

# CHS Board Meeting

Tue 31 January 2023, 10:00 - 12:00

## Agenda

---

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

0 min

*Verbal* *Katharina Kasper*

To consider any declarations of interests with regard to agenda items

 1 Agenda Jan 2023.pdf (2 pages)

---

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

0 min

*Paper* *Katharina Kasper*

To approve the minutes of previous meeting

 2. CHS-2223-40 Board Minute Nov 22nd 2022 DRAFT - Copy.pdf (8 pages)

---

### 10:00 - 10:00 **3. Matters Arising**

0 min

*Verbal* *Katharina Kasper*

Seek assurance that actions from the previous meeting have been progressed

---

### 10:00 - 10:00 **4. Action Log**

0 min

*Paper* *Katharina Kasper*

To monitor progress against actions due and agree action where required

 4. CHS-2223-41 Board Action Log 2023.pdf (1 pages)

---

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

0 min

*Verbal* *Katharina Kasper*

For information and discussion

---

### 10:00 - 10:00 **6. National Convener/ CEO update**

0 min

*Paper* *Elliot Jackson*

For consideration and discussion

 6. CHS-2223-42 NC update Jan 23.pdf (4 pages)

---

### 10:00 - 10:00 **7. Hearing System Working Group Update**

0 min

*Verbal* *Carol Wassell*

For information and discussion

---

**10:00 - 10:00 8. 2022/23 Financial Forecast Outturn**

0 min

*Paper Lynne Harrison*

For consideration and approval

 8. CHS-2223-43 Finance Forecast Outurn Board Report January 2023.pdf (3 pages)

---

**10:00 - 10:00 9. CHS 2023-24 Budget Planning Update**

0 min

*Verbal Lynne Harrison*

For consideration and approval

**10:00 - 10:00 10. Q3 Performance Report**

0 min

*Paper Lynne Harrison*

For consideration and approval

 10a CHS-2223- 44 Q3 Performance Report 202223 Board Cover Paper.pdf (3 pages)

 10b. CHS-2223-44 Q3 Data Summary for Board.pdf (1 pages)

 10c. Quarter 3 Performance Report 2022-23\_Board.pdf (18 pages)

---

**10:00 - 10:00 11. RAC - Chair Update & Work plan**

0 min

*Paper Jo Derrick*

For information and approval

 11. CHS-2223-45 RAC Workplan 2023.pdf (1 pages)

---

**10:00 - 10:00 12. ARMC - Chair Update & Work plan**

0 min

*Paper Sean Austin*

For information and approval

 12. CHS-2223-46 Work plan 2022 ARMC.pdf (3 pages)

---

**10:00 - 10:00 13. Business and Corporate Parenting Plan Update Report**

0 min

*Paper Lynne Harrison*

For information and discussion

 13. CHS-2223-47 Board Business plan update report Jan 23.pdf (2 pages)

---

**10:00 - 10:00 14. Independent Report Writers**

0 min

*Paper Stephen Bermingham*

For information and discussion

 14. CHS-2223-48 Independent Report Writer function v2.pdf (4 pages)

---

10:00 - 10:00  
0 min

## 15. Advocacy in Hearings

*Paper*                      *Stephen Bermingham*

For information and discussion

-  15. CHS-2223-49 Advocacy in Hearings Board Report January 2023.pdf (1 pages)
-  15.1 Advocacy Board Report appendix 1 Jan 2023.pdf (6 pages)

10:00 - 10:00  
0 min

## 16. PEC Phase 2 Completion Report

*Paper*                      *Carol Wassell*

For information and discussion

-  16. CHS-2223-50 PEC Phase Two Completion Report.pdf (8 pages)

10:00 - 10:00  
0 min

## 17. AOB

*Verbal*                      *Katharina Kasper*

DRAFT

## BOARD MEETING

### AGENDA

#### 5th Meeting 2022/23

31<sup>st</sup> January 2023

The Board will meet 10:00 – 12:00 at Thistle House & virtually via Teams

Item	Topic	Lead Person	Paper Number	Purpose
1	Declarations of interests	Chair	Verbal	To consider any declarations of interests with regard to agenda items
2	Minutes of previous meeting	Chair	CHS-2223-40	To approve the minutes of the previous meeting on
3	Matters arising	Chair	Verbal	Seek assurance that actions from the previous meeting have been progressed
4	Action log	Chair	CHS-2223-41	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-2223-42	For consideration and discussion
7	Hearing System Working Group Update	CW	Verbal	For information and discussion
8	2022/23 Financial Forecast Outturn	EM/LH	CHS-2223-43	For consideration and approval
9	CHS 2023-24 Budget Update	EM/LH	Verbal	For consideration and approval
10	Q3 Performance Report	LH	CHS-2223-44	For consideration and approval
11	RAC Chair update Work plan	JD	CHS-2223-45	For information and approval
12	ARMC Chair update Work plan	SA	CHS-2223-46	For information and approval
13	Business and Corporate Parenting Plan DRAFT Update	LH	CHS-2223-47	For information and discussion
14	Independent report writers	SB	CHS-2223-48	For information and discussion
15	Advocacy in hearings	SB	CHS-2223-49	For information and discussion

16	PEC Phase 2 completion report	CW	CHS-2223-50	For information and discussion
17	AOB	Chair	Verbal	

**Board Development day: 14<sup>th</sup> February 2023**

**CHS/SCRA Joint Board 14<sup>th</sup> March 2023**

**Next meeting date: 28<sup>th</sup> March 2023**

Next Meeting Key Topics:

1. Business and Corporate Parenting Plan Approval
2. Budget Approval
3. Q4 Performance report
4. Annual Accounting Policies Review
5. Annual Financial Regulations Review
6. Board and Subcommittee review of effectiveness

DRAFT

## Minutes of the Board Meeting of 21<sup>st</sup> November, 2022

The meeting started at 13:15 at Thistle House / virtually

**Present:**

Katharina Kasper (KK)	Chair
Sean Austin (SA)	Board Member (virtual attendance)
Henry Robson (HR)	ARMC Chair/Board Member
Beth-Anne Logan	Board Member
Katie Docherty	Board Member (virtual attendance)
Jo Derrick (JD)	RAC Chair/Board Member (virtual attendance)
Barbara Neil	Board Member (virtual attendance)

**Also present:**

Nick Rougvie (NR)	Children’s Hearings Sponsor Team Lead, SG
Elliot Jackson (EJ)	National Convener/Chief Executive (NC/CEO), CHS
Lynne Harrison	Head of Strategy/development & DCEO, CHS
Christine Mullen (CM)	Head of Learning, CHS
Carol Wassell (CW)	Head of Area Support & Community Improvement, CHS
Stephen Bermingham (SB)	Head of Practice and Policy, CHS
Rachel Kavish Wheatley (RKW)	Business Operations and Governance Lead, (minute taker), CHS

**Apologies:**

Items	Actions / owner	Time-scales
<b>1 Declaration of interests</b>		
The Chair welcomed everyone to the meeting and confirmed there were no apologies. There were no declarations of interest to note.		
<b>2 Minutes of previous meeting</b>		
The Board approved the minutes of its meeting on 20 September, 2022		
<b>3 Matters arising</b>		
NA		
<b>4 Action log</b>		
<ul style="list-style-type: none"> <li>The Chair noted all actions were on the agenda or not yet due.</li> <li>The Chair expressed a desire to change the way the action log is presented at Board meetings.</li> </ul>		
<b>Board decision:</b>		
<b>1. To improve how the action log is presented to the Board.</b>	<b>RKW&amp;KK</b>	<b>Jan 23</b>
<b>5 Chair update</b>		

	<p><b>The Chair updated the Board on the following;</b></p> <ul style="list-style-type: none"> <li>• The Chair acknowledged the recent interactions with the Board at various development sessions over the past few months, and how useful it has been to ensure alignment and direction of travel. The Chair thanked the Board and SMT for their time at these sessions.</li> <li>• The Chair spoke of the development session on the design groups earlier in the month, and formally noted thanks to the design teams.</li> <li>• The Chair reflected on our current position and the upcoming period crystallising anticipated change. Focus will remain on understanding these changes and developing relationships with our partners.</li> </ul> <p><b>Board Decision:</b></p> <p><b>1. To Note the update from the Chair.</b></p>		
6	<p><b>National Convener/Chief Executive update</b></p>		
	<p><b>The NC/CEO spoke to the paper shared;</b></p> <p><u>Practice Procedure Manual (PPM)</u></p> <ul style="list-style-type: none"> <li>• The Practice and Policy Team have worked diligently to update the Practice and Procedure Manual (PPM) and to roll out the updated document to our community. Over the past few year, the Practice Team have worked to establish this document as our handbook for hearing practice. It is a piece of work that is well regarded within the community and provides assurance for the organisation that panel members remain informed and receive up to date practice guidance.</li> </ul> <p><u>Participation, Engagement, and Consultation (PEC)– Phase 2</u></p> <ul style="list-style-type: none"> <li>• The first phase of this work was well received within the community. A report on the consultation outcomes has been shared with the HSWG.</li> <li>• The 2<sup>nd</sup> phase delves deeper into this work, with results anticipated in early January for submission to the HSWG and the Board.</li> <li>• Uptake for these sessions have been slower than for phase 1 however we continue to encourage community take up.</li> </ul> <p><b>Board Discussion:</b></p> <ul style="list-style-type: none"> <li>• The Board thanked the NC for the comprehensive report.</li> <li>• The Board noted the low take-up of the PEC sessions and asked if we have approached particular areas or interest groups within the organisation inviting them to attend. CHS welcomes all community members to join, and reflecting on uptake so far, it seems all special interest groups are well represented so far.</li> <li>• The Board thanked the Practice Team for the work that goes into the PPM. In particular, reflecting on Board risk sessions and discussions, the Board acknowledge the document as a key control point for CHS. The Chair suggested we might want to consider a development session on the PPM going forward to provide the Board a more in depth understanding of the operational environment for panel members.</li> </ul>		

<p><b>Board Decision:</b></p> <ol style="list-style-type: none"> <li>1. The Board noted the update.</li> <li>2. To consider including the PPM in a Board development session.</li> </ol>	<p>SB</p>	<p>Sept 23</p>
<p>7 Hearing System Working Group Update</p>		
<p><b>CW spoke to the paper shared;</b></p> <ul style="list-style-type: none"> <li>• The paper provides details of CHS’s work with the HSWG, and in particular, the 3 pieces of work we have been most engaged with.</li> </ul> <p><u>Design work</u></p> <ul style="list-style-type: none"> <li>• The 3 groups working on the before, during, and after hearing design will be submitting their reports to the HSWG next week. The proposals include prototypes of what the Hearing System could look like in the future and will form part of Sheriff Mackie’s considerations. There is currently no plan to share these reports out with the HSWG.</li> </ul> <p><u>Participation, Engagement, and Consultation</u></p> <ul style="list-style-type: none"> <li>• Phase 1 of this project is now complete and a resulting report has been submitted to the HSWG for consideration. Themes within the report were very much in line with those of the HSWG’s own emerging themes report. There was a clear focus on child centred approaches from the 550 members of our community who took part.</li> <li>• We are now working with the Lens on phase 2 of the project which focuses more specifically on the role of the tribunal member, the needs of those members, and hoe specialisation might play a role in the future Promise keeping world.</li> </ul> <p><u>Deliberations of the HSWG</u></p> <ul style="list-style-type: none"> <li>• The HSWG has been hearing from a number of special interest groups such as those with a focus on very young children, Care and Justice, Care Inspectorate, Social Work Scotland, etc. In addition, CHS have submitted 2 transformational documents to the HSWG:             <ul style="list-style-type: none"> <li>○ A research piece on tribunal models from across the globe, and within the UK; and</li> <li>○ A document that sets out potential options for possible tribunal models for CHS.</li> </ul> </li> <li>• Moving into Jan and Feb we will continue to influence for CHS with the HSWG and bring updates to the Board.</li> </ul> <p><b>Board discussion:</b></p> <ul style="list-style-type: none"> <li>• The Board thanked CW for the report.</li> <li>• The Board observed that family group decision making seems to be a theme in much of the HSWG’s work and expressed support for this.</li> <li>• The Board noted the interim report from Sheriff Mackie and were pleased to see the themes and focus reflect that of CHS.</li> <li>• The Board asked about the co-design groups and if CHS is confident on our alignment with the overarching themes from the HSWG. CW expressed</li> </ul>		

	<p>confidence in our alignment and the HSWG’s support for this work and its outputs.</p> <ul style="list-style-type: none"> <li>The Chair thanked CW, B-AL, and the National Team members involved in progressing this work at pace on behalf of CHS with the HSWG to improve outcomes for children and young people.</li> </ul> <p><b>Board decision:</b></p> <p><b>1. The Board noted the update.</b></p>		
8	<b>2022/23 Forecast Outturn</b>		
	<p><b>RM spoke to the paper shared;</b></p> <p><u>Funding</u></p> <ul style="list-style-type: none"> <li>We started the year with our published GiA in addition to an in-year pressure of 1.1M. We have reduced this pressure to 700k by reducing our reserves by 400k , which addresses cash balance as noted in our recommendations from the Auditors.</li> </ul> <p><u>Spend</u></p> <ul style="list-style-type: none"> <li>There is underspend on volunteer expenses however we have also seen increased spend in ICT due to licensing costs, and increased pressure on staff pay due to the cost of living crisis.</li> <li>We have put money into a refresh of the recruitment campaign as well as additional spend on consultancy to maintain momentum with our community engagement and Promise programme of work.</li> <li>LH &amp; RM meet with NR and the Sponsor Team monthly to discuss financial pressures, which adds value and ensures proper financial governance, allowing for pressures to be seen earlier and planning around mitigations put in place.</li> </ul> <p><b>Board Discussion:</b></p> <ul style="list-style-type: none"> <li>The Board thanked RM for the paper and consistent vigilance.</li> </ul> <p><b>Board Decision:</b></p> <p><b>1. The Board approved the outturn report.</b></p>		
9	<b>Rights and Inclusion Strategy Annual Report</b>		
	<p><b>CM spoke to the paper shared;</b></p> <ul style="list-style-type: none"> <li>The report presented is an update from Jennifer Smith, CHS Children’s Rights and Inclusion Coordinator. JS started with us in January and has moved this work significantly in that time, particularly around participation.</li> <li>We are currently taking part in this week’s Co-Production Week Scotland, hosting a session in our office’s with OHOV and our own Participation Group members, as well as attending external events. We have another event planned with OHOV and SCRA reporting back on our 40 Calls For Action. CHS are also part of a project on improving language in hearings in partnership with the CHIP.</li> <li>The current Children’s Rights and Inclusion Strategy is coming to an end with a new strategy being developed next year to refocus and have in place by end of June.</li> </ul>		

