. We are incredibly proud of this nomination and we will provide an update following the awards event on 8 December 2021.
- 5.2 We have also been nominated for an 'Innovation Award' by Fife College for the collaboration between the college and CHS for the inclusion of young people with lived experience of care in the 2021 Panel member recruitment and selection campaign. This is an excellent example of local leadership, engagement and partnership working and we are delighted to be nominated. Again, we will provide an update following the event early in December 2021.

Agenda item 6: CHS-2122-33

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; and the consultation on the proposed National Care Service;
 - 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 Governments move from the age of 8 to 12 from the 18th December 2021;
 - The National Child Protection Committees Scotland on new guidance for CHS to participate in Significant Case Reviews; and
 - 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.
- 6.2 The recent appointment of Stephen Bermingham as the Head of Practice and Policy brings new capacity and expertise to the senior team that will aid our ability to support and influence policy and legislative change.

7. Priorities for Quarter 4 – January to March 2022

- 7.1 My three key priorities for the fourth quarter of 2021/22 include:
 - 1. **Strategic Planning** Finalise the CHS strategic and operational priorities for 2022 and beyond with the CHS Board in collaboration with our internal and external stakeholders.
 - 2. **People Strategy** Implement the CHS People strategy with the staff team; shape the development of a hybrid return to work; agree new ways of working; and support the development of an operating model to underpin our core operations programme and our Promise programme;
 - 3. **The Promise** To support the work of the Hearings System Working Group to develop a shared plan and clear expectations for the Children's Hearings System over the next 2-years by the spring of 2022.

Elliot Jackson

National Convener and Chief Executive Officer

18 November 2021

Agenda Item 7: CHS-2122-34

Agenda Item 7 CHS-2122-34

Finance Report: 2021/22 forecast outturn

Accountable Director: Director of Finance Report author: Ross Mackenzie

Resources implications: Within available resources

Equalities duties: Equalities Impact Assessment Required

Yes X 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 spend that relates to CHS services. To achieve this, £0.25m of capital GIA will be transferred to SCRA. £0.133m of CHS's revenue GIA will be transferred to capital to ensure sufficient capital resource to complete the volunteer devices programme.
- 1.4 Given CHS's projected revenue underspend, SMT will indicate to SG that, at this stage, the £0.25m "in-year pressure" funding is unlikely to be required. This would bring CHS's total revenue GIA for 2021/22 to £4.629m and capital GIA to £0.283m.
- 1.5 The Board is asked to note and comment on:
 - the draft spend position in section 2 and the planned GIA transfers;
 - the spend strategies in section 3;
 - the budget-setting timetable and commitment to devolved funding in section 4.

2 2021/22 Year to Date spend and forecast

- 2.1 The staffing year to date (YTD) underspend of £133k 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 £35k.
- 2.2 The staff Training, Travel and Subsistence forecast overspend is due to projected spend on digital agency recruitment costs (£6k) and SMT coaching (£5k).
- 2.3 The forecast ICT underspend is primarily due to savings on the Leidos support and maintenance contract.
- 2.4 The forecast Corporate Costs overspend is consultancy on trauma-informed training (£50k) and with The Lens on digital facilitation (£20k) 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.

Finance Report as at 31 October 2021

	Actual YTD Period 7	Variance YTD Period 7	2021/22 Annual Budget	2021/22 Forecast	2021/22 Forecast Variance	2021/22 Forecast Variance
	£000	£000	£000	£000	£000	%
Staff	1,198	-133	2,282	2,247	-35	-1.5
Board	31	+3	55	55	+0	+0.0
Training, travel and subsistence	33	+3	60	71	+11	+18.3
Property	30	-31	121	121	+0	+0.0
Other Operating Costs	29	+1	56	56	+0	+0.0
ICT Costs	87	-158	491	435	-56	-11.4
Corporate Costs	13	+11	155	233	+78	+50.5
Panel and AST Expenses	17	-215	464	278	-186	-40.1
Panel and AST Training	560	+35	1,049	977	-72	-6.9
Support for hearings	25	-27	177	119	-58	-32.8
Volunteer recruitment	3	+0	177	227	+50	+28.2
PVGs	31	+31	30	30	+0	+0.0
AST Devolved Funding	1	-32	66	66	+0	+0.0
Income	-14	+13	-54	-54	+0	+0.0
Total	2,044	-499	5,129	4,861	-268	-5.2

- 2.5 Volunteer expenses are underspent in the year to date due to almost all bills received having been accrued and few 2021/22 bills processed. Given that under £112k of volunteer expenses have been approved in the Digital Expenses Service up to 25 October, a tentative saving of 40% has been included in the forecast, which will be monitored as the year progresses.
- The training forecast includes £49k of venue costs (the savings on which are set aside for The Lens consultancy as detailed in para 2.4), £73k pre-service costs arising from increased volume of trainees, up to £15k evaluation of pre-service and £20k domestic abuse support. Given some of these are top estimates, a £20k saving across these elements is also forecast, giving an overall forecast underspend of £72k.
- 2.7 The support for hearings budget includes £85k for Independent Reports, £30k Participation of Children and Young People, £25k for Connecting the Community, £5k for a Leadership 2020 follow-up event for ACs and £30k for Improvement Events/National Conference. The £58k forecast underspend comprises a potential £15k underspend on Independent Reports and £43k on events, including the National Conference. Two smaller events in relation to CHS Promise activity are planned at costs of approximately £6.5k each.
- 2.8 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.
- 2.9 AST Devolved Funding spend last year was £65k, which included the Christmas vouchers.

- 2.10 The forecast underspend above of £268k is reduced to £18k if the £0.25m "in year pressure" funding mentioned in para 1.1 is not drawn down. However, risks remain that travel and subsistence, volunteer expenses, devolved funding and consultancy all underspend further than forecast.
- 2.11 CHS's capital spend to date is £57k, concluding the 2020/21 devices rollout. Due to recruitment requirements for 2022, 550 more devices will be purchased for 2022 trainees (£226k), meaning CHS is forecasting a capital GIA requirement of £283k. As discussed in para 1.3, a £250k transfer of capital GIA to SCRA and a £133k transfer of revenue GIA to capital GIA leaves CHS with sufficient resource to complete this programme while funding CSAS developments and improvements.

3 Spend strategies

- 3.1.1 Due to the impact of the pandemic on our volunteer community and the incredible response from our community to support the operation of children's hearings and flex and adapt to requirements of a virtual world, CHS in 2020/21 for the first time offered national recognition in the form of a £25 voucher or equivalent gift to all CHS volunteers. This was deployed locally. Due to their unique role and response, ACs received vouchers and the opportunity to take a family member for a meal.
- 3.1.2 The impact of the pandemic has continued and with the introduction of new legislation and a new virtual hearings platform our community have again responded commendably. SMT has approved a national recognition approach for Nov/Dec 2021:
 - 1. a £30 voucher, which can be each AST's choice, but accompanied by a national or local thank-you message specifically referencing the continued pandemic response (vouchers would be supplied and deployed nationally);
 - 2. for ACs, an opportunity for recognition at ACLG in November and/or Spring 2022 alongside recognition up to a value of £60, repeating the previous opportunity in June 2021.
- 3.1.3 There are risks that this becomes viewed as custom and practice by our community ongoing which may not be affordable as pandemic related savings begin to fall away. There is also a careful consideration of HMRC implications. The proposal minimises these by specifically referencing recognition in relation to the pandemic and keeping recognition values within HMRC limits.
- 3.1.4 This would cost approximately £40k-£75k and may result in a modest devolved funding overspend, on the assumption that, like last year, devolved funding would otherwise be significantly underspent.
- 3.2 A rollout of smiley terminals across the country, following an initial pilot in Central and West Lothian (terminals cost around £800 each; software charges are around £2k p.a.; these costs may be shared with SCRA) is also for consideration.

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4 Budget-setting 2022/23

- 4.1 As per the budget setting timetable previously circulated to SMT:
 - Budget returns are due from budget holders by Tuesday 23 November
 - December SMT will review the draft consolidated revenue and capital budgets
 - January Board will consider the draft budget and key areas for challenge and review
 - SMT will conduct a Challenge and Review in February
 - A final budget will go to March SMT and March Board for approval.
- 4.2 Although the 2022/23 budget-setting exercise is only just underway, SMT has committed to the same AST Devolved Funding budget next year as this year, i.e. £66k in the same proportions by AST as previous years. This will greatly assist Area Conveners' and Area Support Improvement Partners' planning.

