

The Children's Panel  
— Life Changing.



# National Standards

for the Children's Panel



children's  
hearings  
scotland





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# Foreword by the National Convener



**The Children's Hearings System is Scotland's unique care and justice system for children and young people in need of care, protection and support.**

It aims to ensure the safety and wellbeing of the most troubled and vulnerable children and young people, through the Scottish Children's Reporter Administration (SCRA) and through children's hearings, which are decision making tribunals.

The system is unique because it is unsalaried, lay tribunal members – the panel members – who are the decision makers at children's hearings, considering the needs, circumstances and best interests of the children and young people before them.

For nearly 50 years, panel members have been volunteering their time freely to sit on children's hearings. Currently around 3,000 people serve as panel members or in other unpaid roles supporting panel members.

The Children's Hearings Scotland Act 2011 (the 2011 Act) introduces significant changes to the Children's Hearings System and to the ways in which panel members are recruited, trained and supported in their important role.

## **The 2011 Act aims to:**

- strengthen the place of children
- deliver better support for children
- deliver better support for panel members
- ensure national consistency
- modernise processes

There is nothing within the 2011 Act which suggests or provides for national standards, but the need for such a framework was welcomed during the broader consultation around the Scottish Government's reform and modernisation programme for the Children's Hearings System.



The national standards provide an overarching and underpinning set of core values, principles and expectations in relation to the behaviours and practice of everyone directly involved with the Children's Panel. This means they apply to panel members, Area Support Teams (ASTs), the National Convener and everyone at Children's Hearings Scotland (CHS).

These eight national standards form the foundations of the National Standards Framework. The framework also includes detailed policy and practice procedures for panel members and ASTs, which sit alongside these underpinning standards and provide the day-to-day guidance and tools to ensure effective implementation of the standards.

The CHS corporate and business plans are also linked to the National Standards Framework, and both staff and organisational performance is measured in relation to the effectiveness and impact of CHS in fulfilling its statutory responsibilities to the panel community.

The standards were developed following an extensive programme of consultation with panel members, CPAC (Children's Panel Advisory Committee) members, Children's Reporters and many other key individuals and agencies during 2011 and 2012, including a formal public consultation process between January and April 2012.

I hope that they will help to ensure a consistently high standard of recruitment, support, training and recognition for panel members and those also dedicating unpaid time to the Children's Panel.

The standards are intended to be meaningful and to have a positive impact. They will be revised on the basis of the feedback we receive about how they are being applied and what difference they are making to the experiences and outcomes for children and young people who attend children's hearings.

As National Convener, I welcome and encourage an ongoing conversation with children and young people, families, panel members, ASTs and everyone involved with the Children's Hearings System as we work together to achieve these standards.

**Bernadette Monaghan**

National Convener and Chief Executive  
Children's Hearings Scotland



# About the standards

**These national standards have been developed to provide a clear framework for practice across the Children's Panel.**

They set out the responsibilities of the National Convener and Children's Hearings Scotland (CHS) towards panel members and Area Support Teams (ASTs).

They provide core practice standards to support panel members serving on children's hearings.

The standards apply to panel members from their appointment to the Children's Panel and to AST members from appointment to an AST role. They apply to the National Convener and to everyone at CHS, including Board members.

## **The Children's Hearings (Scotland) Act 2011**

The 2011 Act wholly revises the legal framework for the Children's Hearings System and replaces Part II, Chapters 2 and 3, and Schedule 4 of the Children (Scotland) Act 1995 (the 1995 Act).

It introduces completely new provisions as well as providing the legal framework for the Children's Hearings System at every stage:

- referrals to the Children's Reporter
- grounds for taking children's cases to a children's hearing
- the powers of children's hearings
- the range of orders that may be made by children's hearings
- duties in relation to the implementation of orders made by children's hearings
- proceedings in the sheriff court
- reviews
- appeals
- the appointment, functions, duties and powers of the National Convener
- the dedicated national body, CHS, to support the National Convener in the delivery of their functions
- a national Children's Panel
- Area Support Teams

For panel members, there are many significant structural changes brought in by the 2011 Act, particularly the creation of the national Children's Panel which replaces the previous 32 Scottish local authority panels.

The appointment of the National Convener and establishment of CHS to assist the National Convener in their duties gives panel members a figurehead and their own national body for the first time.



Although the 2011 Act introduces a number of significant changes to the system, the same broad processes continue to form the framework for action by Children's Reporters and children's hearings. Referrals continue to trigger investigation and decision making by the Reporter, grounds hearings, applications for proof, children's hearings which can impose compulsory measures, and appeals against the decisions of hearings.

These eight national standards provide the foundation for the National Standards Framework in relation to the functions of panel members, ASTs, the National Convener and CHS as set out in the 2011 Act.



# Vision, mission and values

The national standards are underpinned by CHS' vision, mission and values:







## Vision

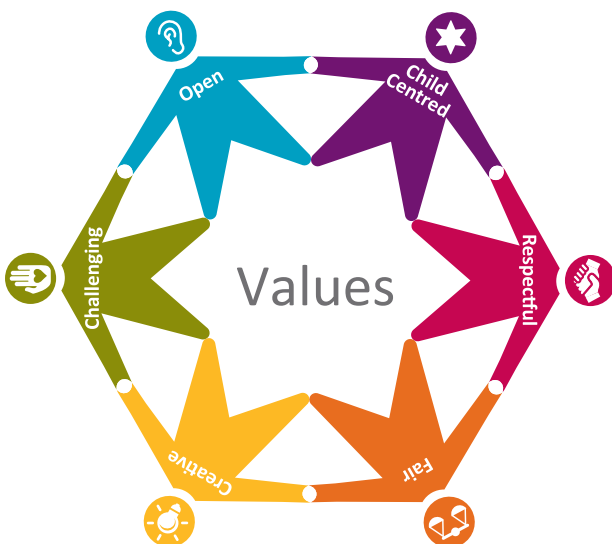
Our vision is of a Children's Hearings System where everyone works together, making sure that all children and young people are heard, respected, valued, cared for and protected.

## Mission

Our mission is to improve outcomes and experiences for children and young people in Scotland who may be at risk. We will do this by supporting the Children's Panel, working with partners and using our influence to drive improvements across the Children's Hearings System.

## Values

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



**We will strive for excellence in everything we do**





## Purpose

The standards aim to ensure:

- consistency of practice across the country around recruitment, training and support for panel members
- defined, measurable expectations of panel member, AST and CHS practice
- clarity about the functions, roles and responsibilities of everyone involved with the Children's Panel to support each other, and so support children and young people

The standards are structured to put children and young people at the centre, supported by panel members, who in turn are supported by ASTs and CHS working on behalf of the National Convener.