	<p><b>Board Discussion:</b></p> <ul style="list-style-type: none"> <li>• The Board expressed their thanks to JS for the strategy, and the work she has carried out for CHS in this area, particularly around participation.</li> <li>• The Board asked about remuneration and any challenges or barriers CHS and participants face. CM noted that our participation group are comfortable with our current offer however they are keen for us to offer remuneration in the future. Non-remunerated participation could be a barrier to future participants. We continue to find it difficult to connect with other agencies and partners around remuneration and how we approach putting this into place, as well as how we support participants with tax, benefits, and any other implications of remuneration.</li> <li>• The Board suggested that CHS publish this report. CM noted we could publish the update on our website and would like to suggest to JS this is co-designed with the participation group.</li> <li>• SB noted that the Children and Young People (Scotland) Act 2014 compels us to publish a retrospective report however under the reporting requirements for UNCRC we will be compelled to report on future plans, which will repeal the requirements of the Children and Young People (Scotland) Act 2014.</li> </ul> <p><b>Board Decision:</b></p> <ol style="list-style-type: none"> <li>1. <b>The Board approved the Rights and Inclusion Strategy Annual Report</b></li> <li>2. <b>To consider publishing the rights and inclusion strategy annual report to our website</b></li> <li>3. <b>To bring the new Rights and Inclusion Strategy to the Board in 2023</b></li> </ol>	<p>CM CM</p>	<p>March 23 June 23</p>
10	<p><b>Board Standing Orders</b></p>		
	<p><b>RKW spoke to the paper shared;</b></p> <ul style="list-style-type: none"> <li>• The standing orders are presented for the Board’s annual approval. Changes have been proposed based on the current practices and agreed Board improvement discussions.</li> </ul> <p><b>Board Discussion:</b></p> <ul style="list-style-type: none"> <li>• The Board agreed the changes were sensible and in line with previous Board discussion.</li> </ul> <p><b>Board Decision:</b></p> <ol style="list-style-type: none"> <li>1. <b>The Board approved its standing orders as presented.</b></li> </ol>		
11	<p><b>Governance and Board Work Plan 2023</b></p>		
	<p><b>RKW spoke to the paper shared;</b></p> <ul style="list-style-type: none"> <li>• The 2023 governance calendar and work plan are shared for Board approval.</li> <li>• The Board will note that there is an increase in development session for the Board to be used as needed, and removed if deemed unnecessary.</li> </ul> <p><b>Board Discussion:</b></p> <ul style="list-style-type: none"> <li>• The Board asked for confirmation on timings, and if all development session were necessary as it is a substantial increase. RKW confirmed timings would</li> </ul>		

	<p>remain as in 2022 for public Boards and development sessions, and additional development session would be cancelled if not required.</p> <ul style="list-style-type: none"> <li>The Chair suggested we consider holding public Board meetings ahead of private or development sessions going forward.</li> </ul> <p><b>Board Decision:</b></p> <ol style="list-style-type: none"> <li>The Board approved its work plan and governance calendar.</li> <li>To move the Public Board meetings to the morning with development session in the afternoon.</li> </ol>	<p>RKW</p>	<p>Jan 23</p>
<p>12</p>	<p><b>Recruitment Report</b></p>		
	<p><b>CM spoke to the paper shared;</b></p> <ul style="list-style-type: none"> <li>The Paper presented an overview of the Autumn 2022 recruitment campaign.</li> <li>We have had 660 applications. Areas are still finalising recommendations for pre-service this week.</li> <li>Combining this recruitment campaigns applications with those from earlier this year, there have 1700 applicants in total.</li> <li>We have launched an internal evaluation on the campaign and application process. We will speak with staff, AST, care experienced recruiters, applicants, and other stakeholders to gain a wide breadth of feedback. We have approached individuals who noted interest or had incomplete applications in the system to gain their feedback with 100 responses so far. We will be looking at the campaign collateral and marketing, how well it has or hasn't driven conversion, and why.</li> <li>We know our current campaign collateral has run its course and we will use the evaluation data to inform future design work. We look forward to working with children and young people on co-designing our next campaign.</li> </ul> <p><b>Board Discussion:</b></p> <ul style="list-style-type: none"> <li>The Board asked if we have seen an increase in business partnerships during this last campaign. CM informed the Board that while we have increased partnership, it is an area we look to develop further. The Board recommended increasing our reach through trade boards and bodies, such as Food and Drink Federation Scotland.</li> <li>The Board are very pleased to see that we now have the ability to reach out to those who have not completed applications in order to better understand their reasons.</li> <li>The Board would like to see more detailed financial evaluation of this and past campaigns in order to set a base line from previous years and establish trend and controls around spend in relation to other variables.</li> </ul> <p><b>Board Decision:</b></p> <ul style="list-style-type: none"> <li>The Board noted the report.</li> <li>For CHS to explore increasing corporate recruitment reach through trade boards and bodies, such as Food and Drink Federation Scotland.</li> </ul>	<p>CM</p>	<p>Sept 23</p>
<p>13</p>	<p><b>Improving Charing Capacity</b></p>		

<p><b>CW spoke to the paper shared;</b></p> <ul style="list-style-type: none"> <li>• Our ability to have high levels of chairs is impacted by our all over ability to increase PM numbers.</li> <li>• Rota managers feel they are in a good position and have no concerns currently.</li> <li>• The change to gender balance legislation has been used 18 times across 533 hearings, which is 3% of hearings in the last 3 weeks. The legislation has eased pressures but it is not being over used. This data</li> <li>• Modelling based on recruitment data has offered assurance around increasing capacity. In addition, we are meeting with SCRA to look at various levers we can employ to increase capacity and ensure diary management of hearings aligns with PM availability.</li> <li>• One of the most impactful activities we have undertaken to improve chairing numbers is sharing with each AST their current and forecast numbers should all those eligible for training complete it. This is being supported by the CHSLA to ensure we improve the flow of information and creating pathways to training.</li> <li>• We are approaching the various improvement activities with the principle of marginal gains and tracking the data to review success or change course.</li> </ul> <p><b>Board discussion:</b></p> <ul style="list-style-type: none"> <li>• The Board recommended that communication around chair training should focus messaging on how the training leads to being a better panel member and increasing confidence. It should be made clear to PM's that chairs do not shoulder all responsibility, there are other panel members as well as the report who should be engaged during a hearing.</li> <li>• It was suggested that using testimony from current chairs to encourage others might be a worthwhile endeavour to build support and confidence in those that show reluctance.</li> <li>• The Board sought clarity around one of the actions which suggests changing the eligibility criteria to sit the training, is this an adaptation of the process due to appetite or a way to increase it. CW noted that having a different process that allows more people to be eligible will increase the appetite and ultimately the numbers. It is an unknown quantity but worth exploring, with the caveat that it changes will not affect quality.</li> <li>• The Board noted that there is an opportunity through PPA observations to encourage and support Pm to take up chairing via positive feedback.</li> <li>• The Chair noted how important it is for the Board to have sight of this work for risk management and awareness.</li> <li>• The Board suggested CHS consider a bespoke recruitment campaign for chairs. CM noted this is already part of future considerations.</li> </ul> <p><b>Board decision:</b></p> <ul style="list-style-type: none"> <li>• <b>The Board noted the report.</b></li> <li>• <b>For the capacity and chair figures to be included in the Board data dashboard going forward.</b></li> </ul>	<p>RKW</p>	<p>Jan 23</p>
<p>17</p>	<p>AOB</p>	

	<ul style="list-style-type: none"><li>• The Board asked about the joint session with SCRA. RKW confirmed that it will be online on December 20<sup>th</sup> however any Board members who would like to join us in person for the online session is welcome to come into Thistle House.</li><li>• The Chair confirmed there were no additional matters of business to discuss.</li></ul>		

DRAFT

Item	Action	Update	Project	Owner	Current Update	Status	Comments
2023.1	Submit paper evaluating device pilot across the community. To include costs and plans to equip all panel members with devices.	2023.1	2023.1	LI	Task forward into 2023.1 - the implementation of Month prior to 2023.1	Completed	Will be brought to Board in February
2023.2	To hold a workshop for Board members around the function and background of DNDV, what our role of them might be, and how we ensure we are getting relevant input into our development work.	2023.2	2023.2	LI	Done to hold for Board focus session - anticipate early in 2023	Completed	Joint meeting with CHV & SGA Board shared for June 2023
2023.3	For the Board to receive regular updates on the Promise programme work within CHS as well as that of the HGVG and other partners to provide assurance on progress.	2023.3	2023.3	CPW	Regular reports from	Completed	
2023.4	To bring to the monthly Board development session in August the remuneration and support package for discussion and approval.	2023.4	2023.4	CPW		Completed	
2023.5	For the Chair to gain better understanding of the feedback and approval process and feed this back to the Board improvement working group.	2023.5	2023.5	KE		Completed	
2023.6	Bring more data to reports to the Board, specifically: 1. Further interrogation of the data around CO2, how many have not been reported and their comparison to other agencies. 2. More data on agencies, who is raising them, and are they being reported. 3. Further information to better understand why there are more reports being referred to the Commissioner than agencies use.	2023.6	2023.6	SB		Completed	Under regular
2023.7	Ensure future CAS developments include the recording of CIP participation numbers in hearings.	2023.7	2023.7	LI		Completed	
2023.8	To carry out a development session around Independent Report for our Chair function for the Board for further understanding.	2023.8	2023.8	SB	To be shared as a paper for the Board.	Completed	2023.8
2023.9	For the Executive to explore what type of diversity data can be included on relation to panel composition and to provide this in a quarterly report on panel composition, clearly including lived experience.	2023.9	2023.9	LI		Completed	Operational Data Dashboard to be developed and included in quarterly reporting for Board. Anticipated in 2023.
2023.10	To bring to the Board in November a paper on the future plans for hearing.	2023.10	2023.10	CPW	Agreed to move this to 2023.10	Completed	2023.10
2023.11	The Board has requested a regular update using the capacity data to the Board.	2023.11	2023.11	SBW		Completed	This is being incorporated into the 2023.11 report.
2023.12	Develop a data set for the Board for regular reporting – Board to determine what data it requires.	2023.12	2023.12	CPW		Completed	A data workshop carried out 20/02/23. Operational Data Dashboard to be developed and included in quarterly reporting for Board based on working document. Anticipated in 2023.
2023.13	To put in a RPI development process with the Board for more robust RPI development for the business plan going forward.	2023.13	2023.13	LI		Completed	
2023.14	To look at the creation of a DNDV young person family support policy over the period they have finished.	2023.14	2023.14	SB	Report sent to Govd, will be published in 2023	Completed	Report sent to Govd
2023.15	MC to look at an opportunity to invite the Children's Commissioner to an upcoming Board training or development session.	2023.15	2023.15	SB		Completed	
2023.16	High level discussion at DNDV joint Board to how we work together on the operational/feasibilities and specialist panels or hearings we think or not use.	2023.16	2023.16	SB		Completed	Joint Board in March 23
2023.17	To consider including the DNDV in a Board development session.	2023.17	2023.17	SB		Completed	
2023.18	To consider publishing the rights and inclusion strategy annual report to our website.	2023.18	2023.18	CPW		Completed	
2023.19	To bring the new rights and inclusion strategy to the Board in 2023.	2023.19	2023.19	CPW		Completed	
2023.20	For CHS to explore increasing corporate recruitment reach through trade fairs and bodies, such as Fuel and Drink Innovation Summit.	2023.20	2023.20	CPW		Completed	
2023.21	Board members to identify the areas they would like to create space for development.	2023.21	2023.21	Board		Completed	
2023.22	To create an action plan based on the recommendations from GC on Board development.	2023.22	2023.22	SBW		Completed	Report at 20/11/23 Board
2023.23	To bring to the Board the sign off a report on the purposes for which the ASFP, were originally created, how they are being utilized now, and propose for the future of the role.	2023.23	2023.23	CPW	Report was submitted in Nov 21 and recently updated.	Completed	Report on Admin Control - Board available in 2023.
2023.24	Based on the Legislative Landscape paper, create an influencing strategy resulting stakeholder map identifying areas of overlap and circles of influence.	2023.24	2023.24	SB		Completed	
2023.25	To provide a narrative to the Board for understanding of the Partners discretion policy.	2023.25	2023.25	LI		Completed	
2023.26	Bring the 7 levels of participation paper to the RAC and Board for approval in line with draft to be shared with our 6 ALs to feedback on content and remuneration plans.	2023.26	2023.26	CPW		Completed	Participation report shared with Board. More detail and discussion shared around remuneration.
2023.27	To attend Social Media training to Board members.	2023.27	2023.27	LI	Scheduled for 28.05.23	Completed	Training completed 01/06/23
2023.28	Review a paper brought to a development session of the Board on hearing panel work systems and the current position for the hearing panel work systems and the current position for the hearing panel work systems.	2023.28	2023.28	LI		Completed	Report on the hearing panel work systems
2023.29	To bring a PRA report to the September Board meeting.	2023.29	2023.29	CPW		Completed	
2023.30	The Board needs to be reminded on the number of hearings anticipated (Demand) and our PAF community members (Supply) in order to better understand the scale of the challenge and the number of PAFs needed to address the current demand.	2023.30	2023.30	CPW		Completed	CPW update to September development session
2023.31	AFAs with with 6+ a contact on Commission Board.	2023.31	2023.31	CPW		Completed	
2023.32	engagement where the can make an impact and to report this to the Board.	2023.32	2023.32	SB	Shared at Sept Board meeting	Completed	Shared at Sept Board
2023.33	For CM to share with the Board report on lived experience within the recruitment campaign.	2023.33	2023.33	CPW		Completed	
2023.34	To share with the ARAC details on the information security incident which was reported on 02/05/23.	2023.34	2023.34	SBW		Completed	Report sent 24/05/23
2023.35	Review the Board approval process with RAC.	2023.35	2023.35	LI	Review of RAC 6/22	Completed	Report at 20/11/23 Board
2023.36	To look at the impact Report and include more details of operational/feasibilities and specialist panels or hearings we think or not use.	2023.36	2023.36	LI		Completed	
2023.37	Check to be added to a development session for discussion.	2023.37	2023.37	SBW		Completed	Report submitted to November 22 Board meeting. Discussion shared at 20/11/23 Board meeting
2023.38	To explore and compare costs around the provision of job interviews across 6 ALs and assess the current position in 2023.	2023.38	2023.38	CPW	Admin meeting at June 2023 Board meeting	Completed	Report to the PRA report at Nov 22 Board meeting
2023.39	Review the recruitment and training plan for the 2023/24 recruitment campaign.	2023.39	2023.39	SB		Completed	
2023.40	To engage in meeting the CAC, C, S, & R to meet with the new PAFs to ensure the most effective results for the new Board.	2023.40	2023.40	LI		Completed	Continued 23rd August
2023.41	To prepare an additional hearing panel if the current Director Director for the Board needs to report for additional hearings.	2023.41	2023.41	LI	Report sent 15/09	Completed	Continued 23rd August

DRAFT



## National Convener / Chief Executive Update

### Agenda Item 6 CHS-2223-42

#### 1. Introduction

- 1.1 This report captures a range of organisational activity between the last Board meeting in November 2022 to now. It provides bite sized updates that can be expanded upon during the Board meeting.

