

# 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

Association of Chief Police Officers in Scotland

Title Mr  Ms  Mrs  Miss  Dr  Please tick as appropriate

Surname

Moffat

Forename

Allan

### 2. Postal Address

ACPOS

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Phone 0141 435 1230

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### 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?**

ACPOS support the Scottish Government proposal regarding recruitment. In particular, the intention to be in keeping with the requirements for public sector appointments. ACPOS agree with the intention to ensure the independence 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?**

ACPOS agree the proposals under draft Regulation 5(2) and 5(3), in particular, to ensure common standards to all Safeguarders across the country. The protection of the rights of children must remain at the centre of the process and allow for independent people, with the best skills to meet the needs of children, to become 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?**

In accordance with the answer provided at question 1, ACPOS welcome the intention to retain the independence of Safeguarders. We acknowledge that Regulation 6 includes reference to the Protection of Vulnerable Groups (Scotland) Act 2007.

**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?**

ACPOS would agree that consistency in the periods of appointment between Panel Members and Safeguarders is a sensible suggestion.

**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?**

ACPOS agree that it is essential to build in contingencies to remove an individual from the Safeguarders Panel. It appears to be a reasonable proposal that this responsibility should sit with Ministers in light of the previous measures to ensure the independence of Safeguarders at both a local and national level.

**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?**

ACPOS welcome the plans to ensure that all Safeguarders are trained to the same standard, regardless of the previous background or experience. We would welcome the inclusion of GIRFEC as part of this training programme.

**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?**

ACPOS have no comment to make in respect of this question other than to acknowledge the intention for consistency across the country is sensible and in keeping with the wider proposals being made.

**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?**

ACPOS agree that performance assessment is essential in the best interests of the children we seek to protect. We agree that the monitoring arrangements need to be realistic and proportionate and would suggest that this is closely linked to the planned training. Where a performance issue is identified it should be considered whether there is a training need which can address this. Again, we welcome the plans for national assessment standards to be agreed to ensure consistency across the country.