

CONSULTATION QUESTIONS

1. For draft Regulation 3, do you agree with the proposed arrangements for the recruitment and selection of members of the Safeguarders Panel?

Comments Yes, provided the process is open and accountable at all stages.

2. In respect of draft regulation 5(2) and 5(3), do you agree with the suggested prerequisites for appointment to the safeguarders panel?

Comments No. There is a risk of losing considerable existing safeguarder expertise. The pre appointment training is the problem area. If an experienced safeguarder has prior commitments (such as court diets of proof) and cannot attend the specific days offered for training they cannot continue as Safeguarders under the proposed Regulations. A solution is to allow appointment to the "new" Panel of Safeguarders by existing Safeguarders (certainly those with a level of experience) with a provision they must complete the appointment training within a specified time period which can only be extended on reasons of good cause shown to the Scottish Ministers. I am not impressed with the phrase referring to a "general appetite to retain existing experience" and if there is a genuine appreciation of the work many long serving Safeguarders have done over many years this should be made clear and appropriate provisions made to ensure the expertise can continue for the benefit of vulnerable young persons and children and to assist with the training of newly appointed and less experienced safeguarders

3. In respect of draft regulation 5(4), do you agree with the proposed classes of persons disqualified from appointment, or from continuing as a member of the Safeguarders Panel?

Comments Yes.

4. Based on draft regulation 7(1) & 7(2), do you agree with the basis on which the Scottish Ministers must appoint and reappoint a person as a member of the Safeguarders Panel?

Comments Yes.

5. In considering draft regulation 7(4), do you conclude that the grounds on which a person may be removed from the Safeguarders Panel are sufficiently wide?

Comments Yes. The use of the word "conduct" is particularly relevant.

6. Do you support the requirements set out in draft regulation 8 – that mean that members and prospective members of the safeguarders panel must attend (and successfully complete) training required by the Scottish Ministers?

CommentsSee my comments at 2.

7. Do you support the proposals set out at draft regulation 10 for the payment of fees, expenses and allowances to members and potential members of the Safeguarders Panel?

CommentsYes.

8. Do you agree with the proposed arrangements set out at draft regulation 11(4) and (5) for the monitoring and assessment of the performance of members of the safeguarders panel? Are they realistic and proportionate?

CommentsI agree with monitoring and that can take place at Children's Hearings and Court. Otherwise I do not consider observation either realistic or proportionate. We must ensure the welfare of the child is foremost and observation when a safeguarder is for example meeting certain family members could be an intrusion. There are other methods of monitoring than direct observation.