
Report To:	Policy & Resources Committee	Date: 15 November 2011
Report By:	Corporate Director Regeneration & Environment	Report No: LA/766/11
Contact Officer:	Helena Couperwhite	Contact No: 01475 712111
Subject:	Proposals for the Establishment of Area Support Teams	

1.0 PURPOSE

- 1.1 The purpose of this report is to advise of the use of the powers delegated to the Chief Executive to approve a response to the National Convener's consultation document on proposals for the establishment of Area Support Teams, which required to be submitted by 21 October 2011. A copy of the response is attached at Appendix 1, together with a copy of the Consultation document, as detailed at Appendix 2.

Appendix 1
Appendix 2

2.0 SUMMARY

- 2.1 The Children's Hearing (Scotland) Act 2011 sets out provisions relating to the establishment of Area Support Teams (ASTs). These teams are a replacement for the existing Children's Panel Advisory Committee arrangements in operation throughout Scottish Local Authorities.
- 2.2 The Children's Panel Advisory Committee, at its meeting on 14 September 2011, considered the document and agreed to favour the retention of an individual AST for the Inverclyde area. A copy of the CPAC's response to the Consultation is attached at Appendix 3.
- 2.3 Authority was granted by Councillors McIlwee (in Councillor McCabe's absence), Clocherty and Brooks and the Corporate Director CHCP (in the Chief Executive's absence).

Appendix 3

3.0 RECOMMENDATION

- 3.1 That the use of the powers delegated to the Chief Executive to provide a response to the National Convener's consultation document on proposals for the establishment of Area Support Teams, be noted.

Helena Couperwhite
Members' Services Manager

4.0 BACKGROUND

- 4.1 The Children's Hearings (Scotland) Act 2011 established the role of National Convener. Bernadette Monaghan was appointed to that role earlier this summer. Following her appointment, Ms Monaghan met with representatives from the Inverclyde Children's Panel System, comprising the Panel Chair, the Children's Panel Advisory Committee Chair and Clerk to the Children's Panel Advisory Committee, to outline her likely approach to the reform of the system.
- 4.2 Initial indications from Ms Monaghan were that the system was generally fit for purpose. She indicated that there would be a reduction in the number of Area Children's Panel Advisory Committees and that she would bring forward proposals in that regard.
- 4.3 The consultation paper was issued in late July 2011 inviting comments on the proposals by 21 October 2011.
- 4.4 The Consultation paper proposes that Glasgow, Edinburgh, Fife, Orkney, Shetland, Western Isles and Dumfries & Galloway Councils, will continue to operate in line with existing arrangements.
- 4.5 In respect of the Western area of Scotland, the groupings proposed by the National Convener are:
 - Inverclyde and Argyll & Bute
 - East and West Dunbartonshire
 - Renfrewshire and East Renfrewshire
 - North and South Lanarkshire
 - North East and South Ayrshire
- 4.6 The justification for linking Inverclyde and Argyll & Bute is limited.
- 4.7 Initial discussions with both the Chair of Inverclyde Panel Chair and the Chair of the Children's Panel Advisory Committee have indicated that they are of the view that a case has not been made for such an arrangement. A number of concerns were also expressed by them in terms of the practicality of such arrangements and the fact that it is unlikely to provide any economies of scale and may in fact incur additional costs.
- 4.8 The Children's Panel Advisory Committee have indicated that they have concerns around the proposals particularly in respect of the lack of any similarity of character of the two areas. It does seem unusual to propose to link the two Councils with no common land boundary and which would have to travel through other Council areas for meetings.
- 4.9 The view of the Local Children's Panel Advisory Committee and the Children's Panel is that Inverclyde should operate a stand alone AST as an alternative to any link up with other Councils. This position was taken prior to the announcement of the proposals in the consultation document and remains their view, although recognising within the new national structure there is an additional requirement and need for each panel, whatever their membership & geographical area, to be outward facing. This is already the ethos and practice of the Inverclyde CPAC and Panel and will continue to be so.
- 4.10 There are further issues around the delivery of the AST model particularly as there is a requirement for the National Convener to consult with local authorities and reach agreement on her proposals. The Act provides for each constituent local authority to nominate one person to serve on the AST and it is understood that it could be possible to make further nominations from constituent local authorities that may or not be accepted.

- 4.11 There is a wide disparity in the size of panels being supported by AST arrangements as proposed by the National Convener and it has been difficult therefore to establish the criteria against which amalgamations have been proposed.
- 4.12 The view of the Inverclyde Children's Panel Advisory Committee and Panel Chair is that such a proposal would not be workable without the continuance of the existing local arrangements for operating and monitoring panels. It is their view that the introduction of the AST model proposed by the National Convener may also add an additional layer of bureaucracy, by way of the need to maintain a regional structure of AST which would have sub-AST arrangements mirroring the existing local arrangements.
- 4.13 In addition, there would be a requirement for local authorities to enter into a service level agreement to provide the role of Clerk to the AST and in the case of joint arrangements to identify a lead Clerk for this role.
- 4.14 The indications from the National Convener are that Council budgets as presently exist will be retained by them with an expectation that they would be required to meet the costs for Councils in engaging in the new system i.e. the delivery of the SLA requirements to the National Convener's specifications.
- 4.15 However, what is not clear is what the standards are that would be required to be met as part of the SLA, nor what the commitment might be to the funding of a lead Clerk. The consultation papers seem to identify that there should be one Clerk for Argyll & Bute/Inverclyde but does not make it clear whether or not that would be a full time post.
- 4.16 The Council has been asked to consider whether it would wish to support the proposed arrangements for linking Inverclyde with Argyll & Bute or whether it would prefer to make representations to the National Convener that an alternative model should be looked at. It is the view of the panel members of Inverclyde that a single AST for the Inverclyde area is preferable.
- 4.17 In respect of the Council's view, the proposals detailed in the Consultation do not clearly identify how they will improve the outcomes for children. There do not appear to be any economies of scale generated from the grouping created that would allow the AST to recruit a number of full time staff to undertake the role of Clerk or alternatively to buy in the services of a full time Clerk with the costs of that being shared by a number of local authorities. If that economy of scale is not achieved then the status quo is likely to be more efficient than an amalgamation of two very distinct Council areas.
- 4.18 The proposed arrangements could have a detrimental impact on volunteers working in the panel system in Inverclyde and may not be conducive to the recruitment and retention of volunteers over the medium term.
- 4.19 An amalgamation with Argyll & Bute is likely to result in increased travel costs due to the geographies detailed.
- 4.20 Argyll & Bute Council have also advised that they are not agreeable to the proposal.

5.0 IMPLICATIONS

- 5.1 Financial Implications – Not known at this stage.
- 5.2 Personnel – Not known at this stage.
- 5.3 Legal: The implementation and introduction of AST's are a requirement of the new Act. The document states that the National Convener must establish ASTs and the constituent local authority or authorities must give their consent.

Inverclyde Council – Response to Consultation on Proposals for Establishment of Area Support Teams

The Council supports the creation of the National Children's Panel and its goals of ensuring the delivery of improved outcomes for Scotland's most vulnerable children and young people. It also acknowledges the importance of ensuring that such support services are delivered in the most appropriate form and as efficiently as possible.

The Council does however consider that the justification for linking Inverclyde and Argyll & Bute within a single Area Support Team appears to be very limited and that a case for such an arrangement has not been evidenced.

There is little synergy between the two areas and considering the significantly differing demographics it is hard to see what benefits could be secured. It is understood that the geographic issues for Argyll & Bute would not be eased in any way but could be made even more complicated considering the additional link to Inverclyde across the river. It is also noted that further difficulties are indicated due to the different organisational partnerships with for example Police and Health.

It is difficult therefore for Inverclyde Council to identify any real benefit from the alignment. This is presented with no disrespect to our colleagues in Argyll & Bute with whom we have had previous joint developments. If the principle of the structure is to improve the support service to Panel Members and as such to secure positive outcomes for children, this arrangement fails to identify how this would be achieved.

Greater clarity would also be needed by the local authority in terms of staffing, budgets and service level agreements, which will no doubt be explored in greater detail during the next phase of the consultation process.

The Council would also appreciate an indication as to whether the new arrangements are likely to provide any savings, considering the possible increased travel requirements.

The Council supports the view made by Inverclyde CPAC and the Children's Panel that the proposed arrangements could have a detrimental impact on volunteers working in the panel system in Inverclyde and may not be conducive to the recruitment and retention of volunteers over the medium to longer term. We would therefore require assurances in this regard.

The Council also notes the concerns of the Inverclyde CPAC and Panel in relation to the impact on local operations which we understand work very effectively in Inverclyde and would seek further detail as to how the model proposed by the National Convener would improve upon current arrangements.

Furthermore, the proposals detailed in the Consultation do not clearly identify how they will improve outcomes for children

In conclusion Inverclyde Council does acknowledge that there may be a need to redesign the support systems and that this may be achieved through some partnership alignment as presented in the Area Support Team approach. However there is no evidence which suggests that this is a positive step at this time. Therefore the Council is unable to support the proposal to align with the Argyll & Bute Council area.

The Council would also like to endorse the response made by the Inverclyde Children's Panel/Children's Panel Advisory Committee, based on the limited detail provided in the Consultation

Proposals for the Establishment of Area Support Teams

Bernadette Monaghan
National Convener
Children's Hearings Scotland

July 2011

CHILDREN'S HEARINGS SCOTLAND

CONSULTATION ON Proposals for the Establishment of Area Support Teams

Responding to this consultation paper

We are inviting written responses to this consultation paper by 21st October 2011. **Please send your response with the completed Respondent Information Form (see "Handling your Response" below) to:**

ASTconsultation@scotland.gsi.gov.uk

or

AST Consultation
Children's Hearings Scotland
Area 2E South
Victoria Quay
Edinburgh
EH6 6QQ

If you have any queries contact: Debbie Bayne on 0131 244 1619.

We would be grateful if you could clearly indicate in your response which parts of the consultation paper you are responding to as this will aid our analysis of the responses received.

This consultation can be viewed on the Children's Hearings Scotland website at:

<http://www.chscotland.gov.uk/pdf/2011/CHS%20Area%20Support%20Teams%20consultation.pdf>

Handling your response

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form** attached to this email as this will ensure that we treat your response appropriately. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that Children's Hearings Scotland is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public on the Children's Hearings Scotland website by 4th November 2011.

What happens next ?

