

CHS Public Board Meeting

Tue 28 November 2023, 10:00 - 14:00

Agenda

10:00 - 10:00 **1. Declarations of Interests**

0 min

Verbal *Katharina Kasper*

To consider any declarations of interests with regard to agenda items

 1. November Board Agenda v1.pdf (2 pages)

10:00 - 10:00 **2. Minutes of Previous Meeting**

0 min

Paper *Katharina Kasper*

To approve the minutes of previous meeting on September 26 2023

 2. CHS-2324-34 Board minute Sept 26 2023 Draft.pdf (12 pages)

10:00 - 10:00 **3. Matters Arising**

0 min

Verbal *Katharina Kasper*

Seek assurance that actions from the previous meeting have been progressed

10:00 - 10:00 **4. Action Log**

0 min

Paper *Katharina Kasper*

To monitor progress against actions due and agree action where required

10:00 - 10:00 **5. Chair Update**

0 min

Verbal *Katharina Kasper*

For information and discussion

10:00 - 10:00 **6. National Convener/CEO Update**

0 min

Paper *Elliot Jackson*

For consideration and discussion


 6. CHS-2324-36 NC update Nov 23 EJ.pdf (5 pages)

10:00 - 10:00 **7. 2023/24 Financial Forecast Outturn**

0 min

Paper *Ross Mackenzie*

For approval


 7 CHS-2324-37 Finance Report September P6 2023 SMT-board final.pdf (3 pages)

10:00 - 10:00 8. 5 year Financial Plan Update

0 min

Paper Lynne Harrison

For discussion and approval

 8. CHS-2324-38 5 Year Strategic Financial Plan 2024-25 final 151123.pdf (11 pages)

10:00 - 10:00 9. Board Standing Orders

0 min

Paper Rachel Kavish Wheatley

For approval

 9. CHS-2324-39 Board Standing Orders Nov 23.pdf (9 pages)

10:00 - 10:00 10. ARMC Chair Update

0 min

Sean Austin

For information and discussion

10:00 - 10:00 11. PaCC Chair Update

0 min

Jo Derrick

For information and discussion

10:00 - 10:00 12. AOB

0 min

AGENDA

CHS BOARD Meeting

November 2023

The Board will meet 10:00 - 12:30 at Thistle House and Virtually via Teams

Item	Topic	Lead Person	Paper Number	Purpose
1	Declarations of interests	Chair	Verbal	To consider any declarations of interests with regard to agenda items
2	Minutes of previous meeting	Chair	CHS-2324-34	To approve the minutes of the previous meeting on
3	Matters arising	Chair	Verbal	Seek assurance that actions from the previous meeting have been progressed
4	Action log	Chair	CHS-2324-35	To monitor progress against actions due and agree action where required
5	Chair update	Chair	Verbal	For information and discussion
6	National Convener/ CEO update	EJ	CHS-2324-36	For consideration and discussion
7	2023/24 Financial Forecast Outturn	RM	CHS-2324-37	For approval
8	5 year financial plan		CHS-2324-38	
9	Board Standing Orders	RKW	CHS-2324-39	For approval
10	ARMC update <ul style="list-style-type: none"> Chair update 	SA	Verbal	
11	PaCC update <ul style="list-style-type: none"> Chair update 	JD	Verbal	
12	AOB	KK	Verbal	

Next Meeting Key Topics:

1. Corporate Plan 2024-27 Draft
2. Business and Corporate Parenting Plan Update
3. Financial Forecast Outturn
4. Budget Update
5. Q3 Performance report

Minutes of the Board Meeting of 26th of September , 2023

The meeting started at 10:00 at Thistle House / virtually

Present:

Katharina Kasper (KK)	Chair
Barbara Neil (BN)	Board Member
Sean Austin (SA)	ARMC Chair/Board Member
Beth-Anne Logan	Board Member
Katie Docherty	Board Member

Also present:

Nick Rougvie (NR)	Children’s Hearings Sponsor Team Lead, SG (virtual attendance)
Elliot Jackson (EJ)	National Convener/Chief Executive (NC/CEO), CHS
Carol Wassell (CW)	Director of Positive Outcomes, CHS
Joanne O’Leary (JOL)	Director of People & Culture, CHS
Ross Mackenzie (RM)	Finance Manager, CHS/SCRA shared services
Rachel Kavish Wheatley (RKW)	Business Operations and Governance Manager, CHS - Agenda items 8, 11, 17 (minute taker)
Jessica MacDonald	Guest – Public

Apologies:

Henry Robson (HR)	Depute Chair/Board Member
Jo Derrick (JD)	RAC Chair/Board Member
Lynne Harrison	Director of Tribunal Delivery, CHS

Items	Actions / owner	Time-scales
1 Declaration of interests		
The Chair welcomed everyone to the meeting and confirmed apologies as above. There were no declarations of interest to note.		
2 Minutes of previous meeting		
The Board approved the minutes of its meeting on 20 th June 2023		
3 Matters arising		
No Matters arising were noted.		
4 Action log		
The Chair noted the following in relation to the action log: <ul style="list-style-type: none"> • The Chair noted the completed actions, and those on the agenda which can be closed once completed. 		

	<ul style="list-style-type: none"> Action 22/23-4 – The Board agreed this action would be recorded as superseded with the work forming part of a broader remit around data and data sharing with SCRA and other partners. Actions 96/97/98 – The Chair noted that these actions revolve around the Hearings for Children Report and recommendations and that the original timelines feel ambitious taking into account the current change programmes ongoing at CHS. The Chair observed that asking for a position and scenario paper in September or November may not be the most useful . Work is ongoing in this area in line with the Scottish Government Steering Group. The efforts of the SLT may be better spent on working with and influencing partners rather than progressing on our own. <p>The Board felt that there are recommendations within the report that are in our gift. CW noted that a mapping exercise is underway on the recommendations and what is in our gift in order to prioritise testing going forward. We cannot progress without an understanding of the Governments position. It is imperative we take a holistic view, this is not a descoping of this work, it is a need to understand what the asks will be via the steering group so we can accurately plan and resource accordingly.</p> <p>The Board acknowledged the level of work ongoing and the time commitments of the SLT. The impact of TSM cannot be underestimated and we should not be taking on projects that create more work unnecessarily. We should reconsider in the new year once we understand SG’s position. The November Board development weekend will be a good place to take stock.</p> <p>Board decision:</p> <ol style="list-style-type: none"> To note the updates to the action log and close those which are complete after this meeting. To move the timelines to actions 96/97/98 to January 2024. 		
5	<p>Chair update</p>		
	<p>The Chair updated the Board on the following;</p> <ul style="list-style-type: none"> The Chair noted having had a productive meeting with the Chair of COSLA. The discussion revolved around priorities and ways of working going forward. The Chair reflected since the last Board meeting in June how much work has been achieved over the summer months and the extent of the transformation at CHS. The Chair commended the SLT on the system wide negotiations and partnership working which has been ongoing while also successfully managing the business as usual. <p>Board Decision:</p> <ol style="list-style-type: none"> To Note the update from the Chair. 		
6	<p>National Convener/Chief Executive update</p>		
	<p>The NC/CEO spoke to the paper shared;</p>		

Org change update

- Supporting this work has been the Audit and Risk Committee from a risk perspective, and the People and Culture Committee from a people perspective.
- The change is being implemented well and to plan. We have engaged with local authority and again, this has gone smoothly and to plan.
- We have 4 things we want to do-
 - Data sharing across organisations – This is not just about data, its about producing a holistic approach to gathering and analysing data together to inform improvement.
 - One door for children and their families for complaints and feedback
 - Language in the hearing room
 - Children meeting the chair before a hearing – there is a trial already underway in Inverness which will inform a national roll out.

PM recruitment

- Recruitment numbers are lower than anticipated at this point in our campaign. Contingency planning is in place.
- Our social media impressions are good however this interest is not translating into completed applications.
- In tandem with the current campaign, we have an external consultant carrying out an evaluation which will be reported to the Board in the new year and inform improvement to future campaigns and approaches to PM recruitment.

Staff Recruitment

JOL updated the Board on the following;

- Ongoing recruitment has gone well. Application numbers have been high with good quality of candidates.
- So far, we have made 7 appointments from within the CHS community, and 5 appointments from within the National team.
- We have identified a gap in the medium and higher officer posts in terms of pay and what we offer compared to market. This is being explored as part of our overall pay and reward review.

Board Discussion:

- On data sharing – the Board noted the need to look at a variety of ways to present data once gathered to provide the best insights and impacts for both organisations.
- On PM recruitment – the Board congratulated the team on the engaging social media content and volunteer offer. The voluntary sector across the nation and Europe is struggling from a reduction in voluntary numbers and CHS is not immune to this.
- On language in the hearing room – the Board noted the positive steps made in Inverness to balance the appropriateness of language for young people with the legal decisions being made. There are creative solutions to language and this is in line with the work around decisions.
- The Board suggested the renaming Complaints and Feedback – to Compliments and Complaint.

