



Safeguarders Panel

Safeguarders Panel Newsletter

Autumn 2020



Welcome to the Autumn edition of the Safeguarders Panel newsletter. The newsletter is designed to keep you updated with news about the Safeguarders Panel and the Children's Hearings System, as well as highlighting relevant issues. We hope you enjoy reading.

SPT Updates

Virtual Learning Academy

Given the focus on digital learning throughout this year, Safeguarders are being continually encouraged to sign up to/ access the Virtual Learning Academy which has a wide range of courses currently available. You can [revisit the email here](#) (sent to Safeguarders on 28 August 2020) which explains how to do this in more detail.

There are also spaces still available on our upcoming webinars;

Digital Safeguarding; facilitated by Jess McBeath:

Tuesday 26 January 10.00 – 11:30am
Thursday 28 January 5.00 – 6:30pm
Saturday 30 January 10.00 – 11:30am

Please email safeguarderspanel@children1st.org.uk to reserve a place.

External training opportunities

Children in Scotland's Annual Conference is taking place online this year from 9 – 13 November. Booking is open and the full programme will be announced soon. [Click here](#) for cost, information and to book a place.

AFA Scotland Legal Seminar will take place online, on 5 November 1.30-4.30pm. For cost, information and to book a place [click here](#).

All about us: colleague spotlight

The SPT would like to extend a warm welcome to our colleagues who have joined us in recent weeks and months. All have participated in a virtual induction and have shared some information about themselves below to allow you to get to know them a little better, given the limited opportunities at present to meet face to face. Our updated SPT 'Organogram' is also [available to view here](#).

Name: Eileen Paterson
Position: Mentoring Co-ordinator



What attracted you to this role at the SPT?

I wanted to do something which I considered to be worthwhile. I spotted this part-time role which sounded ideal and really interesting as it combined roles in which I had previously been involved, namely safeguarding and mentoring.

What roles have you been involved in prior to joining the SPT?

Lots! I was a solicitor in private practice in Glasgow for many years, during which time I was involved in Children's Hearings, particularly in the Sheriff Court. I acted for children and relevant persons; was appointed as Safeguarder and curator ad litem to safeguard the best interests of children; and was also instructed by SCRA in complex cases.

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Latterly, I was the Director of the Diploma in Professional Legal Practice at the University of Glasgow and established and ran the programme, which is a compulsory component of training for law graduates who want to practise law. I set up a mentoring scheme to support students to find employment as trainee solicitors. I also chair various fitness to practice committees for professional regulators.

What activities take up most of your time when not at work?

I enjoy jogging in the fresh air - definitely not on a treadmill! I also like to cook and entertain my friends and family although sadly there hasn't been much of that recently!

Name: Lesley Cook
Position: Support Manager



What attracted you to this role at the SPT?

I wanted the opportunity to take up a new challenge. I had previously worked in Family Group Decision Making supporting Coordinators and the development of FGDM nationally. The role of Support Manager appealed as I knew it would give me the opportunity to use my skills in supporting the ongoing development of Safeguarders through creating safe working relationships to support their intentional reflection on their work. I also was familiar with the SPT and knew that they were a great bunch of people to work with. I knew that this role would allow me to gain a deeper understanding of the Children's Hearings System in Scotland and support the ongoing development of this going forward.

What roles have you been involved in prior to joining the SPT?

I have spent the majority of my career working both as a Family Group Decision Making Coordinator and laterally as the FGDM Development Lead for Children 1st. Prior to coming to Children 1st I have worked in a young person's drug and alcohol service and also in a street-work project supporting children and young people in relation to mental health, sexual health and drug and alcohol use.

What activities take up most of your time when not at work?

Looking after my two children, I also love long walks in the country, yoga, meditation and caravanning. If that all sounds too healthy, I also love watching a movie with a glass of red wine and a big bowl of crisps!

Name: Aine O'Byrne
Position: Support Manager



What attracted you to this role at the SPT?

I really wanted a new challenge and to do something different whilst still using my experience of the Children's Hearings System, so when the position for Support Manager came up I felt it was the perfect opportunity to enable me to do that. I'm excited for what lies ahead and I'm looking forward to working with the team and getting to know the Safeguarder community.

What roles have you been involved in prior to joining the SPT?