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us reach a decision on Proposals for the Establishment of Area Support Teams. We aim to issue a report on this consultation process by 21st November 2011. Area Support Team structures will then be agreed by 31st December 2011.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to:

Name: Debbie Bayne
Address: Children's Hearings Scotland
Area 2E South
Victoria Quay
Edinburgh
EH6 6QQ

E-mail: ASTconsultation@scotland.gsi.gov.uk

Foreword

The purpose of this consultation paper is to set out my proposals for the establishment of Area Support Teams (ASTs).

It is intended for local authorities, with whom I must reach agreement in order to put in place the new structures which will replace the existing 32 Children's Panel Advisory Committees (CPACs), as well as CPAC chairs, members and clerks, Panel chairs and all who have an involvement with or interest in, the Children's Hearings system.

I am delighted to have been appointed as the first National Convener of Children's Hearings Scotland and to have been given the opportunity to implement the reforms that I believe will strengthen our unique Children's Hearings system.

For the first time, panel members will have a national voice. They now have a new dedicated organisation that will support them in their priceless contribution in helping to deliver improved outcomes for Scotland's most vulnerable children and young people. Never before has it been more important to promote a greater understanding and awareness of and respect for, the Children's Hearings system, especially amongst employers and to ensure they understand the benefits they will gain by continuing to support the system and panel members in particular, in a challenging economic climate.

My key objectives in this first phase are three-fold: to establish the national Children's Panel, put in place arrangements for reporting on and monitoring practice and, to establish the Area Support Teams. Meeting these objectives will involve:

- Drawing on advice, experience and current best practice, agreeing Area Support Team structures and functions with local authorities, Children's Panel Advisory Committees, Panel Chairs and partners;
- Setting up the national Children's Panel and taking on functions including administration, appointment of panel members and rota management;
- Considering options for core, national training of panel members and;
- Defining the pastoral, support, supervision and oversight functions of the volunteers who will take up roles as Area Support Team members.

Since taking up post on April 1st, I have held an initial series of meetings with CPAC chairs and clerks, Panel chairs and local authority representatives in all 32 local authorities in Scotland. Those exchanges have informed my thinking

about the Area Support Team structures. My goal is to agree sensible, streamlined arrangements that will be most effective in ensuring that panel members are fully supported to a consistently high standard and that children and young people have a high quality experience in hearings across Scotland.

I wrote to all CPAC chairs, CPAC clerks and Panel chairs on 18 April 2011, asking them to assist me with my initial pre-consultation activity by facilitating a meeting between myself and Children's Panel and local authority representatives in their area. I have been extremely impressed by the productive nature of the discussions that I have held to date and by the willingness of all concerned to engage with and work with me, through the transition to the national panel and the introduction of Area Support Teams.

The Children's Hearings system is going through a period of change. It does not operate in a vacuum, however. The recent Christie Commission report on The Future Delivery of Public Services advocates a radical, new collaborative culture throughout all Scotland's public services. In particular, it recommends that public service providers must be required to work much more closely in partnership, to integrate provision and improve the outcomes they achieve and, to become more efficient by reducing duplication and sharing services wherever possible. These recommendations are all applicable to the Children's Hearings system.

There are clear benefits to be gained by Area Support Teams working across existing CPAC boundaries, to achieve national consistency, share existing good practice and learning, consolidate partnerships with service providers and existing arrangements for the sharing of panel members and joint training.

I do not intend to create Area Support Teams of more than one local authority area where the costs of operating would outweigh any gains of joint working. Therefore, I propose to establish 17 Area Support Teams, of which 7 would operate on a single authority basis within existing local authority boundaries.

Panel members have been adapting to, and mainly embracing, changes in the Hearings system since the very first hearing in 1971. Throughout those 40 years, they have remained committed to making independent, reasoned decisions which are in the best interests of each individual child before them. Whatever their background, they share a common desire to make things better for our most vulnerable children and young people. They want the new structures to support them, value their commitment and train them to make the best decisions for children and young people. Their ongoing commitment is not to be taken for granted, but I am sure they will want to continue to serve the best interests of children and young people through the national panel and the structures and standards that will underpin it.

I would like to take this opportunity to thank each and every one, not just in anticipation of their ongoing commitment, but for the qualities, values, knowledge and experience they bring. I would also like to reassure them that the fundamental principles of Kilbrandon which they signed up to will remain intact and should be reinforced through this reform agenda. Namely, the decision makers in the Hearings system are local people who are specially selected and trained, making decisions about the children and young people of their communities.

The consultation process is open until 21 October 2011. Your views are invited about any aspect of this consultation paper.

Bernadette Monaghan

National Convener,

Children's Hearings Scotland

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Executive Summary

- 1. The Children's Hearings system is undergoing a period of reform. It operates within a wider context of public sector reform that will increasingly require greater partnership working, integrated provision, more shared services and collaboration in pursuit of improved outcomes.**
- 2. The Children's Hearings (Scotland) Act 2011 aims to improve the lives, outcomes and opportunities of Scotland's most vulnerable children and young people.**
- 3. It creates the role of National Convener, to be a figurehead for panel members and a new organisation, Children's Hearings Scotland, to support the National Convener in the discharge of her functions.**
- 4. The Act requires the National Convener to establish Area Support Teams (ASTs), in collaboration with local authorities, to replace the existing Children's Panel Advisory Committees (CPACs).**
- 5. The National Convener organised a series of pre-consultation meetings during May and June 2011 with CPAC chairs and clerks, Panel chairs and local authority representatives in every area of Scotland to inform her thinking about the number, location and functions of Area Support Teams.**
- 6. Each group of CPAC chairs and clerks and Panel chairs was asked to prepare a paper to provide information about a set of questions circulated by the National Convener. The National Convener considered it appropriate that they led this initial part of the consultation process on behalf of local panels, whilst recognising at the same time that local authority agreement to the proposals would be required as part of the formal consultation process, before the new structures could be put in place.**
- 7. The responses to the questionnaires and the issues raised in the pre-consultation meetings have been taken into account by the National Convener in formulating her proposals for Area Support Teams.**
- 8. Seventeen Area Support Teams are proposed: Ten are groupings of more than one local authority and seven are based on single local authority boundaries. Overall, the National Convener's aim is to strike the appropriate balance between national consistency and accountability with flexible delivery in each proposed area, recognising that panel members sign up to serve largely on the panel in their local area and that this will not change with the introduction of Area Support Teams or the National Panel.**

- 9.** Whilst there may be some similarities with the locality model being introduced by the Scottish Children's Reporter's Administration (SCRA), these are coincidental. The National Convener has taken this model into account in formulating her proposals and dismissed it because it is designed to make best and efficient use of resources in terms of paid SCRA staff and SCRA-controlled premises, whereas the Area Support Teams will depend largely on the commitment and goodwill of unpaid professionals, who may already be contributing to the system as CPAC or panel members. (Apart from the clerks to the CPACs and others who are local authority employees and, it is hoped, will continue in these roles, working on behalf of the Area Support Teams and accountable to the National Convener for their work in these roles).
- 10.** The criteria used by the National Convener in proposing the 17 Area Support Teams are: geography and boundaries; size of panel to be supported; existing effective cross-boundary working between CPAC's or panels that should be preserved; the minimum number of AST members required and; how the proposed AST arrangement would deliver better support for panel members.
- 11.** The National Convener proposes to distinguish between members of the Area Support Teams who would provide pastoral support to panel members and those who would fulfil an observation and monitoring role in terms of panel member performance and recommendations for recruitment and re-appointment. The National Convener will also select a member or members of the AST to chair its meetings.

1. Background

- 1.1 The Children's Hearings (Scotland) Act 2011 received Royal Assent in January 2011. This section provides a commentary on the provisions in the Act relating to the creation of Area Support Teams and the high level benefits that Scottish Ministers want to achieve through legislative and practice change.
- 1.2 Overall, Ministers' vision within the reform agenda for the Hearings system is to improve the lives, life chances and opportunities of Scotland's most vulnerable children and young people, by building upon and improving the Children's Hearings system to ensure that it is:
- Focused on improving outcomes for children and young people;
 - Child and young person friendly;
 - Nationally consistent, but delivered locally;
 - Better equipped to make effective, evidence based decisions;
 - Fully accountable for its actions and decisions, underpinned by a more independent tribunal and;
 - ECHR compliant.
- 1.3 The intended benefits of the reforms for children, young people and their families are that:
- Each child is at the centre of his or her hearing;
 - Children can access the support they need before, during and after hearings;
 - There is enhanced knowledge and understanding of the Children's Hearings system for all children and young people involved in it;
 - Children feel safe, comfortable and supported in expressing their views;
 - Children's views are taken into account in reaching decisions;
 - Help and support is available to individuals to participate effectively in hearings;
 - Decision making processes are informed by evidence of what works for children and young people;

- The disclosure process will be more proportionate and only serious offences will carry forward into a person's later life and;
 - Quality, consistency and clarity of decision making is improved.
- 1.4 Not least, the reforms are intended to benefit panel members and others involved in the Children's Hearings system in the following ways:
- Panel members are more focused, prepared and confident;
 - They are better equipped to determine the best decisions for children and are better supported to perform their role;
 - The Children's Hearings system is consistently provided across Scotland;
 - There is an improved evidence base and information sharing between the bodies involved in the Children's Hearings system, through the introduction of the Feedback Loop, the purpose of which is to improve co-operation and transparency between agencies by offering evidence about the implementation of decisions and to drive practice improvement in decision-making among panel members;
 - There is a coherent, accountable national system with local service delivery;
 - There is a greater public awareness of and appreciation for, the Children's Hearing system and;
 - A raised profile and understanding of the system amongst employers, resulting in an improved retention rate of panel members, who are fully supported by their employer.
- 1.5 The Act creates a new dedicated national body, Children's Hearings Scotland (CHS) to support the National Convener in the delivery of all of her functions.
- 1.6 Schedule 1 to the Children's Hearings (Scotland) Act 2011 sets out provisions relating to the establishment of Area Support Teams. The Act gives the National Convener responsibility for the establishment of an Area Support Team for each area that the National Convener designates. An area may consist of one or more local authority areas. Schedule 1 paragraphs 12 to 14 form the Appendix to this document.
- 1.7 The Act does not prescribe a particular number of Area Support Teams. The National Convener must establish ASTs and the constituent local authority or authorities must give their consent.

