

CHS Board Meeting

Mon 20 June 2022, 15:00 - 17:00

Agenda

15:00 - 15:00 **1. Declarations of Interests**

0 min

verbal *Katharine Kasper*


 1. June Agenda.pdf (2 pages)

15:00 - 15:00 **2. Minutes of previous meeting**

0 min

paper *Katharina Kasper*

For approval

 2 CHS-2223-01 Board Minutes March 2022 HR approved - Copy.pdf (14 pages)

15:00 - 15:00 **3. Matters Arising**

0 min

verbal *Katharina Kasper*

Seek assurance that actions from previous meeting have been progressed

15:00 - 15:00 **4. Action Log**

0 min

paper *Katharina Kasper*

To monitor progress of actions due

 4 CHS-2223-02 Action Log.pdf (3 pages)

15:00 - 15:00 **5. Chair Update**

0 min

verbal *Katharina Kasper*

For information and discussion

15:00 - 15:00 **6. National Convener/ CEO update**

0 min

paper *Elliot Jackson*

For consideration and discussion


 6 CHS-2223 NC update June Board.pdf (5 pages)

15:00 - 15:00 **7. Hearing System Working Group Update**

0 min

paper *Carol Wassell*

For consideration and discussion

 7 CHS-2223-04 HSWG Board update 26.5.22 Final.pdf (3 pages)

15:00 - 15:00 **8. 2022/23 Capital & Revenue Financial Forecast**

0 min

paper *Ed Morrison/Lynne Harrison*

For approval

 8 CHS-2122-05 Forecast Outturn June '22 DRAFT.pdf (3 pages)

15:00 - 15:00 **9. Q1 Performance Report**

0 min

paper *Michael Beardmore*

For approval

 9 CHS-2223-06 Q1 Performance Report 2022-3- Board Cover Paper.pdf (2 pages)

 9 CHS-2223-06 Q1 Performance Report.pdf (16 pages)

15:00 - 15:00 **10. Panel Member Recruitment 2022 Evaluation**

0 min

paper *Christine Mullen*

For information and discussion

 10 CHS-2223-07 2022 June PM Recruitment Campaign Board Report.pdf (13 pages)

15:00 - 15:00 **11. Participation Strategy and Plan**

0 min

paper *Christine Mullen*

For approval

 11 CHS-2223-08 Participation_Framework.pdf (18 pages)

15:00 - 15:00 **12. Audit & Risk Management Committee**

0 min

Henry Robson

For approval

12.1. ARMC Chair Update

verbal *Henry Robson*

To review the work carried out by the ARMC at its last meeting

12.2. Annual Accounts

paper *Henry Robson*


For approval

 12 CHS-2223-09 Annual Accounts 202122.pdf (7 pages)

12.3. ARMC Annual Report

paper *Henry Robson*

For approval

 12 CHS-2223-10 ARMC Annual Report 2122.pdf (11 pages)

15:00 - 15:00
0 min

13. Remuneration & Appointment Committee

Jo Derrick

13.1. RAC Chair Update

Verbal *Jo Derrick*

To review the work of the RAC at its last meeting

13.2. RAC Annual Report

paper *Jo Derrick*


For approval

 13 CHS-2223-11 RAC Annual Report.pdf (2 pages)

13.3. Review of Board Appraisal Process

paper *Jo Derrick*

For approval


 13 CHS-2223-12 Board Member appraisal policy draft.pdf (12 pages)


15:00 - 15:00
0 min


14. Influencing Strategy and Stakeholder Mapping

paper *Stephen Bermingham*

For consideration and discussion

 14 CHS-2223-13 Influencing Strategy 070622.pdf (7 pages)

 14 CHS-2223-13a CHS Board Paper Policy Landscape May 2022.pdf (5 pages)

 14 CHS-2223-13b External Meetings Final 080622.pdf (5 pages)

15:00 - 15:00
0 min

15. Board Improvement plan 22/23

paper *Katharina Kasper*

For consideration and approval

 15 CHS-2223-14 Board effectiveness improvement plan 2022.pdf (3 pages)

15:00 - 15:00
0 min

16. AOB

AGENDA

CHS BOARD MEETING

June 20th 2022

The Board will meet 15:00 – 17:00 at Thistle House

Item	Topic	Lead Person	Paper Number	Purpose
1	Declarations of interests	Chair	Verbal	To consider any declarations of interests with regard to agenda items
2	Minutes of previous meeting	Chair	CHS-2223-01	To approve the minutes of the previous meeting on 29 th March 2022
3	Matters arising	Chair	Verbal	Seek assurance that actions from the previous meeting have been progressed
4	Action log	Chair	CHS-2223-02	To monitor progress against actions due and agree action where required
5	Chair update	Chair	Verbal	For information and discussion
6	National Convener/ CEO update	EJ	CHS-2223-03	For consideration and discussion
7	Hearing System Working Group Update	CW	CHS-2223-04	For consideration and discussion
8	2022/23 Capital & revenue financial forecast	EM/LH	CHS-2223-05	To approve
9	Q1 Performance Report	MB	CHS-2223-06	To approve
10	Panel Member Recruitment 2022 evaluation	CM	CHS-2223-07	For information and discussion
11	Participation Strategy and Plan	CM	CHS-2223-08	To approve
12	Audit & Risk Management Committee: ARMC Chair Update <ul style="list-style-type: none"> • Risk Management Policy • Internal Audit Report 21/22 • Business Continuity Policy Annual Accounts ARMC Annual Report	HR	Verbal CHS-2223-09 CHS-2223-10	To approve

13	Remuneration & Appointment Committee: RAC Chair Update RAC Annual Report Review of Board Appraisal process	JD	Verbal CHS-2223-11 CHS-2223-12	To approve
14	Influencing strategy and stakeholder mapping	SB	CHS-2223-13	For consideration and discussion
15	Board Improvement plan 22/23	KK	CHS-2223-14	For consideration and approval
16	AOB			

Next meeting: September 20th 2022

Next Meeting Key Topics:

1. Financial Forecast Outturn
2. 5 Year Financial Plan
3. Q2 Performance Report
4. Annual Report
5. Annual Accounts
6. CHSLA Prospectus
7. Impact Report
8. Feedback Loop
9. Annual Review of Appeals

Minutes of the Board Meeting of 29th March 2022

The meeting started at 13:00 at the Radisson Blu, Edinburgh

Present:

Garry Coutts (GC)	Chair
Sean Austin (SA)	Board Member
Henry Robson (HR)	ARMC Chair/Board Member
Katie Docherty	Board Member
Beth-Anne Logan	Board Member
Barbara Neil	Board Member
Jo Derrick (JD)	RAC Chair/Board Member

Also present:

Elliot Jackson (EJ)	National Convener/Chief Executive (NC/CEO), CHS
Lynne Harrison	Head of Strategy/development & DCEO, CHS
Carol Wassell (CW)	Head of Area Support & Community Improvement, CHS
Christine Mullen (CM)	Head of Learning, CHS
Stephen Bermingham (SB)	Head of Practice and Policy, CHS
Ed Morrison (EM)	Director of Finance, CHS (SCRA shared services) (virtual attendance)
Rachel Kavish Wheatley (RW)	Business Operations and Governance Lead, (minute taker), CHS
Michael Beardmore	Quality and Performance Lead CHS (agenda items 9, 11, & 12) (virtual attendance)
Ross Mackenzie	Finance Manager, CHS (SCRA shared services) (agenda items 8 & 10) (virtual attendance)

Apologies:

Nick Rougvie	Head of Children’s Hearings Team Scottish Government
--------------	------------------------------------------------------

Items	Actions / owner	Time-scales
1 Declaration of interests		
The Chair welcomed everyone to the meeting and presented the apologies as above		
2 Minutes of previous meeting		
The Board agreed to approve the minutes of its meeting on 25 th January 2022		
3 Matters arising		
There were no matters arising to note		

4	Action log				
<p>The Chair confirmed that all items were on the Agenda for discussion;</p> <p>The Chair noted that some items on the action log have had their timelines moved or are past due. The Chair suggested the following adjustments:</p> <ul style="list-style-type: none"> • Action 3 – review of Board appraisal process – move deadline to June to be reviewed at the next meeting of the Remuneration and Appointments Committee. • Action 8 – Role of the ASIP – the Chair agree this action has been superseded however it was noted that ASIP colleagues represent a substantial resource investment and the Board would like to see an updated report on their areas of focus to date • Action 13 – PPA Observation – responsibility for this action will move to CW from CM <p>Board decision:</p> <ol style="list-style-type: none"> 1. To update the action log as above 2. To bring to the Board An ASIP update report 				CW	June 22'
5	Chair update				
<p>The Chair updated the Board on the following;</p> <ul style="list-style-type: none"> • The Chair updated the Board that a new Chair has been selected and is in the process of being confirmed and on-boarded. A public announcement should be forthcoming. <p>Board decision:</p> <ol style="list-style-type: none"> 1. To Note the update from the Chair. 					
6	National Convener/Chief Executive update				
<p>The NC/CEO spoke to the paper shared;</p> <p>Recruitment</p> <ul style="list-style-type: none"> • We received over 1000 applications during our recruitment campaign. AST's were pleased with the result and the quality of the applicants. • Today as NC, will be signing off 550 new trainees who will go into pre-service training at the end of April. <p>Partnership work</p> <ul style="list-style-type: none"> • There is much work going on with the Scottish Government and across the children's services sector to remove the need for young people under the age of 18 to be incarcerated in Young Offenders Institutions (YOI). 					

	<ul style="list-style-type: none"> • The NC Will be attending a meeting with the Governor of HMP YOI Polmont in April to discuss how CHS can work with young people on remand to seek their views on reform of Children’s Hearings. • Ahead of this meeting, the NC engaged in a conversation with the Governor about the current situation at Polmont and the 20 young people still remanded there, and the delays which have impacted them due to Covid. • The Governor was confident that the young people would be happy to engage with us on the hearing redesign work, as well as other young offenders at Polmont. <p>Farewell to the Chair</p> <ul style="list-style-type: none"> • On behalf of the national Team, SMT, and Scottish Government, we are passing on our warm wishes, thanks and recognition to Garry Coutts for his work in service to the Children’s Hearing System. <p>Board decision:</p> <ol style="list-style-type: none"> 1. The Board noted the update. 		
<p>7</p>	<p>Promise Programme Update</p>		
	<p>CW spoke to the paper shared;</p> <p>External partnership work</p> <ul style="list-style-type: none"> • B-AL and CW have been attending Hearing System Working Group (HSWG) and other partnership meetings. It was felt by both that movement and progress within the HSWG can be seen and felt. There is a solid strategic plan in place for the year and work is ongoing at pace. • Meetings planned with the Promise Scotland, SCRA, and CHS programme managers to sequence and define the project work structures. • On behalf of CHS, we have been clear that we want to be equal partners in all stakeholder work. • With regards to the planned consultation piece, we have advised that a wider range of organisations should be considered, such as kinship and foster carers. • Within the HSWG, the redesign piece is being led by the Office of Chief Designer, project managed by Christine Spicer of the Promise, and sponsored by Fiona McFarlane. We are trusting the process and being rigorous about planning and our contribution. • Scottish Government are releasing their route map this week, which will include the Promise, and will give us some more direction and understanding of key commitments. <p>Internal work</p> <ul style="list-style-type: none"> • We are publishing a tender today to engage a consultant on our engagement work with our community of 3000 volunteers. There are 3 main areas within which we will be seeking our volunteer communities views: <ul style="list-style-type: none"> ➤ What should the structure of Hearing System look like; 		

<ul style="list-style-type: none"> ➤ What should the role of the tribunal member be within the Hearing System, and what structures need to be in place; and ➤ What are the outcomes we wish to see for children as linked to the 5 sections of the HSWG issues list. <ul style="list-style-type: none"> • CW has been working with AST’s to raise awareness of the Promise and CHS’ work to deliver it. • There is a rolling programme till the end of April that sees CW meeting with all 22 AST’s to present and discuss what the Promise means for CHS and what the future may hold. • EJ & CW have, where possible, been visiting AST’s in person and pushing the message of the Promise and work to come. <p>Board discussion:</p> <ul style="list-style-type: none"> • The Board asked for more details on what the engagement with Panel members will look like and if Board members can take part and engage with AST members. • CW informed the Board that there will be a wide range of activities such as: <ul style="list-style-type: none"> ➤ A dedicated Teams channel; ➤ Surveys and questionnaires; ➤ Cafes and workshops. <p>CHS is being clear that every volunteer will be given the opportunity to engage if they chose to do so and in a way that suits them. The tender for the engagement work includes the requirement for a variety of engagement types and venues. We will also look to set up a Reference group after the large scale engagement which we can take forward and consult with quickly as needed. The Board will also have the opportunity to engage.</p> <ul style="list-style-type: none"> • The Board looked for assurance that people with lived experience are being included and if CHS have invited ex-Board members from Our Hearings Our Voice (OHOV) as agreed? CM confirmed that this has been done but we have not had any ex-members of OHOV come forward, this will be followed up again via Jennifer Smith, CHS Children’s Rights and Inclusion Coordinator. In terms of including those with lived experience in consultation, the Board are clear their voice must be included. The Board noted the difficulties that could be faced finding individuals to engage and encouraged looking at remunerated sessions or posts if that would support engagement. • The Board noted that there may be a wide range of views from the CHS community, including some who may not see re-design opportunities positively and encouraged the engagement piece to make every effort to capture all views and utilise the successful contract to support this effectively. • It was noted that the bulk of the consultation and influencing work will run from now until the end of December, at which point Sheriff Mackie will be working on his recommendations and report. After the report is published, CHS will likely become an implementation body for delivery. • It was noted that the re-design process should focus on what outcomes any re-design should be expected to deliver, to ensure the correct focus of activity. The Board commented that the paper identifies working within a 		
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--

	<p>Quality Assurance (QA) model but cautioned the need to be careful that we don't design the QA model before we design the Hearing System.</p> <ul style="list-style-type: none"> The Board recognised the complexity of re-design and asked that future reports try to bring the strands of work together and also requested that future reports also, where possible, capture partner organisations' work and how it aligns with CHS Promise re-design to enable them to have assurance over direction of travel . <p>Board decision:</p> <ol style="list-style-type: none"> The Board agreed the update. The Board agreed the programme of work as detailed in the paper. Future reports to link work streams and include updates on partner organisations activity (where possible) and to set time aside at a Development session totake an overview of CHS work and its relation to other partners and stakeholders work streams. 	EJ	Aug 22'
8	2021/22 Financial Forecast Outturn		
	<p>LH spoke to the paper shared;</p> <ul style="list-style-type: none"> 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. Given CHS's projected capital requirements and revenue underspend, SG has transferred £0.133m of revenue GiA to capital GiA and limited the in-year pressure to £0.133m. This brings CHS's total revenue GiA for 2021/22 to £4.629m and capital GiA to £0.286m. The forecast underspend, principally arising from in-year non-recurring savings, effectively retains CHS's 20/21 carry forward reserves at £250k. There is still some risk that travel and subsistence, consultancy, and particularly volunteer expenses may underspend further than the current forecast levels. We anticipate a further uplift to PM/AST expenses due to late invoicing/claiming. <p>Board discussion:</p> <ul style="list-style-type: none"> The Board commented that the YTD figures could better express accrued end of year commitments through the year to enable a more focussed forecast. The Board asked about the planned events, which were linked to Promise work. These have been impacted by Covid preventing face to face interaction and this is why they have not taken place, however virtual engagements have been undertaken where possible. The Board noted that due to the impact of the pandemic, CHS has delivered an underspend for a couple of years. The executive were encouraged to look at scope to be more radical with underspend and consider consultation work 		

	<p>that could be done over a period of time, particularly on participation with those with lived experience and young people. CM noted that Jennifer Smith is working on developing a 7 levels of participation plan which will come to SMT for review. Within this plan she is developing a standard of how we remunerate those who do participate at the various levels.</p> <p>Board decision:</p> <ol style="list-style-type: none"> 1. The Board approved the outturn report. 2. Look to articulate/profile accruals within the YTD forecast. This should be shared with HR and SA and approved via ARMC. 3. Bring the 7 levels of participation paper to the RAC and Board for approval in June with draft to be shared with JD and B-AL to feedback on content and remuneration plans. 	<p>LH/RM</p> <p>CM</p>	<p>Aug 22'</p> <p>May/June 22'</p>
<p>9</p>	<p>Business Corporate Parenting Plan 2022-2023</p>		
	<p>MB spoke to the paper shared;</p> <ul style="list-style-type: none"> • The Plan captures our 4 strategic themes. • DRAFTs have been shared with the Board and SG offline and comments received inform the version submitted for approval. • Last year, we included a 1 page summary of some of our activities, but this year we are co-producing an animation with young people with lived experience, focussed against the activities they identify as being important to them. • It is proposed that the current strategic planning cycle is extended by 1 year to include 23/24 to enable hearings system re-design project recommendations to be available and inform the next strategic planning cycle. <p>Board discussion:</p> <ul style="list-style-type: none"> • The Board were very complimentary of the work, in particular the work carried out by the Participation Group on the animation. • The Chair noted that the business plan activity feels like a stretch but they should do, we do not want to be comfortable. • The Board sought assurance regarding the resource planning for delivery. LH spoke to this concern and the challenge and review process which took place with business area owners. SMT have challenged their teams following using the MoSCoW analysis tool to ensure that the plans match the resources available. What is not seen within this plan is the full planning piece that pulls all work streams together in a wave plan. SMT have taken a robust view and are confident that we can deliver this plan as is, with the understanding that given the current climate things can change and priorities shift. • The Board were pleased to see the links to the 40 Quacks and Calls to Action, as well as the national performance framework; important work to see embedded in the report. • The Board were pleased to see strategic KPI's under the themes and noted that they understand NDPB requirements for the more operational KPI's and would like to see a greater focus on outcomes for children and young people 		

	<p>in future KPI's . The Board recognised such KPI's can be more difficult to measure and encouraged this to be considered for future business planning.</p> <p>Board decision:</p> <ol style="list-style-type: none"> 1. The Board approved the business plan for submission to the Minister for approval. 2. The Board approved the extension of a year to the business planning cycle in order to allow for any adjustments from the Promise. 3. To recognise the work that MB has done to pull the plan together and make it engaging and a living meaningful document. 4. To share with the Board the timeline planner for the organisation that ties into the business plan and provides resource assurance. 5. To review and improve KPI's and reporting for future business planning. 6. The board noted the exceptionally low absence rate among the staff during the pandemic and want to send their appreciation to the team. 	<p>MB</p> <p>MB</p>	<p>Apr 22'</p> <p>Mar 23'</p>
<p>10</p>	<p>CHS 2022-23 Budget Approval</p>		
	<p>LH spoke to the paper shared;</p> <ul style="list-style-type: none"> • The revenue resource requirement for 2022/23, as identified in the 5 year plan, was £5,764k revenue and £450k capital. • SG has indicated that due to wider budget pressures CHS should budget based on flat GiA settlement in 2022/23 of £4,629k and capital of £400k resulting in an in year pressure of £1,135k revenue and £50k capital. • In preparing the budget for 2022/23 CHS is working with a budget gap comprising: £4,629k GIA; £250k reserves; a £500k in year pressure and £400k capital. For context and reassurance, CHS has carried a £500k in year pressure since 2020 which has been consistently met through SG support and rigorous budget management. • For approval we are proposing an initial resource envelope of £5,379k revenue and £400k capital. • It should be noted that in order to meet this initial revised budget envelope considerable challenge and review has been undertaken resulting in a focus on delivering CHS' statutory responsibilities, and which may limit CHS' potential for digital development or significant development and delivery of Promise related activity in 2022/23, and this has been made clear to the Sponsor team. • We have had assurances from our Sponsor Team that while the published figures are less than required, they will support us to deliver on our objectives. This is not unlike past years where published figures have not met expectations and regular conversation with the Sponsor Team and SG have been had to use in year savings in the first instance with flexibility to request additional funds should they be required. • The Grant in Aid letter has been received with assurance from the Sponsor Team they will support us to work together fill gaps and acknowledge the underfund. We will not know the final position until the spring budget revisions which brings some risk, but we are assured by the good relationship and dialogue with the Sponsor Team. 		

	<ul style="list-style-type: none"> In May, we will receive the SG report on resource spending allocation, which is SG's own 5 year forecasting, and in which they will use our own 5 year financial plan requirements. <p>Board discussion:</p> <ul style="list-style-type: none"> The Board were reminded that CHS will not be receiving any support for digital projects going forward, as we have done until now, and these are now our own costs to bear. The Board acknowledged the uncomfortable budget position but welcomed the commitment from the Sponsor Team to work with CHS to address this in year. <p>Board decision:</p> <ol style="list-style-type: none"> The Board approved the 22/23 Budget. 		
11	Q4 Performance Report		
	<p>MB spoke to the paper shared;</p> <ul style="list-style-type: none"> Q4 largely focussed organisational resource on recruitment and hearings system working group activity. Noted in the cover note that a few objectives that have been marked 'amber' to denote that we've progressed towards the objective, but perhaps not in line with the originally intended milestones. This Q4 report will now form the basis of the performance section of the annual report. <p>Discussion</p> <ul style="list-style-type: none"> The Board noted the report. The Board welcomed CHS setting stretching objectives and understood this may mean that not all may be met in year. <p>Board decision:</p> <ol style="list-style-type: none"> The Board approved the report. 		
12	Feedback Loop		
	<p>MB spoke to the paper shared;</p> <ul style="list-style-type: none"> This version of the report, of which the Board have previously seen a couple of iterations, is designed to meet the requirement of the legislation around the National Convener's duty to produce an implementation report while signalling our desire to produce something systematic which is more meaningful and useful. As noted in the cover note, the intention is to distribute to panel members as part of the practice briefing about enforcement of CSO's and build on the messaging that PMs can report to the NC about CSO's. We are seeking approval from the Board to progress this report to publication and laying before Scottish Parliament. 		

