

# Better Hearings Report



Children's Hearings  
Improvement Partnership

October 2019



Welcome to  
our first Better  
Hearings  
progress  
report!



## Better Hearings Progress Report

### Welcome..

To the first comprehensive 'Better Hearings' update. This report sets out the progress to date on the work that has been taking place across the country to implement improvements linked to standards set out in the research report *Next Steps to Better Hearings*.

This report is aimed at members of the CHIP and the related organisations that seek to implement the standards - **to improve the experience of children and families attending Children's Hearings**.

This improvement work is about what all the partner organisations in the Children's Hearings System can do to enable the best possible experience for everyone who comes to a Children's Hearing. This report takes you through what has been happening so far. It provides background information about why we are doing it, sets out how we are doing it and some of the local improvement projects to give a sense of what has been done across the country and what difference it is making.

One of the themes present throughout this report is 'partnership and collaboration'; without it, Better Hearings would not be possible. The Children's Hearings Improvement Partnership has endorsed the standards, and agreement has been made by all partners coming together to take forward this work. The wealth of activity going on locally is testament to that.

This is a report on the first year of implementation. Improvement takes time to shape and agree, to enact, and longer to take effect. We are just at the start of a journey together towards Better Hearings, that is going to gather momentum ...

# Better Hearings

In 2015, with implementation of the Children and Young People (Scotland) Act 2014, all partner organisations in the Children's Hearings System became corporate parents. With this came a set of legal duties about how we interact, work for and treat the children and young people referred to the system.

At this time, the Tripartite Group, a group made up of the Scottish Children's Reporter Administration (SCRA), Children's Hearings Scotland (CHS) and Social Work Scotland, challenged itself **to improve the experience of children and families attending Children's Hearings.**

The Tripartite Group commissioned research to identify **what makes a Hearing work well from the perspective of those involved** and from this to develop service standards for Children's Hearings.

This research was carried out by SCRA, and comprised a literature review of consultations with young people and focus groups of professionals including social workers and Reporters and Children's Panel Members.

**Through reviewing** what children and young people have said about their experiences of Children's Hearings and those of practitioners, this research aimed to:

*'Identify what makes a Hearing work well from a perspective of those involved and from this develop service standards for Children's Hearings'*

A report *The Next Steps Towards Better Hearings* was published in October 2016 - **Better Hearings**. The Standards for Better Hearings were developed based on the areas of consensus between the findings of the literature review of children and young people's views and discussions with practitioners. The standards are written from the perspective of what children and young people should expect from their experience before, during and after their Hearings.

Young people with experience of Children's Hearings were consulted on the draft Standards and their feedback was used to revise and finalise the proposed Standards for Better Hearings.

The service standards focus on the roles and expectations of adults **before, during and after** each Children's Hearing. These 32 standards are grouped under a number of headings:

- Planning your Hearing
- Reports and Information for your Hearing
- Safety and Privacy
- Managing the Hearing
- Helping you give your views
- Decisions
- Hearings decisions and what happens next
- Your rights

The full set of standards can be found at **Appendix A**

The standards set out what agencies working with and for the child/young person should do to deliver the best possible hearing experience, as defined in the research.

The CHIP approved the standards, and the project plan laying out the approach to rolling them out nationally. The overall aim of the project is:

*“to ensure that the actions for Better Hearings are recognised, planned for and implemented within each local authority area in as consistent a way as possible, using existing partnership arrangements linked to Corporate Parenting and Children’s Services Planning where possible”*

*“That forums are in place locally to oversee the strategic direction as set by CHIP and that there are mechanisms for collaborative planning and reporting on progress”*

The following report provides an update on the progress that has been made against these aims.

## **Children’s Hearings Improvement Partnership (CHIP)**

The Children’s Hearings Improvement Partnership (CHIP) is a strategic partnership to strengthen policy and planning to deliver a good experience and outcomes for each child and young person involved in Children’s Hearings. Chaired by the Scottish Government, the CHIP brings together people at a senior level across Scotland who have a common interest in developing and improving the Children’s Hearings System, and includes representatives from all key partners in the Hearings System.

To make the Hearings System successful, its constituent parts and supporting arrangements need to be understood and properly aligned. The CHIP is all about fostering respect for each other’s role and contribution. Sharing ideas and co-ordinating our efforts supports our work together to further the best interests of children and young people.

The CHIP’s aim, vision and values can be viewed [here](#). These pave the way for the collaboration required to ensure full delivery of Better Hearings.

## **Approach**

Partnership is key to the delivery of Better Hearings and each local area has identified a multi-agency group to take forward the implementation of the standards.

The first task of the multi-agency groups was to assess how local performance measured up against the Better Hearings standards by undertaking a Baseline Assessment exercise. All agencies worked together actively and honestly to make that assessment and there was a lot of good feedback from these sessions, securing local ownership for the work.

Areas have used their self-assessments to inform action plans for their own partnerships to work to. The action plans have prioritised the work that needs to take place locally to meet the standards for ensuring the provision of the best possible experience for all involved in Children’s Hearings.

In some areas there was acknowledgement that there was still some work to be done in getting the basics right whilst in others they were ready to move to towards their identified improvement.

Centrally, work has taken place to review these plans, to 'pair together' areas working on similar improvement actions, and to share good practice. A number of similar themes emerged that indicated a need for support at a national level:

- Participation and engagement of young people and families
- The variable quality of reports to Children's Hearings
- Hearings management

## Summary of activity towards Better Hearings

### Planning your Hearing

All partnerships felt that improvements could be made;

- Guidance for professionals in preparing children and young people for Hearings.
- Training for Education on preparation of children and young people for Hearings.
- Ongoing promotion of Pre-Hearing visits for children and young people.
- Amendments made to form that is used to capture young people's views ahead of their Pre-Hearing Panel following feedback from young people

### Reports and Information for your Hearing

- Case sampling of the quality of local authority reports has been initiated.
- Commitments in many areas to review and improve the social work reports
- Commitments in many areas to review the way in which young people input to their reports
- Feedback being sought from all users of one area's social work reports with a view to shaping improvement
- A co-designed Communications Charter which sets out what young people should expect from communications from SCRA
- Pilot of 'easy read' letters to help parents/carers understand things more clearly

### Safety and Privacy

- Further improvements were made to Hearing rooms to make them more child/young person friendly with five being re-modelled in the year
- Research was commissioned to look into privacy and confidentiality in the Hearings System and the findings will be reported in 19/20
- Published a new privacy information leaflet for young people written by one of SCRA's Modern Apprentices
- New information added to SCRA website about 'your information and how we protect it and keep it safe'
- Created a cartoon animation about 'privacy and your information'.

## **Managing the Hearing and decision making**

Improving the conduct of Children's Hearings was a common area of focus in local action plans. In some areas this was about improving scheduling of Hearings. Other areas found that many Hearings did not start and end on time, or were too long. Others prioritised work on making written decisions by Children's Panel Members clear and comprehensive and fit for purpose. Work to tackle these areas of need include:

- Training of Panel Members by young people in Midlothian, Renfrewshire, East Renfrewshire, West Dunbartonshire, Inverclyde, Central and West Lothian
- Multi-agency training around roles and responsibilities in five local authority areas
- Training of Panel Members by Advocacy Workers to help them better understand participation and engagement.
- Analysis around attendance at their Hearing of children and young people in Fife, Dundee, Perth and Angus to provide baseline for improvement
- Survey time management of Hearings and agree actions from findings
- Development of top tips for Panel Members across a range of areas use including language, jargon, putting rights language first etc.
- Monitoring the chairing of Hearings following new training arrangements
- Trials of reduced Hearing sessions - having only two hearings per session rather than three following feedback.
- Children and young people working with panel members to develop their (PMs) understanding of the issues relevant to them in their lives to support decision making.

## **Helping you give your views**

- Focus groups with young people around how they would like to give their views, participate and attend Hearings
- Pilots to support the improved use of technology around Hearings to encourage better participation.
- Trials of participation tools within Hearings – running emoji pilots – digital and non-digital in Falkirk, West Lothian, Central, East Renfrewshire and a number more.

## **Hearings decisions and what happens next**

- Improved and re-launched the 'Your Rights' flyer and poster to support young people to know and exercise their rights

## **Your rights**

- Focus groups of children and young people to garner their views and ideas for improvement.
- Feedback from children and young people to improve future practice around hearings after they have been through the experience.
- Launched an online cartoon animation about "Your Rights' - it's important that you know them'.



