

**CHILDREN'S HEARINGS SCOTLAND – CONSULTATION ON PROPOSALS FOR  
THE ESTABLISHMENT OF AREA SUPPORT TEAMS**

**RESPONSE ON BEHALF OF THE FIFE CHILDREN'S PANEL AND THE FIFE  
CHILDREN'S PANEL ADVISORY COMMITTEE**

**INTRODUCTION**

The Fife Children's Panel and the members of the Fife Children's Panel Advisory Committee welcome the opportunity to comment on the National Convener's proposals for the establishment of Area Support Teams (ASTs). We fully support the recommendation that Fife should be established as a single AST which will provide us with the opportunity to build on our current strengths, particularly good partnership working, and ensure that our panel members feel well supported in order that they can focus on their key role of assisting children and young people in Fife.

Our specific comments on the proposals in the consultation paper are as follows:-

**Foreword (pages 5 to 7)**

- We very much welcome the establishment of Children's Hearings Scotland and, in particular, we are reassured that, as we go forward, the fundamental principles of Kilbrandon will be maintained. In addition, we welcome the emphasis which will be placed on raising awareness of the Children's Hearings System, particularly amongst employers. The current level of resignations in Fife due, primarily, to work commitments is steadily increasing and support from employers in allowing panel members time off work for children's hearings' duties is vital in ensuring the smooth running of the hearings system at a local level.

**Executive Summary (pages 9 and 10)**

- **Para. 9** – The roles and reporting lines of Clerks to the ASTs and any other local authority employees who will support the work of Area Support Teams will require to be clarified, particularly the proposal that they be accountable to the National Convener for their work in these roles. This point is addressed further below.
- **Para. 11** – We would welcome clarification on the criteria by which the National Convener will select a member or members of the AST to chair its meetings.

**Background (pages 11 to 14)**

- **Paras. 1.2, 1.3 and 1.4** - We endorse the aims and intended benefits of the reform proposals as outlined in paras. 1.2, 1.3 and 1.4 but would welcome further clarification on how these will be achieved as Children's Hearings Scotland proceeds with its reform agenda.
- **Para. 1.8** – We note that ASTs will have the power to establish Sub-Committees from their own membership which is welcomed. However, at this stage, we would wish to ensure that the core membership of each AST is sufficient to undertake, in particular, an appropriate level of monitoring. (The proposed core membership of the Fife AST is set, at this stage, as five National Convener appointees,)

- appointees, one local authority nominee, one panel member and one Clerk which, on the basis of current Fife CPAC activity, will be insufficient to undertake existing roles and responsibilities. It may simply be a matter of wording, but we also understand that the Clerk will not be a member of the AST but will be there to provide appropriate support as is currently the case with existing CPACs.)
- **Para. 1.9** – We would welcome further clarification on the criteria which will be used by the National Convener to determine the size of each AST and, in particular, how the AST member of the children’s panel will be selected. At present, CPACs usually have regard to the views of panel members when selecting existing Panel Chairs and we are of the view that there would be some advantages if the selection criteria included ensuring that the children’s panel representative on ASTs had the support and respect of their panel member colleagues.
- **Para. 1.11** - We note that existing members of Children’s Panel Advisory Committees who are appointed by Scottish Ministers will be entitled to transfer to an Area Support Team. We understand the reason why only Scottish ministerial appointees will have this privilege but we would make a plea for existing Sub-CPAC members, many of whom currently make a valuable contribution to the Children’s Hearings System, to also be considered for membership of the AST in view of the skills and experience which they have built up, in some instances over many years, and which would be an asset to the AST particularly during and immediately after the period of transition. We would also welcome clarification on whether or not ASTs will have the power to co-opt additional members if required, for example, to assist with recruitment, etc.
- **Paras. 1.13 and 1.14** – We heartily endorse the proposal that, as far as possible, the skills and experience of those local authority employees who currently support the Children’s Hearings System should be retained. The level of support provided by current paid local authority staff is vital to ensuring that volunteers are able to fulfil their roles and responsibilities. The terms of any Service Level Agreement agreed between the National Convener and individual local authorities will need to clearly define the minimum levels of support to be provided to the AST in order to ensure that ASTs and panel members across the country are equally supported and, in particular, clarify the reporting lines/levels of accountability between the Clerk, the Area Support Team and the National Convener. The local authority’s responsibility for any financial support to the Children’s Hearings System locally should also be acknowledged.

