

<u>Document Name</u>	<u>Page Number</u>
1 – Email from Minister for Children and Young People office – Scottish Government Response to Douglas Ross MP	1
2 – Letter from Maree Todd to Douglas Ross MP	2
3 – Email – Highland and Moray Panel member numbers	5
4 – Email chain – Ministerial Clearance - media query - children's panel - Cons NR - Press and Journal	6
5 – Email chain – SpAd view - media query – children’s panel – Cons NR – Press and Journal	13
6 – Email chain – Policy – Draft Douglas Ross Response	17
7 – Email Chain – Policy and Comms - media query - children's panel - Cons NR - Press and Journal	19
8 – Email chain – Policy - media query - children's panel - Cons NR - Press and Journal	22
9 – Email Chain – Policy - media query - children's panel - Cons NR - Press and	24
10 – Email Chain – Comms and Policy - media query - children's panel - Cons NR - Press and Journal	26

1. Email from Minister for Children and Young People office – Scottish Government Response to Douglas Ross MP

From: [redacted] On Behalf Of Minister for Children and Young People

Sent: 05 November 2020 13:47

To: [redacted] Minister for Children and Young People <MinisterCYP@gov.scot>

Cc: Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; Sheppard L (Lesley) (Covid-19) <Lesley.Sheppard@gov.scot> McAllister C (Colin) <Colin.McAllister@gov.scot>; [redacted]

Subject: RE: Draft response letter RE: children's panel - Cons NR - Press and Journal

Hi [redacted]

Thanks for drafting this so quickly. Ms Todd is content with the letter. I have attached a signed copy and will issue it this afternoon.

[redacted]

[redacted] Minister for Children and Young People

[redacted] St Andrews House, Regent Road, Edinburgh, EH1 3DG

Ms Todd's Preferences can be found here - [Ministerial Preferences](#)

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From: [redacted]

Sent: 05 November 2020 08:42

To: Minister for Children and Young People <MinisterCYP@gov.scot>

Cc: Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; Sheppard L (Lesley) (Covid-19) <Lesley.Sheppard@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [redacted]

Subject: Draft response letter RE: children's panel - Cons NR - Press and Journal

Hi [redacted]

Further to these lines, I understand that the drafting of a swift response to Mr Ross's letter was discussed on the weekly call with [redacted] and [redacted]. I've attached a draft response for Ms Todd's consideration. Happy to discuss further, just let me know.

Kind regards

[redacted] | Children's Hearings Team

Care, Protection and Justice | Scottish Government

[redacted] | Area 2A South Victoria Quay, Edinburgh EH6 6QQ



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2. Response from Maree Todd to Douglas Ross MP

Minister for Children and Young People Maree Todd MSP

T: 0300 244 4000

E: scottish.ministers@gov.scot

Douglas Ross MP

Douglas.Ross.MP@parliament.uk

5 November 2020

Dear Mr Ross, Thank you for your letter regarding the Children's Hearings system. I wish to assure both you, and your constituents, that the children's hearings system has continued to address the needs of Moray's and Scotland's most vulnerable children during the coronavirus pandemic.

In the early stages this was conducted on a necessarily limited basis, prioritising the most urgent and high-risk situations. The immediate lockdown period in March and April required the closure of hearings centres. However, even then, significant steps were taken to preserve legal protections for children.

Children's Hearings activity in Moray

It may be helpful to clarify the number of hearings that took place in the area since April. It is not the case that no children's hearings were held in Moray between 29 May and the end of September. The Scottish Children's Reporter Administration (SCRA) has informed my officials that there were 82 hearings in Moray during this period, and a total of 139 from April to end October. Although fewer hearings than would ordinarily be expected, it is to the credit of the responsible agencies that the necessary action was taken to enable these hearings to go ahead.

Volunteer engagement and retention

With reference to your concern that there have been significant panel member resignations in the area, my officials have sought updated information from Children's Hearings Scotland (CHS), responsible for appointing children's panel volunteers. For context, there are more than 150 panel members in the relevant area. From 1 April to 31 October, there were nine panel member resignations across Highland and Moray. The corresponding period last year saw 13 resignations. You may be aware that there are approximately 2,500 panel members across Scotland, and each year around 20% move on, so these numbers are broadly in line with normal organisational expectations on panel member retention.

While it is true to say that two Area Conveners in Highland and Moray resigned within a short period, I understand that these resignations were unconnected to the operation of the panel or the actions of CHS. CHS has advised that a new Area Convener is being appointed, and that the individual is a current member of the Highland and Moray panel community.

Since CHS's establishment in 2013, they have developed structures to recruit, train and manage around 2,500 panel members and 500 volunteers in support roles across the entire country. As an organisation they have invested heavily in building the panel member community both locally and digitally, and continue to do so. Extracts from a volunteer community survey, published just last

week alongside their 2019-20 Annual Report , indicated high levels of volunteer satisfaction across a number of metrics.

Preserving services and emergency legislation

The recovery of face to face hearings has been underway since mid-July. The responsible agencies have undertaken challenging, complex work in support of safe system recovery. A full risk assessment package for the recovery of physical children's hearings was submitted to Health Protection Scotland in June for screening and clearance. That enabled hearings centres to reopen from mid-July, starting with the larger centres.

The Scottish Government has committed an additional £2 million in funding to support full system recovery. A system-level recovery plan has been put in place to recover services by late 2021.

