

REPORT

To: CORPORATE SERVICES COMMITTEE		Subject: CHILDREN'S HEARINGS (SCOTLAND) ACT 2011 - IMPLEMENTATION - UPDATE	
From: HEAD OF CENTRAL SERVICES			
Date: 31 May 2012	Ref: CA/ASA/RM		

1. Purpose of Report

To provide the Committee with an update on the implementation of the Children's Hearings (Scotland) Act 2011.

2. Background

- 2.1. The Committee at its meeting on 10 February 2011 considered a report on the enactment of the Children's Hearings (Scotland) Bill which provided for the creation of new national body to undertake many of the duties currently undertaken by local authorities, Children's Panel Advisory Committees (CPACs) and the Scottish Government in respect of supporting the Children's Hearings System.
- 2.2. Ms. Bernadette Monaghan was appointed to the post of National Convener of the new national body to be known as Children's Hearings Scotland on 1 April 2011.
- 2.3. The Bill, as enacted, requires the new body to set up and administer Area Support Teams. A consultation paper on proposals for the establishment of Area Support Teams was issued on Friday, 29 July containing substantive proposals regarding the functions of the new Area Support Teams which would replace the current Children's Panel Advisory Committees. The consultation paper was considered by the Policy and Resources Committee at its meeting on 8 September 2011. The Policy and Resources Committee agreed a response to the consultation which opposed the proposal that there be one Area Support Team serving the whole of North Lanarkshire and South Lanarkshire and proposed instead a separate Area Support Team for each of the North Lanarkshire and South Lanarkshire Council areas. The response also agreed that further specification and clarity was required regarding the role and functions of Area Support Teams and the duties expected of support staff.
- 2.4. A meeting involving representatives from the Children's Panels from both North and South Lanarkshire, representatives of the CPACs from North and South Lanarkshire and officials from both Councils with representatives of Children's Hearings Scotland with regard to the proposal that there be only one Area Support Team serving the whole of North and South Lanarkshire was held on 8 March. It was clear from those present at the meeting that it was considered that there was no benefit in having one Area Support Team for both Council areas. While it appears that full account will be taken of those representations, no final decision with regard to the proposal has been made by Children's Hearings Scotland.
- 2.5. A request has been made that North Lanarkshire Council, on behalf of Children's Hearings Scotland, provide administrative support to a North Lanarkshire Area Support Team. Meetings have been held between staff of Corporate Services who currently support North Lanarkshire Children's Panel and North Lanarkshire CPAC under the current system with representatives of Children's Hearings Scotland with regard to the role and funding of what is envisaged as a significantly wider support role than currently undertaken. These discussions are still ongoing.

2.6. The implementation date for the provisions of the Children's Hearings (Scotland) Act 2011 was September 2012.

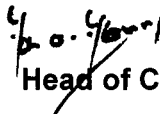
3. Current Position

3.1. On 27 April 2012 Scottish Ministers agreed to extend the timetable for the planned reform to the Children's Hearing System to the second quarter of 2013. This delay acknowledges the importance of ensuring that all aspects of the proposals contained within the legislation are all in place at the same time.

3.2. The delay in implementation of the proposals within the legislation will allow more time for discussions between the Council and Children's Hearings Scotland with regard to the support of the Children's Hearing System within North Lanarkshire.

4. Recommendation

The Committee is asked to note the update in relation to the Children's Hearings (Scotland) Act 2011.


Head of Central Services

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