#### 2. Panel Member pre-service training

- 2.1 Our Pre-service training for new Panel Members is underway with 382 people going forward to train following our Autumn 2022 recruitment campaign. Successful completers will begin sitting on hearings from April 1st.
- 2.2 Our applications data confirms that of those recommended, 302 identified as women (79%) and 80 as male (21%). The average age is just over 47 years old. Of the 382 trainees, (44%) fully or partially completed the equalities monitoring form. This means the data should be seen as an indicator of the overall trainees' equalities data and should also take into account that people may choose not to share particular equalities information. Of those who replied, it does show that 3% considered themselves to have a disability, (Scotland's population average is 8%). The ethnic groups that individuals most identified with were White Scottish and White British with a small percentage identifying with a small percentage identifying as being from two other ethnic groups.
- 2.3 There were two questions on previous and lived experience of the Children's Hearings System – one on the application form and one on the equalities monitoring form. The application form asked about previous experience as a young person or family member, to which 7% answered yes and 93% answered no. The equalities monitoring form asked if they had lived experience and 4% of trainees answered yes to this question.

#### 3. Chairing Capacity

- 3.1 Along with a more general reduction in panel member capacity and a reduction in availability, chairing capacity has also reduced. Data modelling showed the extent of the reduction and the shortage of chairs across the country, so it was felt that a proactive approach was required to support this important area. A Chairing Capacity Working Group consisting of a number of AST members has been formed to support this area of work.

- 3.2 A number of issues have been identified by the group about the current processes and communication that supports panel members through their PDA journey, some of which are hindered by the fact that we have 2 data systems: the West Lothian College database and CSAS, and currently the information can only be transferred manually between the two.
- 3.3 To consider how we best address the issues, our digital team is now looking at the Learning and Development area as a whole, from a digital process and systems perspective, that will provide excellent insight into where we have challenges and how they can be fixed. This work will feed in to the chairing capacity work as it's all part of the panel member learning and development journey.
- 3.4 There is also a need to review the current CHS chairing policy and to consider if it still meets the needs of the community and the rota requirements.
- 3.5 The chairing capacity working group will work closely with the digital team and the Learning Academy to find solutions to the current issues (within the constraints of the current digital processes). The aim is to agree the best approach, and the best communications with panel members and ASTs that compliment that approach, by the end of February when the current Enhanced Practice courses are complete and we need to support that cohort of panel members going on to their Management of Hearings training.

#### **4. Mixed Gender Panels**

- 4.1 Over the course of 2022, CHS worked with the Scottish Government to add flexibility to the strict need for mixed gender children's hearings. The Coronavirus (Recovery and Reform) (Scotland) Act 2022 came into force on 1st November, amending the 2011 Act so that children's hearings must now include both male and female Panel Members "so far as practicable." Mixed gender Panels are still the expectation, with the amendment providing flexibility and options to rota managers when this is not possible.
- 4.2 To date, the use of single-gender Panels has been between 2% and 6.25% of all hearing sessions. The highest use was seen over the festive period when there is a natural reduction in Panel Member availability. Some variations in practice across ASTs are starting to emerge but these will be monitored over coming months. All data indicates that the provision is being used appropriately when capacity is limited and has been successful in ensuring children's hearings are able to take place.

#### **5. Children (Care and Justice) (Scotland) Bill**

- 5.1 Since the details of the Bill were presented to the Joint Board meeting on 20 December it has been confirmed that The Education, Children and Young People Committee will be the lead parliamentary committee. The Criminal Justice Committee is also likely to consider the implications of the Bill, where some of the more controversial aspects of the Bill are likely to be interrogated. CHS will continue to engage with the Bill team and it is anticipated that CHS will be called to present evidence to the Committee during Stage Two consideration. CHS funding requirements for the implementation of the Bill has been included in the Financial

Memorandum of Understanding. Planning work has commenced and the implementation plan will be shared with the Board, in preparation for the Bill being enacted in the spring of 2024.

## **6. Internal Feedback and Complaints Policy**

- 6.1 The draft policy has been prepared to replace the 2016 Community Concerns Procedure. The name change, along with reinforced messaging and revised training will clarify the scope, application and purpose of the policy. The review has included an extensive engagement with the CHS Community and experts in complaints handling. The key changes to the policy include a clearer accessible procedure, a greater focus on equalities and support, and a well-defined review process. The new policy reflects current good practice and is future proofed as CHS embarks on an reform programme and evolution of the Area Support structures. The policy will be presented to the Audit and Risk Management Committee of the Board in February for consideration and approval.

## **7. Child Friendly Feedback and Complaints**

- 7.1 CHS has developed a more child friendly feedback and complaints process which will encourage children and young people to provide feedback, or to support them to make a complaint in the way that suits them best. This includes providing clear accessible information and improved digital functionality. We have an initial draft that we are currently consulting young people on and we expect to be in a position for a soft launch by the end of this financial year. Once this is in place the work will continue to evolve including use of a trusted person, ongoing improvements to the digital functionality and feedback processes. CHS continues to work alongside SPSO, who have been funded by the Scottish Government to develop new guidance and procedures for child-friendly complaints in all public bodies in Scotland. This will be published by April 2024 and we will integrate this into our new approach.

## **8. Unacceptable Actions Policy**

- 8.1 In January 2023 the CHS Unacceptable Action Policy 2016 has been updated and approved by the Senior Management Team. The policy has a focus on the complaints process and makes provisions for restricting excessive levels of contact and unacceptable actions. There are a small number of people that make excessive use of the complaints process. This diverts significant levels of resources from CHS' core business of supporting Panel Members and protecting children. The review of the policy included new provisions for reasonable adjustments, new provisions on the role of Scottish Public Services Ombudsman to review cases, and new details of the support available to those that may be subject to unacceptable actions. Going forward the policy will be applied to manage levels of contact from any members of the public that persistently uses the complaints process inappropriately.

## 9. Strategic Engagement

- 9.1 The Scottish Government and the Society of Local Authority Chief Executives (SOLACE) have set up a new Children and Families National Leadership Group which will provide collective leadership and strategic oversight of key areas of transformational change aimed at improving outcomes for children, young people and families across Scotland.
- 9.2 The Group enables senior leaders from national and local government, children's social work services, health, learning, justice, the third sector and other partners to work together collaboratively and at pace to identify opportunities for better join-up and streamlining of major transformational change programmes; identify and address implementation gaps; and ensure the best use of national and local resources to avoid overlaps and duplication. The key priorities will include Keeping The Promise; UNCRC Incorporation; and embedding of GIRFEC.
- 9.3 The Group is co-chaired by Michael Chalmers, Director for Children and Families on behalf of Scottish Government, and Louise Long, Chief Executive of Inverclyde Council on behalf of SOLACE. I have joined this group on behalf of CHS and this group will become a critically important forum for us together with our key stakeholders as we address the recommendations from the Hearings System Working Group.

## 10. Business Planning 2023/24

- 10.1 We are making significant progress with our business planning for 2023/24. The Board will recall that in 2022 we extended the Corporate Plan cycle from three to four years under Board approval and Scottish Government agreement. This provides the organisation time to fully consider and assess the impact and recommendations of the Hearings System Working Group. The current Corporate Plan will conclude at the end in March of 2024, allowing the publication of one further business plan for 2023/24. This will be presented to the Board for approval at the March Board meeting.

Elliot Jackson  
**National Convener and Chief Executive Officer**  
23 January 2023

## Finance Report 2022-23 Forecast Outturn

Agenda Item 8  
CHS-2223-43

**Accountable Officer:** Head of Strategy and Development  
**Report author:** Finance Manager and Management Accountant  
**Recommendation:** To note and feedback  
**Resources implications:** Within available resources

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

### 1. Background/Summary

- 1.1 The published revenue grant in aid (GiA) allocation for CHS for 2022/23 is £4.629m, with an acknowledgement from Scottish Government (SG) that CHS is carrying an additional ongoing £0.5m pressure each year. CHS has £0.25m of reserves from prior years, resulting in total available resource of £5.379m. The Board thus approved a revenue budget of £5.379m in March 2022.
- 1.2 CHS' 5 year strategic financial plan identified that, to deliver CHS' statutory duties to recruit, train and support Panel Members, to embed and derive best value from previous SG Digital investment, alongside development and delivery projects to meet the requirements of The Promise Plan 21-24, the revenue resource requirement for 2022/23 was £5.764m revenue at 21/22. The current forecast outturn for 22/23 is very close at £5.742m. SG has transferred £0.721m additional in-year funding to CHS, so the total revenue GiA available is £5.35m. CHS will use its reserves and cash balance to meet the remainder of the spend pressure (£0.392m).
- 1.3 The published capital GiA allocation for CHS for 2022/23 is £0.4m.
- 1.4 Board members are asked to note the forecast, its associated risks and the approach.

### 2. 2022/23 Forecast and Year to Date

- 2.1 The year to date (YTD) overspend on core staff will increase on payment of the 22/23 pay award (paid in December 2022). The projected overspend is due to the 5% award in excess of SG's original pay policy, and operational pressures that have meant that the savings target cannot be met. An income deficit is projected due to the secondees vacating their post in-year.

- 2.2 The full year forecast of £2,718k based on the December payroll and remaining three months adjusted for the 5% pay award still applies.

### Finance Report as at 30 November 2022

	Actual YTD Period 8	Variance YTD Period 8	2022/23 Annual Budget	2022/23 Forecast	2022/23 Forecast Variance	2022/23 Forecast Variance
	£000	£000	£000	£000	£000	%
Staff	1,724	+13	2,566	2,718	+152	+5.9
Board	38	+4	59	59	+0	+0.0
Training, travel and subsistence	44	-2	86	66	-20	-22.7
Property	62	+1	123	126	+3	+2.4
Other Operating Costs	28	+1	49	35	-14	-28.6
ICT Costs	159	-105	487	622	+135	+27.8
Corporate Costs	199	+181	150	408	+258	+171.9
Panel and AST Expenses	90	-118	417	190	-227	-54.4
Panel and AST Training	516	-78	1,049	1,044	-5	-0.5
Support for hearings	56	-33	162	107	-55	-34.0
Volunteer recruitment	215	+125	180	289	+109	+60.6
PVGs	19	+19	42	42	+0	+0.0
AST Devolved Funding	19	-14	66	56	-10	-15.2
Income	-20	+8	-57	-20	+37	+64.9
<b>Total</b>	<b>3,149</b>	<b>+2</b>	<b>5,379</b>	<b>5,742</b>	<b>+363</b>	<b>+6.7</b>

- 2.3 Staff training, travel and subsistence is anticipated to be underspent this year due to the ongoing impact of the pandemic with activity taking longer to reach anticipated levels. The full year forecast has been adjusted to reflect the anticipated savings.
- 2.4 The YTD underspend on ICT is due to the timing of invoices relating to licences and development. CHS entered a new 3-year licences contract, effective 1 October 2022, with costs increasing by £257k per year due to Microsoft restricting their licence cost structure. This will need to be borne in mind when completing our 23/24 budgets.

The existing ICT forecast for the 2022-23 outturn is £622k, on reconciling back to the latest shared services invoice from SCRA there may well be a small saving of £50k, however at this stage a prudent approach to the forecast is recommended and leave it as £622k given current uncertainties.

- 2.5 Corporate costs includes consultancy to support participation, consultation and engagement supporting CHS's contribution to Promise redesign activity. We continue to anticipate additional costs of up to £168k in the second half of the financial year, covering for example a review of the recruitment campaign and other activities. The forecast outturn for Consultants Fees has been increased to reflect this.

- 2.6 Panel and AST Expenses and AST Devolved Funding are underspent in the year to date due to post pandemic activities taking longer to reach anticipated levels. Recognition events are being encouraged to support local work on capacity building and retention, but there is an expectation that Devolved funding may still be underspent. However, claims data up to 19 December in CSAS suggests volunteer expenses may top £200k, cancelling out this devolved funding underspend.
- 2.7 Volunteer training: The overall training contract cost continues to be expected to be much in line with budget, reflecting results of the September 2022 recruitment campaign and the Head of Learning's proactive management of the CHSLA's activity.
- 2.8 Recruitment is overspent YTD due to the scale of the campaign, a media budget overspend of £24k is anticipated, along with a further £85k required to refresh the campaign's creatives (collateral) before the end of March
- 2.9 Support for Hearings is a projected underspend largely due to reduced activity in the first half of the year and is expected to continue well into the second half of this financial year reflecting the slow return to projected levels of activity post pandemic.
- 2.10 The finance team continue working with budget leads to manage the risks raised above.
- 2.11 The DCE and finance manager continue to liaise closely with Sponsor Team to advise on pressures and savings, and to monitor the potential impact on CHS resource resulting from any budget announcements from Scottish Government.
- 2.12 CHS's capital spend to date is £103k (devices and CSAS development). CHS is forecasting to spend £150k of the £250k allocation on development and £86k of the £150k allocation on devices budgets respectively. We will need to decide on how to proceed with a potential underspend of £164k given the need for capital spend next year (timing differences).