It may also be helpful to set out what the Scottish Government and the responsible agencies have done to preserve services, and why that resulted in some Compulsory Supervision Orders (CSOs) lasting longer. Following the implementation of lockdown measures, the Scottish Government moved immediately to make significant emergency changes to children's hearings system legislation - via the Coronavirus (Scotland) Act 2020. That Act, passed in early April, contains a number of provisions bringing greater flexibility to timescales for decision making, appeals, and reviews of CSOs as well as modifying the requirements for personal attendance of children and relevant persons, and the gender balance and number of panel members in hearings. Explanatory guidance was developed with the key agencies, and published within days of the Act's passage.

To help SCRA effectively manage hearings under the pandemic restrictions, CSOs can be extended by up to six months to ensure that vulnerable children are not placed at risk because their existing time-limited orders have lapsed. However, wherever possible, reviews of CSOs are expected to take place prior to their original expiry date, the cases are subject to a clear prioritisation framework, families are being consulted as to their preferences, and the right to request a review at any time remains available.

Face-to-face, hybrid and virtual hearings

Virtual hearings were implemented nationwide on 4 May. This has ensured that the service has continued to operate to the fullest extent possible, including in Moray. This necessitated the early development of secure virtual, video enabled children's hearings, and electronic transmission of hearings papers to panel members, children, young people and families, Safeguarders and legal representatives.

Agencies also prioritised the development of information and direct support to children and their families about virtual hearings, rights and participation. They took steps to ensure rights of appeal and challenge were highlighted to children and families. Research was commissioned on the early experience and emerging limitations of virtual hearings – published in early August. There are plans for ongoing evaluation and research of the impact of virtual hearings.

Moray preparations for service recovery

Before the Elgin office could be safely reopened, water testing and preparatory cleaning was required. Work was then undertaken to ensure that the office complied with the Health Protection Scotland- approved risk assessment including provision of cleaning materials and PPE, taping off desks, marking pinch points to ensure physical distancing and putting up appropriate signage.

The first physical hearing took place in Elgin on 10 August. In preparation for that, SCRA hosted a virtual engagement meeting with the whole panel community to bring them up to speed. There are now 3 rooms available with the use of technology to allow participants to make safe use of the Elgin building. SCRA locally report they are actually seeing families and professionals often choosing virtual over physical participation, and it is mainly the panel members that consistently attend the hearing centre.

There was local options appraisal of the potential use of external premises. SCRA explored various venues including local library, the Town Hall, hotels and other halls. As well as unsatisfactory availability for scheduled hearings business, there were issues around confidentiality, soundproofing and cleaning regime. That is why the SCRA centre was selected. SCRA now report that a blend of virtual, hybrid and physical hearings over the last 3 months has combined to take activity almost back to normal levels. Meetings with National Convener of CHS At the national level, it is normal practice for portfolio Ministers to meet regularly with the Chief Executives and Chairs of NDPBs.

We do this to hear from them about progress against agreed priorities, to reflect on emerging issues and to look at future challenges. During the pandemic, it has been all the more important to hear regularly from the National Convener of CHS (responsible for the children's panel) and the Principal Reporter at SCRA about the national picture on pandemic responses and recovery planning, and then to offer them appropriate Government support. Of course, that national picture is the aggregate of a range of good local intelligence and reporting arrangements. There are well-developed volunteer support and feedback mechanisms within the CHS structure via regular networks involving Area Support Teams and Area Support and Improvement Partners. I am sure that Elliot Jackson, the National Convener at CHS, would be pleased to discuss these representative support arrangements with you. I hope you and your constituents find the foregoing information helpful and reassuring.

Yours sincerely

MAREE TODD

3. Email Chain – Numbers of panel members

From: [redacted]
Sent: 04 November 2020 13:18
To: [redacted]
Subject: FW: Numbers of panel members

Current panel numbers for H&M, higher than originally expected.

Cheers

From: [redacted]
Sent: 04 November 2020 13:14
To: [redacted] **Subject:** Numbers of panel members

Hello [redacted],
Between August and September last year there were 166 active panel members in H&M. This year for the same period it is 155.
Please be aware that we expect a degree of fluctuation as people leave and then come back.
[redacted]



[redacted]

Children's Hearings Scotland
3rd Floor, Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 1

[redacted]

[redacted] Follow us     | www.chscotland.gov

4. Email Chain – Ministerial Clearance - media query - children's panel - Cons NR - Press and Journal

From: [redacted]

Sent: 04 November 2020 12:41

To: Minister for Children and Young People <MinisterCYP@gov.scot>

Cc: News Desk <Newsdesk@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; Communications Justice <CommunicationsJustice@gov.scot>; [redacted]; [redacted]; Sheppard L (Lesley) (Covid-19) <Lesley.Sheppard@gov.scot>; [redacted]; [redacted]; [redacted]; McAllister C (Colin) <Colin.McAllister@gov.scot>; Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>; Cabinet Secretary for Justice <CabSecJustice@gov.scot>; First Minister Covid Briefing Unit <FMcovidbriefingunit@gov.scot>

Subject: children's panel - Cons NR - Press and Journal

Thanks, [redacted]– will issue now

From[redacted]> **On Behalf Of** Minister for Children and Young People

Sent: 04 November 2020 12:38

To: [redacted]; Minister for Children and Young People <MinisterCYP@gov.scot>

Cc: News Desk <Newsdesk@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; Communications Justice <CommunicationsJustice@gov.scot>; [redacted]; [redacted]; Sheppard L (Lesley) (Covid-19) <Lesley.Sheppard@gov.scot>; [redacted]; [redacted]; [redacted]; McAllister C (Colin) <Colin.McAllister@gov.scot>; Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>; Cabinet Secretary for Justice <CabSecJustice@gov.scot>; First Minister Covid Briefing Unit <FMcovidbriefingunit@gov.scot>

Subject: RE: amended line to clear - children's panel - Cons NR - Press and Journal

Hi [redacted]

Ms Todd is content.