<ul style="list-style-type: none"> • The Board questioned if there were plans to include the voice of lived experience on the Redesign Board. EJ confirmed CHS will lobby for this as members of the operational group. • The Board noted that not all areas have secured Lived Experienced recruiters and asked if we could draw from other areas. EJ confirmed this would be explored, noting the challenge we face to develop a pipeline of succession for those that have moved on however this can be explored as part of the recruitment evaluation. The Board noted the importance of consistency across all areas and maintaining the standards we set. • The Board asked how we will ensure information from AC's will be passed over as we move through TSM. EJ noted that our central rota team have all been appointed from the community which has maintained trust and knowledge within the system. The cohorts have been scheduled and we are currently working with AC's to ensure positive transitions. We are working closely with AC's to provide alternative voluntary roles. <p>Board Decision:</p> <ol style="list-style-type: none"> 1. The Board noted the update. 2. The Board recognise how well the transition has been handled to date. 3. The Board acknowledge the challenges faced as a voluntary organisation in the current volunteering landscape. 		
<p>7 Annual Report and Accounts 2022/23</p> <ul style="list-style-type: none"> • Cover note • ISA 580 Letter of Representation • Annual Accounts 		
<p>RM spoke to the paper shared;</p> <ul style="list-style-type: none"> • The 2022/23 Audit is now complete, with thanks to the Audit Scotland team. Th was approved by the Audit and Risk Committee (ARMC) at their meeting in August. • The Chair of ARMC has written to Audit Scotland to request continuity with our audit team for next year. • The Audit confirmed one recommendation from last year is now complete, which was to reduce CHS reserves. There was one recommendation this year which was more administrative in nature around compliance with the FReM and reporting, and this has been accepted. • Audit opinions on the annual report and accounts are complete and unmodified, offering a clean audit report. The audit report is a positive outcome for CHS, who offered a comprehensive set of papers and work to the audit team enabling a smooth audit process. • The Management Representation letter is a standard form which we ask the accountable officer to sign, which will be completed after Board approval. The accounts then are laid before Parliament before becoming a formal, public document. 		

<p>Board discussion:</p> <ul style="list-style-type: none"> • The Chair expressed gratitude to the audit team and ARMC for the work that has gone into this positive account and the assurance this provides to the Board. • The Board noted the amount of work achieved within the annual report, and how remarkable it has been. <p>Board decision:</p> <ol style="list-style-type: none"> 1. The Board approved the Annual report and accounts, endorsing the Accountable Officer signing the letter of representation and accounts. 2. The Board expressed their gratitude to the ARMC and the audit team for their work on the annual accounts. 		
<p>8 22/23 Impact Report</p>		
<p>RKW spoke to the paper shared;</p> <ul style="list-style-type: none"> • The Impact Report is presented to the Board for approval. It documents and celebrates the work of our national team and panel and highlights the Corporate Parenting activities undertaken by CHS and the National Convener. • Feedback from the Board has been incorporated into the drafting of this years report with more focus on the impact our activities have made with or on behalf of infants children and young people, our panel community, and the wider system. • Areas from the report worth highlighting include: <ul style="list-style-type: none"> ○ Valuing and working with our Panel Community to Support decision making and celebrate their contribution to Scotland infants, children and young people; ○ Involving people with lived experience by proactively increasing our collaboration opportunities on a wide range of projects and events; ○ Our input into the Hearings System Working Group and our project work around redesign which directly fed into the Hearings for Children report and the recommendations currently being considered by Scottish Government; and ○ Our work to progress the UNCRC and children’s rights ensuring we further embed the principles and children’s rights into all we do as standard practice; • The report is currently with our Graphic Designer and will be fully designed with a child friendly video animation developed ahead of publication in October. • The Board are asked to approve the Impact Report for submission to the Ministers along with the Annual Report, and publication on our website. <p>Board Discussion:</p> <ul style="list-style-type: none"> • The Board commended the Impact report, noting the improvements made to highlight more overtly areas of impact. • The Board were delighted to see the increase in participation and voice in CHS projects and work, commenting on the sheer scope of what has been achieved overall in 2022/23. 		

Board Decision:			
1. The Board approved the 22/23 Impact Report for publication.			
9	2023/24 Forecast Outturn		
RM spoke to the paper shared;			
<ul style="list-style-type: none"> We are now forecasting service delivery costs of cost 6.4M which is an underspend of 1.7M from the Board approved budget. Variances and savings can be attributed to staffing costs in line with our organisational change programme and the phasing of recruitment. Of the previously approved in year pressures, we are confident we will not require the full amount budgeted and will continue to work with SG through the Spring budget. We have communicated our budget pressures to SG and have updated our 5 year plan to reflect this. 			
Board Discussion:			
<ul style="list-style-type: none"> The Board asked for assurance around the savings in staffing costs – funding has been granted to us from 1st April however recruitment has been staggered. Where we can release underspend to SG we will continue to do so. The board noted how important the forward look is and thanked KB for the report. 			
Board Decision:			
1. The Board approved the outturn report.			
10	Strategic Review of Participation		
CW spoke to the paper shared;			
<ul style="list-style-type: none"> The report is presented to the Board for discussion and approval. This paper is a stock take and appraisal of the way we currently work and how to progress on our approach to participation. It looks at where we should focus our attention with an emphasis on remaining fluid and agile to the needs of children and young people as well as our organisation. It will also inform our soon to be revised Children’s Rights Strategy. We recognise the need to review and build on the good work we currently do but bring in new connection and invocations, working with experts in the field to build stronger relationships. We recognise we need to be realistic, outward facing, and most importantly ensure that any person with lived experience who engages with us is not negatively impacted. We are aiming to provide meaningful opportunities for connection, development and reward with short, medium and long term options. We have looked to partners in the sector who already do this well, with the intention to engage in partnership arrangements to ensure CHS has access to the participation and influence it needs while ensuring those who participate with us are well looked after. 			

<ul style="list-style-type: none"> • Remuneration is a key component of this work. It is important we remunerate people well and are equitable. The proposals within this report are affordable in current budgets. <p>Board Discussion:</p> <ul style="list-style-type: none"> • On experts by experience – The Board questioned why the proposal was for either and not both. CW noted the challenges CHS has faced implementing a mutual mentoring programme. We have re-evaluated the offer to include expert by experience but remain open to launching mutual mentoring again in the future as this area of work develops. • On development opportunities - the Board questioned the assumption that posts could not implicitly require lived experience due to equality, highlighting other posts in the sector have been able to advertise for someone with lived experience. CW agreed to review this and make lived experience a requirement if possible. • The Board were pleased to see remuneration and development opportunities for those with lived experience as a key component of this work, noting how important it is to remunerate appropriately. • The Board noted this was a cohesive and more holistic approach to participation. <p>Board Decision:</p> <ol style="list-style-type: none"> 1. The Board approved the Strategic Review of Participation and the recommendations within. 2. As per the review of participation, CW to look at if CHS can indeed recruit based on criteria of lived experience. 	<p>CW</p>	<p>Nov 23</p>
<p>11 Q2 Performance Report & Mid-year Supplementary Business Plan</p> <ul style="list-style-type: none"> • Cover note • Q2 Data summary • Q2 Performance report • Supplementary Plan 		
<p>RKW updated spoke to the papers shared;</p> <ul style="list-style-type: none"> • This suite of papers includes the Quarter 2 Performance Report along with the data summary and the Supplementary mid-year Business Plan review. • The Board are being asked to approve the re-articulation, re-scoping, and any new objectives or milestones in the attached report, as highlighted in this cover note. Once approved, the accompanying Supplementary Plan will replace the current Business Plan, and will form the basis of the quarterly performance reporting for Q3 & Q4. <p><u>Data Summary</u></p> <ul style="list-style-type: none"> • Since the last reporting period we have seen an increase in the number of Panel Members who are now Chair trained and active. Chair numbers do fluctuate Chair qualified Panel Members at a rate of about half of those that qualify. Additional training sessions are planned for autumn/winter 2023 for those PM's now eligible for training, which will increase our Chairing numbers. • There is a lower than average end of service rate which is typical after a reappointment period (May & June) with the total number of Panel Members 		

who have ended service slightly lower than expected. Panel Member numbers will continue to decrease as the year progresses through natural attrition until the new cohort of trainee Panel Members are appointed. This remain an areas of close monitoring. The efficiency of rota centralisation is anticipated to mitigate some of the risks inherent with lower Panel Member numbers allowing for any areas with fewer than targeted Panel Members to continue to manage the rota well. Capacity of Panel Members is a critical KPI and under close monitoring by the Tribunal Delivery directorate.

Q2 Performance report

- The Q2 Performance report is shared with the Board for oversight and assurance.
- A number of milestones have been achieves in the quarter including: th roll out Trauma training modules and resources through CHS Learning Academy to all volunteers; the co-production of our recruitment creatives with children and young people with lived experience; and the implementation of a continuous improvement plan for our feedback and complaints process based on lessons learned and audit.
- Three milestones have been retimed, and the Board are asked to approve the new timelines.
 - The revision of the CHS Learning and Development Strategy’s target timelines has been extended to end of Q4;
 - We have extended our timeline of engaging with our community and stakeholders on the reforms and coming changes from Q2 (initially) through to Q4;
 - We have extended the timeline to revise the CHS communication strategy to the end of Q3.
- The Board will note that objective 3 and its milestones which are around mentoring are reported as red within the performance report however this is addressed within the Supplementary Plan where the objective and milestones have been re-scoped and re-articulated to more broadly recognise the need to formalise our approach to participation, as discussed during the previous agenda point.

