

Public Board meeting - 26 November 2024

Tue 26 November 2024, 10:00 - 12:00

Conference Room 2, Thistle House, Edinburgh and Via Microsoft Teams



Agenda

10:00 - 10:00 **1. Welcome & Apologies**

0 min

Verbal *Chair*

 1. Board Agenda November 2024.pdf (2 pages)

10:00 - 10:05 **2. Declaration of Interests**

5 min

Verbal *Chair*

10:05 - 10:10 **3. Approval of Minute from the Meeting on 17 September 2024**

5 min

Paper *Chair*

 3. CHS-2425-23 Board Minute September 2024 DRAFT.pdf (6 pages)

10:10 - 10:15 **4. Action Log Update**

5 min

Paper *Chair*

 4. CHS-2425-24 Board Action Log - November 2024.pdf (1 pages)

FOR INFORMATION AND DISCUSSION

10:15 - 10:25 **5. Chair Update**

10 min

Verbal *Chair*

10:25 - 10:35 **6. PaCC Chair Update**

10 min

Verbal *JD*

10:35 - 10:45 **7. ARC Chair Update**

10 min

Verbal *SA*

10:45 - 10:55 **8. National Convener / CEO Update**

10 min

Paper *EJ*

For consideration and approval

 8. CHS-2425-25 National Convener CEO Update.pdf (8 pages)

10:55 - 11:05 **9. Finance Outturn Report 24/25**

10 min

Paper *JMac*

For consideration and approval.

 9. CHS-2425-26 Finance Outturn Report 24-25.pdf (2 pages)

11:05 - 11:15 **10. 5 Year Financial Plan 2025-26 Update**

10 min

Paper *JMac*

For consideration and approval.

 10. CHS-2425-27 5 Year Financial Plan 2025-26 Update.pdf (3 pages)

11:15 - 11:25 **11. Recruitment and Capacity Planning**

10 min

Paper *JO'L / LH*

For information and approval.

 11a. CHS-2425-28 Recruitment and Capacity Planning Nov 2024.pdf (5 pages)

 11b. CHS - 2425-28 FC Letter to KK from SA 25.11.24.pdf (1 pages)

11:25 - 11:35 **12. Board Standing Orders**

10 min

Paper *JMac*

For information and approval.


 12. CHS-2425-29 Board Standing Orders Nov 24.pdf (8 pages)

11:35 - 11:45 **13. Board Workplan 2025 - Draft**

10 min

Paper *JMac*

For consideration and approval.

 13. CHS-2425-30 Board Work Plan 2025 DRAFT.pdf (5 pages)

11:45 - 11:50 **14. AOB**

5 min

Verbal *Chair*

11:50 - 11:50 **15. Date of Future Meetings**

0 min

Verbal *Chair*

21st January 2025 - TBC

BOARD MEETING

3rd Meeting 2024/25

26th November 2024, 10:00 – 12:00, Thistle House/Microsoft Teams

AGENDA

| Item | Timings | Topic | Lead | Paper Number | Purpose |
|------|---------|--|---------|--------------|---|
| 1. | 10:00 | Welcome & Apologies | Chair | Verbal | |
| 2. | 10:00 | Declaration of Interests | Chair | verbal | To consider any declarations of interests regarding agenda items |
| 3. | 10:05 | Approval of Minutes from the Meeting on 17 September 2024 | Chair | CHS-2425-23 | To approve the minutes of the previous meeting |
| 4. | 10:10 | Action Log Update | Chair | CHS-2425-24 | To monitor progress against actions due and agree action where required |
| 5. | 10:15 | Chair update | Chair | Verbal | For information and discussion |
| 6. | 10:25 | PaCC Chair Update | JD | Verbal | For information and discussion |
| 7. | 10:35 | ARC Chair Update | SA | Verbal | For information and discussion |
| 8. | 10:45 | National Convener/CEO update | EJ | CHS-2425-25 | For consideration and discussion |
| 9. | 10:55 | Finance Outturn Report 24/25 | JMac | CHS-2425-26 | For consideration and approval |
| 10. | 11:05 | 5 Year Financial Plan Update | JMac | CHS-2425-27 | For consideration and approval |
| 11. | 11:20 | Recruitment and Capacity Planning | JO'L/LH | CHS-2425-28 | For information and approval |
| 12. | 11:35 | Board Standing Orders | JMac | CHS-2425-29 | For information and approval |
| 13. | 11:45 | Board Workplan 2025 Draft | JMac | CHS-2425-30 | For consideration and approval |
| 14. | 11:55 | AOB | Chair | Verbal | |
| 15. | 12:00 | Date of Future Meetings | Chair | Verbal | |
| | | 21 st January 2025 | | | TBC |

Next Meeting Key Topics:

21st January 2025

Corporate

- Financial Forecast Outturn 24/25
- Draft Budget 25/26
- Draft Annual Business Plan 25/26
- Q3 Performance Report

Policy/ governance

- PaCC annual work plan
- ARC annual work plan

DRAFT
Minutes of the Board Meeting of 17th September 2024

The meeting started at 13:00 at Thistle House / virtually.

Present:

| | |
|-------------------------|---------------------------|
| Katharina Kasper (KK) | Chair |
| Henry Robson (HR) | Depute Chair/Board Member |
| Jo Derrick (JD) | PaCC Chair/Board Member |
| Sean Austin (SA) | ARC Chair/Board Member |
| Beth-Anne McDowall (BM) | Board Member |
| Katie Docherty (KD) | Board Member |
| Barbara Neil (BN) | Board Member |

Also present:

| | |
|------------------------|---|
| Andrew Watson (AW) | Director for Children and Families (Virtual Attendance Item 9 only) |
| Nick Rougvie (NR) | Children’s Hearings Sponsor Team Lead, SG |
| Elliot Jackson (EJ) | National Convener/Chief Executive (NC/CEO), CHS |
| Lynne Harrison | Director of Tribunal Delivery, CHS |
| Carol Wassell (CW) | Director of Positive Outcomes, CHS |
| Jessica MacDonald (JM) | Director of Business & Finance, CHS |
| Joanne O’Leary (JOL) | Director of People & Culture, CHS |

| Items | Actions / owner | Time- scales |
|----------|--|-----------------|
| 1 | Declaration of interests | |
| | The Chair welcomed everyone to the meeting and confirmed there were no apologies. There were no declarations of interest to note. | |
| 9 | Financial Forecast Outturn & Capital Spending 2024/25 | |
| | <p>JM spoke to the paper shared;</p> <ul style="list-style-type: none"> • JM communicated current financial position and identified where pressures have been reduced due to reduction in pension costs, vacancy management and drawing on cash reserves. • JM confirmed that CHS would be able to continue to deliver its core business but acknowledged that the unusual level of reserves held this year helped to alleviate pressures but that this would not be the case next year. • Forecasts will be reviewed after the recruitment campaign when CHS will make strategic decisions around capacity. <p>AW in attendance to speak about next year’s budget.</p> <p>Board Discussion:</p> <ul style="list-style-type: none"> • SA sought reassurance from SG that the Board would not be asked to sign off a budget with significant level of unmet pressures next year. Noted the risks associated with that. | |

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| <ul style="list-style-type: none"> AW understood the Board’s concern and acknowledged this was not a satisfactory position for SG either. He will have further information once the UK budget is set on 30 October and the subsequent Scottish budget on 02 December. <p>Board Decision:</p> <p>1. The Board approved the Financial Forecast Outturn & Capital Spending Plan 2024/25.</p> | | |
| <p>2 Minutes of previous meeting</p> | | |
| <p>The Board approved the minutes of its meeting on 25th June 2024.</p> | | |
| <p>4 Matters arising</p> | | |
| <p>No Matters arising were noted.</p> | | |
| <p>3 Action log</p> | | |
| <p>The Chair noted the following in relation to the action log:</p> <ul style="list-style-type: none"> Three actions on the agenda, one not yet due and two are complete. One remaining action to progress <p>Board decision:</p> <p>1. To note the updates to the action log as above.</p> | | |
| <p>5 Chair Update</p> | | |
| <p>The Chair updated the Board on the following;</p> <ul style="list-style-type: none"> The Chair updated the Board on panel observations that took place over the summer period. Chair confirmed it was useful to meet with regional teams and understand the complexity of the decisions panel members make in hearings. Chair wrote a blog to community which was well received. Chair encouraged board members to observe hearings. <p>Board Decision:</p> <p>1. The Board noted the update from the Chair.</p> | | |
| <p>8 National Convener/Chief Executive update</p> | | |
| <p>The NC/CEO spoke to the paper shared;</p> <p>Identified three areas to focus on:</p> <ul style="list-style-type: none"> Noted the success of the recognition lunch attended by volunteers before the garden party. | | |