	<p>Discussion</p> <ul style="list-style-type: none"> The Board looked for assurance that there will be training for PM’s for CSO’s and that the feedback loop is not the only place this is being communicated and shared. CM noted that training is covered in pre-service and there is currently work ongoing to explore how to strengthen this training in other ways. <p>Board decision:</p> <ol style="list-style-type: none"> The Board approved the report and its laying before Parliament. The Board approved the report being shared with the panel community and its publication. 		
<p>13</p>	<p>AST Operations Policies - Resignation Policy Revision</p>		
	<p>CM spoke to the paper shared;</p> <ul style="list-style-type: none"> CHS’ Core Policies for the Operation for the Children’s Hearings system have been in place since 2013. CHS now has a digital system which supports administration of recruitment, reappointment, resignations etc. and generates management information. Chapter 7 (Resignations, moving area and removal from the Children’s Panel) Section 2 of the Core Policy suite has now been updated to reflect changes in the ways in which Panel Members Resignations can be managed and to provide clarity to Panel and Area Support Team Member on steps to be taken in the event of resignation. It also references the pathway for any return to Panel Membership following resignation. The wording has been reviewed by legal advisors to ensure fairness and consistency. <p>Board discussion:</p> <ul style="list-style-type: none"> The Board were content with the revisions as presented. <p>Board decision:</p> <ol style="list-style-type: none"> The Board approved the amendments and revisions to the policy. 		
<p>14</p>	<p>Pre-service 2022 Training Report</p>		
	<p>CM spoke to the paper shared;</p> <ul style="list-style-type: none"> After a successful recruitment campaign, CHS will be appointing 550 trainees for pre-service. Lessons learned from last year’s pre-service training have been pulled through to this year’s course design and delivery. To note: <ul style="list-style-type: none"> ➤ Keeping the gains of virtual training; ➤ Ensuring more sensitive subjects are trained in person; ➤ In person additional support to those who need it; ➤ Incremental improvements to training around the 40 calls, the Promise, OHOV, CSO’s, etc.; and 		

	<ul style="list-style-type: none"> ➤ Enhancement and additional input from experts on neurodiversity, trauma and domestic abuse sections of pre-service training. • The recently launched CHS participation standards will be embedded in Pre-service training and we are working with people with lived experience as well as Who Cares? Scotland to ensure our content and delivery is informed by and responsive to voice. <p>Board discussion:</p> <ul style="list-style-type: none"> • The Board asked about a new KPI around PM’s being aware of children’s rights and what the measures against that were. CM clarified it includes child development, rights learning, Children’s Scotland Act, inclusion model, etc. <p>Board decision:</p> <ol style="list-style-type: none"> 1. The Board approved the report. 		
15	Gender Mixed Panels		
	<p>SB spoke to the paper shared;</p> <ul style="list-style-type: none"> • CHS has for some time requested legislative change to remove the absolute requirement of gender mixed panel members based on operational consequences, equalities compliance, and feedback from our AST’s. • Between May 2020 and September 2021 the provisions in the Coronavirus (Scotland) Act 2020 removed the absolute legal requirement for a gender mixed panel and inserted “so far as practical”. During this period the amendment was used 415 times, that is 415 hearings that would have been deferred due to the gender balance of the available panel members. • Following discussions with the Sponsor Team CHS put forward a case to include a legislative amendment to the Children’s Hearing Act 2011 in the Coronavirus (Recovery and Reform) Bill 2022 to remove the requirement for gender mixed panels. • The Scottish Government Sponsor Team responded positively and have agreed to put forward the case to amend section 6(3)(a) of the Children’s Hearings (Scotland) Act 2011 to insert the words “so far as practical” in the Coronavirus (Recovery and Reform) (Scotland) Bill. • The Bill is at Stage One and subject to stage one scrutiny then at stage two parliamentary scrutiny, consultation, impact assessments and parliamentary approval. If the proposal passes these hurdles and is approved by parliament it is anticipated that the Bill will become an Act (therefore operational) in September 2022. • We are seeking Board approval to pursue a case to amend the legislation in the Coronavirus (Recovery and Reform) (Scotland) Bill 2022, and/or any other legislative vehicle. <p>Board discussion:</p> <ul style="list-style-type: none"> • The Board were in support of the amendment but looked for assurance that CHS would continue to pursue a panel body that is as mixed as possible. Looking at this from an equalities perspective is important. SB assured the 		

	<p>Board that it would remain the National Conveners position that panels should be mixed but when this is not practical, or a hearing would be differed, that we would continue a hearing without the gender split.</p> <ul style="list-style-type: none"> • The Board noted that future panels should represent the needs of the child/young person when taking into account the gender mix. Hearings and panel members should suit the needs of the child rather than the government requirement. • The Board are keen to better understand the diversity of panels and all their characteristics including care experience and asked if this could be reported more regularly. <p>Board decision:</p> <ol style="list-style-type: none"> 1. The Board approved the report taking into account the Board caveats around continuing to ensure diversity in panels. 2. The Executive to explore what type of diversity data can be extracted in relation to panel composition and to provide this as a quarterly report on panel characteristics, ideally including lived experience. 	EJ	August 22'
16	Alternatives to Children Appearing in Adult Courts		
	<p>SB spoke to the paper shared;</p> <ul style="list-style-type: none"> • SB highlighted the paper included in the report by Fiona Dyer illustrating the direction of travel in relation to children that come into conflict with the law. • The Children’s Care and Justice Bill will be the vehicle to bring this change and the impact on Children’s Hearings operationally will be significant, particularly the inclusion of 16/17 year olds into the system. • Broadly, the objective is to keep children out of the criminal justice system, an emphasis on victims of crimes, therapeutic secure care, and a significant transfer of powers to the Children’s Hearing system from the criminal justice system, though this is quite granular. This is the most significant change to the Children’s Hearing system since 2011 and will require significant resource, we will need to scrutinise the Memorandum of Understanding (MOU) which will come out of this in relation to finance. • A Project Initiation Document (PID) has been developed for SMT approval to cover CHS’ work around this, and project team will be put in place shortly. <p>Board discussion:</p> <ul style="list-style-type: none"> • The Board acknowledged it is an interesting report but at a very early stage in Bill development. • Many of the positive areas of the Hearing System are being overlaid in this work. While it in very early stages It gives a helpful overview of the direction of travel. Our part will be the transitions. • There will be a lot of work coming for our PM community in terms of 16/17 year olds coming into the system and the preparation and training that will be required. 		

	<ul style="list-style-type: none"> A consultation response will be needed from CHS as an organisation before the next Board meeting, a draft response should be sent to Board members for input. <p>Board decision:</p> <ol style="list-style-type: none"> The Board noted the report and its content. For the CHS consultation response to be shared with the Board for input ahead of submission. 	<p>SB</p>	<p>May 22'</p>
<p>17</p>	<p>Audit and Risk Management Committee (ARMC)</p>		
	<p>HR updated the Board on the following; All papers under this agenda heading have been scrutinised by the Committee. All changes/amendments have been highlighted in the covering papers.</p> <p><u>Financial Regulations</u></p> <p>Board decision:</p> <ol style="list-style-type: none"> The Board approved the report. <p><u>ARMC Accounting Policies</u></p> <p>Board decision:</p> <ol style="list-style-type: none"> The Board approved the report. <p><u>ARMC ToR & re-appointment (BN due reappointment in May)</u></p> <p>Board decision:</p> <ol style="list-style-type: none"> The Board approved the report. The Board agreed to re-appointed Barbara Neil to the Audit and Risk Committee for a further 3 years. 		
<p>18</p>	<p>Remuneration and Appointment Committee (RAC)</p>		
	<p>JD updated the Board on the following; All papers under this agenda heading have been scrutinised by the Committee. All changes/amendments have been highlighted in the covering papers.</p> <p><u>Gender Pay Report</u> Is a factual report that needs to be published by the end of this month. Recognition that there has been an increase to the number of males at CHS.</p> <p>Board decision:</p> <ul style="list-style-type: none"> The Board approved the report for publication. 		

	<p><u>RAC ToR</u></p> <p>Board decision: 1. The Board approved the RAC ToR for 2022.</p> <p><u>Equalities Outcome Reporting</u> Board are asked to approve the report for publication noting the work that has gone into producing it and compiling the data. RAC was assured that where CHS can include diversity, inclusion, and voice of lived experience it has done so.</p> <p>Board discussion:</p> <ul style="list-style-type: none"> The Board noted that less than 10% of all applicants to CHS identify as disabled. The Board looked for assurance that there were actions in place to improve this. CM noted that the Diversity and Inclusion Strategy, as well as the People Strategy are looking to address this by joining the Disability Confident employer scheme and imbedding best practices. <p>Board decision:</p> <ul style="list-style-type: none"> The Board approved the report. For RAC address how CHS can attract and support those with disabilities to apply for positions with CHS. 	<p>JO'L</p>	<p>Nov 22'</p>
<p>19</p>	<p>Board & Sub-committee self-assessment review</p>		
	<p>GC spoke to the assessments shared;</p> <ul style="list-style-type: none"> The Chair noted that Self assessment excersises are useful but questioned the usefulness of the quanitative approach currently being used, which is based on public sector wide tools. The comments added in the free text boxes were far more helpful than the tick box agree/disagree questions. The Chair suggesedt the Board look to re-fresh again with improved question sets that gather more in depth information to feed into an improvement plan. The Chair noted that It is imperative that we have an acton plan based on the information gathered. As outgoing Chair, proposed sending the Board headings for concideration in an improvement plan and once accepted, we can pull into an agreed action plan. <p>Board decision:</p> <ol style="list-style-type: none"> To circulate to the Board headline areas for improvement for the Board ratification. To pull the agreed areas into an improvement action plan for the Board to agree for 22/23. 	<p>GC</p> <p>RKW</p>	<p>April 22'</p> <p>June 22'</p>
<p>20</p>	<p>Discussion on the feedback list from the Joint Board</p>		
	<p>GC spoke to the assessments shared;</p>		

	<ul style="list-style-type: none"> The joint meeting was a useful space to share reflections and concerns. Would like to open discussion to the Board to feedback on the meeting and what should be brought forward for the next joint meeting. <p>Board discussion:</p> <ul style="list-style-type: none"> The Board noted it was a helpful meeting and noted it would be useful if both Boards had more space to think collectively. It may be more useful to us if we had more regular meetings. While the Board is confident in the work of CHS, it is part of a bigger picture and is keen to understand how the Board could be assured of partner organisations' activity and thinking. The Board felt it would be useful for both Boards to look at the HSWG PID and its planned delivery. It would be beneficial to explore if the next meeting could take place face to face to support relationship building. <p>Board decision:</p> <ul style="list-style-type: none"> To arrange a meeting for CW, EJ, & B-AL to meet with the new CHS Chair to agree the next agenda details for the joint Board session. To propose an additional meeting ahead of the planned October meeting for the Joint Boards to meet for relationship building and to review the HSWG PID. To set up a meeting as part of induction for the new Chair, for CW and B-AL to meet and provide context and information on the HSWG/Joint Board meetings/PID/etc,. 	<p>RKW</p> <p>RKW</p> <p>RKW</p>	<p>May 22'</p> <p>April 22'</p> <p>May 22'</p>
<p>21</p>	<p>AOB</p>		
	<ul style="list-style-type: none"> For the Board to identify a key Board member to build a relationship with OHOV <ul style="list-style-type: none"> ➤ The Board nominated B-AL. For HR to step down as Chair of ARMC in Autumn 2022 and for SA to take the role of ARMC Chair. 		

Children's Hearings Scotland Board Action Log
Updated June 2022

No.	Action(s)	Source	Target date	Owner	Status
1.	Board members to identify the areas they would like to create space for development.	Nov 21	Jan 22 Ongoing	Board	Ongoing
2.	For the Board to receive regular updates on the Promise programme work within CHS as well as that of the HSWG and other partners to provide assurance on progress.	Jan 22	Ongoing	CW	Standing agenda item
3.	Review the Board appraisal process with RAC.	Jan 21	March 22 June 22	JD	On agenda
4.	Ensure future CSAS developments include the recording of CYP participation numbers in hearings.	Sept 21	March 22 Ongoing	LH	Ongoing – Board developing required data set for assurance reporting
5.	Develop a data set for the Board for regular reporting – Board to determine what data it requires.	November 21	March 22	GC	In development – Session scheduled 28/06/22
6.	To compile and compare data around the percentage of observations across ASTs that give cause for concern to PPA's and which lead to recommendations	Jan 2020	Dec 21 April 22	CW	Impacted by Covid – deadline moved
7.	Include a timeline in the Legislative Landscape paper of when these policies and changes will come into play for CHS.	Nov 21	April 22	SB	On agenda
8.	To arrange a meeting for CW, EJ, & B-AL to meet with the new CHS Chair to agree the next agenda details for the joint Board session.	March 22	May 22	EJ	In progress pending date for additional meeting
9.	To propose an additional meeting ahead of the planned October meeting for the Joint Boards to meet for relationship building and to review the HSWG PID.	March 22	May 22	EJ	Complete – proposed dates to be shared
10.	To create an action plan based on the recommendations from GC on Board improvements.	March 22	June 22	RKW	On agenda

11.	To bring to the Board for sign off a report on the purposes for which the ASIP's were originally recruited, how they are being utilised now, and planning for the future of the role.	March 22'	June 22'	CW	Complete – paper was submitted in Nov 21'
12.	Based on the Legislative Landscape paper, create an influencing Strategy including stakeholder map identifying area of overlap and circles of influence.	Nov 21	June 22	SB	On agenda
13.	To carry out a development session around Independent Report Writers and their function for the Board for further understanding	June 21	Jan 22 June 22	SB	Propose this is covered in a monthly Board Focus Session
14.	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	Take forward into 22/23 – full implementation of RAVHI prior to evaluation
15.	To hold a workshop for Board members around the function and background of OHOV, what our asks of them might be, and how we ensure we are getting relevant voice input into all of our development work'.	Jan 22	June 22	LH	Propose this is covered in a monthly Board Focus Session
16.	To provide a narrative to the Board for understanding of the Pensions discretion policy.	Jan 22	June 22	LH	On agenda – finance paper
17.	Bring the 7 levels of participation paper to the RAC and Board for approval in June with draft to be shared with JD and B-AL to feedback on content and remuneration plans.	March 22	June 22	CM	On agenda
18.	To extend Social Media training to Board members.	Jan 22	Aug 22	LF	On development agenda
19.	To have a paper brought to a development session of the Board linking partner work streams and the current landscape to the work of CHS creating an overview of CHS work and its relation to other partner and stakeholders work streams.	March 22	Aug 22	EJ	Not Yet Due
20.	For the Executive to explore what type of diversity data can be extracted in relation to panel composition and to provide this as a quarterly report on panel characteristics, ideally including lived experience.	March 22	Aug 22	EJ	Not Yet Due
21.	To put in a KPI development process with the Board for more robust KPI development for the business plan going forward.	March 22	March 23	MB	Not Yet Due

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



Agenda Item 6
CHS-2223-03

National Convener / Chief Executive Update

1. Introduction

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

2. Appointment of the New CHS Chair

- 2.1 Katharina Kasper was appointed to the role of Chair of Children’s Hearings Scotland on 7 April 2022. Since then, she has participated in a detailed induction programme that has included meetings with existing Board members; staff at CHS; Area Conveners; the Scottish Government; Claire Haughey MSP, Minister for Children and Young People; SCRA; and The Promise Scotland. She has also attended all four days of Panel Member pre-service training.
- 2.2 Plans for the next few weeks include attending a range of Hearings observations; Panel Member recognition events as well as connecting with the Children and Young People’s Commissioner for Scotland and the Children and Young People’s Centre for Justice.

3. Capacity

- 3.1 Across the country, organisations that rely on volunteers are experiencing difficulty with recruitment and retention. CHS are no different. We currently have between 10 and 15% less panel members than our lowest numbers pre pandemic despite two successful recruitment campaigns. Capacity issues are further compounded with less children being considered in each hearing session to allow for more time and greater quality. This is likely to remain our way of working. Our priority is to ensure we have enough panel members to convene all the hearings that are required for our infants, children and young people and that they have the information they need to make robust decisions leading to better outcomes.

There are 3 ways we are managing the issue of capacity:

(1) Increase the number of panel members

- We are engaging with all panel members who have been on a leave of absence, or who have not been active, to encourage them to return;
- We are bringing forward the starting date for new trainees to begin their tenure, once appointed, earlier; and
- We are likely to run a dedicated panel member recruitment campaign in its pre-pandemic slot of September/October 2022 to bring more PMs into the system.

(2) Increase the 'ask' of those panel members who are already in the system

Culture and practice across the organisation of how many hearings a panel member is expected to sit on over a month differs widely, despite a policy position that there should be a commitment to two hearing sessions per month. The numbers of hearings PMs sit on varies widely from one session a month (for those PMs who are active monthly) to over an exceptional 20 hearing sessions by one male panel member. Area Conveners are reluctant to put pressure on PMs to do more than they are currently doing as they feel that individual decisions on capacity are legitimate and justified. We are pursuing the follow activity:

- We are offering additional Management of Hearing training to equip and encourage more panel members, who are eligible, to chair hearings;
- We are working with the Scottish Government on legislation to be introduced in November 2022 that allows for the convening of a hearing without a gender mix; and
- We have created a Teams channel specifically for rota managers to reach out nationally for panel members to sit on hearings from other areas when they can't find local capacity.

(3) Reduce the demand for panel members to sit on hearings

The wellbeing of children, and their access to the hearing system, is our priority and we treat it as a matter of principle that no hearing should be cancelled due to panel member capacity. Part of the current issue with capacity is that we have reduced the number of children who can be seen during a hearing session, thus requiring more sessions, which requires more panel members. There are things we can do to make the scheduling of hearings more streamlined however. More specifically:

- We have asked each AST to engage with SCRA to discuss the best use of the schedule to minimise hearings being scheduled then not used as there are no children's cases to discuss;
- We are also looking at removing hearings from quieter days when traditionally hearings are cancelled – Friday afternoon being a prime example; and
- We are looking at scheduling to consider more hearings in a session when it is likely that no substantive decision will be made, i.e., grounds hearings for young children could be held in one session at a reasonably high volume.

- 3.2 We are constantly scanning the data in respect of capacity to understand the impact of the interventions above. We are keen to see evidence of it being increased as a result of the actions we are taking. Since the above plan was implemented 4-weeks ago the data has not changed significantly, but we need more time to see the impact. The mitigation of on boarding trainees earlier, for instance, is still in train.
- 3.3 If we are unable to make enough improvement with the above strategy, one option could be the creation of a peripatetic team of National panel members who could be brought in at short notice where hearings are at risk of being cancelled. The trigger for instigating this would be a mix of numerical data – if PM capacity fell below 60% for a percentage of ASTs, for instance,

but also self-reporting on ability to fulfil the rota. This would need to be carefully managed to ensure that the PMs who were prepared to do this are able to commit a significant amount of time until there may be resolution through recruitment, and that we ensure there are no unintended consequences. The risks of this are low as all through the pandemic, most areas availed themselves of the capability of reaching into the 'National Panel' to fulfil the rota with colleagues in other areas.

4. **Pre-service training update**

- 4.1 Pre service training is well underway with trainees about to complete their last session before moving forward to be appointed as Panel Members. 2022 training has been a blend of face to face and virtual learning delivered by our CHS Learning Academy team supported by serving panel members as facilitators. There are 24 cohorts of trainees completing pre service across Scotland and the programme runs over four sessions – two face to face and two virtual. The face to face sessions are reserved for relationship building and the more sensitive topics covered in the curriculum. This approach builds on last year's fully virtual training and will as always be evaluated in detail.
- 4.2 The pre-service programme equips new Panel Members to carry out their role as tribunal decision makers as well as giving them firm grounding in a range of topics including: trauma, neurodiversity, child and young person development, support, and the importance of relationships. Their formal appointment as Panel members will take effect from 18 July 2022.

5. **Strategic Partnership Working**

- 5.1 My programme of engagement with senior leaders across the Scottish Government and the wider children and young people services sector is continuing. This quarter has seen me continue to participate and influence:
 - The Scottish Government Covid-19 Children and Families Collective Leadership Group on recovery and renewal;
 - The National Child Protection Leadership Group on new National Child Protection Guidance;
 - The Youth Justice Improvement Board on 16/17 Year olds in the Hearings system;
 - The Age of Criminal Responsibility Ministerial Advisory Group;
 - The Children's Hearings Improvement Partnership on improvement and alignment with The Promise 80 intentions and the 40 asks from the young person's group – Our, Hearings, Our Voice;
 - The Scottish Government over the consultation over the proposed Care and Justice Bill.
 - The Scottish Government's Ukraine Liaison group dedicated to ensuring safeguarding for children and young people is in place for those relocating to Scotland.
- 5.2 I updated the Board in my last report on the work going on with the Scottish Government and across the children's services sector to remove the need for young people under the age of 18 to be incarcerated in Young Offenders Institutions (YOI). Together with a couple of CHS colleagues, I met Gerry Michie, the Governor of Polmont Young Offenders Institution in April.

The purpose of the visit was to hear first-hand the therapeutic work that they were piloting. We also got the opportunity to discuss Hearings system reform with some of the young people. This was an excellent opportunity and we have already followed up by organising a dedicated redesign event for the young people in Polmont in conjunction with The Promise Scotland.

6. Digital

- 6.1 Following investment in development in 2021/22 a series of >30 CSAS digital improvements were launched into the live environment in May '22. CHS improvements covered the full range of CHS digital services and were identified through user feedback and learning following launch of the Minimum Viable Product. This was the first large scale release into live and progressed through the joint CHS/SCRA internal technical and business governance processes that have recently been established. Launch was delivered successfully. A further improvement release >25 further improvements is scheduled for June '22.
- 6.2 The CHS website has been improved to add a new public facing dedicated page focussed against promoting our CHS Promise Programme. The content will be updated bi-monthly and provide updates on progress, activity, and ideas.

7. Policy and Practice Environment

- 7.1 The policy landscape remains dynamic. The absolute requirement for mixed gender has been removed and replaced with “where practicable” in the Coronavirus (Recovery and Reform) (Scotland) Bill. This change has past stage two of the parliamentary process and will become law on the 1 November 2022. It will remain the National Conveners position to maintain diverse panels but will not be an absolute requirement. The SMT will review monthly reports on the number of times single gender panels have been convened.
- 7.2 CHS will respond to the Children’s Care and Justice Bill consultation. We gathered feedback from panel members and held a briefing with Board members. We maintain close working relationships with the Bill team to ensure that we can meet the requirements for an additional 3,200 – 4,200 hearings by 2024, to accommodate the raising age of referral for 16 and 17 year olds.
- 7.3 The Scottish Parliament have come up with a solution for the UNCRC Incorporation Bill through a Reconsideration Stage Amendment. The solution involves bringing its remit within the Competency of the Scottish Parliaments (devolved powers), in response to the Supreme Court ruling in April 2021.

8. Delivering the Promise

- 8.1 In addition to the separate report on the agenda on the work of the Hearings System Working Group, I wanted to update the Board on a piece of work CHS commissioned on the work of different Tribunals across the UK and internationally.
- 8.2 This report’s examination of the research, policy and landscape of the tribunal model in Scotland is intended to set out not only the ideology that has historically evolved to create the

hearings system we see today, but also to challenge some of the thinking in the context of a society very much changed since the inception of Kilbrandon 50 years ago. This report brings together previously published data from a range of sources and aims to provide a full picture of what we know now, as we look towards planned review and change of the current system in line with The Promise and CHS' overall commitment to put children and young people at the heart of what we do.

- 8.3 CHS as an organisation is committed to 5 fundamental values, and one of these is 'challenging.' This means constantly reviewing our work in line with what we need to deliver and using all the resources we can to help us improve where improvement is necessary. This report will be a vital resource which will inform several different areas of CHS work going forward, and also confirms the need for key CHS projects that are already underway. The report will be available to read in the coming weeks.

9. Observing Children's Hearings

- 9.1 As part of an ongoing programme of Hearings observations I, along with Senior Team colleagues, observed a range of virtual, hybrid, and face to face Hearings across Scotland during April 2022. The purpose of observing Hearings is to keep up to speed with current practice, consider the impact of the various modes of Hearing attendance, and consider what improvements could be made to help Panel Members following discussions with them.
- 9.2 Our immediate reflections centred upon the positive and engaging atmosphere that was created; the open and clear discussion points/questions; the evident team work between Panel Members; and the empathetic and non-judgemental way they remained steadfastly child centred throughout.