Supplementary Plan

- At the beginning of the financial/operational year, we committed to publishing a revised Business Plan during 2023-24 that reassessed the on-going work in the organisation, taking stock of the impact of the anticipated Hearings for Children Report, our Organisational Change Programme and Tribunal Support Model implementations, available resources, any decisions relating to work taken in-year, and any other relevant developments.
- The accompanying Supplementary Plan is the result of that reassessment, and covers the second half of the year (Q3-4, October – March). It replaces the current Business Plan, and will form the basis of the quarterly performance reporting going forward.
- To draw out the key changes are:
 - The removal of those objectives which are now complete;
 - Re-articulations and adjustments which reflect more focused areas of work;

	<ul style="list-style-type: none"> ○ Additional milestones or objectives which reflect in year priorities; ○ And re-timings of milestones. ● The Board are requested to review the Q3-4 Supplementary Plan and its changes for approval and publishing. <p>Board Discussion:</p> <ul style="list-style-type: none"> ● The Board supported the changes to business objectives and milestones in year noting they were practical and proportionate. ● The Board asked for additional information on the increase in Charing numbers. CW commented on the drive internally to progress training for those who are qualified to do so, which has been successful. <p>Board Decision:</p> <ol style="list-style-type: none"> 1. The Board noted the data summary. 2. The Board noted the Q2 Performance Report. 3. The Board approved the re-timing of three milestones. 4. The Board approved the supplementary business plans and its changes to milestones and objectives, for publication an use going forward. 		
12	UNCRC Report 2020-2023		
	<p>CW spoke to the report shared;</p> <ul style="list-style-type: none"> ● Under Section 2 of the Children and Young People (Scotland) Act 2014 we have statutory responsibility to report on our achievements towards incorporation of UNCRC every 3 years. The obligation extends to preparing the report and then publishing it on our website. ● The report highlights the work we have undertaken to ensure our people understand children’s rights and can give effect to it in their daily duties. ● Voice, influence, and inclusion of people with lived experience is reflected in our vision, language and behaviours, and how we operate the tribunal system. ● The golden thread for our ability to in influence and implement UNCRC is around data and MI that allows us to analyse what we do and how we do it, and then make decision and improvements. ● When UNCRC is incorporated reporting functions will change though this is currently unclear what it will look like. <p>Board Discussion:</p> <ul style="list-style-type: none"> ● The Board enjoyed the report and how the rights were brought to life through case studies, noting it was a clear concise report with a huge amount of depth. ● The Board found the rights map and clustering particularly helpful. <p>Board Decision:</p> <ul style="list-style-type: none"> ● The Board approved the UNCRC report 2020-2023 for publication. 		
13	Feedback Loop		

	<p>CW spoke to the paper shared;</p> <ul style="list-style-type: none"> • The Feedback Loop report is required by the Children’s Hearings (Scotland) Act 2011 and must be provided to all Panel Members and laid before Parliament. • Year on year it is difficult to produce this report as the data required doesn’t exist or isn’t widely collated in a way we can use and understand. • In the three preceding years, there have only been 5 breaches of implementation duties. This is very low, considering the number of orders during this period. The TSM will likely improve our position with more support for Panel Members locally, and more opportunities for Panel Members to discuss concerns about implementation with the national CHS team. • The HSWG makes some very positive recommendations concerning the Feedback Loop, in two main ways around the role and powers of the Chair and data sharing between CHS and SCRA which will improve the feedback loop going forward. <p>Board Discussion:</p> <ul style="list-style-type: none"> • The Board suggested it may be useful to use population ratios within the report as it gives a better understanding on authority and implementations offering more context to the numbers. • The Board noted the need for gathering data, and the potential for the NC to compel the sharing of information. Capturing this data can be used as evidence for change going forward. There is a need to capture the data consistently nationally to offer a fuller picture of the experience of children across the system. There isn’t a baseline measure across all partners – there is a need to re-identify and agree on what constitutes a breach and how we challenge duty bearers. • Compulsory orders represent some of the most vulnerable children and there is a strong need nationally to ensure we can measure this accurately and provide a cohesive picture. We need to work with partners nationally to bring this forward. <p>Board Decision:</p> <ol style="list-style-type: none"> 1. The Board noted the Feedback loop report and approved it for publication and sharing with Panel Members. 		
14	Annual Review of Appeals		
	<p>CW spoke to the paper shared;</p> <ul style="list-style-type: none"> • It is important to recognise, given the number of hearings, the number of appeals upheld is small. This gives us confidence on the whole that decisions tribunals are making are legally competent. • We have a challenge in terms of understanding decisions that aren’t fully shared with us in terms of why appeals might be upheld or why appeals may be raised. Having access to this information could help us to inform learning and development opportunities for Panel Members and improve practice. The joint work we are currently undertaking with SCRA around data will support better quality assurance and learning for PMs going forward. <p>Board Discussion:</p>		

	<ul style="list-style-type: none"> The Board noted the number of appeals which are upheld by Sheriff and that this is a positive endorsement of Panel Member decision making. The Board noted the low number of appeals and questioned why it is so low. The Board would expect to see more appeals. From a rights perspective, we should be supporting PM's to promote the right of appeal. We should be saying it all through the hearing not only at the end. The Board noted that we do not have enough data to understand the low number of appeals and why it is so low. We cannot test our theories or make improvements without it. Can we work with a few local authorities to test our needs for data and use of data. <p>Board Decision:</p> <ol style="list-style-type: none"> The Board noted the Annual Review of Appeals. 		
15	<p>Audit and Risk Committee (ARMC) Chair update</p> <ul style="list-style-type: none"> Annual Audit plan 		
	<p><u>ARMC Chair Update</u></p> <p>SA updated the Board on the following;</p> <ul style="list-style-type: none"> THE ARMC last met on the 23rd of August, 2023. As noted at agenda point 7, the Committee approved the annual accounts and annual audit report with thanks given to the auditors and our internal finance team who have worked exceptionally well together to produce a quality audit. We have written to Audit Scotland requesting continuity of our audit team for next year with a positive response already received. The Committee reviewed the Strategic Risk Register and were content and assured key risks are recorded and being addressed. The quarterly IG report, Records Management Competency Framework and Security Classifications Policy were reviewed and approved. The Committee noted the detail and thoroughness of the framework and policy and were encouraged by the ongoing work in this area. The quarterly Complaints & Feedback report was reviewed, with slight reduction in complaints noted in the quarter. The Committee noted the progress work ongoing around child friendly complaints and feedback. The Committee approved the audit plan which reflects three key priorities for the business going forward and approved the ToR for the first internal Audit which will look at best practices for our clerking service provision. <p>Board discussion:</p> <ul style="list-style-type: none"> The Board were pleased with the audit plan and the linking of audit against the risk register. The Board expressed their thanks to the Committee. <p>Board decision:</p> <ol style="list-style-type: none"> The Board noted the update and approved the audit plan. For EJ to research the possibility of working with a local authority to better understand and have more access to data around appeals. 	EJ	June 24
16	<p>People and Culture Committee (PaCC) Chair update:</p> <ul style="list-style-type: none"> PaCC Annual Report & ToR 		

	<p><u>PaCC Chair Update</u></p> <p>JD updated the Board on the following;</p> <ul style="list-style-type: none"> • The Committee last met on the 19th of June. • The Committee approved the pay policy and approach, which included the securing and implementing the 35 hour working week and an electric car scheme for staff. • The Committee reviewed the revised ToR and approved its re-naming to PaCC. • The Committee engaged with the Team Forum and welcomed their update. <p>Board discussion:</p> <ul style="list-style-type: none"> • The Board noted the update and were in approval of the renaming of the Committee. • <p>Board decision:</p> <ol style="list-style-type: none"> 1. The Board approved the PaCC annual report and ToR. 		
17	Draft Board Workplan and Governance Calendar		
	<p>RKW spoke to the paper shared;</p> <ul style="list-style-type: none"> • The 2024 governance calendar and work plan are shared for Board approval. • Development session for the Board will be used as needed, and removed if deemed unnecessary. • Joint Board dates are still to be confirmed. <p>Board Discussion:</p> <ul style="list-style-type: none"> • The Board requested a few changes to date which will be confirmed offline. <p>Board Decision:</p> <ol style="list-style-type: none"> 1. The Board approved their work plan and governance calendar, pending a few adjustments to dates to be approved off line. 	RKW	Sept 23
18	AOB		



National Convener / Chief Executive Update

Agenda Item 6 CHS-2324-36

1. Introduction

- 1.1 This report captures a range of organisational activity between the last Board meeting in September 2023 to now. It provides bite sized updates that can be expanded upon during the Board meeting.

2. Hearings for Children Update Report

- 2.1 The Hearing system has been under review since the start of the Independent Review of Care in 2017. Under the banner of The Promise, The Hearings for Children Report, published in May 2023, brings together all elements of transformational reform under a single publication.
- 2.2 As a co-author of this report, the National Convener and Children's Hearings Scotland are fully committed to the recommendations and support the systemwide need for transformational change in the Hearings system. Everything that we do as an organisation is dedicated to the Scottish Governments vision/outcome for children and young people that:

We grow up loved, safe and respected so that we realise our full potential.