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| <ul style="list-style-type: none"> Noted the annual review of appeals which shows appeals are down from previous year by 0.5%. EJ praised Panel Members reasons and decisions for such a low number of Appeals to the Sheriff. Noted language leaders will host Town Hall in October which will be attended by OHOV. Expecting high attendance given the importance placed on language in hearings. Invitation to participate extended to Board members. <p>Board Discussion:</p> <p>Recognition</p> <ul style="list-style-type: none"> KD enquired whether funding for recognition events was being withdrawn in response to current fiscal climate. KD noted the positive impact that such events had on panel member retention. EJ confirmed that support for panel members and PPAs, including recognition, would remain unaffected by the current financial restrictions. <p>Appeals:</p> <ul style="list-style-type: none"> KD enquired whether CHS had access to appeals data in respect of reasons for appeals being upheld or not upheld. CW confirmed CHS in receipt of high level data on whether appeals are upheld or not. CHS required access to Reasons for Decisions as this is the information the sheriff uses to make decision on appeal but currently CHS does not have access to reasons for decisions. CW confirmed work was ongoing with SCRA to provide CHS with access to the data it needs for quality purposes. CW confirmed that work EJ is doing through Redesign Board aims to consider whether CHS should become joint data controllers, which should facilitate better data sharing in the future. EJ clarified that there is legitimate interest for CHS to access data on decision as it is critical to quality and improvement. BM noted that she welcomes appeals as a means to protect the right to family life through a fair and robust process. BM would like to see an increased focus on appeals from a quality perspective and noted the importance of protecting and promoting the right to appeal. EJ agreed that appeals were an important part of the quality strategy. HR asked if there were disparities between local authorities in regions. CW confirmed that there was only a 2% difference between regions for appeals. CW confirmed that access to ‘Reasons for Decisions’ is central to the quality and learning strategies in the interest of improvement to the hearings system. Board recognised the critical importance of providing high quality, data-informed training for writing decisions. <p>Recruitment:</p> <ul style="list-style-type: none"> JD enquired about strategic partnerships for recruitment strategy. EJ confirmed there was some ongoing work but CHS looking to expand on this for future campaigns. EJ asked for Scotmid podcast to be shared with board for views on portability of content. <p>Board Decision:</p> <ol style="list-style-type: none"> The Board noted the update. JO will circulate the podcast to the board | <p>JO</p> | <p>Oct 2024</p> |
| <p>6 PaCC Chair Update</p> | | |

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| | <p>JD updated the Board on the following:</p> <ul style="list-style-type: none"> National Convener and CEO’s appraisal and objective were approved by the committee. Acknowledged his hard work, commitment and dedication over the last year and look forward to seeing new objectives being delivered. The 2024-27 People Strategy was approved by the committee and commended CHS commitment to valuing its people, both volunteers and staff. Noted that the committee would receive updates on the People Strategy via dashboards. The committee noted the staff appraisals and annual report, recognised some of the themes and welcomed the actions being taken in response. Approved the whistleblowing policy and confirmed it would return to ARC for testing in November. PaCC welcomed Vicky Strange, Co-Chair of the Team Forum to share synergies between people strategy and Team Forum. Team Forum will look to recruit two new co-Chairs to replace outgoing Chairs. <p>Action</p> <ul style="list-style-type: none"> Whistleblowing Policy to be shared with ARC | <p>JM</p> | <p>Nov 2024</p> |
| <p>7</p> | <p>ARC Chair Update</p> | | |
| | <p>SA updated the Board on the following;</p> <ul style="list-style-type: none"> Prior to ARC meeting SA attended Audit Chairs Network event on new Global Internal Audit Standards. ARC sought, and was given, assurance from internal auditors that they met the new standards which come into effect in April 2025. SA confirmed he had his annual private meeting with internal and external auditors and both confirmed that CHS was engaging positively with audit process and there were no risks or issues to report. ARC received and approved the Annual Report and Accounts 2023-24 and Letter of Representation. ARC welcomed the improvements to the Complaints and Feedback Report sighting improvements to the quality of the data. ARC received a digital update and was assured that progress was being made against cyber security. Auditors noted that Business Continuity testing had not taken place for two years and SA confirmed that it must take place this year. | | |
| <p>10</p> | <p>Impact report</p> | | |
| | <p>JM spoke to the papers shared;</p> <ul style="list-style-type: none"> Impact report was put to the Board for approval. <p>Board Discussion:</p> <ul style="list-style-type: none"> The Board commended the quality of the report and its content. BM reflected that roughly £2billion per year is spent in the care system but not enough is funnelled into CHS where the impact is evident. Tribunal members make decisions that stop potentially negative trajectories, they support and empower infants, children and young people and keep families together. Encouraged CHS to harness the power of the impact report to demonstrate the opportunity to make positive change within the system. | | |

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| <p>Board Decision: 1. The Board approved the Impact Report</p> | | |
| <p>11 Review of SG Framework Agreement</p> | | |
| <p>JM spoke to the paper shared;</p> <ul style="list-style-type: none"> JM presented the annual framework agreement that all NDPS must have in place for governance purposes. <p>Board Discussion:</p> <ul style="list-style-type: none"> The Board did not have additional comments. <p>Board Decision: 1. The Board approved the SH Framework Agreement</p> | | |
| <p>12 Q2 Performance Report</p> | | |
| <p>JM presented the paper for consideration and approval.</p> <p>Board discussion:</p> <ul style="list-style-type: none"> The Board considered the report and noted the following; 50% of panel members are over 56 There is a capacity risk with PPAs as well as panel members <p>Board decision: 1. The Board approved the report.</p> | | |
| <p>13 Quality Strategy</p> | | |
| <p>CW presented the paper for consideration and approval.</p> <ul style="list-style-type: none"> Thanked the author for their work Acknowledged that currently CHS does not have the right processes in place to assure skills and behaviours to deliver consistent quality at a national level. The quality strategy intends to address that gap. A key dependency is having access to the right amount of quality data. An implementation plan will accompany the strategy and there are three key areas to address: <ol style="list-style-type: none"> A shared understanding across CHS about what quality is Standardisation and consistency in our delivery Provide a sector-wide shared understanding about the role of Hearings in the system. <p>Board discussion:</p> <ul style="list-style-type: none"> BM welcomed the strategy. Asked for a child-friendly version and ensure that the voice of the child is involved in assessing impact. BN welcomed the report and was encouraged by the flexibility built into it. SA felt it was a statement of intent rather than a strategy but welcomed the documents and will welcome the implementation plan. SA suggested building in reflective practice into quality. CW confirmed this was being piloted at local levels. | | |

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| | <ul style="list-style-type: none"> SA asked for clarification on how this would be monitored through ARC. CW confirmed this would be done through KPIs. EJ suggested quality could be folded into the auditing cycle. SA welcomed this suggestion. JD welcomed the strategy. Recognised that culture plays a part in the quality strategy. Queried there maybe responsibilities for oversight in other areas of the Board structure. KK welcomed the strategy as a significant milestone for CHS <p>Board decision: 1. The Board approved the strategy</p> <p>Action Present KPIs to ARC</p> | <p>CW</p> | <p>Nov 2024</p> |
| <p>14</p> | <p>Volunteer Recognition Policy</p> | | |
| | <p>LH presented the paper for consideration and approval.</p> <ul style="list-style-type: none"> Recognition is a key component of our retention strategy to meet our capacity challenge. Aim of the policy is to provide guidance and governance that can be applied consistently in respect of volunteer recognition This policy has been developed in conjunction with our Internal Auditors. <p>Board decision: The Board approved the policy subject to minor editing of the wording.</p> | | |
| <p>15</p> | <p>Feedback Loop</p> | | |
| | <p>CW presented the paper for information and discussion</p> <p>The Board noted and discussed the paper</p> <ul style="list-style-type: none"> Considered the role of the chair in monitoring breaches and the degree of consistency across Local Authorities. Recognised the importance of data in helping to inform this, particularly in relation to Reasons for Decisions. <p>The Board approved the paper to go to the minister</p> <p>Action Paper submitted to the minister</p> | <p>CW</p> | <p>Nov 2024</p> |
| <p>16</p> | <p>AOB</p> | | |
| | <p>No AOB</p> | | |

CHS Board Action Log - November 2024

| A/A | Action | Initiated | Target date | Owner | Progress Update | Status | Comments |
|----------|---|-----------|-------------|-------|--|-----------|--|
| 22/23-89 | To bring to the Board a report on the stage gates and implementation of the Learning programme and approach to change. | Nov-23 | Jan-24 | CW | | Completed | This is on agenda for December Private Board Session. |
| 24/25-02 | Board Update on remedial action to support Panel Member capacity/scenarios/options & recruitment phasing - Generating Capacity Paper. | Jun-24 | Sep-24 | LH | | Completed | Generating Capacity Paper on agenda for Dec Board. |
| 23/24-9 | To progress a meeting with AW and the Minister with the Board in the Autumn. | Mar-24 | Dec-24 | EJ | The National Convener met AW on 22 October. AW will be invited to the CHS Board in January for an update in Strategic Finance and investment in CHS. | Closed | Complete. FC will take forward in planning January Board. |
| 22/23-87 | To hold a development session for the Board on the Care and Justice Bill in terms of the forecasted numbers and what it means for us in terms of training and skills PM's need. | Nov-23 | Nov-24 | SB | Push to a Board dev session in the NY when final implementation timescales for the CCJA are announced. FC has added to Board Development Day Schedule. | Closed | In line with movement if implementation, the target date has been moved. |

National Convener / Chief Executive Update

1. Introduction

- 1.1 This report captures a range of organisational activity between the last Board meeting in September 2024 to now. It provides bite sized updates that can be expanded upon during the Board meeting.

2. Our response to the Children's Hearings Redesign Consultation

- 2.1 At the end of October, Children's Hearings Scotland (CHS) submitted its response to the Scottish Government's Hearings Redesign Consultation. The consultation asked 90 questions of varying complexity and technicality and is intended to help the Scottish Government make decisions about which changes to the hearings system require legislative change.
- 2.2 The Scottish Government will now consider the more than 100 submissions it received and provide its formal response in the new year. Any policy changes that come from the consultation will need to go through legislative scrutiny and further public consultation and therefore are not expected to come into effect until between 2027 and 2030.