# A closer look...

To demonstrate some of the hard work and real commitment, a number of short in depth case studies are provided below. These are just a small number from a huge amount of examples that could have been used but gives a sense of the work as it spans the full Better Hearings agenda:

## Planning your Hearing

In many of the areas multi-agency groups prioritised better preparation of young people for the hearing. There are lots of people who can make a difference to this – the Social Worker, Advocacy worker/children’s rights officer and the Children’s Reporter. Agencies in a number of areas have collaborated to produce guidance for professionals and advocacy workers to help them prepare children to attend Hearings. These guidance notes capture everything that children and young people should know before they come along – from what the centre looks like to what their rights are.

Preparation for the Hearing is not only designed to inform children and young people and their families but, crucially, to better equip them to play a full part in the process and better inform and influence the decisions made. The guidance provides the social worker with **relevant information** to discuss with the young person, and **prompts** to ensure that a full discussion is taking place about the views of the young person; how they are feeling, what they want their Hearing to achieve, what questions they have, how they would like to get their views across in the Hearing and what their options are if they don’t want to participate directly.

Guides have been developed in three areas locally – Aberdeen, Aberdeenshire and Stirling, to ensure they capture the local context but cover all of the areas needed. These guides are available electronically and have links and embedded videos for workers to watch, and use with the young people that they support.

### Better Hearings in Aberdeenshire

#### Guidelines on preparing children and young people for attending a Children’s Hearing

**These guidelines are for all professionals supporting children and young people who are going to a Children’s Hearing. This could include social workers, teachers, police officers, children’s rights officers, community learning and development workers etc.**

**It is very important that children and young people receive as a hearing as best prepared as possible. This checklist provides a framework for any professional working with a child to complete this task and is the responsibility of the lead professional to ensure that the work has been done.**

- Why the hearing is being held
- What decisions might be made e.g. Compulsory Supervision Order (CSO), Interim CSO, appointment of safeguarder
- That they have a right to take along a friend or representative such as a Children’s Rights Officer

Explain the physical set up of the hearing Centre, who will be in the waiting room with them, that the hearing is a tribunal and may be more or less formal than they are expecting, help them think through what might feel like for them both entering the hearing and being expected to participate. The links below show the hearing Centres in Aberdeen and Fraserburgh

Aberdeen: <https://www.nora.gov.uk/contact-us/office-locations/aberdeen/>  
Fraserburgh: <https://www.nora.gov.uk/contact-us/office-locations/fraserburgh/>

Ensure the child knows that a Children’s Hearing will have a Panel of three people who have been trained to make decisions in the best interests of the child. These decisions can last up to a year.

The Panel will hear from everyone there including the child/young person and consider all the reports. Then they will decide things like: where the child will live, if away from home whether there needs to be measures about contact with family members, if there is a need for an early hearing. They will also decide if a safeguarder is needed. This is a person who is independent who will speak to everyone concerned and make a recommendation that they consider to be in the child’s best interests.

Explain that decisions should be clearly explained and the child/young person can ask any questions.

#### Understanding what a Children’s Hearing is

Ensure that the child/young person has access to the Scottish Children’s Reporter Administration leaflets which can be accessed on the “Children” or “Young People” pages on the SCRA website (<https://www.scra.gov.uk/>)

There are two information packs, one for younger and one for older children, available from the Reporter’s Office (Contact no: 0131 244 8726). Copies of the leaflets are in the pack.

Go over the leaflet with the child/young person explaining what it means and give them a chance to ask any questions. Make sure they know:

- Who will be at their hearing and why they have been invited
- What type of hearing it is for example initial hearing, Review Hearing, advice to sheriff etc.

### Better Hearings in Stirling

Explain there are many different ways to provide their views ahead of the Hearing:

- The child/young person should be encouraged to fill in the “All About Me” form. Links to the forms are below.

12 and over



11 and under



Click here to view the young person’s form [Click here to view the children form](#)

- Encourage completion of “Your Views” for a Pre-Hearing Panel
- Suggest they write down what they want to say beforehand or getting someone else to write down what they want to say.
- They wish to draw a picture or other artwork, etc.
- They could use Talking Mats or other methods.

Help them to work out what is best for them. It is helpful if the views of a child/young person can be included in their own words.

It is very important to remind them that they can speak to the panel member on their own or with their friend/representative or another trusted person if this would be helpful. However, remind them that the gist of anything discussed will still need to be shared with the larger group.

In certain circumstances it may be possible for young people to participate in their Hearing through video link if available. There must be a good reason not to attend in person eg distance or distress, and the child requests it.

#### 6. Understand the Local Authority’s Recommendation:

### 3. Understanding the Grounds of Referral:

If it is a Grounds Hearing, please make sure that:

- The child/young person has received, read and understood the Grounds for Referral (to their age and maturity).
- The child/young person knows that the grounds can be put to them separate from the relevant person(s) if the presence of the relevant person(s) would make it harder for them to accept or deny the grounds. They would need to ask for this at the start of the Hearing.
- Do they know who their “relevant persons” are? (i.e. the parent/s and/or person/s who have or have recently had significant involvement in the upbringing of the child or young person), if they/you are unsure who the relevant people are, please contact the Reporter or the social worker for clarification.
- Explain that the child/young person and the relevant persons will need to either accept or deny (e.g. answer yes or no) the grounds at the hearing: statements of fact first then the overarching ground for referral.
- Amendments can be made with the agreement of the family and the reporter following discussion of the statement of facts. This will only occur when everyone is in agreement and it does not undermine the ground for referral.
- That if the child or relevant persons deny the grounds and the hearing feels that compulsory measures of supervision may be required, they will send the case to the sheriff for proof. Very occasionally, if compulsory measures of supervision are not felt to be necessary, the hearing will discharge the case.

In support of the preparation guidance developed in the **Stirling** locality, they have been running a series of training sessions - Preparation of Children for Hearings Guidance and Workshop - for education Staff designed to inform more fully about the Children's Hearings System to help prepare and support children and young people coming to Hearings.

These sessions brought together a mix of Education staff, Reporter staff and Children's Panel Members to work through the key messages in an interactive way. They were held in refurbished Hearing rooms in Stirling which gave practitioners sight of family friendly hearing rooms to support their work with young people.



Neil McKinlay, Locality Reporter Manager 'all tied up' in an interactive exercise demonstrating how a young person can feel when coming to a Hearing – the number of people around them, the number of ways they are pulled and the risk of being 'lost' in the process.

Feedback from both Stirling Primary and Secondary Teachers is that they feel more empowered to support the child or young person before the hearing. Education staff have assisted children to express their views before and within the Hearing. A key message in the sessions was that children have an opportunity to come along to the Hearings centre before a Hearing to check it out.

The number of children and young people visiting Hearings centres before their Hearing has increased since the sessions.

**Attendee feedback:** 'I recently went to the training and found it very beneficial and delivered by the Reporter and Panel Members – members of the public who were down to earth. From listening to them it was obvious they all had the child at the centre.'

As a school we are encouraged to take the child for a visit prior to the Hearing, talk them through what the process will look like. The training really helped support us in this. It was great to see the room too – child friendly décor, toys and its layout is nonthreatening – we are not sitting at a table in a formal manner but much more relaxed with comfy seats in a circle, we have come a long way and children are very much at the centre of it all' Primary Deputy Head Teacher

Revised guidance is now on Stirling Education Intranets. There are plans to roll this out to **Clackmannanshire, Falkirk and West Lothian** across 2019/20.