### 3. Recommendation

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



## Quarter 3 2022/3 Performance Report

### Agenda Item 10a CHS-2223-44

<b>Accountable Director</b>	Head of Strategy, Development and DCE
<b>Report author(s)</b>	Business Support & Governance Lead
<b>Recommendation</b>	For Considerations and Discussion
<b>Resources implications</b>	Within available resources

<b>Impact Assessment Duties</b>	<b>Required</b>	<b>Completed</b>
Equalities Impact Assessment	No	
Children's Rights Impact Assessment	No	
Data Protection Impact Assessment	No	
Islands Impact Assessment	No	

### 1. Introduction

- 1.1 This paper includes the Quarter 3 Performance Report, 2022-3 and covering note highlighting completion, retiming, and any delays to milestones.
- 1.2 The Performance Report is designed to allow the Board, on a quarterly basis, to monitor the delivery of the objectives in CHS' Business Plan and scrutinise the overall performance of the organisation.
- 1.3 A data summary page has been included with the performance report for Board oversight of quarterly operational data and performance.
- 1.4 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.
- 1.5 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 3

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

- Worked with staff, Area Conveners and the CHS community to identify structures to deliver redesign outcomes;
- Consulted with the community on new policy and procedures;
- Carried out work to embed Children's Rights Impact Assessments in our work by launching a new impact assessment toolkit;
- Created and release a collaborative Programme Plan for the redesign work, utilising the Scottish Approach to Service Design;
- Agreed the final hearings model to be pursued ("the blueprint") and released this to the HSWG for approval; and
- Developed engagement processes for use in projects across the organisation.

2.2 Two milestones have been retimed since the end of Q2, bringing the total to four. One milestone is unlikely to be realised. These changes are documented on the final page of the Performance Report, and as below:

- Communications of our Participation Standards has moved to the end of Q4, in line with the launch of the Participation Hub, as below.
- Plans to launch a Participation Hub on the CHS website remain on hold while the communications team focused on our 2<sup>nd</sup> recruitment campaign.
- Regional multi-agency workshops remain on hold to enable greater capacity to AST's during recruitment and selection.
- We have paused active recruitment into our Practice Bank to allow the community to focus on participation with the Redesign external consultations.
- KPI/milestone of 20% volunteer community part of the CHS Practice Bank is unlikely to be realised due to competing consultation and engagement priorities. Current bank number are sufficient to our requirements, and a 2<sup>nd</sup> recruitment campaign for the Bank will be launched in Q4.

2.3 Four milestones have been selected for de-scoping (pending Board approval) during Q3 due to competing and changes priorities:

- It is proposed that sharing the mentoring programme externally is de-scoped due to the delayed launch of the Mentoring Programme to end of Q4. Consideration will be given to include this work in our in 23/24 business plan cycle.
- It is proposed that the evaluation and expansion of our mentoring programme be de-scoped due to the delayed launch of the Mentoring Programme to end of Q4. Consideration will be given to include this work in our in 23/24 business plan cycle.
- Trauma is embedded in preservice learning and a Trauma training resource has been made available via the Learning Academy, however, it is proposed that we descope the 100% completion of baseline trauma training by all volunteers due to the demands our 2<sup>nd</sup> recruitment campaign, selection, and pre-service had on the

CHSLA and AST's. Trauma learning modules will be released in 2023 and milestones included in the 23/24 Business Plan.

- It is proposed the development and influence of research recruitment opportunities with partners and the CHS community be de-scoped due to other organisational priorities.

### **3. Data Summary**

3.1 The Panel Member and Chairs forecasts are based on estimates and calculations derived from anticipated hearing numbers including increases anticipated via the implementation from the Care and Justice Bill. The hearing number data has been provided by SCRA and was calculated October-November 2022.

3.2 The Panel Member and Chair targets within this report are based on these forecasts.

3.3 The forecasts and targets will be updated for the 2022-23 Q4 data summary.

### **4. Board Actions:**

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

4.2 The Board are asked to approve the de-scoping of four milestones, as above.

4.3 The Board are asked to provide feedback on the data dashboard.

DRAFT

AST data						
	Panel Members	Active PMs	ACs & DACs	PPAs	Hearings Q3	Sessions Q3
<b>Total</b>	<b>2,147</b>	<b>1,877</b>	<b>45</b>	<b>128</b>	<b>5,548</b>	<b>2,153</b>
<b>Change since last Q</b>	<b>-106</b>	<b>-118</b>	<b>+2</b>	<b>-5</b>	<b>-29</b>	<b>-70</b>

**Trends: Volunteer numbers**

- An expected decline in volunteer numbers since Q2. This trend is expected to continue until April 2023 when the autumn PM cohort are appointed.
- Risk to capacity and targets is dependent on rate of ends of service and the change in number of Hearings/sessions.

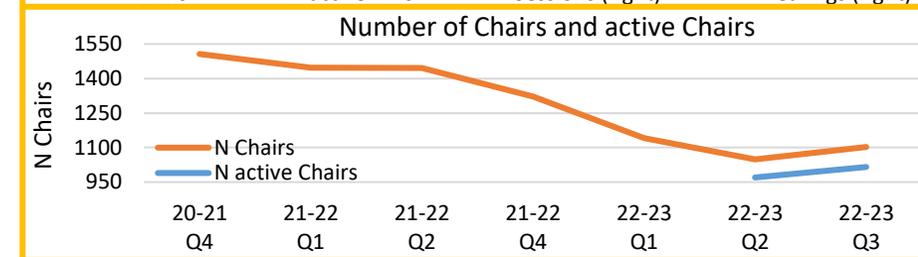
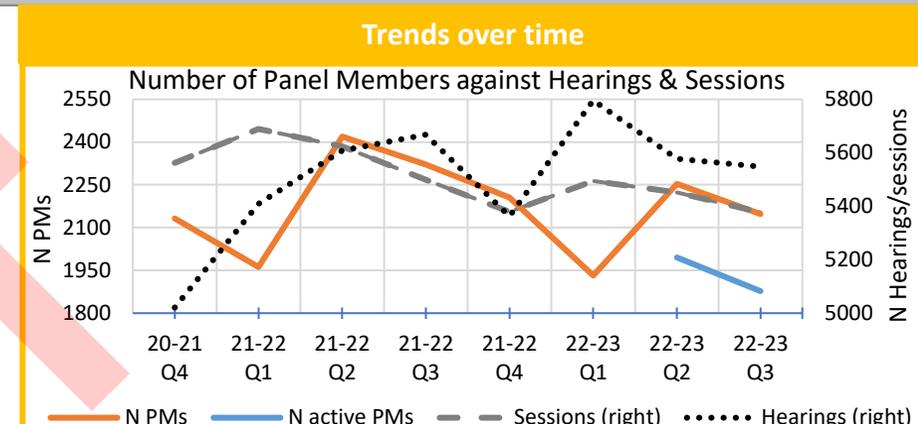
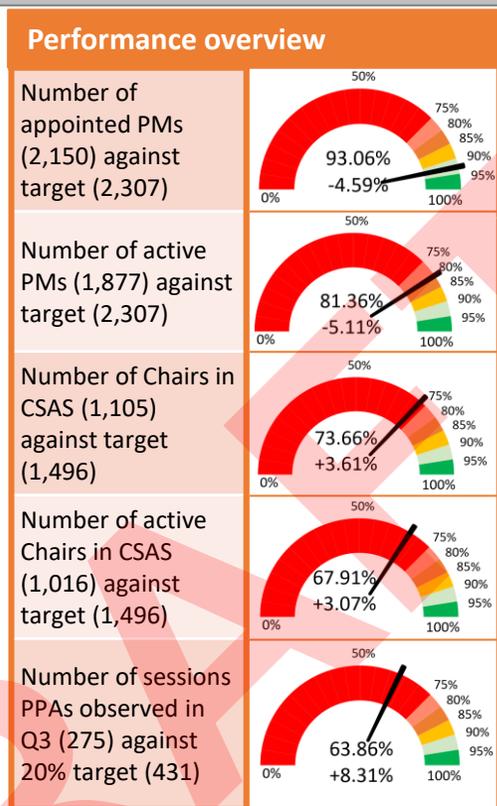
**Trends: Hearings & Sessions**

- Hearings and sessions have been stable through 2022-23.

**Trends: Demographics**

- Data very similar to Q2 with the exception of the age of AST Members, which has increased due to new AST Members.
- Changes to the AST Members' gender data is due to more equalities monitoring forms being completed.

Demographics	PMs	PM change	ASTs	AST change
Average length of service (years)	5.37	+0.31	3.27	+0.16
% Female	68.75%	-0.36	47.98%	+10.48
% Male	31.07%	+0.49	29.48%	+5.05
% Other genders or not completed	0.19%	-0.12	22.54%	-15.52
Average age (years)	52.68	+0.44	67.15	+7.50
% Lived experience (at least this %)	3.22%	+0.02	3.47%	-0.51



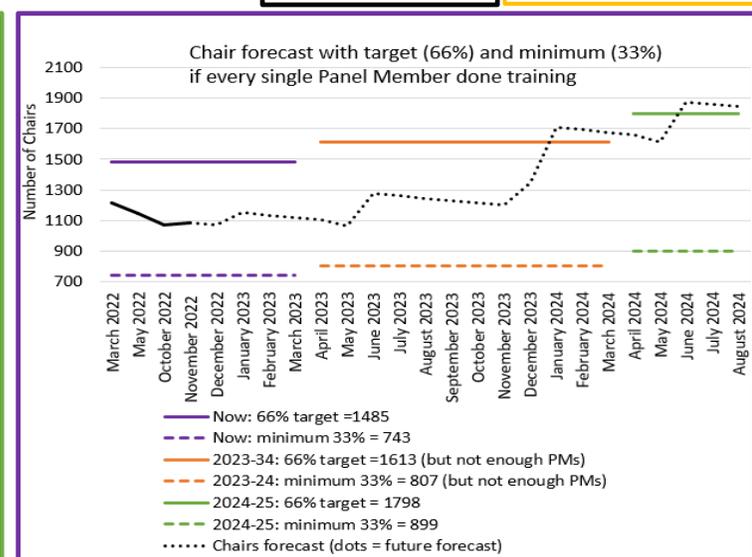
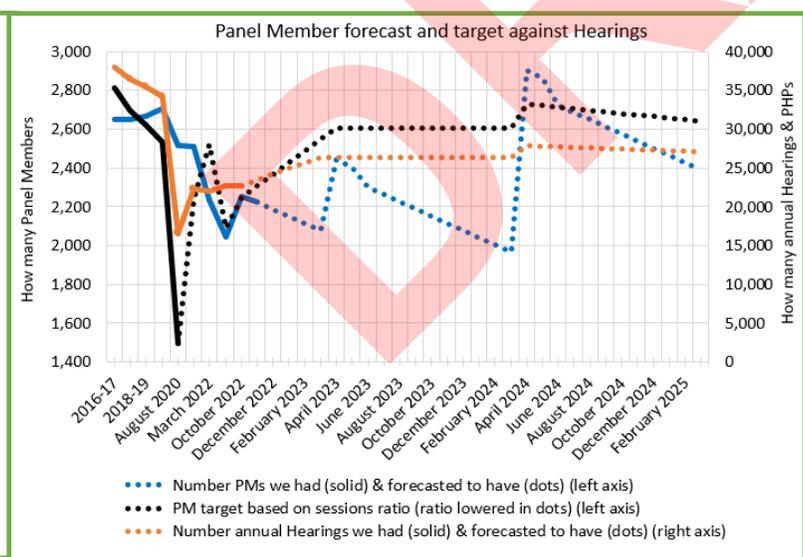
Active is defined as being rota'd on in CSAS in the last 3 months or in future.

**Trends: Chairs**  
Increase (+54) in the number of Chairs since Q2.

**Trends: Panel Member**  
Ratio of sessions against PMs has varied over the years. Overall, the number of both PMs and sessions has decreased. We are sufficiently managing the number of sessions.

**Panel Member forecast**

- Data is now a couple of months out of date.
- There are currently nearly as many PMs as recommended, based on number of sessions.
- Hearings and sessions forecasted to increase in 23-24 and 24-25, inline with the CCJ Bill.
- Number of PMs will decline until April 2023, through usual end of service rates.
- PM numbers will increase when new PMs are appointed in April, but likely not to the level required to sustain the year.
- A high number of PMs will need to be appointed in 2024 to manage the additional CCJ Hearings.
- Risk is dependent on the number of future sessions, meaning the risk may be lower than forecasted here.



**Chairs forecast**

- Data is now a couple of months out of date.
- This shows the best possible outcome – if every PM completed training, under the 2022 program.
- Ability to reach 66% target is hampered by the number of PMs with less than 12-18 months' service.
- Changes are being implemented to address these two obstacles.
- Training courses in early 2023 will help increase the number of Chairs.

# Children's Hearings Scotland: Quarterly Performance Report

## QUARTER 3 (October, November, December 2022)



### Quarter Summary - Objectives:

	Objectives				
	B	G	A	R	-
Theme 1 - Rights	2	3	7	2	
Theme 2 - Hearings	6	10	2	1	1
Theme 3 - Panel	5	8	2	0	0
Theme 4 - Evidence & Environment	5	11	0	1	0
Organisational Effectiveness and Staff Support	5	3	1	0	0
<b>TOTAL</b>	<b>23</b>	<b>35</b>	<b>12</b>	<b>4</b>	<b>1</b>

<b>Key:</b>
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 Q3
Planned to Complete*	32
Completed - Actual	27
Still to Complete during year	47
Descoped	0

\* as published in the Business Plan

children's hearings scotland <b>PROMISE PROGRAMME</b>		Promise Programme Performance Summary
Status	Objective #	Project Topic
	1	UNCRC
	2	Children (Scotland) Act
	7	Trauma Responsive Hearings
	8	Hearings Blueprint
	26	Participation, Engagement 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 <b>Promise Programme</b> , carry out activities to give further effect to the <b>UNCRC</b> in our work, in line with its incorporation in to law – <i>Practice &amp; Policy</i>	█	█	█		1.1	Develop and deliver a UNCRC training plan for our volunteer community and staff	Progress to end Q4	Q3: 60%	Subject experts have been identified and commissioning of training is in progress. Training will be made available to the CHS Community in March 2023.
							1.2	Carry out work to embed Children's Rights Impact Assessments in our work	Progress to end Q4	Q3: 100%
2	As part of the <b>CHS Promise Programme</b> , 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 &amp; 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	Q2: 100%	
			█	█		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	Q3: 60%	Workshops and refresher training being delivered by the Practice and Policy team throughout Q4 due to AST capacity.
			█	█		2.3	Evidence the impact of CHS's implementation of the Children (Scotland) Act 2020	Complete by end Q4	Q3: 50%	April's survey of the Practice and Policy Bank will be repeated in March to show improvement in the awareness of and upholding of sibling's rights.