- 1.8 It is envisaged that Area Support Teams will undertake functions delegated by the National Convener that are currently undertaken by CPACs and training units, including:
- A power to establish sub-committees from their own membership (Schedule 1 paragraph 12(6));
 - A duty to carry out functions conferred on the National Convener in relation to the recruitment of panel members, selecting members of Children's Hearings and identifying training requirements. Area Support Teams have a duty to comply with directions made by the National Convener regarding the carrying out of delegated functions after consulting with relevant local authorities (Schedule 1, paragraph 14).
- 1.9 The National Convener must appoint as members of each AST:
- One person nominated by each constituent local authority, if the authority chooses to make a nomination;
 - such other persons nominated by constituent local authorities as the National Convener considers appropriate;
 - a member of the Children's Panel who lives or works in the area of the AST;
 - sufficient other persons so that the number of members nominated by a local authority is no more than one third of the total members.
- 1.10 Area Support Team membership may not include the Principal Reporter or a member or employee of the Scottish Children's Reporter Administration (SCRA).
- 1.11 Existing members of Children's Panel Advisory Committees who are appointed by Scottish Ministers will transfer to an Area Support Team. They will be notified by the National Convener and they must in turn notify the National Convener within 28 days if they do not wish to become a member of an Area Support Team. On appointment as members of an AST, they cease to be members of the Children's Panel Advisory Committee.
- 1.12 Area Support Teams will be supported by paid staff, similar to the role currently carried out by the clerks to the CPACs. It is hoped that many existing CPAC clerks will provide this support in future. I do however acknowledge that the CPAC clerks (with the exception of Glasgow which has a full time clerk and a team dedicated to supporting the Children's

Panel Advisory Committee and its sub-committees), have other calls on their time and other competing priorities. Indeed, they are often responsible for performing a wide range of other duties. I also acknowledge that there is explicit no provision in the 2011 Act for local authority staff to be appointed to Area Support Teams.

- 1.13 It is my view that the support of the clerks and administrative staff is critical to the successful establishment and operation of the Area Support Teams. If the driver for modernisation is the harnessing and systematising of good quality, professionalised support for panel members, it follows that the administrative, clerical and procedural supports need to be provided at the best possible level and, those standards need to be secured and maintained Scotland-wide.
- 1.14 I believe that it would be most beneficial to the system to secure ideally many of the current clerks themselves and any other administrative staff currently involved, in order to provide continuity, or at least to secure a commitment from local authorities that they will offer staff who are skilled and experienced to the same consistent level and have knowledge of the policy area, to support the Area Support Teams.
- 1.15 There are provisions in the 2011 Act (Schedule 4) to facilitate Staff Transfer Orders from local authorities to Children's Hearings Scotland, which would mean that these vital functions would be taken in-house and delivered by CHS. It is, however, my strong preference that Area Support Teams continue to be supported in partnership with local authorities and I will strive to reach agreement with them.
- 1.16 My intention is to negotiate service level agreements with local authorities to transfer the role and functions currently carried out by CPAC clerks, so that they can be deployed in sufficient numbers to the Area Support Teams. Where an AST is made up of more than one local authority or where more support is needed, I will discuss with each constituent authority the arrangements for the provision of the clerk functions, which may require a contribution from each local authority for the provision of a full time clerk to an AST. These discussions will also aim to clarify lines of accountability, support, supervision and performance management for the individuals concerned.

2. The pre-Consultation Process

2.1 This section describes how I began my pre-consultation process in order to determine my proposals for the number and location of Area Support Teams.

2.2 Further to my initial letter to CPAC chairs, CPAC clerks and Panel chairs of 18 April 2011, asking them to facilitate a meeting with relevant Children's Panel and local authority stakeholders in their area, I wrote again on 7 June 2011, asking them to co-ordinate the preparation of a short paper, to provide information on the following:

- The geographical composition and location of the area; position; urban / rural mix; population; key conurbations and boundaries shared with other local authorities;
- The current number of Panel members, Panel chairs and deputies, CPAC members and any sub-CPAC members;
- Existing joint working arrangements, partnerships and shared services with other providers situated in close proximity;
- A description of elements of good practice in existing arrangements;
- Areas of practice in need of improvement and any gaps in provision;
- A description of current local training arrangements, including travel to training venues and budgets;
- How local training arrangements would continue to add value and quality in light of the forthcoming changes;
- Local training arrangements / events that should be preserved and the costs involved of doing so;
- Any new training that should be put in place locally;
- A description of the accessibility of and arrangements for, travel to Hearing centres;
- Information about how travel arrangements could be improved;
- The level of allowances currently paid to panel members in each area and what the figures are based on;

- A view about what the level of allowances should be, in moving to a standardised payment scheme across Scotland;
- The current budget in each area for panel member training and expenses;
- Any other potential issues and resource needs for panel member training and in implementing the Area Support Teams;
- How current key roles carried out by Panel chairs and Panel members, CPAC chairs and members, CPAC clerks and the local authority in support of the Children's Panel could be transferred most efficiently to Area Support Teams;
- What they would like to see Area Support Teams deliver and;
- What training would be required for members of Area Support Teams to enable them to effectively carry out their roles and functions.

2.3 The responses received to this list of questions can be found in a separate document which accompanies this paper. I have taken them into account in arriving at my proposals, as well as the discussions held in each local authority. The information requested was wider than that needed for the scope of this consultation document, but with a view to developing national standards on practice and support which will be the subject of a further consultation exercise.

2.4 I would like to thank all those who met with me and took the time to submit a response, in a short timescale, without whose input it would not have been possible to develop this fully informed consultation document.

3. Area Support Teams – the roles of members

- 3.1. The members of the Area Support Teams might be broadly similar to those who currently either form part of the CPAC or attend its meetings in a supporting or advisory capacity.
- 3.1.2 Each constituent local authority within the AST area is entitled to nominate one member to the AST should it wish to do so. The National Convener must appoint these members: there is no discretion. Each local authority may also make further nominations to the AST and the National Convener has discretion to appoint, or not to appoint, these additional nominees. The National Convener must ensure that no more than a third of the members are local authority nominees.
- 3.1.3 The local authority nominee may be an elected member, but in order to minimize potential conflicts of interest, I propose that local authorities should nominate individuals who have an interest in the hearings system but who do not hold an office that involves close oversight of children's social work services, for example, the chairmanship of the relevant committee.
- 3.1.4 The 2011 Act refers to 'sufficient other persons' required to ensure that no more than a third of members are local authority nominees.
- 3.1.5 Such members should have a strong interest in child welfare and an understanding of the Children's Hearings system, with the ability quickly to gain a good working knowledge of it. It is also proposed that they should have the appropriate skills to act in a constructive monitoring role. It is also considered desirable that some of them should, in some capacity, have gained practical experience of recruitment, investigating complaints, or a good knowledge of the organisation and management of training. Full guidance on recruitment to vacancies on Area Support Teams will be developed as part of national standards for the forthcoming national panel, to be implemented by ASTs.
- 3.1.6 Each AST will be chaired by one of its members, to be selected and appointed by the National Convener for a term of 3 years. That person should fill a role broadly comparable with the current role of CPAC Chair. Functions are delegated to the Area Support Team as a whole. The 2011 Act provides for the appointment of a panel member to each AST. The input of panel members to ASTs will be crucial and it is my view that at least one panel member from each constituent authority should be appointed.

- 3.1.7 It is my view that panel representatives on the ASTs who are likely to be responsible for providing pastoral support to panel member colleagues should not deal with complaints. It is important that they avoid feeling compromised if they are simultaneously required to perform the roles of manager of a complaint process and the provider of pastoral support to the panel member about whom, or by whom, a complaint has been made.
- 3.1.8 The pastoral role to be undertaken by identified AST members would require that they get to know and be known to, their panel members. There is clearly a limit to the number of panel members that they could be expected to support reasonably well. For the proposed Area Support Teams that would consist of more than one local authority area, an adequate number of panel members should be appointed for each constituent authority. This would help to ensure that a proper network of support is available and that the issues arising within each constituent authority could be fully and equitably represented at AST level. It would also ensure the effective local delivery of panel support.
- 3.1.9 It is my intention to provide full clarity on the handling of complaints, again as part of the development of national standards, drawing from the procedures developed by the Children's Panel Advisory Group, as well as the new SCRA complaints procedure and other good practice.
- 3.1.10 The results of a recent survey carried out by the Task Group of the Implementation Working Group indicate that CPAC members and chairs devote significant amounts of time and energy to their duties. The tasks highlighted in the Survey will form the basis of more specific role definitions for AST members.
- 3.1.11 There will be a national training programme for AST members which is likely to take place in spring / summer 2012. It will aim to give members the skills needed to undertake their role and duties effectively. Members of ASTs will be expected to undertake compulsory, core training and to keep their skills up to date through refresher training, in the same way as panel members are required to do.
- 3.1.12 Members of the Area Support Team will be required to discharge their duties satisfactorily in accordance with their role definitions. Appropriate monitoring arrangements will be introduced and the National Convener will report on the work of the ASTs in her annual report.

4. Area Support Teams – proposed structures

- 4.1 This section sets out my proposals for the number, location and structure of Area Support Teams. In formulating my proposals, I have considered the issues discussed in my recent series of pre-consultation meetings and the questionnaire responses received.
- 4.2 In addition to the proposals set out below, I did consider other models which I then discounted: I considered a North Strathclyde model, based on the same boundaries of the SCRA North Strathclyde locality model. I discounted this super-structure for various reasons: it would require a sub-AST / committee per each constituent authority to operate effectively; I could see no benefits in terms of better support for panel members or enhanced learning and improved practice through partnership working in such an arrangement; it would be a more costly and less efficient model in terms of the additional travel time, travel costs and time commitment that it would require from volunteers and; those CPAC and panel members who would be eligible to transfer to the AST would likely be disinclined to do so.
- 4.3 I also considered a joint Island AST to cover Orkney, Shetland and Western Isles, given that it would only have to support around 60 panel members and that there is a low volume of hearings in the Island communities. In addition, It could be argued that the individual Island panels are over-represented and have a disproportionate influence within the Children’s Panel Chairs Group, when compared say with Glasgow, which has one voice for more than 650 panel members. Again, however, I took the view that the only consequence of this model would be increased costs in terms of travel and time commitments that would be required to make it work, without delivering better support for panel members.
- 4.4 I have, therefore, taken a pragmatic approach and am proposing structures that I believe will work. I have strived to achieve a realistic balance between structures that I believe will ensure greater consistency and accountability nationally, with flexible delivery locally; structures that will consolidate existing effective partnership working, or introduce a more outward-facing approach, to facilitate shared learning and best practice amongst panel members.