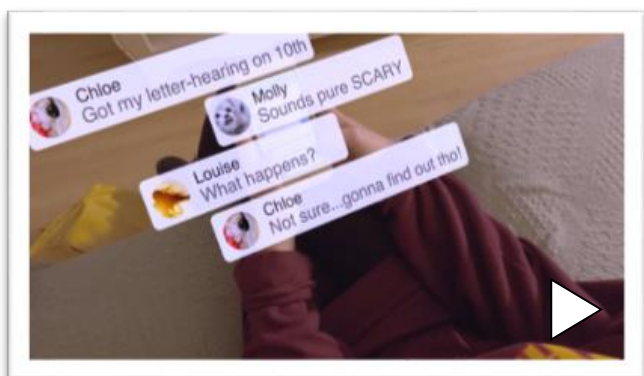
SCRA continue to promote the preparation guidance with Social Work through visiting their team meetings



## Pre-Hearing visits

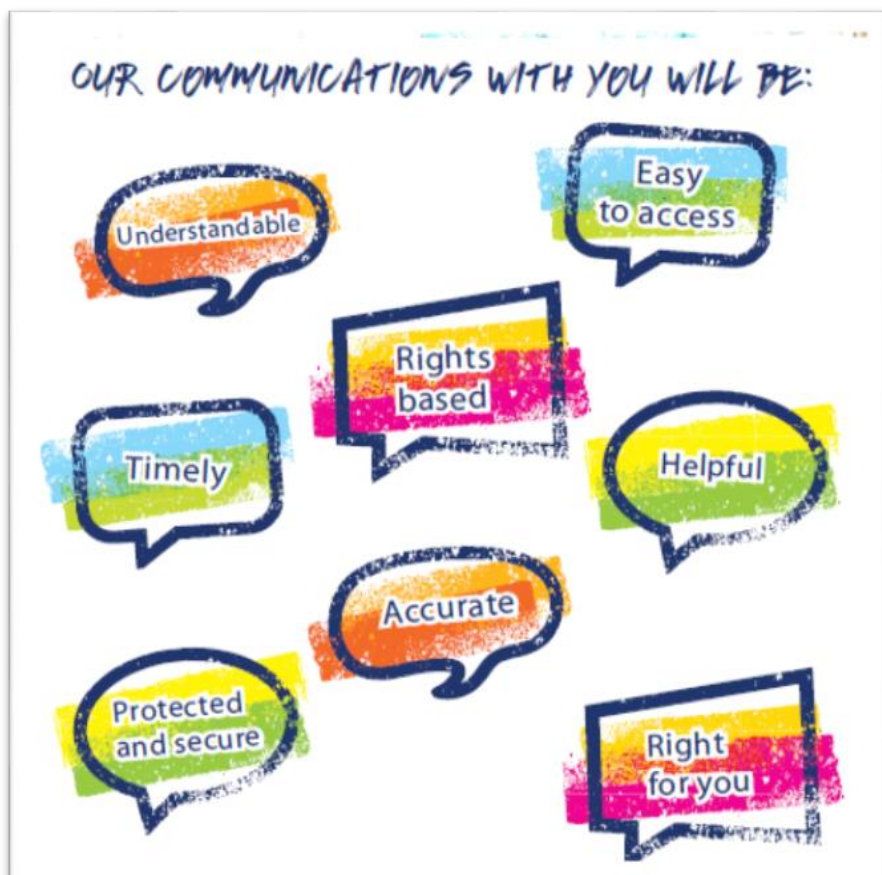
Some children and young people want to come along to the Hearing centre before they come to a Hearing for a Pre-Hearing visit. This allows the young person to see the centre, meet the staff, have a look in the rooms – see if there is somewhere that they would prefer to sit, and ask any questions they have. As part of the Better Hearings work these visits are being promoted by SCRA in the letters and flyers that are sent out and also by Social Workers when they are meeting with the children and young people.

For those who don't want to visit or aren't able to, SCRA has produced a **short film** –to promote coming along for a visit and to go through a virtual visit. This gives children and young people a chance to familiarise themselves with the place and the process ahead of their Hearing.



## Reports and Information for your Hearing

SCRA co-produced a communications commitment to and with children and young people about the information they receive – its format, its content and its structure. All new communications are measured against this to see if they stand up to it.



## Safeguarder Reports – Children 1st

As part of Safeguarders' pre-appointment training, they receive a Practice Note detailing the quality standards required of a Safeguarder report, and take part in a Practice Workshop on Report Writing to support this. The interactive workshop provides an opportunity to apply the Practice Note to the practical task of writing a Safeguarder report. The aim of the course is for Safeguarders to have an increased knowledge and understanding of what is expected of a Safeguarder report, to provide feedback as to strengths and areas of development and to ensure Safeguarders have an increased understanding of the 'report sampling tool' and how it is used as part of the Performance Support and Monitoring Framework. (Further info re performance support and monitoring framework can be found in appendix C)

## Safety and Privacy

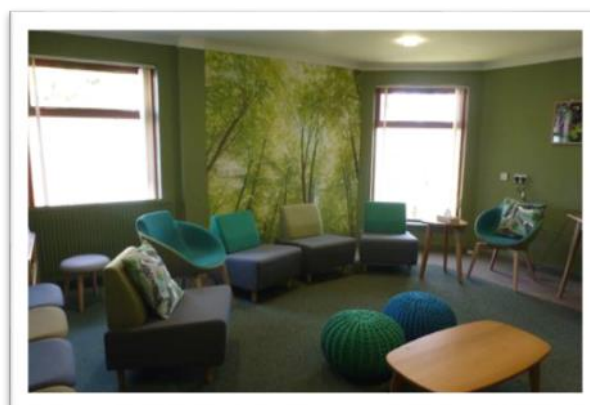
The Better Hearings standards talk about providing an environment that feels 'safe'. As part of SCRA's corporate parenting duties and commitment to the delivery of the Better Hearings Standards, the Hearing room improvement programme is a key piece of work each year.

Children and young people and professionals agree that the 'old' style hearing rooms are too formal, hearings in them can feel like 'a trial', are 'boring', the tables are too big and they do not support children and young people to feel comfortable – and are therefore not helpful in supporting young people to participate effectively in their hearing.

Young people worked with interior designers and SCRA to identify a number of distinct themes to help them feel more relaxed and better able to participate. They asked for calming, less formal rooms with friendly colours, the removal of the large table, the addition of plants, a variety of seating options to suit those with disabilities, and an identified play area for younger children. With the invaluable contribution of young people with experience of hearings, a variety of participative rooms have been successfully introduced across the country. Children and young people talk about feeling 'warm', 'comfortable' and 'not like a doctors'.

Three rooms have been given a makeover in 2018/19 – **Bellshill, Dalkeith and Falkirk.**

Bellshill opted for a green/outdoor theme and there has been great feedback received – from those using the room as well as across social media.

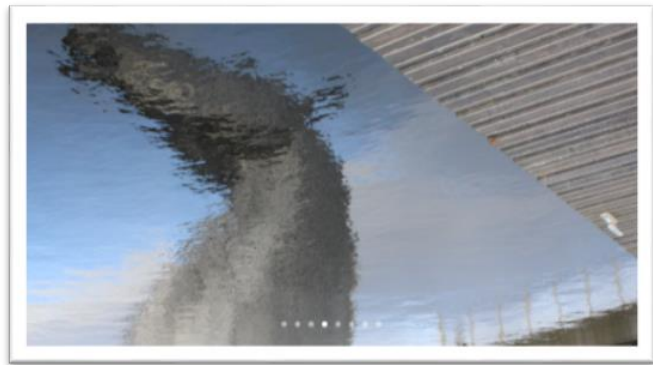


On seeing the development of the Hearing Centre there. Louise Macdonald CEO youth charity Young Scot “This makes my heart happy. When I was a Board member of [@ChildReporter](#) this work around making hearing rooms more c&yp friendly was just beginning - fantastic to see such progress now”

The SCRA Twitter post received 75 likes, 14 retweets, and four comments – “Love it!” “So good to see. The environment matters.” “Fantastic to see this roll out.” “This change in environment does make a difference for the children and young people attending Hearings.” “Much more inclusive.”

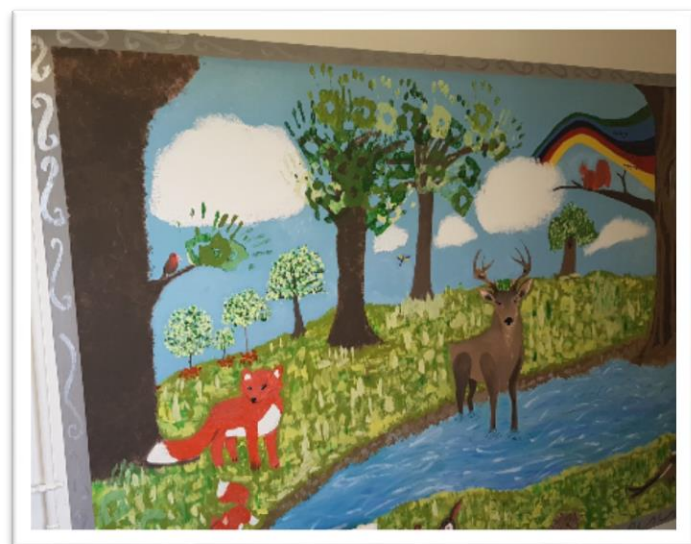


### Falkirk Hearings Centre chose a Scottish seascapes theme in their new design



The refurbishment aims to provide warm, welcoming child and young person friendly setting for Children’s Hearings. SCRA recently ran a photography competition under the ‘Scottishscapes’ banner aimed at young people living in the Falkirk area. The theme of the photography competition was chosen to complement the refurbishment’s decorative ‘Scottishscapes’ theme. Young people submitted photographs they’d taken of Scottish landscapes and nature. Four of the images are now on display in Hearings Centre in Falkirk.