### **Area Support Teams – The Role of Members (pages 17 and 18)**

- **Para. 3.1.3** - We endorse the proposal in para. 3.1.3 to minimise potential conflicts of interest among local authority nominees on ASTs.
- **Para. 3.1.5** – We would support any proposals which will ensure that the members of ASTs have a wide range of practical and relevant experience to enable them appropriately to undertake their roles and responsibilities. We welcome the proposal that full guidance on recruitment to vacancies on Area Support Teams will be developed in order to ensure that the process is open and as transparent as possible and that individual AST members are recruited solely on the basis of the skills and experience which they can bring to the Hearings System. We presume that the National Convener will have a role in formally appointing members of ASTs in the way in which Scottish Ministers do at present in relation to CPAC members.
- **Para. 3.1.6/**

- **Para. 3.1.6** – We welcome the proposal that functions will be delegated to the Area Support Team as a whole rather than, for example, solely to the Chair. We would welcome clarification on whether it is proposed that the children’s panel member who will be a member of the AST will also be expected to fulfil the current “Panel Chair” functions.
- **Para. 3.1.7** – At present, Panel Chairs and, indeed Depute Panel Chairs, provide both pastoral support and advice to panel member colleagues. They also, at present, often have a role in dealing with complaints at the first stage which can often be resolved amicably without resorting to formal procedures. This arrangement works well in practice and we feel that there is a strong case for this to be retained at the informal level. We would also mention, under this paragraph, that, at present, the Panel Chair and two Depute Panel Chairs are invited to attend CPAC meetings in Fife and that therefore there may be benefits in more than one panel member representative being appointed to the new AST, particularly in view of the likely number of panel members for which the AST in Fife will be responsible.
- **Para. 3.1.10** – We welcome the proposal for the development of specific role definitions for AST members.
- **Para. 3.1.11** – Again, this may be a matter of wording but we would propose that members of ASTs should be “required” rather than simply “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.

#### **Fife (pages 26 and 27)**

- **Para. 9.5** – We endorse the statement in this paragraph that, while it is proposed that Fife should be a stand alone AST, the National Convener expects the Area Support Team to take an outward facing approach in terms of learning from and adopting good practice from other Areas. We would very much welcome any opportunities in this regard in order to build on the high standards which we presently strive to achieve, maintain and, where appropriate, improve upon.
- **Para. 9.8** - As stated previously, we welcome and appreciate the proposal that Fife should be established as a single AST. However, we wish to highlight our views concerning the proposed number of members of the Fife AST which we feel should be at least ten in order to ensure that an appropriate level of monitoring can be undertaken. The time involved in monitoring panel members at the current level of at least twice per year should not be under-estimated. Each monitoring session can take the best part of a day to complete including attending the hearing, travelling to and from the hearing centre and completing the relevant observation/monitoring forms.

#### **Conclusion (page 44)**

- **Para. 22.4** – We wish to endorse the statement in this paragraph that the support of local authority Clerks and administrative staff is critical to the successful establishment and operation of Area Support Teams. As stated previously in our response, we very much hope that in negotiating Service Level Agreements between the National Convener and local authority Chief Executives, there will be opportunities to maintain some level of continuity in the staffing support which is presently provided to the CPAC and which will hopefully be provided to the AST. Existing working relationships between paid staff and volunteers in Fife are well established and very much valued and respected by all those involved.