5 Conclusion

- 5.1 The Board is asked to note and comment on:
 - the draft spend position in section 2 and the planned GIA transfers;
 - the spend strategies in section 3;
 - the budget-setting timetable and commitment to devolved funding in section 4.

4/4 22/62

Agenda Item 9: CHS-2122-35

Agenda Item 9 CHS-2122-35

CHS Area Support and Improvement Partners: contribution to CHS and the future improvement

Accountable Officer: Head of Area Support and Community Improvement

Report author: Carol Wassell

Recommendation: To note the information and agree the direction of the team **Resources implications:** Future options to look at configuration of people and

responsibilities

Equalities duties: Equalities Impact Assessment Required

Yes in relation to people and contracts

1. Introduction

1.1 Area Support and Improvement Partner (ASIP) roles have placed a crucial role in the organisation since coming into being in July 2019. The posts were funded by SG, and recruited to in response to the issues of capacity being identified by Area Convenors (AC) in fulfilling their roles. There are 9.8 full time equivalent posts that cover the 22 Area Support Teams (AST) across Scotland, a total of 11 team members fill these posts due to Job share arrangements. They report directly to the Head of Area Support and Community Improvement.

2. Background

2.1 The emergence of the role of the Area Support and Improvement Partner (ASIP), has its roots in discussions with Area Conveners in 2018. Area Conveners consistently raised the challenge of workload and capacity and a general increase in the level of expectation that they would have to fulfil locally. These issues of capacity were amplified, by the expected increased level of transformation/improvement activity associated by the outcomes of the Independent Review of Care in Scotland.

A strong narrative about the need for additional support for Area Conveners emerged through a series of workshops dedicated to their requirements/needs. A business case followed where support and buy-in was secured from the CHS Board and the Scottish Government. Broadly, the purpose of these roles was two-fold. Firstly to support and assist Area Conveners lead local activity, including multiagency working; and secondly to lead and drive the transformational activity associated with the ICR – now The Promise locally and Nationally. CHS secured funding for the ASIP workforce commencing financial year 2019/20. A significant National recruitment programme followed where Area Conveners and other Area Support Team members played key decision making roles along with CHS senior team members.

The Promise published their 80 intentions on 4th February 2020 and on the 23rd March 2020, Scotland went into the COVID-19 National lockdown. This necessitated the immediate repurposing of the ASIP role to focus upon supporting our local communities respond to the system-wide changes that were implemented to enable our COVID-19 response.

The remaining content of this report, sets out the role and contribution of the ASIP staff group across a range of policy and improvement areas.

3. Current Status of the Team

Since coming into post in 2019

- 3 of the original 11 team members have resigned; and
- All 3 posts have been filled by reappointments.

The leavers have been offered other opportunities in other organisations, but there had also been frustrations in relation to how effective they could be in their roles due to the operating context in which they were working.

3.1 The most recent appointments to vacated roles were given the following job purpose description which echo the expectation across the team as a whole:

To work strategically and operationally with the Children's Hearings Scotland (CHS) National Team, Area Conveners (ACs), Area Support Teams (ASTs), and local partner organisations, to deliver a consistent, sustainable and high-quality Children's Hearings which are aligned with organisational values, standards, and policy.

To enable the ACs and ASTs to carry out their essential responsibilities in leading the panel community by managing programmes of change, driving continuous improvement, and ensuring a quality service and national consistency.

To work with ASTs in ensuring the necessary supports are in place to enable the highest quality of decisions and experience for children and young people, and locally facilitating and promoting their meaningful participation within children's hearings.

To build sustainable external and internal partnerships and seek out collaborative opportunities to improve the quality and consistency across Scotland of today's hearing(s) experience of children and young people, and support and deliver the implementation of changes and improvements where necessary.

3.2 Table 1 is a high level outline of role detail that was developed with ACs and ASIPs as part of the consultancy work in 2021. There was not an appetite for being more prescriptive than this, and it should be read more as a guide than a reflection of consistent practice across every AST. We aimed to simplify the draft role descriptor to put greater emphasis on how ACs and ASIPs build on each other's strengths to jointly own and work collaboratively on the development and delivery of locally nuanced approaches within the agreed national frameworks.

3.3 During this work it was accepted that this would mean an increased focus on trust, proactively addressing any conflicts or tensions and different ways of teamworking (within ASTs, with National Team, with external partners etc.). It was also recognised that in choosing not to pin down and define in detail the role distinctions, this places a greater performance focus for each area on behaviours and relationships and how these then translate into outcomes.

Table I		
AC Core role (Some specific functions may be delegated within AST)	COLLABORATIVE APPROACHES	ASIP Core role
 OVERALL PURPOSE = Leading AST and local delivery of hearings. Local oversight of panel community and 'Champion' of CHS Corporate plan and strategic themes Accountability for local performance within the CHS national performance objectives Strategic oversight of the area and the way it operates Leading and coordinating the work of AST, delegating as appropriate and monitoring outcomes Recruitment and reappointment Training and development Quality Assurance Performance and good practice Complaints Rewards and recognition Supervision and support to AST Communication, engagement, motivation, relationship building with panel members (differs by area size) Volunteer well-being, pastoral and support Local problem solver with agencies involved in hearings 	 Work together on bringing the strategic themes to life in local area Develop local work plans to achieve strategic themes Agree improvement priorities and implementation plans to deliver Support learning and development outcomes Shared focus on the outcomes and system beneficiaries Joint assessment of local operational opportunities Ensure national agreements delivering locally e.g. Memorandum of Understanding re clerks with LA's 	 OVERALL PURPOSE = Leading on national improvement agenda. Enhancing consistent local achievement of national priority outcomes. Adding specific 'technical' expertise on key issues. Co-ordinating national priorities and their consistent achievement across CHS Providing local improvement support to AC / AST in line with national priorities e.g. Initiatives to involve CYP, local responses to 'The Promise, policy rollouts such as panel member profiles External engagement against strategic themes Building / maintaining strategic partnerships; social work, youth justice, SCRA, corporate parents etc. Promoting continuity of national relationships at local level Innovation and tests of change Conduit to national teams or SMT to resolve localised challenges and/or problem solve improvements Using data and local knowledge to inform national policy and/or identify improvement opportunities or operational distinctions at local level

4. Current areas of Responsibility

Most ASIPs work with more than one AST, and even single ASTs can encompass multiple Local Authority areas, all of whom have separate arrangements for partnership working, operations and practice. ASIPs navigate this complex and often disjoined landscape on a daily basis. Table 2 below details each ASIP's area of AST responsibility:

Table 2

ASIP (denoted by letters) and numbers of AST and LA areas of responsibility	AST area of responsibility	Local Authorities (LA) whose children are supported by the hearing in the AST areas	Number of children in the Hearing System in each ASIP areas
A. 3 ASTs, 3 LA areas	Aberdeenshire Aberdeen City Eileen Siar	Aberdeenshire Aberdeen City Eileen Siar	266 351 55 Total: 672
B. 2 ASTs, 4 LA areas	Ayrshire East Renfrewshire	North Ayrshire South Ayrshire East Ayrshire East Renfrewshire	391 204 260 104 Total: 959
C. (0.5 FT equivalent post) 1 AST, 4 LA areas	Central and West Lothian	Clackmannanshire Falkirk Stirling West Lothian	190 308 169 261 Total: 928
D. (1FT and 0.5FT equivalent post) 1 AST, 1 Local Authority	Glasgow (split into 3 areas)	Glasgow City	1,144
E. 4 ASTs, 4 LAs	Highland & Moray, Shetland Orkney	Highland Moray Shetland Orkney	395 129 19 20 Total: 563
F. 3 ASTs, 3 LAs	North Lanarkshire South Lanarkshire Dumfries and Galloway	North Lanarkshire South Lanarkshire Dumfries and Galloway	454 467 380 Total: 1,301
G. 3 ASTs, 3 LAs	Argyll and Bute East Dunbartonshire Renfrewshire	Argyll and Bute East Dunbartonshire Renfrewshire	121 132 465 Total: 718
H. (0.8 FT equivalent) 2 ASTs, 2 LAs	Inverclyde West Dunbartonshire	Inverclyde West Dunbartonshire	206 279 Total: 485

I. 1 AST, 4 LAs	South East Scotland	East Lothian Edinburgh Mid Lothian Scottish Borders	170 620 125 145 Total: 1,060
J. 2 ASTs, 4 LAs	Tayside and Fife	Angus Dundee Perth and Kinross, Fife	148 232 176 635 Total: 1,191

5. Delivering our function

- 5.1 In addition to working across this variety of areas, ASIPs play an invaluable role in working with SCRA on behalf of CHS. SCRA delegate many functions to Locality Reporter Mangers who cover the SCRA areas and the local approach has often proved to be more effective than a top down relationship. The ASIPs have repositioned and asserted the role of CHS in the collective endeavour that is the Children's Hearings System and as a result of this work we have become a far more equal partner in the relationship.
- 5.2 ASIP roles and functions across CHS are wide ranging, responding to strategic and operational need. There is no doubt that without the roles being in place in CHS we would not have been able to fulfil our core business over the last 18 months, and even before that ASIPs have been ensuring gaps in the system caused by the business model of volunteering that CHS currently operates under.