[redacted]

[redacted] | Private Secretary | Minister for Children and Young People

[redacted] | St Andrews House, Regent Road, Edinburgh, EH1 3DG

Ms Todd's Preferences can be found here - [Ministerial Preferences](#)

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From: [redacted]

Sent: 04 November 2020 10:23

To: Minister for Children and Young People <MinisterCYP@gov.scot>

Cc: News Desk <Newsdesk@gov.scot>; Communications DFM & Education

<CommunicationsDFM&Education@gov.scot>; Communications Justice
<CommunicationsJustice@gov.scot>; [redacted]; [redacted]; Sheppard L (Lesley) (Covid-19)
<Lesley.Sheppard@gov.scot>; [redacted]; [redacted]; [redacted]; McAllister C (Colin)
<Colin.McAllister@gov.scot>; Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>;
Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McFarlane J (John)
<John.McFarlane@gov.scot>; Cabinet Secretary for Justice <CabSecJustice@gov.scot>; First Minister
Covid Briefing Unit <FMcovidbriefingunit@gov.scot>

Subject: amended line to clear - children's panel - Cons NR - Press and Journal

Minister/PO,

With thanks for earlier clearance, officials have this morning recommended additions in red.

SpAds are content. Grateful for clearance of amended lines, pls.

Thanks

[redacted]

A Scottish Government spokesperson said:

“The children’s hearings system has a vital role in protecting the rights and promoting the life chances of our most vulnerable children. That is why we brought in emergency legislation to ensure hearings continued during the coronavirus (COVID-19) lockdown, and provided more than £2 million in new funding to support system response, recovery and renewal.

“While centres had to close for public safety reasons, virtual hearings have been held across the country from 4 May and physical hearings were reintroduced from July - prioritising the most urgent and high-risk situations. In the four months from June to September, 82 hearings were held in Moray.

“Scotland’s national children’s panel has around 2,500 members, and around 20% move on each year. Retention rates are in line with normal expectations.”

Background

It is the Scottish Children’s Reporter Administration (SCRA)- not Children’s Hearings Scotland (CHS) - who convene children’s hearings, so CHS budgets are not relevant to extra hearings centres. The recovery funding was allocated to SCRA.

Children’s panel members’ tenure is the responsibility of the National Convener at Children’s Hearings Scotland. CHS published their 2019-20 annual report last week. That report included survey evidence from volunteers across Scotland. It showed that volunteers’ sense of support, respect and confidence was high, and improving, across a range of indicators.

Between April and October, there were nine panel member resignations in Moray, compared with 13 in the same period in 2019. Retention rates are in line with normal expectations.

From: [redacted] On Behalf Of Minister for Children and Young People

Sent: 04 November 2020 08:00

To: [redacted] Minister for Children and Young People <MinisterCYP@gov.scot>

Cc: News Desk <Newsdesk@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; Communications Justice <CommunicationsJustice@gov.scot>; [redacted]; [redacted]; Sheppard L (Lesley) (Covid-19) <Lesley.Sheppard@gov.scot>; [redacted]; [redacted]; [redacted]; McAllister C (Colin) <Colin.McAllister@gov.scot>; Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>; Cabinet Secretary for Justice <CabSecJustice@gov.scot>; First Minister Covid Briefing Unit <FMcovidbriefingunit@gov.scot>

Subject: RE: line to clear - children's panel - Cons NR - Press and Journal

Hi [redacted]

Ms Todd is content to clear.

Thanks

[redacted]

[redacted] | Private Secretary | Minister for Children and Young People

[redacted] | St Andrews House, Regent Road, Edinburgh, EH1 3DG

Ms Todd's Preferences can be found here - [Ministerial Preferences](#)

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From: [redacted]

Sent: 03 November 2020 18:45

To: Minister for Children and Young People <MinisterCYP@gov.scot>

Cc: News Desk <Newsdesk@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; Communications Justice <CommunicationsJustice@gov.scot>; [redacted]; [redacted]; Sheppard L (Lesley) (Covid-19) <Lesley.Sheppard@gov.scot>; [redacted]; [redacted]; [redacted]; McAllister C (Colin) <Colin.McAllister@gov.scot>; Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>; Cabinet Secretary for Justice <CabSecJustice@gov.scot>; First Minister Covid Briefing Unit <FMcovidbriefingunit@gov.scot>

Subject: line to clear - children's panel - Cons NR - Press and Journal

Minister/PO – copying Cab Sec/PO for awareness

This is not urgent for tonight – the journalist asked for response by lunchtime Wednesday.

We've been asked to respond to claims of a so-called exodus by children's panel members in Moray and the Highlands. Douglas Ross has issued a News Release saying it is feared vulnerable and at-risk children are being lost in the system.

He has also attached a letter sent to Ms Todd – although PO say it has not yet been received - saying hearings were not held in Moray for four months as social distancing was not possible in its usual location, and a suggestion to hire a hotel was allegedly rejected on the grounds it would involve a charge. Mr Ross says it appears that: "finance and budgeting are more important than the health and wellbeing of the children which the CHS is supposed to protect".

We have discussed with officials and SpAds. Grateful for clearance of suggested lines.

