



Social Work Resources
Executive Director **Harry Stevenson**

Iain Fitheridge
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Children's Hearings Team
The Scottish Government
Victoria Quay
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Our ref: KMcG/LK
Your ref:
If calling ask for: Katrina McGowan
Phone: 01698 453925
Date: 8 December 2011

Dear Sir/Madam

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

Thank you for the opportunity to provide comments on the Consultation the Children's Hearing (Scotland) Act 2011, Safeguarders panel Regulations 2012. We hope that the comments provided by South Lanarkshire Council, Social Work Resources will assist with the development of the regulations for the Safeguarders Panel.

Yours sincerely

Harry Stevenson
Executive Director

Enc:

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INVESTOR IN PEOPLE

**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

Social Work Resources South Lanarkshire Council

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

Surname

McGowan

Forename

Katrina

2. Postal Address

Social Work Department
Floor 9 Almada Tower
Almada Street
Hamilton

Postcode ML3 0AA Phone 01698453925 Email

3. Permissions - I am responding as...

Individual Group/Organisation

Please tick as appropriate

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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 proposed arrangements for the recruitment and selection of members of the Safeguarders Panel will ensure an open and transparent process while allowing for flexibility in nominations being made by Ministers. It may be helpful to consider retaining a bank of back up safeguarders in order to meet any unplanned deficit in demand.

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

We do agree with the prerequisites for appointment already laid out however it will also be important that safeguarders possess qualities in relation to:

- Professional integrity and self confidence to be able to share conclusions, report content and recommendations with the child, their parents/carers and other agencies.
- The ability to construct a comprehensive written report which includes analysis of the facts and keeps the child's long term needs at the centre of any recommendations.
- Have the courage and ability to raise and confront difficult issues and the ability to recognise their relevance.

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?

The classes of persons identified for disqualification from appointment, or from continuing as a member of the Safeguarders Panel will assist in ensuring that potential conflict of interests do not arise and will support the ongoing integrity of the safeguarders role. We welcome the development of a code of conduct for safeguarders and this will assist to ensure clarity of role and responsibilities. This will ultimately ensure that child's needs are kept at the centre of the decision making process.

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?

It will become the responsibility of Ministers to remove individuals from the safeguarders Panel and the criteria identified is in line with those currently

identified in the Children's Hearing (Scotland) Act 2011:

- Inability
- Conduct
- Failure without reasonable excuse to comply with any training required

We agree with the national management of the proposals for removal of safeguarders and confirm that this will ensure a more consistent approach across the Hearings System.

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?

We would support the requirement that members and prospective member of the Safeguarders panel must attend and successfully complete the training that is required to be undertaken. The training provided to safeguarders is the key to achieving and maintaining good standards across Scotland. It will be important to provide training that is up to date and sets in context the impact that children's circumstances have upon their development and the impact of any decision taken will have with regard to their long term outcomes. We would like consideration given to training in the following areas:

- Permanency Planning.
- Attachment and resilience.
- Communication with Children including those with disabilities.
- The current research which highlights that children and young people outcomes will be better if they are supported within their own communities.

It will be important to build in a personal professional development element to the safeguarders role.

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. It would be helpful to -consider a travel and subsistence policy which provides a consistent approach to re-imbusement.

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?

It will be important to triangulate the training delivered to safeguarders with the views of families and children with regard to the intervention of the safeguarder and any issues raised by local authority staff. Ongoing

monitoring of these elements will assist with overall self evaluation of the service delivered by safeguarders.