



Children's Hearings Scotland Impact Report 2021 - 22



children's
hearings
scotland

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From the National Convener

This was another very busy year for Children's Hearings Scotland (CHS). Although continuing to respond to Coronavirus took a lot of our time and effort, we managed to meet a number of significant milestones.

We made sure our Panel Members were ready for legislative changes that came in to force giving additional rights to brothers and sisters in hearings; carried out work focussed on equality and diversity; launched a new virtual hearings platform; moved forward with our commitment to 'Keep The Promise' and strengthened our ability to place the voice of children and young people at the centre of everything we do.

Importantly, we worked with our volunteers and partner organisations to ensure that over 21,000 hearings took place to support and protect nearly 11,000 children.

In this Impact Report, we highlight some of the key achievements from the year and how we have delivered on our duty as a Corporate Parent. The work is a reflection of the dedication and contribution of our Panel Member and Area Support Team volunteers and CHS National Team staff.

In 2022-23 we have exciting plans to focus on improving the hearings system through the Hearings System Working Group and looking at some important areas of Panel Member knowledge, such as the impact of trauma and children's rights.

I would like to thank everyone who has been involved in the hearings system and the work of CHS over the last year. It has been more important than ever to collaborate in order to deliver on the collective responsibility we have to support and protect the children, young people and their families.

I would also like to extend a specific thanks to all the volunteers who have again demonstrated how focussed they are on achieving positive outcomes for children and young people. Through changes and challenges, this remains at the core of what we all want to see and I'm truly grateful for their dedication and commitment.

- Elliot Jackson, National Convener and Chief Executive, CHS



50 Years of Hearings

On 15th April 1971, the first children's hearing was held in Scotland.

To mark 50 years of hearings, we published a series of specially-written blogs reflecting on the past, present and future of the children's hearings system:

- [Children's hearings system and child-friendly justice](#)

Director of the Children and Young People's Centre for Justice (CYCJ), Fiona Dyer, looks back at why the hearings system was developed, and how Panel Members now can ensure they are safeguarding children's rights.

- [46 years as a Panel Member](#)

Ian has been a Panel Member for 46 years. He looks back on his time as a volunteer, and shares his thoughts on the future of the children's hearings system.

- [Panel Member turned Panel Practice Advisor](#)

Karen became a Panel Member in 1980 and has since moved to the role of Panel Practice Advisor. In this blog, she talks about her experiences and the important role of the Panel.

- [Happy Birthday to the first children's hearing!](#)

CHS Board Member John has been involved in the hearings system for nearly 30 years. Here, he reflects on the changes over this time.

- [A unique system that puts children's rights at its heart](#)

National Convener Elliot Jackson discusses Kilbrandon, children's rights and significance of the Independent Care Review and The Promise.

- [A children's hearings volunteer journey](#)

Area Convener Jen looks at more recent changes over the last 15 years on the children's hearings system and the impact of the pandemic on how hearings run.

- [40 years in the children's hearings system](#)

Ian was appointed as a Panel Member at 18 years old and has been a dedicated volunteer ever since. He talks about what has – and has not- changed during his 40 years of volunteering.

