



safeguarders
panel

PERFORMANCE SUPPORT & MONITORING FRAMEWORK FOR SAFEGUARDERS

October 2016

PERFORMANCE SUPPORT & MONITORING FRAMEWORK

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Context

The Children's Hearings (Scotland) Act 2011 (the 2011 Act) introduced significant changes to the management of safeguarders. In particular, it removed responsibility from each local authority to establish a local safeguarder panel and provided for the establishment of a national Safeguarders Panel. Section 32 of the 2011 Act provides that Ministers must establish the Safeguarders Panel and gives them the power, by regulation, to make provision in connection with this.

The Children's Hearings (Scotland) Act 2011 (Safeguarders Panel) Regulations 2012 (the 2012 regulations) provides the statutory framework for the new arrangements. The 2012 regulations include, among other things, provision on recruitment and selection, appointment and removal, training and the operation and management of the panel. These regulations were amended by the Children's Hearings (Scotland) Act 2011 (Safeguarders Panel) Amendment Regulations 2016.

The regulations place a duty on Scottish Ministers to monitor the performance of members of the Safeguarders Panel (regulation 11(4)). The development with safeguarders of national Practice Standards and the Performance Support & Monitoring Framework (PSMF) provide the structure for monitoring and assessing performance. The PSMF also establishes arrangements for the training and support of safeguarders, particularly on the standards expected of safeguarders and the means by which performance against them can be assessed.