2.3 Community Engagement

- 2.3.1 In preparing our response, we engaged with you and the National Team to ensure that the approximately 2,300 people working within CHS could express views and contribute to the response. Our engagement has included:

- A development session with CHS Board and Senior Leadership Team
- A national survey to the CHS volunteer community – 203 responses received.
- An online Town Hall information session (on the Hearings for Children report) open to all the CHS community.
- A deliberative engagement weekend with volunteers, undertaken by an independent engagement and research company.
- A survey and information sessions with the CHS National Team
- Engagement with key organisations working within the Children's Hearings System, including feedback from children and young people.
- The Scottish Government Sponsor Team held a series of regional events which were open to, and attended by, volunteers from CHS.

- 2.3.2 This engagement shaped our response to the Scottish Government. We have also drawn on insights from the Hearings System Working Group, whose report and recommendations were published in May 2023.

2.4 Key Policy Positions

- 2.4.1 This consultation is vast and expansive, covering every aspect of the children's hearings system. In preparing the response, CHS had to consider a wide range of views and evidence, feedback received during the engagement activities, the extensive work that

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had been undertaken for the Hearings for Children Report, and the operational implications of the policy proposals in delivering a sustainable legal tribunal that meets the current and future needs of children in need of care and protection. This was no easy task.

2.4.2 Here is a summary of our key policy positions:

- CHS believes that the hearing system must retain Kilbrandon's founding principle of needs not deeds.
- Children's Right must underpin the Children's Hearings System, Panels must remain independent, and more needs to be done to amplify the views of children in their hearings.
- CHS believes that we must retain the volunteering ethos of lay Panel Members, however, relying solely on volunteers is not sustainable. Therefore, CHS supports the introduction of a remunerated chair who would work alongside two lay Panel Members as equal independent decision makers. The ever-increasing complexity, pressures and demands placed on chairs and the decreasing number of panel members willing to take on this role make it unsustainable on a voluntary basis.
- The chair would have additional responsibilities for improving accountability and consistency and taking some procedural decisions so that the three-person panel can focus on substantive decisions to improve outcomes for children.
- The current relevant person legal tests, review rights and processes should be redesigned to make it more trauma informed and dynamic to ensure that those adults that matter most to the child, and who play a significant role in their care and protection are afforded equal rights to participate in their hearing.
- Grounds hearings, the language used to frame grounds, the way they are prepared, and the way they are delivered in hearings should be redesigned through a children rights lens so that they are better articulated and understood by children and their families.

CHS agrees with the proposal of removing the establishment of grounds from a children's hearing and replacing them with fact finding hearing to promote a hearing space being an inquisitorial, fully child-centred environment. Whilst CHS welcomes the intention of introducing a new cohort of legal members, more detail is required to make an informed decision as to whether this will achieve its aims.

- Much more needs to be done to ensure children's views are at the front and centre of their hearing. CHS has reservations about lowering the threshold for children attending their hearings. The current system allows for children to be excused, where it is in their best interests to do so. Children need to be afforded every opportunity and supported to participate in their hearing given the potential long-term impacts of the decisions being taken about them.
- To redesign the hearing system and maximise the positive impact of the legally binding decision of hearings, there must be greater enforcement and accountability of orders. To maintain confidence in the system improved data sharing and quality assurance is needed to ensure that the hearing system is

improving outcomes for children. Additional legislative steps should be taken to ensure that children's hearings have the powers to mitigate the impact of child poverty.

3. The Age of Criminal Responsibility (ACR) Update

3.1 The Age of Criminal Responsibility (Scotland) Act 2019 (the Act) was passed by the Scottish Parliament on 7 May 2019, received Royal Assent on 11 June 2019 and fully commenced on 17 December 2021. The Act was the outcome of work conducted by an Advisory Group established in 2015. That group identified key issues arising from an increase in the age of criminal responsibility from 8 to 12 and made several recommendations as to how to raise the age safely and responsibly, whilst meaningfully removing young children from criminal justice processes.

3.2 The Act changes the way in which the law treats children who are aged under 12. The reforms made by the Act signal an important shift in how our society expects the behaviors of children to be managed. The provisions in the Act recognise and respond to evidence that dealing with childhood behaviour in a criminalising, stigmatising way serves only to promote escalation and further harm. This is neither in the interests of the child, nor of the safety of our communities.

3.3 The Scottish Government is fully committed to deliver on its pledge to care-experienced people in Scotland by accepting and responding to the conclusions of the Independent Care Review set out in The Promise. Keeping The Promise requires immediate action to improve experiences and outcomes for children, young people and their families who are currently in, or on, the edge of care; and action over the longer term to improve the level of support for families from birth through to adulthood, to significantly reduce the numbers of families coming into the care system. The Promise sets out that the age of criminal responsibility in Scotland should be in line with the most progressive countries in the world.

3.4 The Review

3.4.1 Section 78 of the Act 2019 places a statutory duty on Scottish Ministers to review the operation of this Act generally, and with a view to considering the future age of criminal responsibility.

3.4.2 The Act states that the Scottish Ministers must lay a copy of the report before the Scottish Parliament. The report on the review must be prepared, published, and laid before the Scottish Parliament no later than 12 months after the end of the review period (16 by December 2025).

3.4.3 The Act provides Scottish Ministers with the power to require information in relation to the carrying out of the review and for monitoring the exercise of functions under Part 4 of the Act, following the end of the review period. The three-year review period started

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on 17 December 2021, the day on which section 1 of the Act commenced and concluded on 16 December 2024.

3.5 Age of Criminal Responsibility (ACR) Advisory Group

3.5.1 The Advisory Group, which CHS is a member, was established to assist Scottish Ministers to undertake the review and members include senior professionals from a wide range of disciplines.

3.5.2 The Advisory Group was tasked to evaluate the Act in its current form, to recognise and reflect on the operational learning and experience about how the legislation operates for the under-12 age group and to consider any future age of criminal responsibility in Scotland.

3.5.3 The Advisory Group has considered the following issues in relation to how the Act operates for children under 12 years old, as well as consider the potential for future ages of criminal responsibility.

- data and research.
- age of prosecution.
- grounds for referral to Children's Hearings.
- disclosure of criminal records and non-criminal police information.
- the taking, storage, retention, and destruction of forensic samples.
- police investigatory powers.
- the rights of victims.
- community confidence.
- the jurisdiction and powers of the Children's Hearings System.
- the role of the criminal justice system; and
- UNCRC compliance.

3.5.4 The Advisory Group has taken into consideration other policy developments, and legislative developments which have commenced over the review period. The Advisory Group has also taken into consideration i) the rights of children whose behaviour causes serious harm; and ii) the rights of the public, including other persons who have been, or are at risk of being, harmed by that behaviour.

3.5.5 The key decision is whether to raise the ACR to 14-16 to be UNCRC compliant. Scottish Ministers will consider the detail of the report and agree a plan for Scotland. This could include a move to 16, or a staggered age implementation of the ACR in line with the proposed Promise Bill/Act from 2027.

4. **Experts By Experience**

4.1 In September 2023 it was signed off by the CHS Board that we would establish an Expert by Experience cohort as an alternative to the participation group. This provided an opportunity for CHS to recruit and support young people with recent lived experience of

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- the Children's Hearings System to become part of CHS in a fully supported remunerated role.
- 4.2 We are excited to be moving towards the appointment of our CHS Expert by Experience Group. The recruitment campaign launched on 19 August 2024 and closed for applications on 31 October 2024. An information pack and recruitment flyer were shared on the website, alongside regular social media posts on Facebook and Instagram. Local Partnership Co-ordinators supported the Participation Team by sharing the opportunity with their networks and distributing flyers to their local hearing centres/colleges etc. There was an excellent response, with applicants spanning across the 14-25 age range and representing all nine regions.
- 4.3 Due to the high standard of applications, we have made the commitment to invite every young person who met the criteria to interview. After consultation with similar advisory groups, we have opted for online interviews due to the fact they allow young people to speak to us in a place where they feel safe and relaxed, we are also sending out the interview questions in advance to allow them to prepare their responses. We have linked in with care experienced colleagues on the format and the content of the questions, with the interviews taking place late November, and Experts being appointed in December 2024.
- 4.4 For those young people not appointed, we will offer a layered approach to participation and will be creating a CHS Participation 'Voice Bank'. Via this bank, we will offer opportunities for young people to be involved in wider projects and focus groups at various levels, including the soon to be set up CHS Mentoring Scheme.
- 4.5 The direction and future projects of the Experts by Experience group will be determined by the young people but one of the early priorities will be for them to attend a workshop in January 2025, to allow them to create their own group terms of reference, manifesto, and branding. We will steadily introduce Experts into the various workstreams at CHS from Feb 2025 onwards. CHS staff teams are encouraged to submit a Participation Request Form, outlining any projects or pieces of work they would like young people to collaborate on. This, in time, will support the embedding of lived experience across all areas of CHS.
- 5. Business and Financial Planning for 2025/26**
- 5.1 Business and financial Planning for 2025/26 has commenced across CHS and with Scottish Government colleagues. In keeping with last year's arrangements, each Director will be accountable for submitting final draft departmental business plans by 23rd December to the Governance Team who will then identify the key business objectives, as they relate to the delivery of our strategic outlook. An update will be provided to the Board in January and it will be submitted in full for approval to the March 2025 Board.
- 5.2 Discussions are ongoing and positive with senior officials at the Scottish Government over the CHS Grant in Aid (GiA) provision for 2025/26.