In implementing these standards, the National Convener and everyone at CHS commits to:

- uphold children's rights and participation within children's hearings
- ensure that panel member recruitment, selection, induction, training, support and practice appraisal processes reflect the previous commitment to rights and participation
- promote best practice in relation to equality and diversity across all organisational policies, processes and practices
- seek to recruit panel members from all groups and backgrounds across Scotland to achieve appropriate representation and balance within the Children's Panel
- value and recognise the contribution of panel members and others who also volunteer their time to the Children's Hearings System
- offer high quality training, practice development opportunities and support to panel members
- efficiently administer the Children's Panel and the support to ASTs at national and local level
- promote increased awareness and understanding of the Children's Hearings System and the contribution and skills of panel members more generally, to improve retention and recruitment
- achieve greater flexibility through the removal of unnecessary geographical boundaries on panel service, to deal with unexpected difficulties, while still enabling panel members to sit on hearings in the communities in which they live or work



# The standards

## **Standard 1**

Children and young people are at the centre of everything we do

## **Standard 2**

Panel members are well equipped and supported to undertake their role

## **Standard 3**

Panel member practice is consistent across Scotland

## **Standard 4**

Every children's hearing is managed fairly and effectively

## **Standard 5**

Every children's hearing makes decisions based on sound reasons in the best interests of the child or young person

## **Standard 6**

Area Support Team members are well equipped and supported to undertake their role

## **Standard 7**

Communication and information sharing across the Children's Panel, ASTs and CHS is clear, appropriate and purposeful

## **Standard 8**

Functions, roles and responsibilities are clearly defined and understood within the system



# Standard 1

## Children and young people are at the centre of everything we do

### National Convener and CHS commitments:

We are committed to making sure everything we do is in the best interests of children and young people. We will treat children and young people with respect, dignity, care and consideration at all times. We will make sure that children and young people are responded to fairly and according to their individual needs. We will make sure the information we publish and the systems we put in place are accessible to children and young people. We will be open and honest in all our communication with children and young people and will encourage, listen to, respond to and learn from their feedback, so that their experiences and views positively inform our practice.

### Panel members:

#### 1.1 Focus the hearing on the best interests and welfare of the child or young person

- 1.1.1 Panel members actively seek the views of the child or young person and encourage their participation within the hearing to inform their decision making.
- 1.1.2 Panel members take into account all assessments and information provided to the hearing to inform their decision making.
- 1.1.3 CHS ensures that panel members are selected, trained and supported to have the required legal knowledge and practice skills to manage the hearing well and reach sound decisions, keeping the child at the centre and upholding their rights.

#### 1.2 Treat every child or young person as an individual

- 1.2.1 Panel members consider each individual child or young person's background, age and stage of development, language, any disability or other individual needs and circumstances.
- 1.2.2 CHS ensures that panel member training, practice development programmes and materials pay attention to child development, child protection issues, and relevant contextual information.

#### 1.3 Help and encourage every child or young person to participate in their hearing

- 1.3.1 Panel members use child and young person friendly materials during hearings. These are developed by CHS in a range of formats suitable for children and young people with different communication needs and styles.
- 1.3.2 Panel members are supported by training, practice development programmes and materials to develop their skills in verbal and non verbal communication with children and young people.
- 1.3.3 CHS works with SCRA to encourage feedback from children, young people, families and panel members to inform continual improvement in the physical environment at hearings centres.



**1.4 Satisfy themselves that each child or young person has been given all the information he or she needs**

- 1.4.1 Panel members check that the child or young person has been provided with information about their hearing.
- 1.4.2 Panel members follow practice guidance in making every effort to help children and young people understand what is happening within the hearing.

**1.5 Satisfy themselves that each child or young person has been informed of their rights**

- 1.5.1 Chairing panel members check that the child or young person has been made aware of their rights within the hearing.
- 1.5.2 Panel members establish how the views of the child or young person have been sought and make appropriate decisions where they are concerned that a child or young person's views have not been taken into account.

**Area Support Teams:**

**1.6 Use national guidance and approved processes and materials which incorporate feedback from children and young people in panel member recruitment, selection and appraisal processes**

- 1.6.1 CHS works with partner organisations to gather feedback and ideas from children and young people and uses them in the design of the recruitment and selection process and materials.
- 1.6.2 ASTs use these processes and materials in panel member recruitment, practice observation and review, and review prior to recommendation for reappointment.

**1.7 Work closely with relevant agencies to ensure that panel members understand the issues and experiences of children, young people and families in their local community**

- 1.7.1 ASTs ensure effective links and liaison with local children's services and organisations to give panel members opportunities to hear from children and young people about their experiences of the Children's Hearings System and to understand the issues which affect them.

**CHS:**

**1.8 Actively seeks and takes account of the views of children and young people who have been involved with the Children's Hearings System when developing or reviewing policy and practice procedures**

- 1.8.1 CHS works with relevant partner organisations to develop and operate mechanisms which enable young people to communicate their views and experiences to CHS.
- 1.8.2 CHS works with SCRA and other relevant agencies to share learning, and commissions joint research on children and young people's views, experiences and outcomes within the Children's Hearings System.



**1.9 Ensures children and young people are involved in designing and influencing the national curriculum**

- 1.9.1 CHS ensures that children and young people are involved in the development and delivery of panel member training and that their views and experiences are incorporated into the national curriculum.
- 1.9.2 CHS encourages ASTs to take account of feedback from children and young people when planning local practice development programmes for panel members.

**1.10 Involves children and young people in the development of CHS' corporate and operational strategies**

- 1.10.1 The CHS Board and Senior Management Team (SMT) use information and research findings to inform, influence, develop and test CHS strategy.



## Standard 2

### **Panel members are well equipped and supported to undertake their role**

#### **National Convener and CHS commitments:**

We are committed to recognising and valuing the important contribution that panel members make as unpaid lay tribunal members. We will make sure panel members are well supported and we will deliver consistent standards of quality assured training. We will treat panel members with respect, care and consideration at all times. We will make sure that all our policies and practice procedures are fair and are applied fairly. We will be open and honest in all our communication with panel members. We will encourage, listen to, respond to and learn from their feedback, so that their experiences and views positively inform our practice.

#### **Panel members:**

##### **2.1 Complete pre-service training and preparation prior to sitting on a hearing**

- 2.1.1 CHS ensures that the national curriculum, training and practice development programmes are quality assured and regularly evaluated.
- 2.1.2 Panel members complete all pre-service training and are satisfactorily assessed as ready before they can practice.
- 2.1.3 Pre-service training and skills development are assessed and accredited. Panel members gain a recognised award through successfully completing the training.

##### **2.2 Are supported to commit to a programme of ongoing training, learning and practice development**

- 2.2.1 CHS provides a welcome pack to new panel members at appointment, which fully informs them about expectations in relation to national training, learning and ongoing practice development.
- 2.2.2 Panel members complete management of hearings training.
- 2.2.3 CHS, in cooperation with ASTs, provides opportunities for panel members to attend skills development and training sessions, of which panel members attend at least two each year.
- 2.2.4 CHS makes training and development provision as accessible as possible.
- 2.2.5 CHS ensures that panel members have a simple method for logging training and learning activities they have completed.
- 2.2.6 Panel members attend mandatory in-service training.
- 2.2.7 ASTs, supported by CHS, complete an annual audit of training needs to inform the content and focus of the ongoing learning and practice development programme.
- 2.2.8 ASTs make sure that at appointment, panel members are made aware of expectations about attendance at local learning and development events.
- 2.2.9 Panel members participate in relevant training offered in response to an identified training need.



### **2.3 Make themselves available to sit on hearings regularly enough to develop and maintain the necessary knowledge, skills and understanding to fulfil their role competently and with confidence**

- 2.3.1 ASTs use their local knowledge about the number of panel members required for the workload of children's hearings in their area.
- 2.3.2 ASTs make sure that at the recruitment stage, prospective panel members are made aware of the expected frequency, number of hearings and the interval between sessions or hearings which panel members in that AST area are expected to commit to.
- 2.3.3 ASTs monitor the rota and identify any issues or concerns in relation to panel member availability and 'call off', as well as any issues impacting on opportunities for panel members to serve regularly, for example cancellation of hearings.
- 2.3.4 ASTs have systems in place for managing leaves of absence, and offer support to panel members who request or require a leave of absence or where availability is temporarily affected.
- 2.3.5 ASTs ensure that panel members returning from leave of absence are properly supported and are offered refresher training and/or repeat training where the panel member requests this. ASTs assess the need for refresher or repeat training where a panel member has not served on a hearing for more than six months.