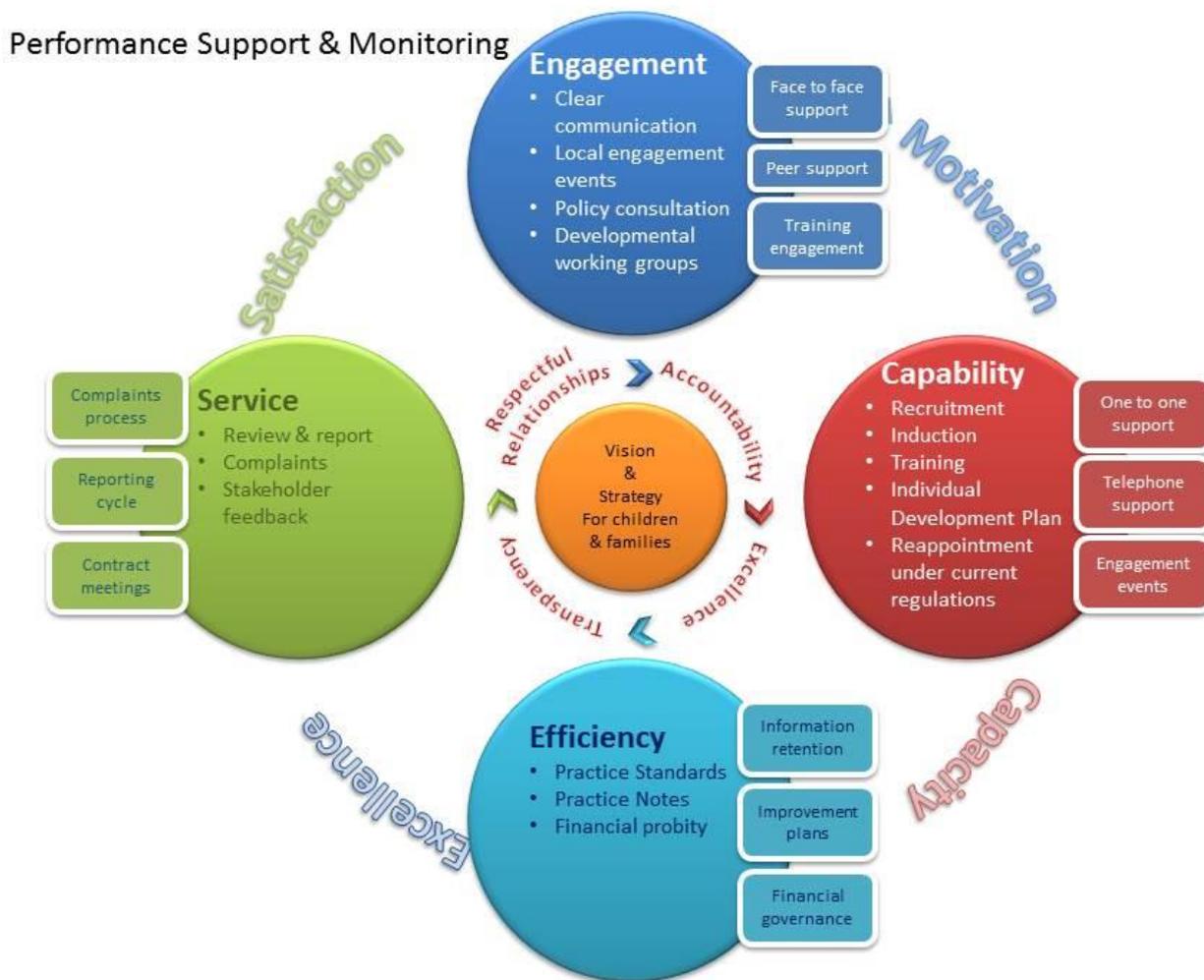
Purpose of the Framework

The purpose of the Framework is to support all safeguarders to perform in the role in accordance with the Practice Standards for Safeguarders to achieve maximum benefit for the children whose interests he or she is appointed to safeguard.

Benefits of the Framework

- **For children and parents and carers** – there is a clear process that ensures that all safeguarders are working to the Practice Standards and can be shown to be doing so.
- **For safeguarders** – there is clarity and accountability about performance in the role and that support and direction is available where required for all safeguarders to help them to meet the Practice Standards for Safeguarders.
- **For those services and agencies who work alongside the safeguarder** – there is confidence that safeguarders are working to the Practice Standards for Safeguarders.
- **For everyone** – there is clarity about the role and expectations of a safeguarder and his or her performance is supported and monitored.

Basis of Development of the Framework



Vision and Strategy

The **Vision and Strategy** for the Safeguarders Panel is central to development of the Framework. Both inform the content, scope and effectiveness of the Framework.

VISION - The overarching Vision for the Safeguarders Panel is as follows:

Excellent: what every child deserves, we will aspire to and support excellence

Transparent: be fair, equitable and accessible

Accountable: through ownership our actions stand up to scrutiny

Respectful: to the role and in all relationships and actions to fill it

STRATEGY - The Strategy aims to achieve and maintain the Vision. The Performance Support & Monitoring Framework provides an important foundation for the achievement of the Vision.

The elements of **Engagement, Capability, Efficiency and Service** are central to informing the content, scope and effectiveness of the Framework. They ensure motivation, capacity, excellence and satisfaction for everyone.

Engagement – Safeguarders must take individual responsibility for their participation in the Performance Support and Monitoring Framework. Full engagement of safeguarders with the Framework, in its development and operation, allows the Framework to be most effective. Apart from performing in the role in individual case appointments, there is a core engagement expected from safeguarders during their appointment to the Safeguarder’s Panel. This engagement occurs in different ways - in group events such as training and engagement events and in individual events such as personal support sessions. These events are critical to the Framework as they both inform and support performance and allow practice and conduct to be assessed, discussed, developed and accounted for.

Capability - Safeguarders must have the capability to perform in the role, for children. From the recruitment process onwards safeguarders will be assessed, will be expected to evaluate their own performance and be expected to take action to improve on any issues with performance. The engagement opportunities provided during appointment allow a safeguarder to develop and to be supported and for any capability issues to be addressed.