Thanks

[redacted]

A Scottish Government spokesperson said:

"The Children's Hearing System has a vital role in protecting the rights and promoting the life chances of our most vulnerable children. That is why we brought in emergency legislation to ensure hearings continued during the coronavirus (COVID-19) lockdown, and provided more than £2 million in new funding alongside significant steps to ensure legal protections for children remained in place.

"While centres had to close for public safety reasons, virtual hearings have been held across the country from 4 May and physical hearings were reintroduced from July - prioritising the most urgent and high-risk situations. In the four months from June to September, 82 hearings were held in Moray.

"Scotland's national children's panel has around 2,500 members, and around 20% move on each year. Retention rates are in line with normal expectations."

Background

It is the Scottish Children's Reporter Administration - not the Children's Hearing System (CHS) - who convene children's hearings, so CHS budgets are not relevant to extra hearings centres.

Children's panel members' tenure is the responsibility of the National Convener at Children's Hearings Scotland (CHS). CHS published their 2019-20 annual report last week. That report included survey evidence from volunteers across Scotland. It showed that volunteers' sense of support, respect and confidence was high, and improving, across a range of indicators.

Between April and October, there were nine panel member resignations in Moray, compared with 13 in the same period in 2019. Retention rates are in line with normal expectations.

QUERY

We were alerted to this by a local minister, Donald Prentice, and then we talked to some former and current members of the children's panel covering Moray and the Highlands.

I've copied a letter below the press comments from Douglas to Children's Minister Maree Todd MSP. It has more detail on what we think are some of the reasons behind this.

From the office of
Douglas Ross MP
Conservative Member for Moray

Ross contacts government amid 'exodus' of children's panel members

Douglas Ross has contacted the Scottish Government amid reports of an "exodus" of children's panel members and a collapse in the number of hearings held across the north of Scotland.

The Moray MP has been told by current and former Children's Hearing panel members that 11 volunteers covering Moray and the Highlands have recently resigned.

It has also been reported that no hearings took place for a four-month period between the end of May and the end of September. Around 180 hearings would normally be expected within that timeframe.

Mr Ross has written to Childcare and Early Years Minister Maree Todd to ask for clarity on the issues raised and for an action plan to rectify any problems.

Children's Hearings are legal tribunals that decide what is best for a child or young person who is not being looked after properly or has been in trouble with the police or at school. Panel members are all volunteers, who receive training and guidance to make legal decisions.

Scottish Conservative MP for Moray Douglas Ross said:

"It is very concerning that there appear to be serious shortfalls within the children's hearing system in the north of Scotland.

"There has been an exodus of volunteers in the Moray and Highland area in recent months.

“At the moment, I am told there is no area convener as the previous two incumbents both resigned only days into their role, such was their concern at the set-up.

“It is also alarming to hear that a four-month period passed without any hearings in this area, when normally there would be around 45 a month.

“Current and former panel members have said they fear that vulnerable children are being lost in the system.

“This is deeply worrying, particularly given the Children’s Hearing system is designed to protect young people who are most at risk.

“I have written to the Scottish Government to seek clarity on these reports and to ask what is being done to address these issues. This is an issue that demands an immediate response and I hope we get that from the Scottish Government.”

ENDS

Notes to Editors

For more information contact Dave McKay on [REDACTED]

See below for the text of the letter sent by Douglas Ross to Maree Todd

Dear Minister

Children's Hearings Highland and Moray

It is with some concern that I have learned of apparent serious shortfalls within the Children’s Hearing system especially in Highland and Moray. These concerns have been raised by current and former panel members and the local clergy.

Of particular concern is the fact that over the four month period between 29th of May and the end of September, no Children’s Hearings have taken place in Moray for example. One of the reasons given was that the space normally used to facilitate such meetings was not large enough to accommodate social distancing. However, local panel members suggested utilising a local hotel. They were advised by Children’s Hearings Scotland (CHS) that this option was not acceptable because there was a cost implication.

Alarming, in the last few months no fewer than 11 panel members have left the Highland and Moray Children’s Panel and currently there is not an Area Convener for this location as the previous two incumbents both resigned days into the role, such was their own concern about the whole set up.

I am advised that since the new styled CHS was set up with full time paid staff based in Edinburgh, that morale has hit rock bottom amongst the voluntary panel members,

many with up to 20 years experience. The reasons apparently given included the direction from the CHS in Edinburgh, the oppressive nature of Senior Management and the fact that those senior members of this organisation had no previous panel experience and they treated panel volunteers with a dismissive attitude.

As I have delved further into this matter, I have ascertained that during the covid-19 period, discussions were held between the Minister, Marie Todd MSP, and Senior Managers within the CHS. At no time were any of the experienced volunteers contacted for their views and/or observations. This fact alone has ensured that the divide between the Senior Managers at CHS and the volunteers on the ground has become a chasm.

I am further told that normally the Moray panel held 45 hearings per month. That figure is now down to four, as Children on hearing orders are automatically put on new ones without any further hearing having taken place. This means that a child can be on an order for up to three months and by automatically being put on another order means they do not have to come to a Children's Hearing for up to six months.

Finally, it is claimed by current and former panel members that the vulnerable and at risk children here in Highland and Moray are being lost in the system now as a result of the poor management and poor oversight of the whole organisation. It seems to me and those who have contacted me, that finance and budgeting are more important than the health and wellbeing of the children which the CHS is supposed to protect.

I would appreciate a response setting out with clarity if the facts brought to my attention are correct and what proposals if any the Government have to address them.