### **2.4 Reflect on their own performance regularly and positively engage with the practice development and review process**

- 2.4.1 CHS, with participation from the panel community, has a competence based practice observation, review and feedback process of which panel members are fully informed.
- 2.4.2 ASTs observe each panel member's practice, ideally twice each year.
- 2.4.3 CHS ensures that AST members are trained to have the skills and knowledge to effectively support panel members in their practice.
- 2.4.4 CHS ensures that panel practice advisors, and panel learning and development co-ordinators are trained in assessing panel member practice and giving feedback sensitively and constructively.
- 2.4.5 Panel members are encouraged to reflect on their own practice and any support needs through completing self-assessments.

## **Area Support Teams:**

### **2.5 Assist CHS with recruitment campaigns**

- 2.5.1 CHS runs national recruitment campaigns for panel members and AST members.
- 2.5.2 ASTs, along with CHS and partners, ensure that standardised processes and criteria are applied for local recruitment, selection and recommendations for appointment.
- 2.5.3 ASTs provide information on the number of panel members required to ensure effective operation and balance within the Children's Panel in their area.
- 2.5.4 ASTs are supported by CHS to recruit effectively and fairly, ensuring the recruitment process meets with the expectations of the national standards.



## **2.6 Have in place local arrangements for ensuring effective welcome and induction programmes for panel members**

- 2.6.1 ASTs make sure that upon appointment, panel members are given accessible information about who to contact and how. This includes management of the rota, training, learning and development issues, practice issues and practical and personal support.
- 2.6.2 CHS actively encourages the sharing of best practice between ASTs.

## **2.7 Provide pastoral support for panel members**

- 2.7.1 ASTs ensure that there are sufficient numbers of panel representatives to offer panel members personalised support in relation to their role.
- 2.7.2 ASTs ensure that they are aware of support services available to panel members and share this information with panel members.
- 2.7.3 CHS and ASTs have nationally agreed policies in relation to panel member safety, wellbeing and pastoral support, including access to specialist resources where appropriate.

## **2.8 Provide supportive and constructive review of panel member practice**

- 2.8.1 CHS has competence frameworks for both panel member and AST roles.
- 2.8.2 ASTs are trained in the appraisal process techniques as a key element of the curriculum for AST members and panel members are briefed in the purpose and operation of the process.
- 2.8.3 CHS has effective systems in place to review the practice of ASTs in their support of panel members.
- 2.8.4 Panel members, through the appraisal process, have their good practice recognised and promoted individually, locally and nationally.

## **2.9 Carry out an annual training needs analysis of panel members and contribute to the ongoing development of the national curriculum**

- 2.9.1 ASTs conduct an annual training needs analysis through surveying panel members on their views in relation to the national curriculum, training and practice development opportunities they have had over the previous year.
- 2.9.2 ASTs review attendance at, and feedback from, local learning and practice development events over the year.

### **CHS:**

## **2.10 Consults panel members and ASTs on training needs and delivers training to meet those needs**

- 2.10.1 CHS ensures information from the training needs analysis is efficiently collated. This informs the content and delivery of the national curriculum and learning and development programmes.

## **2.11 Ensures that the national curriculum and learning and practice development programmes are delivered efficiently and flexibly**

- 2.11.1 CHS ensures, where possible, that training is delivered in ways, places and at times that encourage panel member participation.
- 2.11.2 CHS commissions distance learning and e-learning, where these methods are appropriate, in addition to face to face training and group work.





**2.12 Pays panel member expenses at national levels and to national timescales**

- 2.12.1 CHS has an efficient system for the payment of expenses which ensures fairness and convenience across Scotland.
- 2.12.2 CHS provides panel members with clear information and explanation on the terms of the expenses scheme and this is applied and administered nationally.

**2.13 Ensures effective policies in relation to panel member wellbeing and safety are in place**

- 2.13.1 CHS has a practice procedure manual for ASTs with policies setting out expectations around pastoral support and panel member wellbeing and safety.
- 2.13.2 CHS, along with SCRA and other partners, makes sure there are protocols in place in relation to safety and wellbeing within the hearings centre and hearings themselves.

**2.14 Works at a strategic level with employers and others to promote the system and encourage a greater diversity of people to become panel members**

- 2.14.1 CHS Board members and staff use their influencing skills and their roles as ambassadors to work with partners, encouraging employers to see panel membership as a positive activity with benefits for all.

**2.15 Implements and maintains a panel member retention strategy**

- 2.15.1 CHS has in place a systematic programme of engagement with employers.
- 2.15.2 CHS represents the views and concerns of panel members to influence SCRA's practice around hearings management.
- 2.15.3 CHS Board and staff publicise and highlight the contribution that panel members and AST members make to the Scottish care and justice system for children and young people.

**2.16 Supports the exchange of information on practice through collection and sharing of information and research**

- 2.16.1 CHS uses research and data to inform practice.
- 2.16.2 CHS works with partners to operate the feedback loop, which provides information about the implementation and impact of compulsory supervision orders on the wellbeing of children and young people.



# Standard 3

## Panel member practice is consistent across Scotland

### National Convener and CHS commitments:

We are committed to making sure that panel member practice is consistent to improve experiences and outcomes for children and young people at hearings. We will ensure that panel member recruitment, training, practice development and review and support processes are all underpinned by robust practice procedures. We will make sure that the procedure and practice manuals for panel members are quality assured and are continually reviewed and kept up to date.

### Panel members:

#### 3.1 Are trained to a consistent standard through a national curriculum and competence framework

- 3.1.1 The National Convener commissions the design, development and delivery of a national curriculum for panel members and ASTs. This is aligned with a competence framework and includes a standardised set of training resources.
- 3.1.2 Panel members and ASTs are trained in the national curriculum and the competence framework using the standardised set of training resources.
- 3.1.3 Panel members are assessed at the end of pre-service training to ensure that they demonstrate the competences set out in the competence framework before they begin to sit on hearings.
- 3.1.4 CHS works closely with ASTs and training providers to make sure that the national curriculum and materials reflect local differences and needs and that training is offered locally.

#### 3.2 Have access to standardised procedures and guidance manuals

- 3.2.1 Panel members have practice procedure and guidance manuals which are regularly reviewed by CHS.

### Area Support Teams:

#### 3.3 Undertake panel practice observation, feedback and review using the agreed competence framework

- 3.3.1 CHS works with partners to develop and implement a practice observation and review tool to assess panel member practice, knowledge, skills and competences in line with the framework.
- 3.3.2 ASTs consistently apply the practice observation and review tool to ensure all panel members are being assessed against the same criteria.
- 3.3.3 ASTs have sufficient numbers of panel practice advisors to ensure that every panel member is observed in practice, ideally at least twice each year.



- 3.3.4 ASTs use an agreed observation feedback sheet for practice observation and review.
- 3.3.5 Panel members receive supportive, constructive feedback to assist with self-reflection and identifying training, learning and/or support needs.
- 3.3.6 ASTs carry out additional practice observations of individual panel members upon request and hold discussions with them where concerns about their practice have been identified.