4.5 Specifically, in setting out my proposals, I have provided an assessment of each against the key criteria that follow. In terms of the first three – Geography and Boundaries, Size of Panel to be supported and existing joint CPAC or Panel working – I have weighted some criteria more importantly than others and provided an explanation where this is the case:

- Geography and Boundaries
- Size of Panel to be supported by the proposed AST;
- Existing joint / cross-boundary CPAC or Panel working that should be preserved;
- How the proposed arrangement would deliver better support for panel members locally and;
- Membership of the proposed AST, as a minimum.

4.6 I am therefore proposing, **in no particular order**, the following 17 Area Support Teams, comprising a mix of joint arrangements and stand-alone structures to cover the following areas:

- Glasgow
- Edinburgh
- East Lothian, Midlothian and Scottish Borders
- Clackmannanshire, Falkirk, Stirling and West Lothian
- Fife
- Dundee, Perth and Kinross, Angus
- Aberdeen City and Aberdeenshire
- Highland and Moray
- Orkney
- Shetland
- Western Isles
- Inverclyde and Argyll and Bute
- East Dunbartonshire and West Dunbartonshire

- Renfrewshire and East Renfrewshire
- North and South Lanarkshire
- North, East and South Ayrshire
- Dumfries and Galloway

4.7 A description of each area and the rationale for my proposals are set out in the remaining sections of this document.

4.8 I welcome all existing CPAC members appointed by Scottish Ministers to transfer to the new Area Support Teams and to continue their ongoing commitment to supporting panel members in their role as decision makers, responsible for getting the best outcome for individual children and young people who come to hearings. I would like to take this opportunity to thank them in anticipation of their continuing commitment in this valuable role as an Area Support Team member.

5. Glasgow

- 5.1 Geography and Boundaries: Glasgow is the largest conurbation in Scotland, sharing boundaries with East and West Dunbartonshire, East Renfrewshire and Renfrewshire and North and South Lanarkshire.
- 5.2 City Council and health service services are currently delivered within the same 5 areas, namely: East, South East, South West, West and North, but are soon to move to provision within 3 areas that will cover the North East, North West and South of the city. The AST may decide to establish sub-committees based on the same structures.
- 5.3 Size of Panel to be supported by the proposed AST: Glasgow is also the largest panel area, with more than 650 panel members. It recruits panel members who have an employment connection to the City of Glasgow, resulting a panel with members drawn from all neighbouring or nearby local authority areas, including Argyll and Bute, North Ayrshire, East and west Dunbartonshire, East Renfrewshire and Renfrew and North and South Lanarkshire. The current panel also includes a small number of members from Edinburgh and Stirling.
- 5.4 Existing joint / cross-boundary CPAC or panel working: I am not yet aware of specific cross-boundary working, though it is noted that CPAC chairs and clerks and Panel chairs contribute to practice and developments at the national level through the Children's Panel Advisory Group (CPAG) and the Children's Panel Chairs Group (CPCG).
- 5.5 How this proposed structure would deliver better support for panel members locally: The size of the panel in Glasgow and the volume of work involved in carrying out existing CPAC functions, is the major factor in this proposal. To create a grouping with any of the bordering local authorities would create a panel so large that any support that could be realistically offered to panel members would be diluted and they would become detached from the panel. I also do not believe that there would be any efficiencies to be realized through an expanded Glasgow AST. Panel members would be better supported through the proposed model as it would operate within a single, standard national framework and core training to produce competent, confident panel members.
- 5.6 Membership of the proposed Glasgow AST, as a minimum: I propose a minimum core membership of 6 National Convener appointees, 1 local authority nominee, 1 Panel member and 1 Clerk.

6. Edinburgh

- 6.1 Boundaries and Geography: The City of Edinburgh is covered by one panel that has contiguous boundaries with the three Lothian councils: East Lothian, Midlothian and West Lothian.
- 6.2 Size of Panel to be supported: With around 190 members it is the second largest, single local authority model I propose.
- 6.3 Existing joint / cross-boundary CPAC or panel working that should be preserved: There is currently a joint committee of CPAC chairs for the East of Scotland which includes Edinburgh and the other Lothian CPACs, as well as a Training Liaison Group that meets twice a year and includes Panel chairs and the Training Officer.
- 6.4 How the proposed arrangement would deliver better support for panel members locally: I consider that 190 panel members is an adequate size for a stand-alone Area Support Team, to provide support to a large panel without members becoming detached from any support that would be offered. As before, it would operate within a single, standard national framework and training to develop competent and confident panel members.
- 6.5 Membership of the Proposed AST, as a minimum: I propose a core minimum membership of 5 National Convener appointees, 1 local authority nominee, 1 Panel member and 1 Clerk.

7. East Lothian, Midlothian and Scottish Borders

- 7.1 Geography and Boundaries: The three panel areas share boundaries in South East Scotland, as well as co-terminous boundaries with other organisations such as Lothian and Borders Police and Lothian and Borders Fire and Rescue services. Travel distances to hearing centres are similar and there are suitable venues in each area for panel member training.
- 7.2 Size of Panel to be supported by the proposed AST: The proposed arrangement would support between 120 and 130 panel members.
- 7.3 Existing joint / cross-boundary CPAC or panel working: As mentioned above, the 5 Lothian and Borders areas of Edinburgh, West Lothian, Midlothian, East Lothian and Borders have worked in a joint liaison group for many years, meeting quarterly to discuss matters of common interest. Meetings rotate around the 6 authorities and there is a commitment to joint working.
- 7.4 I have considered the risks and benefits of changing this arrangement and separating out Edinburgh and West Lothian: I have concluded that, through the original structure, it has become apparent that there are commonalities between East Lothian, Midlothian and Borders in terms of geography, structures and shared services. For example, Midlothian and East Lothian are planning to share some children's services; social work training and adult learning services are currently shared by Midlothian and Borders. There are existing agreements in place between East Lothian, Midlothian and Scottish Borders to share panel members.
- 7.5 How this proposal would deliver better support for panel members locally: it would be a manageable arrangement in terms of the number of panel members to be supported and, with joint working well established, it would facilitate consistency of practice and shared learning.
- 7.6 Membership of the proposed AST, as a minimum: I propose a core membership of 9 National Convener appointees, 3 local authority nominees, 3 Panel members and 1 Clerk.

8. Clackmannanshire, Falkirk, Stirling and West Lothian

- 8.1 Geography and Boundaries: The existing Joint Central Children's Panel Advisory Committee has been operating since the local government reorganization of 1996. It comprises Falkirk, Stirling and Clackmannanshire, and stretches from Bo'ness in the east to Tyndrum in the north west and from Strathblane in the south to Dunblane in the north.
- 8.2 Boundaries are shared with Argyll and Bute, East Dunbartonshire, Fife, North Lanarkshire, Perth and Kinross, West Dunbartonshire and West Lothian. Amongst other partner organisations, there are co-terminous boundaries with Central Scotland Police and Forth Valley NHS.
- 8.3 Size of panel to be supported by the proposed AST: This proposed arrangement would require to support approximately 265 panel members: 47 in Clackmannanshire; 69 in Falkirk; 48 in Stirling and 101 in West Lothian.
- 8.4 Existing Joint / cross-boundary CPAC or panel working: as already mentioned, the Joint Central CPAC arrangement works effectively and has done so since 1996. There is also a concurrent panel membership scheme in place, allowing panel members to serve on any panel within with the Joint Central Area.
- 8.5 In addition, there is a similar concurrent arrangement in place between Falkirk and West Lothian panels and I believe that these concurrent / joint working arrangements lend themselves to an effective AST structure.
- 8.6 How would this proposal deliver better support for panel members locally: There is an opportunity to consolidate and build on existing joint arrangements and good practice, operating within a single national framework that would ensure greater consistency and provide for the training of more competent and confident panel members.
- 8.7 Membership of the Proposed AST, as a minimum: I propose that core AST members should comprise existing Ministerially-appointed CPAC members, 1 Panel member per constituent local authority, 4 local authority nominees and 1 Clerk.

9. Fife

- 9.1 Geography and Boundaries: Fife is the third largest local authority panel area, in terms of panel numbers, with both its Panel and CPAC situated entirely within the local authority boundary of Fife Council. Its boundaries are co-terminus with partner agencies including NHS Fife and Fife Constabulary.
- 9.2 Size of Panel to be supported by the proposed AST: The AST would support around 150 panel members, who are recruited from within the Fife area. In addition, panel members dealt with a high volume of hearings over the last year (2354), ninety of which dealt with child protection orders.
- 9.3 Hearings take place in two SCRA centres within the local authority boundary, in Glenrothes and Dunfermline, although the future of the Dunfermline centre which is currently leased to SCRA on a temporary basis is uncertain.
- 9.4 Existing joint / cross-boundary CPAC or panel working that should be preserved: Partnership working is long established in Fife between all the agencies who have an involvement with the Hearings system as they all operate along co-terminous boundaries within the Fife local authority area. A stand-alone AST arrangement would allow such partnership working to continue and develop.
- 9.5 How the proposed arrangement would deliver better support for panel members locally: With a current panel of 152 members, this arrangement would ensure adequate support for a relatively large and busy panel and would build on existing partnership working between the panel and its wider partner agencies. As with other proposed stand-alone arrangements, the National Convener would expect the AST to take an outward facing approach in terms of learning from and adopting good practice from other areas. This could be achieved by sharing of training with other AST's and participation by members and the clerk in national groups and networks.
- 9.6 I note that Fife has a good record of contribution at the national level: This includes regular attendance at meetings of the Children's Panel Advisory Group (CPAG) and Children's Panel Chairs Group (CPCG); the CPAG East Group that comprises the chairs and clerks of Fife, Dundee, Angus and Joint Central CPACs; membership of the CPAG Publicity Working Group, Policy and Development Group and Standardisation Working Group and; membership of the Panel Pal

User Group. In addition, the Clerk to the CPAC is also a member of the Scottish Government CHS Implementation Working Group.

- 9.7 The panel currently requires the support of both a CPAC and Sub-CPAC, who carry out the same duties as the CPAC members, consisting of 8 and 4 members respectively.
- 9.8 Membership of the AST, as a minimum: I propose a core membership of 5 National Convener appointees, 1 local authority nominee, 1 panel member and 1 Clerk.