Kind regards

Douglas

5. Email chain – SpAd view - media query – children’s panel – Cons NR – Press and Journal

From: [redacted]

Sent: 04 November 2020 10:18

To: McAllister C (Colin) <Colin.McAllister@gov.scot>; Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>

Cc: [redacted]

Sheppard L (Lesley) (Covid-19) <Lesley.Sheppard@gov.scot>

Subject: RE: SPAD view - children's panel - amended lines - Cons NR - Press and Journal

Thanks, Colin

From: McAllister C (Colin) <Colin.McAllister@gov.scot>

Sent: 04 November 2020 10:17

To: [redacted]; Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>

Cc: News Desk <Newsdesk@gov.scot>; Communications DFM & Education

<CommunicationsDFM&Education@gov.scot>; Communications Justice

<CommunicationsJustice@gov.scot>; [redacted]; [redacted]; Sheppard L (Lesley) (Covid-19)

<Lesley.Sheppard@gov.scot>; [redacted]; [redacted]; [redacted]

Subject: RE: SPAD view - children's panel - amended lines - Cons NR - Press and Journal

Ok

Regards

Colin McAllister

0131 [redacted]
[redacted]



Scottish Ministers, Special advisers and the Permanent Secretary to the Scottish Government are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot.

From: [redacted]

Sent: 04 November 2020 10:06

To: McAllister C (Colin) <Colin.McAllister@gov.scot>; Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>

Cc: [redacted], Sheppard L (Lesley) (Covid-19) <Lesley.Sheppard@gov.scot>

Subject: SPAD view - children's panel - amended lines - Cons NR - Press and Journal

Hi SpAds,

These lines have not yet issued, and officials have recommended additions in red, and deletion of an earlier section (also in red further down in email chain).

Are you happy for amended lines to go to Minister for clearance?

Thanks

[redacted]

A Scottish Government spokesperson said:

“The children’s hearings system has a vital role in protecting the rights and promoting the life chances of our most vulnerable children. That is why we brought in emergency legislation to ensure hearings continued during the coronavirus (COVID-19) lockdown, and provided more than £2 million in new funding **to support system response, recovery and renewal.**”

“While centres had to close for public safety reasons, virtual hearings have been held across the country from 4 May and physical hearings were reintroduced from July - prioritising the most urgent and high-risk situations. In the four months from June to September, 82 hearings were held in Moray.

“Scotland’s national children’s panel has around 2,500 members, and around 20% move on each year. Retention rates are in line with normal expectations.”

Background

It is the Scottish Children’s Reporter Administration (SCRA)- not Children’s Hearings Scotland (CHS) - who convene children’s hearings, so CHS budgets are not relevant to extra hearings centres. **The recovery funding was allocated to SCRA.**

Children’s panel members’ tenure is the responsibility of the National Convener at Children’s Hearings Scotland. CHS published their 2019-20 annual report last week. That report included survey evidence from volunteers across Scotland. It showed that volunteers’ sense of support, respect and confidence was high, and improving, across a range of indicators.

Between April and October, there were nine panel member resignations in Moray, compared with 13 in the same period in 2019. Retention rates are in line with normal expectations

From: McAllister C (Colin) <Colin.McAllister@gov.scot>

Sent: 03 November 2020 18:41

To: [redacted], Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>

Cc: [redacted], Sheppard L (Lesley) (Covid-19) <Lesley.Sheppard@gov.scot>
Subject: RE: SPAD view - children's panel - Cons NR - Press and Journal

Ok

Regards

Colin McAllister

0131 [redacted]
[redacted]



Scottish Ministers, Special advisers and the Permanent Secretary to the Scottish Government are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot.

From: [redacted] >

Sent: 03 November 2020 18:18

To: McAllister C (Colin) <Colin.McAllister@gov.scot>; Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McFarlane J (John) <John.McFarlane@gov.scot>

Cc: [redacted], Lesley.Sheppard@gov.scot

Subject: SPAD view - children's panel - Cons NR - Press and Journal

Thanks, [redacted]

SpAds, this is not urgent for tonight – journalist asked for response by lunchtime Wednesday.

We've been asked to respond to claims of a so-called exodus by children's panel members in Moray and the Highlands. Douglas Ross has issued a News Release saying it is feared vulnerable and at-risk children are being lost in the system.

He has also attached a letter sent to Ms Todd – although PO say it has not yet been received - saying hearings were not held in Moray for four months as social distancing was not possible in its usual location, and a suggestion to hire a hotel was allegedly rejected on the grounds it would involve a charge. Mr Ross says it appears that: finance and budgeting are more important than the health and wellbeing of the children which the CHS is supposed to protect.

We have discussed with officials. Grateful for views on suggested lines.

Thanks

[redacted]

A Scottish Government spokesperson said:

“The Children’s Hearing System has a vital role in protecting the rights and promoting the life chances of our most vulnerable children. That is why we brought in emergency legislation to ensure hearings continued during the coronavirus (COVID-19) lockdown, and provided more than £2 million in new funding alongside significant steps to ensure legal protections for children remained in place.

“While centres had to close for public safety reasons, virtual hearings have been held across the country from 4 May and physical hearings were reintroduced from July - prioritising the most urgent and high-risk situations. In the four months from June to September, 82 hearings were held in Moray.

“Scotland’s national children’s panel has around 2,500 members, and around 20% move on each year. Retention rates are in line with normal expectations.”

Background

It is the Scottish Children’s Reporter Administration - not the Children’s Hearing System (CHS) - who convene children’s hearings, so CHS budgets are not relevant to extra hearings centres.