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6. Recruitment

- 6.1 The 2024 Panel Member recruitment campaign launched officially on Monday 2 September 2024 and applications will be open until 30 September 2024. Our campaign, which aims to increase the number of Panel Members across Scotland, included advertising across multiple channels including TV and Video on demand, Radio, Digital, social media, Bus Backs and Rail Sheets and across wider stakeholder groups.
- 6.2 In line with the recommendations outlined in the external evaluation of our 2023 campaign, there are key improvements to the applicant's journey that have already brought about positive feedback. We proactively engaged with employers, universities/colleges and others to build partnerships and increase diversity; held a series of information sessions throughout the summer to raise the profile of both CHS and the Panel Member role; refreshed the website and application process to improve the user journey; created new social media graphics to educate and inspire; and created a new film with contributions from our Panel community which you can find here:
- 6.3 Natalie Don-Innes MSP, the Minister for Children, Young People and The Promise, recorded two messages: the first to encourage people to volunteer now that online applications are open; and the second to remind and prompt people to apply mid-way through the campaign.
- 6.4 Lived experienced recruiters also supported the selection of new Panel Members. We have worked with Our Hearings Our Voice to develop our interview questions, including recording the interview topic to ensure candidates understand the voice of young people with lived experience is central of the role of the Panel Member. This was shared with candidates prior to interview.
- 6.5 The campaign attracted 802 applications from across all communities of Scotland. Following local selection during October, of which 66% were offered an interview, I approved 428 candidates as trainee Panel Members. This is an excellent outcome. Whilst not at the heady pre-COVID levels, this has exceeded our initial expectations, given the downturn in volunteering across the UK and other European countries.
- 6.6 51% of equalities monitoring forms were fully or partially completed. From that, we can confirm that the average of applicants is 47 with median of 48 years of age. 79% of new trainees are female, with 21% male. As a snapshot, we can also confirm applications where applications were drawn from:

| | |
|--------------------------|-----|
| Employed full time: 271. | 121 |
| Employed part time: 143. | 53 |
| Parent/Carer: 44 | 19 |
| Retired: 184 | 92 |

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| | |
|-------------------|----|
| Self Employed: 47 | 25 |
| Student: 90 | 23 |
| Unemployed: 36 | 13 |

6.7 We are always eager to recruit applicants who have had previous experience of the hearings system. From those who completed the equalities monitoring form this year, we can confirm that 35 (4.36%) had experience as a young person; 25 were previous Panel Members; 41 had experience as a parent/guardian and 43 were paid professionals in the system.

6.8 Within the first month of applying, 126 candidates withdrew from the process. A recent survey of this cohort concluded that the key reasons for their withdrawal included health, DIY injuries, family member health issues; re-evaluation of the time commitment; and employers not giving time off for interview/hearings.

7. **Town Hall Online Seminar: Language in the Hearing Room**

7.1 On 22 October, CHS hosted our sixth Town Hall online seminar since summer 2023, on 'Language in the Hearing Room'.

7.2 The event (for our volunteer community), featured two hearings-experienced young people from the Board of Our Hearings, Our Voice, Ciara, and Achilles, alongside OHOV Project Lead Gordon Main and CHS Participation Coordinator Angela Phillips.

7.3 Ciara and Achilles presented their work to improve language used at hearings, including their short film Articulate and their input into our Language in the Hearing Room guide for Panel Members. Ciara conducted a short, thought-provoking interactive activity asking the audience to respond to illustrations she had drawn.

7.4 The young people answered around a dozen questions that were submitted by the audience ahead of the event, with Angela and Gordon joining the discussion.

7.5 We had an audience of around 165 people throughout, with a peak of 199. 38 people completed our feedback survey, with responses overwhelmingly positive – especially for the involvement of young people.

8. **Reviewing the National Outcomes for Scotland**

8.1 The current National Outcomes were published in June 2018, following consultation across the Scottish Government, the wider public sector, and local authorities, and with the public, trade unions, business organisations and civic and voluntary sector organisations. The Community Empowerment (Scotland) Act 2015 requires us to review the National Outcomes within every five years of publication. A review is ongoing, led by

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the Scottish Government's Strategy and Delivery Directorate, to ensure the National Outcomes continue to reflect the kind of Scotland we all want to live in.

- 8.2 A revised National Performance Framework (NPF) will be published in early 2025. The Scottish Government are also working to improve implementation of the NPF across Scotland. We are considering recommendations made by the Finance and Public Administration Committee's NPF inquiry report, 'Ambitions into Action.' In response to the report, the Scottish Government has committed to producing an implementation plan for the revised NPF in early 2025, to support further progress towards achieving the National Outcomes. This will link directly to the CHS Business Plan for 2025/26.

Elliot Jackson

National Convener and Chief Executive Officer

November 2024

Finance Outturn Report 24/25

Agenda Item: 9

Paper Number: CHS-2425-26

| | |
|--------------------------------|----------------------------------|
| Accountable Officer: | Director of Business and Finance |
| Report author: | Finance Manager |
| Recommendation: | To note and feedback |
| Resources implications: | Within available resources |

| Impact Assessment Duties | Required | Completed |
|-------------------------------------|-----------------|------------------|
| Equalities Impact Assessment | No | |
| Children's Rights Impact Assessment | No | |
| Data Protection Impact Assessment | No | |
| Islands Impact Assessment | No | |

1. 24/25 Financial & Funding Position

1.1 The published revenue Grant in Aid (GiA) allocation for CHS for 24/25 is £4,575k, with an acknowledgement from Scottish Government (SG) that CHS is carrying an additional ongoing £5,225k pressure. Following SG announcement of significant funding pressures across SG budgets, spending restrictions have been issued across SG as well as to all Non-Departmental Public Bodies (NDPBs). CHS has submitted the Spring Budget Revision (SBR) review with offering £199k additional savings against the existing pressures, reducing the pressures to £1,984k. The additional savings have been reached because of SG spending restrictions and active expenditure management within CHS. Our SBR submission is currently sitting with the sponsor team in SG.

2. 24/25 P7 SBR Update

2.2 Following a robust review on ICT devices issued to support our panel member community, the Senior Leadership Team (SLT) has reached a strategic decision to replace Chromebooks with Windows devices as the lifespan of the existing Chromebook devices is coming to a natural end. This move will happen over time, but an initial purchase of devices is recognised in the above forecast. We recognise this in a significant shift in capital expenditure, in the longer term this is expected to reduce the revenue costs and support costs associated to the Chromebook devices. We are proposing to fund this shift via the release of CHS cash reserves, so no additional funding is required.

2.3 On the revenue side, we report further staffing savings, that result from the SG recruitment freeze and CHS active vacancy management. We have released the non-staffing related revenue funding 'ringfenced' to deliver the Children (Care & Justice) Bill (CCJB) (£305k) and other smaller amounts to aid the closing of the funding gap. These releases are being used to close a small overspend in training for panel

members in response to our efforts to increase panel member capacity. We forecast a reduction in revenue spend against the previous forecast on ICT because of the move away from Chromebooks.

- 2.4 In summary, we have reduced our revenue forecast at ABR from £9,800k to £9,073k at ABR (P7 reporting), but increased our capital requirements from £529k to £1,100k. The increase in capital will be funded by CHS cash reserve release of £571k towards capital spend and the remaining £14k to support revenue spend. Please see table for detail. This approach will allow us to better support our volunteer community and help towards closing the remaining pressures to £1,984k, resulting in a reduced cash request of £199k.

3. 24/25 Forecast & Year to Date

| Children's Hearings Scotland | | | | | strategic change to Windows devices | |
|--|-----------------------|-----------------|--|--|-------------------------------------|---------------------------|
| Report as at October 2024 | | | | | forecast to YE SBR submission | variance to last forecast |
| | 2024/25 Annual Budget | budget past ABR | savings proposal against ABR agreed budget | 2024/25 Budget forecast after SG restrictions and active pressure management | '£000 | '£000 |
| | £000 | £000 | £000 | £000 | | |
| Staff | 5,878 | 5,378 | -166 | 5,212 | 4,999 | -213 |
| + Board | 66 | 66 | 0 | 66 | 66 | 0 |
| + Training, travel and subsistence | 121 | 121 | -5 | 116 | 125 | 9 |
| + Property | 139 | 139 | 0 | 139 | 139 | 0 |
| + Other Operating Costs | 197 | 197 | -15 | 182 | 160 | -22 |
| + ICT Costs | 845 | 845 | 211 | 1,056 | 999 | -57 |
| + Corporate Costs | 27 | 27 | 0 | 27 | 100 | 73 |
| + Panel and AST Expenses | 540 | 540 | -250 | 290 | 290 | 0 |
| + Panel and AST Training | 1,222 | 1,222 | 24 | 1,246 | 1,391 | 145 |
| + Support for hearings | 430 | 430 | 0 | 430 | 319 | -111 |
| + Volunteer recruitment | 380 | 380 | 25 | 405 | 405 | 0 |
| + AST Devolved Funding | 454 | 455 | -111 | 344 | 80 | -264 |
| = Total | 10,299 | 9,800 | -287 | 9,513 | 9,073 | -440 |
| + Capital | 529 | 529 | 330 | 859 | 1,100 | 241 |
| = Budget requirements | 10,828 | 10,329 | 43 | 10,372 | 10,173 | |
| + cash reserves | | | -585 | -585 | -585 | |
| = CHS generated reduction in cash requirement after ABR | | | -542 | | | |
| GiA after SG requested spending review and cash reserve release | | | | 9,787 | 9,588 | -199 |
| | | | | GiA funding position @P6 24 | GiA funding position for SBR | |
| ABR agreed cash drawdown for revenue & capital | 10,329 | | | 9,787 | 9,588 | |
| - confirmed resources | 7,604 | | | 7,604 | 7,604 | |
| - existing pressure | 2,725 | | | 2,183 | 1,984 | -199 |