	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 <b>Participation Standards – Rights &amp; Inclusion</b>		-	-	-	3.1	Deliver a communications programme sharing information about the standards	Complete by end Q3	Q3 -50%	Session on standards carried out with staff. Animations co-created with OHOV/VIP linked to the standards. Co-production session in Q4 to create the communications content to be shared by end Q4.
						3.2	Co-design and launch a Participation Standards Reflection Toolkit	Complete by end Q3	Q3:50%	Toolkit in development for launch end Q4.
						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 <b>Mutual Mentoring programme – Rights &amp; Inclusion</b>		-	-	-	4.1	Launch the programme, with the first mentoring pairing	Complete by end of Q2	Q3:50%	Sourced external training in mentoring to support mutual mentoring program. Training due for completion at the end of Q4
						4.2	Work with the mentors to share the programme externally	Complete by end of Q3	Q3:	Discussions between CHS and Mentoring providers have highlighted that a partnership will be the most beneficial way to support a Mutual mentoring programme at CHS. Launch of programme by end of Q4 - with evaluation by the end of June 2023
						4.3	Evaluate the programme and consider expansion further within the CHS staff team	Complete by end of Q4	-	Change in timetable to ensure sufficient time allocated to this and reflects the resource required to deliver and support two Panel Member recruitment campaigns in one year . An external organisation to support a Mutual Mentoring Programme has been approached and this opportunity will be presented to people with lived experience in Q4

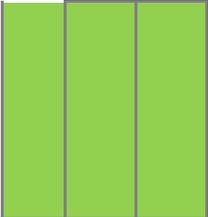
	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update	
		Q1	Q2	Q3	Q4					
5	Create effective systems and processes for <b>accessible and consistent participation</b> opportunities – <i>Rights &amp; Inclusion</i>	-	-	-	-	5.1	Develop a Participation Hub on the CHS website to advertise and define our participation opportunities	Complete by end of Q2	Q3:60%	Participation opportunities page has been designed and developed in background. Delayed launch to do prioritisation of 2nd recruitment campaign for comms team. Content co-created with CHS Participation Group and OHOV/VIP.
						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	Q3: 75%	A number of co-design projects have been completed through end Q3 including animations for CHSLA Panel member purposes, The UNCRC Rights Map has been developed. In Q4 we will collaborate to identify co-design opportunities going forward to include in the participation hub.
6	Ensure our feedback mechanisms are accessible by developing <b>child-friendly complaints processes</b> – <i>Practice &amp; 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	Q3: 75%	On track: Working with SPSO who are currently organising a series of workshops with volunteers. Agreed single point of entry with SCRA.

## 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 <b>Promise Programme</b> , carry out activities to improve the extent to which hearings and our work is <b>trauma-informed</b> , through our "Trauma Responsive Practice Project" – <i>Area Support</i>	Green	Green	Red	Green	7.1	CHS Learning Academy to embed learning on trauma in all relevant courses	Complete by end Q4	Q3: 75%	Trauma is embedded in pre- service learning, and new trauma learning modules to be released in 2023.
						7.2	All CHS volunteers complete base-line training on trauma	Complete by end Q4	Q3: 50%	New timeline for full training implementation due to prioritisation of additional Panel Member recruitment, selection and pre-service activity. CHSLA training team, CHSLA facilitators, & members of staff have attended several Train the Trainer events between August and December 22' to inform trauma learning content and delivery. Release of online learning modules in January 2023. Completion optional to end of Q4 with new target of 80% of active local panel community to complete Trauma Modules 1 & 2 by the end of June 2023.
						7.3	Initial evaluation of the impact of base-line learning on Panel Member practice	Complete by end Q4	Q3: 50%	Project team continues to meet for baseline evaluation work with plan to involve PPAs in quality assurance of learning. Data and Evidence survey launched to CHS staff and to Policy and Practice bank to establish the base
						7.4	Develop a plan for phase 2 of the project based on pilot learning	Complete by end Q4	-	In development

	Business Objective and Owner	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update	
		Q1	Q2	Q3	Q4					
8	As part of the CHS <b>Promise Programme</b> , lead on, and contribute to, the development of a multi-agency plan for the transformational redesign of the hearings system through the “ <b>CHS Blueprint Project</b> ” – <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	Q2: 100%	Work complete and final collaborative proposals submitted to the HSWG 23rd Nov 2022
						8.2	Create and release a collaborative Programme Plan for the redesign work, utilising the Scottish Approach to Service Design	Complete by end Q3	Q3: 100%	Work complete and final collaborative proposals submitted to the HSWG 23rd Nov 2022
						8.3	Agree the final hearings model to be pursued (“the blueprint”) and release to the HSWG for approval	Complete by end Q3	Q3: 100%	Work complete and final collaborative proposals submitted to the HSWG 23rd Nov 2022
						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	Q3: 100%	Work complete and final collaborative proposals submitted to the HSWG 23rd Nov 2022
9	Keep Panel Members equipped with accurate, up-to-date information and advice to be able to make <b>effective and timely decisions</b> - <i>Practice</i>		█			9.1	Issue guidance focussed on good quality hearings and decision making	Progress to end Q4	Q3: 75%	Revised PPM issued October 2022
10	Collaborate as a key partner in <b>locally-driven projects</b> 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	Q3: 75%	

	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 <b>Panel Practice Advisor</b> (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. Dec 22-SCRA have sight of PPA attendance vis CSAS
				█		11.2	Develop and deliver engagement work focussed on PPAs	Progress to end Q4	Q3:75%	Quarterly Forum meetings. Approx. 66 PPAs attended CSA2020 awareness workshops. PPA Recruitment Pack written, new trainee PPA training pathway created.
12	Improve the quality of recorded <b>reasons and decisions</b> – <i>Practice &amp; Policy</i>	-	-	█		12.1	Develop a quality assurance tool to assess reasons and decisions	Complete by end Q3	Q3: 75%	Tool developed. Next steps is to transfer to Excel format to assist with auditing work.
						12.2	Conduct national sampling of records of proceedings	Complete by end Q4	Q3: 75%	Plan in place - on target
						12.3	Scope out pilot improvements to the ways reasons are delivered	Progress to end Q4	Q3: 75%	Plan in place - on target
13	Continue to ensure Panel Members receive relevant information for decision-making by developing the <b>Independent Reports</b> function – <i>Practice &amp; 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	Q3: 75%	Practice Standards have been confirmed with independent report writers and work to produce a framework has begun.
14	Involve our volunteer community in the discussion around emerging practice areas through a <b>Practice Bank</b> –	█	█	█		14.1	Grow the Practice Bank to ensure at least 20% of volunteer community are involved	Complete by end Q2	Q2: 50%	Work to promote the Bank has re-started with a campaign planned for early Q4. Engagements are planned around Safeguarders and trauma-informed practice. Currently 250 panel members signed up which provide robust mechanism for gathering feedback.

	Practice & Policy		14.2	Consult on areas for development, implementation of legislation, and policy changes	Progress to end Q4	Q3: 75%	In Q3 the Practice and Policy Bank continued to offer insight and understanding into a range of areas of practice including advocacy, children's rights and community concerns policy development.
--	-------------------	---	------	---	--------------------	---------	--

DRAFT

### 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 <b>volunteer recognition campaign - Communications</b>					15.1 Volunteer recognition campaign during Volunteers Week (1st - 7th June)	Complete by end Q1	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 <b>support the people</b> needed to deliver a re-designed hearings system – <i>Strategy &amp; Development</i>	-				16.1 Work with staff, Area Conveners and the CHS community to identify structures to deliver redesign outcomes	Complete by end Q4	Q3:100%	2 rounds consultation and engagement sessions completed with the community & staff on re-design. Blueprint and hearing system re-design project complete with collaboration from staff and community members. AC collaboration on tribunal support models.
17	Equip new Panel Members with the <b>skills and knowledge</b> 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 was 18th June 2022
18	Continue to deliver learning and development via the <b>Learning Academy</b> 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	Q3: 75%	Enhance practice and management of hearings training has been prioritised to the end of Q3 to ensure sufficient number of chairs and there are further sessions planned for Q4
						18.2 Delivery and ongoing development of training for current AST Members	Progress to end Q2 initially	Q2: 75%	AST online induction module released in Q3

	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 <b>views of specialists - Training</b>					19.1 Deliver two 'Learn from the Experts' activities	Complete by end Q4	Q2: 100%	NES Trauma Skilled Practice Training Course ran for mix of community and national team. UNCRC learning planned for Q4 via an external provider
20	Work with our community to implement <b>Area Plans</b> that identify key activities for each area based on national and local priorities – <i>Area Support</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	Q3: 50%	The prioritisation of the second PM recruitment and selection process affected AST capacity to implement some Area Plan actions. Most ASTs continue to implement and monitor progress against their Area Plans, although the process followed and the level of detail varies across the areas.
21	Understand <b>recruitment</b> activities needed that respond to recovery and longer-term requirements of hearings– <i>Recruitment &amp; Retention</i>					21.1 Monitor the changing capacity of Panel Members and identify what recruitment activities are needed	Progress to end Q2	Q2: 100%	Monthly capacity reporting during Q1 & Q2 resulting in various improvement actions. 2nd recruitment campaign for 2022 commencing in September for appointment of PM's in 2023.
						21.2 Undertake recruitment as necessary, involving children and young people in the process	As required / identified	Q2: 100%	Over 85% of AST areas
22	Retain Panel Members by ensuring they are <b>reappointed</b> in an efficient and effective way – <i>Recruitment &amp; 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 <b>reappointed</b> in an efficient and effective way – <i>Recruitment &amp; Retention</i>					23.1 Carry out necessary reappointment processes	Progress up to Q4	Q3: 75%	All relevant reappointment processes taken place for Q3.
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 assigned a device. Plans in place to equip 2023 cohort with devices as well.
						24.2 Provide on-going community support including frontline response, user guides and training.	Progress to end Q4	Q3: 75%	On-going digital support remains in place; new user guides were issued as appropriate to reflect updates.
25	Make improvements to our volunteer support systems by reviewing our ' <b>community concerns</b> ' model – <i>Practice &amp; Policy</i>	-	-			25.1 Consult with the community on new policy and procedures	Complete by end Q3	Q3: 100%	Action completed. Consulted with community, sought specialist support, peer review and SMT review. Revised version drafted and currently in review with relevant internal departments, including IT and HR. Final version to be approved by ARMC in Feb 23.

## 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 <b>Promise Programme</b> , enhance our participation, engagement and consultation activities internally and externally, including with people with lived experience, through our <b>“Participation, Engagement &amp; Consultation Project”</b> – <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	Q2:100%	Work complete and final collaborative proposals submitted to the HSWG 23rd Nov 2022
						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	Q3: 100%	Engagement programme delivered Aug- Sep; Progress report submitted to board. phase 2 complete with report to Board Jan 23.
						26.3	Development of a reference group of stakeholders who have experience of hearings to critically evaluate what works well and areas for improvement	Progress to end Q4	Q3: 100%	PEC project group delivering 26.2 above - ongoing use of group
						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	Q3: 75%	CRIC annual report will be published by the end of Q4

	Business Objective	Status				Actions / Milestones / Deliverables	Timescales / Target	% Complete	Update
		Q1	Q2	Q3	Q4				
27	Continue to <b>lead change</b> 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	Q3: 75%	Consistent membership as active stakeholder in HSWG.
28	Active contribution to the improvement and recovery of the sector through <b>strategic and advisory groups</b> – <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	Q3: 75%	Recovery; CHIP; Children & Families Collective Leadership Group; Child Protections leadership Group all met during Q1. Sphere's of influence and membership of groups mapped out in influencing strategy.
						28.2 Involvement with key local groups e.g. Corporate Parenting boards; GIRFEC groups	Progress to end Q4	Q3: 75%	Local attendance at key groups continues with CHS usually represented by the ASIP
29	Embed our <b>digital systems</b> across our community and identify on-going improvements and developments to support the needs of CHS volunteers and staff - <i>Digital</i>					29.1 Make technical improvements to our system through a series of development projects	Progress to end Q4	Q3: 100%	Release 2.2 Completed Jul 22
						29.2 Improve our digital capacity and the support we have and can offer	Progress to end Q4	Q3: 75%	Additional recruitment to digital team – Roles under discussion for recruitment in Q4
						29.3 Better understand the quality of our digital operational resilience, and undertake improvements where required	Progress to end Q4	Q3: 75%	Digital strategy developed with corresponding Implementation plan and timeframes to be finalised
						29.4 Improve our user engagement approach to digital development, that increases response of user needs	Progress to end Q4	Q3: 70%	Initial user journey mapped. Approach used to understand HIP journey and now being used to improve data capture for training and development Socialisation and refinement pending.

	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 <b>Management Information</b> reporting – <i>Info &amp; Performance; (Digital)</i>			Q3		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	Q3: 60%	Dashboard and reporting developed and in use for recruitment. Data reporting set being implemented for SMT and Board. Roll out to national team and community by end Q4.
31	Connect with, and influence, knowledge development in the sector by being involved in, including initiating where appropriate, <b>research</b> – <i>Practice &amp; Policy; (Info &amp; 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	Q3: 75%	Engaging with emerging research through advisory group - see influencing strategy spheres of influence map
						31.2	Develop and influence research recruitment opportunities with partners and the CHS community	Progress up to end Q4	Q3: 25%	De-prioritised due to other priorities. Research requests continue to be screened, evaluated and shared with the CHS community as they arise.
32	Ensure our work is informed and improved by <b>views from a range of sources</b> – <i>Practice &amp; Policy</i>	-				32.1	Development of strategic intelligence and feedback frameworks and functions to influence practice and policy	Progress up to end Q4	Q3: 75%	Influencing strategy approved by the board. Revised community concerns procedure with emphasis on feedback. Consultation and engagement work with Lens. Practice and Policy Bank. Child Friendly complaints and feedback plans.
33	Influence and engage in the development of <b>emerging legislation</b> that can improve outcomes for children and young people through the hearings system – <i>Practice &amp; Policy</i>					33.1	Work with Scottish Government and partners to support legislative improvements	Progress up to end Q4	Q3: 75%	On track. Led changes to legislation in the Coronavirus (Recovery and Reform) (Scotland) Act (gender). Submitted responses to UNCRC reporting, influenced design and content of Children's Care and Justice Bill, submitted response to Bairns Hoose consultation. Influenced emerging legislation - see influencing strategy map.