Children’s panel members’ tenure is the responsibility of the National Convener at Children’s Hearings Scotland (CHS). CHS published their 2019-20 annual report last week. That report included survey evidence from volunteers across Scotland. It showed that volunteers’ sense of support, respect and confidence was high, and improving, across a range of indicators.

Between April and October, there were nine panel member resignations in Moray, compared with 13 in the same period in 2019. Retention rates are in line with normal expectations.

6. Email Chain – Policy – Draft Douglas Ross Response

From: [redacted]
Sent: 04 November 2020 09:03
To: [redacted] [redacted]
Cc: [redacted]
Subject: RE: Draft Douglas Ross Response - 3 Nov 2020

CHS have advised that their target is 140 panel members for Highland and Moray – they are going to double check the exact number of current members just now, but have said it is likely 131 based on the 9 resignations so far this year. They also indicated that Highland and Moray has actually fared pretty well in dealing with hearings, hopefully more about that in SCRA update to follow this morning.

Cheers

From: [redacted]
Sent: 03 November 2020 18:04
To: [redacted] [redacted]
Cc: [redacted]
Subject: RE: Draft Douglas Ross Response - 3 Nov 2020

How many panel members should there be in total across highland and moray? Guessing it would be about 120?

Sent with BlackBerry Work
(www.blackberry.com)

From: [redacted]
Date: Tuesday, 03 Nov 2020, 6:01 pm
To: [redacted] [redacted]
Cc: [redacted]
Subject: RE: Draft Douglas Ross Response - 3 Nov 2020

Thanks [redacted], can you also amend to say that there have been 9 resignations *in Highland and Moray*, as I have managed to miss that pretty vital part out.

Cheers

From: [redacted]
Sent: 03 November 2020 17:53
To: [redacted] [redacted]
Cc: [redacted]
Subject: RE: Draft Douglas Ross Response - 3 Nov 2020

[redacted]
This is great- about 95% done. I will give you comments and some lines about the Ministerial meetings in the morning. [redacted]

Sent with BlackBerry Work
(www.blackberry.com)

From: [redacted]

Date: Tuesday, 03 Nov 2020, 5:08 pm

To: [redacted] [redacted]

Cc: [redacted]

Subject: Draft Douglas Ross Response - 3 Nov 2020

Evening all, draft response to Mr Ross attached for comments and changes. The only part of his letter I don't feel I've addressed is left at the bottom with a comment. Would welcome thoughts on this.

Cheers

[redacted]

7. Email Chain – Policy and Comms - media query - children's panel - Cons NR - Press and Journal

From: [redacted]
Sent: 03 November 2020 18:03
To: [redacted]
Subject: RE: media query - children's panel - Cons NR - Press and Journal

Awesome – ta!

From: [redacted]
Sent: 03 November 2020 18:02
To: [redacted]
Subject: RE: media query - children's panel - Cons NR - Press and Journal

<https://www.chscotland.gov.uk/media/0q2l5tso/impact-report-2020-final.pdf>

Save you googling, I had the tab open. ☺

From: [redacted]
Sent: 03 November 2020 17:58
To: [redacted]
Subject: RE: media query - children's panel - Cons NR - Press and Journal

- That's fine [redacted]. On panel member satisfaction , if you google the 2019-20 CHS impact report published on 27 October, the volunteer community survey highlights are at page 12.

Sent with BlackBerry Work
(www.blackberry.com)

From: [redacted]
Date: Tuesday, 03 Nov 2020, 5:08 pm
To: [redacted]
Subject: RE: media query - children's panel - Cons NR - Press and Journal

Thanks [redacted] - how about something like this? Is this fair and accurate? The journalist has advised he is not running this tomorrow, but grateful for views/amends to get to SpAds asap, pls.

A Scottish Government spokesperson said:

“The Children’s Hearing System has a vital role in protecting the rights and promoting the life chances of our most vulnerable children. This is why we brought in emergency legislation to ensure hearings continued during the coronavirus (COVID-19) lockdown, and provided more than £2 million in new funding alongside significant steps to ensure legal protections for children remained in place.

“While centres had to close for public safety reasons, virtual hearings have been held across the country from 4 May and physical hearings were reintroduced from July - prioritising the most urgent and high-risk situations. In the four months from June to September, 82 hearings were held in Moray.

“Scotland’s national children’s panel has around 2,500 members, and around 20% move on each year. Retention rates are in line with normal expectations.”

Background

It is the Scottish Children’s Reporter Administration - not the Children’s Hearing System (CHS) - who convene children’s hearings, so CHS budgets are not relevant to extra hearings centres.

Children’s panel members’ tenure is the responsibility of the National Convener at Children’s Hearings Scotland (CHS). CHS published their 2019-20 annual report last week. That report included survey evidence from volunteers across Scotland. It showed that volunteers’ sense of support, respect and confidence was high, and improving, across a range of indicators. (Are we confident we can back this up if challenged?)

Between April and October, there were nine panel member resignations in Moray, compared with 13 in the same period in 2019. Retention rates are in line with normal expectations.

From: [redacted]

Sent: 03 November 2020 13:46

To: [redacted]

Subject: RE: media query - children's panel - Cons NR - Press and Journal

Will do – CHS working on detail and numbers just now

From: [redacted] **Sent:** 03 November 2020 13:45

To: [redacted]

Subject: RE: media query - children's panel - Cons NR - Press and Journal

Hi all, Private Office have no record of the letter. Would it be possible to get a steer on lines in next hour or so, pls?