6. Involvement in Nationally important work

6.1 Each ASIP carries a national responsibility some of which is strategic and some operational:

Strategic

- Design and roll out of newly developed Area Plans to ensure consistency and continuity of AST business operationally and to ensure improvement is delivered to keep the promise across Scotland
- b. Led on the production of the CHS Children's Rights and Inclusion Strategy
- c. Led on the production of the Equality, Diversity and Inclusion Strategy
- d. Lead and deliver the consultation and engagement strategy across a range of work, including the Promise Programme
- e. Deliver and improve the CHS community wellbeing offer

Operational

- a. Business ownership for Digital Rota Management
- b. Led on behalf of the ASIP team co production and delivery of the CSA 2020, Trauma Informed Practice and UNCRC implementation Project teams

- c. Responsibility for working with Policy Lead on data and evidence sharing and production for ASTs to understand capacity in their areas
- d. Lead contact for AST devolved budgets
- e. Part time allocation of an ASIP post to the Practice Team to deliver obligations in respect of specialist reports and writing of operational manual
- f. Lead on PPA return to hearings
- g. Lead on the role out of the RAHVI digital model across the country
- h. Develop a strategy through engagement with ACs and rota managers to ensure panel member resource can be shared quickly and easily across ASTs as a light touch national panel

6.2 Local Partnership work with Partner agencies

ASIPs attend multiagency groups in all 32 local authorities, sometimes with ACs, sometimes not. The attendance at these groups keeps CHS connected with what is happening in child protection committees, corporate parenting groups and champions boards across the county. It builds relationships and trust, enables 360 degree feedback about strategic and operational delivery and ensure that CHS are well placed to have and equal stake in influencing a complex multiagency system that is often out without our sphere of control. This work brings other agencies into our sphere of influence and helps us understand where we need to focus our efforts to improve

6.3 Operational delivery

Whilst ASTs fulfil their basic functions of recruitment, retention, rota management, learning and development and wellbeing, in some areas this would not have continued to be the case without the ASIP role. In a number of ASTs we have been unable to recruit into the AC role, or have been dealing with leave of absence due to ill health or the challenges people personally faced due to the pandemic. In at least 5 ASTs, ASIPs have been explicitly fulfilling the AC role, ensuring ASTs work effectively and that Panel Members are kept informed and up to speed with essential activities. In some areas, ACs have had to forgo their duties due to other commitments, and again ASIPs have stepped in.

In addition ACs and ASIPs have worked together to ensure engagement events were held, rota's fulfilled, and AST roles were covered when other members were absent. They have led on ensuring data for capacity has been available for planning for recruitment and retention, this not always having been easily accessible from electronic systems.

Along with ACs, ASIPs attend the 2 weekly AST ops meeting where information is shared and discussion held about operational issues. They also fulfil the function of feedback loops between ASTs and the national team. They have supported the role out of the CSA 2020 and will be responsible for how we gather evidence of impact as we go forward. They have also ensured that arrangements are in place and communicated to ensure smooth running of hearings during COP 26 for those areas affected.

6.4 Leading Improvement

In addition to the above roles, ASIPs have also been working with the Leading Improvement Team at Scottish Government to develop the skills and knowledge to lead change within the organisation, taking the CHS community with us. They are focusing on a Quality Improvement (QI) model. This work will be of value whatever the future operating model of the organisation and is the preferred model of improvement within the Scottish Government's 3 step improvement framework. The Office of the Chief Designer who will be working with Promise in service redesign has acknowledged that this framework has a lot to offer to our change plans to keep the promise, and the lead for Health Improvement Scotland who build the NHS improvement foundations and primarily use QI to do this, is part of the oversight board of the Promise.

This learning will ensure that ASIPs are have the knowledge and skills to understand how systems work, bring people along with us on a change journey, gather and analyse quantitative and qualitative data that evidences where and how we are improving, and develop project teams that deliver against specific aims that are based on based on evidence and research. They are completing projects throughout this year that will enable them to use those skill while receiving learning, development and mentoring.

7. Future development of the team

As we move into the development of how CHS delivers the legal tribunal for children we will keep under review how people are best deployed across the service to ensure we are maximising the impact of our resources.

8. Recommendations

The Board is asked to note and agree the above planning and activity.

Agenda item 11 CHS-2122-36

Legislative and Policy Landscape

Accountable Director: Elliot Jackson

Report author: Stephen Bermingham, Head of Practice and Policy

Purpose: For information and discussion

Resources implications: N/A

Equalities duties: Equalities Impact Assessment not Required

1. Purpose

The purpose of this paper is to:

- a) Provide an update on the legislative and policy landscape at Children's Hearings Scotland (CHS)
- b) Generate a discussion with the Board on how CHS can most effectively influence the reform and policy landscape
- c) Identify areas for improvement that will enhance the rights of children.

2. Legislative Background and Context

- a) CHS occupies a complex and fluid policy environment. CHS core functions operate in a number of policy spheres including child protection, courts and tribunals, children's rights, the care system, community empowerment, volunteering and youth justice. As a Scottish Nondepartmental Public Body CHS is governed by an array of legislation and policy including equalities, freedom of information, data protection, audit and compliance, the Programme for Government and the National Performance Framework. This paper will focus on policy and legislation that is most closely aligned with CHS core functions and identify opportunities for influencing the policy landscape.
- b) The Children's Hearings (Scotland) Act 2011 provides the legislative blueprint for how CHS and the Scottish Children's Reporter Administration (SCRA) delivers its core functions. Since its inceptions there have been a number of amendments to the 2011 Act. The Children (Scotland) Act 2020 introduced a number of key changes, most notably new Participation Rights and the enhanced importance of keeping siblings together. There is an implementation programme with CHS to deliver the changes required of this new Act. There has also been incremental policy changes to enhance the representation rights of the child in the hearing system, such as Safeguarders provision and increased access to independent advocacy support in the Children's Hearings Advocacy Services Regulations (2020).
- c) The Age of Criminal Responsibility (Scotland) Act 2019 increases the age of criminal responsibility in Scotland from 8 to 12. This Act has not yet been fully enacted and an Ministerial Advisory Group has been established, which CHS are part of, to take this forward. Once implemented it is likely the upper age may be subject to further challenge from the UN Committee on the Rights of the Child and others based on a recommendation to increase the age to 14.

- d) Increasing the age of criminal responsibility aligns itself with Kilbrandon principle where intervention is based on 'needs not deeds' and also the Scottish Government's_Rights Respecting Approach to Justice for Children and Young People (2020). The Scottish Governments whole system approach proposes to increase the age that young people can be referred to the Principle Reporter from 16 to 18 with a presumption against children being included in the criminal justice system. Once this policy is implemented it will have practice and resource implication for CHS and wider implications regarding the options and practice of panels.
- e) The Secure Care Pathway and Standards Scotland were launched in October 2020. The Standards set out what all children in or on the edges of secure care can expect in terms of support. The standards provide a framework for ensuring rights are respected and improving experiences and outcomes for these children. There is a collective will in the sector to prevent any child or young person under the age of 18 being held in young offenders institutes or the prison estate by providing age-appropriate therapeutic alternatives.
- f) Getting it Right for Every Child (GIRFEC) is the Scottish Governments rights based policy and practice framework for supporting, and safeguarding the wellbeing of children. The approach arose from a review of the Children's Hearings System in 2004, and has been omnipresent in children's services practice and policy since its implementation in 2008. The Children and Young People (Scotland) Act 2014 embedded GIRFEC and a children's rights based approach into legislation. The government is currently consulting on the Statutory Guidance for Assessment of Wellbeing. There may be an opportunity for CHS to further integrate wellbeing indicators into the panel's decision making although they are already well integrated into children's plans and social work practice.
- g) GIRFEC policy and guidance is currently being refreshed. Stakeholders, including CHS, have been invited to provide initial feedback. The most contentious part of the refreshed guidance is revisiting the provision of a named person and lead professional. In this iteration it is propose that local health and social care partnerships decide who this is locally. Concerns are likely to linger regarding the feasibility of this policy ambition. However, if implemented there may be opportunity for the hearing system to work alongside the named person and lead professional to track and better hold to account those statutory services responsible for delivering the decisions of panels. Child protection will remain a key watching brief for CHS as part of the Scottish Governments Child Protection Improvement Programme.
- h) The Coronavirus (Scotland) Act 2020 introduced a number of temporary legislative changes to the way the hearing system operates. The changes included extending the time periods for reviews and appeals, extending the length of orders and relaxing the prescriptive make up of panels. The legislation also provided the reporter with decision making powers regarding attendance at hearings and highlighted the need to increase children's attendance. A Children's Hearings Recovery Group have overseen these changes. The changes ceased on 30 September 2021. A joint evaluation highlighted a number of improvements that require changes to policy, for example the legislative requirement to have mixed gender panels.
- i) The Promise: Scotland's Independent Care Review (2020) provides a reform framework for Scotland's care system. The five pillars of voice, family, care, people and scaffolding are used to present the findings and recommendations of the review. The review found that despite good intentions, far too many children and families within the care system have experienced a fractured approach that operates only when they are facing crisis. The review suggested a number of areas for improvement within the Children's Hearing System including improving