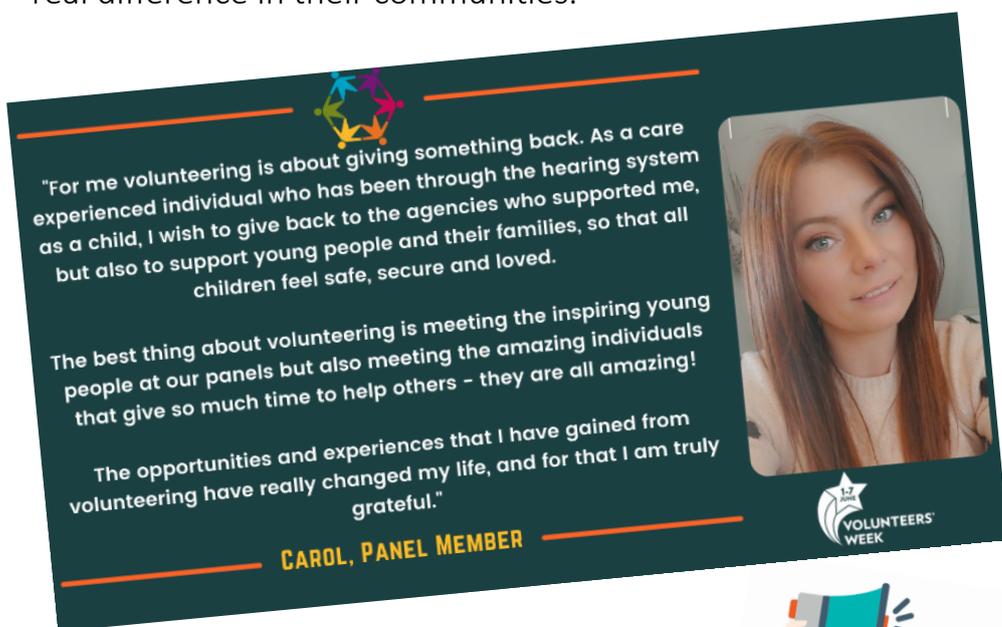


Focus on: Volunteering

Celebrating our volunteers: Volunteers Week 2021

For Volunteers Week 2021, we listened to volunteers' stories, learned how their experiences influenced them and heard what motivated them to volunteer with CHS.

Our volunteers dedicate their time to infants, children, young people and families to make a real difference in their communities.



"For me volunteering is about giving something back. As a care experienced individual who has been through the hearing system as a child, I wish to give back to the agencies who supported me, but also to support young people and their families, so that all children feel safe, secure and loved.

The best thing about volunteering is meeting the inspiring young people at our panels but also meeting the amazing individuals that give so much time to help others - they are all amazing!

The opportunities and experiences that I have gained from volunteering have really changed my life, and for that I am truly grateful."

CAROL, PANEL MEMBER



1-7 JUNE
VOLUNTEER WEEK



I volunteer 

...because I want to give back. Coming from a different background I know how crucial is to treat all people with the respect they deserve and how important is to be part of something bigger and wider. People of Scotland made me feel welcomed and included and I want to thank everyone for that. What's the better way to say thanks than helping children and young people to also feel safe and included, and cared about?

Rafa, Panel Member, Renfrewshire
#volunteersweek



Ian Blair



You can watch our volunteers' stories here

"I want to say a huge thank you to all of the amazing CHS volunteers, your commitment is inspiring and the difference you make to children and young people is amazing, particularly in what has been, and continues to be, a very challenging year."

- CHS Staff Member Vicky Strange

Equality, Diversity and Inclusion

In October 2021, we launched our first Equality, Diversity and Inclusion Strategy.

Developed by a working group made up of members of our National Team and volunteer community, the strategy reinforces our commitment to being an organisation with equality, diversity and inclusion at our heart.

It is important to us that our people, volunteer community, and the infants, children, young people and families we serve, feel valued and respected in all that we do. We want our staff and our volunteers to reflect the diversity of those who attend children's hearings and wider Scottish society as a whole.

This strategy gives us an ambitious framework for all of our equality, diversity and inclusion work over the next three years and into the future.

Jeanne Martin, CHS Area Support & Improvement Partner, who led the working group, said 'it's a real pleasure to see all of the invaluable input from everyone involved in the consultation process come together in the form of a strategy that we can begin to action.'

You can read the full strategy here



Supporting decision-making: our practice guidance

This was another year that saw changes to the law around hearings. To make sure Panel Members are able to make the best possible decisions in hearings and have up-to-date knowledge, we publish regular guidance, update the Practice & Procedure Manual (PPM), and answer and discuss practice questions.

This year, the topics covered included:

The duty for Panel Members to consider the need for further reports when considering deferring certain hearings

The rights of brothers and sisters to participate in hearings and duties to consider sibling contact

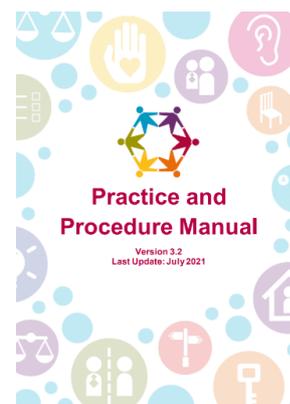
Keeping participants safe in virtual hearings

Minimising the number of people attending a hearing at any one time

Powers to exclude relevant persons and journalists from hearings

Managing hearings under emergency Coronavirus legislation

Want to know more? The PPM can be accessed [here](#)



Local Engagement

Area Support Teams (ASTs) are groups of volunteers who manage and support other volunteers within their local area, work with local partner organisations, and deliver local work designed to improve the hearings system. Here we highlight how a few of our ASTs have been working with their local Panel Member community.