Elliot Jackson
National Convener and Chief Executive Officer
June 2022

Agenda Item 7
CHS-2223-04

Hearing System Working Group Update

Accountable Officer:	Head of Area Support and Community Improvement
Report author:	Carol Wassell
Recommendation:	To note the information
Resources implications:	
Equalities duties:	Equalities Impact Assessment Required
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

1. Background

1.1 The Hearing System Working Group (HSWG) has been meeting since October 2021 to reach agreement between partners about the shape of the transformation of the hearing system. CHS, SCRA, The Promise Scotland and Scottish Government are all standing members and the group is chaired by Sheriff David Mackie. We published the [HSWG Issues List](#) in February which put a frame around the routes of inquiry we would pursue to underpin with evidence those things that in the final analysis of redesign we will seek to change. The list covers 5 topics

- How we prevent the need for compulsory measures of supervision for children
- What things do we need to do to ensure children and carers have a good experience of hearings
- What happens after a hearing – how are decisions upheld and people held accountable
- What are the systems and processes we need to support the hearing system, and
- How does the hearing system support children to avoid inclusion in the criminal justice system

2. The Work

2.1 The outputs of the HSWG will be twofold:

2.2. Firstly a graphic will be produced to describe what the hearing system could look like by the end of November 2022.

A redesign project team has been created including CHS, SCRA, SG, and the Promise Scotland. Working with the Office of the Chief Designer (OCD) there have been a series of engagement events to seek the views of partners to the redesign. Using redesign principles, a series of stakeholder events have allowed for those who have experience of the system, receiving services and paid professionals, to contribute to what the roles of people could look like in a reimagined system to ensure seamless services that put the needs of children first. These sessions are due to finish in June.

2.3 [The Plan 2021-2024](#) gives CHS a clear mandate to collaboratively redesign the Children's Hearings System. David Mackie, Chair of the HSWG met with Board Members of Our

Hearings Our Voice (OHOV) at the start of the collaborative design work to capture their insight and hear first-hand the 40 calls to action and there will be on going engagement with them. Sessions are also being planned with the young people in Polmont Young Offenders Institute and also [The Voice and Inclusion Project \(VIP\)](#) from CELCIS. In addition to the involvement of voice directly in the redesign work, the coordinator of OHOV will be a member of the co-design project team 'Children and their Hearings' to ensure that the 40 calls of action are kept at the heart of design.

2.4 In addition we are creating 3 co-design teams that will meet fortnightly to work intensively with the OCD to flesh out the detail of a redesigned system. Composition of these groups is multi-agency and will focus on

- before a hearing – how do we ensure upstream support is effective and reduces the need for many children coming to a hearing,
- during the hearing – how do ensure participation and representation, robust decision making and evidence, and children and family friendly care and justice, and
- after the hearing – what powers of enforcement, accountability and review should be in place including consideration of who orders apply to

2.5 We have positioned three highly skilled members of CHS to facilitate the 'during a hearing' and 'after a hearing' co-design groups, and to sit on the 'before the hearing' group. This puts us in a strong position to influence and guide the process from a CHS perspective, within the context of the wider system.

Places are limited but we have secured places for 9 of our PM community (3 on each group) in addition to members for the national team. To do this we advertised for applicants to the whole CHS community, and in receiving 19 applicants, worked with two young people with lived experience, and other volunteers, to identify the best candidates.

2.6 Secondly, a report will be written by Sheriff Mackie and sent to government by April 2023 that sets out in detail the proposed changes to the hearing system. During November 2022 the HSWG will be meeting extensively to consider all of the work that has been completed with the support of the OCD. This work will form the basis of the documentary consideration that will be included in the HSWG report and presented to the government in April 2023.

3. Participation, Engagement and Consultation with the Volunteer Community

3.1 Key to a successful transition to a new cultural and operational model of the hearing system is ensuring our 3000 volunteers feel they have had the opportunity to have their views heard, and share their thoughts and ideas, about what a transformed hearing system might look like. To this end we have created a Project Team which includes members of the volunteer community and CHS staff. We have partnered with [The Lens](#) who will co create the programme of engagement along with the CHS Project team and deliver a series of events over a number of platforms to ensure that those volunteers who wish to engage will be able to do so. We are focusing our inquiry to the community on 3 areas:

- What should the role of the tribunal member be?
- What role should volunteering have in the system?
- Focus on the HSWG Issues List.

3.2 The responses to the engagement will be collated by the Lens and a feedback loop created to the 3 groups who will be working on the redesign of the hearing system with the OCD. We will manage expectations and ensure messaging to ease understanding that in analysing feedback from multiple sources there will need to be leadership decisions taken about what is taken forward and included in the redesign proposals.

3.3 Our Children's Rights and Inclusion Coordinator has brought together groups of people who have lived experience (experts by experience) of care. We have made contact with residential care providers (Kibble) & champions boards to establish a consultation network of experts by experience to support us. This is in addition to the Partnerships we have with OHOV and the VIP group at CELCIS. The support given to experts by experience to get involved in volunteer recruitment has resulted in two people being commissioned to assist in the appointment of volunteers to join the three Co-Design Groups facilitated by the OCD. It is hoped that we will be able to identify an expert by experience to join the project team for this work.

3.4 To support foundations of this work with our volunteer community a series of 22 engagement events across ASTs have been delivered or planned. These events have given the volunteer community the opportunity to access information about The Promise and what it may mean for CHS. Feedback from these events has overall been positive and the community are keen to be involved in reimagining a hearing system that puts children's voice at the centre.

3.5 A webinar was delivered with Sheriff Mackie, SCRA, CHS and the OCD via an open invitation across the sector and facilitated by the Promise, that was attended by just under 200 people. this was part of the overall strategy by the HSWG to ensure transparency in activity. A good attendance by CHS volunteers was evident.

4. Challenges

4.1 One of the most commonly reported concerns from the volunteer community amongst others is about financial resource to support change and the role other stakeholders have in driving change. CHS is part of wider system, for which we hold a specific role. The Plan 21-24 was the first of 3 plans that intend to sequence the from the stakeholders identified, one of whom is CHS. In addition the SG published its [Keeping The Promise Implementation Plan](#) that sets out its commitment across all its departments to keep the promise. Recognising we require change from other organisations to be able to deliver what we need, we are seeking to influence and drive that change were possible including legislative change. We will be looking for opportunities post April 2023 to ensure that at the point of coming to a hearings families have opportunities, choices, and they are well prepared and supported.

5. Recommendations

5.1 To note and approve the content of this report.

Agenda Item 8
CHS-2223-05

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 No

1 Background, summary and recommendation

- 1.1 The revenue grant in aid (GiA) allocation for CHS for 2021/22 was £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 (SG) approval to use a further £0.25m of reserves.
- 1.2 The published capital GiA allocation for CHS for 2021/22 is £0.4m.
- 1.3 CHS and Scottish Children’s Reporter Administration (SCRA) have agreed that all CSAS development spend will be billed by the developer to SCRA directly, including £0.25m of spend that relates to CHS services. Therefore £0.25m of capital GiA has been transferred to SCRA.
- 1.4 Given CHS’s projected capital requirements and revenue underspend, SG has transferred £0.133m of revenue GiA to capital GiA and limited the in-year pressure to £0.133m. This brings CHS’s total revenue GiA for 2021/22 to £4.629m and capital GiA to £0.283m.
- 1.5 The Board is asked to note the 2021/22 pre-audit outturn revenue underspend of £513k, effectively retaining prior reserves for use in alleviating 2022/23 pressures, and the pre-audit outturn capital overspend of £19k.

Finance Report as at 31 March 2021 (unaudited)

	Actual YTD Period 12	Variance YTD Period 12	2021/22 Annual Budget	2021/22 Forecast	2021/22 Forecast Variance	2021/22 Forecast Variance
	£000	£000	£000	£000	£000	%
Staff	2,222	-59	2,282	2,244	-38	-1.6
Board	69	+14	55	66	+11	+20.0
Training, travel and subsistence	75	+15	60	70	+10	+15.8
Property	120	-1	121	121	+0	+0.0
Other Operating Costs	56	+0	56	59	+3	+4.5
ICT Costs	431	-60	491	424	-67	-13.5
Corporate Costs	184	+28	155	216	+61	+39.2
Panel and AST Expenses	100	-364	464	118	-346	-74.5
Panel and AST Training	970	-79	1,049	944	-105	-10.0
Support for hearings	74	-103	177	69	-108	-61.0
Volunteer recruitment	222	+45	177	225	+48	+27.1
PVGs	46	+16	30	33	+3	+8.3
AST Devolved Funding	102	+36	66	94	+28	+42.4
Income	-55	-1	-54	-54	+0	+0.0
Total	4,616	-513	5,129	4,629	-500	-9.7

2 2021/22 Financial Outturn

- 2.1 The YTD Actual figures above exclude a number of costs reported within the statutory accounts:
- Depreciation of £296k, a non-cash cost that is not met from revenue grant in aid;
 - Capital digital spend of £216k, met from the transfer of grant in aid to SCRA rather than core grant in aid; and
 - £xk of IAS 19 costs, comprising £xk interest charges and £xk pension contribution charges. These are required to be accounted for within statutory accounts according to International Accounting Standard 19 but, as non-cash costs, are not reported within the management accounts above.
- 2.4 Corporate costs were £32k less than forecast and spend on Panel and AST £26k over forecast due to lens consultancy and trauma training being allocated to training budget vs corporate as originally forecast.
- 2.5 **Panel and AST expenses** are £18k lower than forecast due to lower face to face hearing activity in Q4 than projected.
- 2.6 Volunteer PVG costs are £13k higher than forecast due to the timing of PVG checks of some of the 2022 trainee intake.
- 2.7 Given the GIA adjustments mentioned in section 1, the provisional underspend above of £513k, principally arising from in-year non-recurring savings, effectively retains CHS's 20/21

carry forward reserves at £250k.

There remains a small risk that SG may explore underspends being handed back, or the underspend is revised in light of external audit. However, dialogue with SG is encouraging and ongoing that these reserves can be retained to alleviate 22/23 pressures.

3 2021/22 Capital Forecast

- 3.1 CHS's core capital spend is £302k, concluding the 2020/21 and 2021/22 devices rollout to volunteers and staff technology refresh. This is a modest £19k overspend manageable within the margins of existing resources.

CHS's digital programme capital spend is £216k, this has enabled the development of CHS Data infrastructure to enable Management Information reporting alongside >30 improvements to be developed and released to the CHS CSAS Digital platform to our volunteer focussed services including, Rota, Expenses, Observations, Recruitment and Volunteer Management, Complaints & Concerns and Learning and Development.

4 Pensions Discretion Policy

- 4.1 CHS is required to maintain a Pensions Discretions Policy. This outlines CHS's policy on a number of pension circumstances, including entering into Additional Pension Contribution (APC) contracts with staff members in LGPS, agreeing to early payment of retirement benefits, the circumstances leading to pension forfeiture and so on.
- 4.2 CHS's stance on all these positions is broadly one of allowing CHS to make exceptions in particular circumstances if they arise, but to generally limit CHS's exposure to risk and liability.
- 4.3 The policy is due for its biennial review in June 2022 by the Remunerations and Appointments Committee.

5 22/23 Capital Allocation

- 5.1 CHS's 2022/23 capital budget is £150k for devices and £250k for CSAS development.

Device costs will include provision of devices for 22/23 trainees anticipated in the region of £140k to supplement stock already available and approx. £10k for SCOTS refresh for staff devices.

£250k is allocated to Digital development. This will enable continued improvement of the CHS Rota function and infrastructure development to support flexibility of operation across ASTs and CHS future regional management ambitions

6 Conclusion

- 6.1 The Board is asked to note the 22/23 Capital spend allocation and the 2021/22 pre-audit outturn revenue underspend of £513k, effectively retaining prior reserves for use in alleviating 2022/23 pressures, and the pre-audit outturn capital overspend of £19k.

Agenda item 9
CHS-2223-06

Quarter 1 2022/3 Performance Report

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

Yes? No

1. Introduction:

1.1 This paper describes accompanies the Quarter 1 Performance Report, 2022-3.

1.2 The Performance Report is designed to allow the Board, on a quarterly basis, to monitor the delivery of the objectives in CHS’s Business Plan and scrutinise the overall performance of the organisation.

1.3 In-year changes to the objectives published in the Business Plan are managed and documented through the quarterly performance monitoring process. Specifically:

- In-year retiming of individual milestones are subject to decision by SMT.
- In-year retiming of objectives are subject to decision by SMT (but are marked ‘Amber’ to highlight this in the report).
- Removal of objectives (referred to as ‘de-scoping’) from the plan are subject to Board decision-making. These are marked ‘Red’ in the report.

1.4 The format of the report has remained the same as last year, with one addition – Promise Programme projects are now highlighted in a table on the front cover/summary page of the report.

2. Performance during Quarter 1

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

- Volunteers ‘ Week campaign
- Reappointment, and recruitment, of Independent Report Writers
- Delivery of Pre-Service training and provision of devices to trainees
- Creation of Area Plans
- Two Panel Member reappointment rounds
- Employee Engagement Survey
- Neurodiversity training session
- EDI training session for staff

2.2 Two milestones have been retimed. These changes are documented on the final page of the Performance Report.

3. Board Actions:

3.1 The Board are asked to note the content of report and make any comments.

Children's Hearings Scotland: Quarterly Performance Report

QUARTER 1 (April, May, June 2022)



Quarter Summary - Objectives:

	Objectives				
	B	G	A	R	-
Theme 1 - Rights	0	2	0	0	4
Theme 2 - Hearings	0	6	0	0	2
Theme 3 - Panel	3	5	0	0	3
Theme 4 - Evidence & Environment	0	6	0	0	2
Organisational Effectiveness and Staff Support	1	2	0	0	0
TOTAL	4	21	0	0	11

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

Milestones:

	Number of Milestones at End Q1
Planned to Complete*	12
Completed - Actual	10
Still to Complete during year	64
Descoped	0

* as published in the Business Plan

children's hearings scotland PROMISE PROGRAMME		Promise Programme Performance Summary
Status	Objective #	Project Topic
	1	UNCRC
	2	Children (Scotland) Act
	7	Trauma Responsive Hearings
	8	Hearings Blueprint
	26	Participation, Engagment and Consultation

Theme 1: Better Protect and Uphold the Rights of Children

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
1	Under our Promise Programme , carry out activities to give further effect to the UNCRC in our work, in line with its incorporation in to law – <i>Practice & Policy</i>					1.1 Develop and deliver a UNCRC training plan for our volunteer community and staff	Progress to end Q4	-	-
						1.2 Carry out work to embed Children’s Rights Impact Assessments in our work	Progress to end Q4	Q1: 10%	Proposal for new impact assessment tool has been developed
2	As part of the CHS Promise Programme , continue to embed the Children (Scotland) Act 2020 in hearings practice and assess its impact through our “Children (Scotland) Act 2020 Phase 2 Project” – <i>Practice & Policy</i>					2.1 Utilise the Practice & Policy Bank to gain feedback on experiences and practice of the Children (Scotland) Act 2020	Complete by end Q2	Q1: 60%	Compiling feedback and actions from consultation
						2.2 Host regional multi-agency workshops to demonstrate how Panel Members and professionals can make siblings rights real, using case studies	Complete by end Q2	Q1: 40%	Toolkit has been developed and provided to ASIPs
						2.3 Evidence the impact of CHS’s implementation of the Children (Scotland) Act 2020	Complete by end Q4	Q1: 20%	PPA Forum being consulted

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
3	Embed best practice in participation throughout our work by rolling out the CHS Participation Standards – Rights & Inclusion	-				3.1 Deliver a communications programme sharing information about the standards	Complete by end Q3	-	-
						3.2 Co-design and launch a Participation Standards Reflection Toolkit	Complete by end Q3	-	-
						3.3 Gather feedback on the Participation Standards Reflection Toolkit	Complete by end Q4	-	-
4	Enable CHS staff to collaborate with people with lived experience on emerging improvements and projects through a new Mutual Mentoring programme – Rights & Inclusion	-				4.1 Launch the programme, with the first mentoring pairing	Complete by end of Q2	-	-
						4.2 Work with the mentors to share the programme externally	Complete by end of Q3	-	-
						4.3 Evaluate the programme and consider expansion further within the CHS staff team	Complete by end of Q4	-	-

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
5	Create effective systems and processes for accessible and consistent participation opportunities – <i>Rights & Inclusion</i>	-				5.1 Develop a Participation Hub on the CHS website to advertise and define our participation opportunities	Complete by end of Q2	-	-
						5.2 Create co-designed opportunities for the people with lived experience who work with us to collaborate and identify areas of interest within CHS	Complete by end Q4	-	-
6	Ensure our feedback mechanisms are accessible by developing child-friendly complaints processes – <i>Practice & Policy</i>	-				6.1 Work with the Scottish Public Services Ombudsman and a children’s rights partner organisation to develop new processes and procedures	Complete by end Q4	-	-

Theme 2: Deliver Consistently High-Quality Hearings										
	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update	
		Q1	Q2	Q3	Q4					
7	As part of the CHS Promise Programme , carry out activities to improve the extent to which hearings and our work is trauma-informed , through our “Trauma Responsive Practice Project” – <i>Area Support</i>					7.1	CHS Learning Academy to embed learning on trauma in all relevant courses	TBC	-	-
						7.2	All CHS volunteers complete base-line training on trauma	Complete by end Q4	-	-
						7.3	Initial evaluation of the impact of base-line learning on Panel Member practice	Complete by end Q4	Q1: 10%	Project team created for baseline evaluation
						7.4	Develop a plan for phase 2 of the project based on pilot learning	Complete by end Q4	-	-

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
8	As part of the CHS Promise Programme , lead on, and contribute to, the development of a multi-agency plan for the transformational redesign of the hearings system through the “ CHS Blueprint Project ” – <i>Area Support</i>					8.1 Define change priorities for children for before, during and after their hearings, using the Hearing System Working Group’s (HSWG) issues list as the key terms of reference	Complete by end Q2	Q1: 60%	Issues list created and sectioned into before, during and after.
						8.2 Create and release a collaborative Programme Plan for the redesign work, utilising the Scottish Approach to Service Design	Complete by end Q3	Q1: 10%	Creation of Co-Design project teams undergoing, will be complete by June 6th
						8.3 Agree the final hearings model to be pursued (“the blueprint”) and release to the HSWG for approval	Complete by end Q3	-	-
						8.4 Evidence the collaboration between CHS, SCRA, the HSWG, The Promise, people with lived experience, and the wider CHS community	Complete by end Q4	Q1: 20%	Inputted project plan/collaborative activities into ZOHO; participated in HSWG weekly project manager meetings.
9	Keep Panel Members equipped with accurate, up-to-date information and advice to be able to make effective and timely decisions - <i>Practice</i>	-				9.1 Issue guidance focussed on good quality hearings and decision making	Progress to end Q4	-	-
10	Collaborate as a key partner in locally-driven projects to improve hearings environments and experiences– <i>Area Support</i>					10.1 Attendance and involvement in groups and projects as appropriate	Progress to end Q4	Q1: 25%	

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update	
		Q1	Q2	Q3	Q4					
11	Ensure our quality management mechanisms are operating effectively, through Panel Practice Advisor (PPA) support and observation delivery – <i>Area Support</i>					11.1	Carry out improvements to PPA digital tools and support	Complete by end Q1	Q1: 100%	Autosave, review function, Panel Member notifications of observations, and ability to view past observations all launched
						11.2	Develop and deliver engagement work focussed on PPAs	Progress to end Q4	-	-
12	Improve the quality of recorded reasons and decisions – <i>Practice & Policy</i>	-				12.1	Develop a quality assurance tool to assess reasons and decisions	Complete by end Q3	-	-
						12.2	Conduct national sampling of records of proceedings	Complete by end Q4	-	-
						12.3	Scope out pilot improvements to the ways reasons are delivered	Progress to end Q4	-	-
13	Continue to ensure Panel Members receive relevant information for decision-making by developing the Independent Reports function – <i>Practice & Policy</i>					13.1	Reappoint existing report writers and recruit additional experts to maintain a robust bank for the next 2 years	Complete by end Q1	Q1: 100%	Reappointment process taken place as well as recruitment for new report writers.
						13.2	Implement a quality management framework	Complete by end Q4	-	-
14	Involve our volunteer community in the discussion around emerging practice areas through a Practice Bank – <i>Practice & Policy</i>					14.1	Grow the Practice Bank to ensure at least 20% of volunteer community are involved	Complete by end Q2	Q1: 50%	Practice bank has been established, with further recruitment planned.
						14.2	Consult on areas for development, implementation of legislation, and policy changes	Progress to end Q4	Q1: 25%	Practice bank forming focus groups to look at PPM and virtual hearings guidance; also involved in work on siblings rights and care and justice bill

Theme 3: Continue to Build and Effective, Empathetic Panel, that is well-supported									
	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
15	Promote the contribution of our volunteers through a dedicated volunteer recognition campaign - Communications					15.1 Volunteer recognition campaign during Volunteers Week (1st - 7th June)	Complete by end Q1	100%	Campaign focussed on sharing volunteers experiences and how they align to CHS core values.
16	Ensure CHS has appropriate and sustainable structures in place to effectively support the people needed to deliver a re-designed hearings system – <i>Strategy & Development</i>	-				16.1 Work with staff, Area Conveners and the CHS community to identify structures to deliver redesign outcomes	Complete by end Q4	-	-
17	Equip new Panel Members with the skills and knowledge they need to start making effective decision in hearings - <i>Training</i>					17.1 Delivery of Pre-service training, including involvement of children and young people	Complete by end Q1	Q1: 100%	Last day of pre-service set for 18th June
18	Continue to deliver learning and development via the Learning Academy to offer innovative solutions for learning - <i>Training</i>	-				18.1 Delivery and ongoing development of training for current Panel Members	Progress to end Q2 initially	-	-
						18.2 Delivery and ongoing development of training for current AST Members	Progress to end Q2 initially	-	-

	Business Objective	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
19	Keep our community up-to-date with developments and thinking in the sector by giving them access to the views of specialists - Training					19.1 Deliver two 'Learn from the Experts' activities	Complete by end Q4	Q1: 50%	Neurodiversity training session in June, delivered by Salvesen Mindroom Centre and FASD Hub Scotland.
20	Work with our community to implement Area Plans that identify key activities for each area based on national and local priorities – <i>Area Support</i>					20.1 Support ASTs to develop local Area Plans	Complete by end Q1	Q1: 100%	21/22 AST areas have undertaken some degree of planning for the coming year.
						20.2 Support ASTs to monitor and review the plans	Progress to end Q4	-	-
21	Understand recruitment activities needed that respond to recovery and longer-term requirements of hearings– <i>Recruitment & Retention</i>					21.1 Monitor the changing capacity of Panel Members and identify what recruitment activities are needed	Progress to end Q2	Q1: 50%	Capacity is currently being monitored using a combination of local intelligence and central data.
						21.2 Undertake recruitment as necessary, involving children and young people in the process	As required / identified	-	-
22	Retain Panel Members by ensuring they are reappointed in an efficient and effective way – <i>Recruitment & Retention</i>					22.2 Carry out necessary reappointment processes	Complete by end Q1	Q1: 100%	Two reappointment rounds completed (May and June) during Q1.