### Dalkeith and co-design..



The **Dalkeith** Hearings Centre has also gone through a makeover – opting for an indoor peaceful theme - creating a far brighter, airier and more welcoming place for children and young people in the area. The main talking point is a mural, beautifully crafted by the young people from Midlothian Champions’ Board combining lots of individual and collective effort, stories and representations. The official unveiling took place in May with some of the young people present, along with SCRA staff and partners. More than 25 people attended the event and the Hearings Centre was buzzing. This was also an opportunity for people to see the new look

Hearing room which was recently completed with many people remarking on what a contrast there was with how the Hearing centre looked and felt in the past. Talking at the unveiling, **Ashleigh Stephen from the Midlothian Champions Board** said it was great for the young people to see



the Hearing Centre in a different light and also in a different atmosphere. She added: “It is great to see the young people laugh and enjoy themselves in the Hearing Centre.”

**Neil Hunter, SCRA’s Principal Reporter/Chief Executive Officer** attended the event. Neil said: “This has been a really great open event – the atmosphere has been incredibly positive. The art work and the general work by the Midlothian Champions’ Board is just fantastic. Everyone here today has been so complimentary about the mural. Everyone involved should be really proud of their work.”

## **Managing the Hearing**

Part of the induction process for many professionals working in the hearings system is to attend a children’s hearing as an observer to support their understanding of the process.

Through the Better Hearings research (and others) a prominent issue is around the increasing number of people in the hearing room (in part due to the 2011 Act) - affecting the management of the hearing and also having an impact on full participation.

As part of the multi-agency Better Hearings action plan in Lanarkshire, it was agreed to try an alternative approach to hearing observation requests.

SCRA’s Katy Lang, Senior Practitioner Lanarkshire and Jenny West, fellow Senior Practitioner from North Strathclyde, have worked together in developing the new training module as part of their leadership qualification.

Jenny said: “The training module has two aims. One is to limit the number of people in a Hearing to only those key to the process, and the other is to provide standardised high quality training for partners, in line with the Better Hearings agenda.”

During the 2 hour training, delegates learn about the Children’s Hearings System then participate in a mock Children’s Hearing, with delegates role-playing the various roles in the Hearing.

Since 14<sup>th</sup> January 2019, staff in Hamilton House have booked over 50 staff from partnership agencies onto the new training course. This has been widely welcomed as a preferable alternative to hearing observations. The module was devised primarily to offer an alternative to social work students, but all agencies have expressed interest in attending. To date, services represented on the new training include: NHS, Police, education and interpreter services. It is anticipated the module will run monthly at Hamilton to meet the current levels of demand.

**Locality Reporter Manager for Lanarkshire, Jim McClafferty**, added: “This is an exciting initiative that will enhance the understanding of the Children’s Hearings System amongst a wide range of professionals, as well as providing direct experience of a mock Children’s Hearing.”

The module has now been delivered to Scottish Government Children and Families policy officials.

Katy Lang said: “Our goal was to reduce the numbers of observers in the Hearing room. Observations are an important part of the induction process for new social workers, so it was necessary to consider how the need could be met in an alternative way.”

From the beginning of 2019, partnership staff seeking to observe a Children’s Hearing have instead booked onto a new Mock Children’s Hearing Training module, which launched on 6<sup>th</sup> March 2019.

## **Involvement of young people in CHS training and recruitment of Panel Members**

A key aim of local work to implement Better Hearings standards is to enable exchange of knowledge and develop a deep understanding of young people's experiences and needs amongst Panel Members. CHS Learning Academy involves young people from Who Cares? Scotland on day five of the national pre-service training programme for all new Panel Members. Children and young people are also involved in role playing a hearing on Day 1 of the training. Our Area Support Teams across the country regularly include care experienced young people in local training events. Training events for Panel Members which include presentations and discussions with young people are held at least annually in most of the 22 Area Support Team localities.

ASTs work closely with Champions Boards who are well placed to facilitate young people's involvement in local training events. Topics are diverse; they have included exploration of young people's experiences of hearings and of different forms of care, the value of advocacy for young people and how to break the cycle of offending. There are also opportunities for young people and Panel Members to meet and talk at other, less formal events. For example Central and West Lothian AST have planned a 'Picnic with a Panel Member' event to take place in October 2019.

The AST in Central and West Lothian hold an annual event with their local "Having Your Say Group". In addition Grangemouth High School drama group delivered a workshop to 60 Panel Members in the Falkirk area in 2017, presenting the views of care experienced young people within their school. Not only did the session inform Panel Member participants, but pupils at the school also gained a greater understanding of the challenges faced by their care experienced fellow students. In 2018 in Falkirk five young people delivered a workshop to 139 Panel Members. Another event was held in May 2019 with 23 Panel Members and six young people where the number of participants was capped to avoid the young people feeling overwhelmed.

In West Dunbartonshire AST in March 19 the local Champions Board Co-ordinator and two care experienced young people presented their work to 35 local Panel Members as part of a day long local learning and development event. Last year's event in Inverclyde involved five care experienced young people from a local support group established in 2017, 'Proud2Care', who talked to 20 Panel Members about their experiences.

Since 2017 East Renfrewshire have run four training events for Panel Members involving young people from different organisations including the local Youth Intensive Support Service, Who Cares? Scotland and the Champions Board. The latter was an interactive event supported by Comedy & Confidence, a Paisley-based project providing education through performance, with the aim of increasing PMs' understanding of young people's experiences.

During 'Care Experienced Week' in October 2018, Renfrewshire AST ran a training event in partnership with CELCIS, Clan Childlaw and Who Cares?Scotland with ten care experienced young people, eight AST members and over forty local Panel Members. The event celebrated the Year of Young People, examined current practice in children's hearings and looking at changing future practice. Two discussion workshops took place; one discussed continuing care, the Care Leavers Covenant and the legal rights of young people, and the second considered the implications of sibling separation and the effects of this on children and young people.

In November 2018 in Midlothian the Champions Board provided a briefing for approximately fifty Panel Members on creative ways of obtaining the views of children and young people at hearings through use of a digital app. The AST also asked young people to help plan their 2019 annual training day for all local Panel Members.

Young people are also involved in Better Hearings development work in East Renfrewshire. During 2019 East Renfrewshire's multi-agency Better Hearings implementation group has worked closely with Who Cares? Scotland to gather perceptions from children and young people about



being referred to and attending a children's hearing, from the point of receiving reports to after the hearing ends and beyond. Focus groups from Champions Board and Mini Champs gave views which were collated by the Who Cares? Scotland worker. Their report informed future plans and work for change. The Area Convener and Locality Reporter Manager presented the report, and the action planned in response, to the Champions Board, and will report back to the Champions Board after each Better Hearings meeting. Work has already begun on planning a learning event with young people's involvement to take place in early 2020.

## **Recruitment of Panel Members**

Better Hearings is founded on promoting effective engagement and participation of young people in every aspect of the work of the children's hearings system. Enabling local young people to participate in recruitment activity at national and local level is a high priority for CHS. For Panel Member recruitment in 2019, CHS has produced a Toolkit for recruitment of new Panel Members including a detailed step-by-step guide to involving young people and answers to FAQs to support ASTs to do so. The guidance is framed around the inclusion of young people, recognising their capacity to contribute to decision-making in finding the best people possible to become new Panel Members, and supporting them to do so in a respectful way. Young people with lived experience of care also worked closely with CHS to create a campaign video explaining what makes a good Panel Member.

In Tayside the Area Support Team have collaborated with staff from Carolina House Trust which hosts the Champions Board to include and integrate young people into this year's recruitment of new Panel Members. Four young People on the Dundee Champions Board stepped forward. One of the Project Leads from the Charity is care experienced and has helped plan how best to empower the young people to participate to maximum effect. All the recruitment information has been shared and young people are invited to participate in all the recruitment with an equal say and contribution. They attended a full day AST Development session, met the AST recruitment team and are paired with the Panel Member representatives to review interview questions, oversee group discussions and agree how interviews will be evaluated. A young person will be present on every one to one interview for recruitment of new Panel Members for Tayside. Young people's voices and views are given as much weight as staff and volunteers when choosing Panel Members.