'In our children we see the best and worst of ourselves now and in the future. They are the measure of our worth as a nation. In this Outcome we are dedicated to providing the essential conditions of love, respect and understanding through which our children can become the happy, fulfilled and successful adults they all have a right to be'.

- 2.3 We have submitted data and further contextual information to inform the Scottish Government's thinking ahead of a likely publication in December 2023 of the response to the recommendations by the Minister for Children, Young People and Keeping the Promise.

3. Tribunal Support Model Programme (TSM) Update

- 3.1 Our TSM Programme is being managed and governed through the use of robust change architecture that hold us to a high standard of evidence and rigour. TSM as a programme has two projects – The launch of a Scotland wide Rota Team and the launch of nine new Regional Area Support Teams. This change is being implemented across three cohorts allowing us to iterate and develop the programme as we progress. The programme commenced Summer 2023 and completion is expected by Summer 2024.

- 3.2 On the 30th October 2023, both Rota and Regions Projects passed the Ready to Start and Ready to Deploy stage gate enabling the team to commence the deployment in Cohort one. Rota – Ready to Deploy had a contingent pass related to digital tools being in place and tested, a contingency plan and outstanding DPIA questions for SMS use. The work to resolve these items has now been completed.
- 3.3 Cohort one regions went live on Monday 6th November in Ayrshire and Central. Cohort one rotas related to the management of rotas commenced on Thursday 16th November 2023. Ayrshire Rotas have already been successfully created by the Resource Allocation Team overseen by current rota managers w/b 30.10.23

A retrospective review of Cohort one is currently being planned to allow us to reflect and iterate for Cohort two. We look forward to sharing that learning with colleagues and at the ACLG session being planned.

- 3.4 The TSM programme and work to date represents a significant achievement and effort from many members of the national team with support provided by Ahead Business Consultants. The achievement is not only in the launch of the TSM in cohort 1, but in the use of new and robust change architecture for the management of the change.

4. Town Hall Meetings

- 4.1 The third and final online Town Hall took place 24th October with our guest speaker Tom McNamara, Scottish Government, Unit Head for Youth Justice and Children’s Hearings in the Scottish Government. 185 of the 383 registrants attended the meeting with excellent retention rates averaging 59 mins and 4 secs of attendance (meaning if you tuned in, you watched the whole thing). Along with the audience on the night, a further 82 people have watch the video of the event.
- 4.2 With the series now over we look to continue them on as a valuable communications tool but to amend the frequency. These events require a lot of preparation so we’re proposing to move them to a quarterly sequence with the first of 2024 being in February. This event will be an opportunity to unpack the SG response to the HSWG Report and what they meant for the CHS Community. As such the proposed panel are [Elliot Jackson / myself {wasn’t sure of tense in writing}] and Katharina Kasper. This will come on the back of the Community-wide communication that will be mailed out at the end January. Further events in May, August and November are to be confirmed in terms of speakers and topics with suggestions welcomed.

5. Children (Care and Justice) Bill update

- 5.1 The Children (Care and Justice) (Scotland) Bill passed Stage 1 in June 2023. However, concerns were raised about the initial Financial Memorandum and a revised version with amended forecasts reflecting an additional 40% increase in children’s hearings as a result of raising the age of referrals to include 16 and 17 year olds. In addition, potential amendments have been proposed by a collective group of agencies requesting enhanced provisions for sharing information with victims.

- 5.2 The Education, Children and Young People’s Committee have held subsequent evidence sessions for potential amendments to the Bill. On the 25 October 2023, Stephen Bermingham presented evidence from CHS along with other key stakeholders. Stephen presented an overview of the capacity challenges CHS face considering the current recruitment/retention data outlining CHS’ strategy to address these challenges. One line that Stephen provided received particular attention was “the inherent fragility of running a statutory service entirely reliant on the goodwill of volunteers”, the full evidence session can be viewed [here](#). On the 1 November 2023 Natalie Don, Minister for Children, Young People and Keeping the Promise gave evidence to the committee where specific questions were asked about the capacity of the system to respond to the increase in demand and the representations of victim organisations, the full evidence session can be viewed [here](#).
- 5.3 A request made at the Committee and in other governmental fora is that the timescales for implementation raising the age of referral is sequenced 12-18 months from enactment of the Act. Work has started on developing the training resources with the Children and Young People’s Centre for Justice. Currently the Bill is passing through the parliamentary process with a view to progress Stage 2 amendments this calendar year as scheduled, however, this is dependent on the details of the amendments and could potentially be extended into 2024.

6. Business and Corporate Planning

Corporate Plan 2024-2027

- 6.1 Our last Corporate Plan, also referred to as our Strategic Outlook, covered the 3 years from 2020-23 and was extended by an additional year to allow the changing structure of the children’s hearing system to take shape. That shape is still being moulded by our colleagues in government and the wider sector and, at the time of writing, some unknowns still remain.
- 6.2 The Board held a development day In early November to set the strategy for 2024 – 2027. It was an opportunity to re-appraise our purpose and vision, and to set ourselves aspirational and transformational priorities for the next three years which deliver better outcomes for infants, children, young people, and their families.
- 6.3 The Hearings for Children report and its recommendations have given us a clear base on which to build our ambitions and plans for the next three years. While we await clarity on those which require legislative change, there are many recommendations we can deliver now and in the years to come.
- 6.4 With our Board, we have re-articulated our purpose, vision, and the strategic themes under which all our activities will deliver. We are now engaging with our partners and lived experience stakeholders within the sector to sense check our thinking and ensure we are aligned in our goals. We will work with our colleagues in the National Team to identify those critical enablers that are the essential components to the success of our strategic themes, and our organisation as a whole.

- 6.5 We will come back to the Board with a draft of our Corporate Plan in January. We will share with our Sponsor Team and other colleagues, welcoming the feedback and opportunity to take a collaborative approach to delivering positive change within the system. In March 2024 our Corporate Plan will be submitted for final approval to the Board and Ministers. As in previous years, our Communications Team will work with lived experience collaborators to create a child friendly version of our Corporate & Business plans in the form of an animation.

Business Plan 2024-2025

- 6.6 Our Corporate Plan 2024-2027 will inform our Business and Corporate Parenting plans for the next three years. The strategic themes within it will guide all our work towards improvement. We are working now with our colleagues to identify the activities which will form our 2024-2025 business plan, ensuring alignment with our purpose, vision, and strategic themes. The Business plan will follow a similar trajectory as the Corporate plan, seeking feedback and input from partners and stakeholders. We will provide the Board with an update on our progress in January, with the final draft accompanying the Corporate plan for approval in March.

7. Organisational Planning and Staff recruitment

- 7.1 We are nearing the end of phase 3 of our recruitment activities in line with our wider organisational change programme which formally commenced in May 2023. Our final phasing of recruitment is due to end in February 2024.
- 7.2 Our core focus in line with our wider People Strategy is to ensure that we embed and support our new colleagues at CHS in the most efficient way. Induction and onboarding activities remain our core focus. To support the volume of new starts CHS launched its first organisational induction in October 2023. A second induction session is scheduled for December 2024 and we will then build in regular Induction sessions into our wider People management programme longer term.
- 7.3 To ensure a more sustainable and strategic approach to workforce planning, we now have a structure in place to support regular discussions around future workforce planning. This will enable CHS to ensure that we forecast and align our organisations needs with our broader strategic priorities for 2024 – 2027. This is particularly relevant given the recent organisation design work undertaken around Tribunal Support Model and our wider re-structure across our national team.
- 7.4 Supporting our people to ‘thrive’ continues to be central to our focus over the next 6 -12 months and the wider incorporation of a Wellbeing Strategy in 2024 will support the evolution of our cultural framework at CHS.

8. Panel Member Recruitment Campaign

- 8.1 The Autumn Panel Member Recruitment campaign was held from 29 August until 8 October 2023. This newly designed campaign aimed to attract as many potential volunteers to apply to ultimately become new empathetic and competent Panel Members.
- 8.2 All 22 Area Support Teams aimed to recruit and number of applications received vary from 4 in an island community to up to over 90 in Glasgow. The numbers of applications were significantly fewer than in previous years, reflecting the current challenging environment particularly related to the cost of living crisis impacting upon the wider volunteer sector across the UK. By the end of the campaign, approximately 660 applications had been received
- 8.3 Area Support Teams have conducted shortlisting, interviewing and selection activities between 9 October and 20 November. We are delighted that 24 young people with lived experience of the hearing system were part of the interview panel. I am delighted to confirm the recommendation and appointment of 370 new Panel Member trainees.
- 8.4 New trainees will now attend a Welcome and Induction Session and undertake preparatory work in advance of Pre Service Training from 9 January 2024. Formal appointment on the basis of the satisfactory completion of Pre-Service training will be on 3 April 2024.
- 8.5 An external evaluation of the recruitment campaign is currently underway with a final report to be shared with the Board at the January 2024 meeting.

Elliot Jackson
National Convener and Chief Executive Officer
November 2023

Finance Report 2023-24 Forecast Outturn

Accountable Officer:	Director of Business and Finance
Report author:	Finance Manager
Recommendation:	To note and feedback
Resources implications:	Within available resources

Impact Assessment Duties	Required	Completed
Equalities Impact Assessment	No	
Children's Rights Impact Assessment	No	
Data Protection Impact Assessment	No	
Islands Impact Assessment	No	

1 Background, summary and recommendation

- 1.1 The published revenue grant in aid (GiA) allocation for CHS for 2023/24 is £4,629k, with an acknowledgement from Scottish Government (SG) that CHS is carrying an additional ongoing £3,483k pressure. A formal letter of agreement from SG to meet these pressures has now been received, which needs further clarification before it can be fully accepted.
- 1.2 Board members are asked to note the forecast, its associated risks, and the approach.