## 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&amp;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%	Next phase of improvement action planning underway in conjunction with Team Forum.
35	Support staff knowledge and wellbeing through staff learning and development – <i>HR&amp;OD</i>					35.1 Deliver a staff training and learning programme throughout the year	Progress to end Q4	Q3: 75%	4 CHS Bites in Q3 with all sessions for Q4 booked up. EDI session scheduled in for February 2023.
						35.2 Deliver wellbeing and engagement activities throughout the year	Progress to end Q4	Q3: 75%	Casual engagement activities organized and promoted by team forum including an all staff meeting held in April 2022 and follow up session scheduled for end of September 2022. Ongoing work and activities linked to the 'Culture & Engagement Theme' detailed within our People Strategy.
						35.3 Deliver a management development programme	Complete by end Q3	Q3: 100% ongoing	Initial scoping completed and two sessions held with third scheduled for February 2023, in addition to monthly CHS Bites development sessions. Objective to be re-evaluated and carried on through 2023/24 in line with organisational need an anticipated changes.

36	Continue to deliver on our commitments to Equality, Diversity & Inclusion (EDI) by implementing our <b>EDI Strategy – Learning</b>				36.1	Set up an EDI group to shape the work of CHS	Complete by end Q2	Q2:100%	Group has been created and regular meetings scheduled.
					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	Q2: 100%	Calendar agreed and social media and Teams profiling underway
					36.3	Provide up-to-date, appropriate generic and role-specific EDI training for all staff and volunteers	Complete by end Q4	Q3:60%	EDI training session was delivered to staff in Q1. Plans underway to provide baseline learning for all volunteers by end of Q4. Bespoke video content from an external provider is in progress and will be hosted on the CHSLA site for all volunteers
					36.4	Explore and recommend a form of EDI accreditation for CHS	Complete by end Q2	Q3: 50%	Being examined by EDI strategic group. Next group meeting to take place by early February to make final decision.

## 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%	Children's Rights survey live. Results will be available in January 2023.
2	% of hearing sessions observed during the year	9% to end Q2	20%	12% through end Q3
3	% of pre-service trainees who felt that their learning objectives were met	2019/20 - 98% ; 20/21 - 98%	99%	99.00%
4	% of applicants put forward for preservice training who complete the full training	17/18 - 89%; 18/19- 92%; 20/21: 87%	90%	83% following some intensive work by CHSLA to see final group through with additional support
5	% of Panel Members successfully reappointed	17/18 - 83%; 18/19 - 68%; 20/21: 79%	60%	70%
6	% of Panel Members retained during the year	84% as at Sept 2022	80%	as at Q3: 79.77%
7	% volunteer community involved in the Practice & Policy bank	-	20%	Q3: 10% - Recruitment paused due to redesign consultation work. Current membership of over 200 serves purpose.
8	% of complaints resolved within SPSO guidelines	17/18- 100%; 18/19 - 92%; 19/20 - 100% 20/21 - 99%; 21/22: 85%	95%	Q1 & Q2: 100% / Q3: 90%
9	% CHS employee attendance	17/18- 96%; 18/19 - 95%; 19/20 - 93% 20/21 - 99%; 21/22 - 96%	96%	Q1 & Q2: 95.9%/ Q3: 94.8%
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%	Q2: 94.3% **to end August 22'
11	% positive staff survey feedback on opportunities for learning and development	18/19 - 33%; 19/20 - 51%; 20/21 - 65%	70%	From 2022 People Survey

## Record of Changes to Planned Delivery

Milestone(s) Changed	Date of Change	Details of Change	Rationale for Change
4.1	Q2	Mutual mentoring moved to implementation in Q4	Capacity amongst the participation group has delayed the start of this project
5.1	Q1	Participation Hub website continues on hold	Allowed capacity of communications team to be focussed on Promise areas of website
7.2	Q1	Reconsideration of trauma training timeline	Due to the latest recruitment being brought forward and the ask on the community, timelines must be reconsidered
2.2	Q2	Hosting regional multi-agency workshops is on hold through Q4	Capacity of AST's to facilitate these sessions is challenged during recruitment and selection
14.1	Q2	Practice bank recruitment paused	Focus required by community on Redesign external consultation
3.1	Q3	Communications of participation standards delivery moved to end Q4	Capacity of CHS communications team and participation group
4.2	Q3	Sharing mentoring programme externally descoped with consideration to include in 23/24 business plan cycle	Capacity amongst the participation group has delayed the start of this project
4.3	Q3	Evaluation and expansion of mentoring programme externally descoped with consideration to include in 23/24 business plan cycle	Capacity amongst the participation group has delayed the start of this project
5.1	Q3	Participation Hub website continues on hold - launch by end Q4	Allowed capacity of communications team to be focussed on 2nd recruitment campaign
7.2	Q3	Completion by all volunteers descoped. New KPI of 80% completion to be considered for inclusion in 23/24 business plan	2nd recruitment pre-service prioritised for CHSLA and AST's
14.1	Q3	KPI/milestone of 20% volunteer community part of practice bank unlikely to be realised	Current numbers sufficient for purpose
31.2	Q3	Pursuit of research opportunities descope	Deprioritised due to other priorities and vacancy with National Quality and Performance Lead

## RAC Work Plan 2023

### **Winter Meeting – 03 (21<sup>st</sup> March 2023)**

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

### **Spring/Summer Meeting – 01 (23<sup>rd</sup> May 2023)**

- Review and approve HR policies as required
- People Strategy update
- Staff Forum update
- Committee annual report
- Annual Equality Reporting
- CEO Appraisal outcome 22/23 and key objectives 23/24

### **Summer/Autumn Meeting – 01 (19<sup>th</sup> September 2023)**

- Review and approve HR policies as required
- People Strategy update
- Staff Forum update
- Annual Report on outcomes of staff appraisals
- Staff Survey report

### **Autumn/Winter Meeting – 02 (19<sup>th</sup> December 2023)**

- Review and approve HR policies as required
- People Strategy update
- Staff Forum update
- Mid-year review 2021/ 22 performance on objectives for the NC/CEO
- Committee’s draft work plan for 2023/24

<b>BUSINESS</b>	<b>21/03/23</b>	<b>23/05/23</b>	<b>19/09/23</b>	<b>19/12/23</b>
Review and approve HR policies as required	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pay remit approval and update	<input type="checkbox"/>	<input type="checkbox"/>	As required	
Annual review of CHS Staff appraisals			<input type="checkbox"/>	
Annual Staff Survey Report			<input type="checkbox"/>	
Staff Forum Update	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
People Strategy Update	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CEO Appraisal and objective setting		<input type="checkbox"/>		
CEO Mid-year review			<input type="checkbox"/>	
Equality Report		<input type="checkbox"/>		
Equality, Diversity, and Inclusion Annual Strategy Review				<input type="checkbox"/>
Gender Pay Report (every two years 22/24/26/etc)				
Pension Discretionary Policy (every two years – next due June 2024)				
RAC Committee Self-Assessment			<input type="checkbox"/>	
RAC ToR Review	<input type="checkbox"/>			
RAC Annual Work Plan				<input type="checkbox"/>

## ARMC Work Plan 2022

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

#### Risks

Review of the performance of CHS' strategic risk register

#### Audit

External Audit general update report

External Audit Annual Plan 2022/2023

Internal Audit Annual Plan 2022/2023

Consider any reports from Internal Audit and management responses

#### Policy/ governance

Information Governance Report

Accounting Policies - Review and consider continued appropriateness of CHS accounting policies for approval by the Board

Financial Regulations - Review of financial regulations

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

Digital Update

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

#### Risks

Review of the performance of CHS' strategic risk register

#### Audit

External Audit general update report

External Audit Annual Plan Update 2022/2023

Internal Audit Annual Report 2021/2022

Internal Audit Follow-up 2021/2022

Internal Audit Plan 2022/2023 Update

Consider any reports from Internal Audit and management responses

#### Policy/ governance

Information Governance Report

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

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

Business Continuity Plan - Review CHS Business Continuity Plan

Digital Update

Annual review of CHS Risk Management Policy

#### Corporate

Draft Annual accounts 2021/2022

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

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

#### Risks

Review of the performance of CHS' strategic risk register

#### Audit

External Audit general update report  
Eternal Audit Annual Report (AAR)  
Internal Audit Update - consider any reports from Internal Audit, management responses and outstanding Internal Audit recommendations  
Chair/Auditors Private meeting

Policy/ governance

Information Governance Report  
Review and consider the draft 2022/22 Annual Report and Accounts Statements  
Annual Audit Report to Board members and the Auditor General for Scotland (ISA 260)  
Review of the Letter of Representation  
Digital Update

Corporate

Annual Report Covering Letter and Letter of Representation  
Annual Report and Accounts 2021/22

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

Risks

Review of the performance of CHS' strategic risk register

Audit

External Audit general update report  
Consider any reports from Internal Audit and management responses  
Summary progress on Internal Audit recommendations (*date to be confirmed with Internal Auditors*)

Policy/ governance

Information Governance Report  
Annual Fraud Report  
Review committee's own effectiveness  
Review committee's work plan for 2023  
Digital Update

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

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



## Business Plan 23/24 Progress Report

**Agenda Item 13**  
**CHS-2223-47**

**Accountable Officer:** Head of Strategy, Development & DCE  
**Report author:** Programme Manager & Business Operations and Governance Lead  
**Recommendation:** For approval  
**Resources implications:** Within available resources

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

*Impact assessments are carried out for work streams within the plan*

### 1. Introduction and background

- 1.1 CHS is required to produce an annual Business Plan, that describes the “key” activities and milestones for the year ahead, as derived from the Corporate Plan. For CHS “key” usually covers activities that have clear contribution to the delivery of strategy, activities that are directly related to the National Convener’s core duties, and activities that are significant in terms of the resources required to deliver them and/or their organisational impact. CHS and the National Convener also use this plan to fulfil their duty to produce a Corporate Parenting plan.
- 1.2 2022/3 was the final year of the CHS strategic plan (the ‘Corporate Plan’). It was approved by the Board in January 2022 to extend the planning cycle by a year, meaning this (23/24) will be the final year of the Corporate Plan.

### 2. Approach

- 2.1 Ideally at this stage we would be submitting a draft plan ahead of final approval at the March Board meeting however recent recovery work, and the emerging reform agenda, has required further exploration and development to be put into the planning. A draft plan will be shared with the Board offline in February.
- 2.2 The plan for this year follows the same broad format as the previous year’s – with objectives and milestones contributing to the four strategic themes forming the main content, as well as a fifth theme on organisational efficiency.
- 2.3 In recognition of our shifting landscape, we propose (pending Board approval) to review and re-draft our business plan mid-year to re-align our objectives and activities with the recommendations from the HSWG report.

- 2.4 This year, a more accessible version of the plan will be delivered through a short animation, featuring activities that have been chosen by people with lived experience as particularly worth promoting.

### **3. Context**

Last year's business plan's context was focused on Corporate Parenting, The Promise and our Promise Programme, and the OHOV 40 calls to action. In the 23/24 Business Plan our context will focus on:

- Building Capacity within the Children's Hearing System and our volunteer community through the Tribunal Support Model;
- Readiness for the Care and Justice Bill;
- The Hearing System Working Group and Report; and
- Participation and engagement with lived experience and our community.

### **4. Next steps**

- 4.1 A draft plan is being finalised and reviewed by SMT after which it will be shared with Board and the sponsor team at Scottish Government with suggestions taken into account.
- 4.2 The full plan will be submitted to the Board for approval at their meeting in March. Following Board approval, the Business and Corporate Parenting Plan will be passed for ministerial note. Following this, it will be published to the CHS website.

### **5. Recommendations**

- 5.1 The Board are asked to approve the proposed mid-year review and revision of the business plan objectives, milestones and activities post the Hearing System Working Group report.
- 5.2 The Board are asked to approve the contents of the report.



## Independent Reports

**Agenda Item 14**  
**CHS-2223-48**

**Accountable Officer:** Stephen Bermingham, Head of Practice and Policy  
**Report author:** Laura Conachan, Practice and Policy Lead, and Edward McKim, Practice and Policy Advisor  
**Recommendation:** To note  
**Resources implications:** Within available resources

Impact Assessment Duties	Required	Completed
Equalities Impact Assessment	No	N/A
Children’s Rights Impact Assessment	No	N/A
Data Protection Impact Assessment	Yes	To be reviewed
Islands Impact Assessment	No	N/A

### 1. Introduction

- 1.1 The purpose of this report is to inform the Senior Management Team and Board of the Independent Report Writers Function in CHS, how it operates, recent and planned developments, trends and how the function supports Panel Members to make informed decisions in the best interest of the child.
- 1.2 When Panel Members do not have enough information to make a substantive decision and need to defer the hearing to another date, one of the options available to them is to require that an additional report is provided. In practice, there are a number of options Panel Members look to when a report is required. This may include reports from individuals already involved in supporting the child, including health services and the local authority. Alternatively, Panel Members can appoint a Safe guardian to produce a report.
- 1.3 As well as these options, there is also an option to request “any report, from any person, which the children’s hearing considers relevant to any matter to be determined by the subsequent children’s hearing”.<sup>1</sup> Where an independent expert is required to provide information to the hearing, these are referred to as an Independent Report.

### 2. Background and development

- 2.1 The commissioning of these reports has been overseen and managed by the CHS Practice and Policy Team since June 2020 through a dedicated Bank of Independent Report Writers that we recruit, manage and support. Prior to this, a smaller Bank was run by With Scotland from September 2014 until July 2016 and thereafter by CELCIS. This function is managed by CHS and funded by the Scottish Government (SG) and is detailed in the CHS/SG Framework.<sup>2</sup>

<sup>1</sup> As per sections 91, 119 and 138 of the Children’s Hearings (Scotland) Act 2011, as amended.