local authorities compliance with orders, improving trauma informed training for panel members, making the system more child-centred and reviewing the role of volunteers.

- j) The Promise has recruited a staff team and developed a work plan to support delivery of the programme between 2021-24. This plan details five fundamentals of what matters to children and families, listening, poverty, language and children's rights. CHS is fully committed to the Promise and a programme of improvement work led by local areas support teams is already underway to embed the recommendations of the Promise within CHS. Additionally a high level working group has been established with SCRA and the Promise to review and improve the Children's Hearings System. The work of this group will be reported to the Board separately. It is important to acknowledge that the bedrock of the Promise is about embedding children's rights in the care and youth justice systems and CHS has vital role to play in this.
- k) The Scottish Governments Volunteering for All National Framework sets out a coherent and compelling narrative for volunteering in Scotland. Although the policy landscape for volunteering is light in terms of legislation it is important to note that volunteering supports a number of Scottish Government policy ambitions, for example, the Community Empowerment (Act) 2015. Many countries with progressive approaches to children's services, such as Sweden, have volunteering and community involvement at the core of their approach to protecting children. The 3,000 volunteers that CHS recruit, train and support make a significant contribution to the protection and promotion of children's rights across Scotland. CHS should ensure that their vital roles inform policy and practice development in relation to volunteering.
- Scotland is set to become the first country in the UK to directly incorporate the United Nations Convention on the Rights of the Child (UNCRC) into domestic law. The UNCRC Incorporation (Scotland) Bill (2021) was unanimously passed by the Scottish Parliament in March. As well as incorporating the human rights of children within the powers of the Scottish Parliament the Bill places additional statutory reporting and planning requirements on public bodies, including CHS. The Bill also introduces additional powers for the Children's Commissioner to take legal action where children's rights have not been upheld. The Supreme Court recently ruled that the Bill specific provisions went beyond the powers available to the Scottish Parliament. If resolved, the Act will present opportunities to continue to develop and refine a children's rights approach within the hearings system and the decision making of volunteer panel members.
- m) The Scottish Government recently consulted on the creation of a National Care Service in response to the Independent Review of Adult Social Care. Originally intended to bring adult social care services under a centralised national body accountable directly to Ministers, the scope of the proposals widened to include children services. Although the consultation responses have yet to be published feedback from the children's sector was mostly critical of the proposals. Many thought the consultation documentation presented limited evidence of the benefits of a centralised service. The tone and questions in the section on community and youth justice suggested any major restructuring of these areas is likely to happen at a later date, if at all. It is not possible to fully assess the opportunities or challenges that a National Care Service would have for the Children's Hearing System, although this remains a watching brief.
- n) The Scottish Governments 2021/22 Programme for Government includes a commitment to introduce a Children's Care and Justice Bill to help safeguard children and young people, including those that may come into contact with the Children's Hearing System. The

government is currently appointing a staff Team to take forward this Bill and CHS should work closely to help ensure that the Bill enhances the effectiveness of the Children's Hearings System and the human rights of children.

3. Improving and influencing

- a) CHS operates within a complex and fluid policy landscape. The reform agenda brought about by The Promise and the Incorporation of UNCRC into Scots Law provides a direction of travel rather than a blueprint for improvements. There is an opportunity and challenge for CHS and its partners to refine, define and present a compelling case to bring about the transformation improvements required.
- b) Children's rights is at the centre of the policy development landscape in Scotland. The 3,000 army of CHS volunteers are uniquely positioned to safeguard and enhance the human rights of children. There is an opportunity to support panels to use a children's rights impact assessment to inform all decision making. There is also a need to further highlight the role volunteers play in championing children's rights, and giving them a greater profile in policy debates.
- c) Changes in the policy landscape such as increasing the age of criminal responsibility, increasing the age of children being referred to the reporter, changes to secure care, refreshed GIRFEC guidance, the prospect of a National Care Service and the introduction of a new Children's Care and Justice Bill highlight the need for CHS to be leading and influencing policy development. This significant reform agenda present a challenge for CHS to test new ways of working, provide evidence and play a lead role in enhancing the rights of children across Scotland.
- d) CHS should continue to develop strategic coalitions across a wide range of policy portfolio of work that impacts on the children that CHS serves. CHS should focus on consolidating the gains from existing policy groups, including the Children's Hearings Improvement Partnership, and target those areas that are most likely to influence policy reforms.
- e) The voice of children should inform all improvement with the Hearing System. Building on the work of Our Hearings, Our Voice there is an opportunity to introduce a systematic feedback loop to gather the experiences of children who come into contact with the panels. This should form an evidence bank that can help inform policy improvement and reform to the hearings system.
- f) CHS is delivering a programme of improvement work with partners to drive forward the reform agenda and improve policy within the Children's Hearing System and the wider sector. Area Support Improvement Partners are working with communities across Scotland to test new and improved ways of operating within the hearing system. These improvements, reported to the Board separately, should be more visible and inform the reform agenda within the hearings system.
- g) There a strong case for better holding to account the statutory agencies responsible for delivering the panels decisions. There is also a case to consider increasing the range of options at the panels dispersal. For example, panels could decide that greater intervention is required in relation to financial resources where they have concerns that the child is going to experience material deprivation or persistent poverty. This would provide another

intervention to support the ambitions of the governments landmark Child Poverty (Scotland) Act (2017).

- h) To be truly child-centred CHS needs to understand what matters to children who come to a hearing, who matters to them and what support or information do they need. Work needs to be undertaken to increase children's attendance and simplify the preparatory paper work so that the views of the child are at the centre of the hearings process. Understanding these child-centred fundamentals will help focus the hearings on the views of the child.
- i) Significant work has started to ensure that CHS volunteers have a deep understanding of trauma so that panel members are trauma informed and can apply this to their practice. Further work is needed to trauma-proof the experience of the system for the child. CHS should consider how it can provide a consistent person, in the absence of an advocate or safeguarder, to support the child through the hearings journey.
- j) CHS should work with partners to provide specialist panels for children that have intensive or specific needs. With the increase of age of reporting to the referrals to the reporter and a change to secure and custodial sentencing there is a case to test specialist panels in this area. The pandemic has sped up the spread of virtual panels, and there is a strong argument that the time and place that the panel meets should fit around the preferences and needs of the child not the system.
- k) Children's hearings should be part of the recently introduced Bairns Hoose Model. Scotland's policy is modelled on the Scandinavian Barnahus. The Scottish Government have committed that all children who have been victims or witnesses to abuse or violence, as well as children under the age of criminal responsibility whose behaviour has caused significant harm or abuse will have access to trauma informed recovery, support and justice. Bairns Hoose could provide a trauma informed approach and setting for children's hearings and provide a therapeutic forum for additional options that could be considered for CHS panel's dispersal. For children that have experienced trauma this would reduce the number of times children have to recount their traumatic experiences.

4. Recommendations

The Board is asked to;

- a) Note the legislative and policy landscape at CHS
- b) Discuss potential areas for improvement and influence and consider their strategic fit with CHS and wider policy reform agenda.