	Business Objective	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
23	Retain AST by ensuring they are reappointed in an efficient and effective way – <i>Recruitment & Retention</i>					231 Carry out necessary reappointment processes	Progress up to Q4	Q1: 25%	All relevant reappointment processes taken place for Q1.
24	Ensure we have a digitally enabled and supported volunteer community – <i>Digital; Business Support</i>					24.1 Provision of devices to trainees	Complete by end Q1	Q1: 100%	All 2022 trainees were assigned a device
						24.2 Provide on-going community support including frontline response, user guides and training.	Progress to end Q4	Q1: 25%	On-going digital support remains in place; new user guides were issued to reflect the Q1 updates.
25	Make improvements to our volunteer support systems by reviewing our 'community concerns' model – <i>Practice & Policy</i>	-				25.1 Consult with the community on new policy and procedures	Complete by end Q3	-	-

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

	Business Objective	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update	
		Q1	Q2	Q3	Q4					
26	As part of the CHS Promise Programme , enhance our participation, engagement and consultation activities internally and externally, including with people with lived experience, through our “Participation, Engagement & Consultation Project” – <i>Area Support</i>					26.1	Develop accessible opportunities for people with lived experience, the CHS community and key external stakeholders to participate, engage and consult on plans for creation of the ‘blueprint’ and redesign of the hearings system	Complete by end Q2	Q1: 30%	Working with OHOV to develop pages on CHS Website. Two EBE identified to support the recruitment of PM’s to become part of the HSWG’s co-design teams.
						26.2	Progress with trialled and tested participation, engagement and consultation platforms by developing processes at a local and national level for use in projects across the organisation	Complete by end Q3	Q1: 15%	Tender awarded to The Lens, who attended progress meeting on 24th May
						26.3	Development of a reference group of stakeholders who have have experience of hearings to critically evaluate what works well and areas for improvement	Progress to end Q4	Q1: 15%	Stakeholder identification exercise conducted in May
						26.4	Evidence the participation and engagement of people with lived experience, key stakeholders (OHOV; The Promise; SCRA, Children’s Hearings Improvement Partnership) and the CHS community	Progress to end Q4	Q1: 15%	Work is ongoing to deliver this.

	Business Objective	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
27	Continue to lead change in the sector and hearings system through on-going collaboration with national partners – <i>Area Support</i>					27.1 Membership of the Hearings System Working Group.	Progress to end Q4	Q1: 25%	Meeting 6 took place in May; CHS input in to HSWG webinar in May.
28	Active contribution to the improvement and recovery of the sector through strategic and advisory groups – <i>Area Support</i>					28.1 Involvement with key national strategic groups e.g. Children’s Hearings Improvement Partnership; Children’s Hearings COVID Recovery Group	Progress to end Q4	Q1: 25%	Recovery; CHIP; Children & Families Collective Leadership Group; Child Protections leadership Group all met during Q1.
						28.2 Involvement with key local groups e.g. Corporate Parenting boards; GIRFEC groups	Progress to end Q4	Q1: 25%	Local attendance at key groups continues with CHS usually represented by the ASIP
29	Embed our digital systems across our community and identify on-going improvements and developments to support the needs of CHS volunteers and staff - <i>Digital</i>					29.1 Make technical improvements to our system through a series of development projects	Progress to end Q4	Q1: 25%	A significant suite of digital improvements were released in Q1 along with user guides.
						29.2 Improve our digital capacity and the support we have and can offer	Progress to end Q4	-	-
						29.3 Better understand the quality of our digital operational resilience, and undertake improvements where required	Progress to end Q4	-	-
						29.4 Improve our user engagement approach to digital development, that increases response of user needs	Progress to end Q4	-	Digital engagement analyst came in to post in Q1

	Business Objective	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update	
		Q1	Q2	Q3	Q4					
30	Enhance our understanding of the CHS volunteer community and how we deliver our functions through the development of new Management Information reporting – <i>Info & Performance; (Digital)</i>					30.1	Agree main reporting formats and structures	Complete by end Q1	Q1: 100%	Reports will be a mix of static and dynamic, shared either via online service or offline.
						30.2	Begin to build and roll out reports across volunteers and staff	Progress to end Q4	-	-
31	Connect with, and influence, knowledge development in the sector by being involved in, including initiating where appropriate, research – <i>Practice & Policy; (Info & Performance)</i>	-				31.1	Engage with emerging research in the sector, including participation in external research advisory groups as appropriate	Progress up to end Q4	-	-
						31.2	Develop and influence research recruitment opportunities with partners and the CHS community	Progress up to end Q4	-	-
32	Ensure our work is informed and improved by views from a range of sources – <i>Practice & Policy</i>	-				32.1	Development of strategic intelligence and feedback frameworks and functions to influence practice and policy	Progress up to end Q4	-	-
33	Influence and engage in the development of emerging legislation that can improve outcomes for children and young people through the hearings system – <i>Practice & Policy</i>					33.1	Work with Scottish Government and partners to support legislative improvements	Progress up to end Q4	Q1: 25%	Engagement has taken place with: care and justice bill consultation; stage 2 amendment to coronavirus recovery bill; health and social care digital strategy consultation

Organisational Effectiveness and Staff Support

	Business Objective	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
34	Consult with, and understand the needs of staff on a range of issues through a staff survey – <i>HR&OD</i>					26.1 Design and launch the survey	Complete by end Q1	Q1: 100%	Survey ran in April 2022
						26.2 Analyse and communicate the results	Complete by end Q1	Q1: 100%	Results to Remuneration and Appointments Committee, before dissemination amongst staff.
35	Support staff knowledge and wellbeing through staff learning and development – <i>HR&OD</i>					35.1 Deliver a staff training and learning programme throughout the year	Progress to end Q4	Q1: 25%	2 CHS Bites in Q1, along with EDI training session.
						35.2 Deliver wellbeing and engagement activities throughout the year	Progress to end Q4	Q1: 25%	New dedicated staff casual engagement time introduced by staff forum.
						35.3 Deliver a management development programme	Complete by end Q3	-	-
36	Continue to deliver on our commitments to Equality, Diversity & Inclusion (EDI) by implementing our EDI Strategy – <i>Learning</i>					36.1 Set up an EDI group to shape the work of CHS	Complete by end Q2	Q1:50%	Recruitment for this group took place during Q1.
						36.2 Develop and deliver an agreed Diversity Calendar to celebrate and raise awareness of different equalities groups through internal and external communications	Complete by end Q2	-	-
						36.3 Provide up-to-date, appropriate generic and role-specific EDI training for all staff and volunteers	Complete by end Q4	Q1: 25%	EDI training session was delivered to staff in Q1.
						36.4 Explore and recommend a form of EDI accreditation for CHS	Complete by end Q2	-	-

KEY PERFORMANCE INDICATORS

	KPI	Past Performance	2022/3 Target	2022/3 Performance
1	% of practice bank members who evidence familiarity with children's rights	-	20%	-
2	% of hearing sessions observed during the year	-	20%	-
3	% of pre-service trainees who felt that their learning objectives were met	2019/20 - 98% ; 20/21 - 98%	99%	-
4	% of applicants put forward for preservice training who complete the full training	17/18 - 89%; 18/19- 92%; 20/21: 87%	90%	-
5	% of Panel Members successfully reappointed	17/18 - 83%; 18/19 - 68%; 20/21: 79%	60%	-
6	% of Panel Members retained during the year	New measure	80%	-
7	% volunteer community involved in the Practice & Policy bank	-	20%	-
8	% of complaints resolved within SPSO guidelines	17/18- 100%; 18/19 - 92%; 19/20 - 100% 20/21 - 99%; 21/22: 85%	95%	-
9	% CHS employee attendance	17/18- 96%; 18/19 - 95%; 19/20 - 93% 20/21 - 99%; 21/22 - 96%	96%	Q1: 97.2%
10	% invoices not in dispute paid within 10 working days, during normal operations	17/18- 80%; 18/19 - 92%; 19/20 - 85%; 21/22 -	90%	Q1: 94.3%
11	% positive staff survey feedback on opportunities for learning and development	18/19 - 33%; 19/20 - 51%; 20/21 - 65%	70%	-

Record of Changes to Planned Delivery

	Milestone(s) Changed	Date of Change	Details of Change	Rationale for Change
	4.1	Q1	Mutual mentoring start moved from Q1 to Q2	Capacity amongst the participation group has delayed the start of this project
	5.1	Q1	Participation Hub website moved from Q1 to Q2	Allowed capacity of communications team to be focussed on Promise areas of website



Agenda item 10
CHS-2223-07

2022 Panel Member Recruitment Campaign

Accountable Head of:	Christine Mullen
Report author:	Catherine Goodfellow/Lou Farmer (pre departure)
Recommendation:	For information and decision
Resources implications:	Within available resources
Equalities duties:	Equalities Impact Assessment Required: Equalities Impact Assessment Carried out:

1 Introduction

- 1.1** The 2022 Panel Member Recruitment campaign was held from 10 January with an original closing date of 9 February 2022. This was the second campaign to be held entirely online for CHS, following the 2020 global pandemic, and the first to be extended by five days closing on 14 February 2022 which captured an increase of 16% of total applications.

The campaign attracted 1079 applicants which resulted in 550 people appointed as trainees at the end of March 2022. Appointment to the Panel will be scheduled for all those who satisfactorily complete their Pre Service Training by 18 July 2022.

2 Purpose

The purpose of this paper is twofold to:

- 2.1 provide an overview of the 2022 campaign and recruitment activities; and,
- 2.2 share some evaluation data.

3 2022 Panel Member Recruitment Campaign

The purpose of the campaign was to recruit approximately 700 new, effective and empathetic Panel Members. Our data highlighted that by summer 2022 the number of Panel Members would be at its lowest level. To ensure we welcomed new Panel Members by that period, we followed a similar recruitment and selection timetable to 2021, opening the campaign in early January for a five week period. The recruitment activities for 2022 are outlined in Appendix 1.

4 Outcome of the Campaign

To deliver our corporate plan, CHS Strategic Outlook 2020-23, our volunteer recruitment campaign contributes to the delivery of building an effective and empathetic Panel by

- 4.1 actively seeking to increase the number of Panel Members with lived experience of the hearing system;
- 4.2 actively seeking to include people with lived experience of the hearings system to select Panel Members; and,
- 4.3 striving for greater diversity of the Children’s Panel, with a specific focus on men to meet legislative requirements.

The aim of the recruitment campaign was to recruit approx 700 new Panel Members, representative of Scotland’s communities. Our target was to recruit over one third of new Panel Members who identified as men.

Prior to the close of the campaign, close monitoring indicated that the number of applications were lower than in previous years. By extending by a further five days, we managed to attract an additional 16% of applicants Scotland-wide.

Of the 1079 applications by 14 February, 75% applicants were female, while 25% were male. Ten percent of applicants identified (through application) as having lived experience of the hearings system. Of the 1079 applicants, 65% were interviewed, which included 25% of applications from men.

Once more this year, Area Support Teams included lived experience recruiters in preparation and selection activities. At the outset 50 young people expressed interest, with approximately 30 actually involved in the interviewing and selecting. An evaluation has been undertaken of this area of work (see Appendix 2) to support future developments and progression in this area.

5 Current Status

Currently 85% of the 550 trainees originally appointed continue to undertake Pre Service Training. This is in line with previous years (see Chart 1 below) where past performance indicates that approx 15-18% of trainees will withdraw. Of the trainees confirmed, 9% withdrew before the first day of training.. With the proportionate increase of almost 50% of new trainees accepted in 2021, retention rates are in line with comparisons of previous years as illustrated in Chart 1, below:

	2022	2021	2019/ 2020	2018/ 2019	2017/ 2018	2016/ 2017
AST Target	700	750	577	561	552	539
Invited to Training	550	714	477	516	511	538
Started Training	501	668	446	472	478	495
Appointed	TBC	572	281	430	447	434

Chart 1

Tracking of the reasons for withdrawals has been closely monitored and vary from health and family issues to work commitments with a few acknowledging that the time commitment was incompatible with their current situation. The commitment required has always been heavily emphasised particularly at local Information Sessions and yet, many cite their lack of appreciation of the commitment required for training. Some trainees have found that employers have not been willing to release employees for volunteering as Panel Members.

By mid June, the trainees have completed, or about to complete, Pre Service Session 4 Trainees will complete final assessments and submit their Professional Development Award work by the end of June and will be appointed as a Panel Member by early July 2022 at the latest for inclusion on the rota by start of August. Consideration has been given to progressing appointments before the scheduled date of 18 July and is in train

6 Evaluation Findings

A national evaluation of the 2022 campaign has been undertaken .

Responses were received from those involved in selection, co-ordination and recommendations ranging from Clerks, Panel Practice Advisers, Panel Representatives, Area Conveners and Panel Members.

The main findings, categorised both positively and negatively, related to the timing of the campaign; the level of guidance provided for both the AST members and for the individual applicant, the challenge to make the commitment required fully appreciated; the virtual versus face to face element; and, the selection processes (interview questions, format). There was feedback about the positive support from lived experience recruiters and in some cases, timings meant that fewer lived experience recruiters were included in the selection process. As in previous campaigns, although the media campaign performed well, the number of men attracted to apply to the role was less than hoped for, as was for this year, the overall number of applicants. Other organisations delivering services through volunteers are noticing reduced numbers and time availability.

Evaluation data does not include feedback from those who were unsuccessful applicants or individuals who didn't complete applications or withdrew from the process. CHS has been unable to contact these groups due to Data Protection To increase the possibilities of gaining feedback from these groups in future, we are reviewing processes with a view to ensuring any applicants can be informed at point of data collection of any additional data processing activities. This would enable us to return to people for feedback.

- 7** The overall findings of the evaluation and an overall review of the learnings and positives to retain in any future campaign and to inform future methodology for the delivery of Pre Service Training has been ongoing as we prepare to appoint the 2022 cohort of new Panel Members next month.

These learnings and valuable feedback will shape future campaigns. By the end of this month, there will be sessions held with the local groups (Retention and Recruitment

Reference Group and Clerks Network) to shape and implement processes and procedures.

8 Recommendation

The Board is asked to note the review of the 2022 campaign to date and recruitment activities.

Background	
1	The target of this annual campaign was to recruit around 700 new Panel Members. Of the 22 Area Support Teams, 21 were recruiting in 31 local authority areas.
2	Campaign overview
	For launch we issued press releases to local and national press. Coverage was received on STV, BBC and in a number of local newspapers across Scotland.
	There was a significant amount of engagement on social media, both on paid for and organic (the social media activity the CHS Communications team do) including tweets and retweets from our partners, stakeholders and employers including local Councils, Scotrail, Children in Scotland, SCRA, Scottish Government, Education.
	Our employer engagement programme has worked well, and we've seen a number of employers sharing our content on social media including Scotrail, local councils and NHS services.
3	Results of the Creative Campaign
	The website averaged around 2,000 unique users per day on our website, with an impressive 60% of these being men.
	As with previous campaigns 25% of applicants were men. This statistic continues to be a reflection of known statistics that women are often more likely to come forward to volunteer in roles involving children (with the exception of sports volunteering).
	While it can be challenging to measure the impact of television on the campaign, there is evidence to say it made a strong difference when we look at the increased website traffic, there are spikes whenever the TV adverts. On STV and Borders the advert ran during 41 TV programmes, 21 of which were prime time, with over 100 million opportunities to view it.
4	Social Media Activity
	Engagement was across Facebook, Instagram, Twitter, Tiktok and LinkedIn (including paid adverts)
5	Press
	We worked hard to provide a full package for both local and national press (this included the press release, a page of Panel Member quotes, an information sheet about CHS and the Children's Panel, as well as local case studies from nearly every area), and this achieved strong results as this campaign received more press coverage than previous campaigns.

	<p>The campaign was featured on the BBC’s Good Morning Scotland on launch day (both in the news bulletins and as a separate feature), and appeared twice on BBC’s Reporting Scotland. It was also widely covered in national and local newspapers, with all areas receiving some coverage. Approximately forty articles appearing in outlets including the Daily Record, Evening Express (Aberdeen), The Glasgow Evening Times, The Northern Scot, Fife Today, Southern Reporter and the Evening Telegraph (Dundee).</p>
<p>6</p>	<p>Digital marketing</p>
	<p>The paid activity delivered a total just under 6 million impressions, 48,393 clicks to the website and 6,925 application button clicks. In addition, we can also report that podcast ads have delivered 144,328 listen-throughs and Spotify has delivered 253,479 impressions and 345 clicks to the website.</p>



Together @together_sac · Jan 21
 🇧🇪 @CHScotland are **recruiting** 700 new Panel Members in 2021 to make decisions with & for children, young people & infants so they feel safe, loved, valued & respected! ❤️

This is a really rewarding role, find out more below 📌

Children's Hearings Scotland @CHScotland · Jan 18
 Hear from Panel Member Craig about why he volunteers - and why you should too! 📌 Apply to be a volunteer Panel Member on our website now to support infants, children and young people in your local area. chscotland.gov.uk



0:15 1.2K views

14 25

ScotGov Education @ScotGovEdu · Jan 14
 Could you volunteer your time to make a difference to the lives of children and young people? 🇧🇪

Children's Hearings Scotland @CHScotland · Jan 14
 It's here! You can now apply to be a Panel Member on our website: chscotland.gov.uk 📌 We need people who are caring, empathetic, trustworthy and great listeners. Sound like you? Then apply now! Closing midnight 15 February 2021.



Find out more at

11 20

Children 1st @children1st · Jan 14
 Are you empathetic, compassionate and committed?

@CHScotland are looking for Volunteer Panel Members to ensure that the voices of children and young people are heard and are at the heart of every decision.

For more details 📌

Children's Hearings Scotland @CHScotland · Jan 14
 It's here! You can now apply to be a Panel Member on our website: chscotland.gov.uk 📌 We need people who are caring, empathetic, trustworthy and great listeners. Sound like you? Then apply now! Closing midnight 15 February 2021.



Find out more at

Martin Crewe @CreweMartin · Jan 14
 Pandemic has had a huge impact - now need to recruit 700 new Panel members in 2021! Do please consider if you could be one of these volunteers who make such a difference for Scotland's children & young people. @CHScotland @BarnardosScot

Children's Hearings Scotland @CHScotland · Jan 14
 It's here! You can now apply to be a Panel Member on our website: chscotland.gov.uk 📌 We need people who are caring, empathetic, trustworthy and great listeners. Sound like you? Then apply now! Closing midnight 15 February 2021.



Find out more at

2 21 29

Aberlour @AberlourCCT · Jan 14
 Do you want to support #children and #youngpeople in your local community? Then you are exactly who @CHScotland are looking for! Apply to become a volunteer #PanelMember today: chscotland.gov.uk



Find out more at CHSCOTLAND.GOV.UK

10 16

Gary Robertson @BBCGaryR · Jan 14
 A call's being made for more volunteers to work on Children panels after numbers dropped during the pandemic. @CHScotland helps keep people under the age of 16 out of the court system. They're trying to sign up an extra 700 panel members.
 #bbcgrms 0645

2 16 21

Board: 20 June 2022
Appendix 2
2022 Panel Recruitment Activities

Background:

1 CHS retained a similar recruitment and selection timetable to 2021 opening the campaign in January, following the revised timescales due to the global pandemic in 2020.

- 10 January: online applications opened for those already registered (via Expressions of Interest via our CSAS system)
- 12 January: Recruitment Campaign launched and online applications opened
- AST information sessions were held mid campaign
- 14 February: close of campaign (extended by five days)
- Mid February – March: shortlisting and selection for interviewing
- 28 March: recommendations submitted
- 31 March: National Convener confirms appointment
- 4 April: trainees received confirmation of their appointment
- April: local welcome sessions
- 25 April – 26 June: Pre Service training
- Early July: Panel Membership Appointment date

2 2022 Campaign and Communications

In 2021 the campaign was moved to be entirely virtual. This was retained for 2022 As in 2021, much of the development and production was delivered in-house, rather than using external marketing agencies. The creative images used in 2021 were expanded with new images. These had been influenced and developed by young people with lived experience. The campaign plans were agreed with media buying agency, Media Shop (and described in Appendix 1). Films and short videos produced in 2021 were made available for local Information Sessions and Welcome Sessions. These suite of videos were created featuring current Panel Members to explain more about the children’s hearings system, the Panel and why the role is rewarding, emphasising the significant commitment with testimonials shared by social media and on our website. The aim was to give people a full understanding of the role.

Partnership and Employer Engagement was an important aspect of the campaign, but

limited in our reach. The recruitment team has a bank of contacts within employers across the country built up over a three year period with input from Area Support Teams. The Communications Team created collateral for use by employers on their internal communications platforms to promote the recruitment campaign. Using links with stakeholder groups in the hearings system and sector as well as from our work on equality, diversity and inclusion (e.g. Who Cares?, LGBT Youth, Celcis) and existing stakeholder working groups, we encouraged their support.

Key elements of the campaign included TV advertising , radio advertising (including an additional Talking Head element), online advertising, social media (paid for and organic), and public relations (local and national).

3 Panel Member Selection Processes and Activities

Building on the experiences of 2021, refinements were made to 2022 processes with representatives from the Recruitment and Retention Reference Group (RRRG). As in 2021, information sessions, shortlisting, selection, and interviews were all held online. Selection of new Panel Members involves a number of aspects: campaign and communication; partnerships and employer engagement; including young interviewers with lived experience of the hearing system; digital infrastructure; selection activities; resourcing; support and training.

AST representatives were fully involved in all of these developments and changes, advising and shaping our plans. During the campaign, weekly meetings were held with the Clerks Network, an important channel for us to co-ordinate and deliver much of the organisational elements of Panel Recruitment.

4 Area Support Team Recruiters

To continue and improve our inclusion of lived experience recruiters and selectors CHS and CHSLA delivered training and support sessions to all recruiters. As well as process and skills based sessions partner agency Who Cares?Scotland delivered specific sessions to lived experience recruiters, AST buddies.

Our Childrens Rights and Inclusion Co-ordinator hosted regular drop in sessions for lived experience recruiters to raise any points at all in relation to recruitment, selection and support.

Over 50 people with lived experience expressed interest in recruiting alongside us with more than 30 supporting interviews and selection. This group has already evaluated their involvement and made suggestions for improvement. Their thoughts and suggestions will be incorporated into the overall evaluation of the 2022 campaign.

5 Selection

There was a focus on reviewing, revising and improving selection processes as occurs each year. For 2022, expectations of new panel members and CHS values were made more explicit. The application form was amended, and interview questions were amended.

6 Headline Statistics on 2022 Applications

Of the 1079 applications received:

- 811 identified as female and 268 as male.
- Gender split is broadly 75% Female 25% Male
- Previous experience of the hearings system recorded as: 10%

Of these applicants, 44% completed equalities monitoring form which provided the following details:

- 92% declared as White British and White Scottish.
- 9% of those who responded considered themselves to have a disability (with 3% preferring not to say).
- 44% of applicants identified as having no religion.

7 Pre Service Training

Building on the evaluation of 2021 Pre Service training, for 2022 CHS Learning Academy have delivered learning via a combination of face to face and virtual sessions.

CHS required all interviewers to undertake selection training, which included an online group session. Pre Service Training for trainees was formatted to be held between April until June, with an introductory session with trainers and trainees just Pre Service started.

Board: 20 June 2022
Appendix 3: Pre Service Training

1 2021 Pre- service training was delivered wholly virtually, building on experience gained in 2020 when training moved online part way through. For 2022 the training has been offered as part virtual and part face to face- for a number of reasons including to provide flexibility to trainees, in their journey towards confidence and competence.