2 2023/24 Forecast and Year to Date

Report as of 30 September 2023

	Actual YTD Period 6	Variance YTD Period 6	2023/24 Annual Budget	2023/24 Forecast	2023/24 Forecast Variance	2023/24 Forecast Variance
	£000	£000	£000	£000	£000	%
Staff	1,276	-222	2,997	3,057	60	+2.0
Board	11	-20	62	61	-1	-1.6
Training, travel and subsistence	174	118	112	162	50	+44.8
Lease Obligation	0	-13	51	51	0	+0.0
Property	19	-20	77	77	0	+0.0
Other Operating Costs	1	-23	49	49	0	+0.0
ICT Costs	-5	-391	772	759	-13	-1.7
Corporate Costs	133	55	156	226	70	+45.0
Panel and AST Expenses	27	-223	500	390	-111	-22.1
Panel and AST Training	529	-37	1,131	1,075	-56	-5.0
Support for hearings	66	-21	175	185	10	+5.7
Volunteer recruitment	85	-72	234	288	54	+23.1
PVGs	2	2	80	41	-39	-48.8
AST Devolved Funding	2	-31	66	66	0	+0.0
Total	2,320	-898	6,462	6,487	25	+0.4
Tribunal Support Model (TSM)			1,244	813	-431	
Child Care & Justice Bill (CCJB)			406	106	-301	
			8,112	7,406	-706	-8.7

2.1 Of the £3,483k pressure mentioned in paragraph 1.1, around £2,000k related to wages and salaries, with the remaining £1,483k related to goods and services. Recruitment being phased through the financial year resulting in savings. We estimate Staffing costs at £3,559 including associated staffing for TSM & CCJB. This number has grown significantly following a deep dive into costs of recruitment and re-evaluating to process of the forecast.

Our Autumn Budget Revision (ABR) submission highlighted that we are unlikely to require the full £3.3m budget pressure that was identified at the start of the year, but this will be confirmed in Spring Budget Revision (SBR) as costs may increase though the year.

Considering the above we forecast service delivery costs of £7,406k these have gone up from the previously reported £6,405k at period 5. Overall, the current forecast represents an underspend of £706k against the board-approved budget.

Looking further into the future in line with our 5-year planning, we have updated the 5-year plan in line with our current understanding of further expectations of legislative and financial developments. Aiming to bring this to the board for sign off at the next board meeting in December. A first high-level report is also included in this month SLT papers.

2.2 In order to determine the forecast cost of our service delivery to the end of the year, we have made the following assumptions.

- Staffing combined with TSM & CCJB shows an underspend of £-344k based on all new appointments to date and all known appointments until the end of the fiscal year.
- Training, travel and subsistence cost have increased and are forecast to be overspend by £50k due to an increase in headcount and resulting training needs.
- The robust cost evaluation and monitoring for ICT cost is now forecasting and underspend of £13k against budget due to tighter controls.
- Corporate Costs are forecast to be overspend by £70k due to an identified increase in consultancy fees.
- Underspend of £-111k on Panel and AST Expenses in line with last year's expenditure.
- Panel and AST Training costs are predicted to be underspent by £-56k considering current costs including a forecast for the 'Execspace' element of the contract (a variable costing element of the contract) and the now fully signed Non-Competitive Action (NCA) for the learning academy.
- For all costs showing a 0% or a variance to budget below 5% in the last column of the above table, we assume the cost to meet budget or be very closed and have forecast in line with this assumption, not expecting any additional costs.

3 Conclusion

- 3.1 SLT/Board members are asked to note the forecast, its associated risks, and the approach in the ongoing management of the projected budget movements.



**Agenda Item 8
CHS-2324-38**

CHS 5 Year Strategic Financial Plan 2024/25 – 2028/29

Accountable Officer:	Director of Business and Finance
Report author:	Finance Manager
Recommendation:	To note and feedback
Resources implications:	Within available resources

Impact Assessment Duties	Required	Completed
Equalities Impact Assessment	No	
Children’s Rights Impact Assessment	No	
Data Protection Impact Assessment	No	
Islands Impact Assessment	No	

EXECUTIVE SUMMARY

1. Introduction / Purpose

1.1 In line with the Scottish Government spending review cycle, CHS has prepared an updated 5 year strategic financial plan outlining the projected resources required to deliver the legal tribunal functions and support the organisations current strategic vision and direction(1) to:

1. Better protect and uphold the rights of children
2. Deliver consistently high quality hearings
3. Continue to build an effective, empathetic panel that is well supported
4. Be well informed and influential in our environment and communities

1.2 In addition the plan reflects 5 key organisational priorities which may influence resource requirements over the period:

1. Capacity to deliver – Managing the ongoing impact of Covid and the economy on volunteer recruitment, retention and availability impacting Panel capacity; working with SCRA to maximise scheduling effectiveness.
2. Hearings for Children Report Implementation – The requirement for transformational change and system re-design from The Promise, Hearings System working Group and The Promise Plan.
3. Legislative change – A projected 3,425 additional hearings annually as a result of the Children’s Care and Justice Bill the impact of a potential Promise Bill by the end of the parliamentary term.
4. Optimising the Regional Tribunal Support Model - Completing implementation of the new model, embedding and optimising the new structure and support model, surfacing and activating the opportunities for improvement and efficiency.

¹ Due for revision for 2024/25

5. Ensuring a fair and competitive retention and rewards strategy for our paid People – utilising data and evidence, creativity and innovation to identify total rewards that ensure we can attract and retain skills and experience that will enable delivery of our strategic ambitions.

1.3 This paper identifies the forecast the resources required from 2024/25 – 2028/29, aligns CHS’ strategic ambitions and identifies the requirement for both capital and revenue required over the period.

2. Summary

2.1 The paper identifies CHS’ overall resource requirement as:

	Board approved 23/24 £000	24/25 forecast £000	Pressures to support PM Capacity	Forecast + pressures 2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000
Headcount	72	98		98	98	98	98	98
Staff net of secondment income incl. TSM	3,802	5,775	0	5,775	6,352	6,796	7,272	7,781
Volunteer training	1,131	1,222	tbd	1,222	1,344	1,478	1,626	1,789
Volunteer expenses	500	540		540	540	540	540	540
Volunteer expenses (extra)			234	234				
Volunteer recruitment	234	260	120	380	535	453	489	528
Volunteer support (inc PVGs, DVF, Participation CYP, Staff training: TSM)	321	622	100	722	672	726	784	847
Volunteer support: IT	772	845		845	913	1,019	1,101	1,189
Corporate (inc staff T&S/recruit, Board)	379	409		409	425	442	460	478
Property	128	140		140	142	144	146	148
CHS Core Business	7,267	9,813	454	10,267	10,923	11,598	12,418	13,300
Children's Care & Justice Bill	305	383		383	414	447	646	861
CCJB staff	101	103		103	110	118	126	135
Revenue total	7,673	10,299	454	10,753	11,447	12,163	13,190	14,296
Capital	536	529		529	571	667	670	724
TOTAL	8,209	10,828	454	11,282	12,018	12,830	13,860	15,020

In recognition of the size of the planned reforms for the hearings system this 5-year plan reflects significant revenue growth.

2.2 The above table highlights possible pressures in 2024/25 that may be required to support Panel Member capacity to meet forecast hearing numbers. Pressures identified included costs of an additional recruitment campaign (£120k) and increasing Volunteer expenses to support expenses arising is an on call panel is developed (£234k) and Volunteer support (£100k) to enable enhanced volunteer recognition approaches to drive retention. Pre-service costs to support an additional in year recruitment has not yet been costed as costs dependent on current intake.

3. Assumptions

Assumptions are based on current knowledge and are subject to the findings from the Hearings for Children Report which the SG is in the process of considering following publication.

3.1 Financial:

Due to inflationary and wider cost of living pressures reflected in public sector pay settlements, the forecast assumes a 5% uplift in salary levels in addition to progression and anticipated on-cost increases.

3.2 Inflation at 8% is applied to ICT and volunteer support costs, with lower inflation levels presumed in other lines where CHS has targeted efficiency savings to mitigate the impact.

4. Financial risks are identified as

4.1 Scotland wide economic pressures impacting funding availability and ability to implement Promise and Hearings for Children recommendations;

4.2 No consolidation of pressures carried in 2023/24 and projected in 2024/25;

4.3 The continuation of one year Grant In Aid funding agreements from Scottish Government, inhibiting organisational ability to meet The Promise and Hearings for Children implementation;

4.4 Continued impact of the economy and Covid on Panel Member recruitment, retention and availability resulting in a shortfall of volunteer capacity in order to fulfil statutory requirements.