### **3.4 Carry out an annual training needs analysis and organise local learning and development opportunities**

- 3.4.1 Each AST has at least one learning and development co-ordinator who assists with the planning and delivery of local learning and practice development programmes.
- 3.4.2 CHS and ASTs have mechanisms in place to encourage panel members to keep a learning record and to raise any training or learning needs.
- 3.4.3 ASTs complete an annual audit of practice development and training needs using a tool developed with support from CHS.

### **3.5 Ensure panel members are recommended to the National Convener for appointment and reappointment in line with agreed procedures**

- 3.5.1 Panel members demonstrate that they are meeting the agreed competences and criteria before being recommended for reappointment.

## **CHS:**

### **3.6 Ensures that AST members are prepared and equipped to undertake panel practice observation and reviews**

- 3.6.1 AST members successfully complete quality assured training and induction before taking up their roles.
- 3.6.2 AST members participate in ongoing practice development programmes for their specific roles.
- 3.6.3 CHS provides advice and support for AST members on the consistent and effective operation of the practice observation and review process.
- 3.6.4 CHS samples feedback reports and practice observations each year and provides feedback on how effectively ASTs are operating the practice observation and review process.

### **3.7 Monitors emerging issues and ensures these influence the development of the national curriculum**

- 3.7.1 CHS collates feedback from the annual training needs analysis and works with ASTs and training providers to amend and enhance the national curriculum appropriately.
- 3.7.2 CHS works with ASTs to support local practice development.

### **3.8 Gathers information on the outcomes of hearings and appeals to feed into training and practice development programmes**

- 3.8.1 CHS uses nationally collected anonymised data on the outcomes of hearings and appeals to help plan training and practice development programmes.
- 3.8.2 CHS works with relevant agencies to ensure that the national curriculum reflects emerging policy and practice issues around children and the wider child protection and care and justice sectors.



## Standard 4

### Every children's hearing is managed fairly and effectively

#### National Convener and CHS commitments:

We are committed to making sure that panel members recognise, respect and uphold the rights of children, young people, their families and relevant others within children's hearings. We will ensure that the training panel members undertake and the practice procedures and resource materials provided to guide their practice are compliant with relevant legislation. We will work with key partner agencies on behalf of panel members to influence the continual improvement of policies and practices in relation to effective hearings management.

#### Panel members:

##### **4.1 Always respect the rights of children, young people and families in relation to privacy and confidentiality**

- 4.1.1 Panel members understand and comply with confidentiality, privacy and data protection requirements.
- 4.1.2 CHS ensures that training provides panel members with the necessary knowledge to fulfil these duties and that supporting procedures are in place.

##### **4.2 Are aware of and respect differences among all who are at the hearing**

- 4.2.1 Panel members undertake equality and rights based training. CHS ensures that panel member and AST training and resource materials embed human rights and equality and diversity legislation.
- 4.2.2 ASTs provide panel members with information about the communities children and families live in and the services available locally.

##### **4.3 Understand and carry out their duties in line with human rights legislation**

- 4.3.1 Panel members undertake training on all relevant aspects of both ECHR and UNCRC as part of their training.
- 4.3.2 Panel members demonstrate knowledge of the rights of children and young people within the hearing, as well as adults and relevant persons, and apply this knowledge to decision making.
- 4.3.3 CHS ensures that learning and practice development programmes stay up to date with changes in relevant legislation and case law and that refresher training is made available as required.



**4.4 Satisfy themselves that children, young people and adults are aware of, and feel able to exercise, their rights to representation within the hearing**

- 4.4.1 Chairing panel members check that the child or young person has been informed of their rights and made aware of the relevant advocacy and support services available to them locally.
- 4.4.2 Panel members follow the regulations and procedural rules in relation to legal representation for children and young people and those adults who require it.

**4.5 Treat each child, young person and all others present in the hearing fairly**

- 4.5.1 Panel members ensure that they treat all children, young people and their families fairly, giving them the opportunity to fully participate in the hearing.
- 4.5.2 ASTs monitor whether panel member practice upholds the relevant rights of all people at the hearing as part of practice observation and review.

**4.6 Chair every hearing fairly and effectively**

- 4.6.1 Panel members complete management of hearings training and are expected to begin chairing as soon as they are ready, with appropriate support and encouragement from ASTs.
- 4.6.2 Chairing panel members follow step by step practice guidance when chairing a hearing.

**Area Support Teams:**

**4.7 Ensure the constitution of each children's panel meets legal requirements**

- 4.7.1 ASTs ensure there are sufficient panel members to sit on hearings and that panels have the appropriate mix of male and female members. They ensure that, as far as possible, panel members live or work in the local area.
- 4.7.2 CHS provides an up to date database which ASTs use to generate rotas electronically. ASTs produce rotas which ensure adequate experience is allocated to each panel.

**4.8 Respond to and manage complaints about panel members in a timely and fair way**

- 4.8.1 ASTs use the national complaints procedure to investigate and resolve any complaints in their area.
- 4.8.2 ASTs escalate complaints to the National Convener which cannot be resolved at a local level in line with procedure.

**CHS:**

**4.9 Ensures that independent legal and procedural advice is available to hearings**

- 4.9.1 CHS arranges for the provision of legal and procedural advice to panel members on commonly occurring legal and procedural issues.
- 4.9.2 CHS ensures training, learning and development resources and practice manuals provide clear guidance and advice on legal and procedural issues.
- 4.9.3 CHS makes advice on complex legal and procedural issues available to all panel members and children's hearings.

**4.10 Investigates and manages complaints which have been escalated by ASTs**

- 4.10.1 CHS investigates and manages complaints which cannot be resolved locally by ASTs.



## Standard 5

### **Every children's hearing makes decisions based on sound reasons in the best interests of the child or young person**

#### **National Convener and CHS commitments:**

We are committed to making sure that panel members are fully trained and well supported to make decisions based on sound reasons that are in the best interests of children and young people. We will make sure that the national curriculum, training and practice development programmes assist them to do so. We will make sure that panel members are able to communicate their decisions and reasons effectively to children, young people and families at the hearing and in writing. We will establish and develop mechanisms for sharing information about outcomes and appeals in relation to panel member decision making. We will work with all relevant groups and agencies to learn from this information.

#### **Panel members:**

##### **5.1 Prepare for hearings in advance**

- 5.1.1 Panel members prepare sufficiently for every hearing through the careful reading, analysis and consideration of all information available to them.
- 5.1.2 ASTs manage the rota to ensure panel members have enough time between hearing sessions to prepare thoroughly.
- 5.1.3 CHS works with SCRA and other partners, who are responsible for providing information to children and young people about their hearings, to influence improvements in the quality and accessibility of that information.

##### **5.2 Know the legal framework and procedures for hearings and apply that knowledge**

- 5.2.1 CHS works with ASTs to ensure that training and resource materials are revised in line with legal and procedural changes and are made available locally.
- 5.2.2 Panel members know when and how to obtain legal advice.
- 5.2.3 Panel members know how to follow the correct procedure when there are concerns about the potential non implementation of a compulsory supervision order (CSO).

##### **5.3 Understand children and young people's experiences and how these impact on their wellbeing and development**

- 5.3.1 Panel members demonstrate an understanding of child development and child protection issues and apply them appropriately in their practice and decision making.
- 5.3.2 CHS supports ASTs with ongoing local learning and development on child welfare and youth justice issues.