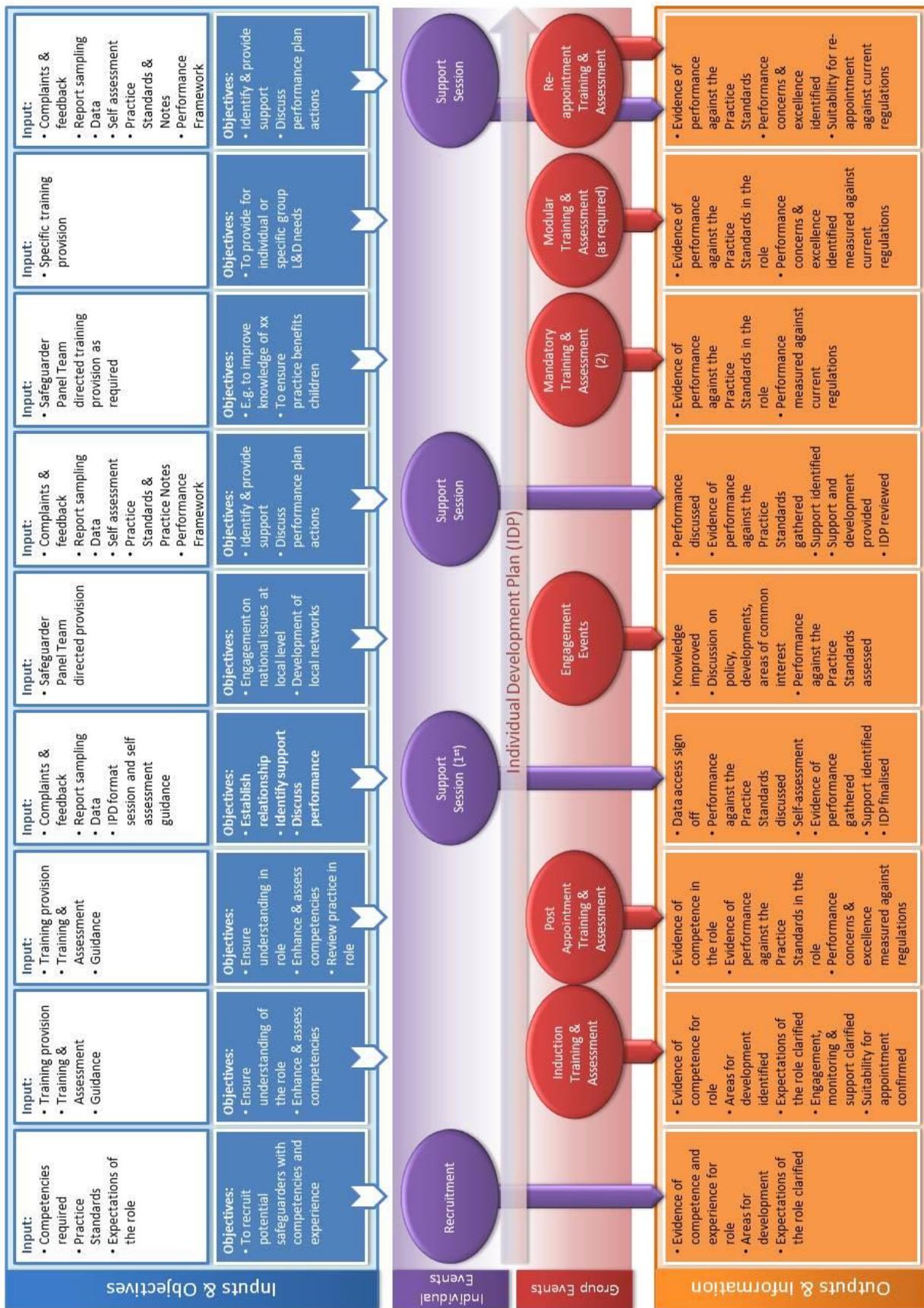
Efficiency - Performance monitoring and support must ensure that a safeguarder’s involvement with a child, parent and carer and others is as efficient as it can be. Practice Standards and Practice Notes ensure that the role is clear and free from matters that could distract, delay or disrupt the efficient conclusion of the safeguarder’s input. It is extremely important that public funding is efficiently managed and that there is sound financial governance to ensure the efficient use of financial resources to support the safeguarder in role.

Service - The child, parent and carers, and representatives of bodies, services and agencies who work alongside the safeguarder (this includes for example local authorities, panel members, Reporters, Safeguarders Panel Team , the Safeguarder’s Panel), are all impacted upon by the safeguarder’s performance in role. These individuals and organisations provide a vital source of information about the performance of the safeguarder. Performance monitoring needs to ensure that people and organisations can provide feedback and that feedback can help to properly assess performance. This helps to install confidence in the quality of safeguarders and the Safeguarders Panel.