<sup>2</sup> [CHS/SG Framework Document \(chscotland.gov.uk\)](http://chscotland.gov.uk)

- 2.2 A public recruitment campaign in spring 2020 led to over 50 applications to join the Bank of Independent Report Writers. After a rigorous interview and assessment process, 23 expert writers were appointed to the Bank in June 2020. These are not employees of CHS and are commissioned on a report-by-report basis.
- 2.3 Independent Report Writers are asked to abide by a set of Practice Standards and Expectations<sup>3</sup> which outline the general requirements they must meet while completing an independent report along with information on complaints handling, report allocations, and details what children and families can expect from report writers.
- 2.4 A Memorandum of Understanding (MoU) between Children’s Hearings Scotland and the Scottish Children’s Reporter Administration (SCRA) was agreed and brought into effect in August 2022. This outlines the expectations for timeframes and information sharing between CHS and the SCRA. It built on previous MoUs with a greater focus on process timescales to reduce delays in information sharing between organisations. These tight timescales, combined with a larger, more readily available Bank, has led to an ambitious target for reports to be taken from request to submission in 10 weeks. Previously, a six month timescale was commonplace. Since the MoU was brought into effect, all reports have met the 10 week deadline with the exception of two reports which are likely to be delayed, due to illness and external complications.
- 2.5 While report writers are independent contractors and are responsible for their own data protection, to ensure consistency and clarity of language and experience, work was undertaken with CHS’s Information Governance Data Protection Officer to develop a Privacy Statement<sup>4</sup> for children and families. In addition, independent report writers have been provided with secure Criminal Justice Secure Mail (CJSM) email accounts to receive hearing papers faster and more securely than previously. Finally, formal commission letters are now provided to confirm their commission and the terms under which a writer is expected to work under. This also serves as an identification letter which can be used by writers when contacting individuals in the child’s life.

### 3. Current position

- 3.1 The bank currently consists of 21 Independent Report Writers. In 2020, report writers were appointed for two years which led to CHS undertaking a reappointment process in May 2022. Five writers chose to discontinue their work with the bank for a range of reasons, including personal capacity and other commitments.
- 3.2 Ongoing demand and capacity reviews are carried out to ensure that the Bank has sufficient report writers to meet demand and to ensure multiple quotes for value for money. Due to an increase in requests requiring independent social workers, four new writers were brought into the Bank in June 2022, following a recruitment process equivalent to the 2020 appointments. These additions followed expressions of interest gathered in the intervening years, as opposed to a full public recruitment campaign.
- 3.3 At present the bank is made up of 12 Social Workers, one Psychiatrist, four Educational Psychologists, three Clinical Psychologists and one Forensic Psychologist. Each member of the Bank has significant expertise in their chosen field.

<sup>3</sup> [Independent Report Writers: Practice Standards and Expectations \(chscotland.gov.uk\)](https://www.chscotland.gov.uk/independent-report-writers-practice-standards-and-expectations)

<sup>4</sup> [privacy-statement-for-independent-reports-v1-0.pdf \(chscotland.gov.uk\)](https://www.chscotland.gov.uk/privacy-statement-for-independent-reports-v1-0.pdf)

- 3.4 There has been a significant increase in requests from Panel Members in using the Independent Report Writer function since summer 2022. This has been in correlation with recent ‘Refresh’ training that has been undertaken with the Panel community, which reminds them of their duty to consider additional reports when considering deferring a hearing. It was an anticipated increase which was mitigated by the June recruitment drive.
- 3.5 Independent Report Writers are also paid to take part in quarterly development sessions where the latest practice questions can be discussed and group training can be undertaken. The cost of development sessions undertaken in 2022/23 so far is £1,425, with a further training session planned for mid-February.

#### 4. Finance

- 4.1 The annual budget for the independent report writer function is £80,000 annually, which is underwritten by the Scottish Government sponsor team. A further £20,000 approximately is allocated for staff capacity to manage the function, the equivalent of a 0.5 FTE Mid-Level Officer. A significant resource from the Practice and Policy Team is required to deliver this high-quality function. If report requests continue to increase, resources will need to be reviewed.
- 4.2 The chart below highlights report requests and costs since 2020 (please note the low 2020/21 figure is largely attributed to the reduced number of hearings during the pandemic):

Financial Year	Report Requests	Financial Spend on Reports
2020/21	12	<b>£36,438.80</b>
2021/22	24	<b>£59,735.30</b>
2022/23 (as of 20.1.23)	20	<b>£39,023.44 to date</b> <i>(awaiting submission of eight invoices from active report requests, with expected costs of between £29,414 and £39,110).</i>

- 4.3 The total cost of independent reports in 2021/22 was £59,735.30, representing 24 completed reports.<sup>5</sup>
- 4.4 The total invoiced so far for the financial year 2022/23 is £39,023.44, representing nine completed reports. The expected cost for reports commissioned so far is between £68,437 and £78,133 based on minimum and maximum estimates.

#### 5. Report Requests

- 5.1 Requests received in 2021/22 were predominantly for reports to be undertaken by social workers, such as parenting capacity assessments. Requests received this financial year have almost exclusively been to assess mental health needs. This carries some cost

<sup>5</sup> It is worth noting that there are small differences between the accounts held in the Independent Report log and financial ledgers, due to cut off points and the timing of when the reports were due for payment. For consistency, the figures used in this report were drawn from the Independent Report Log held by the Practice and Policy Team.

consequences, as reports by clinical or forensic psychologists are generally more expensive. The reasons for this shift require further exploration, but continuing pressures on Child and Adolescent Mental Health Services are likely to be a contributing factor.

- 5.2 Two requests were received for writers who were not available through the Independent Report Writer Bank. One request for a report by an Occupational Therapist was commissioned through Cerebral Palsy Scotland. Another request was received for a specified psychologist, on the basis of their prior involvement. Both writers were commissioned through the process agreed between CHS and SCRA detailed in the MoU.

## **6. Risks**

- 6.1 An identified risk is about ensuring that the reports are produced to a high standard. To mitigate this risk the Practice and Policy Team, in conjunction with CHS' Data and Evidence Officer, are producing a framework for quality assurance of independent reports. This process will be based on the Practice Standards and Expectations and will be in force in early 2023.
- 6.2 The cost of Independent Reports depends on the number of requests made by Panel Members as part of their decision. It is therefore liable to fluctuate. This financial year, the overall cost has been higher and it is possible that costs run over-budget. However, the Scottish Government have intimated that the budget allocated is underwritten so there is an assurance for this scenario.

## **7. Recommendations**

- 7.1 The Board are asked to note the content of the report.
- 7.2 The Board are asked to include the Independent Reports Function in the audit schedule.

DRAFT



## Advocacy in Hearings, Panel Members Feedback

**Agenda Item 15**  
**CHS-2223-49**

**Accountable Officer:** Stephen Bermingham – Head of Practice and Policy  
**Report author:** Edward McKim, Practice and Policy Advisor  
**Recommendation:** To Note  
**Resources implications:** No significant new resource requirements

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

### 1. Purpose and Background

1.1 The purpose of this report is to feedback to the Board on Panel the survey results of Panel Members experiences of advocacy in hearings. The report in **Appendix 1** provides an overview of advocacy in hearings, the results of the a survey with the Practice and Policy Bank, next steps and key learning points.

### 2. Benefits

2.1 CHS has a statutory duty to ensure compliance with advocacy provision, a key part of this is engagement with the sector, gathering feedback, practice support and keeping abreast of implementation.

### 3. Risks

3.1 The risks of non-compliance of CHS’ statutory duties are mitigated by the activity detailed in the attached paper.

### 4. Recommendations

4.1 The Board are asked to note the content of this report.

## Appendix 1: Practice and Policy Bank Advocacy Response Summary

This survey gathered feedback from Panel Members of their experiences in relation to children's advocacy during hearings. In November 2022 the Practice and Policy bank were asked seven short questions about Advocacy, which are outlined below.

The Practice and Policy Bank consists of over 200 panel members. 87 panel members responded in full to this survey.

### Background to Advocacy

The Children's Hearings (Scotland) Act 2011 has given provision for children and young people to access support and representation from advocacy services when attending a children's hearing. A national advocacy scheme has been funded and set up by the Scottish Government to make sure that independent advocacy services are available for children and young people in every local authority area.

Children's advocacy services provide support and representation to children before, during and after a child's hearing. The advocacy worker will help the child decide what they want the Panel Members to know and how best to communicate that in the way they prefer. An advocate will only represent a child's views. They will not give a personal view, provide advice or say what they believe to be in the best interests of the child.

### Advocacy discussed in Hearings

During the Hearings you have sat on, how often is Advocacy discussed in the Hearing?			
Answer Choices		Response Percent	Response Total
1	Always	52.87%	46
2	Often	39.08%	34
3	Sometimes	6.90%	6
4	Rarely	1.15%	1
5	Unsure	0.00%	0

Overall the majority of Panel Members recognised the need to discuss Advocacy within a hearing.

### What has Prevented Advocacy being discussed during Hearings?

This question allowed participants the option of typing their responses in the form of free text.

The majority of respondents stated that the age of the child often prevents Advocacy from being discussed with various examples like: ***'too young to understand advocacy role', 'the age and ability of the child', and 'the child is five and under.'***

Other respondents opted to include things like: ***'Advocacy being offered and not wanted,' 'Advocacy is always discussed, where appropriate,' and 'Advocate is in attendance.'***

A very small group of respondents stated: ***'at times it is overlooked.'***

Overall, the majority of respondents opted for the position of 'age and stage' of the child being the main factor in preventing Advocacy being discussed, which is reassuring from a practice perspective within the hearing room. Advocacy services are not generally offered to children aged 5 and under because they are unlikely be at the age and stage where they can make informed consent or benefit from the service.

### Advocacy Attendance at Hearings

Most respondents opted to select 'often' and 'sometimes' when it came to observing advocacy attendance at a Hearing.

During the Hearings you have sat on, how often do you observe an Advocate attending?			
Answer Choices		Response Percent	Response Total
1	Always	0.00%	0
2	Often	28.74%	25
3	Sometimes	66.67%	58
4	Unsure	1.15%	1
5	Never	3.45%	3
6	Unsure	0.00%	0

### Informing a child of Advocacy

Section 122 of The Children's Hearings (Scotland) Act 2011 places a statutory duty on the chairing Panel Member of a children's hearing to inform the child of the availability of advocacy services in their area. However, this duty does not have to be carried out if it is deemed inappropriate due to the age and stage of the child.

For Chairs only: Is informing a child of Advocacy part of your checklist for chairing a Hearing?				
Answer Choices			Response Percent	Response Total
1	Yes		91.95%	80
2	No		3.45%	3
3	Does not apply as I do not chair		4.60%	4

Respondents overwhelmingly stated that Advocacy is part of their checklist when chairing a hearing with several stating that this is included in their 'Management of Hearings' training.

A smaller percentage of respondents opted for no, clarifying that the 'Age' of the child at that hearing would be too young to understand Advocacy.

### Child not in Attendance

Chairs of Hearings were asked: If you are chairing, and the child is not in attendance, would you ask if the child has been made aware of advocacy, and by who?

This question allowed participants the option of typing their responses in the form of free text.

100% (87 panel members) responded by stating that they would ask if the child had been made aware and this would usually be a question asked of the Social Worker in attendance at the hearing.

**Deferring a Hearing when a child is not aware of Advocacy**

During the Hearings you have sat on, how often have you decided to defer due to the child/young person not being aware of Advocacy?			
Answer Choices		Response Percent	Response Total
1	Always	0.00%	0
2	Often	0.00%	0
3	Sometimes	14.94%	13
4	Rarely	35.63%	31
5	Never	49.43%	43

Almost 50% of respondents opted for 'Never' deferring a hearing when a child or young person is not aware of advocacy.

Guidance given to Panel Members is that there is no automatic deferral when a child or young person is not aware of Advocacy. It is the decision of that Hearing on whether to defer or proceed. It must be decided on a case-by-case basis with obvious factors like drift and delay being taken into consideration.

A lower percentage of respondents agreed that they would 'sometimes' defer if a child/young person is not aware of advocacy. Given there was no option to provide a further explanation as to why respondents 'sometimes' defer a hearing, it would be difficult to suggest that this could be due to those in attendance then stating that they wished to have an Advocacy worker, resulting in a deferral.

## Advocacy for those with participation rights

During the Hearings you have sat on, where there are siblings with participation rights, how often has the sibling of the child/young person had an Advocate in attendance?[Always, Often, Sometimes, Rarely, Never, Unsure, I have no experience of Hearings where there are siblings]

Answer Choices		Response Percent	Response Total
1	Always	0.00%	0
2	Often	1.15%	1
3	Sometimes	4.60%	4
4	Rarely	10.34%	9
5	Never	36.78%	32
6	Unsure	10.34%	9
7	I have no experience of Hearings where there are siblings	36.78%	32

The Children (Scotland) Act 2020 added a new category of individual, a Participation Individual. This category of individual applies largely to siblings and sibling like relationships.

Should an individual with Participation Rights attend a hearing, they have the right to have a representative in attendance with them, only for the permitted period of the hearing that is relevant to them. A representative can take the form of a solicitor or an advocate.

The majority of respondents have stated that they have little or no experience of this. The strict criteria to become a Participation Individual means that there are only a small number who attend children's hearings therefore this response is entirely expected.

### Next steps and key learning points

- The findings from this survey will be shared with the national Expert Reference Group on Children's Advocacy, a group that CHS is represented on
- The Practice Procedure Manual has been updated and includes an in-depth practice guidance on children's advocacy and the new Participation Rights in the Children (Scotland) Act 2020
- The refresher training rolled out to Panel Members in Autumn 2022 included an update on Panel Members' duties on advocacy and siblings rights.
- The Practice and Policy Team will continue to gather feedback from Panel Members and

identify an areas of improvement where additional guidance or training may be required.

- The Practice and Policy team will continue to gather feedback on advocacy in hearings and use this feedback to identify any areas for improvement.
- CHS will continue to engage with advocacy providers and the national expert group to ensure that panel members are considered and kept up-to-speed with practice and policy developments.
- The findings of this survey will be shared with the Senior Management Team and CHS Board.

Any queries or questions regarding this summary can be e-mailed to:

[Edward.Mckim@chs.gov.scot](mailto:Edward.Mckim@chs.gov.scot)

Edward McKim  
Practice and Policy Advisor Children's  
Hearings Scotland

DRAFT



## PEC Phase Two Completion Report

**Agenda Item 16**  
**CHS-2223-50**

**Accountable Officer:** Carol Wassell, Head of Area Support and Community Improvement  
**Report author:** Michael Stewart, Area Support Improvement Partner  
**Recommendation:** To Note  
**Resources implications:** N/A

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

### 1. Introduction

- 1.1 We committed to provide the HSWG with an update on these issues. This paper outlines a summary of feedback as it relates to the HSWG issues list. It is intended to provide members of the HSWG with an insight into the views of those involved in delivering the current tribunal system and inform HSWG members thinking when making recommendations for change.
- 1.2 The additional comments and feedback received from the community, which is not included in this report will be used to help to inform our ongoing review of our current operating model and consider how we can enhance our service now, and help us preparation for recommendations that arise from the work of the HSWG when their report is published in 2023.