### **Area Support Teams:**

- 5.4 Regularly review information on the recording of decisions and reasons made and use this information as part of training needs analysis**
- 5.4.1 ASTs assist CHS in operating the feedback loop to continuously improve panel member decision making and recording skills.

### **CHS:**

- 5.5 Shares information about appeals**
- 5.5.1 CHS works with SCRA to review anonymised information gathered on appeals and shares this with ASTs.
- 5.5.2 CHS uses information on appeals and information gathered through the feedback loop to inform the ongoing development of the national curriculum.



## Standard 6

### **Area Support Teams are well equipped and supported to undertake their roles**

#### **National Convener and CHS commitments:**

We are committed to recognising the important contribution that ASTs make to the Children's Hearings System. We will make sure AST members are well supported and feel that their role as volunteers is recognised. We will deliver consistent standards of quality assured training. We will treat AST members with respect, care and consideration at all times. We will make sure that all our policies and practice procedures are fair and are applied fairly. We will be open and honest in all our communication with ASTs. We will encourage, listen to, respond to and learn from their feedback, so that their experiences and views positively inform our practice.

#### **Panel members:**

##### **6.1 Engage and communicate with their AST**

- 6.1.1 Panel members cooperate appropriately with their AST, supporting and respecting its functions.
- 6.1.2 Panel members communicate responsibly with their relevant AST members to seek help, guidance or raise any concerns.
- 6.1.3 CHS supports AST members to form positive relationships with panel members and encourages active communication between the two groups.

##### **6.2 Provide information to the AST on any support issues or training needs**

- 6.2.1 Panel members contact their relevant AST member where they identify a specific learning need or require support to help them undertake their role.

#### **Area Support Teams:**

##### **6.3 Participate actively in training and commit to ongoing development**

- 6.3.1 AST members successfully complete training before they take up their roles.
- 6.3.2 CHS commissions training appropriate to the roles and responsibilities required of AST members and ensures the opportunity to participate in refresher training as needed.

##### **6.4 Reflect on their own performance regularly and engage in the practice review process**

- 6.4.1 AST members participate actively in an annual review carried out by their Area Convener.





- 6.4.2 AST members reflect upon feedback from their practice review and commit to completing any identified actions.
- 6.4.3 AST members take part in self-assessment and reflection as part of the ongoing review process.
- 6.4.4 AST members approach their relevant AST colleague where they identify a specific learning or practice development need, or require support to help them undertake their role.
- 6.4.5 CHS provides a competence based review system for AST members and training in its operation.

**6.5 Ask for training or support from CHS if they feel they need it**

- 6.5.1 CHS has positive relationships and clear lines of communication with AST members so that people know who to go to for assistance or support and are able to ask for it.
- 6.5.2 CHS is responsive to requests for training, assistance or support from ASTs.

**CHS:**

**6.6 Provides training and supportive, constructive reviews for Area Conveners**

- 6.6.1 CHS staff support the National Convener in the selection and appointment process for Area Conveners.
- 6.6.2 CHS staff are trained to deliver reviews in a constructive and approachable manner and to provide useful feedback.
- 6.6.3 CHS staff support and supervise Area Conveners on behalf of the National Convener and have regular communication with them. In turn Area Conveners and Depute Area Conveners support and supervise AST members.

**6.7 Carries out an annual training needs analysis of AST members and develops and delivers training to meet identified needs**

- 6.7.1 CHS engages with AST learning and development co-ordinators (and the wider AST where relevant) to ensure that all training needs are identified.
- 6.7.2 CHS uses this information to inform training and practice development programmes.

**6.8 Creates systems for the exchange of ideas, learning and best practice between ASTs**

- 6.8.1 CHS engages with AST members to design and run events.
- 6.8.2 CHS has appropriate processes in place to help AST members form and maintain links across Scotland.

**6.9 Pays AST members' expenses at national levels and to national timescales**

- 6.9.1 CHS has an efficient system for the payment of expenses which ensures fairness and convenience across Scotland.
- 6.9.2 CHS provides ASTs with clear information and explanation on the terms of the expenses scheme and this is applied and administered nationally.



# Standard 7

## **Communication and information sharing across the Children's Panel, ASTs and CHS is clear, appropriate and purposeful**

### **National Convener and CHS commitments:**

We are committed to making sure that we are respectful in all our communication with children, young people, families, panel members, ASTs, partners and others. We will make sure that everyone is clear about who to contact and when and how, in relation to their role. We will make sure that our methods of communication and the information we publish or share is accessible. We will listen to, respond to and learn from feedback. We will ensure processes are transparent and will share performance data. We will be accountable for our actions and decisions.

### **Panel members:**

#### **7.1 Know who to contact and how**

- 7.1.1 ASTs ensure that panel members know the name, role and functions of everyone on their AST.
- 7.1.2 Panel members know how to contact the appropriate person on their AST to obtain the information they need.
- 7.1.3 ASTs inform CHS as soon as there are any changes in the details of AST members.
- 7.1.4 CHS ensures that panel members and ASTs know who is responsible for each of the CHS functions and how to contact the relevant person within CHS.
- 7.1.5 CHS has systems which provide panel members with access to up to date information regarding ASTs, CHS and training providers.
- 7.1.6 CHS regularly communicates any changes or developments across the panel community.

#### **7.2 Know how to raise issues or concerns**

- 7.2.1 ASTs, supported by CHS, have clear arrangements in place for panel members to raise issues or concerns they may have about CHS, their AST or fellow panel members.
- 7.2.2 ASTs and panel members, as part of their induction and pre-service training, are fully informed about the complaints process.

#### **7.3 Are able to feed back their views and experiences to their AST and CHS**

- 7.3.1 CHS encourages panel members to complete an annual survey.
- 7.3.2 CHS encourages a culture of reflection and development within the panel community.
- 7.3.3 CHS facilitates reference groups for panel members to share information, highlight good practice and influence policy development.



## Area Support Teams:

### **7.4 Seek and listen to panel member feedback**

- 7.4.1 ASTs actively listen to panel members' feedback and act appropriately on it.
- 7.4.2 ASTs, supported by CHS, have arrangements for gathering panel members' views and highlighting practice issues.
- 7.4.3 ASTs share panel members' experiences with CHS, who use them to inform national procedures and prioritisation of resources.

### **7.5 Are in regular communication with CHS**

- 7.5.1 CHS and ASTs have formal routes for regular communication.
- 7.5.2 ASTs, with the support of CHS, use simple and effective systems to gather information on, and respond to, emerging issues in their area.

### **7.6 Seek and listen to feedback from children, young people and their families**

- 7.6.1 CHS works with children's organisations to seek the views and experiences of children and young people about the Children's Hearings System and panel member practice and shares this with ASTs.
- 7.6.2 CHS works with SCRA to make sure that ASTs are kept informed of relevant research about or feedback from children, young people and families' experiences.

### **7.7 Have effective arrangements for communication with SCRA, local authorities and other key agencies**

- 7.7.1 ASTs have arrangements in place for regular communication between SCRA, local authorities and other relevant agencies.
- 7.7.2 ASTs provide representatives to attend relevant meetings, groups and networks.
- 7.7.3 ASTs provide local resource directories to panel members so they are aware of the services and resources available for children and young people in their area and about the organisations involved with the Children's Hearings System.
- 7.7.4 CHS facilitates forums and reference groups for Area Conveners, Depute Area Conveners and panel representatives to share information about hearings practice in their areas and to highlight good practice, innovations or difficulties.