All of the above need to combine to ensure that the Framework robustly monitors and supports performance.

Being part of the Safeguarders Panel involves a commitment to the Practice Standards for Safeguarders and engagement with the associated Performance Support & Monitoring Framework.

The following diagram shows the Performance Support & Monitoring Framework as it is intended to operate.



Performance Support & Monitoring – The Process

What is performance being monitored against?

The Practice Standards provide the basis for monitoring performance:

Standard 1: CHILD AT THE CENTRE - A safeguarder will safeguard the child's interests through his or her practice, participation in process and influencing decisions that lead to better outcomes for children.

Standard 2: RELATIONSHIPS - A safeguarder will provide an active and positive contribution to the development of good and effective interpersonal and professional relationships with all involved, including the child, parents and carers, and representatives from services and agencies.

Standard 3: INDEPENDENCE - A safeguarder will act with independence of practice within the parameters of the role, ensuring that any and all decisions are informed by rigorous and comprehensive review of relevant background information and are considerate to the views of those individuals and services involved.

Standard 4: REPORTS - A safeguarder will provide a report to the children's hearing or to a court if required, within the timescale and in the manner stipulated by law and in a way that ensures the recommendations made in the report are clear, reasoned and justifiable.

Standard 5: CONFIDENTIALITY - A safeguarder will maintain confidentiality and shall not disclose information unless in accordance with the law.

Standard 6: PERSONAL CONDUCT- A safeguarder will behave with integrity, honesty, fairness and openness and at all times respect the worth and dignity of everyone with whom the safeguarder comes into contact.

Standard 7: KEEPING UP TO DATE WITH SKILLS AND KNOWLEDGE - A safeguarder will value the role and that of others by taking responsibility for his or her own learning and development

The Practice Standards outline how compliance with each of the Standards can be shown and the detail of this can be found in the full Practice Standards for Safeguarder document. The Scottish Ministers and the Safeguarders Panel Team must support and manage safeguarders to be competent in the role and to meet the Practice Standards.

As part of the national Safeguarders Panel, a safeguarder commits to practising and conducting himself or herself as required by the Practice Standards.

What performance is being monitored?

The Practice Standards for Safeguarders cover practice and conduct expected of all safeguarders both in performing the role in individual appointments for children and individual behaviour as this impacts on the national Safeguarders Panel.

Information about an individual safeguarder's performance or conduct will be available from a number of sources. These sources combine to provide evidence of performance measured against current regulation.

What are the sources of information on performance?

Performance monitoring relies on the availability of information on performance from a number of sources:

- **Feedback** from those whom the safeguarder's performance has impacted on, including children, parents and carers, relevant persons and representatives from services and agencies. Comments, complaints issues and evaluations may indicate areas of performance where individual development is required and also inform the general improvement and development of the national Safeguarders Panel.
- **Training and assessment events** - these events will allow practice to be discussed, reflected on and improved. Events allow assessment of practice and conduct against the Practice Standards for Safeguarders. Requirements for support can also be identified.
- **Report sampling** - sample reports will show practice and performance.
- **Individual development plans** - these allow a safeguarder to identify areas of performance requiring development as well as identifying areas of good performance. Development needs may be identified by the safeguarder or others, including those impacted on by the performance of the safeguarder. The plan and its outcomes form part of the information relevant to performance monitoring and in line with current regulations.
- **Information-** Information collected by Safeguarders Panel Team is held in a personal file for each safeguarder, who will have access to this file. Information holding and access is set out in more detail in the policy in relation to information holding and access. Information relevant to performance monitoring will inform discussions at support sessions. Information available from the Scottish Children's Reporter Administration may be relevant.
- **Structured self-assessment** - Structured self-assessment and reflection will inform practice performance. Safeguarders can collect information on performance which can form a part of discussions about practice and performance in individual support sessions or at other engagement events.