2 The ask of and direction to CHSLA was as below at Figure 1

The Ask



1. Re-imagine Pre-service training delivery
2. Light Touch Review of the Professional Development Award (PDA)



Figure 1

3 To develop and re-imagine the learning a 4 stage design approach was used:

In particular during the Discovery phase CHS and CHSLA identified the following areas as key to the changes to be made / reflected in this new training:

- **THE PROMISE**

Training: trauma, childhood development, neurodiversity and rights

- **VOICE**– Early intervention, active listening, decision making based on child’s needs, rights based youth justice, support parents, ensure LA fulfilling its duty
- **FAMILY** – Poverty, understanding risk, siblings, early intervention,
- **CARE** – transitions, school, relationships, language, stigma, childhood experiences

- **PEOPLE** – Reflective practice, nurturing relationships, learning & development as multi layered

These 4 sessions have been shaped internally and enhanced by CHS and CHSLA, with the contribution of external partners and people with lived experience. The required learning maps directly to the asks of the Promise, Our Hearings Our Voice as well as to the requirements of virtual learning.

The Priorities



As well as the core topics involved in the PDA the following areas have been included or enhanced.



Neuro-Diversity and Trauma are the areas in which there has been enhancement in the content. The CHS Participation Standards underpin all of the required learning.

CHILDREN'S HEARINGS SCOTLAND PARTICIPATION STANDARDS



1	Children's Hearings Scotland will be guided by the voice of lived experience providing a welcoming, person centered participation package	
2	People with lived experience will be provided with options, information and support required to influence the work of Children's Hearings Scotland	
3	All influencing opportunities will be people friendly, inclusive and purposeful	
4	The role of lived experience and influencing will be fully understood across the Children's Hearings Scotland community	
5	Participation will be purposeful lived experience will work with the work with the Children's Hearings Scotland community together to guide, influence and inform all change and improvement work within Children's Hearings Scotland	
6	Children's Hearings Scotland is committed to the promise, improvement and change. Children's Hearings Scotland will make change now where possible and will act, plan and feedback to the care community	

5 Overall evaluation is underway with each day being evaluated along the way and a full evaluation carried out following the end of pre service.

Agenda item 11

CHS-2223-08

Participation Strategy and Framework

Accountable Director:	Head of Learning
Report author:	Jennifer Smith Children’s Rights and Inclusion Co-ordinator
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. Introduction

1.1 This paper sets out CHS’ Participation Framework. It includes:

- The aims of our Participation Framework;
- Levels of participation; and
- How the framework will work in practice.

1.2 In detail it covers:

- Background;
- Aims of Participation Framework;
- Shaping The Framework;
- The CHS Levels of Participation;
- How The Levels Works;
- *The Benefits For Participations At Each Level;*
- Communications and Privacy;
- Training and Development;
- Support; and
- CHS Levels of Participation: *A Guide.*

2. Recommendation

The Board as asked to approve the Participation Framework and to approve the levels of participation.



CHS Participation Strategy and Framework

1. Background

1.1 Since the publication of the Children’s Rights and Inclusion Strategy in November 2020, CHS has been dedicated to embedding the values of the Participation Standards. These were created by a group of people with lived experience, offering their dedication, time and experience to influence and guide CHS to apply the voice of lived experience to ensure that our organisation is continuously improving to Keep The Promise.

1.2 Many sectors are keenly aware that lived experience matters and only someone who has been through an experience knows the nuances and complexities of dealing with it. Having a range of opportunities to offer to out to a wide group of people who have been through experiences with the Children’s Hearing System will provide a diverse and inclusive array of voices, working together to create the best outcomes for the future children of Scotland.

1.3 CHS is keen to take a leading role in our sector with regards to participation and recognition of participation. As part of our contribution to the [Participation Practitioners Forum](#) we are working with other organisations to progress this focusing particularly on recognition.

1.4 We value the knowledge, insight and ideas which our lived experienced community contribute as co-designers.

Recent participation opportunities in CHS can be found in the following table:

Role	Activities
<p>Lived Experienced Recruiters</p>	<p>Across the country, supported by CHAMPS Boards or WhoCares?Scotland, CHS Area Support Teams were joined by Lived Experienced Recruiters to interviewing potential Panel Members.</p> <p>Some recruiters have also been involved in conducting interviews for new members of CHS staff.</p> <p>Two recruiters recently offered role as selectors to work with volunteers in Participation, Engagement and Consultation Project Team to identify which applicants from the CHS community should sit on the co-design teams to contribute to the HSWG re-design proposals.</p>

<p>The CHS Participation Group</p>	<p>Meeting regularly to share views and ideas for continuing to improve the work within CHS e.g. through the creation of the Children’s Rights and Inclusion Strategy, producing Participation Standards and co-designing an animation of the key facts about the Business Plan which highlight the importance of participation within CHS</p>
<p>Co-design Work</p>	<p>Co-designing the ‘Get Involved’ section of the CHS website (The Participation Station) to ensure that access to information regarding participatory opportunities at CHS is communicated openly and accessibly</p>
<p>Communications and Social Media</p>	<p>Creating and sharing messages about CHS for training Panel Members, the recruitment campaign and on social media platforms</p>
<p>Collaborative Partnerships include</p>	<p>Our Hearings Our Voice Voice and Inclusion Project The Robertson Trust</p>

2. Recognition

2.1 To date, participation opportunities for people with lived experience of the care and hearings system has been recognised through vouchers.

2.2 In 2021, the Children’s Rights and inclusion Coordinator highlighted that there is a need for an enhanced offer of involvement to those with lived experienced within the CHS community.

“What is needed is a consistent, person centred approach to participation and involvement. Care experienced people must be offered quality involvement opportunities that balance the relationship between organisation requirements and that of the individual. The offer must be mutually beneficial. This offer must be based on fairness and inclusion. [...] It’s the right thing to do.”¹

2.3 The CHS Participation Framework have been created to assert our commitment to embedding the Participation Standards, and to guarantee that we are upholding the values at CHS. Work is underway to provide a fair recognition package that will offer choice to suit individual needs and circumstances.

¹ Laura Beveridge, (July 2021)



3. Aim Of The Participation Framework

3.1 At CHS, we recognise that people with lived experience who contribute their time, energy and expertise by experience, shaping the current and future work of CHS to Keep The Promise, have a vital role in ensuring that our approach keeps the best interest of the child at the heart of its service.

3.2 Article 12 of the United Nations Convention on the Rights of the Child (UNCRC) (1989), states:

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

3.3 As the Participation Standards are embedded in the work of CHS, it is important that there is ongoing engagement with members of the CHS community who have lived experience of the Children's Hearing System. With the re-design of the Hearings System underway, CHS recognises the important role that those with lived experienced play in the development and planning of changes to its service and we are willing to commit the resources necessary to achieve this.

3.4 With this Participation Framework, CHS aims to provide a range of opportunities which will be mutually beneficial to those who chose:

- share their views;
- co-design projects; and
- consult, engage and collaborate within the areas which interest them.

3.5 The motivation, expectations and the circumstances of individuals wishing to participate will differ from person to person. By offering a variety of options within the Participation Framework, CHS can provide support, mentoring, skills development, influencing opportunities, learning experiences and a range of forms of recognition. This will provide choice and flexibility for participants to tailor the way in which their contribution is recognised to suit their needs.

4. Shaping The Participation Framework

4.1 Building upon recommendations from our current participation work, and referring to a range of research and examples from other sectors and organisations, the Participation Framework has been designed to offer 7 Levels of Participation (see page 8) at CHS. Each level provides people with lived experience of the hearings system the opportunity to choose whether they wish to participate or not. Each level varies in the amount of time an individual have, and how their recognition may be valued and recognised. By considering Professor Lundy’s Model of Participation, CHS aims to give people with lived experience the space, voice and audience to effectively influence the future of the Children’s Hearings System.



‘Lundy model of child participation (2007)’

SPACE	<p>The Participation Framework will provide a variety of safe, inclusive spaces in which people with lived experience of the hearings system can express themselves freely. Their views will be recognised, acknowledged and valued.</p> <p>At all levels of the Participation Framework, CHS staff will continue to build relationships with members of the participation community. Through training and engagement, staff will develop the resilient, flexible and meaningful approach to participation needed to ensure that their practice is trauma responsive and reflective, creating better outcomes for children and young people.</p>
VOICE	<p>CHS will embed the Participation Standards within its work. The Participation Framework will provide different levels at which people with lived experience can contribute their thoughts and ideas. Ranging from completing surveys to co-designing projects or sitting upon a National Advisory Group, the Participation Framework will provide a breadth of opportunities and a choice of engaging in a manner which suits their individual circumstances.</p>

	Information about the work of CHS and the options for participation will be provided in a clear and accessible way on the website. Members of the lived experienced community will be invited to participate and there will be no requirement to do so.
AUDIENCE	<p>The process involved in each level of the Participation Framework will ensure that the feedback, ideas, thoughts and voice of the participants is not only heard, but used to guide our practice.</p> <p>Participants will be told who will be hearing their ideas and contributions, and a feedback loop will share the steps and considerations that have been taken by the decision makers.</p> <p>Throughout the levels of participation, there will be opportunities for feedback and ideas to be shared with:</p> <ul style="list-style-type: none"> • CHS National Team • Area Support Teams • Panel Members • CHS Learning Academy • Our key partner organisation, SCRA • Other stakeholders e.g. Scottish Government, Hearings System Working Group, the CHS Board etc <p>The privacy of individuals will be upheld and no information will be shared without the consent of the participants.</p>
INFLUENCE	Participants with lived experience of the hearings system will be at the forefront of enacting change, not only at CHS, but throughout the Children’s Hearing System and beyond. We are keen to support those with lived experience to use their insight to influence and transform the Hearing System into a service we can be proud of.

5. Levels of Participation and the Framework

Co-designed by people with lived experience, CHS’ levels of participation framework offers 7 levels of participation:

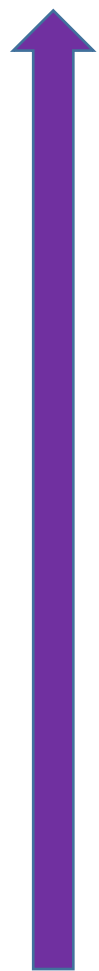
- Sharing
- Engaging
- Involving
- Incorporating
- Co-designing
- Consulting
- Advising

Each level can be found in the table below with further detail followed by an indication of how the levels work.

The CHS Participation Framework

The Levels Of Participation

<p>A National Advisory Group – consisting of (approx 8) people with lived experienced of the hearings system. Aim – to provide advice about at CHS</p>
<p>Group of Experts By Experience, provided with training for specific roles within CHS e.g. recruiting staff, contributing to training for panel members. Aim – to provide consultancy and insight to specific situations at CHS</p>
<p>Members of CHS lived experienced community invited to participate in projects Aim – to work collaboratively to co-design the projects in a meaningful way to improve and transform work of CHS to provide best outcomes for children and their families</p>
<p>A Mutual Mentoring Programme and opportunities for internships to undertake placements Aim – to connect with a member of CHS staff in a supportive and challenging environment to mutually develop skills in the workplace</p>
<p>Lived Experience Recruiters – involved at a local level to interview potential trainee panel members Aim – to ensure the best candidates are chose for role of Panel member</p>
<p>Members of the Participation Station Mailing List invited to attend regular Participation Group Meetings and events Aim – to meet with Children’s Rights and Inclusion Coordinator and shape participation opportunities, sharing ideas for improvement and future partnership working</p>



- 7 Advising
- 6 Consulting
- 5 Co-Designing
- 4 Incorporating
- 3 Involving
- 2 Engaging
- 1 Sharing

Get Involved webpage – The Participation Station
Open to all members of the public with lived experience of the hearings system to read information or interact via polls, surveys and feedback forms
Aim – to provide a safe, inclusive space which allows people to contribute in a flexible manner to suit their needs

How The Levels Work

1 Sharing

Members of the lived experienced community can access information and contribute to activities such as surveys, questionnaires and feedback forums via the 'Get Involved' tab on the CHS website.

Benefits Of Participation At This Level

- People can choose when to participate, and how much they wish to contribute
- Provides flexibility to meet the interest and needs of individuals
- Information about the participation work at CHS will be available to provide examples of the manner of work and the expectations and
- benefits at the other levels of participation
- Participation opportunities will be shared and expressions of interest can be submitted
- Anyone seeking further information will be able to join the Participation Station mailing list or email the Participation inbox directly
- Feedback loops will be employed to ensure that the voice of those who contribute has been heard, appreciated, reflected upon and used to influence improvement and change where appropriate

2 Engaging

Members of the lived experienced community who **join the mailing list** will be invited to attend Participation Group Meetings, held every 6 – 8 weeks. The meetings will provide a space for members to come together, hear about the current work at CHS and provide ideas and insights for future opportunities.

Benefits Of Participation At This Level

- Building positive relationships with other participants and members of the CHS staff team and volunteer community
- Flexibility to accept invitation or decline depending upon availability
- The agenda for the meetings will be co-designed with the members attending, offering choice about which areas of work are focused on to be reflective of interest and current needs
- Opportunities for members to develop skills and to lead events or meetings, to build experiences for CV and to request references
- Travel to the venue and sustenance will be provided by CHS
- Feedback loops will assure anyone who contributes that their voice has been heard and used to influence improvement and change

- Members will receive a Participation Passport which will be stamped for each meeting and event attended.

3 Involving

As participation at CHS continues to evolve, there will be opportunities for members of the lived experienced community to become involved in specific roles.

Lived Experience Recruiters are involved in the recruitment of trainee Panel Member. This role is advertised by CHS Area Support Teams through organisations such as WhoCares?Scotland and local CHAMPS boards.

A working group made of up Area Conveners, lived experienced recruiters and current buddies, will be formed to create a Progression Pathway to offer recruiters the opportunity to further develop their skills and involvement each year.

Area Support Teams will be provided with a 'Guidance' created by the working group but will offer involvement at a local level.

Benefits Of Participation At This Level

- Being involved in decisions making about who the best candidates are for the role of trainee panel members
- Training and support provided (e.g. buddy, Chromebooks, dongles)
- Opportunities to move up progression pathway each year e.g. become 'lead' interviewer, become a 'buddy', become a trainer for recruiters

- Building strong relationships with the local Area Support Team
- Develop skills for CV and certificate
- Recognition of time contributed through vouchers

4 Incorporating

CHS will provide welcoming, personalised placements for interns with lived experience of the care and children's hearing system who wish to gain experience volunteering within an organisation.

A Mutual Mentoring Programme will offer the prospect of matching participants with a member of CHS staff, implementing the invaluable advice from those with lived experienced, and embracing creative approaches towards improvement within CHS

CHS staff will be trained in effective and meaningful participation within the Mutual Mentoring Programme.

Benefits Of Participation At This Level

- The Mutual Mentoring Programme will be beneficial and rewarding on a professional and personal level
- Building a positive relationships and communication skills, where equal weight is given to both mentors (the lived experienced participant and the member of the CHS staff team)
- Co-designing the outcomes of the programme with flexibility to arrange meetings at a times which suits the participants

- Opportunities for the both mentors to work collaboratively, developing skills, leading meetings, offering insight, seeking knowledge and building experiences for CV
- A Mutual Mentoring Programme certificate will be provided alongside references

5

Co-Designing

CHS are committed to embedding the Participation Standards. Co-design is a vital element in ensuring that CHS deliver a service that provides the best possible outcome for infants, children and young people.

Benefits Of Participation At This Level

- Bringing different life experiences, skills and opinions to create improve the work at CHS, ultimately making the hearing system the best it can be for children and families who need it
- Actively involved in projects and taking leadership roles when appropriate, responsible for key decisions and effecting change
- Working on projects from start to finish, driving how it is shaped
- Publicly recognised as a co-designer when the final product is created or the change is implemented
- Developing life-long skills and making connections with team members who will provide support to complete the project
- References provided upon request

- Assistance to add information about project to CV
- Travel to the venue and sustenance will be provided by CHS

6

Consulting

A bank of consultants, Experts By Experience, will be created for specific tasks at CHS e.g. for recruiting, interviewing and selecting members of CHS staff and the national team or for contributing to panel member training.

Benefits Of Participation At This Level

- Specialised training will be provided to ensure consistency and confidence in roles
- Consultants have the freedom to agree to or refuse a task depending upon their other personal commitments
- Developing life-long skills and making connections with CHS members who will provide support to carry out the role
- Influencing the shape of recruitment and training within CHS
- Working collaboratively to create recruitment and training processes to strengthen the CHS values
- References provided upon request
- Assistance to add information about project to CV
- Travel to the venue and sustenance will be provided by CHS

7 Advising

6. Proposed creation of National Advisory Steering Group

To ensure that the Participation Framework produces opportunities that fulfil the Participation Standards, a National Advisory Group is proposed to steer the direction of the participatory activities at CHS. The National Advisory Group will be a reference point and with insight and integrity, will provide counsel as CHS continues to put the voice of lived experience to at the heart of our work.

The National Advisory Group will be composed of appointed members of the lived experienced community, including panel members and CHS staff with lived experience alongside individuals from other organisations within the lived experienced partnership community, including youth advisors.

Members of the National Advisory Group would be appointed for 1 year and would be actively committed to creating an ethos of joint working to ensure that

6.1 Benefits of a National Group include:

- Influencing the direction of participation work at CHS and guiding the direction of improving outcomes for children and their families attending hearings
- Work in an innovative and creating way with others, building teamwork, communication and leadership skills
- Offer high quality advice to the Senior Management Team and others within the CHS staff to ensure that the Participation Standards are embedded and the voice of lived experience guides the work of CHS
- Opportunities to be a mutual mentor to a staff member
- Creating a strong connection to CHS lived experienced community as well as to the panel member and wider CHS community
- Certificate of Appointment and Service
- Potential to create Young Scot Reward Points or similar recognition of commitment the role

7. Communications and Privacy

A range of communication proposals and associated issues can be found below.

7.1 Website

Under the *'Get Involved'* tab of the CHS website, The Participation Station will be the main hub for information and sharing opportunities.

Members of the lived experienced community can use it to:

- Find out more about the Participation Framework;
- Respond to expressions of interest for projects;
- Join the Participation Mailing List;
- Access and complete questionnaires and surveys;
- Provide testimonials or feedback about participation with CHS;
- Request information about Participation Group Meetings or events;
- Access contact details for the Children's Rights and Inclusion Coordinator; and
- Access the Child-Friendly Complaints and Feedback service (currently being developed within the UNCRC project).

7.2 Mailing List

Email addresses provided will be stored securely with password protection if necessary.

7.3 Communicating Through Apps

As email and Teams are often not the most efficient form of interaction with those outwith the chs.gov.scot email addresses, a communication platform will be created for members of the lived experienced community who undertake Levels 3 – 7 of the Participation Framework. The aim of the communication platform will be to provide an easy way to access information about events or projects, message and respond to quick polls within each of these level. This space will be managed by the Children's Rights and Inclusion Coordinator and strict permissions will be used to restrict contact between other participants. The platform will be chosen after a Data Protection Impact Assessment has been carried out and approved. The communication platform will adhere to the legal responsibilities of CHS to protect data and information.

7.4 Privacy Statements

A privacy statement will be provided for all participants and adjusted to suit the needs of participation at each level.

8. Training and Development

For most of the CHS participation levels, there will be opportunities for training and skills development. CHS could offer training and skills development in an area that suits them through CHSLA or through partnerships with other bodies. Examples can be found below:

8.1 Level 3 – Involving - Lived Experienced Recruiters

A training programme will be developed by a working group to create a progression pathway as recruiters return each year. There could be opportunities for recruiters to join with training session through Learning and Development session within ASTs or on a National Level.

8.2 Level 4 – Incorporating – Mutual Mentors and Interns

The Mutual Mentoring Programme could be developed with the flexibility to create a personalised approach towards developing the skills and knowledge sought by both mentees. There is the opportunity to seek guidance from coaching facilitators to ensure that anyone entering the programme has the confidence and support to do so.

8.3 Level 6 – Consulting

Consultants would be appointed based upon specific roles e.g. recruiter for CHS staff roles, providing support and training for panel members

As each role is created, a training programme should be developed to ensure the consultant has the tools, knowledge, skills and confidence to take on their role.

8.4 Level 7 – Advising

Training and development about the purposes and process of being on an advisory group would be provided. Members of the group could take turns in being the 'chair', taking minutes and presenting feedback to ensure everyone has a chance to develop skills.

9. Support

The way in which general support of each level is managed will be key to making the Participation Framework a success. Options include:

9.1 Option 1

A member of CHS staff becomes a 'lead' for each level and receives external coaching/mentoring training to provide the tools for supporting participants when needed.

9.2 Option 2

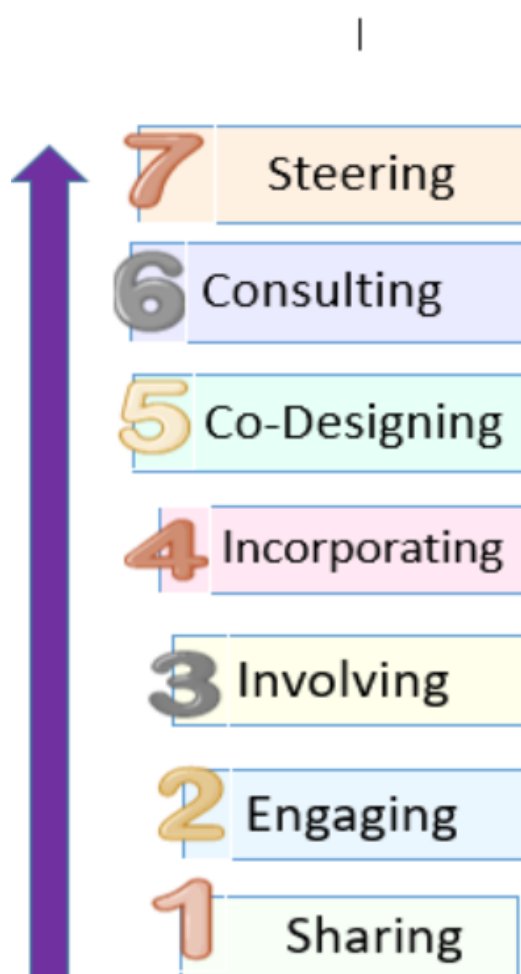
A Participation Officer or development worker with deployed to assist in building upon the solid foundation of the Participation Framework and to manage the operation of specific levels.

9.3 Option 3

In the meantime, CHS continue to rely upon signposting people to our partnerships with WhoCares?Scotland and CHAMP boards for overall wellbeing support. The WhoCares?Helpline will be linked into the Participation Station webpage so that anyone accessing the page to offer participation knows that there is The level of wellbeing support which can be provided to CHS participants by Health Assured needs to be scoped out further.

Other options can be scoped out.