CHS 5 Year Strategic Financial Plan 2025/26 – 2029/30

Agenda Item: 10

Paper Number: CHS-2425-27

1. Introduction

1.1 In line with the Scottish Government spending review cycle, CHS has prepared an updated 5-year strategic financial plan outlining the projected resources required to deliver the legal tribunal functions and support the organisations' strategic themes:

- Delivering Positive Outcomes
- Valuing Our People
- Driving Transformation

1.2 In addition, the plan reflects 5 key organisational priorities which may influence resource requirements over the period.

1. **Capacity to deliver** – Growing Panel members numbers to ensure the fulfilment of the National Conveners statutory functions. Enhancing volunteer recruitment, retention and availability impacting Panel capacity; working with SCRA to maximise scheduling effectiveness.
2. **Transforming learning** – Using leading edge technology to equip and support Panel members make the best decisions to deliver positive outcomes for children, young people, and their families.
3. **Legislative changes** – A projected 3,400 additional hearings annually because of the Children's Care and Justice Act the impact of a potential Promise Bill by the end of the parliamentary term.
4. **Hearings for Children Report Implementation** – The requirement for transformational change and system re-design from The Promise, Hearings System working Group and The Promise Plan.
5. **Ensuring a fair and competitive retention and rewards strategy for our paid People** – utilising data and evidence, creativity, and innovation to identify total rewards that ensure we can attract and retain skills and experience that will enable delivery of our strategic ambitions.

2. Strategic Financial Position

2.1 The paper identifies CHS' overall resource requirement.

2.2 Last year's 5-year plan position for 2025/26 of £12,018k has been reviewed and amended to reflect the latest assumptions (pay and NI) and an established need of £12,124k. This is constructed by £11,374k revenue expenditure and £750k capital expenditure.

- 2.3 This established need recognises pressures in volunteer training, additional funding requirement for Volunteer Recruitment (to increase Panel member numbers) and an increase in costs to Volunteer support IT (resulting from increased volunteer numbers).

We have also recognised a reduction in funding requirement for the Children’s Care and Justice Act (CCJA) which has been delayed. In total these represent pressures of £230k for revenue expenditure.

- 2.4 Our strategic and phased move away from Chromebooks to windows devices is recognised with pressures of £200k for capital expenditure.

| CHILDREN'S HEARINGS SCOTLAND - FORWARD PLAN (HIGH LEVEL at 07 ONovemebr 2024) | | | | | | |
|---|--------------------------------------|----------------------------------|-----------------|-----------------|-----------------|-----------------|
| | Board approved '24/25 budget £000 | 2025/26 established need £000 | 2026/27 £000 | 2027/28 £000 | 2028/29 £000 | 2029/30 £000 |
| = Staff Total | 5,878 | 6,230 | 6,604 | 7,066 | 7,561 | 8,090 |
| + Volunteer training | 1,222 | 1,444 | 1,588 | 1,747 | 1,922 | 2,114 |
| + Volunteer expenses | 540 | 540 | 562 | 584 | 607 | 632 |
| + Volunteer recruitment | 260 | 665 | 567 | 590 | 614 | 639 |
| + Volunteer support (inc PVGs, DVF, Participation CYP, Staff training) | 345 | 359 | 373 | 388 | 404 | 420 |
| + Volunteer support: IT | 845 | 1,079 | 1,155 | 1,201 | 1,249 | 1,299 |
| + Corporate (inc staff T&S/recruit, Board) | 409 | 425 | 442 | 460 | 478 | 497 |
| + Property | 140 | 146 | 152 | 158 | 164 | 171 |
| = CHS Core Business | 9,639 | 10,888 | 11,443 | 12,194 | 13,000 | 13,862 |
| + Tribunal Support Model | 277 | 288 | 300 | 312 | 324 | 337 |
| + Children's Care & Justice Bill | 383 | 198 | 206 | 339 | 477 | 621 |
| = Revenue total | 10,299 | 11,374 | 11,949 | 12,845 | 13,801 | 14,820 |
| + Capital | 529 | 750 | 780 | 811 | 843 | 877 |
| = TOTAL | 10,828 | 12,124 | 12,729 | 13,656 | 14,644 | 15,697 |

3. Assumptions

- 3.2 Due to inflationary and wider cost of living pressures reflected in public sector pay settlements, the forecast assumes a 3% uplift in salary levels in addition to an estimated 1.5% pay progression commitment. We have also recognised the additional cost to CHS resulting from the recent increase in NI contributions.

- 3.3 Inflation at 4 % is applied to ICT and volunteer support costs, with a higher cost assumed for the delivery of training.

4. Financial risks are identified as

- 4.1 Scotland wide economic pressures impacting funding availability and ability to implement Promise and Hearings for Children recommendations.
- 4.2 No consolidation of pressures carried in 2024/25.
- 4.3 The continuation of one year Grant in Aid funding agreements from Scottish Government, inhibiting organisational ability to meet The Promise and Hearings for Children implementation.
- 4.4 Staff turnover due to impact of economic climate on competitiveness of public sector pay awards; and
- 4.5 Unexpected increase in children in the system, following the implementation of CCJB.

5. Summary

- 5.1 At the time of writing, the Scottish Government have not provided any update on the 2025/26 following the UK budget and the Barnett consequential. CHS are likely to get an update on the budget position after the Scottish Budget is announced early in December.

6. Recommendation

The Board are invited to:

- 6.1 Note the 2025/25 budget submission; and
- 6.2 Invite Andrew Watson, Director of Children and Families at the Scottish Government to attend the January Board meeting.

Recruitment and Capacity Planning – November 2024

Agenda Item: 11

Paper Number: CHS-2425-28

| | |
|-------------------------------|--|
| Accountable Director | Director of Tribunal Delivery/Director of People & Culture |
| Report author(s) | Director of Tribunal Delivery/Director of People & Culture |
| Recommendation | For Considerations and noting |
| Resources implications | Within available resources |

| Impact Assessment Duties | Required | Completed |
|-------------------------------------|-----------------|------------------|
| Equalities Impact Assessment | No | |
| Children's Rights Impact Assessment | No | |
| Data Protection Impact Assessment | No | |
| Islands Impact Assessment | No | |

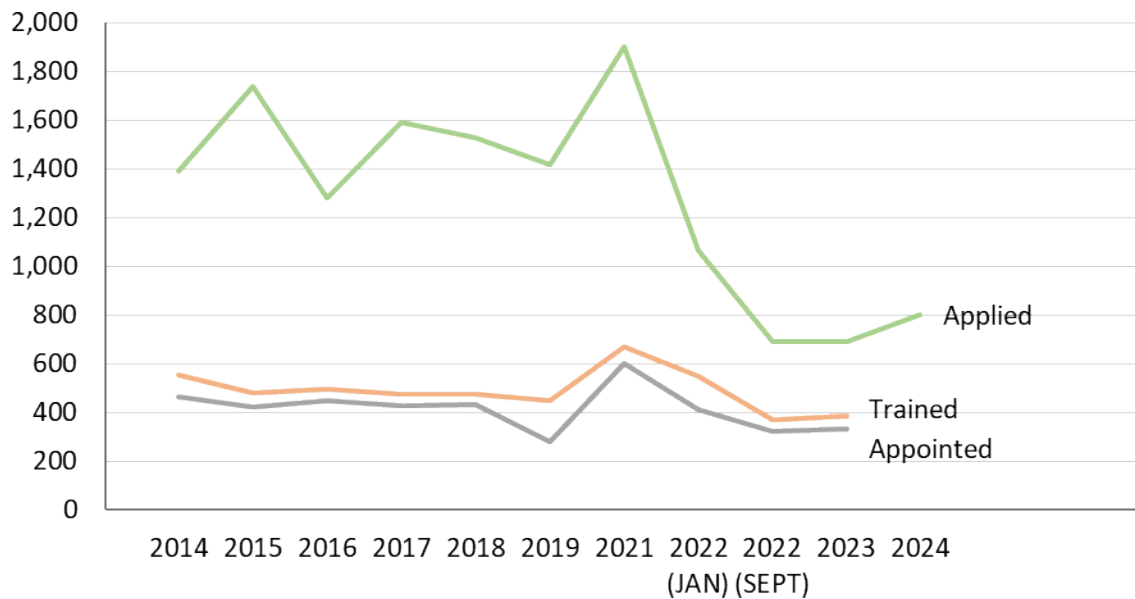
1. Introduction

- 1.1 This paper provides an update on the autumn 2024 Panel Member recruitment campaign and capacity planning for the implementation of the Children's Care & Justice (Scotland) Act (CCJA), scheduled for early 2026.

