

# Children's Hearings Scotland Board

Minute of the Board meeting held on 21<sup>st</sup> November 2011– 3.30pm at Compass House, Dundee.

**Present:** Craig Spence, Chair  
Brian Baverstock, Board member  
Alastair Hamilton, Board member  
Andrew Thin, Board member  
Linda Watt, Board member

**In attendance:** Bernadette Monaghan, National Convener, CHS  
Ravinder Carothers, Support Officer, CHS  
Franck David, Administrative Support (minute taker), CHS  
Kit Wyeth, Scottish Government  
Fiona Greig, SCRA

The meeting opened at 3.30pm.

018 1.1 **Welcome**

The Chair welcomed everyone, particularly Franck David a new addition to the CHS staff and Fiona Greig who was an observer, but will join CHS as Director of Finance and Corporate Services in December.

019 1.2 **Apologies**

No apologies were noted.

020 1.3 **Declarations of Interest**

No interests were declared in relation to agenda items.

021 1.4 **Minute of previous meeting held on 20<sup>th</sup> September 2011**

The minutes of the meeting held on 20<sup>th</sup> September 2011 were approved and will be posted on the CHS website.

021 1.5 **Matters arising**

**Move to Ladywell House**

Ravinder Carothers informed the Board that:

- IT equipment and furniture had been delivered to the new premises.
- the entry date to the new accommodation was scheduled for w/c 28 November 2011.
- He would shortly undertake a site visit to Ladywell House to assess the situation and finalise any outstanding issues.

022 1.6 **Action log**

Board members noted that no Action Log had been circulated and asked that the Action Log be updated and circulated to the Board prior to meetings.

**Action:** Action Log to be updated and circulated with papers as a standing item in future.

## 023 1.7 National Convener Update

The National Convener introduced paper CHS1112-012

### **Area Support Teams (ASTs)**

The National Convener said that she had ongoing discussions with David Hume and Professor George Irvine CBE to develop her expertise on the work of local authorities in order to address issues they raised following the recent consultation on ASTs.

The National Convener informed the Board that she will be presenting a paper to the Implementation Programme Board at its meeting on 30<sup>th</sup> November 2011, the purpose of which was to provide detailed answers to the points and questions raised by local authorities in light of the consultation on ASTs.

The National Convener further informed the Board that she had upcoming meetings with several Local Authorities and with COSLA as part of the ongoing work of securing all local authorities' agreement to the new proposals by end of January 2012.

### **National Standards**

The National Convener outlined the eight high level standards contained in the draft consultation paper on National Standards together with her vision and values for the new national panel.

The Board agreed to request from the National Convener an updated draft for consideration at its next meeting on 6<sup>th</sup> December.

As part of the discussion on undertaking public consultations, a Board member suggested a standard approach which would be of mutual benefit to both the Board and the National Convener whereby:

- the National Convener - and his/her staff - would draft the consultation and seek advice from the Board as he/she sees fit.
- the National Convener would circulate the draft consultation document to the Board for consideration in advance of meetings.
- the discussion by the Board on draft consultation would be minuted as part of a formal Board Meeting.
- The National Convener would finalise the consultation and launch the publication as he/she sees fit.

This was agreed to by the Board and the National Convener.

Further, the Board asked the National Convener to provide:

- a detailed action plan that can be referred to to measure progress on ASTs and National Standards, covering the period until end of January 2012; and
- a detailed action plan with milestones covering the period until September 2012

It was agreed that both plans would be circulated to the Board in advance of its next meeting on 6 December 2011.

In addition, a Board member cautioned against having the panel process being validated by external inspection.

### **Training**

The National Convener explained that she has continued to work with the Scottish Government Sponsor Team and the Children's Hearings Training Units through the National Training Consortium to look at the best way of delivering training to panel members and further, that she would take over the training functions in January 2013.

The Board asked the National Convener to circulate a detailed paper on options for training provision and associated risks. This paper should identify the fundamental principles such as competition law, contractual issues, specifications and options. The National Convener said that she would present this paper to the Board at its meeting in January 2012 or by February at the latest to allow it to make a decision on this matter.

It was discussed and agreed by the Board that, as part of this process, legal advice would be sought to ensure that all options were fully and appropriately considered.

### **Feedback Loop**

The National Convener said that she had ongoing discussions on this matter with the Scottish Government and SCRA to identify what was feasible and where gaps might be, with the view that the feedback loop should be realistic and workable.

### **Independent Legal Advice**

The National Convener said that an individual has been identified and will join CHS in February 2012 for a six months secondment to assist with the development of options and arrangements for Independent Legal Advice. This was welcomed by the Board, particularly in light of increased successful appeals against panel decisions.

A Board member asked whether there would be a consultation on the specific aspect of independent legal advice and the National Convener agreed to reflect on this.

The Board noted paper CHS1112-012 by the National Convener.