## **Monitoring the chairing of Children's Hearings**

Children's Hearings are complex. Each Panel member plays their part in managing the hearing and ensuring that the child or young person understands what will happen and that they can participate as fully as possible in conversations about their future. The chair of the hearing is required by law to do certain things, or make sure that they are done. Area Conveners across Scotland have reported different arrangements for chairing hearings at local level. Local diversity is appropriate in some circumstances, but a national approach is needed to make sure that the children's hearing system delivers reliable arrangements, to reduce the likelihood of system failure, and to provide a consistent experience for all participants.

In 2018 the National Convener chaired a short life working group from the CHS community on chairing Children's Hearings. The Group developed a national policy on the chairing of Children's Hearings, and approved associated practice guidance which clarified expectations of existing and new Panel members. The group confirmed the existing well-established policy that all Panel Members should participate in chairing hearings when trained to do so. In 2019 CHS introduced extra training and support over the next two years to increase confidence amongst all Panel Members in chairing hearings. These arrangements include additional training, mentoring support and observed practice for Panel Members who do not already chair hearings. CHS will review the impact, drawing on the routine monitoring of hearings by Panel Practice Advisors and a baseline assessment of AST performance by the Area Support and Improvement Partners.

## Helping you give your views

Feedback from children and young people tells us they want to know in advance who they will see in their hearing to help them feel more comfortable and better able to take part "...because you are facing three strangers who sit and stare at you and talk about you" (Scottish Executive, 2006).

In response, a number of areas now have Panel Member Profiles in their Hearing centres. This lets children and young people see who will be their panel members and learn a little about them before they go into the hearing. Stirling have adopted this approach as have East Lothian, Aberdeen and a number of other areas. This is being extended across Scotland throughout the coming year.



A 8 week trial of Panel Member Profiles in Glasgow generated around 60 responses. 100% of the children and young people and their families said that they found benefit from having the pictures and being able to see in advance some information and images of the Panel Members ahead of their hearing.

One response from a carer stated that the young person they looked after, who has an autism spectrum condition and had not previously felt able to come into the hearing room, was able to do so because they had been able to "see" the Children's Panel Members in advance. The carer was delighted with this change.

**Bill Evans, Lead Panel Representative said** "When we began this process my marker was if we can help one child to feel more at ease about entering the Hearing room then it is worthwhile."

SCRA Glasgow has followed suit recently and now also provide Reporter profiles at the Bell Street Hearing Centre.

## Decisions

Within **West Lothian**, Children's Panel Members take part in a 'Having Your Say' session with a group of young people from the local authority area. The purpose of this is to **better inform** Panel members' practice in Hearings.


The young people are allocated one of the Panel Member development sessions and Anne Johnston, one of the Panel Practice Advisors, works with them to develop an event on a topic chosen by them and in a way which they themselves decide.

Sessions have involved an interactive exploration of the European Convention on Human Rights as it relates to Children's Hearings, discussion about what makes a good Panel Member from the perspective of the young people, and things the young people didn't like about attending a hearing

with possible solutions being developed together on the day. The sessions are well attended by Children's Panel Members. They are designed to be fun but hard hitting.

**Carol Murchison, Panel Member West Lothian** commented that "The positivity and confidence displayed by the young people is great."

**Another fantastic initiative seen in West Lothian** has been the Communication Hot Tips booklet. This is aimed at all Panel Members and provides them with a summarised version of many key learning resources





**"Communication Matters – It's a Two Way Street"**  
Saturday 16 March 2019

The aim of this Training Event was to provide panel members with a better understanding of how to improve communication between all attendees and most importantly, between the Panel Members and the child or young person in a hearing.

This leaflet will detail Top Tips provided by each of the workshop contributors and should serve as a handy reminder to Panel Members on ways in which they can improve practice whilst communicating with children and young people within the Hearing Room.

**Dr Lorraine Lockhart  
CAMHS**  
Communicating with children and young people –  
5 top tips

1. Think about what you know about a child's development and use language appropriate to their developmental age and not their chronological age.
2. Use empathy – try to see things from the child's point of view and let them know you understand. If a child has understood by you, they are more likely to trust you and will communicate better with you.
3. Consider a mix of open and closed questions. Try to avoid "why" questions wherever possible when communicating with children. Not all children have the thinking skills to understand why things happen (especially their own behaviour).
4. Adapt the help of someone who knows the child well. A familiar and safe adult can help to support a child or young person to communicate effectively.
5. Use simple and concrete language that avoids jargon. Children cannot understand complex language or hold as much information in their mind as adults. Keeping your questions short, simple and focussed will help the child to think through what they are being asked.

**Edmund Cybulski  
Unconscious Bias**  
Ten tips on how to Beat Your Bias

Here are some steps you can take to tackle your unconscious bias:

**1 Question your assumptions**  
Get into the habit of taking a moment to pause and ask yourself, "Why am I thinking this way?" Be aware of your first impressions or gut reactions as these often are driven by unconscious biases.

**2 Look for it**  
Be alert to the types of situations where you are particularly vulnerable to unconscious biases, such as when you are stressed and under pressure, tired or multi-tasking and make an effort to be more deliberate in your approach.

**3 Own it**  
The intent to be unbiased isn't enough to eliminate bias. Take advantage of opportunities to self-reflect and consider the subtle ways your biases may be influencing your actions, behaviours or decisions.

**4 Focus on the individual**  
Make an effort to view others based on their personal characteristics rather than stereotypical ones. Avoid broad generalisations such as "All millennials want..." or "Working mothers never..." or even "Why can't the planning team see...".

**5 Be comfortable being uncomfortable**  
We all have a tendency to like "people like us" (this is an "affinity bias"); it's comfortable to surround yourself with people who are similar to you. Unconscious bias operates when there is a lack of information, so push yourself, to seek out opportunities to immerse yourself in environments where you may be out of your comfort zone.


**6 Understand differences**  
Our comfort with people "like us" can also have a negative impact on those who are "different" from us. Look for ways to increase contact among different people or groups, and actively look for complementary skill sets and perspectives. Learning more about others will help prevent your bias from filling in the gaps.

**7 Celebrate the positive**  
It's often easy to find things to praise in people who are similar to us but push yourself to regularly find the positive in people with different backgrounds, work styles, personalities etc. Actively addressing the positive will not only help that person, but is also likely to help you prevent unconscious and unintended stigmas.

**8 Analyse your decisions**  
Push yourself to look for the evidence and the objective data to support your decisions (particularly decisions that directly impact another's future).

**9 Change your perspective**  
Consider the situation from the perspective of different people or groups and be open to exploring multiple viewpoints. Think about how you would feel if the situation were reversed or how you would feel if someone said that about you or treated you in that manner.

**10 Help someone**  
Volunteer to be a mentor, either through a formal programme or informally. Move yourself to work with someone who is different than you in some way – you will both benefit and grow from the difference in perspectives and experience.





**Kirsti Bridgewater & Claire Lundy  
Communicating with Young People with Behavioural Problems**  
Five tips - Do's and Don'ts

- Do look beyond the behaviour
- Do use total communication
- Do use developmentally appropriate language
- Don't use jargon
- Don't make decisions when you are angry or upset

**Janis Watson  
How Teenagers Manage  
Panel Members**  
Top 5 Tips

- Always speak to young person first when the Hearing starts. Encourage young people to take part in the Hearing through out the meeting.
- After each professional/agency has spoken, check out with young person if they agree with what has been said if they disagree include this in the feedback near the end of the Hearing. You are demonstrating you have listened to what they have said.
- Be aware of your own values, attitudes and body language and tone of voice. Look for non-verbal cues for example body language, fidgeting, lack of interest from young person. Use language that is plain, simple and young person friendly. Do not use jargonistic language.
- Ask young person if they would like education or other external agencies to speak first then leave the Hearing. Respect young people's confidentiality.
- Know what young people's rights are. Use children's rights language that is encouraging and enabling in supporting young person to take part in their Hearing.

