

The Children's Hearings (Scotland) Act 2011 Safeguarder Panel Regulations 2012



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

The Moray Council

Title Mr Ms Mrs Miss Dr *Please tick as appropriate*

Surname

Robertson

Forename

Greg James

2. Postal Address

Council Headquarters

High Street

Elgin

Postcode **IV30 1BX**

Phone 01343 563637

Email greg.robertson@moray.gov.uk

3. Permissions - I am responding as...

Individual

/ Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate Yes No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate Yes No

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?

Yes, on the assumption that reference to “other bodies as the Scottish Ministers consider appropriate” at regulation 3 (2)(b) include local authorities which currently maintain a Panel of Safeguarders.

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

Yes.

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?

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?

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?

The word “inability” is not a recognised term in Scots law – perhaps “incapacity” would be more appropriate?
It may also be prudent to widen the scope of this regulation further by including “removed from the Safeguarders Panel for any other reason as the Scottish Ministers consider appropriate”.

In addition, in the interests of completeness, it may be helpful to refer to regulation 6 (b) here too i.e. removal from the Panel where they are notified that the person is barred from working for children by virtue of the Protection of Vulnerable Groups (Scotland) Act 2007.

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?

Yes. However, I would expect that training would be provided across Scotland and not at one location, for example in Glasgow/ Edinburgh/ Perth.

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?

Yes.

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?

Yes.

Further observations:

- I note that regulation 5(2) (a) mentions “key competencies”. However, this is not defined anywhere in the Regulations. What are key competencies?