Orkney AST...

...ran a training and recognition event that included updates on The Promise, a volunteer-run workshop on making good quality decisions, and talks from Orkney Rape and Sexual Assault Service and Orkney Charitable Trust.

Highland & Moray AST...

...delivered an online forum in partnership with WhoCares?Scotland. The forum included videos from the 'Better Meetings' group of care experienced young people from Moray sharing their experiences of attending hearings and meetings.

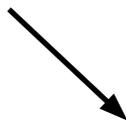
Glasgow AST...

...ran two successful briefing sessions for Panel Members covering the changes to hearings that came in to force from the Children (Scotland) Act 2020.

For more on this, see page 13.

Dumfries & Galloway AST...

...held a recognition event to thank local volunteers for all they do to make a difference to children and young people in Dumfries & Galloway.



Training Our Volunteers

Our CHS Learning Academy delivers learning and development that ensures Panel Members are fully equipped to make the best decisions possible in hearings, and that Area Support Teams have the knowledge and skills they need to carry out their various roles. This year, as every year, the Academy developed and facilitated learning for c.3000 volunteers and staff.

During 2021 – 2022 the Academy delivered a range of virtual learning programmes utilising online technology and virtual practice sessions to equip our community with essential skills and knowledge. We continued to deliver our qualifications programme for new Panel Members – an SQA Accredited Professional Development Award.

In pre-service training, our start up qualification programme for trainee panel members was framed throughout with reference to the voice of those with lived experience of children's hearings including Our Hearings, Our Voice, and Who Cares?Scotland.

Our programmes are shaped by internal and external evaluation, the context in which we operate, and draw on the contribution of subject experts. This year in particular we have been supported by NES Education for Scotland and the Third Sector Consortium to enhance our community learning about trauma – both the impact of trauma and how to be trauma responsive. All new Panel Members learned about Trauma. External provider The Lens delivered learning sessions on how to hold effective virtual conversations to a range of our Area Support Team Members including Panel Practice Advisers and Panel Representatives. We also benefited from new learning content from Scottish Women's Aid and FASD (Fetal Alcohol Spectrum Disorder) Hub.

This year we continued our inclusion of people with lived experience in the recruitment and selection of potential new Panel Members. To support this we partnered with Who Cares?Scotland to deliver interactive recruitment and selection training sessions to our lived experience recruiters and included group skills sessions alongside their Area Support Team counterparts.

We continued to deliver programmes focusing on digital skills and effective use of technology in children's hearings balancing this with the need to ensure that rights and participation are paramount in all hearing settings. As well as drawing on experts we were privileged to benefit from the experiences of some of our own community on new learning on the importance of sister and brother relationships and FASD. To enhance our programmes we launched courses to raise awareness of Sibling rights, minimising the number of people in hearings.

Local Learning Academy Facilitators, all serving Panel Members, supported our Academy training delivery team bringing first-hand experience of making decisions in hearings. Our local Learning and Development Co-ordinators held local learning sessions across Scotland to focus on local services and topics of interest.

Thanks to everyone who had contributed to our learning programmes this year. As well as those mentioned above, our particular thanks go to a range of our partners including: Salvesen Mindroom, Scottish Children's Reporters Administration (SCRA), CELCIS, and Children 1st .

Focus on: Children, young people and corporate parenting

About Corporate Parenting

As one of Scotland's corporate parents we are focused on upholding the rights, safeguarding, and promoting the wellbeing of Scotland's looked after children and care leavers.

You can find out more about our corporate parenting here:

[Corporate parenting \(chscotland.gov.uk\)](https://chscotland.gov.uk)

Both CHS and the National Convener are corporate parents in their own right, but plan and report on corporate parenting activities jointly.

In addition we share, with the Scottish Children's Reporter Administration (SCRA), a set of corporate parenting aims for children and young people. These are:

- You are at the centre of the children's hearings system and are treated as an individual;
- The decisions that affect you are based on sound knowledge, clear evidence and with consideration of your views;
- Your corporate parents will work together to make the system work better for you;
- We will keep asking ourselves if the way we do things is the best it can be.