From: [redacted] **Sent:** 03 November 2020 12:25

To: [redacted]

Subject: RE: media query - children's panel - Cons NR - Press and Journal

[redacted]

[redacted] is checking in with Children's Hearings Scotland around Moray and Highland – hearings have not ceased even throughout lockdown and we have lines that we can share on overall position.

Haven't seen the letter referred to.

[redacted]

From: [redacted]

Sent: 03 November 2020 12:06

To: [redacted]

Subject: media query - children's panel - Cons NR - Press and Journal

Hello all,

Hope you're well.

We've been asked to respond to claims of mass resignations by children's panel members in Moray and the Highlands. Douglas Ross has issued a News Release saying it is feared vulnerable and at-risk children are being lost in the system.

He has also attached a letter sent to Ms Todd, saying hearings were not held in Moray for four months as social distancing was not possible in its usual location, and a suggestion to hire a hotel was allegedly rejected on the grounds it would involve a charge. Mr Ross says it appears that: finance and budgeting are more important than the health and wellbeing of the children which the CHS is supposed to protect.

Are we aware of the letter? Has a reply been drafted?

We need to get back to the newspaper today so I'd be grateful for an urgent steer on drafting lines, pls, and confirmation that someone is able to look at this.

Thanks

[redacted]

8. Email chain – Policy - media query - children's panel - Cons NR - Press and Journal

From: [redacted]

Sent: 03 November 2020 15:49

To: [redacted]

Cc: Sheppard L (Lesley) (Covid-19) <Lesley.Sheppard@gov.scot>

Subject: RE: URGENT FW: media query - children's panel - Cons NR - Press and Journal

The Scottish Government recognises that the children's hearings system's work is vital to the rights and life chances of our most vulnerable children. We have made more than £2m of new funding available to support a safe, swift, high quality system recovery.

Background

It is the Scottish Children's Reporter Administration - not CHS - who convene children's hearings, so we are not clear why CHS budgets would be relevant to extra hearings centres.

Recovery plans are in place for hearings to return to a steady state by autumn 2021.

Between April and October, there were nine panel member resignations in Moray, compared with 13 in the same period in 2019. Scotland's national children's panel has around 2500 members, and around 20% move on each year. Retention rates are in line with normal expectations.

Children's panel members' tenure is the responsibility of the National Convener at Children's Hearings Scotland (CHS). CHS published their 2019-20 annual report last week. That report included survey evidence from volunteers across Scotland. It showed that CHS are doing a good job - volunteers' sense of support, respect and confidence was high, and improving, across a range of indicators.

Children's hearings have operated throughout the pandemic, on a necessarily limited basis, prioritising the most urgent and high-risk situations. The Scottish Government brought in emergency legislation in April to enable service continuity. The immediate lockdown period resulted in the closure of hearings centres. However, significant steps were taken to ensure legal protections for children continued in this time.

Virtual hearings have been in place across the country from 4 May, and some physical hearings were reintroduced from July - ensuring that the service has continued to operate to the fullest extent possible, including in Moray.

In the four month period from June to September, there were 82 hearings held in Moray.

The immediate lockdown period resulted in the closure of hearings centres. However, significant steps were taken to ensure legal protections for children continued in this time.

Virtual hearings have been in place across the country from 4 May, and physical hearings were reintroduced from July - ensuring that the service has continued to operate to the fullest extent possible, including in Moray.

Cheers

[redacted]

From: [redacted]

Sent: 03 November 2020 12:18

To: [redacted]

Cc: [redacted]

Subject: URGENT FW: media query - children's panel - Cons NR - Press and Journal

Importance: High

All,

Please see below media enquiry. Can you please urgently provide us with information and lines regarding these allegations.

Cheers

[redacted]

From: [redacted]

Sent: 03 November 2020 12:06

To: [redacted]

Cc: [redacted]

Subject: media query - children's panel - Cons NR - Press and Journal

Hello all,

Hope you're well.

We've been asked to respond to claims of mass resignations by children's panel members in Moray and the Highlands. Douglas Ross has issued a News Release saying it is feared vulnerable and at-risk children are being lost in the system.

He has also attached a letter sent to Ms Todd, saying hearings were not held in Moray for four months as social distancing was not possible in its usual location, and a suggestion to hire a hotel was allegedly rejected on the grounds it would involve a charge. Mr Ross says it appears that: finance and budgeting are more important than the health and wellbeing of the children which the CHS is supposed to protect.

Are we aware of the letter? Has a reply been drafted?

We need to get back to the newspaper today so I'd be grateful for an urgent steer on drafting lines, pls, and confirmation that someone is able to look at this.

Thanks
[redacted]

9. Email Chain – Policy - media query - children's panel - Cons NR - Press and

From: [redacted]

Sent: 03 November 2020 15:08

To: [redacted]

Subject: RE: URGENT FW: media query - children's panel - Cons NR - Press and Journal

Quick addition based on further info from CHS.

Cheers

[redacted]

From: [redacted]

Sent: 03 November 2020 14:50

To: [redacted] **Subject:** RE: URGENT FW: media query - children's panel - Cons NR - Press and Journal

Spot on for me

From: [redacted]

Sent: 03 November 2020 14:48

To: [redacted]

Subject: RE: URGENT FW: media query - children's panel - Cons NR - Press and Journal

Suggested lines for you to check gents.

“Between April and October this year, there have been nine panel member resignations in Moray, compared with 13 in the same period in 2019, and this is in line with normal expectations. A new Area Convener is in the process of being appointed by CHS, and comes from with the Highland & Moray Panel Community.