10. Dundee, Perth and Kinross and Angus

- 10.1 Geography and Boundaries: All three local authorities above share boundaries with each other. In addition, Dundee shares a boundary with Fife; Perth and Kinross is also surrounded by Fife, Stirling, Clackmannanshire, Argyll and Bute and Highland; Angus lies to the north of Dundee city and also shares a boundary with Aberdeenshire.
- 10.2 In terms of the Scottish Indicator of Multiple Deprivation, around 35% of Dundee children live in areas of significant deprivation; 25% of Dundee children live in workless households, rising to 50% in some areas. In addition, 27% of Dundee primary and 19% of secondary school pupils are registered for free school meals, as compared with 17% and 13% respectively for Scotland as a whole. Perth and Kinross is one of the least deprived local authority areas in Scotland, although there are local pockets of deprivation within the area. Angus is a rural authority with 7 burghs.
- 10.3 Size of panel to be supported by the proposed AST: The proposed Area Support Team would support a relatively large panel of approximately 170 members, based on current membership within each constituent authority (Dundee 93, Perth and Kinross 22, Angus 55). There is a hearings centre in each local authority area, although the reporter and SCRA staff operate from a base in Dundee.
- 10.4 Existing joint / cross-boundary CPAC or panel working that should be preserved: Prior to the local government re-organisation of 1996, there was a regional support mechanism in place for the panel in Tayside. Partner organisations such as police and the Community Justice Authority, also operate on a regional basis. Stronger regional relationships are also being developed in relation to implementing the Scottish Government's GIRFEC (Getting it Right for Every Child) approach.

- 10.5 Five Angus panel members are currently assisting the panel in Perth which has a shortage of members that will be addressed by the national recruitment campaign in 2012.
- 10.6 Joint training arrangements are in place across all three authorities, provided by the Children's Hearings Training Unit at St Andrews University. A sub-committee of the Children's Panel Advisory Group comprises CPAC members from Dundee, Perth and Kinross, Angus and Fife and there is a concurrent agreement in place between Dundee and Angus Children's Panel to make use of particular panel members at hearings if necessary.
- 10.7 How the proposed arrangement would deliver better support for panel members locally: I acknowledge that the demographics of Dundee are different to those of Perth and Kinross and Angus. Dundee has models in place for its own working practices, such as the Children and Young Persons Protection Committee, Adult Protection Committee and Community Safety Partnership Areas.
- 10.8 As with all proposed AST models that would cover more than one local authority area, the concern that a joined up approach may fail to deliver effective support for individual panel members or that some authorities might lose their identities within a larger grouping, is acknowledged. However, this concern could be addressed through the establishment of AST sub-committees, where this would be an advantage.
- 10.9 I believe there are benefits to be gained by a Tayside model in that it would deliver modernized, effective and efficient support to panel members through an outward-facing approach that consolidates and develops the shared learning and good practice highlighted above.
- 10.10 Membership of the AST, as a minimum: I propose a core membership of 9 National Convener appointees, 3 local authority nominees, 1 panel member for each constituent authority and 1 dedicated Clerk to the AST

11. Aberdeen City and Aberdeenshire

- 11.1 Boundaries and Geography: Boundaries are shared by both the local authorities and the Children's Panel in Aberdeen City and Aberdeenshire. Aberdeenshire borders with Aberdeen City Council, The Moray Council and Angus Council. In addition, there is a joint hearings centre in Aberdeen, shared by both areas.
- 11.2 As a large urban area, Aberdeen City is distinct from the surrounding area of Aberdeenshire and further afield. Social problems within the City are concentrated in certain areas and children from particular schools are more at risk of appearing before a hearing than others. It is a busy panel, providing for up to 36 hearings per week. There are 130 panel members at present, recruited from within the City. There is a strong local connection to the panel in that panel members understand the issues and circumstances affecting local children and families. Employment related factors for those panel members working within the oil industry are taken into consideration in terms of rota management and training. Engagement between the panel and partner agencies such as SCRA, Integrated Children's Services, Youth Justice and Child Protection, is well established and ongoing on a regular basis.
- 11.3 Aberdeenshire is a predominantly rural area in the North-East of Scotland. It has traditionally been economically dependent on the primary sector (agriculture, fishing and forestry) and related processing industries. Over the last 35 years, the development of the oil and gas industry and associated service sector, have broadened its economic base and led to rapid population growth. Aberdeenshire extends to 2400 square miles, representing 8 per cent of Scotland's overall territory. It currently has a panel of 93 members and again, engagement with partner agencies is well established and meetings take place regularly. The occasional challenges that inevitably arise for such a large rural authority, in relation to travel to hearings are well managed through the careful selection of panel members for the monthly rota by the panel secretary. As well as Aberdeen, hearings also take place in Fraserburgh, Huntly, Banff and Banchory.
- 11.4 Size of panel to be supported by the proposed AST: A combined Area Support Team for Aberdeen City and Aberdeenshire would be required to support a panel of approximately 223 members. In order to ensure that panel members did not become detached from the support provided, consideration should be given to the establishment of a sub-committee in each constituent local authority area. This would ensure

that local factors such as employment, availability, providing panel members for hearings at short notice or emergency hearings, would still be taken into account in the preparation and management of the monthly rota.

- 11.5 Existing joint / cross-boundary CPAC or panel working that should be preserved: There is a history of joint working and a willingness to work together on the part of the panel in both areas. Joint training is currently undertaken through the North Children's Hearings Training Unit and takes place mostly in venues in Aberdeen City. A joint Training Advisory Committee also exists. As mentioned above, both areas share a hearings centre in Aberdeen City.
- 11.6 How the proposed arrangement would deliver better support for panel members locally: The proposed arrangement would build on and formalize existing collaborative working and training between Aberdeen City and Aberdeenshire. As stated in paragraph 11.4 above, the creation of an AST sub-committee for each area would ensure that localized factors that may have a bearing on the effective running of hearings, as well as local training evenings and training needs identified by panel members at the "grassroots", would still be taken into account by AST members in supporting the panel.
- 11.7 Membership of the AST, as a minimum: I propose a core, minimum membership for the Area Support Team of 10 National Convener appointees, 1 Panel member and 1 local authority nominee for each constituent authority and 1 full time, dedicated Clerk. I also note that Aberdeen City Children's Panel has a full time panel secretary, provided by the City Council's Legal and Democratic Services and I consider it desirable that this excellent support should continue to be available for the new Area Support Team.

12. Highland and Moray

- 12.1 **Boundaries and Geography:** Highland is the most northerly local authority area in Scotland, covering a total land area that represents 33% of Scotland. Boundaries are shared with Moray, Aberdeenshire, Perth and Kinross and Argyll and Bute. It is separated by sea from its neighbouring local authorities of Western Isles, Orkney Islands and Shetland Islands. Highland has 6 hearings centres, two of which are on the west coast. This disparate geography of the area can occasionally necessitate journeys of up to 2 hours to hearings centres for panel members.
- 12.2 Moray is bordered by the Moray Firth to the north, by Highland to the west and by Aberdeenshire to the east. The county is largely rural with 70% of its land area being countryside. There are five towns – Elgin, Forres, Buckie, Lossiemouth and Keith – with 50% of the population living in these five towns. One hearings centre, located at SCRA offices in Elgin is currently used for all hearings. Two outreach centres located in local authority premises elsewhere in Moray are currently not being used because of their unsuitability and lack of privacy for families.
- 12.3 **Size of panel to be supported by the proposed AST:** The proposed AST arrangement would be required to support approximately 168 panel members, based on the current figures for active members in each constituent authority (127 in Highland and 41 in Moray).
- 12.4 **Existing joint / cross-boundary CPAC or panel working that should be preserved:** Over the last two years, Highland and Moray have had a concurrent panel membership agreement in place to address a critical shortfall of panel members in Moray. This agreement came to an end in 2011 with the appointment of 10 new panel members.
- 12.5 A second concurrent agreement remains in place to enable three Highland panel members to sit on hearings in respect of particular children, in cases where it would be preferable in terms of the safety and security of Moray panel members to call on support from panel colleagues from an area where the identity and address of panel members is less easy to discover than in the small community of Moray.
- 12.6 Joint training takes place through the Children’s Hearings Training Unit of the University of Aberdeen, which is based in Inverness and currently provides training for Highland and Moray, as well as Aberdeenshire, Aberdeen City, Orkney Islands, Shetland Islands and

the Western Isles. In addition, Moray is considerably closer to Inverness than to Aberdeen.

- 12.7 How the proposed arrangement would deliver better support to panel members locally: The proposed arrangement would build on the collaborative working and training that takes place already, without creating an AST so large that panel members would become detached from any support that could be offered. The disparate geography of the area is a major factor and in formulating my proposal for a joint Highland / Moray AST, I wanted to avoid creating additional burdens for members and panel members in terms of having to travel greater distances to meetings or hearings.
- 12.8 Membership of the AST, as a minimum: I propose a core minimum membership of 10 National Convener appointees, 1 local authority nominee and 1 Panel member per local authority area and 1 Clerk.

13. Orkney

- 13.1 Geography and Boundaries: Orkney is an archipelago situated off the north coast of the Scottish mainland. It comprises over 70 islands of which 19 are inhabited. Its mainland and island communities are also separated from each other.
- 13.2 Size of panel to be supported by the proposed AST: There are currently 19 panel members, including one panel chair and two depute chairs. Two panel members live outwith the Orkney mainland on islands. There is one hearings centre, in Kirkwall, which is easily accessible by children and families, panel members and professionals. Though issues can sometimes arise in terms of ferry or flight schedules, these are usually easily managed.
- 13.3 Existing joint / cross-boundary CPAC or panel working that should be preserved: There are no existing arrangements for joint working, given the relatively remote nature of the community, although there are close working relationships with partner agencies in the community around the delivery of training.
- 13.4 There is an excellent opportunity for all island panel members to meet and discuss shared issues and practice through the bi-annual inter-island seminar, organized by the Children's Hearings Training Unit based at Aberdeen University. With its focus on learning across the boundaries between island groups, promoting useful initiatives and the sharing of good practice, I am of the view that this event should

continue, notwithstanding the travel costs incurred by those panel members from outwith the host island. I would also recommend that an annual event should be organized and hosted in turn by each island in the intervening year, to provide an additional opportunity to share good practice and learning.

- 13.5 How the proposed arrangement would deliver better support for panel members locally: Whilst the size of the panel is small and a hearings session takes place approximately twice a week, logistics and the significant additional costs that any other arrangement would involve are the key considerations in my proposal for an Orkney Area Support Team.
- 13.6 In reality, a joint AST for all the island panel members could only operate effectively as 3 largely autonomous sub-committees and I believe that such an arrangement, apart from the consequence of additional costs, would dilute the local dimension of the panel and the support that could be offered to panel members.
- 13.7 Membership of the proposed AST, as a minimum: I propose a core minimum membership of 4 National Convener appointees, 1 local authority nominee, 1 Panel member and 1 Clerk.