4.5 Staff turnover due to impact of economic climate on competitiveness of public sector pay awards; and

4.6 Unexpected increase in children in the system, following the implementation of CCJB.

CHS 5 Year Strategic Financial Plan 2024/25 – 2028/29

1. Introduction / Purpose

- 1.1 In line with the Scottish Government spending review cycle, CHS has prepared an updated 5 year strategic financial plan outlining the projected resources required to deliver the legal tribunal functions and support the organisations current strategic vision and direction(2) to:
1. Better protect and uphold the rights of children
 2. Deliver consistently high quality hearings
 3. Continue to build an effective, empathetic panel that is well supported
 4. Be well informed and influential in our environment and communities
- 1.2 In addition the plan reflects 5 key organisational priorities which may influence resource requirements over the period.
1. Capacity to deliver – Managing the ongoing impact of Covid and the economy on volunteer recruitment, retention and availability impacting Panel capacity; working with SCRA to maximise scheduling effectiveness.
 2. Hearings for Children Report Implementation – The requirement for transformational change and system re-design from The Promise, Hearings System working Group and The Promise Plan.
 3. Legislative change – A projected 3,425 additional hearings annually as a result of the Children’s Care and Justice Bill the impact of a potential Promise Bill by the end of the parliamentary term.
 4. Optimising the Regional Tribunal Support Model – Completing implementation of the new model, embedding and optimising the new structure and support model, surfacing and activating the opportunities for improvement and efficiency.
 5. Ensuring a fair and competitive retention and rewards strategy for our paid People – utilising data and evidence, creativity and innovation to identify total rewards that ensure we can attract and retain skills and experience that will enable delivery of our strategic ambitions.
- 1.3 CHS will strive for improvement and excellence in delivering against our statutory functions. Our operating context and detail of our strategic priorities upon which this 5 year forecast is premised will be identified in our Strategic and Corporate Plan 2024 – 2027, currently in development.

² Due for revision for 2024/25

Within our Strategic Themes we have identified 4 core organisational priorities which will influence resource requirements over the period.

1.4 Capacity To Deliver

- 1.4.1 The number of Panel Members has decreased over the past 10 years. The average number of Panel Members in the 3 years before Covid was 2,456. During Covid (April 2020-March 2022) it was 2,309 and post-Covid (April 2022-September 2023) it is 2,187.
- 1.4.2 CHS forecasts 1921 serving Panel Members in November 2023. This is the lowest number of serving Panel Members on record from a peak of 2709 during 2018/19. The three main reasons for the reduction include the legacy of the pandemic where CHS lost significant long serving Panel members due to the switch to online Hearings; the complexity and time commitment of being a Panel Member many quote that we're asking too much of them); and the downturn of volunteering across the UK and Europe. Pre-pandemic, CHS consistently secured over 900 applications for Panel Members during its annual recruitment campaigns. This year, despite it being the farthest-reaching campaign ever run by CHS, yielded only 600 applications. There is a considerable data analysis to back up our challenging operational content. The diagram shown in Appendix A provides a high-level pictorial representation of the threat. This is based on a realistic forecast of volunteer levels which has been possible to more accurately predict following the completion of our current recruitment campaign on 01/10/23. The forecast takes into account:
- Resignation rates based on current levels;
 - Intake in March 2024 based on drop off rates from application through to selection and completion of pre-service based on experience from previous campaigns;
 - A single annual Panel Member recruitment taking place coming into service March 2025 (noting a forecast 'best case' scenario);
 - Recognises the >500 Panel Members due for re-appointment in spring 2024; and
 - A target level of Panel Members based on forecast hearing levels and impact on hearings from implementation of CCJB (uplift in of 3425 hearings annually, which will require additional capacity (estimated 500 volunteers plus support roles).
- 1.4.3 Following investment, CHS is implementing a new Regional Support Model in 2022/23. This will additionally support capacity through:
- A new regional Area Support Team structure across Scotland that will see the creation of nine Regions from the previous 22 Area Support Team Model;
 - Greater Panel Member support through a small number of dedicated full-time posts focusing upon recruitment, training, well-being support with an emphasis upon retention and recognition;
 - A substantial reduction on the ask of local volunteers who carry an unsustainable workload;
 - An improvement and transformation capability to make changes to the Hearings System quickly and consistently through full-time roles;

- A dedicated Resource Allocation Team managing Panel Member capacity across Scotland;
- Greater consistency, efficiency and effectiveness of Hearing room practice, learning and development and quality assurance; and
- A dedicated forum with the National Convener every six-months for volunteer regional representatives to discuss strategic and operational issues.

1.4.4 CHS are considering investing in and deploying a number short and medium-term tiered measures to ensure that we continue to deliver the service.

Tier 1:

- Working jointly with SCRA on more efficient scheduling of Hearings. For example, reducing emergency slots where Panel Members are scheduled to attend but are often cancelled.
- Utilising centralisation of rota to optimise resource planning approaches to ensure Panel Member availability is maximised.
- Investing in a new recognition and retention strategy that targets all, but specifically those Panel Members who are within their final year of their 3-year reappointment period. This could include gift vouchers and recognition events.
- Implementing a national wellbeing strategy, delivered regionally through Wellbeing Co-ordinators to maximise Panel Member support, value and retention.

Tier 2:

- Conducting a further in-year recruitment campaign and an additional pre-service training programme. Assumed based on utilising current recruitment creative would enable 2 intakes in year to provide an additional boost in capacity.
- Fast tracking pre-service training to reduce the time from recruitment to service. This has already been reduced from 7 to 5 days but further reduction maybe considered. Further residential options will be explored. All potential interventions will be considered carefully as not to diminish the quality and veracity of the training content and experience.

Tier 3:

- Consider the re-introduction of emergency legislation utilised during covid to allow Hearings to operate with 2 Panel Members.
- Renumerating Panel Members to participate in a National 'on-call' rota system. This could be through a claimable expense model, permitted in legislation, and would enable fast on call capacity to cover volunteer resource gaps nationally. This is critical to avoid cancelling Hearings.

These have been identified as additional financial pressures in the forecast budget shown in Fig 1. We will work tirelessly with SG colleagues and the Minister to seek support and approval for such measures should they be required.

1.5 Hearings for Children Report Implementation

- 1.5.1 In 2019 the Independent Care Review reported its findings – The Promise. This identified requirement for transformational change of Scotland’s approach to Care and will have a significant and lasting impact on the Children’s Hearings System. The scale and detail of the change is the most significant reform since Kilbrandon in the 1960’s. The Promise Change Programme 1 – Plan 21-24 articulates the expected delivery programme until 2024. Plan 2024 – 27 is in development. CHS is required to play an active role in the delivery of current and future Promise Change Programmes in addition to our statutory functions of recruiting, training and supporting Panel Members to make decisions to improve outcomes for children and young people.
- 1.5.2 As part of Plan 21 – 24 the Hearings System Working Group (HSWG) was created to consider a Hearing System for the future. Chaired by Sheriff Mackie, CHS were a core partner alongside SCRA, The Promise and with Scottish Government as Observers. The HSWG Hearings for Children re-design report was published in May 2023 and identified over 100 recommendations for transformational change in the Hearing system. These are with Ministers for consideration and their response is expected to be published in December 2023. Recommendations will have a significant impact for CHS resourcing moving forward.
- 1.5.3 To better enable CHS to deliver against it’s statutory functions and prepare for delivery of future change, during 2022/23 CHS implemented a new support model and restructured the National Team to ensure an organisational design and skill mix that maximises innovation; improvement and efficiency. Additional skills and capacity may be required within the next 5 years, dependent on the scale and time line of recommendations being taken forward.
- 1.5.4 Recommendations are wide ranging and some may have a significant resource impact for CHS. Financial modelling has been undertaken, commissioned by The Promise and undertaken by AZETS. Until recommendations are confirmed it is not possible to forecast the scale or timeline of additional investment that may be required. Once a clear path has been identified by Scottish Government, CHS will continue to review, update and engage with Scottish Government regarding additional funding requirements.
- 1.5.5 CHS are committed to working with partners to maximise best value of the public pound in delivering transformational change. It is likely that digital transformation will be required to enable our shared CSAS digital platform with SCRA.

1.6 Legislative Change

- 1.6.1 The introduction of the Children’s Care and Justice Bill will have a significant impact on the work of the hearings system and CHS. The introduction of 16 & 17 year olds into the system with the majority anticipated to be on justice grounds
- 1.6.2 CHS have been working closely with the Scottish Government’s Care and Justice Bill (CCJB) Team, and with SCRA colleagues, to consider the forecast impacts and opportunities offered by the current Bill. Demand pressures include an anticipated uplift in of 3425 hearings annually, which will require additional capacity (estimated 500 volunteers plus support roles). Our initial financial requirements are supported by the Bill’s accompanying financial memorandum and have been factored into our 5 year forecast budget.
- 1.6.3 CHS fully support and endorse the recommendations of the Hearings for Children report published in May 2023. Legislative changes will be required to support the implementation of the Promise through the Promise Bill. We wish to play a leading role in the Scottish Government approved reforms. Dependent upon Ministerial decisions, implementation will require additional investment capacity.

1.7 Optimising the Regional Support Model

- 1.7.1 Implementation of the 9 regions will be completed by Summer 2024. We will embed the new Regional roles and develop local and regional relationships that enable us to better support children and families across Scotland. Implementation, alongside development of national wellbeing and learning strategies, will enable optimisation of the roles and structures to ensure we are best supporting and retaining our Panel Member community through enhanced approaches to retention, recognition and wellbeing.
- 1.7.2 We will continue to develop our national playbook to refine and improve that way we work to ensure it is efficient, effective and enables a consistent quality of experience in hearing rooms across Scotland.
- 1.7.3 We will embrace alignment with SCRA and develop operational arrangements that will enable joint risk management, improvement and transformation both within our sphere of control but also to amplify opportunities with hearing system partners.