Agenda Item 12

CHS-2122-37

2022 CHS Learning Academy Annual Report

Accountable Director: Head of Learning

Report author: Christine Mullen / Linda Quinn (CHSLA Manager)

Recommendation: To approve approach

Resources implications: Within available resources

Equalities duties: Equalities Impact Assessment Required: **Yes / No**

Equalities Impact Assessment Carried out: Yes / No

1. Background

West Lothian College are required to provide an Annual Report as part of CHS National Training Contract. The contract year runs from October 1st to September 30th. The report in this paper covers the most recent full contract year: October 2020 to September 2021.

Under the terms of the national training contract West Lothian College are required to "Develop and publish and Annual Report". This public version of the annual report includes:

- The scale and scope of Learning programmes and activities undertaken during the reporting period;
- Statistic on training uptake;
- Evaluation feedback;
- Highlighting of the voice of lived experience contribution in the design, development, and delivery of learning programmes;
- Case studies demonstrating the impact of training.

2. 2020 – 2021 Report Format

CHS has requested that the CHSLA Manager produce the 2020 – 2021 CHSLA Annual Report in a user friendly format which demonstrates to internal and external stakeholders the scale and scope of the learning developed and delivered via the Learning Academy. The attached report reflect these asks and has some interactive components built in.

3. Additional Information

The delivery plan for 2021 – 2022 contract year is underway utilising the pre -agreed Value for Money Statement and annual plan as agreed at the point of contract extension. Pre service 2021 training evaluation is in its final stages looking ahead for 2022 Panel Member Recruitment and Training in 2022.

4. Recommendation

The Board are asked to note the CHSLA Annual Report

1/1 36/62





ANNUAL REPORT 2020-21

1/12 37/62

A Year like no other!

Following on from 2019/2020 when we found ourselves taking broad, fast action to accommodate the enforced change in how we were able to deliver training, in 2020/21 the Learning Academy whilst still grappling with the pandemic, became more accustomed to the virtual methodology, embracing the changes in our new way of working and we have considered and developed short- and long-term solutions for TBC (training beyond COVID!).

Pre-Service courses were particularly interesting this year with trainees from the length and breadth of Scotland and its islands training together in one cohort, rather than in close geographical locations. Local accents and colloquialisms were the talk of much discussions and chuckles and trainers and facilitators alike commented on how enjoyable this was.



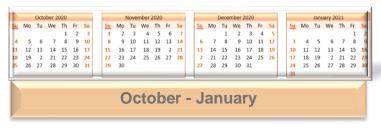
Unlike the Pre-Service trainees who were not accustomed to face to face training, encouraging existing panel members to come on board the virtual journey has been one of our biggest worries and nonengagement with some, despite assistance from AST's is an ongoing challenge. We know that some of the panel community find technology problematic and others are uncomfortable with long spells in front of a screen or their home circumstances are not conducive to training or indeed find that working in isolation without peer support difficult.

We are also very aware that active panel member numbers are somewhat depleted, putting pressure on those who are sitting on hearings, so we needed to make the training sessions interesting, informative, easily accessible and fit for purpose to encourage participation.

The Learning Academy has recently dipped their toes in the water with a return to face to face training in some pilot areas. The response from those attending has been extremely positive and trainers are appreciating the benefits with regards to assessment that comes with seeing people in person.

The 2020/21 training year has been a long and winding road with a few bumps and dips along the way, however we are looking forward to 2021/22 when we hope that road has been straightened out a little bit, with fewer obvious potholes. This will enable us to deliver ongoing high-quality training to the panel community, how, when and where it is most required to ensure that panel member practice is of the standard that children and their families deserve.



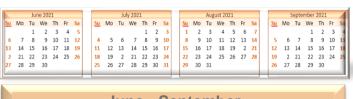


- Said goodbye to Tom Birrell after six years at the helm
- New Management Team at the Learning Academy
- Managing pandemic fatigue
- Moved Quality Assurance course to online
- Developed Recruitment and Selection virtual course
- Trained Young Recruiters to support recruitment campaign
- Reimagining of Pre-service taking into consideration new legislation, The Promise, OHOV and hybrid/virtual hearings
- Pre-service planning logistics, resources and timings
- Large numbers proposed
- Additional Staff resource required advertise vacancies
- Additional Facilitators required start recruitment





- Finalise and build pre-service course
- Recruit and induct bank staff
- Recruit and train new LAFs
- Upskill existing LAFs
- CHS AST meetings roadshow to promote preservice programme
- Welcome evenings on Teams around the country
- 29 pre-service courses, invited 706 trainees
- PPA Quality assurance training sessions
- Celebrate Success team awarded Community Award
- Development started on Siblings course



June - September

- Summer School to support pre-service trainees
- RAVHI Roll-out starts
- Mandatory training reporting and push
- Said thank you and goodbye to our temp staffing
- Planned 2021-22 training
- Prospectus designed for 2021-22



COLLABORATION

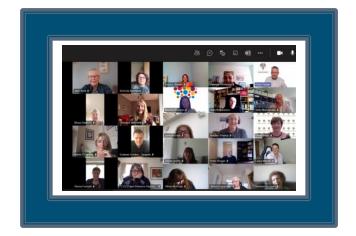


This year a number of people with lived experience supported our training programmes. Their bravery in sharing their stories and in-depth personal experiences supported the CHS community to better understand some of the issues the infants, children and young people they will meet at hearings are dealing with and help them to develop strategies for enhancing their skills whilst reading reports and attending hearings.

Young people from Who Cares? Scotland asked our new recruits to think about how they could keep the child at the centre of every hearing, how they should help young people to maintain relationships with siblings and other people who are important to them and to recognize that they have rights that the panel members should ensure are upheld.

THANKS TO ...

Beth-Anne
Chloe
Chloe
Danielle
Dylan
Harry
Jemma
Jenny
Katie
Laura
Laura
Lorraine
Sam
Svlvia



Click to see what the trainer Panel Members gained from heaving from young people



At the beginning of 2021 the Academy delivered Virtual Interviewing Skills training to members of the hearings community and young people with lived experience of children's hearings to allow them to interview a huge number of applicants and recruit 706 new entry panel members.

59

Young Recruiters were trained to interview and select potential Panel Members.

"We are in a changing landscape for care and it's incredible to be on the journey with CHS to better involve infants, children and young people in all aspects of their work!" YOUNG RECRUITER

We are thankful to the following organisations who provided information, support and collaboration;















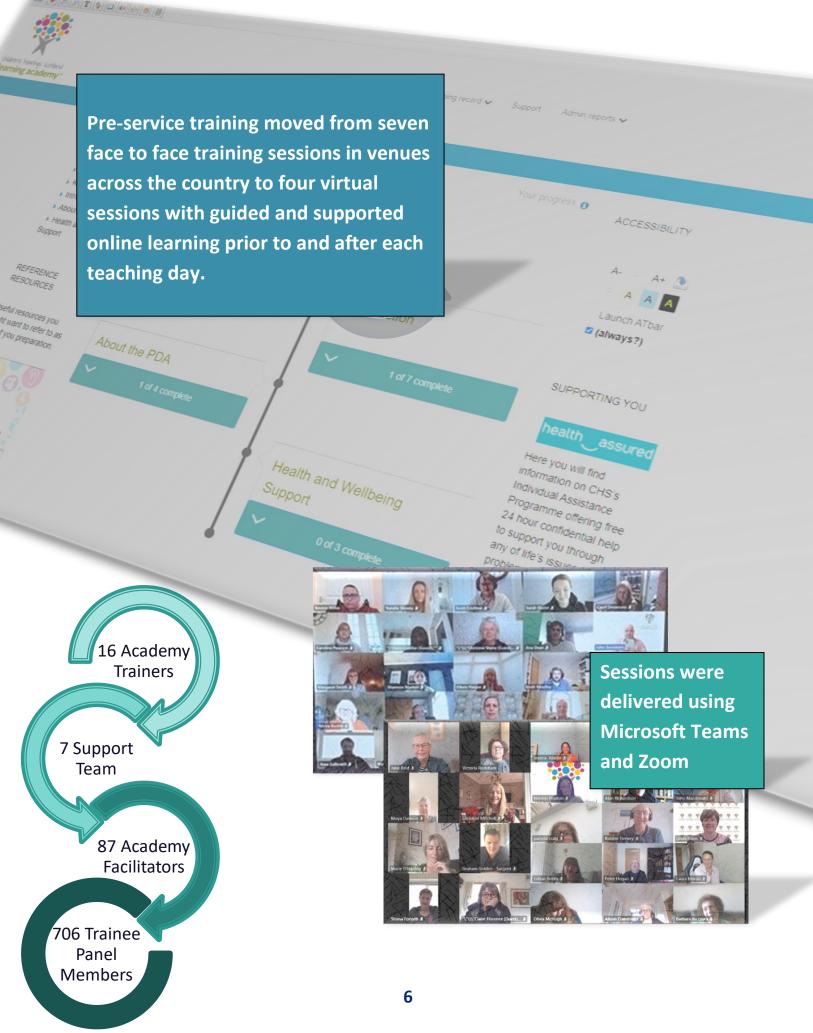








5/12 41/62



6/12 42/62

PRE-SERVCE 2021





This has been a huge undertaking, in addition to the large numbers involved, there was a update of the standard Professional Development Award (PDA) required to include the newest legislation and best practice surrounding digital hearings, trauma responsive language and practice and working towards the targets of the Care Review – The Promise and the asks of Our Hearings Our Voice (OHOV).