Appendix 1 CHS Levels Of Participation A Guide



Activity	How to get involved	Time Commitment
Appointment as a National Advisor	Apply when Advertised	1 day per month
Self-employed or short term contracts with CHS	Application to join Experts By Experience Bank	Agreed upon for each piece of work
Support co-design and co-production of areas of work influencing improvement at CHS	Application to join projects	Agreed upon for each project
Volunteer for Mutual Mentoring Programme or becoming an intern	Application	Hours co-designed with participant
Becoming a Lived Experienced Recruiter	Complete yearly training	Various hours during CHS recruitment period
Attending Participation Groups Meetings and attending participation events	Join Mailing List for invitations	Meeting held every 6 - 8 weeks
Offering feedback, ideas and keeping informed	On the CHS 'Get Involved' webpage	Self-directed, no time commitment required

Agenda Item 12
CHS-2223-09

CHS Annual Accounts 2021/22

Accountable Director:	Depute CEO
Report author:	Ross Mackenzie
Recommendation:	To note the key dates in the preparation of CHS's 2021/22 financial statements and review the Accountable Officer's draft Governance Statement for inclusion in the 2021/22 Annual Accounts.
Resources implications:	N/A
Equalities duties:	Equalities Impact Assessment Required <input checked="" type="checkbox"/> No

1. Introduction and background

The purpose of this report is to inform Audit Committee of the key steps in the preparation of the 2021/22 Annual Accounts and to give the Audit Committee the opportunity to review the draft Governance Statement for inclusion in the 2021/22 Annual Accounts. The Accounting Policies were approved at the February ARMC and the March Board.

2. Key steps in the preparation of the Annual Accounts

In order to capture as many 2021/22 purchase invoices as possible the purchase ledger was kept open until 21 April 2021. Between then and 13 May, the postings to the general ledger are analysed and accruals, prepayments and adjustments are posted. This is to ensure as accurate a position as possible is presented in the annual accounts of the year to, and position at 31 March 2022.

The IAS19 pension valuation and unfunded pension liabilities will be posted by 27 May. In the week beginning 16 May all Balance Sheet accounts are reconciled and all narrative in the Annual Accounts is finalised in preparation of a pre Audit review by the Head of Finance and Resources in week beginning 23 May.

SCRA's external auditors, Audit Scotland, are carrying out their interim audit visit and once findings are agreed the Finance Team will provide Management Responses for inclusion in a final Management Letter.

Audit Scotland, are on site between 31 May and 24 June. The draft accounts will be reviewed at the August Audit and Risk Management Committee following which the Accounts are formally signed at the Board at the September meeting before being laid before the Scottish Parliament at the end of October.

3. Governance Statement

The 2021/22 FReM sets out a requirement for inclusion of a 'Governance Statement' in the Annual Accounts. The FReM indicates that guidance on the content of the statement is provided for specific jurisdictions governed by the 'Relevant Authorities'. In CHS's case, the

Relevant Authority is the Scottish Government, and guidance is set out in the Scottish Public Finance Manual (SPFM) which indicates that there is no set format for a governance statement, but identifies certain essential features.

A governance statement, for which the Accountable Officer has personal responsibility, is a key feature of the organisation's annual report and accounts. It should cover the accounting period and the period up to the date of signature and provide the reader with a clear understanding of the organisation's internal control structure and its management of resources. The statement should be informed by work undertaken throughout the period to gain assurance about performance and risk management, providing an insight into the organisation's risk profile and its responses to identified and emerging risks.

The draft 2021/22 Governance Statement is attached at Appendix 1. The Scottish Government's Certificates of Assurance process, referenced in the Governance Statement, is now under way. The checklist has been completed.

CHS's external auditors will review the Governance Statement for its consistency with evidence collected in the course of auditing the financial statements.

4. Recommendations

The committee is asked to:

- note the key dates in the preparation of CHS's 2021/22 financial statements
- review the Accountable Officer's draft Governance Statement for inclusion in the 2021/22 Annual Accounts.

Governance Statement

Scope of Responsibility

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

Governance framework

CHS' governance framework accords with generally accepted best practice principles and guidance from Scottish Ministers in the Scottish Public Finance Manual and has been in place for the financial year ended 31 March 2022 and up to the date of the approval of the annual report and accounts.

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

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

The Remuneration and Appointments Committee meets as required (in this year it met three times) and reviews the arrangements for:

- the performance appraisal process for the Chief Executive, Directors and CHS staff
- the recruitment and remuneration of all CHS employees.

In 2021/22 the Committee also considered the launch and implementation of the CHS People Strategy, Staff Forum progress, Equality, Diversity & Inclusion outcomes reporting, and Gender Pay Gap reporting.

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

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

- financial control and reporting
- risk management
- Information Governance

- legal and regulatory compliance
- Digital Programme

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

CHS has an internal audit service provided under contract by BDO, which operates to standards defined in the Public Sector Internal Audit Standards. During 2021/22, Internal Audit undertook reviews of Information Governance arrangements within CHS, Contract management for the Learning Academy, and Area Support Team Governance arrangements, as well as providing support on risk management and reviewing progress against outstanding audit actions. The Committee scrutinises all internal audit reports and the actions taken by managers in response to audit recommendations.

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

Operation of the Board

The Board met five times during 2021/22, held five Board development sessions and one Strategy session.

Key issues for the Board in 2021/22 included:

- Agreeing five-year Financial Plan
- Framework Document
- Impact Report
- Trauma Training Strategy
- Approving quarterly performance reports
- Board Code of Conduct
- Scrutiny of ongoing progress with Digital Programme
- Approving the Budget for 2022/23
- Approving the Business and Corporate Parenting Plans for 2022/23
- Approving the Annual Accounts and Impact Report
- Reviewing Learning Academy progress and Learning & Development Strategy
- Volunteer Recruitment
- Equalities
- OHOV Calls to Action
- Resilience & Recovery
- Approving the accounting policies to be used for the preparation of CHS' statement of accounts for 2021/22

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

Assessment of corporate governance arrangements

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

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

The following internal control systems are assessed annually as part of the Scottish Government Certificates of Assurance process which must be completed by the National Convener. This process is underway for 2021/22 and to date no major control gaps have been identified.

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

Key issues and risks

A framework for identifying, measuring, controlling and monitoring strategic risks has been in place throughout the financial year during which time the senior team managed a transition to a new risk register format proposed by the Internal Auditors. A regular review of the Strategic Risk Register is undertaken by the Senior Management Team and the Strategic Risk Register is reported to the Audit and Risk Management Committee on a quarterly basis. Strategic and operational risk

management is embedded in CHS' corporate and business planning processes and performance management arrangements.

The key strategic risks identified and monitored during 2021/22 included: impact of COVID-19 on ability to spend out in 2021/22; digital systems do not meet user's needs or there is a low uptake of systems developed; systems fail due to poor cyber resilience, failing to have an influential voice in sector policy and practice; failure to meet UNCRC obligations; failure to contribute to positive outcomes for babies, infants, children, young people and their families due to poor quality hearings and hearings decisions and not maintaining an informed, trauma sensitive, sustainable, resilient and motivated volunteer community; Reduction in Panel member capacity leads to inability to fulfil statutory requirements, reliance on partner organisations leads to delay in ongoing work.

Digital Programme

The main focus of activity throughout 2021/22 has been on supporting Panel Members to participate in virtual children's hearings through training and provision of devices to support virtual activity; working with the supplier on the development backlog of functional improvements; identifying and establishing CHS Digital staffing requirements moving forward and setting in place a digital team.

CHS has worked to embed the use of the O365 and Teams platform launched in 2019/20 and, despite the impact of Covid on operations, opening rates of Teams posts/community newsletters has grown steadily. Take up of the functional digital services remains at a slower pace/volume than originally planned for due to the impact of Covid on operations e.g. expenses not being claimed frequently as hearings are virtual. Implementation continues to be monitored and volunteers supported to access services; PPA Observations were re-started in 2021 with the digital service being used to support this activity..

Due to the digital programme moving into a BAU phase, the Digital Oversight Committee and Digital Delivery Board, Product and Technical Assurance Groups and the Security Accreditation Group were stepped down in 2021. SCRA and CHS have been working with an external partner to support the introduction of Change Control Boards to support the governance and implementation of improvements or changes to the digital platform.

An Organisational Readiness team including functional business owners, continues to be in place to support product development and successful uptake of the new systems. Extensive digital engagement with our volunteer community has taken place in year, in particular support to access new virtual hearing technology (RAVHI), this was supported by the Children's Hearings Scotland Learning Academy. To enable continued hearing operation, CHS have worked with SG to continue to provide managed Chromebook devices and each new Panel Member Trainee recruited in 2021 was provided with a device. Volunteer Digital Champions continue to be a welcome addition within each AST, promoting and supporting digital take up locally.

Personal data related incidents

During 2021/22, CHS has had 12 information security incidents recorded and investigated (including alleged incidents), none of which were reportable to the Information Commission Office.

Mitigating measures are in place to reduce the likelihood of data breaches and include compulsory training for all panel and AST members, Clerks, CHS National Team and Board members. Regular newsletters and case studies are also produced to raise awareness of the importance of information security.

Conclusion

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

Agenda Item 12
CHS-2223-10

**CHS Audit and Risk Committee
Annual Report for the year ended 31 March 2022**

Accountable Director:	DCE
Report author:	Lynne Harrison/Henry Robson, Chair
Recommendation:	To approve the annual report
Resources implications:	N/A
Equalities duties:	Equalities Impact Assessment Required No

1. Background

1.1 The report covers the work of the Audit and Risk Management Committee (ARMC) from 1 April 2021 to 31 March 2022.

1.2 The ARMC meets quarterly and is responsible for providing the Board and Accountable Officer with advice and assurance about the arrangements for:

- financial control and reporting
- risk management
- corporate and information governance
- legal and regulatory compliance

1.3 The Committee scrutinises all audit reports and actions taken by managers in response to audit recommendations.

2. Overview

2.1 The Audit and Risk committee met on four occasions during the reporting year: 11 May, 24 August, 9 November 2021 and 15 February 2022.

2.2 Members of the committee who served during the reporting period were:

- Henry Robson, Chair (since 30 June 2017)
- John Anderson (until 30 June 2021)
- Sean Austin (from 24 August 2021)
- Barbara Neil

2.3 Attendance

Members’ attendance at committee meetings was as follows:

	11 May 2021	24 Aug. 2021	11 Nov. 2021	15 Feb. 2022	Attendance
Henry Robson	√	√	√	√	4/4 100%
John Anderson	√	Resigned	Resigned	Resigned	1/1 100%
Barbara Neil	√	√	√	Apologies	3/4 75%
Sean Austin	Un- appointed	√	√	√	3/3 100%
Garry Coutts (Chair of the Board)	Observing	Observing	Observing	Observing	N/A
Beth Anne Logan (Board member)	N/A	N/A	N/A	N/A	N/A
Jo Derrick (Board member)	N/A	N/A	N/A	N/A	N/A
Katie Docherty (Board member)	Un- appointed	N/A	N/A	N/A	N/A

Over the course of these meetings I confirm the Audit and Risk Management Committee met its Terms of Reference during 2021/22.

3. Audit and Risk Management Committee Meetings

3.1 The ARMC meetings are attended by the National Convener/ Chief Executive (NC/CEO), who is also the Accountable Officer, and the Depute Chief Executive. The Head of Finance and Resources (shared services CHS/SCRA), the Head of Strategy, Development and DCE and the Governance Lead also attend the meetings. Internal Auditors (BDO) and the External Auditors (Audit Scotland) attended all meetings.

3.2 A programme of work was agreed for the ARMC and allocated over the four meetings during the year. The ARMC discussed 46 items of business during the year.

3.3 Standard agenda items at each meeting are:

- Register of Interests
- Minutes of the previous meeting and matters arising.
- Action Log
- Digital programme
- A report summarising any significant changes to the organisation’s Risk Register
- Internal Audit Reports summarising :
 - work performed (and a comparison with work planned)
 - key issues emerging from Audit work
 - management response to audit recommendations
 - any changes to the Annual Plan
- Information Governance Practice and Compliance reports
- External Audit general update report

4. Review of 2020/21 Annual Accounts

4.1 The 2020/21 Annual Accounts including the Governance Statement were reviewed and approved and the Committee recommended the signing of the Accounts to the Board and the Accountable Officer. The 2020/21 Annual Accounts received an unqualified opinion from the External Auditors.

5. Strategic Risk Register

5.1 Changes in the strategic risk register were reviewed at each meeting.

5.2 A framework for identifying, measuring, controlling and monitoring strategic risks was in place throughout the financial year. Operational responsibility for risk management sits with the Senior Management Team (SMT) where risk management (strategic and operational) is a standard item on SMT meeting agendas.

5.3 Risk management is embedded in CHS' planning management processes. At the strategic level, corporate and business strategies are aligned to the risk management process; at the operational level, SMT reviews the Operational and Strategic Risk Registers and follows a similar process of risk review/ interrogation.

5.4 The Committee routinely interrogates key strategic risks to test the robustness of CHS' risk management processes and the assurances provided through this executive process. The Board of CHS has an oversight role and receives a quarterly update from the ARMC Chair at Board meetings.

5.5 The key strategic risks identified and monitored during 2020/21 included the impact of Covid-19 on CHS community, operations and reputation; Financial management including CHS Pension Fund membership and management; the implementation of UNCRC; the engagement of disaffected panel members; maintaining a trauma informed and resilient panel community; reliance on partner organisations; and failing to provide positive outcomes to children, infants and families.

6. Information Governance

- 6.1 The ARMC focused its work on
- Monitoring of data breaches and subsequent actions;
 - Monitoring of FOISA/SAR activity;
 - Complaint reporting.

7. Internal Audit

7.1 The annual Internal Audit Plan 2021/22 was presented to the Committee by BDO in May 2021 and approved.

7.2 The following internal audits were carried out during 2021/22:

- CHS Learning Academy Contract Management: October 2021
- AST Governance: January 2022
- Information Governance: March 2022

7.3 The audit of the management of the CHS Learning Academy contract with West Lothian College provided substantial assurance over the design and effectiveness of controls in place and identified a number of areas of good practice including:

- KPIs were included in the contract;
- Invoices were paid in line with the terms of the contract;
- There were caps on the venue cost per delegate; and
- Regular meetings were held with staff members at WLC to monitor performance against the contract.

The report recommended reviewing the KPI's to ensure they add value to CHS, that CHS establish and document their framework for how they monitor the quality of learning for volunteers, and that management monitor course satisfaction and completion rates against historic figures regularly and this is included within the CHSLA annual report. These recommendations were accepted by management and are currently in train.

7.4 The audit of AST Governance recognised the effort and time volunteers in AST's and panel members have given to support the children's hearing system especially during the pandemic. The Audit found aspects of the AST model that operate effectively, such as 24 hour counselling services for PM's and clearly documented roles and responsibilities however there were a number of areas of improvement:

- Review of CHS business model, including the volunteer model and ASTs and identify the required impact ASTs should have, using the strategic themes identified in the Corporate Plan. AST's impact against these outcomes should be regularly monitored and reported on.
- Review the 'Core policies for the operation and area support teams' and include the roles and responsibilities of ASIPs as well as suggested governance arrangements for AST's.
- CHS communicate to AST members that AST's role in supporting panel members' wellbeing is to signpost to support available.

These recommendations were accepted by management for implementation by the end of March 2023.

7.5 The audit on Information Governance provided moderate assurance that Information Governance measures in place at CHS are well designed and operating effectively. The audit noted a number of areas of good practice within CHS including:

- Document control and reviews completed of policies are clearly outlined within each policy and kept up to date.
- Great care is taken to ensure that the training provided by West Lothian College is up to date and in line with all the relevant current legislation.
- Data processing agreements are in place with third parties who utilise CHS data explaining the conditions attached to data use and the responsibilities that the data processor have.

- Privacy notices for the public and individuals with lived experience are available on the CHS website.

Areas of recommended improvement were noted including the need for a more robust information asset register and information security incident log, the creation of a data processing agreement log, and the need for additional privacy notices for individuals applying for roles with CHS and more detail outlining the data protection rights of the data subject. These recommendations have been accepted by management for implementation by the end of 2022.

8. External Audit (EA)

8.1 The committee endorsed the accounting policies to be adopted by CHS for the preparation of its statement of accounts for 2021/22 and recommended no change to the Board and the Accountable Officer. The Board of CHS approved the accounting policies at its meeting on 15th February 2022.

8.2 The Committee reviewed the outline annual audit plan and strategy in relation to the 2020/21 Accounts at their meeting on May 10th 2022. The Head of Finance was comfortable with the high level timetable for financial statements and reporting deadlines for the August CHS Audit committee meeting.

9. Terms of Reference (ToR)

9.1 The Committee reviewed its ToR (see Annex A) in February 2022. The Board of CHS approved the ARMC's ToR in March 2022.

10. Strategic issues to be examined during 2022/23

10.1 The 2022/23 internal audit plan was reviewed and approved at the February 15th 2022 meeting. The internal audit will cover the management of complaints at CHS, FOISA requests, and project management.

10.2 The Committee anticipates focusing its energies on the key strategic risks facing the organisation over the next year. I would highlight the following areas of challenge:

1. The ongoing capacity constraints of our volunteer community and the resulting impact on our ability to fulfil our statutory duties;
2. Ensuring the organisation delivers on redesign and reform agenda and in particular takes its place in influencing and delivering against the requirements of The Promise;
3. Ensuring the CHS Community has the support and structures in place to enable them to deliver effectively against the Strategic Outlook and Promise requirements while progressing through change and redesign.

10.3 The external auditors will complete their review of the 2021/22 annual accounts in June 2021 and the audited accounts will be presented to the ARMC in August 2022 and to the Board in September 2022.

11. Support to the Committee

11.1 On behalf of the Committee I would like to record our thanks to CHS Management, the Internal Auditors, BDO, and the External Auditors, Audit Scotland, for their contribution and support throughout the year.

Henry Robson
ARMC Chair

May 2022

Audit and Risk Management Committee Terms of Reference

1. ARMC Terms of Reference

1. Constitution

1.1 The Board hereby resolves to establish a committee of the Board to be known as the Audit and Risk Management Committee (ARMC).

2. Membership

2.1 The ARMC comprises a minimum of three non-executive members appointed by the Board, not including the Chair of the Board.

2.2 The Board appoints one of its members to serve as the chair of the committee. Details of the current members, including the committee Chair, are shown in Appendix 1.

2.3 All members are appointed for a three year term, which can be extended for up to a maximum further three years.

2.4 The ARMC may co-opt independent members who are not members of the Board for a period of time (not exceeding a year) to provide specialist skills, knowledge, and experience subject to budgets agreed by the Board.

2.5 The Committee may appoint a substitute drawn from the membership of the Board of CHS, with the exception of the CHS Board Chair, in line with the requirements at 2.1.

2.6 A committee substitute may participate at a committee meeting in place of a member.

2.7 When a committee substitute attends a meeting (or other committee activity), he or she assumes the full rights of an ordinary member of the committee. In particular, the substitute can vote and is entitled to receive all committee papers.

3. Authority

3.1 The ARMC is authorised by the Board to review and approve any activity within its terms of reference.

4. Meetings and Quorum

4.1 The ARMC meets at least four times a year. The Chair of the committee may convene additional meetings as he/she deems necessary. Meetings may be held virtually if required.

4.2 The Chair of the Board may also ask the ARMC to convene further meetings to discuss particular issues on which he/she seeks the Audit and Risk Management committee's advice.

4.3 A minimum of two members of the ARMC must be present for the meetings to be deemed quorate. In the absence of the Chairperson, one of the other non-executive members will assume that role for the duration of the meeting. To ensure that the meeting is quorate, committee substitute(s) may be required to attend.

4.4 The National Convener/Chief Executive Officer, Deputy Chief Executive, the Director of Finance are required to attend each meeting.

4.5 The Audit and Risk Management committee may ask any other officials to attend in order to assist with discussions and offer expertise on a particular matter.

4.6 The CHS Business Support Team will provide the ARMC with secretarial support services.

4.7 The agenda and meeting papers are issued to members at least seven calendar days prior to the meeting, unless agreed otherwise.

4.8 The CHS Business Support Team minutes the proceedings and resolutions of all committee meetings including the names of those present and in attendance.

4.9 Minutes of every committee meeting are circulated to the committee for approval and approved minutes referred to the Board for noting as soon as practical.

4.10 The internal and external auditors attend all meetings.

4.11 The ARMC may ask any or all of those who normally attend, but who are not members, to withdraw in order to facilitate open and frank discussion of particular matters.

4.12 An Action Log is maintained to monitor progress on key issues raised at meetings.

5. Reporting

5.1 The Chair of the committee reports back to the Board, verbally or in writing, after each meeting. The committee takes directions from the Board on general or specific actions.

5.2 The ARMC provides an Annual Report, timed to support preparation of the Governance Statement, summarising its conclusions from the work it has done during the year.

6. Responsibilities

6.1 The Audit Committee advises the Board and the Accountable Officer on:

6.1.1 The strategic processes for risk control and governance;

6.1.2 Corporate and information governance arrangements;

6.1.3 The accounting policies, the approval of the Unsigned Annual Report and Accounts following completion of the audit and Management's Letter of Representation to the external auditors;

6.1.4 The planned activity and results of both Internal and External Audit;

6.1.5 The adequacy of management response to issues identified by audit activity, including external

audit's report to those charged with governance;

6.1.6 The annual and longer term operating plans for internal audit and the resourcing of the internal audit to deliver these plans;

6.1.7 Monitoring the implementation of approved recommendations;

6.1.8 The external audit reports and, where appropriate, reports to the Board of any issues from the external audit of CHS, and any matter that the external auditors bring to the attention of the committee;

6.1.9 The adequacy of the arrangements for the management of CHS' compliance with legislation and regulation focusing on: data security, freedom of information, health and safety and equality;

6.1.10 Fraud and Corruption prevention policy, Whistleblowing policy, and arrangements for special investigations.

7. Information Requirements

- 7.1 Agree a work programme at the start of each financial year for the year ahead.
- 7.2 For each meeting the ARMC is normally provided with:
- 7.2.1 A report on performance relating to risk management, including a summary of any key changes to the risk register;
 - 7.2.2 Information Governance reports including the Joint Digital Delivery Oversight Committee;
 - 7.2.3 A report from Internal Audit detailing, as appropriate:
 - audit performed;
 - key issues emerging from internal audit work;
 - management responses to audit recommendations;
 - the current internal audit plan including proposed changes;
 - any issues affecting the delivery of internal audit objectives;
 - progress on the implementation of agreed recommendations.

8. As and when appropriate, the Committee:

- 8.1 Annually reviews its Terms of Reference. Proposals for amendment to the terms are submitted to the Board for formal approval.
- 8.2 Annually reviews its own effectiveness.
- 8.3 Considers the Draft Annual Report and Accounts prior to submission to the Board and reviews the Draft Governance Statement.
- 8.4 Reviews any changes to accounting policies.
- 8.5 Reviews the Management's letter of Representation.
- 8.6 Reviews the effectiveness of CHS' financial and other control systems.
- 8.7 Monitors CHS' arrangements to secure Value for Money, whether these are made via internal or external audit or other means.
- 8.8 Monitors the effectiveness of Internal and External Audit, reviews the Internal Audit Annual Report and the ISA 260 from External Audit.

8.9 Alerts the Board and, where necessary, Scottish Ministers to factors which might affect the ability of CHS to carry out its statutory functions and achieve its strategic objectives.

Chair

Date

Membership of the Audit and Risk Management Committee

Name	Term	Term
	1 st Appointment	2 nd Appointment
Henry Robson ARMC Chair	08/17-08/20	08/20-08/23
Barbara Neil	05/19-05/22	
Sean Austin	07/21-06/24	

Agenda item 13

CHS-2223-11

Remuneration and Appointments Committee Annual Report 2021-22

1. Background

1.1 This report covers the work of the Remuneration and Appointments Committee (RAC) from 1st April 2021 to 31 March 2022.