Keeping the Promise



We were pleased to partner with the Scottish Children's Reporter Administration, Scottish Government and The Promise Scotland to form the Hearings System Working Group.

This group has been formed to lead the redesign of the children's hearings system and make sure that lived experience is at the heart of that process.

As part of the Group's work, it published the 'Issues List' in March 2022, which set out important questions that needed to be answered in order to properly create a new hearings system.

Learn all about the Hearing System Working Group here:

[Hearings System Working Group - The Promise](#)

Read the Issues List here:

[Issues List - The Promise](#)

We also launched the CHS Promise Programme this year.

The Programme includes all the work we are doing locally and nationally to improve the hearings experience for children, young people and families.

The work is being progressed by dedicated teams through specific projects that collaborate with our community and partners.

The CHS Promise Programme includes projects on topics such as children's rights, redesign of the hearings system, trauma responsive practice, and participation, engagement and consultation.



Siblings' rights in hearings

On the 26th July 2021, changes to the Children (Scotland) Act 2020 came in to force that make sure brothers, sisters, people with brother/sister-like relationships are given new rights in hearings.

Within the changes, there was a considerable emphasis placed on Panel Members, as decision-makers within children's hearings, to consider contact and maintaining brother, sister and brother/sister-like relationships.

We created a new training module for Panel Members so they understood the changes and what they meant for hearings.



You can access the training module here:



Children (Scotland) Act 2020

'Maintaining those relationships that are most important to children and young people is vital, and for many of our Panel Members comes as second nature when making decisions in hearings. We have been preparing for these changes for some time now to ensure consistency of this practice across Scotland. To support this we have developed a learning resource for our Panel Members, and updated our Practice and Procedure Manual, highlighting the key changes in the act and the responsibilities placed on us as decision-makers in hearings.'

- Elliot Jackson, National Convener

Participation Standards

Building on our Children's Rights and Inclusion Strategy published in 2020, this December we launched our first set of Participation Standards.

The standards were developed by a working group of people with lived experience and our Children's Rights and Inclusion Co-ordinator. They are focused on embedding best practice in participation across everything we do.

The Standards are described below:

CHILDREN'S HEARINGS SCOTLAND PARTICIPATION STANDARDS



1 Children's Hearings Scotland will be guided by the voice of lived experience providing a welcoming, person centered participation package



2 People with lived experience will be provided with options, information and support required to influence the work of Children's Hearings Scotland



3 All influencing opportunities will be people friendly, inclusive and purposeful



4 The role of lived experience and influencing will be fully understood across the Children's Hearings Scotland community



5 Participation will be purposeful lived experience will work with the work with the Children's Hearings Scotland community together to guide, influence and inform all change and improvement work within Children's Hearings Scotland



6 Children's Hearings Scotland is committed to the promise, improvement and change. Children's Hearings Scotland will make change now where possible and will act, plan and feedback to the care community



We are working with people with lived experience of the children's hearings system, the CHS staff team and our local volunteer leaders to look at opportunities to embed the Participation Standards in everything we do – from improving experiences in children's hearings, to training, recruitment and practice.

To find out more about our Rights & Inclusion Strategy and Participation Standards, visit:

[Children's rights and inclusion \(chscotland.gov.uk\)](https://www.chscotland.gov.uk)

Our responses to consultations

This year we responded to a number of Scottish and UK Government consultations. In our responses, we made sure to consider our duty as a corporate parent to promote the interests of care experienced children and young people. For example:

'CHS would welcome a National Care Service (NCS) that includes both and children's services if it results in more integrated improved provision to children and families that consistently upholds and enhances children's rights and results in better outcomes.'

- CHS response to National Care Service consultation

'[Re-introducing a fee for processing Subject Access Requests] would place the financial burden onto the shoulders of individuals who typically have large and complex record holdings across multiple agencies such as individuals with lived experience of social care services, who are frequently the most vulnerable in our society, when seeking to exercise their right to access their personal information'

- CHS response to data protection proposals

'All children living in Scotland who are deprived of their liberty in residential accommodation, irrespective of the registration status of the accommodation, should expect their rights to be respected and treated with the upmost of care and respect as outlined in Article 5 of ECHR and the Secure Care Pathway and Standards Scotland. These standards must apply to all children living in Scotland before, during and after a secure placement.'