1.8 Ensuring a fair and competitive retention and rewards strategy for our paid People

- 1.8.1 Our current economic climate is challenging and the SG context for pay and reward means that it will be increasingly challenging to ensure a fair and meaningful reward pay for our people moving forward. Whilst we have attracted staff we are frequently starting many above minimum pay scale levels to be able to have a competitive offer, limiting the lifecycle of their full pay potential. We will utilise data and benchmarking to identify where we are most at risk across our grades, to identify appropriate uplift levels (balanced against affordability) and look creatively at our

pay structures; total rewards packages to develop business cases to ensure we can attract and retain excellent people. The current forecast assumes a 5% pay uplift and will be re-factored as we gain more information to inform our strategy. Strategies will be governed/assured through our People and Culture Committee and may require business case submission to SG Pay Policy teams for approval.

2. Projected Resource Requirements

2.1 The following table shows the approved budget for 2023/24 and the projected budget requirements for the following 5-years with a focus on expected budget pressure for 2024/25. The 5-year plan forecasts consolidation of 2023/24 additional in year funding in future years baseline Grant In Aid to be allocated between revenue and capital dependent on requirements.

Figure 1: CHS 5 Year Forecast Budget Requirements

	Board approved 23/24 £000	24/25 forecast £000	Pressures to support PM Capacity	Forecast + pressures 2024/25 £000	2025/26 £000	2026/27 £000	2027/28 £000	2028/29 £000
Headcount	72	98		98	98	98	98	98
Staff net of secondment income incl. TSM	3,802	5,775	0	5,775	6,352	6,796	7,272	7,781
Volunteer training	1,131	1,222	tbd	1,222	1,344	1,478	1,626	1,789
Volunteer expenses	500	540		540	540	540	540	540
Volunteer expenses (extra)			234	234				
Volunteer recruitment	234	260	120	380	535	453	489	528
Volunteer support (inc PVGs, DVF, Participation CYP, Staff training, TSM)	321	622	100	722	672	726	784	847
Volunteer support: IT	772	845		845	913	1,019	1,101	1,189
Corporate (inc staff T&S/recruit, Board)	379	409		409	425	442	460	478
Property	128	140		140	142	144	146	148
CHS Core Business	7,267	9,813	454	10,267	10,923	11,598	12,418	13,300
Children's Care & Justice Bill	305	383		383	414	447	646	861
CCJB staff	101	103		103	110	118	126	135
Revenue total	7,673	10,299	454	10,753	11,447	12,163	13,190	14,296
Capital	536	529		529	571	667	670	724
TOTAL	8,209	10,828	454	11,282	12,018	12,830	13,860	15,020

3. Risks and Assumptions

3.1 Assumptions

1. 5% uplift in salary levels.
2. Inflation at 8% applied to other costs.
3. Organisation delivery of strategic outcomes as currently understood and articulated.
4. Assumptions are based on current knowledge and are subject to the findings from the Hearings System Working Group (HSWG) which will be published in the Mackie report the Mackie report expected April 2023.

3.2 Financial risks are identified as:

- No consolidation of additional in year pressures within 2024/25 GIA funding;
- The continuation of one year Grant In Aid funding agreements from Scottish Government, inhibiting organisational ability to meet The Promise; and
- Economic pressures impacting funding availability and ability to implement Promise recommendations
- Cost of living pressures resulting in a significant increase in child poverty and potentially more children being referred into the hearing system
- Cost of living pressures compounding the steady reduction in volunteering as people need to focus on paid employment opportunities
- Implementation of The Promise and change requirements of the Children's Hearing System.
- Sourcing of funding to support digital support, maintenance and development management
- Staff turnover due to impact of economic climate on competitiveness of public sector pay awards

4. Savings and Efficiencies

4.1 We will continue to actively seek opportunities for savings across the period, including:

1. Use of virtual and online tools to support engagement and learning and development where appropriate, reducing the costs associated with in-person participation.
2. Continuing to utilise Thistle House internal training and meeting room facilities (instead of private estate) for forums, meetings and face to face training wherever possible.
3. Staffing costs will be closely monitored and opportunities for savings managed throughout the period to meet an annual 3.0% savings target.
4. Continuing to operate and maximise shared services with SCRA

5. Conclusion

5.1 In recognition of the size of the planned legislative reforms for the hearings system this 5 year plan reflects significant revenue growth.

5.2 As this paper identifies, the next few years will be challenging for the Hearing System and CHS as we move from Covid resilience response to hearings systems recover and implement our 2024 - 27 strategic ambitions and commitment to The Promise.

5.3 There remains high levels of uncertainty on the impact of the implementation that the Promise may have on the structure and operation of CHS and the Hearing System, particularly for our volunteer community.

- 5.4 We will continue to monitor and utilise our resources carefully and creatively over the course to ensure best value and the delivery of outcomes that will improve the life chances of children and young people.
- 5.5 There may be further requests for information, in particular to support the Governments budget planning for next year, and SMT will respond to these and keep Board members informed.

6. Recommendation

The Board are asked to comment on and approve the update 5 year financial plan.

DRAFT



**Agenda Item 9
CHS-2324-39**

Board Standing Orders

Accountable Officer: Director of Business & Finance
Report author: Business Operations and Governance Manager
Recommendation: To approve
Resources implications: N/A

Impact Assessment Duties	Required	Completed
Equalities Impact Assessment	No	
Children’s Rights Impact Assessment	No	
Data Protection Impact Assessment	No	
Islands Impact Assessment	No	

1. Background

The Board of CHS last reviewed and approved its Standing Orders (SO) at its meeting in November 2023. Significant amendments to the Standing Orders have been made over time.

- 1.1 There have been no changes to the SO since the last review.
- 1.2 The SO will be subject to further review in November 2024.

2. Recommendation

The Board is asked to consider and approve the Standing Orders.

CHILDREN'S HEARINGS SCOTLAND BOARD STANDING ORDERS

1. General

- 1.1 The Board has made the following arrangements for the discharge of its functions; these arrangements are to be referred to as the Standing Orders of the Board.
- 1.2 These Standing Orders take effect until further notice and supersede all prior Standing Orders.
- 1.3 The Standing Orders apply to the Board and its standing committees and unless the Board specifies to the contrary, to any other committees, or sub-committees which may be set up by the Board from time to time but do not apply to working parties or groups.
- 1.4 Standing Orders may be suspended at any meeting of the Board at which the majority of the members present are in favour. Unless expressly agreed otherwise by these members, such suspension have effect only for the item of business immediately following, and Standing Orders come into force again immediately afterwards. A meeting in which standing orders are suspended must be quorate.

2. The Role of the Board and responsibilities of Members

- 2.1 The Board – The principal role of the CHS' Board is to add value to the organisation through the exercise of strong leadership and control, including:
 - Setting the organisation's strategic direction;
 - Establishing and upholding the organisation's governance and accountability framework, including its values and standards of behaviour;
 - Ensuring delivery of the organisation's aims and objectives through effective challenge and scrutiny of the CHS' performance across all areas of activity.
- 2.2 The Chair is responsible for the effective operation of the Board, chairing Board meetings when present, and ensuring that all Board business is conducted in accordance with these Standing Orders. The Chair works with the Chief Executive/National Convener and, supported by the Business Operations and Governance Manager, ensures that key and appropriate issues are discussed by the Board in a timely manner with all the necessary information and advice being made available to the Board to inform the debate and ultimate resolutions.

2.3 The Deputy Chair deputises for the Chair in their absence for any reason, and will do so until either the existing Chair resumes their duties or a new chair is appointed. In fulfilling this part of the role, the Deputy Chair, when conducting the functions of the Chair has all functions and authority of the Chair. If the Chair and Deputy Chair are both absent, the members present at the meeting may appoint from among themselves a member to function as a Chair for the purpose of chairing that meeting.

2.4 Board members are collectively responsible for:

- Ensuring that CHS complies with legislation;
- Ensuring that the purposes of CHS' Mission, Vision and Values remain appropriate;
- Agreeing the over-arching strategy for achieving the mission;
- Approving policy, priorities and key performance measures and evaluating the organisation's performance against those measures on a regular basis;
- Ensuring that systems are in place so that the organisation operates within the financial resources available to it;
- Satisfying themselves that financial control systems, including regular reviews of performance against budget, are in place;
- Satisfying themselves that systems to ensure the welfare (including health and safety), appraisal and good management of staff are in place and are observed;
- Assessing the risks associated with activities and practices; ensuring that the risks are acceptable; and ensuring that appropriate processes, including an annual risk review, are in place to manage risk;
- Supporting the Senior Management Team and holding them to account through the CEO/ NC;
- Individually and collectively representing CHS as appropriate and as agreed with the CEO/ NC and the Chair.