14. Shetland

- 14.1 Geography and Boundaries: Shetland consists of more than 100 islands of which 15 are inhabited. Its nearest neighbours are Orkney, which is about 6 hours away by the NorthLink Ferry Service, linking Lerwick with Kirkwall and about 30 minutes by air from Sumburgh (the most southerly point on the Shetland mainland to Kirkwall).
- 14.2 Size of panel to be supported by the proposed AST: As with Orkney, the proposed AST would support a small panel of 19 members who would usually sit on one or two individual hearings per month. There is one hearings centre in Shetland which is located in Lerwick centrally located within the town, although in a relatively discreet location for children and families.
- 14.3 Existing joint / cross-boundary CPAC or panel working that should be preserved: There is no joint CPAC or panel working with island neighbours, as such, but the foundation for partnership working in Shetland is the Child Protection Committee. It includes representatives from NHS Shetland, Northern Constabulary, SCRA, Shetland Islands Council Education service, Social Work Service and Housing Service,

the Children's Panel Chair and representatives from the Procurator Fiscal Service and Voluntary Action Scotland. The panel also has an interest in resources available for children and young people through a number of other local voluntary organisations.

- 14.5 As Shetland is a small place, those involved in the arrangements outlined above are usually on first name terms with each other and representatives from all the organisations are invited to attend evening panel meetings so that panel members are aware of the resources and initiatives available locally.
- 14.6 Whilst young people who come before the panel may sometimes be placed within specialist resources on the UK mainland, the partners with whom the panel works are specific to Shetland.
- 14.7 Arrangements are in place to maintain links with other panels in the north of Scotland and the islands: meetings are held two or three times a year with other northern panel chairs from Aberdeen City, Aberdeenshire, Moray, Highland, Western Isles and Orkney. These meetings are also attended by the SCRA reporters from the same area and the Inverness-based Children's Hearings Unit. They provide a useful forum in which to share experience, discuss new initiatives and arrange the training programme.
- 14.8 Again, the bi-annual inter-island seminar is an excellent opportunity for all island panel members to come together to discuss shared issues and practice and to learn from each other. I propose that consideration should be given to another joint annual event, organized and hosted in turn by each island AST.
- 14.9 How the proposed arrangement would deliver better support for panel members locally: As is the case with Orkney, whilst the panel is small, logistics and the significant additional costs that any other arrangement, would incur, are the key reasons for my proposal for a stand-alone AST for Shetland.
- 14.10 Membership of the proposed AST, as a minimum: I propose a core minimum membership of 3 National Convener appointees, 1 local authority nominee, 1 Panel member and 1 Clerk.

15. Western Isles

- 15.1 Geography and Boundaries: As an island area, the Western Isles do not share any boundaries with other local authorities. Lewis is the largest and most populous of the islands with the other five main areas being Harris, North Uist, Benbecula, South Uist and Barra. Stornoway is the only large town and about 30% of the population live within the greater Stornoway area. The remaining populations are scattered over 280 smaller settlements, spread throughout the 11 inhabited islands.
- 15.2 Attending hearings in the Uists and Barra involves flights and / or ferry crossings for panel members. While most hearings in the Uists will require one days travel, hearings in Barra require at least one overnight stay and travel arrangements can sometimes be disrupted by bad weather. Panel members therefore need to be flexible in terms of attending hearings and training in terms of the geography of the islands and travel arrangements.
- 15.3 Size of panel to be supported by the proposed AST: As is the case with the proposals for the other island panels, the AST would support a small panel of 20 members.
- 15.4 Existing joint / cross-boundary CPAC or panel working that should be preserved: Positive relationships exist locally between the CPAC and panel members, the SCRA Reporter, the Sheriff and key local authority staff. Consideration should be given to the establishment of a more formal meeting, at least annually, between the Area Support Team and key partners.
- 15.5 Again, as with Orkney and Shetland, the bi-annual Inter-Island Seminar provides an excellent opportunity for all island panel members to meet and discuss shared issues. This training is residential and held in different island areas on a rotational basis with the host authority meeting the costs of accommodation, hospitality and meeting venues. Although the costs, excluding travel, are in the region of £15K, this event should be preserved and consideration also given to the organisation of an annual meeting between all the island area support teams.
- 15.6 How the proposed arrangement would deliver better support for panel members locally: Although Western Isles has a small panel of 20 members, I see no benefits or efficiencies to be gained by any arrangement other than a stand-alone Area Support Team. As is the case with Orkney and Shetland, a grouping arrangement would necessitate significant additional costs and dilute the local dimension of

the panel and the support that could be offered to panel members. In reality, such a grouping could only operate effectively as three largely autonomous AST sub-committees.

- 15.7 Membership of the proposed AST, as a minimum: I propose a core membership of 5 National Convener Appointees, 1 local authority nominee, 1 Panel member and 1 Clerk.

16. Inverclyde and Argyll and Bute

- 16.1 Geography and Boundaries: Inverclyde falls within the geographical boundaries of Greater Glasgow and Clyde Health Board and Strathclyde Police. The authority shares land borders with Renfrewshire Council to the East and North Ayrshire Council to the west. It also shares a river boundary with Argyll and Bute and West Dunbartonshire.
- 16.2 Argyll and Bute covers the second largest geographical area of a Scottish local authority, stretching from Helensburgh, adjacent to the Glasgow commuter belt, to the Atlantic Islands of Tiree and Coll and from the Mull of Kintyre north to the edge of Glencoe. The Council area borders with West Dunbartonshire, Highland, Perth and Kinross and Stirling The SCRA Reporter's office in Greenock covers hearings for Bute and Dunoon and is shared with Inverclyde Children's Panel.
- 16.3 Size of panel to be supported by the proposed AST: A combined AST for Inverclyde and Argyll and Bute would be required to support a panel of just under 110 members.
- 16.4 I note that, due to the widespread geographical area of Argyll and Bute and the limited availability of public transport, the Panel currently operates within localised areas (Mid-Argyll, Kintyre and Islay, Lorn, Cowal and Bute and Lomond) and that all recruitment, monitoring and some training takes place within these areas. Hearings are held in local offices / rooms in each area, with the only dedicated hearings centre located in Lochgilphead. I see no reason why this local dimension should not be taken into account in the operation of the new AST if it would assist with the retention of panel members.
- 16.5 I also note the different demographics of Inverclyde, particularly the high volume of child protection cases referred to hearings and the fact that the number of children on the Child Protection Register is higher than the national rate (3.0 per 1000 population aged 0-15 as at 31 March 2009, as compared with the national rate for that year of 2.9 per

1000 population aged 0-15). The Inverclyde population also suffers from clusters of deprivation, a higher than average unemployment rate, the third lowest life expectancy rate in Scotland for both men and women and a higher than average rate of alcohol-related hospital admissions and deaths.

- 16.6 Regardless of demographics, however, panel members in Inverclyde and Argyll and Bute, and across Scotland, require the same consistent, high quality support and for Area Support Teams to carry out the same functions on their behalf. Therefore, I have considered the geographical spread and demographics of both local authority areas, as I have done so in terms of my other proposed AST areas and concluded that there would be benefits to be gained from a joint approach.
- 16.7 Existing joint / cross-boundary CPAC or panel working that should be preserved: Inverclyde has no current joint working arrangements or shared services, although there has previously been an arrangement in place to supply a number of designated panel members to attend emergency hearings in Renfrewshire.
- 16.8 Similarly, Argyll and Bute has no current joint working arrangements in place, but previously operated a concurrent panel membership scheme with West Dunbartonshire, to cover a shortage of male panel members in the Helensburgh area. There has also been the occasional provision of panel members to West Dunbartonshire, when support was required.
- 16.9 How the proposed arrangement would deliver better support for panel members locally: As mentioned earlier in this paper, I considered and discounted, the creation of an AST based on the SCRA North Strathclyde Locality Model. I did not believe that such a model would be effective or efficient as it would require relatively autonomous sub-committees to operate, placing additional burdens on unpaid AST members who would have to travel greater distances to attend meetings, at greater financial cost. There would also be a strong deterrent to taking up membership of the AST.
- 16.10 I do, however, consider that there is merit in smaller groupings of the authorities that comprise the North Strathclyde model, such as Inverclyde and Argyll and Bute. I acknowledge that the panel in each area is self-contained, with no established cross-boundary working, different geography and demographics and different circumstances that give rise to referrals to hearings. I believe that there is much to be gained from an outward-facing approach that would facilitate shared

learning and good practice, in support of a reasonable sized panel within manageable travelling distances.

- 16.11 Membership of the proposed AST as a minimum: I propose a core membership of 11 National Convener appointees, 1 local authority nominee and 1 Panel member nominee per constituent authority and 1 Clerk.

17. East Dunbartonshire and West Dunbartonshire

- 17.1 Geography and Boundaries: East Dunbartonshire lies to the north of Glasgow and shares boundaries with Stirling Council to the north, West Dunbartonshire to the west, North Lanarkshire to the south and east and Glasgow to the south and west. It is a mixture of urban and rural areas. East Dunbartonshire recently re-located to a new hearings room provided by the local authority and based in the Kirkintilloch Registration Offices.
- 17.2 West Dunbartonshire is located between Loch Lomond and the Glasgow conurbation on the north bank of the River Clyde. It shares boundaries with Glasgow City, Argyll and Bute, Stirling, East Dunbartonshire and Renfrewshire and is separated from Renfrewshire by the River Clyde.
- 17.3 Size of panel to be supported by the proposed AST: The proposed AST would support approximately 114 members: East Dunbartonshire currently has 33 children's panel members and two joint children's panel chairs and West Dunbartonshire has 81 panel members, including one panel chair and three depute chairs.
- 17.4 Existing joint / cross-boundary CPAC or panel working that should be preserved: There are no joint working arrangements between the CPAC or panel in each local authority area at present. East Dunbartonshire panel has previously assisted South Lanarkshire colleagues by providing male panel members to assist with hearings in South Lanarkshire over a 6 month period.
- 17.5 The two local authorities work together, however, in terms of the following broader structures and partnerships: the Clyde Valley Community Planning Partnership (along with Glasgow City, Inverclyde and East Renfrewshire); the Criminal Justice Partnership (also including Argyll and Bute); North Strathclyde Community Justice Authority (also comprising Inverclyde, East Renfrewshire, Renfrewshire

and Argyll and Bute) and; the Valuation Joint Board (also including Argyll and Bute).

