

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

SCOTTISH ASSOCIATION OF CHILDREN'S PANELS (S.A.C.P.)

Title Mr Ms Mrs X Miss Dr Please tick as appropriate

Surname

MCGROARTY

Forename

ANGELA

2. Postal Address

ELM HOUSE

64 CANNIESBURN QUADRANT

BEARSDEN

Postcode G61 1RW

Phone

Angela-mcgroarty@sky.com

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?**

The Scottish Association of Children's Panels (S.A.C.P.) welcomes the opportunity to respond to the above Consultation document and submits the comments below by way of response. Since these have been laid out in the form of eight questions, we will answer and comment in the same format.

SACP fully agree that the recruitment and selection of those who will be members of the Safeguarders Panel must be through a consistent and transparent process. However, the statement which reads, "The regulations identify ways in which Scottish Ministers *may* recruit..." should be changed to '*must*'. Any advertising programme must be done on a nationwide and not selective basis, as with other recently advertised posts, so that it can be open to all and with transparent voting schemes. One Scottish current Area feels that this recruitment should not draw from Social Work Services as there may be some bias in views or conflict of interest with regards to general beliefs, views, etc.

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

Regulation 5(2) provides that only those who are capable of meeting the key competencies and have experience considered appropriate can be appointed. How are suitability and skill levels to be assessed and what is to be considered comparative experience? How also will those overseeing ensure that those already in practice follow training guidelines and not revert to old ways? How will standards be assessed and who will monitor?

- 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?**

We presume that ex members of the quoted organisations will be eligible to apply.

- 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?

If concerns exist about a Safeguarder and their performance/ability, what processes would be in place to address such issues? Hopefully the National Body will be freer to make independent, less personal decisions.

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?

As for Question 4.

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?

There was much discussion regarding this question. All in all, the common belief was that training **must** be both pre- and in-service, ongoing throughout the member's term of office. We would like clear note of what this training would consist of and who would deliver it. Added to this is the question once more of monitoring standards. Two days is not sufficient for all the necessary components of the job. Training (again pre- and in-service) is necessary to teach/develop skills not just in eliciting information but methods of presenting this in report format where the contents have been analysed and there are recommendations to offer the Hearing the best possible advice, so the 'course' should include report-writing skills, sometime rather lacking.

Where the statements indicate "should", this needs to be replaced again by '**must**' otherwise training, standardisation, etc is left too open. There is no need for flexibility. This Panel is to be a national organisation. There should be the same training and standards. These must be consistent, solid and open to scrutiny – national standards. There must be a standardised process laid down and these standards require to be professional, especially as it is a paid service.

There is also a need for reports to be presented and recorded in a way that is accessible to families and Panel Members. The current format varies widely. A standardised format needs to be developed which allows for all views, etc to be added in and not just a series of boxes whereby information is moulded to fit. There should be clear recommendations and reasons for

these.

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?

We agree with the comments associated with this question.

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?

There were some mixed feelings regarding this area. While, as stated previously, SACP firmly believe that Safeguarders do require to be monitored, there was some debate as to how this may be achieved. As Panel Members we strive to keep numbers to a minimum at Hearings for the benefit of the child and families so that they may feel more confident to give their views. It was felt that this monitoring and assessment should be done randomly (as with Panel Members) and a report produced. The assessor and the Safeguarder should then go through this and question how any particular conclusions, etc were reached. For example, a Safeguarder could be excellent at gathering information but not as good at imparting this. It was felt too that Panel Members should have the authority to use the 'Comments Book' to alert, in a constructive fashion, both positive and negative comments to be addressed.

With regards to reasons given for the usage of a Safeguarder the body should have the power to analyse Panel Member requests and send these back to the Panel if directions are not clear enough. In this area, Panel Members need to be very explicit in their requests for further information to the Safeguarder.

In conclusion in this area, it is very important for Safeguarders, indeed all in the system, to be monitored regularly, but the outstanding query is by whom and what standards would be set to assess the quality and content of any reports? Monitoring of Safeguarders can realistically only happen through the quality and content of reports. From the end product, it is normally possible to recognise how much work, consultation and reflection has taken place in order to produce the report.

As an organisation, where it's members are heavily involved in requesting the skills and knowledge of the Safeguarders, we appreciate the difficult task they undertake and are very grateful for the clear insight into a case

that the finalised report gives us. We look forward to working with them into the future under the banner of their independent organisation.