2. Context

- 2.1 We know there is a downward trend in applications across all volunteer services which has been attributed to the cost-of-living crisis and a reduction in the free time individuals must commit to volunteering. The 2022 Scottish Household survey found that adult (16+) volunteer participation fell from 26% in 2019 to 22% in 2022. This equates to a loss of £132 million in the contribution that volunteering makes Scotland's economy.
- 2.2 This trend is being reflected at CHS. The following line graph shows the volumes of volunteers that have applied, been trained, and finally appointed between the 2014 and 2024 campaigns. Since 2021, CHS has seen a decline in the volume of volunteers applying, completing pre-service training, and transitioning to become a Panel Member.

Graph 1: Volume of volunteers between 2014 – 2024 that applied to CHS, completed training, and were then appointed as Panel Members.



3. Capacity Planning

3.1 Within this context, we have taken several approaches to supporting capacity within CHS. These include:

3.2 Rota Optimisation

3.2.1 A core element of the implementation of the Tribunal Support Model has been the centralisation of the Rota function. A key driver was to relieve the significant ‘ask’ of Rota management from our volunteer community. This has enabled a nationally consistent approach to Rota management which has enabled process improvement internally and with Scottish Children’s Reporter Administration (SCRA), and to maximise the ability to support Panel Members by:

- Enabling functionality for Panel Members to indicate preferences to sit in any hearing Centre adjacent to where they live/work.
- Panel Members to indicate preferences to sit on virtual hearings.
- Working with SCRA to reduce the number of scheduled hearing slots which require to be cancelled due not requiring a hearing to be allocated to them.

3.2.2 We have also recently initiated a joint piece of work with the SCRA to explore ways to improve how we schedule hearings.

3.3 Volunteer Journey and Retention

3.3.1 We continue to value and recognise our volunteer community for the outstanding contribution they make to children and families across Scotland. Alongside local events this has also included Royal Garden Party attendance in 2024 supported by

Lord Lieutenants across Scotland.

- 3.3.2 With our new Tribunal Support Model we have in place Partnership and Wellbeing Co-Ordinator's in each Region to support our volunteers in their volunteer journey and to enable us to work with partners to address areas of improvements to how we work than can improve hearings experiences for all those in the hearing including Panel Members.
- 3.3.3 We are providing enhanced opportunities and support to enable Panel Members to complete their Management of Hearings training to become Chair qualified and refresher training for any volunteers who feel this would be beneficial.
- 3.3.4 Tribunal Delivery staff, in particular Wellbeing Coordinators, will be providing intensive support during recruitment, reappointment, and periods of panel member onboarding. This will enable us to better respond to demands relating to reasonable adjustment, lived experience and technology.
- 3.3.5 We have listened to feedback about the devices provided to support Panel Members and are investing in a refreshed Windows based device offer from 2025 to improve user experience and ease of access to CHS digital systems.

3.4 Recruitment Optimisation

3.4.1 Despite the challenge volunteer context described above, we know that recruiting new Panel Members is the biggest lever for generating capacity in the hearing system. During 2024 CHS implemented improvements to our recruitment campaign with the aim of increasing the volume of Panel Member applications:

- The website was refreshed and made more user friendly/accessible to increase engagement and applications.
- The application form on CSAS was streamlined and made easier to complete.
- Union Connect was commissioned to implement a corporate engagement strategy.
- Previous MFA issues were managed, and new toolkits and training were provided to support regional colleagues during recruitment.

3.4.2 After a selection period over the month of October 2024, the deadline for recommendations from local teams was Monday 4 November 2024. The National Convener has now confirmed 428 candidates as trainee Panel Members.

3.5 Key Campaign Successes

3.5.1 The team developed an engagement strategy across corporate partners to raise our organisational profile. Scotmid, retail agency, promoted our role through their own communities and we held a podcast with an existing panel member which was used across multiple channels throughout the campaign Podcast – Scotmid Corporate

Partner - [Scottish Children's Panel on Vimeo](#)

- 3.5.2 We worked in conjunction with our Regional Partnership Coordinators across Scotland in line with our new delivery model to engage with universities and other corporate partners to build relationships and momentum on the ground. We will build on this engagement strategy for future campaigns to enhance our reach across corporate partners and raise our profile across Scotland.
- 3.5.3 We refreshed our website and application process to streamline the applicant journey. We created new social media graphics to educate and inspire; incorporated the voice of young people with lived experience (Our Hearings our Voice – application process: <https://youtu.be/T9mx4E6WBGs>) and created a short film with contributions from our Panel community and the Minister for Children, Young People and The Promise;
- 3.5.4 The refreshed promotional video content included current Panel Members candidly and openly highlighting the importance and impact that the role has within hearings for children and young people. This was not only an opportunity to engage and attract prospective panel members but an opportunity to focus on retaining our existing volunteers by highlighting the impact of their work, providing ongoing support, training opportunities, and fostering a sense of community and belonging within the panel community. CHS short film – why join us? <https://youtu.be/4tZ5HV7rIDk>
- 3.5.5 A number of updates and improvements were made to our external website with 86.49K new users visiting the website for the first time which is up 246% from the previous year.
- 3.5.6 Our campaign generated 2.26M impressions and 800.44K video views on YouTube. In terms of Meta, the campaign generated 1.77M impressions and our film was played 574.10K times.
- 3.5.7 The focus this year has been on attracting and recruiting applicants from across the social spectrum including ethnic backgrounds and people living with disability, to ensure a diverse mix of panel members reflective of Scottish society. This year we expanded our reach by investing in dedicated resource to engage with agencies and employers. We have worked with [CEMVO](#) to promote the role to diverse communities.
- 3.6 Pre-service Optimisation
 - 3.6.1 Our pre-service offer has been fully reviewed and revised. We have taken on board feedback from Panel Members that they would have benefited from the skills learnt during Management of Hearings and Enhanced Practice from the beginning of their Panel Member journey and this has been built into preservice for 2025. This will also enable Panel Members to begin their Chairing journey earlier than previously, on a timetable aligned to their skills and abilities.

4. Impact

- 4.1 Our deployment of internal levers and the projected intake following external recruitment in Autumn 2024 is not sufficient currently to meet the projected requirements of the CCJA act from this campaign alone.
- 4.2 The campaign in September 2024 performed well achieving 800 applications, however whilst the Autumn 2024 recruitment had several changes to support the target, we have been unable to shift the pattern of the three previous campaigns that all reflect the downward trend in volunteering.
- 4.3 Historically approximately 50% of applications are successful and go on to sit as a panel member. We received 800 applications which indicates approx. 400 may be taken forward.

5. Actions and Next Steps

- 5.1 Given the impact on recruitment numbers on each of our previous three campaigns due to the identified volunteer context in Scotland we are taking forward an additional recruitment campaign in early 2025 which will be followed by our planned annual recruitment in Autumn 2025.
- 5.2 This spring campaign will be targeted, focused on those areas within Scotland with historically low application levels and where scheduling continues to be challenging. These areas will be identified by end November 2025 based on the intake from this campaign. The campaign will actively build on the improvements undertaken in the September 2024 campaign, in particular the corporate engagement strategy and continue to work in collaboration with our regional partnership coordinators to build the momentum of this strategy.
- 5.3 Funding to support this business-critical activity has been sought and approved by Scottish Government.
- 5.4 We will continue to monitor and review wider organisational activity to ensure we build space and capacity to deliver this additional campaign by our staff, Clerks and volunteers who all contribute significantly to this critical activity.



Date: 25th November 2024
Ref: FC/SA
Contact: frieda.cadogan@chs.gov.scot

Dear Katharina,

MANAGING STRATEGIC RISK

The Audit and Risk Committee considered the strategic risk register at our meeting on Tuesday 19th November 2024.

After a thorough review and examination of all the risks, the Committee are concerned that the 'capacity' risk score remains too high. This has been the case since February 2024.

The recent recruitment programme bolsters Panel Member numbers, but not enough to shift the dial sufficiently to give us enough comfort to recalibrate the score. The additional campaign scheduled for early 2025 helps mitigate the risk slightly, but as we have no real read on the numbers of successful applications we may attract, our ability to meet our statutory duties remains inherently fragile.

The reason for writing to you is to ask for a fuller discussion at the Board on Tuesday 26th November 2024. The item and report around 'Capacity and Recruitment' could provide the ideal place to have a wider discussion with the Board about our risk tolerance and any further mitigations we may wish to consider.

Kind regards.

Sean

Sean Austin
**Board Member &
Chair of the Audit and Risk Management Committee**

Cc: Jessica MacDonald, Director of Business and Finance, CHS, Executive Lead for Audit and Risk Committee and Elliot Jackson, National Convener and CEO, CHS

Children's Hearings Scotland

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Chair: Katharina Kasper **National Convener and Chief Executive:** Elliot Jackson

Board Standing Orders

Agenda Item: 12

Paper Number: CHS-2425-29

Accountable Officer: Director of Business & Finance
Report author: Director of Business & Finance
Recommendation: To approve
Resources implications: N/A

| Impact Assessment Duties | Required | Completed |
|-------------------------------------|-----------------|------------------|
| Equalities Impact Assessment | No | |
| Children's Rights Impact Assessment | No | |
| Data Protection Impact Assessment | No | |
| Islands Impact Assessment | No | |

1. Background

- 1.1 The Board of CHS last reviewed and approved its Standing Orders (SO) at its meeting in November 2024. Significant amendments to the Standing Orders have been made over time.
- 1.2 Minor changes have been made since the last review which the Board are asked to approve. These changes are limited to job titles, delegated responsibilities and wording. The changes are highlighted in the body of the document for ease and all highlights will be removed on approval.
- 1.3 The SO will be subject to further review in November 2025.