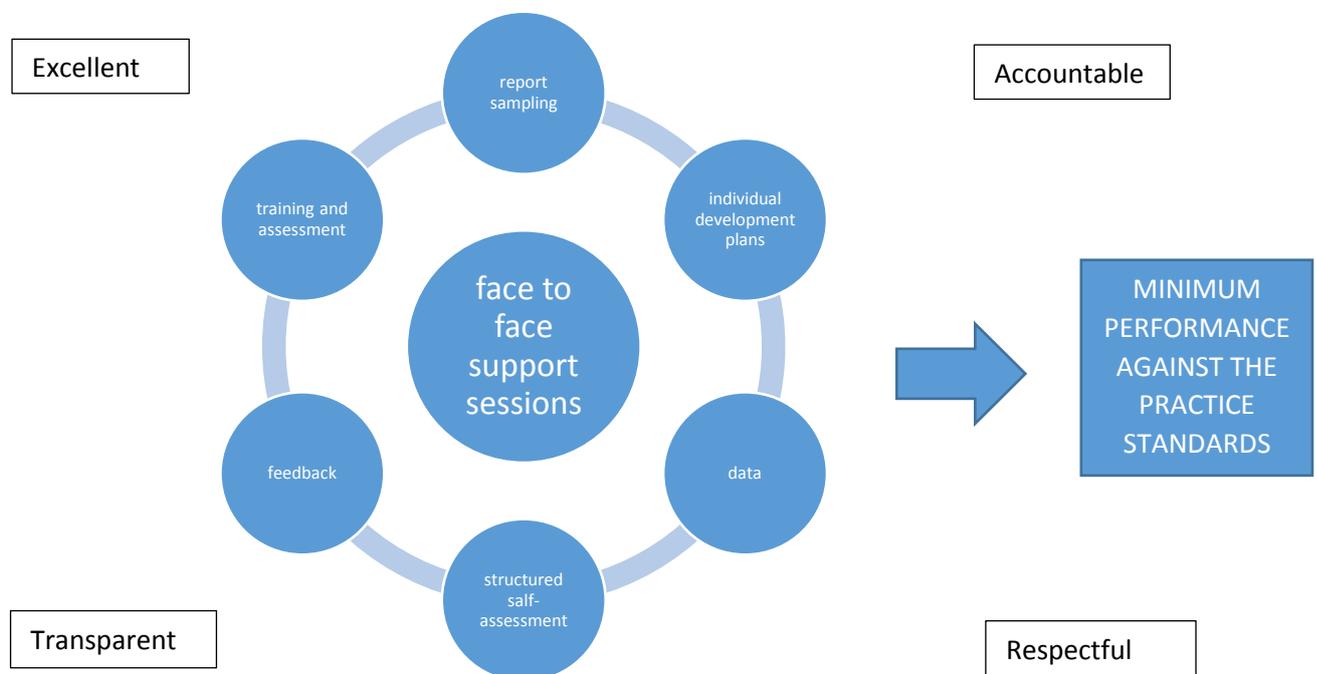
These sources of information combine to provide the evidence required to properly assess the safeguarder's performance against the Practice Standards.

What is the forum for performance monitoring and support?

The key mechanism to discuss performance and to support safeguarders to achieve, maintain and improve performance is the individual support session. The relationship between the safeguarder and the support manager is very important and each safeguarder will be allocated a personal support manager for the purposes of support and monitoring. Performance will be discussed as part of the support meetings.

Further detail about individual and group events, and training and assessment events can be found towards the end of the Framework.

A summary of the sources of information and the role of the support sessions is captured in the diagram below.



How will performance be discussed at support sessions?

Practice and performance will always be discussed as part of the support sessions. Performance may demonstrate excellence and this will be acknowledged at the session. Where individual development or action is required in relation to performance, this will be discussed and planned through the support sessions. Information about performance will be shared at the session and areas for development agreed and improvement actions planned. Individual development plans will be used to improve performance concerns and to recognise and maintain the Practice Standards.

Transparency and honesty will be a key feature of discussions. All supports possible will be put in place where required and performance identified as requiring improvement will be expected to

improve against realistic timescales. Where possible the safeguarder and support manager will agree actions required and the record of the session will reflect this.