The new recruits took part in a fully virtual pre-service training programme which was very successful. Normally the Academy train 18 cohorts over seven face-to-face days but this year has seen a dramatic rise to 29 cohorts but reducing face-to-face (virtually) to four half day sessions. All other interaction with our trainees has been via LA Online our learning portal where they were involved in self-directed learning which is tested prior to them attending a session with their trainer via Teams or Zoom and drop-in tutorials.

The Class of '21 have had a digital journey like no other in the hearings system as have CHS and the Learning Academy team in making this happen. The Learning Academy's commitment to support the volunteer training journey means communities throughout Scotland will benefit from well-trained, traumairesponsive and committed Panel Members ready to make decisions that will positively shape the lives of our most vulnerable infants, children and young people.

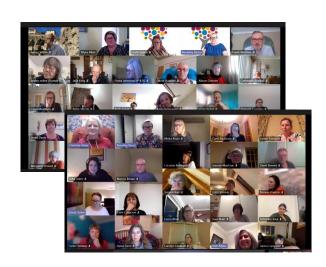
"This has been a wonderful experience in learning, and I shall continue to learn. I feel more confident in my ability as a team member. I look forward with confidence to my first hearing as a panel member. Thank you to all who have taught us in this rather bizarre year of online teaching." NEW PANEL MEMBER

During the last year the Learning Academy has played a vital role in training new and upskilling existing Panel members in order that they could continue to carry out their very important volunteering role with Children's Hearings Scotland during the pandemic restrictions. With hearings moved to an online platform it was imperative that the hearings community were trained and supported in using new legislation, new IT hardware and new digital platforms; this was carried out at great speed but smoothly.

As well as the myriad of digital course developed, launched and supported during the year and in particular during the Covid restrictions, the Academy also launched a number of bespoke elearning course developed in conjunction with sector specialists, the CHS Policy and Practice team and our design partners, eCom Scotland. The Academy also converted all other courses that required to be delivered in this time-frame to a blended format; online learning and preparation with virtual face-to-face sessions.



Learning Academy Facilitators



This year we recruited, trained and supported a new intake of Facilitators to join an already large team who support training delivery for the CHS community. This was carried out virtually giving them a flavour of what the delivery model would be in 2021.

Learning Academy Facilitators play a very important role in the design, development and delivery of all the Learning Academy training programmes. Whether that be suggesting knowledge and skills gaps that need filled, piloting and testing new courses or providing indepth feedback on the course delivery to enable continuous review and development opportunities. Their main role is providing facilitation services during course delivery which they do to a very high standard.

8/12 44/62

Prog. 1 - Professional Development Award Prog. 2 - Panel Member Learning Programme

Prog. 3 - Area Support Team Learning Programme

■ Prog. 4 - E-learning Programme

Prog. 5 - LDC Forum

COURSE DELIVERY



Training Priorities for 2020 - 21





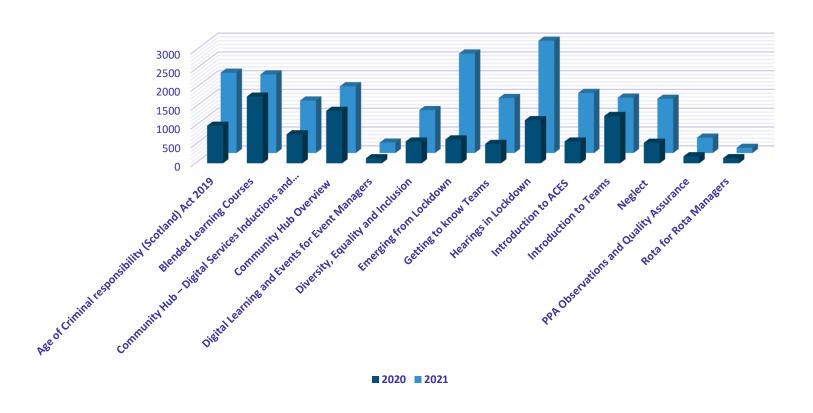
9/12 45/62

9

2020–21 saw a rapid rise in eLearning activity on LA Online as a result of legislation, digital and practice changes and the return to service upskill requirements and initial training for new members.



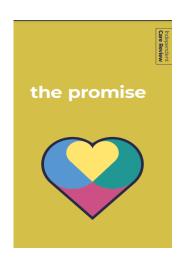
e-Learning accesses



"I felt slightly overwhelmed when I first logged on The Learning Academy however, I was extremely impressed with the layout of the virtual training and how successful this was." **PANEL MEMBER**

10

SUPPORTING CHS TO DELIVER



"I think it is very important to keep the promise. Making sure young people feel heard, safe and listened to. Having this in mind is vital when making decisions for children and young people"



"I thought that it gave us a real perspective about why and how the children at our hearings should always be at the centre of our discussions"



ar n-èisteachdan, **ar guth** our hearings, **our voice**



"It's really inspirational to see the care-experienced community be represented and the publications that will help develop current systems to fit around those it's supposed to support and represent."

EVALUATION

We evaluate and enhance our training on a regular basis to ensure it is meeting the needs of the learner, Children's Hearings Scotland's corporate plan and the infants, children, young people and their families for whom the hearings are supporting.

We asked our 2021
Panel Members to
give us their views
on incorporating
and explaining
these three hugely
important
documents in preservice training;
this was the
response.

11

11/12 47/62

WELLBEING AND SUPPORT

It was recognised in the development stages of the new pre-service course that as we actively recruit more people with lived experience of the hearings system we need to be in a much stronger position to support them appropriately both in training and as they progress to serving on hearings. The Health Assured, Individual Assistance Programme was promoted prior to and during training.



After each training day and a further two times prior to attending the subsequent training day, the training team were available online to support trainees with their understanding, award achievement and any personal issues they required support with.

Summer School

As pre-service training neared its conclusion, a number of learners were struggling to meet deadlines, complete coursework and attend final sessions. The Learning Academy launched a Summer School to support this group to complete their learning and progress to appointment. A number were care-experienced, some were not confident in their ability to complete written work for the Professional Development Award it being so long since they had last experienced formal education or that experience not being a positive one. Others experienced changed and fluid work patterns, hectic home lives due to caring responsibilities etc. making the process problematic for them.

Positive destinations for this group included progressing to be appointed as a Panel Member, joining the CHS Young Persons group and for others this meant giving them permission to recognize that being a Panel Member was not a good fit for them at this stage in their lives.

12

Annual Review of the Board Standing Orders

Accountable Director: Lynne Harrison Head of Strategy, Development and DCE

Report author: Lynne Harrison

Recommendation: To approve the report

Resources implications: N/A

Equalities duties: Equalities Impact Assessment Required ☑ No

Background

- 1. The Board of CHS last reviewed and approved its Standing Orders (SO) at its meeting in November 2021. Significant amendments to the Standing Orders have been made over time.
- 2. A minor change has been made within the SO replacing any reference to Governance Lead with Business Support Lead.
- 3. The SO will be subject to further review in November 2023.

Recommendation

2. The Board is asked to consider and approve the Standing Orders.



The Children's Panel — life changing.

CHILDREN'S HEARINGS SCOTLAND BOARD STANDING ORDERS

General

The Board has made the following arrangements for the discharge of its functions; these arrangements are to be referred to as the Standing Orders of the Board.

These Standing Orders take effect until further notice and supersede all prior Standing Orders.

The Standing Orders apply to the Board and its standing committees and unless the Board specifies to the contrary, to any other committees, or sub-committees which may be set up by the Board from time to time but do not apply to working parties or groups.

Standing Orders may be suspended at any meeting of the Board at which the majority of the members present are in favour. Unless expressly agreed otherwise by these members, such suspension have effect only for the item of business immediately following, and Standing Orders come into force again immediately afterwards.