## CHS:

### **7.8 Seeks and acts on information and feedback from children, young people, their families, panel members and ASTs to inform national policy and practice development programmes**

- 7.8.1 CHS has mechanisms to make sure that this information is used as effectively as possible.
- 7.8.2 CHS has a joint research programme with SCRA and relevant partners and ensures that panel members and ASTs are kept informed of national issues and policy development relating to children and the Children's Hearings System.



**7.9 Communicates and represents the views and experiences of panel members and ASTs to SCRA and other key agencies at a senior and national level**

- 7.9.1 CHS and SCRA have national protocols and channels of communication to ensure that hearings management issues are regularly reviewed across SCRA Localities and ASTs.
- 7.9.2 The National Convener meets with the Principal Reporter of SCRA on a regular basis.
- 7.9.3 CHS and SCRA managers meet on a regular basis to share best practice and seek resolutions to issues highlighted by panel members, ASTs or SCRA.

**7.10 Provides regular reports to ASTs highlighting practice issues and providing feedback on outcomes**

- 7.10.1 CHS provides performance reports to assist ASTs to explore and address issues affecting consistency and performance in their area.
- 7.10.2 CHS works with ASTs and partners to establish a formal feedback loop for the gathering of information about children's hearings' outcomes.

**7.11 Board and staff act as ambassadors for the Children's Panel**

- 7.11.1 CHS promotes understanding and awareness of the role and contribution of the Children's Panel with partners across the Children's Hearings System.
- 7.11.2 CHS promotes understanding and recognition of the Children's Panel with relevant national organisations and networks including Scottish Government, children's services, employers and the third sector.
- 7.11.3 The Board particularly promotes understanding and recognition of the Children's Panel through engagement with employers.

**7.12 Publishes an annual report**

- 7.12.1 CHS produces an annual report, communicating the activities and impact of the panel community.



## Standard 8

### **Functions, roles and responsibilities are clearly defined and understood within the system**

#### **National Convener and CHS commitments:**

We are committed to making sure everyone across the Children's Panel is clear as to their role, responsibilities and rights in relation to the supports, training, development opportunities and recognition they can expect in undertaking their role. We are committed to providing effective leadership to the Children's Panel. We recognise the specific responsibilities we have as paid staff and Board members, towards panel members and AST members, who volunteer their skills and time to serve on hearings or in the support of panel members.

#### **Panel members:**

- 8.1 Have a role description which is clearly linked to the selection criteria and to the skills and knowledge and competences required for the role**
  - 8.1.1 Panel members have a clear role description. This is applied alongside the competence framework during recruitment, selection, training, learning and practice development programmes and practice observation and review.
  - 8.1.2 CHS works with ASTs to make sure that the procedures in place for panel practice development and review and panel member support all reflect the panel member competence framework.
  
- 8.2 Are appointed (and reappointed) for three years once they have been trained and assessed as competent**
  - 8.2.1 CHS works with ASTs to make sure that prospective panel members understand the extent of the commitment they are being asked to make to the Children's Hearings System and the supports available to them.
  - 8.2.2 CHS ensures that panel member appointments include the safeguards necessary to promote their independence and impartiality as part of a tribunal.
  
- 8.3 Understand the rights of children and young people, families and others within the hearing and the responsibilities and authority they have as panel members in making decisions**
  - 8.3.1 CHS ensures that the national curriculum, training, learning and practice development programmes, provide comprehensive information and guidance in relation to rights and compliance with relevant legislation.
  - 8.3.2 CHS ensures that the national curriculum, training, learning and practice development programmes, include clear guidelines on decision making and support panel members in developing the skills needed to make the decisions required of them.



8.3.3 CHS ensures that the national curriculum is designed, developed and delivered by appropriately qualified people and is quality assured.

**8.4 Understand the roles of others involved in the Children's Hearings System, including SCRA, legal representatives, local authorities, safeguarders and other partners**

8.4.1 CHS and ASTs ensure effective induction via pre-service training. Functions, roles and responsibilities are clearly outlined as part of this.

8.4.2 CHS and ASTs ensure that panel members have the opportunity to meet with and learn from other partners and to build respectful and professional relationships with them.

**8.5 Are fully aware of and briefed in the complaints processes relating to panel members, ASTs and CHS**

8.5.1 CHS has a clear and comprehensive complaints handling system. Complaints are handled in a fair, thorough and proportionate manner.

**Area Support Teams:**

**8.6 Have clear guidance defining their functions, roles and responsibilities**

8.6.1 CHS works with ASTs to continually refine the Functions, Roles and Responsibilities Guidance for ASTs to ensure that each AST is able to respond appropriately to local needs and emerging issues.

**8.7 Have role descriptions for each function within the AST, which are clearly linked to selection criteria and the skills, knowledge and competences for the role**

8.7.1 AST functions are each linked to a role description. This is applied, alongside the competence framework during recruitment, selection, training, practice development programmes and review.

**8.8 Are appointed (and reappointed) for three years once they have been trained and assessed as competent**

8.8.1 CHS ensures that prospective AST members understand the extent of the commitment they are being asked to make to the Children's Hearings System and the supports available to them.

8.8.2 AST members are recruited through an open and fair process and their practice is assessed against the competence framework for their role, prior to reappointment.

**8.9 Understand the rights of children and young people, families and others within the hearing and the responsibilities and authority panel members have in the hearing**

8.9.1 CHS ensures that the national curriculum and training, learning and practice development programmes for AST members provide comprehensive information and guidance in relation to rights and compliance with relevant legislation.

8.9.2 CHS ensures that AST panel practice observation, feedback and review processes and materials are designed by appropriately qualified people and are quality assured.



**8.10 Understand the roles of others involved in the Children's Hearings System, including SCRA, legal representatives, local authorities, safeguarders and other partners**

- 8.10.1 CHS ensures effective AST induction via pre-service training. Functions, roles and responsibilities are clearly outlined as part of this.
- 8.10.2 CHS ensures that AST members have the opportunity to meet with and learn from other partners and to build respectful and professional relationships with them.

**8.11 Are fully aware of and briefed in the complaints processes relating to panel members, ASTs and CHS**

- 8.11.1 CHS has a clear and comprehensive complaints handling system. Complaints are handled in a fair, thorough and proportionate manner.

**CHS:**

**8.12 Provides consistent, meaningful and effective day to day support to panel members and ASTs in line with its organisational vision, mission and values**

- 8.12.1 CHS staff have clear job descriptions and role competences which set out their responsibilities and the skills, values and behaviours expected of them.
- 8.12.2 CHS staff demonstrate a commitment to continuous professional development and this is tested through annual employee performance appraisal.

**8.13 Uses the CHS annual corporate and business planning process to define the support and development priorities**

- 8.13.1 CHS uses information gathered from training needs analysis, panel practice reviews and panel member feedback to inform the corporate and business planning process and ensure that resources are directed appropriately in support of the Children's Panel.

**8.14 Engages and consults with panel members and AST members to gather information to allow continuous improvement**

- 8.14.1 CHS' performance management framework takes into account feedback from ASTs and panel members in relation to their experiences and views of CHS staff and Board performance.

**8.15 Provides strategic direction and leadership**

- 8.15.1 Board members take a broad overview of the operation of CHS and work with staff to develop vision, values and behaviours, create long term plans and support the organisation in delivering its objectives.