**024 1.8 Chair update**

The Chair gave an update on his work since the last meeting of the Board. He had:

- Attended the Children in Scotland Annual Conference,
- attended Action for Children “Roots of Empathy” launch
- been to the Children’s panel Long Service Awards
- Took part in a Public Appointments workshop

**025 2.1 Shared Services**

Ravinder Carothers introduced paper CHS1112-013, updating the Board on Shared Services. He confirmed that:

- the figure for shared services with SCRA for the year 2011-12 included a 30 days development drawdown period,
- the contingency fund in the ISIS provision had not been used and therefore represents a saving,
- CHS budget for corporate services for 2012-13 amounted to £300,000.

A Board member asked that the recommendation whereby CHS will carry out all finance functions in-house (excluding payroll) be tested.

**Decision**

The Board noted progress in the provision of shared services to CHS and agreed that further work be undertaken to test which Finance functions could be outsourced to a partner organisation and which should remain in-house.

**026 2.2 Audit and Risk Management (ARM) Committee Terms of Reference**

The Board considered paper CHS1112-014

Members discussed the proposed terms of Reference for the CHS ARM Committee, as recommended for approval by the ARM at its previous meeting .

There was a discussion around options of Terms of Reference, particularly regarding CHS not adopting the Scottish Government’s model terms of reference.

The Chair of the Audit and Risk Management Committee advised the Board that the terms of reference had been discussed at the previous ARM committee meeting and gave assurance that they went beyond the Scottish Government’s model and fully complied with it.

**Decision**

The Board approved the terms of reference of the Audit and Risk

Management Committee and further agreed that they be reviewed after 12 months.

**027 2.3 Audit and Risk Management Committee minutes**

**Decision**

The Board noted the unapproved minutes of the Audit and Risk Management Committee meeting of 20th September 2011.

**028 2.4 CHS Board Programme of Business**

The Board considered paper number CHS1112-016, which outlined the proposed programme of business between November 2011 and early 2013 and covered areas of business such as financial activities, meeting dates, deadlines, discussions and approval of policies.

A Board member requested that detailed budget figures for 2011-12 should be brought to the meeting on 6<sup>th</sup> December.

**Decision**

The Board approved its forthcoming programme of business with the following amendments:

- an updated programme of business should be circulated to the Board before its next meeting on 6<sup>th</sup> December taking into account any pieces of work and reports identified during the course of this meeting
- the Board will meet monthly until September 2012 and this should be reflected accordingly in the updated paper
- The ARM committee should have reference to internal and external audit
- detailed budget figures for 2011-12 should be brought to the meeting on 6<sup>th</sup> December

**029 3.1 Corporate Plan**

Bernadette Monaghan introduced paper number CHS1112-017 outlining the timescales and processes associated with production of the CHS Corporate plan.

The Board agreed that the content of the Management Statement should be used as an initial basis for developing the values of the organisation. The National Convener confirmed that she and her staff would populate the Plan into a high level corporate plan setting out standards, indicators and the overarching framework. In particular, Scottish Government's National Outcomes would be incorporated into the Plan.

A Board member asked the National Convener how easy it would be to achieve collaboration with SCRA and the response was that both organisations shared common values and that links were already established. The National Convener further indicated that she was keen to liaise with Children's Hearing Improvement Partnership (CHIP) to work with local authorities' social services.

The Board sought assurance as to whether sufficient resources were available to produce a meaningful corporate plan. The National Convener gave assurance that this would not be an issue. The Board was reminded that the corporate plan is a 3 years standing document that only needs to be refreshed to reflect changes annually.

The National Convener also reminded the Board that the Corporate Plan had to be presented for approval by the Minister by the end of March 2012.

**Decision**

The Board approved the timetable for the preparation of the corporate plan as well as the forward work to be done to prepare it.

Further, the Board agreed that, subject to confirmation of timescales from the Scottish Government, a final draft corporate plan should be presented to it for consideration by the end of February 2012 to allow the Minister to approve CHS plan by the end of March 2012.

**030 3.2 Memorandum of Understanding (MoU) with SCRA**

Bernadette Monaghan introduced paper 3.2 outlining the draft MoU with SCRA which had been developed jointly.

The National Convener spoke about the good channels of communication with SCRA as well as the legitimate areas of joint working with them and, at the same time, the requirement that each organisation must be independent from each other.

A Board member queried the need for having such a formal, written MoU with SCRA when agreements between both organisations' Chief Executive could be reached informally. The member also queried whether the MoU could raise issue in relation to ECHR.

**Decision**

The Board approved the MoU between CHS and SCRA *in principle* and asked that the compliance with ECHR and the need for a formal written MoU be legally tested.

The Chair thanked all those present for their contribution and said that the next meeting of CHS Board would take place on 6 December 2011.

The meeting closed at 5.13pm

Signed by ...Craig Spence.....

Date:...7/12/11.....