Before joining the SPT I was a Reporter in SCRA. I joined SCRA after graduating university and worked there for 13 years during which time I had many different roles from support staff through to Reporter.



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What activities take up most of your time when not at work?

When I'm not in work I spend lots of time with friends and family, I love trying out new places to eat, I'm always looking for new and interesting places to travel to, but most recently my time has been taken up with renovating my house.



Name: Laura Conachan
Position: Support Manager

What attracted you to this role at the SPT?

I was excited to come to the SPT to improve outcomes for children by working directly with Safeguarders and through involvement in local partnerships.

What roles have you been involved in prior to joining the SPT?

I've been involved in Children's Hearings in various roles for 13 years, from Panel Member to Area Convener of the Children's Panel in Aberdeen. Most recently I was part of the Practice Team at Children's Hearings Scotland (CHS) developing practice guidance and training for Panel Members.

What activities take up most of your time when not at work?

When I'm not working, I'm normally found walking in the woods or reading a book with a cup of tea.

The Safeguarders Panel Team also welcome **Chelsea Stinson**, who joins as the **Children's Rights and Resources Worker (part-time)**. Chelsea will play a key role embedding children's rights into all activities and work of the service. More specifically she will be involved in:



- Working with children, young people and their families to gather their views and feedback and to actively involve them in the design and development of information resources and promotional material to support Safeguarders e.g. leaflets, feedback forms, digital chat facilities, podcasts.
- The planning and delivery of relevant training for Safeguarders, including pre-appointment training and assessment and ongoing continuous professional development, as required.
- Sourcing resources which support Safeguarders and team members regarding engagement and communication with children and young people.
- Contributing to working groups and guidance / policy developments and revisions and sharing best practice.

It is our hope that once Coronavirus restrictions are relaxed, opportunities will arise for each of our new staff members to meet with Safeguarders face to face over the coming months.





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Policy & Practice

Coronavirus (Scotland) Act

Safeguarders may already be aware that the provisions contained within Schedule 3 (children and vulnerable adults) of the Coronavirus (Scotland) Act have been extended until 31 March 2021. [This document](#) provides guidance on the looked after children and Children's Hearings provisions. The only provision that wasn't continued was paragraph 6 of Schedule 3 which relates to children in secure accommodation. This paragraph expired as per The Coronavirus (Scotland) Acts (Early expiry of provisions) Regulations 2020. Full details of the Act can be [found here](#).

Secure Care Standards

The new Secure Care Pathway and Standards Scotland were launched in October 2020 and were created to improve the experiences of children and young people who are in, or on the edges of, secure care, leading to better and brighter outcomes. They identify national standards about what children should expect before, during and after secure care and are [available to read here](#).

Children (Scotland) Act 2020

The Children (Scotland) Bill became an Act on 1 October 2020. Further information will be provided in due course, as and when the different parts of the Act are commenced, but in the meantime, the following provides a brief summary of the provisions and changes most relevant to Safeguarders;

New Category of Persons A new category of person has been created called 'authorised individuals'. The criteria to be deemed an 'authorised individual' will follow in the Rules but

anyone who meets that criteria can be notified of the hearing, provide a report, receive documentation, request a review hearing, attend the hearing and be represented at hearings. Essentially, they will have the same rights as a Relevant Person but not the duties.

Views of the child Children's Hearings and the court must give the child the opportunity to express their views in their preferred manner (unless the child is not capable of forming a view or their location is not known). The current presumption that children over 12 can form a view is removed, however the age and maturity of the child must still be taken into account when having regard to their views. Within 5 years of Royal Assent, the Scottish Ministers must review the ability of children to effectively participate in the manner they choose.

Delays to proceedings Section 25 (Children's Hearing's (Scotland) Act 2011) is amended so that when a hearing, PHP or court is coming to a decision, in addition to the need to safeguard and promote the welfare of the child through their childhood, they also must "have regard to any risk of prejudice to the child's welfare that delay in proceedings would pose." As Safeguarders are only appointed by hearings on deferral, the benefits of appointment versus prejudice of delay will be a key consideration for Panel Members.

Duty to consider sibling contact Section 29A (Children's Hearing's (Scotland) Act 2011) is amended so that when making, varying or continuing a CSO, the hearing must consider contact with relevant persons, siblings and any other person with a sibling-type relationship or with whom they have one parent in common.