- 17.6 How the proposed arrangement would deliver better support for panel members locally: The same considerations apply as I have set out in the previous section: I considered and discounted, the creation of an AST grouping similar to the SCRA North Strathclyde Locality Model that includes East Dunbartonshire and West Dunbartonshire. I concluded that there would be no benefits in this model in terms of more effective support for panel members or greater efficiencies.
- 17.7 I do believe, however, that there are benefits to be gained from a more outward-facing approach that would facilitate the sharing of good practice and learning, whilst avoiding the creation of an AST so large and geographically spread that it could not offer meaningful support to panel members and may adversely affect their retention.
- 17.8 Membership of the proposed AST as a minimum: I propose a core membership of 9 National Convener appointees, 1 local authority and 1 Panel nominee for each local authority area and 1 Clerk.

18. Renfrewshire and East Renfrewshire

- 18.1 Geography and Boundaries: Renfrewshire lies to the south west of Glasgow and contains many of Glasgow's commuter towns and villages. It is a mixture of urban and rural conurbations and shares boundaries with Glasgow, North Ayrshire, East Renfrewshire, Inverclyde and West Dunbartonshire. Although by area it is one of the country's smallest unitary authorities, it is also one of the most populous areas, being the ninth largest local authority by population number. East Renfrewshire is situated to the south of Glasgow and shares borders with Renfrewshire, North Ayrshire, East Ayrshire, South Lanarkshire and Glasgow.
- 18.2 Size of Panel to be supported by the proposed AST: Based on current figures for panel numbers in each area (83 in Renfrewshire and 27 in East Renfrewshire) the proposed AST would support 110 panel members.
- 18.3 Existing joint / cross-boundary CPAC or Panel working that should be preserved: There is none as such, but the Authority Reporter services hearings for both the Renfrewshire and East Renfrewshire Children's Panels which take place in Paisley. There have previously been joint

arrangements in place to have concurrent panel members in place for specified periods of time, as well as joint training events.

- 18.4 in addition, Renfrewshire and East Renfrewshire panels are currently part of the Mid-West Training Group, along with East Ayrshire, North Ayrshire, South Ayrshire and Inverclyde. This grouping offers panel members from each local authority area the opportunity to attend a number of training events organized by the Glasgow Children's Hearings Training Unit. This includes a Mid-West Workshop day and a weekend training event, bringing together panel members from areas with different problems to share experiences and learn together.
- 18.5 How the proposed arrangement would deliver better support for panel members locally: As mentioned in the previous two sections of this paper, I am not in favour of replicating the SCRA North Strathclyde Locality Model that would encompass Renfrewshire and East Renfrewshire for the reasons set out above. I believe that both local authorities could work together within a joint Area Support Team that would facilitate the sharing of learning and good practice as well as offering realistic and meaningful support to local panel members.
- 18.6 Membership of the proposed AST, as a minimum; I propose 10 National Convener appointees, based on current CPAC Ministerial appointees of 7 for Renfrewshire and 3 for East Renfrewshire, 1 local authority nominee and 1 Panel member for each local authority area and 1 Clerk.

19. North and South Lanarkshire

- 19.1 Geography and Boundaries: North Lanarkshire has the fourth largest population of Scottish Councils and shares borders with the neighbouring authorities of South Lanarkshire, East Dunbartonshire, Falkirk, Stirling, West Lothian and Glasgow. South Lanarkshire is the fifth largest local authority in Scotland in population terms and shares borders with seven other unitary authority areas of North Lanarkshire, Glasgow, West Lothian, Scottish Borders, Dumfries and Galloway, East Ayrshire and East Renfrewshire.
- 19.2 Size of panel to be supported by the proposed AST: The proposed joint Area Support Team would support a panel of just under 240 members. Given the size of the panel, I recommend that consideration should be given to the establishment of an AST sub-committee in each local authority area.

- 19.3 Existing joint / cross-boundary CPAC or Panel working that should be preserved: North and South Lanarkshire share joint pre-service training for new panel members which is delivered through the Children's Hearings Training Unit based at Glasgow University and alternates each year between Council Headquarters in Hamilton and Motherwell. Trainee panel members from Dumfries also occasionally attend this training.
- 19.4 in addition, South Lanarkshire previously had a concurrent agreement in place with East Dunbartonshire Panel to address a shortfall of male panel members in South Lanarkshire. This was considered to be very beneficial and encouraged joint working between panel members from both areas.
- 19.5 How the proposed arrangement would deliver better support for panel members locally: The proposed arrangement provides an opportunity to build on and consolidate the joint training that currently takes place for new panel members, within a consistent national framework. It also offers an opportunity to share learning and good practice and to deliver effective and efficient support to panel members through a more outward-facing approach, without creating a structure so large that panel members would feel detached from any support that could realistically be offered.
- 19.6 Membership of the proposed AST, as a minimum: I propose a core minimum membership of 7 National Convener appointees, 2 local authority nominees, 2 Panel member nominees and 1 Clerk.

20. North, East and South Ayrshire

- 20.1 Geography and Boundaries: The three Ayrshire authorities are situated on the west coast and share boundaries with each other.
- 20.2 Size of Panel to be supported by the proposed AST: A joint Area Support team would support a panel of approximately 161 members, based on current figures of 45 members for South Ayrshire, 51 for East Ayrshire and 65 for North Ayrshire.
- 20.3 Existing joint / cross-boundary CPAC or panel working that should be preserved: North, South and East Ayrshire have previously shared resources available to support children locally from various voluntary organisations and they have also worked together to pilot the fast-tracking of referrals to the Children's Reporter. North and East Ayrshire also share the same SCRA premises in Kilmarnock.

- 20.4 The three Ayrshire panels have also shared training for a number of years: The Mid-West weekend takes place on an annual basis and the Mid-West workshop also takes place on an annual basis, usually on a Saturday morning. The venue for each training event also rotates between each local authority area. I propose that this joint training should be retained in order to allow panel members to identify with the new all-Ayrshire AST, consolidate relationships, learn from each other and share best practice.
- 20.5 How the proposed arrangement would deliver better support for panel members locally; There is already well established joint working in place between the Ayrshire panels and the proposed AST arrangement would build on this and develop it further, ensuring consistent high quality support for a reasonable number of panel members, through increased sharing of good practice and learning from each other.
- 20.6 Membership of the proposed AST, as a minimum; I propose a core membership of 19 members, comprising 4 National Convener appointees from each local authority area 3 local authority nominees and 3 Panel member nominees from each constituent authority and 1 Clerk.

21. Dumfries and Galloway

- 21.1 Geography and Boundaries: Dumfries and Galloway is the third largest geographic region in Scotland, sharing boundaries with Ayrshire, Lanarkshire, Scottish Borders and Cumbria. Hearings take place in SCRA centres in Dumfries, Annan and Stranraer and well as in the Kirkconnel Miners Memorial Centre, Newton Stewart Health Centre and Kirkcudbright Council Offices. Local training for panel members takes place in Council Offices in Dumfries and Stranraer.
- 21.2 Size of panel to be supported by the proposed AST: The proposed Area Support Team would support a panel of 79 active members, of which 44 live in the west of the region and 35 in the east, with 27 of these 35 members being centrally located.
- 21.3 Existing joint / cross-boundary CPAC or panel working that should be preserved: The Children's Hearings Training Unit, based in Glasgow, supports the delivery and organisation of local training, through a service level agreement with the local authority. Joint working is in place between a number of local partner agencies including SCRA, Social Work and Schools services, police and NHS. Panel members

are also encouraged and supported to attend meetings of local providers and networks. Joint training is also undertaken as appropriate with key partner agencies to establish communication and partnership working.

- 21.4 How the proposed arrangement would deliver better support for panel members locally: My main considerations in proposing a stand-alone Area Support Team for Dumfries and Galloway are the geography of the area and the challenges of accessibility and distances of travel to hearings centres and training venues that it presents.
- 21.5 I recognise that other joint AST structures that I am proposing, such as Highland and Moray and Inverclyde and Argyll and Bute, will also be challenged by disparate geography and travelling distances to hearings centres and training venues, which is why I am proposing manageable groupings rather than super-structures in each case. Having reflected on my proposals as a whole, I considered whether to partner Dumfries and Galloway with any of its bordering authorities, but I am satisfied that my proposed groupings of the Ayrshires, North and South Lanarkshire and, Scottish Borders with East Lothian and Midlothian, would be more effective and appropriate arrangements. Therefore, I propose a single Area Support Team for Dumfries and Galloway.
- 21.6 Membership of the proposed AST, as a minimum: I propose a core membership of 6 National Convener appointees, 1 local authority nominee, 1 Panel member nominee and 1 Clerk.

22. Conclusion

- 22.1 This paper sets out my proposals for the establishment of Area Support Teams to cover 17 local authority areas and the roles of members within them.
- 22.2 My proposals are informed by a series of pre-consultation meetings that took place with CPAC chairs and clerks, panel chairs and local authority representatives, in every local authority area, during May and June 2011. I have assessed each proposed arrangement in terms of geography and boundaries, the size of the panel to be supported, existing joint CPAC or panel working that should be preserved and developed, how my proposal for each AST will deliver better support for panel members and, core membership of each Team.
- 22.3 We are working within a reform agenda, not just within the Children's Hearings system, but within the wider public sector, which requires a more collaborative, outward-facing approach to create efficiencies and reduce duplication. I believe there is much to be gained from partnership working through the Area Support Teams, to share good practice and learning, without creating structures so large that panel members would feel detached from any support that could realistically be offered. I am not proposing overly large structures where the costs of operating would outweigh any gains of joint working.
- 22.4 The support of local authority Clerks and administrative staff is critical to the successful establishment and operation of Area Support Teams. This support needs to be provided and maintained at the best possible level across Scotland. I will therefore seek to negotiate service level agreements from local authority chief executives to transfer the role and functions currently carried out by CPAC clerks to the Area Support Teams.
- 22.5 My goal is to agree workable, streamlined AST arrangements with local authorities that will be most effective in ensuring that panel members are fully supported to a consistently high standard and that children and young people have a high quality experience in hearings across Scotland.
- 22.6 I have tried to strike the right balance between national consistency and accountability with flexible delivery in each proposed area, acknowledging that panel members sign up to serve on the panel in their local area. This will not change with the introduction of the Area Support Teams or the National Panel.

APPENDIX 1

Children's Hearings (Scotland) Act 2011

SCHEDULE 1

Children's Hearings Scotland

Area support teams: establishment and membership

12 (1) The National Convener must establish and maintain a committee (to be known as an area support team) for each area that the National Convener designates for the purposes of this paragraph.