1.2 The RAC is responsible for assisting the CHS Board to deliver its responsibilities for effective staff performance management, recruitment, remuneration and appointment in accordance with its Terms of Reference.

2. Overview

2.1 The committee met on three occasions during the year: 18th June '21; 9th November '21; and 15th March 22'.

2.2 Meetings were held in private to discuss confidential internal policies and staffing matters.

2.3 The Committee reviewed its Work Plan in November 21' and its Terms of Reference in March 22'.

2.4 Members of the committee who served during the year were:

- Jo Derrick, Chair
- John Anderson (retired June '21)
- Beth Anne Logan
- Katie Docherty (from November '21)

2.5 Attendance

Members' attendance at committee meetings was as follows:

	18 June 2021	9 November 2021	15 March 2022	Attendance
Jo Derrick	√	√	√	100%
John Anderson	√	NA	NA	100%
Beth Anne Logan	√	√	√	100%
Katie Docherty	NA	√	√	100%
Garry Coutts	√	√	√	NA

Over the course of these meetings I confirm the Remuneration and Appointments Committee met its Terms of Reference during 2021/22.

3. Remuneration and Appointment Committee Meetings

3.1 The RAC meetings are attended by the National Convener/ Chief Executive (NC/CEO), who is also the Accountable Officer, and the Depute Chief Executive. The Head of Strategy, Development and DCE, the Human Resources and Organisational Development Lead, and the Business Operations and Governance Lead also attend the meetings. The Chairs of the Tea Forum attend all meetings.

3.2 A programme of work was agreed for the RAC through their work plan and allocated over the three meetings during the year. The RAC discussed 20 items of business during the year including:

- The NC/CEO 6 month and annual appraisals were reviewed;
- The People Strategy and its Implementation Plan was considered and approved;
- An annual report on appraisals was reviewed and approved;
- The Equality Diversity and inclusion Strategy update was considered and approved;
- The Equality Outcomes report 2020-2022 was approved and published;
- The Gender Pay Gap Report was approved and published;
- The committee agreed the approach to a 1 year pay policy for CHS staff for final approval at its June 2022 meeting;
- The Committee reviewed its own effectiveness;
- The committee welcomed the continued engagement with the Team Forum who attended every meeting.

3.3 Standard agenda items at each meeting are:

- Register of Interests;
- Minutes of the previous meeting and matters arising;
- Action Log;
- People Strategy and Planning update;
- Team Forum update.

4. Support to the Committee

On behalf of the Committee I would like to record our thanks to CHS Management, the National Team, and the Team Forum for their contribution and support throughout the year.

Jo Derrick
RAC Chair

June 2022

Agenda item 13
CHS-2223-12

Board Member Annual Appraisal Process

Accountable SMT member: Head of Strategy, Development & DCE
Report author: Business Operations and Governance Lead
Resources implications: Within available resources
Purpose: For approval
Equalities duties: Equalities Impact Assessment Required

Yes? No

1. Introduction / Purpose

1.1 The Board identified a need to develop a formal appraisal process of Board members at their development session in January 2021. The RAC has reviewed the document attached and proposes it for discussion and implementation by the Board.

1.2 In creating this process, advice was sought from the Sponsor Team and Public Bodies Unit who directed CHS to the general guidance found here: [Appraisal of non department public body \(NDPB\) board members and chairs: guidance - gov.scot \(www.gov.scot\).](http://www.gov.scot/publications/ndpb-2019-01/documents/summary/ndpb-2019-01-board-members-and-chairs-guidance-gov-scot-2019-01.pdf)

2. Policy/Process

2.1 Using the guidance as above, this document was created to formalise, standardise, and provide consistency to Board member appraisals at CHS. The document consists of guidance, process detail, and appendices which include:

- Role and Responsibilities of the Board Member;
- Role and Responsibilities of the Chair;
- Template form for conducting Board member appraisals.

3. Questions raised

3.1 The RAC questioned the re-appointment process and Board succession planning. The RAC felt more clarity was needed around the process for Board skill assessment and evaluation and how this links into individual Board member development and re-appointment.

3.2 The RAC felt the process should more overtly draw out the links between the CHS business objectives – Board objectives – individual Board member objectives – skill matrix and development – and ultimately, the requirements of the Board going forward.

4. Recommendation

The Board are asked to approve the process with a view to implementation at the end of 22/23.

BOARD MEMBER APPRAISAL Process

Document Location	
-------------------	--

Version	Date	Owner	Summary of Changes
1.0	27.05.2022	Business Operations and Governance Lead	<ul style="list-style-type: none">• Process created

Approvals	RAC Board
-----------	-----------

1. Introduction

Board members and Chairs are appointed as their personal skills, knowledge and experience meet the needs of the public body concerned at a particular point in time. The purpose of the Board member and Board Chair appraisal process is to contribute to the continuous improvement of the public body's decision-making, effectiveness and performance.

1.1 The performance of Board members should be regularly reviewed throughout the term of their appointment by the Board Chair. The performance of Board Chairs will be reviewed by the Senior Sponsor (normally Director or Deputy Director).

1.2 Board members should receive, at the bare minimum, an annual performance appraisal which will assess their performance in relation to certain pre-established criteria and objectives, and provide the opportunity for meaningful discussion. For new or inexperienced Board members, it may be appropriate to adopt a system of twice yearly performance appraisal.

1.3 All Board members, including the Chair, should have objectives that relate to the strategic objectives of the organisation and their role on the Board, agreed at the beginning of each reporting period.

2. General Principles

Public bodies exist because they have proven value in performing certain functions on behalf of Government. The general principles should apply to both Board members and Chairs:

- Appraisal should promote self-reflection on individual performance.
- It is important that appraisals look forward, not just back. This is to ensure account is taken of the future needs of the organisation, any learning and development identified and the aspirations of the Board Chair/Board member.
- Any performance-related issues which are having an adverse effect on the overall performance of the Board should be identified and discussed as part of the on-going process of constructive feedback. Feedback – particularly where there are performance issues – should not wait until the formal appraisal discussion and report. If appropriate, an action plan should be developed detailing how any performance issues will be resolved, with a clear timetable of how and by when, with a further meeting arranged to review progress.
- All documentation relating to the appraisal should be completed during, or shortly after, the appraisal and signed by both parties. Documentation recording the appraisal interview should be kept simple, focused and easy to use.
- The Board Chair should provide assurance to the Sponsor Director/Deputy Director that Board member appraisals have taken place.
- A clear process should be put in place to ensure resolution of instances where any irreconcilable differences occur between the Board Chair and Board Member. In the first instance these issues should be referred to the Sponsor Director/Deputy Director.

3. Effective Performance Management

In developing an effective performance management and appraisal system consideration should be given to:

- The evidence that might be available to both the appraiser and appraisee in order to support the assessment process. This evidence may include contributions from others – such as other Board colleagues – as well as self-assessment.
- The criteria used must not directly or indirectly discriminate against any individual or group of individuals (for example, when people with caring responsibilities or work commitments have not been able to give time over and above the requirements of the role in the way that others might have been able to do). It will be for the Board Chair to have some flexibility in this respect.
- Where appropriate, the process should be used to identify individuals with the potential to progress. This may not only assist with succession planning within an organisation (e.g. from Board member to Board Chair roles), but it may help with planning across public bodies.
- For many, 360-degree feedback is used as a useful tool in providing feedback on an individual's behaviours, performance and working relationships. This method of providing feedback is often incorporated into the appraisal process for Board Chairs and Board members, but should only be used with the agreement of both the appraisee and the appraiser.

4. Board Member Appraisal

The Board Chair is responsible for conducting formal annual appraisals for all Board members.

4.1 Performance should be judged against individual objectives and the extent to which individual Board members contribute to ensuring the public body delivers its functions effectively and efficiently in accordance with Ministerial aims, policies and priorities.

4.2 As part of the appraisal process there should be a review by the Chair of individual members' training and development needs.

4.3 It is recommended that Board members undertake some self-assessment of their performance over the last reporting year before the appraisal. This should include their contribution to the work of the Board, attendance and whether agreed learning and development plan actions have been achieved. Thinking ahead to setting goals for the coming year, consideration should be given to any areas of improvement or development.

5. Board Chair Appraisal

The Sponsor Director/Deputy Director is responsible for conducting the annual appraisal of the Board Chair.

5.1 Performance should be judged against individual objectives and the extent to which the Chair contributes to ensuring the public body delivers its functions effectively and efficiently in accordance with Ministerial aims, policies and priorities.

5.2 As part of the appraisal process there should be a review by the Senior Sponsor of the Chair's training and development needs. It is recommended that Chairs undertake some self- assessment of their performance over the last reporting year before the appraisal. This should include their leadership of the Board, how the Chair has harnessed the benefits of Board diversity and the quality of the Chair's relationships with stakeholders. Thinking ahead to setting goals for the coming year, consideration should be given to any areas of improvement or development.

5.3 The performance of the Board Chair should be assessed on the basis of the behaviours they apply to the role rather than any specific tasks they undertake. Objectives should be proportionate, and clearly related to the strategic objectives of the public body. It is important to avoid setting any objectives that are too specific or task-orientated. The Board Chair's objectives should be reviewed and updated as required in order to reflect the current position as the Board Chair's appointment and the Board evolve, whilst ensuring the Board Chair continues to develop in the role and adds value to the organisation.

6. Re-appointment to the Board

6.1 While effective performance is necessary to continuing appointment during a term, it does not necessarily guarantee a second term. Members may only be re-appointed for second and subsequent terms in the same role without open competition, *if they possess the skills and knowledge required on the Board at the time of re-appointment and their performance has been properly appraised as effective during the initial period of appointment.*

6.2 The final decision as to whether or not a Board member or Chair is re-appointed ultimately rests with the Minister, subject to the specific nature of the public body's constitution, the needs of the Board for the foreseen period of the re-appointment and the terms of appointment.

6.3 A Board member or Chair's total period of appointment in the same position must not exceed eight years. This eight-year maximum is based on the aggregate time in post and applies regardless of whether the time in post was continuous or not. The terms and conditions of re-appointment should be outlined in a re-appointment letter.

7. Guidance for conducting Board Member appraisals

CHS' performance appraisal scheme requires a meeting to take place each year. The CHS Chair conducts annual appraisals for all Board members before the start of the new financial year, usually in March.

The purpose of the meeting is to exchange feedback, discuss development, and agree objectives where relevant. This appraisal meeting should not be viewed in isolation – in practice, performance appraisal should be viewed as a continuous process and therefore the dialogue between Board members and the Chair about performance should not be limited to the formal meetings.

The appraisal takes into account the following:

- 7.1 Review of the year – reflection on the member's contribution during the year, including:
- Contribution to strategy/policy formation;
 - Contribution to effective decision making;
 - Contribution to fostering constructive relationships with stakeholders and customers;

- Contribution to governance issues;
- Preparation for meetings;
- Attendance and commitment at meetings;
- Attendance at training/development activities;
- Ability to challenge constructively;
- Ability to work effectively as part of a diverse team;
- Awareness of diversity and equality issues.

7.2 Looking forward – are the member's responsibilities appropriate?

- Reflections on the organisation of committees and chairs;
- Setting of any new objectives;
- Identification of any learning and development needs, such as learning about the body's external environment or the organisation itself.

7.3 Feedback – what does the member think the focus of the Board should be/what can the Board do differently?

- Reflections on whether or not the Board has the skills it needs;
- Approaches to succession planning and outreach to potential new members;
- Whether the Board spends its time on the right things;
- Whether every member is encouraged to make best use of their skills.

8. Guidance for conducting Board Chair appraisals

In addition to the points outlined for Board members, which are also of relevance for Board Chairs, it is suggested that the Chair's appraisal includes reflections on:

- The Board's performance overall and that of individual members;
- How the Chair has led the Board;
- How the Chair has harnessed the benefits of a diverse Board to improve Board performance;
- The quality of the relationships with the sponsor Minister and Directorate, the Chief Executive/Accountable Officer and members of the Board;
- The leadership of the Board's approach to succession planning and outreach activities; to ensure that the Board can meet its diversity and skills needs;
- The quality of relationships with Parliament and other key stakeholders;
- Reflections on the performance and appraisal of the Chief Executive.

Source: [Appraisal of non department public body \(NDPB\) board members and chairs: guidance - gov.scot \(www.gov.scot\)](http://www.gov.scot)

Appendix A**Role and Responsibilities of the Board Member**

- Understands the operational environment in which their public body operates within the context of the wider public service delivery landscape.
- Attends Board meetings on a regular basis and is well prepared by reading relevant papers in advance and, if necessary, seeks further information to ensure their understanding.
- Attends training events and keeps up to date with subjects relevant to the public body's work.
- Contributes to the work of any committees that have been established by the Board.
- Represents the Board at meetings and stakeholder events when required.
- Contributes to strategic development and decision-making.
- Clarifies which decisions are reserved for the Board and which should be delegated.
- Monitors the reporting of performance and holds management to account through purposeful and constructive challenge and scrutiny.
- As necessary, seeks further information than that which is provided to give assurance on organisational performance.
- Questions and, as necessary, challenges proposals made by fellow Board members and the executive team constructively and carefully to reach and articulate a considered view on their suitability.
- Provides a creative contribution to the Board by providing independent oversight on issues of strategy, performance and resources.
- Behaves in accordance with the agreed Code of Conduct.
- Establishes and promotes the public body's role in the community.

Source: [Appraisal of non department public body \(NDPB\) board members and chairs: guidance - gov.scot \(www.gov.scot\)](http://www.gov.scot)

Appendix B**Role and Responsibilities of the Board Chair**

- Leads representation and links with Ministers and Scottish Parliament;
- Leads the Board, ensures that the Board has the ability to carry out functions effectively and chairs Board meetings;
- Leads the Board's approach to strategic planning;
- Leads the Board's approach to the establishment of committees and ensures the Board considers substantive reports from any committees established;
- Ensures that the work of the Board and any committees is subject to regular self- assessment and that the Board is operating strategically and effectively;
- Leads the Board's approach to succession planning to ensure the Board is diverse and effective;
- Ensures that the Board, in accordance with recognised good practice in corporate governance, is diverse both in terms of relevant skills, experience and knowledge appropriate to directing the public body's business, and in terms of protected characteristics under the Equality Act;
- Ensures the Scottish Ministers are advised of the body's needs when Board vacancies arise;
- Ensures the Board members are fully briefed on terms of appointment, duties, rights and responsibilities;
- Together with the other Board members, receives appropriate induction training, including on financial management and reporting requirements and, as appropriate, on any differences that may exist between private and public sector practice.
- Ensures there is a Code of Conduct for Board members in place, approved by the Scottish Ministers;
- Assesses the performance of individual Board members on a continuous basis and undertakes a formal appraisal at least annually; and
- In consultation with the Board as a whole, as appropriate, is responsible for undertaking an annual appraisal of the performance of the Chief Executive.

Source: [Appraisal of non department public body \(NDPB\) board members and chairs: guidance - gov.scot \(www.gov.scot\)](http://www.gov.scot)

Board Member Annual Appraisal Form

Members Name	
Board and Subcommittee Roles	
Appointment Dates	
Annual Review Date	

Review of the year – reflection on the member's contribution during the year

Area	Measures	Notes
General behaviour	<ul style="list-style-type: none"> -Attends Board meetings on a regular basis and is well prepared by reading relevant papers in advance and, if necessary, seeks further information to ensure their understanding. -Behaves in accordance with the agreed Code of Conduct. 	
Clear understanding of the role and performing it effectively	<ul style="list-style-type: none"> -Understands the operational environment in which their public body operates within the context of the wider public service delivery landscape 	
Continued Professional Development (CPD)	<ul style="list-style-type: none"> Attends training events and keeps up to date with subjects relevant to the public body's work. 	
Committee work	<ul style="list-style-type: none"> Contributes to the work of any committees that have been established by the Board. 	

<p>Contribution to fostering constructive relationships with stakeholders and community</p>	<ul style="list-style-type: none"> -Represents the Board at meetings and stakeholder events when required. -Establishes and promotes the public body's role in the community. 	
<p>Strategic vision and Decision making</p>	<ul style="list-style-type: none"> -Contributes to strategic development and decision-making. - Provides a creative contribution to the Board by providing independent oversight on issues of strategy, performance and resources. -Clarifies which decisions are reserved for the Board and which should be delegated. 	
<p>Challenge and performance monitoring</p>	<ul style="list-style-type: none"> -Monitors the reporting of performance and holds management to account through purposeful and constructive challenge and scrutiny. -As necessary, seeks further information than that which is provided to give assurance on organisational performance. -Questions and, as necessary, challenges proposals made by fellow Board members and the executive team constructively and carefully to reach and articulate a considered view on their suitability. 	
<p>Equality, Diversity, and Inclusion</p>	<ul style="list-style-type: none"> -Displays an awareness of diversity and equality issues. - Ability to work effectively as part of a diverse team. 	

Review of the year – reflection on the member's contribution during the year (as per above)

Member Notes:

Chair Notes:

Looking forward

- **Reflections on the organisation of committees and chairs.**
- **Setting of any new objectives.**
- **Identification of any learning and development needs, such as learning about the body's external environment or the organisation itself):**

Member Notes:

Chair Notes:

Feedback

- **What does the member think the focus of the Board should be/what can the Board do differently?**
- **Reflections on whether or not the Board has the skills it needs**
- **Approaches to succession planning and outreach to potential new members**
- **Whether the Board spends its time on the right things**
- **Whether every member is encouraged to make best use of their skills**

Member Notes:

Chair Notes:

Objectives:

(Insert additional rows if needed)

Objective (SMART)	Target Date	How will it be achieved?

Training & Development Needs:

(Insert additional rows if needed)

What is needed?	By when?	Method (e.g. online learning, webinar, workshop, coaching, shadowing, project)	Why is it needed?

<p>Any Other Comments:</p> <p>Member Notes:</p> <p>Chair Notes:</p>

Member Signature: **Date:**

Chair Signature: **Date:**

Agenda item 14
CHS-2223-13

Influencing Strategy

Accountable Director:	Elliot Jackson
Report author(s):	Stephen Bermingham - Head of Practice and Policy, Lily Humphries - Practice and Policy Advisor
Purpose:	For consideration and discussion
Resources implications:	N/A
Equalities duties:	Equalities Impact Assessment not required

1. Background

In November 2021 a paper was presented to the Board on the legislative and policy landscape. The purpose of the paper was to inform and generate a discussion with the Board on how CHS can influence the reform and policy landscape. The Board requested that the paper is kept updated as a 'live' document (appendix 1), an influencing strategy was prepared that identified timescales and spheres of influence within external groups (appendix 2) in the policy and legislative landscape.

2. Purpose

2.1 The purpose of this strategy is to get feedback and endorsement from the Board on a strategic approach to influencing the policy and reform agenda. The paper includes some initial recommendations to generate discussion and endorsement from the Board.

2.2 This strategy focuses on the policy and legislation landscape and offers some initial thoughts on how CHS can become influential in this space. Policy and legislation does not exist in a vacuum. To be influential CHS needs to refine and focus on a range of corporate tools and approaches. This influencing strategy is grounded in CHS' strategic corporate theme of being "well informed and influential".

2.3 Influencing is a process, therefore this strategy cannot be locked in to a blueprint and will remain a 'live' process that will continue to reflect the fluid policy and legislative landscape CHS occupies. It is also important to recognise that influencing is relationship based, and therefore we need to manage expectations in terms of the efficacy of a paper to achieve influencing outcomes. This is only one small part of the overall jigsaw to achieve clarity of purpose, credibility in the sector, world class service delivery, a strong identity and voice, and a shared sense of purpose.

3. Policy and Legislation

3.1 Three key forces drive Scotland's policy development; government policy, improvements identified from within the sector such as the Promise and legislative change. These are key moments which will drive and dictate policy change. Work to influence these

moments must be anticipated and planned for in advance. It is important to recognise that because of the fast-moving reform agenda CHS also needs to be prepared to seize opportunities as and when they arise.

3.2 Some policy and legislative work to regular schedules, and others have dates indicated in advance. The table below identifies influential moments that can already be anticipated in the run up to the introduction of the Promise Bill in 2026.

Date expected	Tool for change	Influencing aim & impact
June 2022	Coronavirus Recovery and Reform Bill	Remove absolute requirement for mixed gender panels
June 2022	UNCRC Incorporation Bill Amendments	Ensure CHS is positioned as key innovator in children’s rights practices and policy
July 2022	National Care Service legislation (with National Social Work Agency) introduction.	Ensure CHS is positioned appropriate within any new structure, funding and accountability arrangements.
June 2022	Bail and Remand Bill introduction.	This will address the question of whether a person’s age should be considered when deciding whether a person should be remanded or put on bail. This will work in conjunction with the Care and Justice Bill.
September 2022	Scottish Government Programme for Government 2022-23	Profile CHS as an organisation with a key role in delivering headline commitments.
Autumn 2022	Children’s Care and Justice Bill Introduction	Ensure CHS has strategic support to provide specialist hearings and ensuring a child centred approach which maintains core Kilbrandon principles.
Autumn/Winter 2022	New Human Rights Bill consultation	This will incorporate UN Conventions in key areas such a Disability, Political Rights, Women’s Rights, which will bring further rights on equalities into domestic law.
Winter 2022	Scottish Budget 2023-24	Ensure CHS has the resources required to deliver high quality services
Spring 2023	Hearing System Working Group Recommendations	CHS is positioned as a key agent for change in transforming the hearing system
April 2023	Trauma Informed Long Term Delivery Plan Publication	CHS is recognised as having a world class approach to trauma informed decision making
September 2023	Scottish Government Programme for Government 2023-24	Profile CHS as an organisation with a key role in delivering headline commitments.
Winter 2023	Scottish Budget 2024-25	Ensure CHS has the resources required to deliver high quality services.

September 2024	Scottish Government Programme for Government 2024-25	CHS has the political support to effectively deliver high quality services
Winter 2024	Scottish Budget 2025-26	Ensure CHS has the resources required to deliver high quality services
Spring 2025	Barnahus House Model	Protocols for sharing sensitive information in trauma informed way and as a lead agent for change to ensure this trauma informed model is also available for children over the age of criminal responsibility
September 2025	Scottish Government Programme for Government 2025-26	Profile CHS and the political support required to maintain effective delivery of services
Winter 2025	Scottish Budget 2026-27	Ensure CHS has the resources required to deliver high quality services
Before end of parliament (March 2026)	Promise Bill Introduction	CHS role in delivering on the Promise is firmly recognised and strengthened by the proposals in the Bill

3.3 CHS has a duty to maintain political impartiality but there is a need to raise our profile within the Scottish Parliament. All parties have dedicated spokespeople. There is an opportunity to communicate directly with these spokespeople and also have a higher profile in parliamentary committees, such as the Education, Children and Young People Committee, and the Criminal Justice Committee. There is also a range of cross party groups such as the Children and Young People, Cross Party Group on Care Leavers, Cross Party Group on Women, Families and Justice. Membership of these cross-party groups is made up of a range of organisations from the sector as well as elected members. There is an opportunity for CHS to increase or develop its profile within these group to influence the policy agenda.