### 2. Background

- 2.1 As outlined in our first submission, a project team approach was utilised to develop the consultation approaches and we retained [The Lens Perspectives Agency](#). The Lens team have experience in working with people in many organisations to support change and develop and generate innovation. Consultation and engagement are the foundations of all programmes led by The Lens.
- 2.2 The consultation process was offered via face to face and virtual sessions and focussed upon three themes (see below). Contributions were from volunteers, CHS staff, members of the CHS Clerking service<sup>1</sup> and staff from CHS Learning Academy<sup>2</sup>.

<sup>1</sup> The CHS Clerking service is provided by Scottish Local Authorities under a Memorandum of Understanding agreement. Some clerks provide support exclusively to their local panel communities, some have CHS clerk functions as part of their wider LA corporate services remit.

<sup>2</sup> CHS Learning Academy deliver all pre and post approval training for panel members, as well as delivery of online and face to face CPD training to volunteers and staff. The service is contracted to West Lothian College.

- 2.3 The Phase 2 programme was a deeper consultation on key themes. The sessions were designed to allow more time for people to re-connect with the vision for change; think about the future role of the tribunal member; explore key questions; share their own experiences; listen to other people’s views; generate solutions and record different and divergent views.

The Session Design included:

- Incorporating the voice of the child.
- Overview of the hearing system working group.
- Improving children’s lives as an overall outcome.
- Time for participants to think alone.
- Opportunities to talk to others.
- Permission – to think differently, to listen, to be bold.
- Working in groups – answering the key questions.
- Creative options for developing solutions & prompts.
- Opportunity to disagree – record the variance in views.
- Feedback to the whole group.

### 3. Summary

3.1 The three thematic questions to focus the discussion are outlined below with the summary of the findings from the all the consultation sessions undertaken. In addition, there was feedback about the current system operation that will be addressed by National Convenor/CEO of CHS via the Senior Management Team as part of their commitment and plans to continue to improve the current service, and develop a model to meet the recommendations of the HSWG final recommendations.

3.2 Recruiting, supporting, and retaining the volunteer community and their commitment to the Children’s Hearings System were recurring themes across all three questions. An outline of the views of those who contributed, are summarised below.

### 4. Commitment

4.1 It is important to highlight that throughout phase one and two of the consultation it is evident how committed the panel community are and that they take pride in the voluntary contribution made to the current system. There were many examples shared throughout the consultation programme.

4.2 All consultation questions produced a range of responses, and opinions. Within this document they have been summarised and where appropriate, been collated and recorded under common thematic sub headings below each question.

<sup>1</sup> The CHS Clerking service is provided by Scottish Local Authorities under a Memorandum of Understanding agreement. Some clerks provide support exclusively to their local panel communities, some have CHS clerk functions as part of their wider LA corporate services remit.

<sup>1</sup> CHS Learning Academy deliver all pre and post approval training for panel members, as well as delivery of online and face to face CPD training to volunteers and staff. The service is contracted to West Lothian College.

**5. Recommendation**

5.1 The Board are asked to note the content of this report.

**6. Appendices**

6.1 Appendix A – Consultation summary

DRAFT

## Appendix A

### Q1. What is the role of the tribunal member in the future?

#### Skills and Motivation

In considering what should be expected of those in the role there were multiple calls for a much more trauma-informed community. There were also specific suggestions that panel members *“have values that match those of CHS”* and are *“all committed to professional development.”* There was a sense across the board that they should be *“viewed as professional volunteers”* with the related commitment that is required from panel members themselves and the support they need to fulfil the role.

There was a concern raised that some people were joining to gain experience for enhancing or develop their future professional roles (for example Law/ Social Work Students) and as a result there should be an expectation that those volunteers should offer a minimum commitment of the time, they should serve on panels to gain this and give something back.

It was also suggested that there should a time limited period of tenure for Panel Members, for example, 2 or 3 years with clear evidence of completion of core continuing professional development. This was also linked to other views on the rights, responsibilities, and accountabilities of panel members.

#### Purpose

The purpose of tribunal members came through very strongly and is best summarised by one subgroup’s summary of their role which they viewed as *“making significant decisions on behalf of vulnerable children and families.”* Many saw their primary role and focus to enable better outcomes for children and young people, now and in the future.

As with [Phase 1](#), the voice, wellbeing and welfare of the child was a priority with most groups starting with the child’s view and the need for more listening, advocacy and improved processes to create better outcomes. Many felt that the role itself should not change but that the systems and processes should be changed to enable the role to be more effective.

All contributors stated that they wanted the role to make the experience for children and families more positive and effective; to hold up the Kilbrandon Principals, comply with the UNCRC<sup>3</sup> and to Keep the Promise.

Many viewed the role of the panel was to deliver Children’s Hearings where children & other key participants;

- Are supported to participate effectively
- Leave the hearing having understood what has just happened
- Understand how the decisions are going to affect them
- Know exactly what is expected of them before the next hearing

A central theme was that there should be a

*“A whole system approach where panel members have disposals for both children, relevant persons and carers”*

There was a clear input from contributors that a tribunal system going forward needed to make decisions and recommendations that impact on the underlying issues within a child/family’s life, not solely the

<sup>3</sup> UNCRC – United Nation Convention on the Rights of the Child.

presenting behaviours. The tribunal should have a role in monitoring the impact of actions being taken to address the issues of concern. There was agreement that the tribunal role could not “fix” everything, but there should be a commitment from all involved to improve outcomes for the children and families for the better.

### **Composition**

Most of the groups had ideas and improvements based on the current panel model. Some raised questions regarding whether this should exist in the future, reflecting the need for a transformational approach, such as other models, e.g., mental health tribunals. This was not a consistent theme across contributors.

For some contributors thinking about the future was difficult due to the challenges that exist in the current system. An example of this was the need for more diverse panel members. There was a range of views on whether it was necessary to continue to require a gender mix<sup>4</sup>, however there were various comments noting that there should be *“Tribunals with more diversity to reflect today’s society.”*

### **Continuity and user led panel meetings.**

Participants felt continuity would help to build relationships with families and reduce the need to repeat difficult stories<sup>5</sup>. A more flexible delivery<sup>6</sup> of a children’s hearing would enable families to take part more easily. There were numerous calls for hearings to be designed around the child; to be longer to allow children’s voices to be heard properly; and, to help children and young people feel that the tribunal members had the time and space to really listen to their views.

### **Relationship based discussions**

The [Promise Report](#)<sup>7</sup> outlines the importance of relationships within all aspects of the workforce, which includes the voluntary tribunal members. This was an area where there was a divergence between some members of the panel community.

Some participants recognised that there is a need to change and develop the current approach in how the system is delivered and could see the benefit and offer suggestions on how this could help improve the process. For example, tribunal members adopting a more participative/facilitative approach within panel discussions, or meeting with the child or young person prior to a hearing, ensuring they are comfortable with the process, etc.

Similarly, as outlined within the phase one report, there was also a view from some volunteers that developing a relational approach would diminish the independence of the tribunal member.

### **Agency of the tribunal members**

The agency of the panel members to be more flexible and responsive to the individual needs of those subject of a hearing discussion was identified within the sessions. There was recognition that the role of a tribunal member could be more proactive and directive if they were being provided with relevant information to enable them to make decisions. Some suggestions to address this included.

- Adjourning for discussion prior to decision and reason (= less deferral).
- [Independent] Review of support plan if family are still in the system after a significant period, e.g., 4 years.
- Be more proactively challenging.

<sup>4</sup> There has been recent legislative change within the system that allows for the composition of single gender panels to convene and make decisions where a mixed gender panel cannot be convened; current practice (adopted during the covid pandemic and now considered common practice), is that this approach is the exception rather than the norm.

<sup>5</sup> [The Promise](#), Page 44.

<sup>6</sup> [The Promise](#), Page 57.

<sup>7</sup> [The Promise](#), Page 99.

- Meetings to ascertain how local agencies / support are being utilised – common practices that can be shared across local authorities. [to encourage good, consistent practice and equality of support]
- *Better relationships with professionals - Hearings have right to be more prescriptive in what we want and expect to happen (“Right help at the right time” to avoid delays).*

## Q2. What support will tribunal members need in a world where we keep The Promise?

### Recruitment, Support and Retention

The Volunteer community and the staff who support them was seen as key to the success of the system. Issues around diversity, recruitment and retention were raised multiple times. Having people who fitted with CHS values and motivations to support children and families was key, as was the need to ensure that *“Tribunal members to be recruited more locally and reflect the community i.e., care experienced (and be passionate!)”*.

Some suggested that a commitment from Scottish Government to support and encourage employers to consider releasing employees for panel service similar to responding to the need for Jury service, and included the consideration of a “kitemark” or “Investors in People” type award for employers who comply. It was felt by some panel member that the training provided by CHS was “transferrable” to different work environments and as such this could be an attractive proposition for some employers.

Within sessions there was acknowledgment from attendees that the hearings that were being convened were becoming more complex and that there was a need for more *“specialist training to cope with the complexity.”* Also, that many courses needed to be identified as mandatory for panel members who wanted to remain active on the availability rota. The need for trauma awareness and understanding of the legal processes for young people who are in conflict with the law were areas of particular focus for contributors.

### Training and Development

The majority of comments from tribunal members was that the training offered was of a high standard and valued by the community. The delivery of some courses via virtual platforms<sup>8</sup> was not as well received and at times the volunteer’s anxiety around logging in and accessing electronic platforms<sup>9</sup> was viewed as a barrier to course completion and their ability to learn effectively.

Attendees also highlighted that consistent and coherent wellbeing support delivered by CHS would be beneficial. Examples offered were peer support networks, a buddy system, more experiential (e.g. role play) training and structured post hearing supervision and/or mentoring.

Some contributors identified that as part of a tribunal members’ CPD there needed to be a “Feedback System and Performance Appraisal,” in the form of a rigorous approach identifying gaps and additional training and development and where necessary a development plan.

The need for more cross-discipline training for all involved in the current and future system – for example with social workers/advocates etc. were seen as being of benefit. It was noted that in some areas this does happen already, primarily led within local AST’s but was not a consistent approach across the wider CHS community as whole.

<sup>8</sup> It was acknowledged in discussion that this approach had increased during the recent pandemic, but that there was a move to more face-to-face training offers becoming available.

<sup>9</sup> This was also an issue within the virtual consultation sessions where, although there had been an offer within the booking instructions of pre session support to access the online platform prior to a consultation session, some volunteers still experienced difficulty on the day.

## Specialist Support

Many contributors cited that the specialist nature of some referrals would benefit from trained tribunal members or independent subject experts, who would be part of the panel discussions and decision making. This theme overlapped with the question about specialist panels (see below), though were raised within this discussion too. By having access to experts, it was felt that the panel could be more confident in its decisions and approach. There was general consensus that building up relationships with experts would help to ensure that there is improved continuity and decision making.

## Legislation

There was widespread recognition that as the panel member role is part of a bigger, complex system of service delivery and the support needed to perform the role well stretches beyond CHS itself. Primarily, and as outlined in phase one, this related to having more resources and earlier, effective help and support available for families, thus reducing the number of children and young people requiring a hearing. There was also recognition that systems and process needed to be more joined up and integrated to enable better outcomes for children and families.

There were a small number of suggestions relating specifically to legislative change, including: improving processes to implement current legislation, amending current legislation and a significant change in legislation.

Examples included streamlining the process for Permanence Orders; consideration of extending Interim Compulsory Supervision Orders from the current 21 – 44 days to provide more realistic timescales to enact plans/decisions. As outlined in the phase one submission there are strong views from the tribunal members that the current system of establishing grounds is traumatic to children and families and can inhibit the tribunal effecting a more relational approach in reaching decisions and recommendations.

## Administration

A highly popular suggestion was around dedicated admin support for hearings. There was a lot of discussion around the onus on panel members to achieve what is needed in the time available and that with the technology they access to record decisions makes an already demanding task much harder. In particular respondents cited that the current system of 45 minutes discussion and 15 minute to record a decision was “ludicrously short”. There was general agreement that this impacts on the quality of hearings, and if the hearing runs over time, has an impact upon any hearing scheduled for the next slot. The expectation of three hearings per tribunal session was felt to be unrealistic.

As outlined in phase one, the need for “clear, concise child-focussed” panel reports which included a care plan was seen as a key change that would be of benefit to all involved in the decision making process.

### Q3. How might specialist panels deliver better outcomes for children and young people?

The intent of the phase two consultation and the work undertaken within the introduction to each session was to “set the scene” by imagining a new model for the Children’s Hearing System. Participants at times were challenged by this approach and in particular this question. As a result many struggled to “vision” a tribunal model that was different from the current system.

A very high number of comments within the sessions centred upon what specialist panels were, whether they were needed and, concerns about a negative impact on the Children's Hearing System. Within the small break out groups (3 or 4 participants per group) some had questions, others were firm on their belief they should not be put in place. Throughout all sessions there was confusion about how a paid tribunal member system alongside a volunteer model could work in practice.

Volunteer panel members were primarily of the view that specialist panels, particularly where members of the tribunal were recruited and paid to make decisions would be a "huge concern – potentially divisive" and lead to a "two tier system". Others felt strongly that there should be no specialist panels and that all tribunal members should be trained to an appropriate level and skill to carry out the tribunal member task.

There were some respondents who were positive about a specialist system. They offered a view that the consideration of specialist hearings reflected the increasing complexity of hearings; that children and young people may feel more reassured that a tribunal member had particular knowledge or skills around their individual issues. Also that this approach had the potential to enable decisions made to be based on sound knowledge of the issue and how this could be addressed to effect a positive outcome, reduce drift and delay in the support of an individual child.

## **Conclusion**

This document provides a summary of the phase two consultation, as outlined earlier many comments and observations shared by the CHS community relate to our current operating practice. There is a commitment from the National Convenor/CEO of CHS Scotland and the Senior Management Team to continue to engage with the wider community around the development areas identified and incorporate feedback into the organisational business plan and other business monitoring processes currently in place. We remain committed to supporting our community to continue to deliver the current tribunal system as effectively and seamlessly as we can, whilst we prepare for the recommendations from the HSWG.

Looking ahead, we are committed to playing our part in developing a new Children's Hearing System. We look forward to developing, alongside colleagues within SCRA, Scottish Government and other stakeholders, an implementation plan based upon the HSWG's findings when published.

**January 2023**