On occasions a support manager may need to move discussions on performance from support and development to providing clear advice and requiring action as a means of improving performance to meet the Standards. If a change in approach is required, this and expectations will be made clear to the safeguarder. Where improvement is not occurring in a suitable timeframe, a review of actions will be made.

What are the performance monitoring outcomes?

A principle of the Framework is to support safeguarders to meet the requirements of the role and safeguarders are provided with a range of opportunities to consider and reflect on practice to meet the Standards and to evidence suitable performance and conduct. Support sessions will review performance and the progress of any actions required for improvement against the Standards.

Continuing appointment of safeguarders is subject to performance monitoring within the current regulatory requirements.

The new Framework will be used to monitor and assess safeguarders' performance and a safeguarder would only be recommended for removal from the panel based on evidence to support that the safeguarder was not fit to be a member of the panel.

How does the outcome of performance impact on appointment, continuing appointment and reappointment?

Scottish Ministers are responsible for the appointment and reappointment of safeguarders and they will decide on appointment, continuing appointment and reappointment in line with relevant policy and process and regulatory requirements. The Safeguarders Panel Team is tasked with managing the Safeguarders Panel and the support and monitoring of performance of safeguarders.

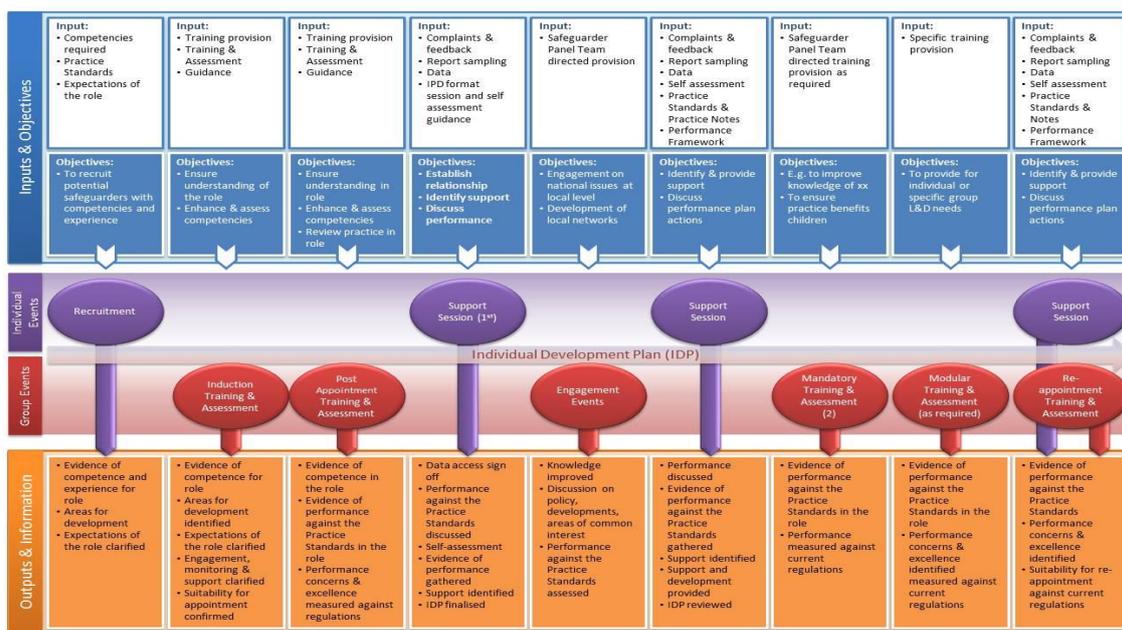
The Safeguarders Panel Team will make recommendations to the Scottish Government on appointment, continuing appointment and reappointment based on assessments made within the Framework in line with the Scottish Government and regulatory requirements. Where there is a need to suspend appointment pending consideration of performance or conduct, this decision will be made in line with relevant policy and process.

Continuing appointment must be contingent on satisfactory performance against the Standards and current regulatory requirements.

What happens if a safeguarder is unhappy with performance assessments?