**Mary Philliben & Louise Torrance  
Language & Communication Disorders**  
Top Tips for supporting children with language and communication needs


**Support understanding:**

- Use straight-forward language: avoid jargon
- Use words that everyone will understand
- Limit what you say
- Present one idea or instruction at a time
- Give processing time
- Show more, say less: demonstrate and use visual aids, photographs
- Avoid sarcasm and use humour carefully
- Ask for help if you are not sure of the child or YP's level of understanding
- "Front load" them – prepare them for what will happen

**Support talking:**

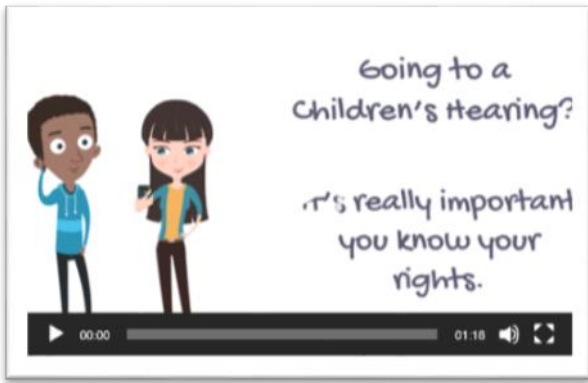
- Give them the opportunity to talk
- Talk about what they are interested in
- Give them time to respond
- Ask open-ended questions
- Avoid multiple questions: ask once and wait
- Avoid finishing their sentences
- Repeat back to make sure you have understood what they meant
- Respond to what they say, not the way they say it
- Don't pretend to understand

**NHS Forth Valley**



## Hearings decisions and what happens next and your rights

Understanding your rights is an area that all partners need to ensure are respected and promoted. When children and young people are being prepared to come to a hearing it is very important that they know what their rights are. A very short, child friendly animation was produced by SCRA to help young people to understand these and to signpost them (and their workers) to where to find more information. The animation was launched on Tuesday 20 November 2018 to mark Universal Children's Day.



## Planning and good governance

One of the key elements of the Better Hearings programme is that a group or mechanism is identified in each area to bring together **operational knowledge** of what is actually happening at grassroots level as well as the **strategic management** overview necessary to commit to change and improvement.

Broadly, there have been two approaches to the creation of the multi-agency groups. In most areas a discrete Better Hearings group has been created whilst in others work has been directed through mechanisms already in place such as Corporate Parenting groups.

Each area determines what works best for them locally:

**Glasgow** was the first to model its own CHIP, bringing together partners from every element of the Children's Hearings System with significant buy in and progress noted in its recent and first **annual report**. This model has worked to date for Glasgow and two other areas have now adopted this approach.

A second approach takes the national CHIP model and broadens it across local authority areas. **Lanarkshire** have taken this approach seeing the benefits of sharing resources, shared learning and consistency of approach. This new, wider partnership group is committed to working together to deliver the newly merged plan.

**Dumfries and Galloway** have opted for a **participative approach** to the development of their Better Hearings group and their plan is guided by the views of children and young people with input from Advocacy Service 'Hear 4 U'. This has been a feature of the work of the multi-agency Better Hearings group from the outset and has been extremely helpful in developing their improvement plans.

Lindsay Abrines, Locality Reporter Manager for SCRA in Dumfries and Galloway said: "Hear 4 U are excellent and they have current and up to date views from young people about their hearings, prior to, during and after. Involving them from the beginning has been helpful." The current action plan is to be reworded to be more child friendly and more relevant.

## Inputs to improvement

All local areas have plans in place setting out the changes they will make. In many areas the local partnerships have recognised the importance of multi-agency training and of learning together. At a national level there are many inputs to take this work forward, to support the local areas and to drive strategic change. These inputs provide wraparound support that will benefit those working to deliver Better Hearings.



# Supporting inputs

The successful delivery of Better Hearings across Scotland relies on local areas identifying their points for improvement, planning the actions and delivering the change. Alongside this work are local and national provisions to support this in the form of training, feedback, challenge and direction.

There have been some fantastic examples of local training events and multi-agency learning and there are plans for packages of national training that can be rolled out in local areas – through input and through collaborative learning.

Social Work services and SCRA in Glasgow and Dundee have developed protocols which agree respective responsibilities in working with each other in order to improve the smooth running of the system.

Dumfries and Galloway also has a protocol agreed to by a range of partners which helps to guide professionals how to amicably resolve any operational disagreements to achieve the best outcome for the child or young person.

## Some examples of the national learning support:

**CHS Learning Academy** – supporting Panel Member training and ongoing learning

**CHIP Learning and Development** – development of material, training packages and delivery to provide multi-agency support and learning

**Scottish Government Improvement Team** – delivering 3-step methodology training to focus delivery partners on outcomes

## Focus on learning together

Imperative to the Better Hearings standards is the need for all partner agencies to understand each other's role, contribution and responsibilities. Partners have to work together effectively and efficiently in a supportive and respectful way.

To support this a suite of learning materials has been developed.

As part of the CHIP learning and development work stream, learning events were developed to bring partners together – at a practitioner.

Two pilot sessions have taken place providing a space in a local area where front line practitioners from a variety of CHIP partner agencies could learn alongside each other; have time to discuss and reflect on current issues and practice, develop positive professional relationships, agree areas for development and plan tests of change to drive improvements.

The pilot areas were Glasgow North East and North Lanarkshire with participants that included Panel Members, Teachers, Health Workers, Police, Reporters, Safeguarders, Social Workers and Solicitors. We are now planning a wider roll-out of this learning.

Feedback from participants:-

*I just wanted to thank you for all the hard work you put into the three day learning event which I thought was very thought provoking and educational in addition to clearly identifying the need for us all to collaborate more closely in bringing improvements to the system. There is no doubt that all who attended will benefit from the focus on all the elements which go together to make a child's journey through the system better and less traumatic.*



*I learned so much about the Children's Hearings System, reflected on my own experiences and have found the whole experience incredibly valuable. Success depends on all agencies working as closely together as possible and I really found it so helpful listening to the thoughts and experiences of others. This experience will certainly impact positively on my practice. THANK YOU!*

## **Focus on local learning: Ayrshire**

A number of areas have focussed on tri-partite training, bringing together SCRA, CHS and Social Work for some focussed work around the smooth management of the Hearing to achieve the best outcomes.

**Ayrshire's** action plan identified that refresher training was needed in their area around excusing children from Hearings and on non-disclosure for both Panel Members and social workers.

Erica Edwards, the Area Convenor for the Ayrshire AST and Drew Maxwell, a Team Manager in North Ayrshire Health and Social Care Partnership, came together with Helen Etchells, LRM in Ayrshire, to develop the training. With inputs from panel representatives, they worked together to develop a presentation on the law and practice in these areas and to create scenarios for group discussion.

All Panel Members, social workers, and all reporters, senior practitioners and assistant reporters were invited. The uptake was excellent and there was in excess of 70 participants on the night. Participants were split into smaller groups of about 12 for discussion of the scenarios and careful planning went into ensuring an even mix of Panel Members, social workers and Reporters across all groups.

The evening was a great success, providing the opportunity to build empathy and understanding across the different roles.

In addition to refreshing key knowledge, the opportunity to meet outside a Children's Hearing and to share views and experiences was identified as one of the key benefits of the evening. Across the board, feedback was extremely positive.

The same format was successfully repeated with South and East Ayrshire Panel Members.

Subjects for the next tripartite sessions have been identified and now has a regular place in the training calendar in Ayrshire.

## **Focus on improvement:**

In order to support the implementation of the Better Hearing action plans, SCRA has provided all Locality Reporter Managers with the opportunity to attend a training event on Improvement Science. This was led by the Improvement Science Team from Scottish Government in May 2019.

A follow up is scheduled for November 2019 at which the members of the multi-agency groups will be invited to work together on their improvement plans. This should help agencies to drive change and also measure improvement in order that we can all see and share what works.

Catriona Hayes from the Government Improvement Science Team said: "Applying an improvement approach to Better Hearings will support local partnerships actions to truly understand their systems and processes, particularly in relation to participation and partnership."

The approach will support local groups to work towards shared aims by developing ideas that they can test and adapt and build into their ways of working to create better experiences for looked after children and their families.”

## Key input

Of course one of the main sources of learning comes from **children and young people** – through effective participation with Champions Boards, Local focus groups and work with other children’s groups and organisations. The Better Hearings standards were developed to respond to what children, young people and practitioners had said would make coming to a hearing a better experience. It is therefore important that we continue to collaborate effectively as we go along. Are children and young people involved in the planning? Would they agree with your assessment or your areas for improvement?

