

REPORT

To: CORPORATE SERVICES COMMITTEE		Subject: DRAFT CHILDREN'S HEARINGS (SCOTLAND) BILL - IMPLICATIONS FOR THE COUNCIL	
From: HEAD OF CENTRAL SERVICES			
Date: 18 August 2009	Ref: CA/ASA/EH		

1. Purpose of Report

To advise Committee of the content of the Draft Children's Hearings (Scotland) Bill and its implications for the Council with regard to its role in supporting the Children's Panel Advisory Committee and the Children's Panel in North Lanarkshire.

2. Background

- 2.1. The Committee will recall homologating the action taken by the Executive Director of Corporate Services in submitting a response on behalf of the Council to the consultation paper "Strengthening for the Future" - A Consultation on the Reform of the Children's Hearing System. The consultation paper proposed the creation of a new national body to undertake many of the duties currently undertaken by local authorities, Children's Panel Advisory Committees (CPACs) and the Scottish Government. The paper also proposed that local authorities should be taken out of the system except for a minor role of promoting the Children's Hearing System as part of Community Planning. It was also proposed within the paper that the proposed national body would also absorb Children's Reporters who are currently under the Scottish Children's Reporters Administration.
- 2.2. These significant changes proposed by the consultation paper were made without making the case for the need for that change and this was reflected in the Council's submission.
- 2.3. On 26 June 2009, the Scottish Government published a Draft Children's Hearings (Scotland) Bill which is designed to put into effect much of what was contained in the earlier consultation paper. One major change arising from the consultation proposals is that the Scottish Children's Reporters Administration will not now be absorbed into the national body but will remain independent from it.

3. Considerations

- 3.1. The Draft Bill envisages the creation of the role of President who with the help of a national body would take on the vast majority of the duties currently undertaken by local authorities and CPACs with regard to Children's Panels in terms of providing administrative support. Local authorities currently provide support to the Children's Hearing System in the following ways:-

- provision of necessary expenses to CPAC and panel members;
- financial provision for necessary training for both CPAC and panel members;
- support to the CPAC in the annual recruitment and selection of new panel members;
- support to the CPAC in the annual re-appointment process;

- administrative and advisory support at both CPAC/Sub-CPAC meetings;
- support, as necessary, to senior panel members in relation to their officer meetings, area training nights and assistance with meetings paperwork;
- provision of suitable accommodation and facilities for meetings involving CPAC and its Sub-CPACs and for Children's Panel meetings, and
- recruitment of Safeguarders, as necessary and payment of relevant fees and expenses.

In terms of the Draft Bill the support provided by the local authorities will now be provided by the envisaged national body. The Bill proposes that the local authority role in relation to Safeguarders will remain with local authorities. However, it is understood that consideration is now being given to transfer this role, also, to the national body.

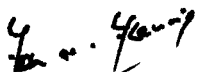
- 3.2. The draft legislation proposes the replacement of Children's Panel Advisory Committees with Area Support Teams which will be appointed by the President. It is not clear what the composition of Area Support Teams will be but it is likely to involve all of the key stakeholders in the system ie. Children's Reporters, panel member representation and those undertaking the role previously undertaken by CPACs and the local authorities.

4. **Conclusion**

The Draft Bill is significantly short in detail as to how the national body will work. However, it is clear from the provisions of the Draft Bill that the role currently undertaken by the local authority will disappear and be replaced by a national body.

5. **Recommendation**

The Committee is asked to note the implications of the Draft Children's Hearings (Scotland) Bill for the Council in terms of its current role in supporting the CPAC and the Children's Panel in North Lanarkshire.


 G. A. Young

Head of Central Services

For further information in relation to this report please contact Alastair Ashley on extension 2445.