Where a safeguarder is unhappy about any assessment of performance or any decision in relation to any performance assessments, the safeguarder can bring this to the attention of a manager who is senior to the support manager. A recommendation to remove or not to reappoint a

safeguarder is subject to the reappointment process as directed by the Scottish Government and in line with current regulatory requirements.



What are ‘engagement events’ and ‘training and assessment events’?

The following explains in details what the different events are, their purpose and what this means in terms of the commitment expected from a safeguarder. The events are split into Individual events and events where the safeguarder will attend as part of a group. The colour in the sections reflects the colours used in the diagram above.

Individual events: Recruitment

Recruitment Pre-appointment

- Clear information on the role and expectations of the role will be available to those interested in applying to be on the national Safeguarders Panel.
- Recruitment is the start of the assessment process in identifying suitability for the role and capability both actual and potential against the key competencies and experience required for appointment
- Post-interview and pre-appointment training and assessment allows potential safeguarders to experience the role in simulated practice and prepare for the role if successful
- Support required for the role post-recruitment can start to be identified during this process
- An understanding of the commitment required for the role and in role can be established through this process.

Individual Events: Support Sessions

Mandatory Support Sessions (3 per year)

- All safeguarders will be offered three support sessions per 12 month period.
- Support sessions are core events to discuss and reflect on practice and performance in the role.
- The overall focus of the sessions will be on the interests of children.
- A safeguarder will be allocated a support manager and dates will be set for three support sessions per year.
- Individual development plans will be finalised at the first session and used at sessions to support learning and development that enhances performance and to plan and monitor improvements required.
- All sessions will include discussions about performance and ongoing assessment against the Practice Standards and current regulatory requirements.
- The support manager's role is to assess performance and conduct against the Practice Standards and regulatory requirements.
- Any areas of performance identified by the safeguarder or by others as requiring discussion will be fully discussed at the support session and any support or action required will be taken forward.
- The information from sessions will be fully discussed with and available to the safeguarder.
- Safeguarders will be expected to comply with data controlling regulation and information held on safeguarders will be subject to the data holding and access policy and legislative requirements.

Group Events: Pre-appointment training and assessment

Mandatory Pre-appointment training and assessment events

(Following successful interview)

- Following recruitment interview, training and assessment allows a potential appointee's competence and capability for the role to be further assessed.
- Supports can be identified and an individual development plan can start to be developed.
- The expectation is that any areas or development go forward in a planned and supported way through the safeguarder's individual support sessions and individual development plan, if appointed.

Mandatory Post Appointment training and assessment event

- This event follows on from the pre-appointment training and assessment.
- The event allows the safeguarder to reconvene in a learning and development environment having had experience of the safeguarder role by undertaking individual appointments.
- Assessment will be part of these events only in so far as it adds to the picture of performance development.

- Information identified at the training that is relevant to performance will be discussed with the safeguarder and fed back to the support manager for further discussion with the safeguarder.

Group Events: Training and Assessment Events

Mandatory training and assessment events (two per year)

- Mandatory training and assessment events are available over two sessions a year.
- Sessions will cover the role and functions of safeguarders; the standards expected of safeguarders; how safeguarders may best elicit the views of a child; and learning and development determined by e.g. significant developments in child care sector, new legislation or, areas where performance monitoring has indicated a training need and any regulatory requirements.
- Attendance and engagement at events is a core requirement for safeguarders.

Modular training and assessment events (as required per year)

- Additional training opportunities are available through modular training.
- A safeguarder's need for this training and access to the training events can be discussed through the support sessions so that priority is based on need.
- Modules will be available to supplement core training needs, for example where there is a need to refresh or develop areas of learning.

Mandatory training and assessment event for re-appointment

- Mandatory reappointment training and assessment will be provided for a safeguarder before reappointment, to assist the reappointment process.
- This training and assessment will be provided at a time sufficiently in advance of the reappointment process for the safeguarder to discuss and address any performance issues that may affect reappointment.
- Information identified at the training that is relevant to performance will be discussed with the safeguarder and fed back to the support manager for further discussion with the safeguarder.
- Reappointment is subject to current regulatory requirements and performance monitoring will play an important part in this.