1 The Role of the Board and responsibilities of Members

- 1.1 The Board The principal role of the CHS' Board is to add value to the organisation through the exercise of strong leadership and control, including:
 - Setting the organisation's strategic direction
 - Establishing and upholding the organisation's governance and accountability framework, including its values and standards of behaviour
 - Ensuring delivery of the organisation's aims and objectives through effective challenge and scrutiny of the CHS' performance across all areas of activity.
- 1.2 The Chair is responsible for the effective operation of the Board, chairing Board meetings when present and ensuring that all Board business is conducted in accordance with these Standing Orders. The Chair works in close harmony with the Chief Executive/National Convener and, supported by the Business Support Lead, ensures that key and appropriate issues are discussed by the Board in a timely manner with all the necessary information and advice being made available to the Board to inform the debate and ultimate resolutions.
- 1.3 The Deputy Chair deputises for the Chair in their absence for any reason, and will do so until either the existing Chair resumes their duties or a new chair is appointed. In fulfilling this part of the role, the Deputy Chair, when carrying out the functions of the Chair has all functions and authority of the Chair. If the Chair and Deputy Chair are both absent, the members present at the meeting may appoint from among themselves a member to act as a Chair for the purpose of chairing that meeting.

- 1.4 Board members are collectively responsible for:
 - Ensuring that CHS complies with legislation
 - Ensuring that the purposes of CHS' Mission, Vision and Values remain appropriate
 - Agreeing the over-arching strategy for achieving the mission
 - Approving policy, priorities and key performance measures and evaluating the organisation's performance against those measures on a regular basis
 - Ensuring that systems are in place so that the organisation operates within the financial resources available to it
 - Satisfying themselves that financial control systems, including regular reviews of performance against budget, are in place
 - Satisfying themselves that systems to ensure the welfare (including health and safety), appraisal and good management of staff are in place and are observed
 - Assessing the risks associated with activities and practices; ensuring that the risks are acceptable; and ensuring that appropriate processes, including an annual risk review, are in place to manage risk.
 - Supporting the Senior Management Team and holding them to account through the CEO/ NC
 - Individually and collectively representing CHS as appropriate and as agreed with the CEO/ NC and the Chair.

2 Board Meetings

- 2.1 The Board decides the dates, times and places of its meetings and meets formally at least four times a year.
- 2.2 Board meetings are held in public except where the Board decides to hold all or part of a meeting in private. Reasons may include but are not limited to—
 - discussing confidential material in connection with a third party;
 - facilitating the achievement of consensus and preventing media focus on preliminary conclusions which may not feature in the final policies/reports;
 - Matters relating to individual staff;
 - Private discussions with Ministers including confidential advice from or to Ministers via their officials;
 - Areas where CHS would not be required legally to disclose information.
- 2.3 The Board of CHS may wish to convene joint meetings with the Board(s) from one or several organisation(s) as appropriate. At joint meetings, CHS Board should be individually quorate, that is at least half of the currently serving members of the Board must be present. The Chairs of the Boards involved should agree who chairs the joint meeting.
- 2.4 Meetings of the Board can be held through electronic mode which includes but is not limited to video conferencing or audio visual/ telephone means.

3 Notice of Meetings

- 3.1 The Business Support Lead notifies members of all Board meetings and issues the agenda, minutes and papers seven calendar days before the meeting.
- 3.2 Members may propose items for the agenda to the Chair and should send those to the Business Support Lead no later than twenty calendar days before the meeting.
- 3.3 If sufficient notice is not given for an item of business to be included on the agenda, it may be dealt with at the meeting if the Chair rules that there are reasons why it is urgent and gives those reasons. If the Chair rules that the matter is not urgent, it may be included as an item for the next meeting, unless it is withdrawn or dealt with in some other way before then.
- 3.4 Late papers may be discussed at meetings with the permission of the Chair. If papers cannot be issued due to lack of available time, they may be tabled at the meeting.
- 3.5 Lack of service of the notice to any member does not affect the validity of a meeting.

4 Special Meetings of the Board to deal with Exceptional or Urgent Business

- 4.1 The Business Support Lead arranges for a meeting of the Board to be called if:
 - required by the Chair;
 - a request signed by one third of the Board members is made in writing to the Governance Lead for that purpose. At least three calendar days' notice should be given of any special meeting and of the business proposed for that meeting. No business is to be transacted beyond that specified in the request which called for that special meeting.

5 Quorum

- 5.1 At least half of the currently serving members of the Board must be present to allow the Board to hold a formal meeting. If less than half of the Board members are in attendance at a Board meeting, the Board can discuss any items of business but cannot make formal decisions or vote on those items.
- 5.2 The quorum of any Board/Committee is determined by the Board as part of agreeing the Board/Committee remit.
- 5.3 A member may be present at a Board meeting, count towards the quorum and participate fully by means of video conference or telephone conference call.

6 Sub judice

6.1 A Board member may not make reference in a public Board meeting to any matter in which legal proceedings are active (as defined in section 2 of the <u>Contempt of Court Act 1981</u>).

If a member raises an issue which, in the view of the Chair is, or may be, sub judice the Chair should require the member to cease discussion of the issue.

7 Conflict of Interest

- 7.1 All Board and Committee agendas include a standing item at the start of the meeting inviting Board Members to declare any:
 - (a) financial interests;
 - (b) non-financial interests or;
 - (c) the interests, financial or non-financial, of other persons.
- 7.2 If a member declares a financial interest, the member must abstain from participating in the discussion of the relevant item until it is concluded. If a non-financial interest is declared, the member must decide whether to participate in the discussion and decision.
- 7.3 The Board has established a register of members' interests and maintains a regular review of it.
- 7.4 The Register of Interests is published on CHS website.

8 Adjournment of Meeting

8.1 A meeting of the Board or of a committee of the Board may be adjourned by the Chair to any other hour, day or place. Unless the time and place are specified in the motion for adjournment, the adjournment continues until the next scheduled meeting.

9 Voting

- 9.1 A meeting may make a decision unanimously or by a majority of the members present. In the latter case, a vote of the members may be taken orally, in writing or by a show of hands at the Chair's discretion. The Chair has a casting vote.
- 9.2 When a decision is agreed to by a majority of the members, the minutes record a unanimous decision. A member dissenting from a majority decision may ask for their dissent to be recorded in the minutes.
- 9.3 A member not present at a meeting at which a decision is taken from which he or she dissents may raise his or her concerns with the Chair. Such a decision is normally implemented. However, it is within the discretion of the Chair to defer that the matter appears as an item on the next agenda of the Board or committee or arise through the minutes.

10 Ruling

10.1 The ruling of the Chair on the conduct of the meeting and the application of Standing Orders is final.

11 Admission of the Public to Board Meetings

- 11.1 Board meetings are open to be observed by members of the public. The dates of such meetings will be advertised on the CHS website.
- 11.2 All meetings which allow public access are held in venues that are accessible to people with disabilities.
- 11.3 Any members of the public attending these meetings may, upon request, receive a copy of the papers for that meeting.
- 11.4 A member of the public who disrupts the business of the meeting may be required to leave the meeting after due warning has been given by the Chair. Re-admission to that, or other, public meetings held by the Board is at the discretion of the Chair.

12 Minutes

- 12.1 The names of members present at a meeting of the Board or of a Committee of the Board are recorded in the minutes.
- 12.2 The minutes record all the items of business considered at Board meetings, the results of any decisions taken and of any divisions and elections which took place.
- 12.3 When the Board holds all or part of a meeting in private, minutes record the items of business taken and any decisions reached during the private items. The papers considered and the details of the Board discussions remain confidential.
- 12.4 Minutes are drawn up and circulated within ten working days to the Chair and Deputy of the Board and submitted to the next Board meeting for approval. The minutes are published on CHS' webpage no later than the next working day after they have been approved.
- 12.5 Minutes and other public papers may be circulated to such non-members of the Board on such conditions as the Board may determine. In addition, papers are available under the Freedom of Information (Scotland) Act and in accordance with the CHS publication scheme.

13 Committees

- 13.1 The Board may appoint committees to exercise functions on its behalf. Such Committees may also appoint sub-committees.
- 13.2 Where functions are being carried out by committees or sub-committees, their members act on behalf of the Board.
- 13.3 Where a question arises about whether it is competent for a committee/sub-committee of the Board to consider a particular matter that is, whether the matter is within the committee'/sub-committee's Terms of Reference, it is for the Board, after consultation with CHS Senior Management Team as appropriate, to decide.