- CHS response to cross border placements of children and young people in residential care consultation

To read our full responses to consultations, visit:

[Consultations & Evidence \(chscotland.gov.uk\)](https://www.chscotland.gov.uk/consultations-evidence)

Outreach to different communities and using their feedback

Alongside our ongoing communications activity via social media and engagement, we've recently been looking at ways to increase awareness of CHS and to utilise different channels. For example, In mid-May, Stephen Bermingham, CHS Head of Practice and Policy, wrote a thought-provoking article on the role and conduct of legal representatives in hearings. Published in the Law Society of Scotland Journal and on their website, Stephen wrote about efforts to ensure quality decision-making, the importance of keeping focus on the child at a hearing, and the proper role of legal representatives. This article was written in response to a number of concerns that some legal representatives use an adversarial and combative approach within hearings.

He touched on various aspects of the Hearing System and how it can be impacted, positively and negatively, by legal professionals. The article was incredibly well received within the Law Society Scotland community, and early anecdotal feedback from panels suggests that it might have triggered a change in behaviours in some of those who read it. One of our panel feedback that they had seen 'a difference of behaviour of solicitors in the hearing room since the Law Society article'.

Further feedback from legal professionals has shown that it is an area where we've had positive impact this year, which we aim to build upon. In August, a senior lawyer who had attended a children's panel to support a young person who was at imminent risk of homelessness, shared their reflections about the panel. They requested that their feedback be shared with both the panel members and our wider community, specifically on the impact our volunteers are having day on day to support children across Scotland.

'The panel members handled this difficult situation extremely well. They were child-centred in their approach and were mindful of my client's wellbeing. They were caring and compassionate. They checked in with my client throughout the hearing, and allowed for breaks when he needed them. They allowed an adjournment for my client to consider the late recommendation of the local authority and to obtain legal advice from me.

The panel members clearly understood the issues they had to consider and the legal tests that they had to apply when making their decision. They posed appropriate and insightful questions to the local authority to obtain the necessary information to allow them to make the best decision for the child. They were not afraid to ask the difficult questions.

This was without doubt one of the best panels that I have come across.'

These reflections further reinforces our drive to gather feedback highlighting the positive role that the panel plays as well as identifying areas of improvement.

Involving Young People in Panel Member Recruitment

Seventy percent of our Area Support Teams who were recruiting for new Panel Members earlier this year included young people with lived experience of the hearings and care system in the selection phase.

With support from an assigned buddy from their AST, the lived experienced recruiters undertook training via the CHS Learning Academy which included an opportunity for them to practice being in an interview setting during a mock interview session. Many lived experienced recruiters identified this as being the most useful (and enjoyable) part of the training process as it helped them to bond with the members of their Area Support Team and it raised their confidence in asking questions to strangers.

Some local areas held feedback sessions and there were opportunities to complete a survey and to attend a feedback and evaluation session which was held nationally and was supported by WhoCares?Scotland. Overall, the feedback was extremely positive and the suggestions for improvement will be explored and implemented throughout the next recruitment selection process.

- In Aberdeenshire the young person with lived experience who had supported the Area Support Team for two years in a row could include this in her CV and was promoted in her employment.
- In South East Scotland five recruiters returned from 2021 to support the 2022 campaign, having established a relationship with the Area Support Team selectors – and were keen to return.
- In North Lanarkshire, one of the lived experience recruiters returned for a second year, now with greater confidence in this vital role, to take the leadership role in interviews.
- Lived experience recruiters have now been involved in both wider volunteer recruitment and staff recruitment.

"I enjoyed it. It was challenging because I was out my comfort zone but there was good support so I'm really happy I did it."

Recruitment input from Young People

Over the last year, people with lived experience have been integral in the recruitment and selection of new panel members. The top-line statistics below are a great indication of the impact of this work and its future potential.

- Over 50 people with lived experience expressed interest in supporting our recruitment and selection initially;
- 19 of the 22 Area Support Teams included lived experience recruiters in interviewing of potential Panel Members;
- Approximately 30 people participated in interviewing potential trainee panel members
- Over 35 participants have received training and recognition of their contribution in selecting new panel members.

But perhaps the best indicator of the impact of this work is the response we received to the question 'I would recommend being a lived experience recruiter with CHS to others – Would you recommend the role?' A resounding 100% answered 'Yes'.