There are a number of effective models for participation that agencies and professionals should consider when working with young people. This cannot be a tick box exercise of ‘consultation’.

## Observations, issues and challenges for 2020.

Local areas all undertook a baseline assessment against the standards as agreed. This exercise identified for them the areas that they needed to prioritise in their planning.

Review of local plans highlighted that there was disparity across the country, both in terms of maturity of partnerships and ‘readiness to improve.’ A number of areas recognised that there was still much to be done in getting the basics right. The assessment exercise was a catalyst to have these conversations and work together on an approach to take improvement forward.

The standards describe good practice across areas that we are already working on; getting the basics right has to be the foundation from which we can improve.

The standards are guiding principles of good practice. Some are directly measurable. Some are about approach, ways of working and embedding best practice. To that end much of the activity is focussed on what can be done or put in place to realise the experience described by the standards. For example as part of a conversation with the young person to help them prepare for attending a hearing, workers should address a number of the standards; Talk to you about who will be there and why they have been invited, let you know that you can bring someone with you, ask you how you would like to give your views...

To support this, areas are putting in place preparation guidelines (or similar) to provide a framework for these conversations. On an individual basis areas should demonstrate the supports they have in place to enable these discussions.

When reviewing the plans that localities have in place, there is a wealth of commitments however much of these look to describe ‘business as usual’ processes;

For some areas this is because these things are not currently happening and are therefore in the plans as actions, in other areas, this is because these things are already in place but have been put in the plans in response to the standards. This is definitely worth reflecting on – firstly we can’t assume that business as usual is just that and secondly, it is worth considering the expected response to or reporting against standards that are business as usual – e.g. there will be no perceived action against these.

This is an area that we will look to build upon in the next year – a focussed effort on the improvement areas or areas of innovation and a further look at mechanisms for assurance.

Many areas have taken on the task and really looked to develop the required mechanisms to successfully deliver. However there are still issues and barriers in others – to engagement in some, and in collective ownership in many more. This requires some attention from the national strategic group - the signed off project plan asked that every area had an identified multi-agency group in place to take forward the work, a lead/chair and develop planning and reporting mechanisms.

SCRA's Locality Reporter Managers were tasked initially with bringing together the multi-agency group and leading out the baseline assessment. Other partner agencies now have an opportunity to lead local implementation and development of the next stage of improvement planning.

There now requires to be greater governance around the planning, monitoring and evaluating of local work with clear lines of accountability to the CHIP. An agreed reporting mechanism is needed to enable local progress to be more visible and enable dissemination more widely in a regular national update. This will allow a snapshot at a given point in time of the up-to-date progress of Better Hearings standards implementation across the country. This will also enhance communication across local areas where the groups could work together or adopt or adapt the progress made in other areas to their own needs. It will also draw out areas requiring additional strategic support and direction.

### **Recommendation:**

It is proposed that by the end of March and September in each year the chair of the local multi-agency group will oversee the submission of updated plans. These will identify progress to date and improvement aims for the coming months. These will then form the basis of a progress report to be submitted to the multi-agency Children's Hearing Improvement Partnership during June and December.

Much valuable progress taking place locally, led by partners working with a shared aim towards improving the hearings' experience. It is critical that progress continues and more national support is available to complement this. Much of this report has focused on what is happening and what will happen next.

The next challenge is how best to measure the impact of improvements which these changes will bring about. Local areas will be asked to think about how best to do that. The Scottish Government Improvement Science Team will work with those local groups taking up the offer of training to meet together as a multi-agency group to pursue their improvement aims with guided support and coaching.

## **What's next?**

### **Some examples of what is coming next:**

In East Renfrewshire the Area Support Team are working with the Champions Board to develop a joint video aimed at supporting children and young people attending hearings and to help build a better understanding and rapport between Panel Members, children and young people. This is at the planning stage at time of writing. When it comes to fruition the video will provide a focus for a relaunch of the updated Better Hearings plans later in the year... watch this space.

Dumfries and Galloway are working with Council education staff to have information packs available for all looked after children within schools, and ensure that every looked after child has access to a computer.

Children's Hearings Scotland has recruited nine local professional staff to support volunteer members of each Area Support Teams (ASTs) in running their local Children's Panel, and foster consistency and quality in all aspects of Panel Members' practice. The new Area Support and

Improvement Partners (ASIPs) will participate in local multi-agency partnerships, strengthen the contribution of Children's Panel members to Better Hearings implementation and support effective development of Panel Members' practice and the conduct of Children's Hearings. This significant investment increases the resource available to local ASTs and is designed to complement, not replace, the input from local Area Convenors, Panel Representatives and Children's Panel Learning and Development Co-ordinators.

In response to the views of children and young people that they find it difficult to have to re-tell their story to new strangers at every Hearing, CHS have put in place new arrangements to increase the frequency of Panel Member continuity at Children's Hearings. This would mean one of the Panel Members at a child's Hearing will be present at the next Hearing if the child or the Children's Panel think this would be helpful. This may be particularly helpful where the Hearing dates may be close together.

Many areas have identified an aim to review and improve the quality of reports whether these be shared multi agency reports or the social work Social Background Report. One area that is tackling this in 19/20 is Perth and Kinross. The Social Work department has developed a questionnaire that social workers are issuing to panel members, and other professionals asking for feedback about the use/quality of their reports. Questionnaires are also provided to children and young people to assess and improve their experience of the hearing from their perspective. The findings of these surveys will be used to inform their review.

Another key theme from the work this year has been around Hearings management. In response to this, the new CHS Learning Academy has expanded the potential to support and train panel members to develop their skills in chairing Hearings. The Management of Hearings course – an integral part of the Professional Development Award which all new Panel Members must complete – sets out what is expected of all Panel Members and the chairing member in particular during a

Hearing. CHS also now have a new course - Leadership in the hearing room - which will further develop Panel Members' Hearings management skills.

The Better Hearings standards promote the need to keep the young person at the centre of the hearing's focus; the Hearing should be considering how best to help them give their views, and how they want it to run, if they attend. SCRA are undertaking an exciting piece of work to look at more effective participation which will get underway fully in 2019/20 with a large piece of research being undertaken to support and inform this as well as internal testing of suggested methods of participating and contributing views from work to date with young people ... updates to follow!

## **Stop / Go from the Independent Care Review**

The Independent Care Review presented to CHIP the STOP/GO findings that had been prepared by the working group and that were ready to let agencies respond to. This listed a number of findings/recommendations that were seen to require no further investigative work and the request was for agencies to 'get moving' on them. In responding to this list, CHIP lined up the findings against the work of Better Hearings and were able to see clear alignment. Through this the standards for Better Hearings are further, theoretically, endorsed having been given yet another steer as to what is being asked by children and young people (and it is what we are currently working towards) as well now been given a sharper focus with the Care Review actively monitoring agencies response to this ask. Through this ask, we are invited by the Care Review to put forward areas that we are looking to 'test for change' aligned to the STOP/GO and for us, Better Hearings.

# Reflections and conclusion

The most outstanding feature of the Better Hearings standards implementation project has been the willingness, right across the Children's Hearings System, of everyone to work together. Where this has been maximised the more improvements have been made and the more these improvements have become the norm in day to day practice. There is aspiration and ambition to do better. And there is real enthusiasm for change driven by a commitment to delivering Better Hearings for Scotland's most vulnerable children and young people.

## Appendix A **The next steps towards Better Hearings – Standards**

### **1. Before the Hearing –**

#### **(a) planning your hearing**

- Let you know 15 days in advance where and when your Hearing will happen.
- Make sure you have all the papers you need for your Hearing 5 days before it.
- Ask if you would like to visit the Hearings Centre before you come for your Hearing.
- Before your hearing we will talk to you about how the hearing should be managed and how you would like to give your views and do what we can to make sure this happens.
- Tell you who will be there and explain why they have been invited.
- We will ask you if you know you can bring someone to the hearing with you.
- Ask whether you want to attend in person - You have a right to attend your Hearing, and you also have a right not to attend.

#### **(b) Reports and Information for your hearing**

- Ask for your views when writing reports and make sure that they are included.
- Make sure that the information we send you is clear and understandable.
- Focus on the current issues in your life in reports for your Hearing.
- Make sure that the professionals coming to your Hearing have shared information so that they are fully prepared and can best support you.
- Respect your confidentiality by keeping your information safe and making sure those that only those who need to will see it.