- 13.4 The Board appoints the Chair of committees and, after recommendation from a committee, its Deputy Chair.
- 13.5 In the absence of the Chair at a committee meeting, his/her Deputy chairs the meeting.
- 13.6 Committees and sub-committees may co-opt members with relevant expertise and knowledge who are not members of the Board. Co-opted members should not make up more than half the membership of committees and sub-committees.
- 13.7 Co-opted members of committees and sub-committees who are not members of the Board may claim certain travelling and other allowances but are not remunerated.
- 13.8 Committees and sub-committees may choose to appoint substitutes drawn from the membership of the Board. The Chair of the Board cannot be a substitute of the Remuneration and Appointments committee.
- 13.9 Approved minutes of committees and sub-committees meetings are submitted to the Board for noting as soon as practical.
- 13.10 The Board has set up the following Standing Committees—
 - Audit and Risks Management Committee
 - ♦ Remuneration and Appointments Committee
- 13.11 The numbers and names of the Standing Committees, their membership and the matters remitted to them may be varied by the Board from time to time.

14 Working Parties or Groups

- 14.1 Working parties or groups may be set up from time to time by the Board.
- 14.2 Working parties or groups need not contain Board members. Where the conclusions of any working party or group require the authority of the Board or a committee before they can be implemented, the working party or group submits a report to the Board or the relevant committee setting forth its recommendations. Working parties or groups should have a Chair, maintain minutes of proceedings and report no less frequently than quarterly to the Board or appropriate standing committee. These reports may be in writing or verbal.

15 Exceptional circumstances where Board business may be dealt with by correspondence

- 15.1 Where there is urgent business of the Board and it is not practicable to convene a special meeting, the Chair may under exceptional circumstances deal with the matter(s) by correspondence.
- 15.2 In these exceptional circumstances, relevant papers and recommendations are circulated by email and by post. Every effort should be made to contact Board members,

accepting that this may not be possible. The normal rules and procedures apply to special meetings of the Board and decisions are agreed to by a majority of members. The actions/decisions arising from such exceptional circumstances are reported to the subsequent Board meeting.

16 Collective Responsibility and Confidentiality

- 16.1 The Board and committees operate on the basis of collective responsibility for decisions. Members are therefore expected, if questioned on a matter where the Board or a committee has taken a view, to support the position reached.
- 16.2 If members are questioned on matters that fall within the remit of CHS but on which a Board or committee view has not been taken, they may give a personal view but should stress that it does not necessarily reflect the view of CHS. Before doing so, they are advised to consult with the Chair.
- 16.3 All members must maintain confidentiality as detailed in the CHS Code of Conduct and any guidance to that code provided.
- 16.4 All members must fulfil their responsibilities as set out in their terms and conditions of appointment. Any issues in relation to non-performance are addressed as part of the appraisal process for Board members.

17 Review of the Standing Orders

17.1 The Board reviews its Standing Orders annually.

Agenda item 14 CHS-2122-39

Board Annual Work Plan 2022/23

Accountable Director: Head of Strategy, Development and DCE

Report author(s): Rachel Kavish Wheatley

Recommendation: For Approval

Resources implications: Within available resources

Equalities duties: Equalities Impact Assessment Required **No**

Equalities Impact Assessment Completed N/A

1. Introduction

The Board Annual Work Plan for 2022/23 is submitted for review and approval.

2. Recommendation

The Board are recommended to consider and approve the Annual Work Plan as a tool for ensuring standing orders and governance requirements are met through the year.

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Children's Hearings Scotland

Board Work Plan 2022

1. Public Board Meeting – 05 (25th January 2022)

Corporate

Financial Forecast Outturn
Business Corporate Parenting Plan (Draft)
Q3 Performance Report

Policy/ governance

RAC Annual Report & work plan
ARMC annual work plan
ARMC Annual Effectiveness Review (under review)

2. Joint Board CHS/SCRA (1st February 2022)

Partnership Promise Programme update

3. Board Strategy Weekend (24/25 February 2022)

An opportunity for the Board to focus on development and strategic themes

4. Public Board meeting - 06 (29th March 2022)

Corporate

Financial Forecast Outturn
Budget approval 2022/23
Business Corporate Parenting Plan 2022-2023 (Approval)
Financial Regulations (ARMC)
Accounting Policies (ARMC)
Q4 performance Report
Equalities Outcome Report

Policy/ governance

ARMC Annual Report & ToR RAC ToR

5. Public Board Meeting - 01 (28th June 2022)

Corporate

Financial Forecast Outturn
Q1 Performance Report
Capital Spending 2022/23
Recruitment update (2022)
Equalities outcomes reporting

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Agenda item: CHS-2122-39

Policy/ governance

Board Review of own effectiveness (under review)

6. Public Board Meeting - 02 (20th September 2022)

Corporate

Financial Forecast Outturn 5 Year Financial Plan Q2 Performance Report Annual Report Annual Accounts

Policy/ Governance

CHSLA Prospectus

Impact Report
Feedback Loop
Annual Review of Appeals
Review of SG Framework (every 3 years – next review 2024)

7. Joint Board CHS/SCRA (4th October 2022)

Partnership Promise Programme update

8. Board Strategy Day (18th October 2022)

An opportunity for the Board to focus on development and strategic themes

9. Public Board Meeting 03 (22nd November 2022)

Corporate

Financial Forecast Outturn 5 Year Financial Plan Update

Policy/ Governance

Board Standing Orders Governance Plan 2022 Rights and Inclusion Strategy Annual Report

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Agenda item: CHS-2122-39

Board Work Plan	25/01/22	29/03/22	28/06/22	20/09/22	n : CHS-2122-39 22/11/22
RAC					
Annual Report & Annual Work Plan					
ToR					
ARMC					
Annual Report					
Annual Work Plan					
ToR					
Policy/Governance					
UNCRC Report 2017-2020	☐ Draft	☐ Final			
(triannual report cycle - next report 2020-2023 for approval 2024)	(2024)	(2024)			
Accounting Policies					
Gender Pay Report (every 2 years – next report 2022)					
Equalities Outcome Report – Annual update					
(5 yearly report cycle – next report 2025)					
Impact Report					
Feedback Loop					
Annual review of appeals					
Rights and Inclusion Strategy (every 3 years – next review 2024)				□Draft (2024)	☐Final (2024)
SG Framework Document (every 2 years – next review 2023)				□ (2023)	
Biodiversity Report					□(2023)
(triannual report cycle - next report -01/01/2021—31/12/2023)					
Corporate					
Business and Corporate Parenting Plan	☐ Draft	☐ Final			
CHS Financial Regulations Review					
Financial Forecast Outturn					
CHS Budget planning and reporting					
CHS 5 Year Financial Plan - update					
Quarterly Reports	□ Q3	□ Q4	□Q1	□ Q2	
Annual Accounts					
Annual Report					
Other					

Agenda item: CHS-2122-39

CHSLA Prospectus			
Governance & Board Work Plan			
Board Standing Orders Review			
Promise Oversight/Working group update (standing board item)			

CHS Governance Plan 2022

	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
SMT	11 th	8 th	1 st	5 th	3 rd	7 th	5 th	2 nd	6 th	11 th	1 st	6 th
CHS & SCRA Joint Boards		1 st : Promise update								4 th : Promise updates		
Board	25 th : -DRAFT Business & Corporate Parenting Plan -RAC Annual Report & Work Plan ARMC Annual Work Plan	24/25 th : Strategy Weekend	29th: -Business & Corporate Parenting Plan 2022-23 Approval -2022/23 Pay Award -Accounting Policies -Financial Regulations -ARMC TOR			28 th : -Equality Outcomes – Annual Report -Gender Pay Report -ARMC Annual Report			20th: -Annual Report & Accounts -Impact Report -Feedback Loop -CHSLA Prospectus -Annual review of Appeals	18 th : Board Strategy Day	-Governance Plan -Annual Work Plan -Board Standing Orders -Rights and Inclusion Strategy – Annual Report	
ARMC		15 th : -Accounting Policies -Financial Regulations -Review ToR -Internal/External Audit Work Plans			10 th : -CHS Governance Statement -Annual Compliance Statement -Annual ARMC Report -BCP Review			23 rd : Annual Report & Accounts			8 th : -Review of own effectiveness -Annual Fraud Report -Annual Work Plan	
RAC			15 th : -2022/23 Pay Award -Review ToR -Gender Pay report -Equality Outcomes – Annual Report		-IA Annual Report	14 th : -CEO Appraisal & Objectives 2022/23					15 th : -Review of own effectiveness -Annual Report -Annual Work Plan	

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