When recruiting for roles within the CHS National Team, we also involve Lived Experienced recruiters on interview panels. This helps add invaluable insight into how we can best recruit staff members who are truly able to put children and young people at the heart of what they do. 'G'1, one of the members of our lived experience participation group, was part of the interview panel for the Communications and Engagement Lead position in June. G had been a lived experienced recruiter for the past 2 years and was keen to create further progression within this role. She said "I used to be really shy and when I first did the interviews for panel members, I was outside my comfort zone. Last time, I was leading the interviews." CHS value the insight and influence of people with lived experience. When hiring new team members, such as Head of Practice and Policy, and Communications and Engagement Lead position, involving lived experienced recruiters ensures the right people are chosen. People with the passion and skills to connect and really engage with Care Experienced children and young people. 'G' has highlighted that seeing the interview process from both sides helped her a lot when it came to applying and interviewing for her newly appointed role as Assistant Support Worker to support delivery of The Promise in her local council. "I met with Jen and the HR team at CHS to prepare for my first ever interview. I had been nervous about it because I didn't know what to expect. We talked about questions which might be asked and we talked about what my answers would be. I was so happy when I got the job."

Robertson Trust Internship Scheme

Through the Robertson Trust, CHS' National Team hosted a Robertson Scholar, Chisomo, a law student. The scheme is aimed at high-achieving young Scots who 'have the ability but not necessarily the means to get the most out of a university education'. Through the internships, 3rd year Robertson Scholars enhance their C.V. and gain valuable experience in the workplace before entering their final year of university.

Chisomo told us: The impact CHS had on me

'Throughout my time studying law, I have learned a little bit about the Children's Hearing System in Scotland. However, I was not very aware of the work that Children's Hearings Scotland did before my internship. Having the opportunity to work with the staff members, especially the Practice and Policy Team, over my summer has made me feel more confident with exploring career pathways I have never considered before. Being able to have direction over a project which would have a long lasting impact on the organisation and having a space to share my findings with the CHS community and national team has taught me how important it is to be able to communicate with different audiences. Moreover, being able to witness important conversations on children's rights in Scotland first-hand has inspired me to take a Child Law course next year. This is so I can continue to build my understanding of children's rights in Scotland. As a whole, my internship has motivated me to continue trying new things throughout the remaining time I have at university and to keep challenging the status quo both within and outside my studies.'

Raising Awareness

We are proud to have again supported and celebrated some important campaigns which raise awareness of care experience, and the rights of care experienced children and young people.

Care Day is the world's largest celebration of the rights of children and young people with care experience.

This year, how we showed our support included a huge projection on to the side of our office in Edinburgh.



"I am delighted to support #CareDay as part of @CHScotland. CHS are committed to ensuring that all our efforts contribute to support every child and young person to know their rights and thrive."

- Christine Mullen, CHS Head of Learning

Glossary

Area Support Teams (ASTs)

Teams who provide support and guidance to panel members at the local level. There are 22 of these across Scotland, with 400 volunteer members.

Corporate Parent

An organisation or person that has specific responsibilities and duties to people with care experience and their wellbeing. These responsibilities are defined in Part 9 of the Children and Young People (Scotland Act) 2014.

Deferring / Deferral

When Panel Members are unable to make a decision (for example due to missing information), so the hearing is stopped ('deferred') until it is re-arranged for another time.

Hearings System Working Group (HSWG)

Group made up for partners from the hearings system established to facilitate the redesign of the hearings system. It is chaired by an independent chair.

Learning Academy

Provides a range of training to ensure our volunteer community's learning is current and relevant for the role.

National Convener

This role leads and oversees the Children's Panel. They are responsible for recruiting people to serve as Panel Members across Scotland, and making sure they have the right training and support to make sound decisions in the best interests of infants, children and young people. The current National Convener is Elliot Jackson.

Panel Members

People who take part in children's hearings and make legal decisions about the care and protection of infants, children and young people. There are around 2,500 Panel Members in Scotland. Three Panel Members sit on each hearing.

Relevant Person

Someone who has been deemed to have, or recently have, significant involvement in the upbringing of a child.

Scottish Children's Reporter Administration (SCRA)

The Children's Reporter works for SCRA; they decide if a child might need a children's hearing, arrange children's hearing and send all the necessary papers out.



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