**8.16 Board provides governance and challenge to CHS**

- 8.16.1 Board members have clearly defined roles and responsibilities set out in the CHS framework documents. These include ensuring CHS delivers the aims and objectives set by Scottish Ministers, effective stewardship of public funds, efficient use of staff and resources and robust risk management.



**8.17 Has in place fair, comprehensive recruitment, selection and appointment processes**

- 8.17.1 CHS has in place robust recruitment policies and procedures in line with relevant national and sector guidance.
- 8.17.2 CHS staff are recruited through an open, fair and well planned process and candidates are assessed against the competence framework for their role prior to appointment.

**8.18 Understands the rights of children and young people, families and others within the hearing and the responsibilities and authority panel members have in the hearing**

- 8.18.1 CHS ensures that all staff complete a comprehensive induction programme which includes hearings observation.
- 8.18.2 CHS staff continually update their knowledge base and demonstrate commitment to professional and personal development programmes.
- 8.18.3 CHS ensures that any training programmes completed by or delivered to staff are appropriately quality assured.

**8.19 Understands the roles of others involved in the Children's Hearings System, including SCRA, legal representatives, local authorities, safeguarders and other partners**

- 8.19.1 CHS staff are fully informed of functions, roles and responsibilities across the Children's Hearings System.
- 8.19.2 CHS staff have the opportunity to meet with and learn from other partners and to build respectful and professional relationships with them.

**8.20 Staff are fully aware of and briefed in the complaints processes relating to panel members, ASTs and CHS**

- 8.20.1 CHS has a clear and comprehensive complaints handling system. Complaints are handled in a fair, thorough and proportionate manner.





# Annex 1

## Summary of functions, roles and responsibilities

This annex provides the role description for panel members. It also summarises the functions of ASTs, the National Convener and CHS. It includes a brief summary of AST roles taken from the Functions, Roles and Responsibilities Guidance published by CHS.

The duties and powers of the National Convener and of CHS to assist the National Convener are determined by the 2011 Act. Detail about the roles and responsibilities of CHS Board and staff are set out elsewhere, in the CHS Corporate and business plans and in the specific job descriptions for CHS staff.

## Section A: panel members

### Key responsibilities

Panel members form an independent decision making lay tribunal within a quasi-judicial process.

They play a vital role in the Children's Hearings System, generously giving their time, skills and commitment to make decisions based on sound reasons in the best interests of each child or young person, aimed at improving his or her life.

Children's hearings make decisions that impact significantly on the lives of children, young people and their families, therefore certain commitments are required from those who choose to become panel members.

### Availability and time commitment

Panel members are expected to:

- make themselves available to sit on hearings regularly enough to develop and maintain the necessary knowledge, skills and understanding to fulfil their role competently and with confidence
- be open and honest about their availability and seek support where there are any practical, personal or work issues affecting their availability
- be prepared to undertake further or repeat training or skills development activities where these are identified as necessary by the panel member themselves, by the AST, as an outcome of practice observation, or as a result of concerns or complaints



## **Pre-service training and practice development**

Panel members commit to:

- actively engaging with an individual learning and practice development plan, including keeping a simple learning record
- completing all the stages of pre-service and in-service training required of them in line with the national curriculum, including attendance at mandatory training sessions
- ongoing practice development, through attending information, training and skills development sessions at least twice each year throughout their time as a panel member
- actively participating in ongoing practice development and review
- being observed by a panel practice advisor in hearings at least twice each year as a key part of the practice development and review process
- completing self-assessments where appropriate and taking on board feedback from panel practice observations

## **Preparation and during the hearing**

Panel members:

- practice in line with the national standards and make good use of the procedural and practice guidance offered to them by CHS and training providers
- undertake thorough pre-hearing preparation
- demonstrate respect to children, young people, families and others at all times
- encourage effective participation by the child or young person and relevant others
- ensure that their practice in the hearing is fair and that they understand and uphold the rights of the child or young person and relevant others
- make clear, well founded decisions in the best interests of the child or young person and communicate these both orally and in writing
- ensure that the reasons for and the decisions themselves are clearly recorded in line with procedural guidance

## **Skills, behaviours and knowledge**

Panel members need to demonstrate a strong commitment to and understanding of:

- the Children's Hearings System
- the importance of putting the child or young person at the centre of the hearing

Panel members need a good working knowledge of:

- the legal framework and procedures within which the hearing operates
- the rights of all those present in the hearing
- the roles and responsibilities of all those involved with the Children's Hearings System
- the range of services and resources available for children and young people
- child development, attachment and protection issues
- the impact of abuse and neglect on the welfare of children and young people
- the policy framework and relevant national standards relating to child protection, care and youth justice



For the area in which the panel member sits on hearings, a solid understanding of:

- the economic and social environment
- issues affecting children, young people and families
- the key partners, resources and initiatives available to those children, young people and families

Panel members are skilled in:

- communicating, both orally and in writing, in language that can be easily understood by children and young people
- listening actively and sensitively to everyone in the hearing
- asking appropriate questions
- making well reasoned decisions, and being able to explain the reasons for those decisions



## Section B: Area Support Teams

### Purpose

Each Area Support Team carries out functions on behalf of the National Convener, supporting members of the Children's Panel who sit on hearings in their local area effectively so that national standards are consistently met. ASTs work with local authorities, SCRA and all relevant partners towards continual improvement across the Children's Hearings System.

### Functions, roles and responsibilities

The key responsibilities of ASTs are to:

- promote the CHS vision, mission and values
- uphold the national standards for the Children's Panel at AST level
- undertake the local recruitment of panel members as part of national recruitment campaigns and in response to local needs, such as a shortage of male panel members
- interview and select potential panel members
- make recommendations of assessed applicants to the National Convener for appointment as panel members and make recommendations to the National Convener regarding panel member reappointment
- ensure that all volunteers in the Children's Hearings System have had the appropriate checks undertaken in line with Protection of Vulnerable Groups scheme (PVG checks)
- manage the rota for the Children's Panel within the AST area
- support panel members on a day to day basis
- observe and assess panel member practice, including constructive feedback to panel members in review of their practice, and ensure panel members are offered continuous learning and development opportunities
- promote local awareness and understanding of the Children's Hearings System as Scotland's care and justice system for children and young people, and the vital contribution made by panel members as unsalaried lay tribunal members
- undertake a local training needs analysis
- handle complaints about panel members
- build and develop effective working relationships with key partners in the local area

### Skills, behaviours and knowledge within the AST

AST members work individually and collectively to gain the trust and respect of their fellow AST members. They build confidence among panel members that the AST has a good understanding of the role and contribution of panel members within the Children's Hearings System.

AST members demonstrate a strong commitment to and understanding of:

- the CHS vision, mission and values
- the national standards for the Children's Panel
- the structure and functions of the Children's Hearings System and the broader child protection and care sectors



- the Scottish Government vision for the reform and modernisation of the Children's Hearings System
- the role of panel members as lay tribunal members within the Children's Hearings System and what is needed to support them in their work
- the need for personal development and keeping their own skills and knowledge up to date
- the law, policy and practice framework relating to the Children's Hearings System
- Scottish Government policy and emerging research and practice initiatives relating to children, young people and families
- key partners, resources and initiatives available to, or affecting children, young people and families in their local area

Each member of the AST demonstrates that they can:

- communicate effectively, both in person and in writing
- work effectively and supportively as a team member
- listen actively and sensitively to views inside and outside the AST, and especially to panel members
- build effective working relationships with stakeholders and partners across the Children's Hearings System, including SCRA and relevant local authority staff

### **Local authorities and the ASTs**

The contribution and commitment of local authorities and CHS towards the support and operation of ASTs is set out in a Partnership Agreement between CHS and the relevant local authority/local authorities.