3. Board Meetings

3.1 The Board decides the dates, times and places of its meetings and meets formally at least four times a year.

3.2 Board meetings are held in public except where the Board decides to hold all or part of a meeting in private. Reasons may include but are not limited to—

- Discussing confidential material in connection with a third party;
- Commercially sensitive discussions;
- Facilitating the achievement of consensus and preventing media focus on preliminary conclusions which may not feature in the final policies/reports;
- Matters relating to individual staff;
- Private discussions with Ministers including confidential advice from or to Ministers via their officials;
- Areas where CHS would not be required legally to disclose information.

- 3.3 The Board of CHS may wish to convene joint meetings with the Board(s) from one or several organisation(s) as appropriate. At joint meetings, CHS Board should be individually quorate, that is at least half of the currently serving members of the Board must be present. The Chairs of the Boards involved should agree who chairs the joint meeting.
- 3.4 Meetings of the Board can be held through electronic mode which includes but is not limited to video conferencing or audio visual/ telephone means.

4. Notice of Meetings

- 4.1 The Business Operations and Governance Manager notifies members of all Board meetings and issues the agenda, minutes and papers seven calendar days before the meeting.
- 4.2 Members may propose items for the agenda to the Chair and should send those to the Business Operations and Governance Manager no later than twenty calendar days before the meeting.
- 4.3 If sufficient notice is not given for an item of business to be included on the agenda, it may be dealt with at the meeting if the Chair rules that there are reasons why it is urgent and gives those reasons. If the Chair rules that the matter is not urgent, it may be included as an item for the next meeting, unless it is withdrawn or dealt with in some other way before then.
- 4.4 Late papers may be discussed at meetings with the permission of the Chair. If papers cannot be issued due to lack of available time, they may be tabled at the meeting.
- 4.5 Lack of service of the notice to any member does not affect the validity of a meeting.

5. Special Meetings of the Board to deal with Exceptional or Urgent Business

- 5.1 The Business Operations and Governance Manager arranges for a meeting of the Board to be called if:
- required by the Chair;
 - a request by the CEO/NC and approved by the Chair;
 - a request signed by one third of the Board members is made in writing to the Governance Lead for that purpose. At least three calendar days' notice should be given of any special meeting and of the business proposed for that meeting. No business is to be transacted beyond that specified in the request which called for that special meeting.

6. Quorum

- 6.1 At least half of the currently serving members of the Board must be present to allow the Board to hold a formal meeting. If less than half of the Board members are in attendance at a Board meeting, the Board can discuss any items of business but cannot make formal decisions or vote on those items.
- 6.2 The quorum of any Board/Committee is determined by the Board as part of agreeing the Board/Committee remit.
- 6.3 A member may be present at a Board meeting, count towards the quorum and participate fully by means of video conference or telephone conference call.

7. Sub judice

- 7.1 A Board member may not make reference in a public Board meeting to any matter in which legal proceedings are active (as defined in section 2 of the [Contempt of Court Act 1981](#)). If a member raises an issue which, in the view of the Chair is, or may be, sub judice the Chair should require the member to cease discussion of the issue.

8. Conflict of Interest

- 8.1 All Board and Committee agendas include a standing item at the start of the meeting inviting Board Members to declare any:
 - (a) financial interests;
 - (b) non-financial interests or;
 - (c) the interests, financial or non-financial, of other persons.
- 8.2 If a member declares a financial interest, the member must abstain from participating in the discussion of the relevant item until it is concluded. If a non-financial interest is declared, the member must decide whether to participate in the discussion and decision.
- 8.3 The Board has established a register of members' interests and maintains a regular review of it.
- 8.4 The Register of Interests is published on CHS website.

9. Adjournment of Meeting

- 9.1 A meeting of the Board or of a committee of the Board may be adjourned by the Chair to any other hour, day, or place. Unless the time and place are specified in the motion for adjournment, the adjournment continues until the next scheduled meeting.

10. Voting

- 10.1 A meeting may decide unanimously or by a majority of the members present. In the latter case, a vote of the members may be taken orally, in writing or by a show of hands at the Chair's discretion. The Chair has a casting vote.
- 10.2 When a decision is agreed to by a majority of the members, the minutes record a unanimous decision. A member dissenting from a majority decision may ask for their dissent to be recorded in the minutes.
- 10.3 A member not present at a meeting at which a decision is taken from which he or she dissents may raise his or her concerns with the Chair. Such a decision is normally implemented. However, it is within the discretion of the Chair to defer that the matter appears as an item on the next agenda of the Board or committee or arise through the minutes.

11. Ruling

- 11.1 The ruling of the Chair on the conduct of the meeting and the application of Standing Orders is final.

12. Admission of the Public to Board Meetings

- 12.1 Board meetings are open to be observed by members of the public. The dates of such meetings will be advertised on the CHS website.
- 12.2 All meetings which allow public access are held virtually or in venues that are accessible to people with disabilities.
- 12.3 Any members of the public attending these meetings may, upon request, receive a copy of the papers for that meeting.
- 12.4 A member of the public who disrupts the business of the meeting may be required to leave the meeting after due warning has been given by the Chair. Re-admission to that, or other, public meetings held by the Board is at the discretion of the Chair.

13. Minutes

- 13.1 The names of members present at a meeting of the Board or of a Committee of the Board are recorded in the minutes.

- 13.2 The minutes record all the items of business considered at Board meetings, the results of any decisions taken and of any divisions and elections which took place.
- 13.3 When the Board holds all or part of a meeting in private, minutes record the items of business taken and any decisions reached during the private items. The papers considered and the details of the Board discussions remain confidential.
- 13.4 Minutes are drawn up and circulated within ten working days to the Chair for approval, and shared with the rest of the Board for comment. Minutes are submitted to the next Board meeting for approval. The minutes are published within the following Board papers pack 5 days before the next Board meeting.
- 13.5 Minutes and other public papers may be circulated to such non-members of the Board on such conditions as the Board may determine. In addition, papers are available under the Freedom of Information (Scotland) Act and in accordance with the CHS publication scheme.
- 13.6 Board paper packs are published on the CHS website 5 days prior to a Board meeting which include the previous minutes and all papers for consideration and/or approval by the Board.

14. Committees

- 14.1 The Board may appoint committees to exercise functions on its behalf. Such Committees may also appoint sub-committees.
- 14.2 Where functions are being conducted by committees or sub-committees, their members act on behalf of the Board.
- 14.3 Where a question arises about whether it is competent for a committee/sub-committee of the Board to consider a particular matter – that is, whether the matter is within the committee'/sub-committee's Terms of Reference, it is for the Board, after consultation with CHS Senior Management Team as appropriate, to decide.
- 14.4 The Board appoints the Chair of committees and, after recommendation from a committee, its Deputy Chair.
- 14.5 In the absence of the Chair at a committee meeting, his/her Deputy chairs the meeting.
- 14.6 Committees and sub-committees may co-opt members with relevant expertise and knowledge who are not members of the Board. Co-opted members should not make up more than half the membership of committees and sub-committees.

- 14.7 Co-opted members of committees and sub-committees who are not members of the Board may claim certain travelling and other allowances but are not remunerated.
- 14.8 Committees and sub-committees may choose to appoint substitutes drawn from the membership of the Board. The Chair of the Board cannot be a substitute of the Remuneration and Appointments committee.
- 14.9 Approved minutes of committees and sub-committees meetings are submitted to the Board for noting as soon as practical.
- 14.10 The Board has set up the following Standing Committees—
- ◆ Audit and Risks Management Committee
 - ◆ People and Culture Committee
- 14.11 The numbers and names of the Standing Committees, their membership and the matters remitted to them may be varied by the Board from time to time.

15. Working Parties or Groups

- 15.1 Working parties or groups may be set up from time to time by the Board.
- 15.2 Working parties or groups need not contain Board members. Where the conclusions of any working party or group require the authority of the Board or a committee before they can be implemented, the working party or group submits a report to the Board or the relevant committee setting forth its recommendations. Working parties or groups should have a Chair, maintain minutes of proceedings and report no less frequently than quarterly to the Board or appropriate standing committee. These reports may be in writing or verbal.

16. Exceptional circumstances where Board business may be dealt with by correspondence

- 16.1 Where there is urgent business of the Board and it is not practicable to convene a special meeting, the Chair may under exceptional circumstances deal with the matter(s) by correspondence.
- 16.2 In these exceptional circumstances, relevant papers and recommendations are circulated by email or by post. Every effort should be made to contact Board members, accepting that this may not be possible. The normal rules and procedures apply to special meetings of the Board and decisions are agreed to by a majority of members. The actions/decisions arising from such exceptional circumstances are reported to the subsequent Board meeting.

17. Collective Responsibility and Confidentiality

- 17.1 The Board and committees operate based on collective responsibility for decisions. Members are therefore expected, if questioned on a matter where the Board or a committee has taken a view, to support the position reached.
- 17.2 If members are questioned on matters that fall within the remit of CHS but on which a Board or committee view has not been taken, they may give a personal view but should stress that it does not necessarily reflect the view of CHS. Before doing so, they are advised to consult with the Chair.
- 17.3 All members must maintain confidentiality as detailed in the CHS Code of Conduct and any guidance to that code provided.
- 17.4 All members must fulfil their responsibilities as set out in their terms and conditions of appointment. Any issues in relation to non-performance are addressed as part of the appraisal process for Board members.

18. Review of the Standing Orders

- 18.1 The Board reviews its Standing Orders annually.