### **During the Hearing -**

#### **(a) Safety and Privacy**

- We will do all we can to help you feel safe and that you are safe when you are in the Hearings Centre .
- Provide a private space if you ask for one.

#### **(b) Managing the Hearing**

- Make sure that your Hearing will start and finish on time, or last only as long as necessary.
- Make sure panel members at your Hearing explain at the very start why it is being held, the issues to be talked about and who will speak about them – so that this is clear to everyone. The Chairperson will ask everyone to explain who they are and why they are there.
- Discuss things during the Hearing that are currently important and relevant.
- Make sure all discussions during the Hearing are as short, clear and understandable as possible

#### **(c) Helping you give your views**

- Ask you how you would like to give your views in the Hearing (e.g. speaking to you first, speaking to the Panel Members alone or with a representative or advocate speaking for you) and make sure this happens. If you do not want to give your views we will respect that.
- Make sure that you are at the centre of your Hearing and everyone else will respect that.

#### **(d) Decisions**

- Clearly explain the decisions made and what your rights are.
- Make decisions that are in your best interests, although you might not always agree with them.
- Make sure you have the chance to ask any questions and that these are answered.



## **After the Hearing**

### **(a) Hearings decisions and what happens next**

- Make sure that straight after your Hearing someone will answer any questions you have and explain what the decision means (e.g. where you stay and how often you can see people who are important to you i.e. contact).
- Send you the written decision within 5 days and answer any questions you might have.
- Make sure the written decision is clear and understandable.
- Include the Hearing's decision in your Child's Plan and make sure your Plan properly reflects it.

### **(b) Your rights**

- Provide a private space for you to speak to people after the Hearing.
- Explain your rights to disagree and challenge the decision (this is called an appeal) and how to do this.
- Explain your right to request another Hearing (this is called an early review) and how to do this.
- Help you to ask for another Hearing.
- Listen to you about what would make your next Hearing better and make sure this happens.

# The Children's Hearings System

The Children's Hearings System is the place where important decisions are made about how best to support and protect our most vulnerable children and young people.

A number of organisations work together within the Children's Hearings System to deliver care, protection and support services to children and young people in Scotland and these include: Children's Hearings Scotland (CHS), social work, the police, education and the Scottish Children's Reporter Administration (SCRA).

Children and young people can be referred to the Children's Hearings System by anyone. Professionals or members of the public refer children because they are at risk of harm and need legal protection. This can be as a result of not getting the care they need or because of problems caused by a child or young person's behaviour which affects their welfare and development such as offending, truancy or self-harm.

Referrals into the system are made to the Children's Reporter. Over three quarters of referrals are because professionals think that a child needs care and protection. These children and young people face many different types of adversity and trauma such as physical and emotional neglect, domestic abuse, parental substance use, mental health concerns and physical and sexual abuse. The remainder of referrals are concerned with children and young people's behaviour.

When a young person is referred because they have committed an offence, they are treated in the same way as a child referred because of concerns about their safety or welfare. The children's hearing system looks at the whole child and all their personal, family and social circumstances within the framework of GIRFEC assessment and intervention.

When a referral has been received, the Reporter has a legal duty to carry out an investigation to establish what evidence appears to exist. If there is sufficient evidence, the Reporter has a duty to examine the child or young person's circumstances to allow them to determine the best course of action for the individual child or young person. This includes obtaining reports from schools, social work or other agencies involved with the child or young person or their family, such as doctors and health visitors.

Every child and young person is dealt with on an individual basis, and the Reporter's decision will depend on what they have learned from their investigations.

The Reporter can make one of a number of decisions, including referring a child or young person to a Hearing - If the Reporter thinks that compulsory supervision may be necessary then he or she will arrange a children's hearing. Where the Reporter considers there is no need for compulsory measures of supervision, he or she can refer the child back to the local authority for support, including advice and guidance on a voluntary basis.

A children's Hearing is a decision-making tribunal which is made up of three lay members of the community – a Children's Panel. Children's Panel Members are volunteers who live or work in the local authority area in which the Hearing takes place. They are specially selected because they have a lot of skills and life experience and they undergo intensive training before they participate in a Children's Hearing. They complete a professional development award accredited by the Scottish Qualifications Authority.

A Compulsory Supervision Order is a legal order made by the Panel Members at Children's Hearing. The order must say which local authority will provide supervision to the child and how long it will last for. A Compulsory Supervision Order can last for up to twelve months.

The Children's Hearings System – Fast Facts 2018/19:

**9,206**  
children  
and young people  
on CSOs

**12,869**  
children and young  
people referred

**562**  
children and  
young people on  
CPOs

**14** and  
**15** years  
is the most common  
age of referral

**24.6%** with  
a CPO were aged  
under 20 days old

lack of  
**parental  
care** is the most  
common ground

## **Children 1<sup>st</sup> - The Performance and Support Monitoring Framework**

The Performance and Support Monitoring Framework for Safeguarders provides for three support sessions per Safeguarder per year undertaken by the Safeguarder's support manager. Support sessions involve a positive and genuine exploration of practice and help to ensure that Safeguarders are working to the Practice Standards for Safeguarders, including Practice Standard 4: Reports. Two of the support sessions each include an in-depth discussion of a sample report as written by the Safeguarder. Each report is randomly selected from those held by SCRA. The 'report sampling tool' is used as part of this process.

If a complaint about a Safeguarder has a focus on a Safeguarder's report, then the SPT can consider the report to see if it meets the Practice Standards for Safeguarders. This consideration may or may not ultimately lead to the complaint being upheld. If it is upheld, the outcome of the complaint investigation will be used to have a discussion with the Safeguarder about their report(s) and to ensure the Practice Standards are being met. If it is not upheld, the outcome may still be used in this way depending on the circumstances of each complaint. The SPT is empowered to obtain a Safeguarders report from SCRA at any time for the purposes of looking into concerns and complaints about Safeguarders.



### CELCEIS

Centre for Excellence for Looked after Children in Scotland – a force for change for children and young people in care



### Children 1st

Scotland's National Children's Charity. Working towards a happy, healthy, safe and secure childhood for all children in Scotland.



### Children's Hearings Scotland

Children's Hearings Scotland – national body supporting Children's Panel members and local AST volunteers to help improve outcomes for children and young people



### COPFS

The Crown Office and Procurator Fiscal Service (COPFS) is Scotland's prosecution service. They receive reports about crimes from the police and other reporting agencies and then decide what action to take, including whether to prosecute someone.



### COSLA

The Convention of Scottish Local Authorities (COSLA) is the national association of Scottish councils and acts as an employer's association for its 32 member authorities.



### Education Scotland

Education Scotland is an Executive Agency of the Scottish Government, tasked with improving the quality of the country's education system.



### Includem

Charity supporting some of Scotland's most troubled and vulnerable young people 24/7 – helping them when they are most in need.



### NHS Scotland

NHS Health Scotland is a national Health Board working with public, private and third sectors to reduce health inequalities and improve health.



### Police Scotland

Police Scotland is committed to keeping people safe throughout the whole country.



### Scottish Government

The devolved government for Scotland has a range of responsibilities which include: health, education, justice, rural affairs, housing and the environment.



### Safeguarders Panel

Working with the Scottish Government, and all those involved in the Children's Hearing System to ensure that a child's best interests are at the heart of any children's hearing or related court proceeding.



### Scottish Social Services Council

The Scottish Social Services Council (SSSC) is the regulator for the social service workforce in Scotland. Our work means the people of Scotland can count on social services being provided by a trusted, skilled and confident workforce.



### SCRA

SCRA's vision: to transform the life chances of vulnerable children and young people in Scotland, by ensuring their needs are at the centre of everything we do.



### Scottish Legal Aid

SLAB is responsible for considering applications from solicitors to represent children and adults in the children's hearing system at panel hearings and in court and for paying those solicitors



### Scottish Courts

The *Scottish Courts* and Tribunals Service (SCTS) is the body which is responsible for the administration of the court system and tribunal system of Scotland.



### The Centre for Youth & Criminal Justice (CYCJ)

The Centre for Youth & Criminal Justice (CYCJ) is dedicated to supporting improvements in youth justice, contributing to better lives for individuals, families and communities across Scotland.



ar n-èisteachdan, ar guth  
our hearings, our voice

### Our Hearings, Our Voice

Creating a children and young people's board for the Children's Hearings System



Produced by the Children's Hearings Improvement Partnership  
(CHIP), October 2019