Vulnerable Witnesses Additional protections are granted for vulnerable or child witnesses in court proceedings including applications for proof and appeals relating to children's hearings.



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Full details of the Children (Scotland) Bill, as passed are [available here](#). Further details will be available in the Rules once published.

Children's Hearings Advocacy

A new national service providing advocacy to children is going live in November. Several advocacy organisations and referral pathways are already up and running with children starting to benefit from independent advocacy in Children's Hearings. However, [section 122 of the 2011 Act](#) will fully commence on 21 November, creating a duty on the chairing Panel Member to inform children of the availability of independent advocacy at every hearing.



Advocacy is an entirely opt-in service and advocates cannot be appointed by a Children's Hearing or Sheriff. Advocates must only promote the child's views; they cannot offer their own opinions and will not receive their own paperwork for hearings. It is accepted that most children over the age of 5 have the capacity to instruct and understand the role of an advocate. Although the role of an advocate is distinct from that of the Safeguarder, we will closely monitor any impact on appointments.

The following organisations have been commissioned to provide advocacy for children for the purposes of Children's Hearings and related proceedings such as proofs and appeals. In addition, alternative providers will be possible where the child has a conflict or where they have an existing relationship with another advocacy organisation:

Borders Independent Advocacy Service – Scottish Borders

CAPS Independent Advocacy – East Lothian and Midlothian

East Ayrshire Advocacy Services – East Ayrshire

Angus Independent Advocacy – Angus

Advocacy Western Isles – Eilean Siar

Independent Advocacy Perth and Kinross – Perth and Kinross

Partners in Advocacy – Dundee, East Dunbartonshire, East Renfrewshire, Edinburgh, Inverclyde, South Lanarkshire, West Dunbartonshire

Barnardo's – Fife, Dumfries and Galloway, Glasgow, North Ayrshire and South Ayrshire

Who Cares? Scotland –

Aberdeen, Aberdeenshire, Argyll and Bute, Clackmannanshire, Highland, Moray, North Lanarkshire, Orkney, Renfrewshire, Shetland, Stirling and West Lothian.

If you would like more information on how advocates will operate, please see the [National Practice Guidance](#). ClanChildlaw provided mandatory pre-service training for all advocates on the legal processes in Children's Hearings and children's rights. [This website](#) is also available for children and young people to access more information about advocacy.

Scottish Safeguarders Association

The Safeguarders Panel Team began a series of meetings with the Government and Safeguarders Association in August. We are keen to engage with all Safeguarders, and our engagement with the Association recognises their representation of a section of the Safeguarder community. We started off by exploring expectations and helping to set the conditions for further productive meetings. At our next meeting in November we will begin by reflecting on our roles, ensuring there is clarity and shared understanding and that our roles are complementary.



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Celebrated events

Book Week Scotland 16-22 November 2020

The aim of Book Week Scotland is to bring together people who share and enjoy reading books; to encourage people to read not just during this one week, but all year long. More information can be found [here](#). The SPT also welcome book recommendations from Safeguarders that fellow Safeguarders might find useful or interesting. Just email your suggestions to safeguarderspanel@children1st.org.uk



10 years of the Equality Act

2020 marks a decade since the implementation of the Equality Act 2010. In October 2010, it replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. The Equality Act protects us all from discrimination on the basis of any of the nine protected characteristics identified by UK law: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The ten-year anniversary of the Act

is a key opportunity to encourage continued progress on achieving equality in all aspects of life. Safeguarders are encouraged to view the short 'Diversity, Equality & Inclusion' course available now on the Virtual Learning Academy.

Statistics

Please [click here](#) for the latest information on Safeguarder appointments throughout Scotland.

Children 1st news

The Summer 2020 newsletter highlighted the ongoing consultation on raising the age of referral to the Reporter. Children 1st has submitted a response to this which is [available to read here](#). A response has also been submitted to the consultation on incorporating the UNCRC into domestic law in Scotland. The closing date for responses was 16 October 2020 and Children 1st have submitted a response which will soon be available to read via the link above .

contact the Safeguarders Panel Team:

Call us on **0345 60 44 296**

Email us at **safeguarderspanel@children1st.org.uk**

Visit **www.children1st.org.uk/safeguarders** to find out more



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