2. Recommendation

- 2.1 The Board is asked to consider and approve the Standing Orders.

3. Appendices

- 3.1 Appendix 1 – CHS Board Standing Orders

Appendix 1 CHILDREN'S HEARINGS SCOTLAND BOARD STANDING ORDERS

1. General

- 1.1 The Board has made the following arrangements for the discharge of its functions; these arrangements are to be referred to as the Standing Orders of the Board.
- 1.2 These Standing Orders take effect until further notice and supersede all prior Standing Orders.
- 1.3 The Standing Orders apply to the Board and its standing committees and unless the Board specifies to the contrary, to any other committees, or sub-committees which may be set up by the Board from time to time but do not apply to working parties or groups.
- 1.4 Standing Orders may be suspended at any meeting of the Board at which the majority of the members present are in favour. Unless expressly agreed otherwise by these members, such suspension have effect only for the item of business immediately following, and Standing Orders come into force again immediately afterwards. A meeting in which standing orders are suspended must be quorate.

2. The Role of the Board and responsibilities of Members

- 2.1 The Board – The principal role of the CHS' Board is to add value to the organisation through the exercise of strong leadership and control, including:
 - Setting the organisation's strategic direction.
 - Establishing and upholding the organisation's governance and accountability framework, including its values and standards of behaviour.
 - Ensuring delivery of the organisation's aims and objectives through effective challenge and scrutiny of the CHS' performance across all areas of activity.
- 2.2 The Chair is responsible for the effective operation of the Board, chairing Board meetings when present, and ensuring that all Board business is conducted in accordance with these Standing Orders. The Chair works with the Chief Executive/National Convener and, supported by the **Corporate Governance Manager**, ensures that key and appropriate issues are discussed by the Board in a timely manner with all the necessary information and advice being made available to the Board to inform the debate and ultimate resolutions.
- 2.3 The Deputy Chair deputises for the Chair in their absence for any reason and will do so until either the existing Chair resumes their duties, or a new chair is appointed. In fulfilling this part of the role, the Deputy Chair, when conducting the functions of the Chair has all functions and authority of the Chair. If the Chair and Deputy Chair are both absent, the members present at the meeting may appoint from among themselves a member to function as a Chair for the purpose of chairing that meeting.

2.4 Board members are collectively responsible for:

- Ensuring that CHS complies with legislation.
- Ensuring that the purposes of CHS' **vision, purpose and values** remain appropriate.
- Agreeing the over-arching strategy for achieving the **vision and purpose.**
- Approving policy, priorities and key performance measures and evaluating the organisation's performance against those measures on a regular basis.
- Ensuring that systems are in place so that the organisation operates within the financial resources available to it.
- Satisfying themselves that financial control systems, including regular reviews of performance against budget, are in place.
- Satisfying themselves that systems to ensure the welfare (including health and safety), appraisal and good management of staff are in place and are observed.
- Assessing the risks associated with activities and practices; ensuring that the risks are acceptable; and ensuring that appropriate processes, including an annual risk review, are in place to manage risk.
- Supporting the Senior **Leadership** Team and holding them to account through the CEO/ NC.
- Individually and collectively representing CHS as appropriate and as agreed with the CEO/ NC and the Chair.

3. Board Meetings

3.1 The Board decides the dates, times and places of its meetings and meets formally at least four times a year.

3.2 Board meetings are held in public except where the Board decides to hold all or part of a meeting in private. Reasons may include but are not limited to:

- Discussing confidential material in connection with a third party.
- Commercially sensitive discussions.
- Facilitating the achievement of consensus and preventing media focus on preliminary conclusions which may not feature in the final policies/reports.
- Matters relating to individual staff.
- Private discussions with Ministers including confidential advice from or to Ministers via their officials.
- Areas where CHS would not be required legally to disclose information.

3.3 The Board of CHS may wish to convene joint meetings with the Board(s) from one or several organisation(s) as appropriate. At joint meetings, CHS Board should be individually quorate, that is at least half of the currently serving members of the Board must be present. The Chairs of the Boards involved should agree who chairs the joint meeting.

3.4 Meetings of the Board can be held through electronic mode which includes but is not limited to video conferencing or audio visual/ telephone means.

4. Notice of Meetings

4.1 The **Executive Assistant and Governance Officer** notifies members of all Board meetings and issues the agenda, minutes and papers seven calendar days before the meeting.

4.2 Members may propose items for the agenda to the Chair and should send those to the **Executive Assistant and Governance Officer** no later than twenty calendar days before the meeting.

4.3 If sufficient notice is not given for an item of business to be included on the agenda, it may be dealt with at the meeting if the Chair rules that there are reasons why it is urgent and gives those reasons. If the Chair rules that the matter is not urgent, it may be included as an item for the next meeting, unless it is withdrawn or dealt with in some other way before then.

4.4 Late papers may be discussed at meetings with the permission of the Chair. If papers cannot be issued due to lack of available time, they may be tabled at the meeting.

4.5 Lack of service of the notice to any member does not affect the validity of a meeting.

5. Special Meetings of the Board to deal with Exceptional or Urgent Business

5.1 The **Executive Assistant and Governance Officer** arranges for a meeting of the Board to be called if:

- required by the Chair.
- a request by the CEO/NC and approved by the Chair.
- a request signed by one third of the Board members is made in writing to the Governance Lead for that purpose. At least three calendar days' notice should be given of any special meeting and of the business proposed for that meeting. No business is to be transacted beyond that specified in the request which called for that special meeting.

6. Quorum

6.1 At least half of the currently serving members of the Board must be present to allow the Board to hold a formal meeting. If less than half of the Board members attend a Board meeting, the Board can discuss any items of business but cannot make formal decisions or vote on those items.

6.2 The quorum of any Board/Committee is determined by the Board as part of agreeing the Board/Committee remit.

6.3 A member may be present at a Board meeting, count towards the quorum and participate fully by means of video conference or telephone conference call.

7. Sub judice

7.1 A Board member may not make reference in a public Board meeting to any matter in which legal proceedings are active (as defined in section 2 of the [Contempt of Court Act 1981](#)). If a member raises an issue which, in the view of the Chair is, or may be, sub judice the Chair should require the member to cease discussion of the issue.

8. Conflict of Interest

8.1 All Board and Committee agendas include a standing item at the start of the meeting inviting Board Members to declare any:

- a) financial interests.
- b) non-financial interests or.
- c) the interests, financial or non-financial, of other persons.

8.2 If a member declares a financial interest, the member must abstain from participating in the discussion of the relevant item until it is concluded. If a non-financial interest is declared, the member must decide whether to participate in the discussion and decision.

8.3 The Board has established a register of members' interests and maintains a regular review of it.

8.4 The Register of Interests is published on CHS website.

9. Adjournment of Meeting

9.1 A meeting of the Board or of a committee of the Board may be adjourned by the Chair to any other hour, day, or place. Unless the time and place are specified in the motion for adjournment, the adjournment continues until the next scheduled meeting.

10. Voting

10.1 A meeting may decide unanimously or by a majority of the members present. In the latter case, a vote of the members may be taken orally, in writing or by a show of hands at the Chair's discretion. The Chair has a casting vote.

10.2 When a decision is agreed to by a majority of the members, the minutes record a unanimous decision. A member dissenting from a majority decision may ask for their dissent to be recorded in the minutes.

10.3 A member does not present at a meeting at which a decision is taken from which he or she dissents may raise his or her concerns with the Chair. Such a decision is normally implemented. However, it is within the discretion of the Chair to defer that the matter appears as an item on the next agenda of the Board or committee or arise through the minutes.

11. Ruling

11.1 The ruling of the Chair on the conduct of the meeting and the application of Standing Orders is final.

12. Admission of the Public to Board Meetings

12.1 Board meetings are open to be observed by members of the public. The dates of such meetings will be advertised on the CHS website.

12.2 All meetings which allow public access are held virtually or in venues that are accessible to people with disabilities.

12.3 Any members of the public attending these meetings may, upon request, receive a copy of the papers for that meeting.

12.4 A member of the public who disrupts the business of the meeting may be required to leave the meeting after due warning has been given by the Chair. Re-admission to that, or other, public meetings held by the Board is at the discretion of the Chair.

13. Minutes

13.1 The names of members present at a meeting of the Board or of a Committee of the Board are recorded in the minutes.

13.2 The minutes record all the items of business considered at Board meetings, the results of any decisions taken and of any divisions and elections which took place.

13.3 When the Board holds all or part of a meeting in private, minutes record the items of business taken and any decisions reached during the private items. The papers considered and the details of the Board discussions remain confidential.

13.4 Minutes are drawn up and circulated within ten working days to the Chair for approval and shared with the rest of the Board for comment. Minutes are submitted to the next Board meeting for approval. The minutes are published within the following Board papers pack 5 days before the next Board meeting.

13.5 Minutes and other public papers may be circulated to such non-members of the Board on such conditions as the Board may determine. In addition, papers are available under the Freedom of Information (Scotland) Act and in accordance with the CHS publication scheme.

