

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

East Lothian Council

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

Surname

Forename

2. Postal Address

John Muir House

Brewery Park

Haddington

Postcode EH41 3HA

Phone 01620 820118

Email

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

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

Re draft regulation 5(2) The proposals under consultation suggest that Safeguarders should have “appropriate” experience and certain key competencies. However there is no mention of having a knowledge base e.g. child development, attachment etc. which we would have thought should have been included.
We support the pre-requisite for training under draft regulation 5(3)

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 provided the issues relating to local authority members are dealt with through contract arrangements and a code of conduct

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?

We welcome the flexibility to re-appoint for a shorter time period

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 old criteria for removal of a Safeguarder from the Safeguarders Panel were if someone were “unable, unfit or unsuitable to continue to carry out the functions...” The new criteria are slightly different –“: unfit ...by reason of inability, conduct or failure without reasonable excuse to comply with any training requirements imposed by Ministers.” We have a hesitation about the word “conduct” on its own – would this cover omissions as well as commissions?

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

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, to achieve national consistency

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?

We support the proposed arrangements to include both monitoring the quality of reports and observing safeguarders carrying out their role.