Assessment at training

Training of safeguarders has a number of objectives: imparting knowledge and skills, consolidating knowledge and skills, general and peer support. At all training events there will be an element of assessment by training providers that can be relevant to performance monitoring. Contributions and constructive challenge is a necessary part of engagement at training. Practice is explored at training and participants may try out new or different practice to enhance learning and development. All this must be achievable within a supportive environment. Safeguarders attending training and all training providers will be clear about assessment during training so that contributions at events are not limited by any misunderstandings of assessment. Any issues of performance or conduct raised at training events will be included in individual support session discussions on performance.

Other non-core training

As part of a safeguarder's own self-improvement or interests, a safeguarder may make arrangements independent of the Safeguarders Panel to attend local or other training events that are organised by other providers or services. Evidence of learning or information relating to performance or conduct may be relevant to performance monitoring. Information from events can be discussed at support sessions and included in the overall performance monitoring and support process.

Group Events: Engagement Events

- These events are organised by the Safeguarders Panel Team for safeguarders and are held locally.
- These events allow consideration of local issues or national issues at local level.
- These events are intended to foster a positive and constructive environment where there can be input and discussions on matters that are important to the operation and development of the safeguarder role.
- Examples of excellence or conduct that are not in keeping with the Standards, can be identified and will be fed into performance monitoring process.

Other non-core engagement

Policy consultations and developmental working groups - safeguarders will be invited to take part in the development of the safeguarder role and all safeguarders will be consulted on significant policy developments to inform further development.

Ongoing support from the national Safeguarders Panel Team - the Safeguarders Panel Team is available by telephone or through email to provide a contact point for safeguarders. The Team will try to help to resolve issues where possible or direct enquiries on to an appropriate response point.

Representing the national Safeguarder's Panel – individual Safeguarders may be invited to present in different forums where they are ambassadors of the Safeguarders Panel in all their activities.

All of the above non-core engagement events will provide opportunities for performance to be demonstrated and assessed against the Standards.

How will I be supported to consider and review my performance?

There are several ways that this can happen:

Support for Performance Issues – support sessions

Individual face to face support meetings will support and challenge performance. Issues identified will be discussed so that actions can be agreed and made clear. Individualised development plans will identify areas affecting performance and action plans will be developed and actions

tracked through support sessions to ensure improvement is supported. The nature of additional support will vary but certain different resources will be available, for example:

- access to training modules or other learning and development that are available
- mentoring
- access to relevant information
- additional one-to-one support from support managers

Support for Practice Clarification – Practice Notes

Practice Standards set the practice and behaviour expectations. Practice Notes will provide any practice clarification where legislative or other direction is not available or practice is unclear in operation. The process for Practice Notes development should ensure that practice that needs to be clearer is identified. Training events and engagement events will allow consideration of practice and performance that will inform where further clarification is required. The process for the production of actual Practice Notes will fully involve safeguarders and will allow all safeguarders to understand the practice and conduct expectations for performance.

Training and Engagement Events – Knowledge and practice

Events will be available where practice knowledge and performance can be improved. These events will build on the knowledge and experience available across the Safeguarders Panel and allow for the safeguarder's knowledge to be kept up to date and for the application of this knowledge into practice to be supported.

Working together towards excellence for children

The Framework will be reviewed at all stages of implementation and take account of any regulatory changes. In addition The Safeguarders Panel Team and The Scottish Government Team will regularly review the effectiveness of the Framework through contractual review meetings and oversight of key performance indicators, including:

- Safeguarder reports seen against target (KPI six: minimum two per annum per safeguarder 100%)
- Individual support sessions delivered by Safeguarders Panel Team (KPI seven: three per annum per safeguarder 95% delivered, 95% attended)
- Mandatory training events delivered against target (KPI five: 100% delivered, 100% attended)

The Framework encourages the identification of good and excellent practice and the sharing of that practice with safeguarders and more widely with those that the safeguarder performs alongside. As performance support and monitoring is embedded the evidence of excellence will improve delivering greater strength of assurance of the quality and consistency of the national Safeguarders Panel and most importantly improved outcomes for children.