13.6 Board paper packs are published on the CHS website 5 days prior to a Board meeting which include the previous minutes and all papers for consideration and/or approval by the Board.

14. Committees

14.1 The Board may appoint committees to exercise functions on its behalf. Such Committees may also appoint sub-committees.

14.2 Where functions are being conducted by committees or sub-committees, their members act on behalf of the Board.

14.3 Where a question arises about whether it is competent for a committee/sub-committee of the Board to consider a particular matter – that is, whether the matter is within the committee'/sub-committee's Terms of Reference, it is for the Board, after consultation with CHS Senior **Leadership** Team as appropriate, to decide.

14.4 The Board appoints the Chair of committees and, after recommendation from a committee, its Deputy Chair.

14.5 In the absence of the Chair at a committee meeting, his/her Deputy chairs the meeting.

14.6 Committees and sub-committees may co-opt members with relevant expertise and knowledge who are not members of the Board. Co-opted members should not make up more than half the membership of committees and sub-committees.

14.7 Co-opted members of committees and sub-committees who are not members of the Board may claim certain travelling and other allowances but are not remunerated.

14.8 Committees and sub-committees may choose to appoint substitutes drawn from the membership of the Board. The Chair of the Board cannot be a substitute of the People and Culture committee.

14.9 Approved minutes of committees and sub-committees' meetings are submitted to the Board for noting as soon as practical.

14.10 The Board has set up the following Standing Committees:

- **Audit and Risk Committee**
- People and Culture Committee

14.11 The numbers and names of the Standing Committees, their membership and the matters remitted to them may be varied by the Board from time to time.

15. Working Parties or Groups

- 15.1 Working parties or groups may be set up from time to time by the Board.
- 15.2 Working parties or groups need not contain Board members. Where the conclusions of any working party or group require the authority of the Board or a committee before they can be implemented, the working party or group submits a report to the Board or the relevant committee setting forth its recommendations. Working parties or groups should have a Chair, maintain minutes of proceedings and report no less frequently than quarterly to the Board or appropriate standing committee. These reports may be in writing or verbal.

16. Exceptional circumstances where Board business may be dealt with by correspondence

- 16.1 Where there is urgent business of the Board and it is not practicable to convene a special meeting, the Chair may under exceptional circumstances deal with the matter(s) by correspondence.
- 16.2 In these exceptional circumstances, relevant papers and recommendations are circulated by email or by post. Every effort should be made to contact Board members, accepting that this may not be possible. The normal rules and procedures apply to special meetings of the Board and decisions are agreed to by a majority of members. The actions/decisions arising from such exceptional circumstances are reported to the subsequent Board meeting.

17. Collective Responsibility and Confidentiality

- 17.1 The Board and committees operate based on collective responsibility for decisions. Members are therefore expected, if questioned on a matter where the Board or a committee has taken a view, to support the position reached.
- 17.2 If members are questioned on matters that fall within the remit of CHS but on which a Board or committee view has not been taken, they may give a personal view but should stress that it does not necessarily reflect the view of CHS. Before doing so, they are advised to consult with the Chair.
- 17.3 All members must maintain confidentiality as detailed in the CHS Code of Conduct and any guidance to that code provided.
- 17.4 All members must fulfil their responsibilities as set out in their terms and conditions of appointment. Any issues in relation to non-performance are addressed as part of the appraisal process for Board members.

18. Review of the Standing Orders

- 18.1 The Board reviews its Standing Orders annually.

Agenda item 13

CHS-2425-30

Board Annual Work Plan 2025

| | |
|--------------------------------|--|
| Accountable Officer: | Director of Business and Finance |
| Report author: | Business Operations and Governance Manager |
| Recommendation: | To approve |
| Resources implications: | N/A |

| Impact Assessment Duties | Required | Completed |
|-------------------------------------|-----------------|------------------|
| Equalities Impact Assessment | No | |
| Children's Rights Impact Assessment | No | |
| Data Protection Impact Assessment | No | |
| Islands Impact Assessment | No | |

1. Introduction

The Board Annual Work Plan for 2025 is submitted for review and approval.

2. Recommendation

The Board are recommended to consider and approve the Annual Work Plan as a tool for ensuring standing orders and governance requirements are met throughout the year.

3. Appendices

Appendix 1 – Board Work Plan 2025

Appendix 1
Children's Hearings Scotland
Board Work Plan 2025

1. First Meeting of 2025

1.1 Public Board Meeting – (21st January 2025 - TBC)

Corporate

- Financial Forecast Outturn 24/25
- Draft Budget 25/26
- Draft Annual Business Plan 25/26
- Q3 Performance Report

Policy/ governance

- PaCC annual work plan
- ARC annual work plan

1.2 Board Development Session (21st January 2025 – TBC)

- Topic - TBC

2. Second Meeting of 2025

2.1 Public Board meeting – (25th March 2025 - TBC)

Corporate

- Financial Forecast Outturn
- Budget approval 2025/26
- Annual Business Plan 25/26 (Approval)
- Q4 Performance Report
- Financial Regulations (ARMC)
- Accounting Policies (ARMC)
- Annual Pay Award Review (PaCC)

Policy/ governance

- Board Review of own effectiveness
- ARC ToR
- PaCC ToR

2.2 Board Development Session (25th March 2025 – TBC)

- Topic - TBC

3. Board Strategy Session (8th/9th May 2025 - TBC)

- An opportunity for the Board to focus on development and strategic themes.
- Potential Promise Bill review
- Induction for new Board Members

4. Third Meeting of 2025

4.1 Public Board Meeting – (24th June 2025 - TBC)

Corporate

- Financial Forecast Outturn 25/26
- Q1 Performance Report

Policy/ governance

- ARC Annual Report
- PaCC Annual Report
- PaCC Equality Outcomes Annual Report

4.2 Board Development Session (24th June 2025 - TBC)

- Topic - TBC

5. Fourth Meeting of 2025

5.1 Public Board Meeting – (23rd September 2025 - TBC)

Corporate

- Financial Forecast Outturn
- Q2 performance report
- Annual Report & Accounts

Policy/ Governance

- Impact Report
- Annual Review of Appeals
- Feedback loop
- Review of SG Framework

5.2 Board Development Session (23rd September 2025 - TBC)

- Topic - TBC

6. Board Strategy Weekend (6th/7th November 2025 - TBC)

- An opportunity for the Board to focus on development and strategic themes

7. Fifth Meeting of 2025

7.1 Public Board Meeting (9th December 2025 - TBC)

Corporate

- Financial Forecast Outturn
- 5 Year Financial Plan Update

Policy/ Governance

- Board Standing Orders
- Rights and Inclusion Strategy Annual Report

7.2 Board Development Session (9th December 2025 - TBC)

- Topic - TBC

| Board Work Plan | 21/01/2025 | 25/03/2025 | 24/06/2025 | 23/09/2025 | 09/12/2025 |
|---|--------------------------------|---------------------------------------|---------------------------------------|---------------------------------|--------------------------|
| Policy/Governance | | | | | |
| UNCRC Report 2020-2023 (triannual report cycle - next report 2023-2026 for approval 2026/27) | | | | | |
| Accounting Policies | | <input type="checkbox"/> | | | |
| Gender Pay Report (every 2 years – next report 2026) | | | <input type="checkbox"/> | | |
| Equalities Outcome Report – Annual update (5 yearly report cycle – next report 2025) | | <input type="checkbox"/> | | | |
| Impact Report | | | | <input type="checkbox"/> | |
| Feedback Loop | | | | <input type="checkbox"/> | |
| Annual review of appeals | | | | <input type="checkbox"/> | |
| Rights and Inclusion Strategy Annual Update | | | | | <input type="checkbox"/> |
| Rights and Inclusion Strategy (every 3 years – next review 2024) | | <input type="checkbox"/> Draft (2025) | <input type="checkbox"/> Final (2025) | | |
| SG Framework Document (every 2 – 3 years – next review 2024) | | | | <input type="checkbox"/> (2025) | |
| Biodiversity Report (triannual report cycle - next report -01/01/2023—31/12/2026) | | | | | |
| RAC & ARMC Work Plans | <input type="checkbox"/> | | | | |
| RAC & ARMC Annual Reports | | | <input type="checkbox"/> | | |
| RAC & ARMC ToR | | <input type="checkbox"/> | | | |
| | | | | | |
| Corporate | | | | | |
| Business and Corporate Parenting Plan | <input type="checkbox"/> Draft | <input type="checkbox"/> Final | | | |
| CHS Financial Regulations Review | | <input type="checkbox"/> | | | |
| Financial Forecast Outturn | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| CHS Budget planning and reporting | <input type="checkbox"/> | <input type="checkbox"/> | | | |
| CHS 5 Year Financial Plan - update | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Quarterly Reports | <input type="checkbox"/> Q3 | <input type="checkbox"/> Q4 | <input type="checkbox"/> Q1 | <input type="checkbox"/> Q2 | |
| Annual Accounts | | | | <input type="checkbox"/> | |
| Annual Report | | | | <input type="checkbox"/> | |
| | | | | | |
| Other | | | | | |
| CHSLA Prospectus | | | | <input type="checkbox"/> | |
| Governance & Board Work Plan | | | | | <input type="checkbox"/> |
| Board Standing Orders Review | | | | | <input type="checkbox"/> |