It is for each AST to determine what subcommittee structures best meet the needs of the Children's Panel in their area, taking into account local circumstances and arrangements.



## Section C: Children's Hearings Scotland

### Purpose

The 2011 Act established Children's Hearings Scotland, a non-departmental public body (NDPB), to assist and support the National Convener in fulfilling their duties and powers, which are also defined and introduced by the 2011 Act.

The National Convener:

- acts as a figurehead for panel members
- establishes the Children's Panel to replace the 32 Scottish local authority panels which were in place under the 1995 Act
- ensures panel members are consistently supported to a high standard
- establishes ASTs
- obtains the consent of the relevant local authority in establishing an AST
- invites ministerially appointed CPAC members to transfer across to the relevant AST
- considers additional local authority requests for representation on ASTs
- has clearly defined functions and powers in relation to the recruitment, selection, appointment, training, support and advice made available to panel members

Children's Hearings Scotland:

- is a NDPB which is accountable to Scottish Government ministers
- reports to a Board of no less than five and no more than eight non executive members who are appointed by Scottish Ministers to provide corporate governance
- upholds the vision for reform and modernisation of the Children's Hearings System
- upholds the CHS vision, mission and values and works to develop, establish and implement the National Standards Framework for the Children's Panel
- assists and supports the National Convener to fulfil their duties and responsibilities to members of the Children's Panel and ASTs
- works with local authorities, SCRA and all relevant partners towards continual improvement across the Children's Hearings System

### Function, roles and responsibilities

Panel members and AST members are unsalaried yet fulfil important and significant roles. The National Convener and CHS have therefore established effective systems and mechanisms for ensuring close communication and support to the Children's Panel and ASTs and for supervision and support to the Area Conveners who lead ASTs.

CHS works with ASTs, SCRA and relevant partners to ensure ASTs are supported to fulfil their functions and to assist and represent the interests of ASTs where local practice or operational problems or barriers are identified.



CHS also works with ASTs and relevant partners to gather and share information about trends, issues, problems and best practice so that the quality of panel member practice across Scotland continually improves.

CHS actively promotes and recognises the Children's Panel and the work of ASTs in support of panel members at a national level. CHS also assists ASTs to act as ambassadors for the Children's Panel and represent it to other organisations and employers locally.

## **Key responsibilities**

The key responsibilities of CHS are as follows:

- promote the CHS vision, mission and values
- establish and implement the National Standards Framework for the Children's Panel including the practice procedures to support and guide panel member and AST practice in fulfilling their functions
- undertake national publicity and recruitment campaigns for panel members and ASTs
- provide support to ASTs in undertaking the local recruitment of panel members
- provide the national framework for recruitment, interview and selection for potential panel members
- administer and scrutinise recommendations made by ASTs to the National Convener for panel member appointment and reappointment
- ensure that all volunteers in the Children's Hearings System have had the appropriate PVG checks
- administer and effectively maintain panel member records and information in line with data protection requirements
- proactively communicate with panel members and ASTs
- develop and deliver a quality assured national curriculum and learning and practice development programme
- ensure panel members are offered training and development opportunities which are appropriate to the skills and knowledge base they require
- promote national awareness and understanding of the Children's Hearings System as Scotland's care and justice system for children and young people, and the vital contribution made by panel members as unsalaried lay tribunal members
- build and develop effective working relationships with key partners at a national level to ensure that the Children's Panel influences and responds to relevant policy developments

## **Skills, behaviours and knowledge within CHS**

CHS staff and Board members work individually and collectively to gain the trust and respect of panel members, ASTs and partner agencies. CHS staff and Board work to gain the confidence of panel members by demonstrating that they understand the role and contribution of panel members to the Children's Hearings System.



CHS staff and Board members demonstrate a strong commitment to and understanding of:

- the Scottish Government vision for Scotland's children and young people
- the vision for reform and modernisation of the Children's Hearings System
- the CHS vision, mission and values
- the national standards for the Children's Panel
- the structure and functions of the Children's Hearings System and the broader child protection and care sectors
- the role of panel members as lay tribunal members within the Children's Hearings System and what is needed to support them in their work
- the need for personal development and keeping their own skills and knowledge up to date
- the law, policy and practice framework relating to the Children's Hearings System
- Scottish Government policy and emerging research and practice initiatives relating to children, young people and families
- key partners, resources and initiatives available to, or affecting children, young people and families in their local area

Each CHS staff member and Board member will:

- communicate effectively, both in person and in writing
- work effectively and supportively as a team member
- listen actively and sensitively to views inside and outside CHS, in particular those of panel members
- build effective working relationships with stakeholders and partners across the Children's Hearings System, including SCRA and relevant local authority staff





## Annex 2

### **National standards jargon buster**

#### **Area Support Team (AST)**

Under the 2011 Act, ASTs replace Children's Panel Advisory Committees (CPACs) and provide support for panel members locally.

#### **Children's Hearings Scotland (CHS)**

CHS is the dedicated national body which was created by the Children's Hearings (Scotland) Act 2011 to support the delivery of the National Convener's functions associated with the recruitment, selection, retention, training and support of panel members.

#### **Compulsory supervision order (CSO)**

Under the 2011 Act, a CSO is an order that the hearing can make which means that a named local authority is responsible for looking after the child or young person. The CSO will have conditions attached, such as where the child or young person is going to live, for example with foster carers or in residential care.

#### **European Convention on Human Rights (ECHR)**

The Convention defines the human rights that European signatory states must uphold for all people who live in them. Human rights legislation must be upheld during all legal processes.

#### **Feedback loop**

The feedback loop is a way in which CHS gathers information from local authorities about the implementation of compulsory supervision orders made in their areas, and the impact these have on the wellbeing of the children and young people. The National Convener produces an annual report using information from the feedback loop.

#### **In-service training**

In-service training is a programme of both national and local training which is provided for panel members throughout the duration of their service. In-service training is a mix of compulsory and non-compulsory training.

#### **Management of hearings training**

Management of hearings training focuses on the skills, knowledge and competences required to chair a hearing. The training comprises part of the compulsory in-service training panel members must complete after they begin to sit on hearings.

#### **National curriculum**

The national curriculum sets out the compulsory training which all panel members must complete as part of their ongoing development.



### **Panel community**

The phrase 'panel community' refers to panel members, AST members and CHS staff.

### **Pre-service training**

Pre-service training refers to compulsory training for panel members on their role and the skills and competencies they must demonstrate. All panel members must complete pre-service training successfully before beginning to sit on hearings.

### **Protection of Vulnerable Groups scheme (PVG checks)**

This is the national membership scheme in place to make sure that checks are completed on all paid and unpaid staff who work with children, young people and others who are regarded as vulnerable. The scheme aims to protect people and keep them safe through vetting those who work with them.

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

SCRA is the national body which manages the work of Children's Reporters and provides accommodation for children's hearings.

### **Senior Management Team (SMT)**

The SMT of CHS is made up of the National Convener and Chief Executive, the Director of Panel and Area Support and the Director of Finance and Corporate Services.

### **United Nations Convention on the Rights of the Child (UNCRC)**

An international legal instrument which sets out the human rights that all children under 18 have, and are entitled to have protected





# National Standards for the Children's Panel

## Children's Hearings Scotland

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