

CONSULTATION ON PROPOSALS FOR THE ESTABLISHMENT OF AREA SUPPORT TEAMS

RESPONSE BY HIGHLAND COUNCIL

Introduction

The Highland Council welcomes the opportunity to respond to the consultation, by the National Convener Children's Hearings Scotland, on the establishment of Area Support Teams under The Children's Hearings (Scotland) Act 2011 which aims to improve the lives, outcomes and opportunities of Scotland's most vulnerable children and young people

The act has created a National Convener to lead a new organisation, Children's Hearings Scotland, and will require the introduction of new Area Support Teams (ASTs) in collaboration with local authorities, to replace the existing Children's Panel Advisory Committees (CPACs).

It is understood that the Convener intends 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 appointments. The Convener will also appoint the AST chairs.

The Council agrees with the National Convener's goal to streamline arrangements and to ensure 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. The Council also fully endorses the links made to the outcomes of the Christie Commission and the need for more collaboration across local authority boundaries in order to improve outcomes, improve efficiency and support shared service arrangements. These principles should be applied in considering the arrangements for establishing Area Support Teams. In undertaking this review it is also necessary to acknowledge the expertise that exists within the current system and to ensure that this can be fully utilised under the new arrangements.

It is noted that the National Convener must appoint as members of the 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 the number of members nominated by a local authority is no more than one third of the total members

It is also noted that it the National Convener's intention is to seek the continued support of local authority staff who currently support the CPACs

and to negotiate a service level agreement with local authorities to transfer the role and functions of CPAC Clerks to ASTs.

The Highland Council's response is intended to be positive and supportive to the introduction of the new arrangements. However there are a number of areas where careful consideration is required to ensure that new arrangements are robust, efficient and reflective of local circumstances and challenges across Scotland.

Area Support Teams – The Roles of Members

- 3.1 The experience and knowledge of existing CPAC members will provide a valuable resource for the new ASTs and, where members are prepared to transfer then this should be supported. However, within the Highland CPAC it is understood that not all CPAC members will want to transfer and this will present a risk in terms of the experience and knowledge available to the new AST.
- 3.1.2 Highland Council currently nominates three elected members to sit on the CPAC. It appears that this representation may reduce in the future however the Council will make a strong case that, given the geographical size and diversity of the Highland area the National Convener should give serious consideration to retaining at least two Highland Council nominees on the new AST and, if Highland and Moray do merge then Highland Council should still be able to nominate two persons and Moray one, bringing the local authority representation up to three.
- 3.1.3 The potential for a conflict of interest for some elected members is noted and it is agreed that Council's should seek to make nominations of those who are interested in the role and who do not hold senior roles in relation to the scrutiny of social work services.
- 3.1.4 The point about 'sufficient other persons' is noted and the Council would reiterate here the need for persons with an interest in the work of the Children's Panel and relevant experience that they can bring to the role. It is essential that a 'Role Description' is developed for members to ensure recruitment is to agreed criteria.
- 3.1.5 The Council agrees with the proposals outlined in the consultation.
- 3.1.6 The Council would envisage that the members transferring from the CPACs would, in the first instance, have the experience and skills to undertake this role. However it is understood that this decision rests with the National Convener. In Highland it has also been beneficial to have a Depute Chair in order to deal with the number of meetings required and the geographic area covered by the CPAC. It is recommended that the National Convener gives this consideration, particularly if Highland and Moray do merge into one AST.
- 3.1.7 The Council agrees that roles could be compromised if members have to deal with both pastoral support and complaints and that, for this reason, these roles should not be undertaken by the same members.
- 3.1.8 The Council agrees with the proposal to ensure that there are sufficient members within each local authority area to provide support to panel members.

- 3.1.9 The Council notes that further clarity will be provided on the complaints procedure as part of the development of national standards and that this will draw on existing good practice.
- 3.1.10 The Council agrees the role definitions are needed for AST members and will support effective recruitment, appointments and training for members to ensure that the desired outcomes are achieved from the new teams.
- 3.1.11 The national training programme for AST members is welcomed and will ensure there is consistency between teams. While it is the intention to do this training in Spring 2012 this may be an ambitious timescale, dependent on when the appointments to the new AST are made and how many CPAC members transfer. The National Convener may have to consider flexibility in the delivery and format of the training to account for the more intensive induction training that would be required by new members.
- 3.1.12 The Council welcomes the monitoring arrangements proposed and that role definitions will be used to monitor the performance of AST members and that this will be reported in the annual report.

Highland and Moray

The Highland Council would make the following representations in respect of the proposed Highland & Moray AST:

- The National Convener recognises the disparate geography within the Highlands but the proposal to bring together Highland and Moray has the potential to increase travelling times and distances for members. It is not clear how the proposed structure will not lead to increase travelling for members and panel members
- It is accepted that there has been a history of collaboration between Highland and Moray and that the proposed structure would consolidate this partnership working and have the potential to make the support arrangements more efficient with Highland and Moray being able to share resources to undertake the work needed to support the new AST.
- If Highland and Moray are to be brought together then the minimum number of local authority nominees should be three – two from Highland and one from Moray. Given the geographic size of the area the Council believes this is the minimum number that should be considered and would draw on the existing experience and knowledge held by local authority members.
- It is not clear what hours would be required to support the AST. The consultation refers to one Clerk but it is presumed this is not a full time role. Again it is important that the role of the Clerk to the AST is clearly defined and it is assumed that the role will change as training and recruitment are undertaken by Children's Hearing Scotland, rather than at a local level. Also a clear service level agreement, supported by appropriate resourcing, need to be agreed with local authorities providing the Clerk for the new ASTs.