(2) An area designated under sub-paragraph (1) is to consist of one or more local authority areas.

(3) Before establishing an area support team, the National Convener must obtain the consent of each constituent authority.

(4) The National Convener must appoint as members of an area support team—

(a) one person nominated by each constituent authority (if the authority chooses to make a nomination),

(b) such other persons nominated by constituent authorities as the National Convener considers appropriate,

(c) a member of the Children's Panel who lives or works in the area of the area support team, and

(d) sufficient other persons so that the number of members nominated by a local authority is no more than one third of the total number of members.

(5) An area support team may not include the Principal Reporter or a member or employee of SCRA.

(6) An area support team may establish sub-committees consisting of persons who are members of the area support team.

(7) In this paragraph and paragraphs 13 and 14 "constituent authority", in relation to an area support team (or a proposed area support team), means a local authority whose area falls within the area of the area support team.

Transfer of members from CPACs

13(1) This paragraph applies where the National Convener establishes an area support team under paragraph 12(1).

(2) The National Convener must notify each relevant CPAC member of the National Convener's intention to transfer the member to the area support team.

(3) A notice under sub-paragraph (2) must state that the relevant CPAC member will become a member of the area support team unless the

member notifies the National Convener within 28 days of receiving the notice that the person does not wish to become a member of the area support team.

(4) A relevant CPAC member is a person who—

(a) at the time of the establishment of the area support team, is a member of a Children’s Panel Advisory Committee whose area falls wholly within the area of the area support team, and

(b) was nominated as such by the Scottish Ministers (or, as the case may be, by the Secretary of State) under paragraph 3 or 4(a) of Schedule 1 to the 1995 Act.

(5) The National Convener must appoint each relevant CPAC member as a member of the area support team unless the member notifies the National Convener in accordance with sub-paragraph (3).

(6) On appointment as a member of the area support team under sub-paragraph (5), a relevant CPAC member ceases to be a member of the Children’s Panel Advisory Committee.

(7) In this paragraph—

“area”, in relation to a Children’s Panel Advisory Committee, means the area of the local authority (or authorities) which formed the Children’s Panel Advisory Committee,

“Children’s Panel Advisory Committee” includes a joint advisory committee within the meaning of paragraph 8 of Schedule 1 to the 1995 Act.

Area support teams: functions

14 (1) An area support team is to carry out for its area the functions conferred on the National Convener by section 6.

(2) The National Convener may delegate to an area support team to carry out for its area—

(a) a function conferred on the National Convener by paragraph 1(1) of schedule 2,

(b) other functions of the National Convener specified for the purpose by the National Convener.

(3) The National Convener may not specify for the purpose of sub-paragraph (2)(b) the functions conferred on the National Convener by section 8.

(4) Before delegating a function under sub-paragraph (2) to be carried out by an area support team the National Convener must consult each constituent authority.

(5) A function to be carried out by an area support team by virtue of sub-paragraph (1) or (2) may not be delegated by the area support team to a person who is not a member of the area support team.

(6) Nothing in sub-paragraph (1) or (2) prevents the National Convener from carrying out any function mentioned in those sub-paragraphs.

(7) An area support team must comply with a direction given to it by the National Convener about—

(a) the carrying out of the functions mentioned in sub-paragraph (1),

(b) the carrying out of a function delegated to it under sub-paragraph (2).

(8) Before giving a direction to an area support team as mentioned in sub-paragraph (7) the National Convener must consult each constituent authority.

APPENDIX 2

Proposed Area Support Teams – Panel member sessions per annum

Proposed Area Support Team	Sessions	Slots	Hearings	Business meetings	Panel members	% of total sessions	Sessions required per Panel member per annum
Glasgow	2,504	6,518	8,809	675	656	20.5%	11.5
Edinburgh	916	2,545	3,326	454	199	7.5%	13.8
East Lothian, Midlothian and Scottish Borders	503	1,285	1,775	218	134	4.1%	11.3
Clackmannanshire, Falkirk, Stirling and West Lothian	1,101	2,814	3,829	435	266	9.0%	12.4
Fife	617	1,678	2,385	201	153	5.1%	12.1
Dundee, Perth and Kinross, Angus	805	2,080	2,881	136	171	6.6%	14.1
Aberdeen City and Aberdeenshire	939	2,088	2,745	151	225	7.7%	12.5
Highland and Moray	584	1,326	1,824	104	170	4.8%	10.3
Orkney	67	68	75	9	19	0.5%	10.6
Shetland	70	70	76	8	18	0.6%	11.7
Western Isles	126	128	146	24	24	1.0%	15.8
Inverclyde and Argyll and Bute	487	1,211	1,600	103	105	4.0%	13.9
East Dunbartonshire and West Dunbartonshire	388	926	1,246	70	110	3.2%	10.6
Renfrewshire and East Renfrewshire	555	1,556	2,086	124	108	4.5%	15.4
North and South Lanarkshire	1,014	2,668	3,541	269	242	8.3%	12.6
North, East and South Ayrshire	1,102	2,903	4,082	457	165	9.0%	20.0
Dumfries and Galloway	440	1,043	1,399	113	86	3.6%	15.3
Totals	12,202	30,907	41,825	3,551	2,851	100%	12.8

The Children's Reporter counts meetings of the Panel at 3 levels –

- Sessions:** A gathering of the Panel in a single location, usually a morning or an afternoon.
Slots: A specific meeting time within that session for a Business Meeting or Child Meeting
Hearings: An individual child in front of a Children's Panel (may be held concurrently within a slot)

Note : Hearings, Slots and Sessions section exclude Business Meetings

A Business Meeting is distinct from a Children's Hearing and may be arranged by the Reporter to consider certain procedural matters in relation to an upcoming Hearing.

The % of total sessions divides the number of sessions in an AST by the total number of sessions in the year to give a %.

Sessions required per Panel member per annum calculates the average number of sessions to be attended in a year by Panel members in each AST to facilitate Hearings (assuming 3 Panel members per session)

APPENDIX 3

Distribution List

Children's Panel chairs

Children's Panel Advisory Committee chairs

Children's Panel Advisory Committee clerks

Local Authority chief executives

Scottish Children's Reporter Administration

Local Authority reporters

CoSLA

Association of Directors of Social Work

Children's Hearings Training Units

Scottish Safeguarder's Association

Inverclyde Children's Panel Advisory Committee – Response to Consultation on Proposals for Establishment of Area Support Teams

The Inverclyde Children's Panel Advisory Committee welcome the creation of the National Children's Panel and its goals of ensuring that panel members are fully supported to a consistently high standard and that children and young people have a high quality experience when attending hearings across Scotland.

The CPAC recognises that, whilst the day to day role of panel members will not change, the move to a National Panel will aim to achieve national consistency whilst delivered locally.

However, we consider that the justification for linking Inverclyde and Argyll & Bute appears to be very limited and we would argue that no case has been made for such an arrangement.

We have a number of concerns in terms of the practicality of such arrangements, and question whether the new arrangements are likely to provide any savings. Indeed, we believe that the new system will in fact incur additional costs.

The CPAC have indicated that they have concerns around the proposals particularly in respect of the lack of any similarity of character of the two areas. It does seem unusual to propose to link two Councils with no common land boundary which would result in travel through other Council areas for meetings.

The view of the Local Children's Panel Advisory Committee and the Children's Panel is that Inverclyde should operate a stand alone AST as an alternative to any link up with other Councils. This was a position taken prior to the announcement of the proposals and remains their view.

There are further issues around the delivery of the AST model, particularly as there is a requirement for the National Convener to consult with local authorities and reach agreement on her proposals. The Act provides for each constituent local authority to nominate one person to serve on the AST, and it is understood that it could be possible to make further nominations from constituent local authorities that may or not be accepted.

There is a wide disparity in the size of panels being supported by AST arrangements as proposed by the national convener and it has been difficult to therefore establish the criteria against which amalgamations have been proposed.

The view of the Inverclyde Children's Panel Advisory Committee and Panel Chair is that such a proposal would not be workable without the continuance of the existing local arrangements for operating and monitoring panels. It is their view therefore that the introduction of the AST model proposed by the National Convener would add an additional layer of bureaucracy, namely the need to maintain a regional structure of AST which would have sub AST arrangements mirroring the existing local arrangements.

The document indicates that Council budgets as presently exist will be retained by them with an expectation that they would be required to meet the costs for Councils in engaging in the new system i.e. the delivery of the SLA requirements to the National Conveners specifications but is not clear is what the standards are that would be required to be met as part of the SLA, nor what the commitment might be to

the funding of a lead Clerk. The document seem to identify that there should be one Clerk for Argyll & Bute/Inverclyde but does not make it clear whether or not that would be a full time post. In this regard, the view of Inverclyde Council staff is that even with its merged arrangements, there would be nowhere near a full time role for a Clerk in administering the amalgamated area.

In respect of the Councils view, the proposals detailed in the Consultation do not clearly identify how they will improve the outcomes for children. There does not appear to be any economies of scale generated from the grouping created that would allow the AST to recruit a number of full time staff to undertake the role of Clerk or alternatively to buy in the services of a full time Clerk, with the costs of that being shared by a number of local authorities. If that economy of scale is not achieved then the status quo is likely to be more efficient than an amalgamation of two very distinct Council areas.

It is felt that the proposed arrangements could have a detrimental impact on volunteers working in the panel system in Inverclyde and may not be conducive to the recruitment and retention of volunteers over the medium term.

An amalgamation with Argyll & Bute would result in increased travel costs due to the geographies indicated, although the document indicates the National Convener sees this as "a manageable travel distance".

Finally, there are a number of questions which remain unanswered at present:-

1. What will be the duties and roles of the ASTs and who within the ASTs will undertake these?
2. What flexibility do ASTs have to appoint additional members for additional tasks and how can an AST ensure adequate geographic representation on ASTs where there is more than one authority?
3. Do joint ASTs have the ability to rotate the chair position year by year and is this a decision for them to make?
4. How is the funding for ASTs to be split between Local Authorities and CHS?
5. Can you clarify what the compulsory training will consist of?
6. What are the appropriate monitoring arrangements (3.1.12) and how will these be determined? Will there be consultation on these before they are put in place?
7. Will there be an Appointment Day for CPACs when all members transfer across or will this be flexible depending on the level of negotiation between local areas? If it is a fixed date, will this be co-terminous with the transfer of Panel Members to the National Panel?