3.4 We know from recent experience of pursuing the case to amend the gender amendment in the Coronavirus Reform and Recovery (Scotland) Bill that to stand the best chance of influencing legislative change we need to work closely with our Sponsor Team at the Government. The Team has direct access to Ministers and parliamentary processes and can ensure that appropriate influencing work is undertaken to bring about change. We already know that there is a need to present a compelling evidence-based case for change, build a coalition with key organisations within the sector, the panel community and people with lived experience.

3.5 In advance of elections, manifestos will be developed where commitments are clarified, reassured or made new. These are key moments of change and times when we need to ensure that awareness of any key changes that CHS is looking for are known and if appropriate included. Subject to change due to political developments, the next UK General Election is scheduled for spring 2024 and the next Holyrood election is scheduled for spring 2026.

4. Tools for Influence

As a non-departmental public body, CHS must be sensitive to the limitations this places on the range of advocacy tools available to us. However, a number of highly impactful influencing tools remain open and appropriate for use. These include:

- Increasing the profile of CHS and its representatives through communications and media coverage, with proactive and person centred media bids. These should be focused on specific policy issues that CHS want to influence and change.
- Direct communication and representation with parliamentarians and staff in and around parliamentary debates, including members' business, parliamentary committees, opposition or government debates, sharing briefings and communications.
- Planning research related to CHS positions, and offering evidence for change in public forums such as parliamentary committees. The research areas that CHS focuses on says a lot about what matters most to us. There is an opportunity for CHS to have more strategic approach to research and commission research on specific reform priority areas such as children's rights, trauma informed practice, child poverty and youth justice.
- Gathering high quality feedback from people with lived experienced and panel members as intelligence tools to influence change. This should be part of package intelligence gathering to improve our quality assurance and provide credible evidence on the difference we make.
- Increasing CHS' capacity to involve people with lived experience in our influencing work. It is the experience of those with lived experience which often provides the most compelling and credible voice for change.
- Targeted relationship building with key influencers and stakeholders, including political representatives, leaders in the sectors, spokespeople, media outlets and other stakeholders.
- Develop and deliver influencing briefings and training sessions for staff, Area Support Teams and the wider CHS community.
- Community and public engagement events and information sharing on central CHS messages and information.
- Refining our corporate communication tools, in particular our website, to include clear position statements on areas we wish to influence. Use existing advertising campaigns, such as recruitment, to reinforce key messages.

- Producing high quality thought pieces and proactive communication on particular policy and practice issues. This should involve targeting specific audiences, on specific issues through professional publications and journals.

These tools are not currently used to their optimum. Matching the tools available to moments of policy change will guide progress towards more influential working.

5. Core Messaging

5.1 Clear, consistent and targeted messaging is critical to successful influence. These must be adapted and bespoke according to the audience and what CHS is trying to influence. A background narrative will also help with persuasion, so finding a story to tell is just as important as identifying the issues to raise. The overall purpose of the messaging is to improve the current working of the children's hearing system, so as to reach a place where involvement in the system becomes a **positive experience** for children and families, leading to **better outcomes**. Our corporate themes of better protecting and upholding the rights of children, delivering high quality hearings, building an effective and empathetic panel are helping starting points but are too broad-brush in isolation to influence change.

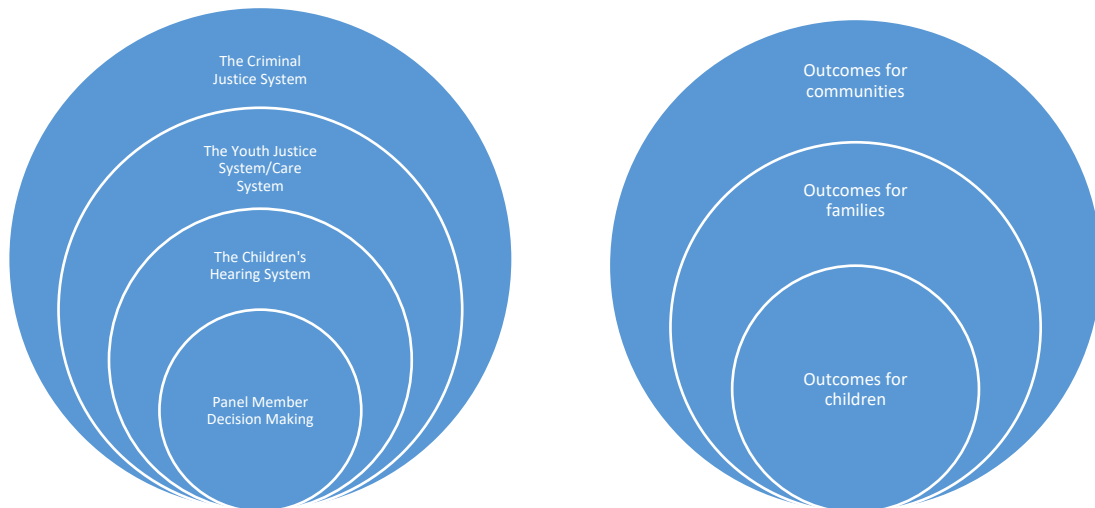
5.2 CHS should refine our core messages, which can be recognised and understood by all staff and the panel community. A nucleus of new agreed corporate messages will be helpful tool for CHS to work from. These need to be focused on particular areas of policy improvement, and risk being diluted if there are too many that are not focused or targeted at a specific change. objectives. Our core values can maintain the test of time. Core messages are top line 'asks' or 'goals', which can connect to one clear overarching purpose. This is as opposed to simply asking a question or identifying a problem. For example (for illustrative purposes only):

- Core message: CHS need additional funding to provide specialist training and support for complex cases so panel members are equipped with the skills to make some of the most difficult decisions in public life in Scotland.
- Core message: The views of the child must remain the first views considered at every hearing. Panel members must listen to children to gain a deep understating of what matters most to them.
- Core message: CHS will improve enforcement and accountability of orders by making a case for new statutory powers that compels implementation authorities to routinely report enforcement and breaches of orders. The current provisions in the Act are too passive and lack the muscularity and teeth to improve outcomes for children.
- Core message: CHS will campaign to increase the age of full criminal responsibility to 18. The current age of 12 is amongst the lowest in Europe and does not adequately reflect the founding Kilbrandon principle of "needs not deeds".

Agreeing core messages that relate to policy issues will ensure staff and panel members have a shared sense of confidence in CHS purpose. It is the consistency and clarity of messaging across the organisation that will have the biggest impact on influencing policy.

6. Spheres of Influence

6.1 Areas for intended influence should be decided as soon as possible though evidence led position statements. A focused remit allows for more focussed engagement and identifiable purpose, but equally may blunt the strength of CHS' overall voice.



6.2 CHS primary role is to recruit, train and support panel members. The importance of responding and bringing the 2,500 strong panel community with us in our influencing work cannot be understated. CHS credibility to influence policy change needs to demonstrate how the change will **improve outcomes** for children and demonstrate the role that panel members play in upholding the rights and best interests of the child.

6.3 CHS is very well connected with key stakeholders in the sector, much of the influencing work is done out with formal meetings and are therefore relationship based – it's difficult to include the relationship aspects of influencing in a paper. However formal groups are helpful in making new connections, sharing core messaging, sustaining relationships and developing coalitions. Staff represent CHS on a range of external stakeholder groups – see **appendix 2**. This is in addition to the vast range of groups where panel members represent CHS at a local authority level. Membership of these groups are an opportunity to influence and reinforce our key messages. It is important that core messaging is presented across this fora to maximise influencing impact.

6.4 In mapping out membership of external groups it became apparent that CHS contributes significant staffing expertise and resource to support a wide range of external groups. These are often collaborative in areas of shared endeavour but are not led by CHS. However, There is an opportunity for CHS to lead our groups around organisational priorities and lever in external experts by establishing our own “expert reference groups” to

contribute to our agenda and improvement work in areas such as quality assurance, enforcement and accountability and trauma informed practices.

7. Initial Recommendations:

- Agree an early engagement schedule for the National Convenor and Senior Management Team (to be supported by staff) to make coordinated basic contact to introduce who CHS are, what we're responsible for and which issues we are relevant to. This will involve political spokespeople, parliamentary committees and targeted media contacts.
- Senior Management to develop clear policy position statements on a number of key policy issues (including accountability and enforcement, world class tribunals, quality assurance, engagement and participation) and share core messaging for each of these positions across CHS.
- Continue to monitor policy and legislative developments and identify opportunities to contribute and influence.
- Undertake research and intelligence gathering activities to add value to the position statements. Focus specifically on the views and experience of people with lived experience.
- Develop and deliver influencing briefings and training sessions for staff, Area Support Teams and the wider CHS community.
- Maximise shared messaging with external membership of groups and look for opportunities to lever in external expertise to support and add value to CHS led position statements and influencing work. Proactive approach to shared communications with other organisations in the sector to influence policy improvements.
- Map out target audiences for specific policy positions pitching high quality thought pieces and proactive communication on specific policy positions to sectorial publication and journals.

Appendix 1**Legislative and Policy Landscape, June 2022****1. Purpose**

The paper is an updated overview of the legislative and policy landscape as requested by the Board in November 2021.

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 Non- departmental 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.
- 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 inception 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 a 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 to increase the age to 14, to reflect the European average. 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 Government's 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 implications for CHS and wider implications regarding the options and practice of panels.
- d) 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.

- e) [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](#). Another key policy area related to GIRFEC is the governments landmark [Child Poverty \(Scotland\) Act \(2017\)](#) and work has started within CHS to poverty proof children’s hearings and support the aspirations of this Act.
- f) 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](#).
- g) 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. In March 2022 the Scottish Government decided to extend Schedule 4 of the Coronavirus (Scotland) Act until 30 September 2022. The key impact of this for CHS is that attendance at hearings of children and relevant will not be required unless specifically requested.
- h) There have been longstanding concerns regarding the operational consequences and equalities compliance, of the requirement that children’s hearings must include “both male and female” members. 75% of panel members identify as female and only 25% identify as male. Between May 2020 and September 2021 the provisions in the Coronavirus (Scotland) Act 2020 removed this absolute legal requirement, and inserted “so far as practical”. In February 2022 CHS made a case to the Scottish Government include this legislative amendment to the Children’s Hearing Act 2011 in the [Coronavirus \(Recovery and Reform\) Scotland Bill](#), this has been positively received

and we have been notified that this has in principle ministerial support and, subject to parliamentary scrutiny, will be passed by Parliament in October 2022. The Scottish Government have also indicated that they are receptive to an 'oven ready' set of contingency measures that could be instigated by the National Convenor and Principle Reporter, subject to ministerial approval, in response to any future national emergencies. CHS is working with SCRA to develop these proposals informed by our learning from the Coronavirus Act.

- 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. 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.
- 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 the Hearing System Working Group, chaired by Sheriff David Mackie, has been established with SCRA and the Promise to review and improve the Children's Hearings System. The Hearing System Working Group has published the issue list that will form the basis of the blueprint redesign work in partnership with the Governments Office of Chief Designers. CHS are playing a leading role in driving forward the blueprint redesign work.
- k) On 30 March 2022 the Scottish Government have published the [Promise Single Implementation Plan](#). The plan sets out the actions and commitments to Keep the Promise for care experienced children, young people and their families. The plan is far reaching and covers a range of areas including ending the placement of 16 and 17 year olds in young offenders institutions, consideration given to establishing a national social work agency, scoping out the potential for a lifelong advocacy service for people who have experience of care and a commitment to introduce a Promise Bill by the end of the next Parliamentary Term (2026).
- l) 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. The sustainability of a volunteer management structure and the reliance on volunteer panel members is currently being reviewed as part of CHS’ redesign work.

- m) 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. The Scottish Government have now published non-statutory guidance on implementing the [UNCRC Implementing the United Nations Convention on the Rights of the Child: Introductory Guidance - gov.scot \(www.gov.scot\)](#) that will inform CHS’ approach to embedding children’s rights. In May 2022 the Scottish Parliament identified a potential solution through a [Reconsideration Stage](#) and there is a possibility that this will come into effect by August 2021.

- n) 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. 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.

- o) In January 2022 the Scottish Government published a policy position paper on [Cross-border placements of children and young people into residential care in Scotland](#). The Government is proposing a change in legislation so that Deprivation of Liberty Orders (DOLs) granted by the High Court of England and Wales are automatically treated as Compulsory Supervision Orders for cross border placements in Scottish secure units. This is intended to address the legal loophole that arises when secure care units in Scotland receive cross-border placements. The position paper proposes that Children’s Hearings will be convened to “facilitate information sharing with regard to the child’s progress” appoint a safeguarder / advocacy worker and review the placement every three months. The government is proposing to introduce a short term fix to section 190 of the Children’s Hearings (Scotland) Act 2011 in the spring of 2022. CHS supports the position of the government that all children in Scotland are afforded the same rights and protections, however CHS and other organisations raised a number of areas of concern and clarification with the government and they have revised their plans and are currently proposing a revised set Statutory instrument [Cross-border Placements Regulations \(effective of deprivation Liberty Orders\) 2022](#) that do not include a role for panels but do provide a tool for conversion of a DOL to a CSO under the Children’s Hearing Act 2011. This remains a watching brief.

p) The [Scottish Governments 2021/22 Programme for Government](#) included 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 launched their [public consultation on the Bill](#) 30 March 2022. The Bill will be the legislative vehicle for transforming and improving the way in which children who come into the conflict with the law are supported. During 2022 this will go through a period of parliamentary scrutiny in 2022/23, with royal assent in 2023 and full commencement by March 2024. Although it is not possible to capture the full scope of the Act currently, there are a number of key areas that will have significant practice and resource implications for CHS, such as;

- Keeping children out of custody and the adult criminal justice system
- Increasing the age of referral to the reporter to include 16 and 17 year olds, both on offence and welfare grounds
- The need for specialist hearings and highly trained panel members
- Improving the scale and quality of therapeutic secure care
- Greater focus and support for victims of crime
- Reviewing the age of criminal responsibility
- Addressing the legal loophole whereby children in cross-border placements under a Deprivation of Liberty Order are placed in residential care settings
- A greater range of age-appropriate community based alternatives to custody and secure care.

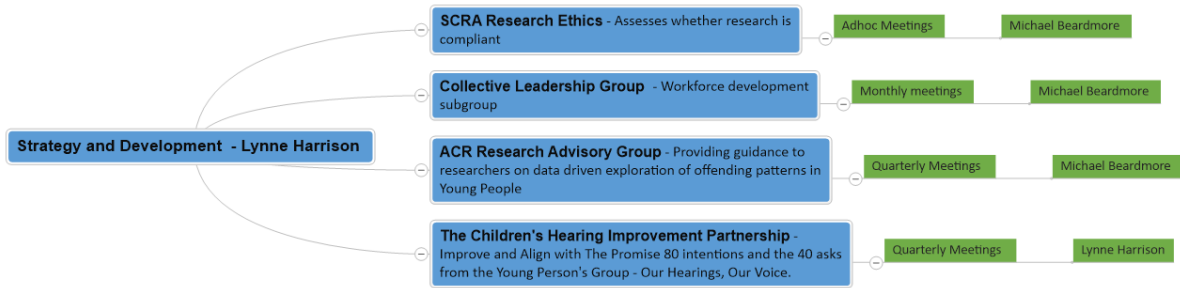
CHS have been involved in informing the contents of the consultation. The most significant change for CHS is raising the age of referral to 18. CHS is consulting with our community and the Board on the key areas that will have the most significant impact for us. This feedback will inform our formal response to the consultation. CHS will continue to work with the Bill Team to influence the development of this work, in particular that the resources are made available for CHS to provide high quality and specialist panels. As well as undertaking a statistical modelling exercise to assess the scale of this work we are developing a strategic partnership with the Children and Young People's Centre for Justice to implement this work.

**Please note that due to the fluid nature of the policy and legislative environment this paper is subject to ongoing review and change.*

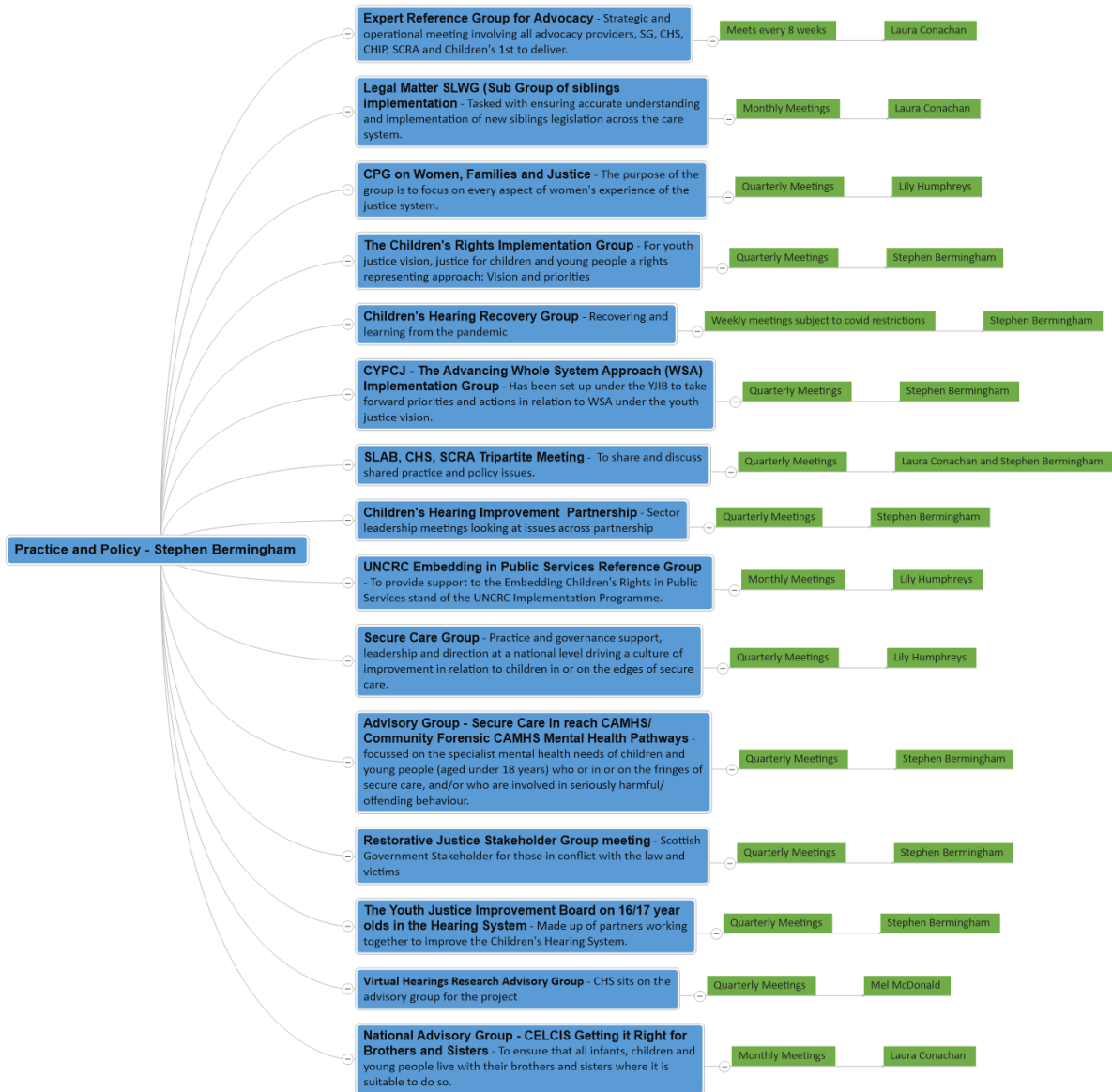
External Meetings National Convener & CEO



External Meetings Strategy and Development



External Meetings Practice and Policy



External Meetings Area Support and Community Improvement



External Meetings Learning and Inclusion



Agenda item 15

CHS-2223-14

Board Improvement Plan 22/23

Accountable SMT member: Head of Strategy, Development & DCE

Report author: Garry Coutts/Business Operations & Governance Lead

Resources implications: Within available resources

Purpose: For approval

Equalities duties: Equalities Impact Assessment Required

Yes? No

1. Introduction / Purpose

1.1 This plan presents the former Chair, Garry Coutts, improvement suggestions for the Board based on its self-assessment surveys carried out in in January of 2022. It is submitted to the Board for discussion and approval.

2. Comment

The following action plan is proposed based on the report attached at appendix A.

Actions	Proposal	Deadline	Status
Review Board and committee self-assessment and reflection questionnaires and process	That this work be undertaken as part of the working group suggested below.	Q4 22/23	
Conduct a Board effectiveness evaluation every 3 years via an external facilitator	That this be built into the governance calendar going forward with the next external assessment planned for 23/24.	2023/24 financial year	
Board to meet without the executive team annually	That this be built into the governance calendar going forward, with the first opportunity planned for this year’s Board weekend.	Q3 22/23	
Board to meet without the executive team and Chair annually	That this be built into the governance calendar going forward, with the first opportunity planned for this early 2023.	Q4 22/23	
Board to set up a working group to review agendas and Board papers with a view to streamline and consider alternatives	That this be discussed and implemented with recommendations brought back to the Board early 2023.	Q4 22/23	

Appendix A

Children's Hearings Scotland

Board Improvement Plan

1. Introduction / Purpose

Following the Board and committee self-evaluation it was agreed I would produce a draft improvement plan for the Board's consideration. This is based on the evaluation (particularly the comments), the discussions I have had with Board members as part of their appraisal and my own observations. As outgoing Chair I would be very reluctant to make hard and fast recommendations and offer these as suggestions for your consideration and discussion with the incoming Chair before you finalise a plan.

2. Recommendations

The self-evaluation does suggest there are no significant worries about the general functioning of the Board and its governance of CHS. However, as was acknowledged in the discussion at the Board, it would be wrong to place too much reliance on this as it was the first self-evaluation we had run and we had some concern about the robustness of the methodology. The first two recommendations are focussed on seeking to improve the process of evaluation for the future.

The remaining recommendations are suggestions of improvement activity the Board could undertake:

2.1 The Board should consider alternative self-evaluation methodologies for use within CHS in the coming years. I think we could ask respondents to provide some evidence for why they give the score they do rather than relying exclusively on a tick box exercise. I don't think evidence could be provided for all of the questions asked but in each section I think it could be required to justify the overall score. One good example of how we are doing things, or where there is a gap identified would suffice. I believe this evidence would provide a useful starting point for Board discussion on improvement than the simple scoring system.

2.2 Good practice suggests that Board evaluation should be externally facilitated on occasion. I would recommend the Board budget for and agree to appoint an external agency to conduct an evaluation every 3 or 4 years. This should start in 23/24 following another self-evaluation in 22/23.

2.3 The Board should meet on an annual basis in private without execs present. The purpose of this meeting would be to consider the relationship between the Board and the executive and allow members to raise any concerns they have. The Chair should feed back to the CEO the outcome of these discussions.

2.4 The Board should meet on an annual basis without the Chair being present. The purpose of the meeting would be discuss the relationship between the Board and the Chair and the Chair's relationship with the exec and should allow members to raise any concerns they may have. The vice-Chair should lead this discussion and feed back to the Chair on the outcomes.

2.5 The Board should establish a small, short-life working group to review Board agendas and papers. They would make recommendations relating to improving the quality and consistency of Board papers. Consideration should be given to a virtual “reading room” for papers for information only.

Garry Coutts, April 2022