Children’s hearings have operated throughout the pandemic, on a necessarily limited basis, prioritising the most urgent and high-risk situations. In the four month period from June to September, there were 82 hearings held in Moray. The immediate lockdown period resulted in the closure of hearings centres, however significant steps were taken to ensure legal protections for children continued in this time. Virtual hearings have been in place across the country from 4 May, ensuring that the service has continued to operate to the fullest extent possible, including in Moray.

The Scottish Government recognises that the children’s hearings system is vital to determining the rights and life chances of Scotland’s most vulnerable children. We have made more than £2m of additional funding available to support the swiftest possible system recovery and renewal. Recovery plans are in place for hearings to return to a steady state by autumn 2021.”

Cheers

[redacted]

From: [redacted]
Sent: 03 November 2020 12:18
To: [redacted]
Cc: [redacted]
Subject: URGENT FW: media query - children's panel - Cons NR - Press and Journal
Importance: High

All,

Please see below media enquiry. Can you please urgently provide us with information and lines regarding these allegations.

Cheers

[redacted]
From: [redacted]
Sent: 03 November 2020 12:06
To: [redacted]
Cc: [redacted]
Subject: media query - children's panel - Cons NR - Press and Journal

Hello all,

Hope you're well.

We've been asked to respond to claims of mass resignations by children's panel members in Moray and the Highlands. Douglas Ross has issued a News Release saying it is feared vulnerable and at-risk children are being lost in the system.

He has also attached a letter sent to Ms Todd, saying hearings were not held in Moray for four months as social distancing was not possible in its usual location, and a suggestion to hire a hotel was allegedly rejected on the grounds it would involve a charge. Mr Ross says it appears that: finance and budgeting are more important than the health and wellbeing of the children which the CHS is supposed to protect.

Are we aware of the letter? Has a reply been drafted?

We need to get back to the newspaper today so I'd be grateful for an urgent steer on drafting lines, pls, and confirmation that someone is able to look at this.

Thanks

[redacted]

10. Email Chain – Comms and Policy - media query - children's panel - Cons NR - Press and Journal

From: [redacted]

Sent: 03 November 2020 15:18

To: [redacted]

Subject: RE: media query - children's panel - Cons NR - Press and Journal

Thanks, [redacted] – I appreciate the quick turnaround. I had a chat with [redacted] and he said it would be probably be nearer four before he was clear.

From: [redacted]

Sent: 03 November 2020 15:10

To: [redacted]

Subject: RE: media query - children's panel - Cons NR - Press and Journal

Hi [redacted]

Lines will be with you as soon as possible, just need [redacted] to clear.

Cheers

[redacted]

From: [redacted]

Sent: 03 November 2020 13:45

To: [redacted]

Cc: [redacted]

Subject: RE: media query - children's panel - Cons NR - Press and Journal

Hi all, Private Office have no record of the letter. Would it be possible to get a steer on lines in next hour or so, pls?

From: [redacted]

Sent: 03 November 2020 12:25

To: [redacted]

Cc: [redacted]

Subject: RE: media query - children's panel - Cons NR - Press and Journal

[redacted]

[redacted] is checking in with Children's Hearings Scotland around Moray and Highland – hearings have not ceased even throughout lockdown and we have lines that we can share on overall position.

Haven't seen the letter referred to.

[redacted]

From: [redacted]

Sent: 03 November 2020 12:06

To: [redacted]

Cc: [redacted]

Subject: media query - children's panel - Cons NR - Press and Journal

Hello all,

Hope you're well.

We've been asked to respond to claims of mass resignations by children's panel members in Moray and the Highlands. Douglas Ross has issued a News Release saying it is feared vulnerable and at-risk children are being lost in the system.

He has also attached a letter sent to Ms Todd, saying hearings were not held in Moray for four months as social distancing was not possible in its usual location, and a suggestion to hire a hotel was allegedly rejected on the grounds it would involve a charge. Mr Ross says it appears that: finance and budgeting are more important than the health and wellbeing of the children which the CHS is supposed to protect.

Are we aware of the letter? Has a reply been drafted?

We need to get back to the newspaper today so I'd be grateful for an urgent steer on drafting lines, pls, and confirmation that someone is able to look at this.

Thanks

[redacted]

QUERY

We were alerted to this by a local minister, Donald Prentice, and then we talked to some former and current members of the children's panel covering Moray and the Highlands.

I've copied a letter below the press comments from Douglas to Children's Minister Maree Todd MSP. It has more detail on what we think are some of the reasons behind this.

From the office of
Douglas Ross MP
Conservative Member for Moray

Ross contacts government amid 'exodus' of children's panel members

Douglas Ross has contacted the Scottish Government amid reports of an "exodus" of children's panel members and a collapse in the number of hearings held across the north of Scotland.

The Moray MP has been told by current and former Children's Hearing panel members that 11 volunteers covering Moray and the Highlands have recently resigned.

It has also been reported that no hearings took place for a four-month period between the end of May and the end of September. Around 180 hearings would normally be expected within that timeframe.

Mr Ross has written to Childcare and Early Years Minister Maree Todd to ask for clarity on the issues raised and for an action plan to rectify any problems.

Children's Hearings are legal tribunals that decide what is best for a child or young person who is not being looked after properly or has been in trouble with the police or at school. Panel members are all volunteers, who receive training and guidance to make legal decisions.

Scottish Conservative MP for Moray Douglas Ross said:

"It is very concerning that there appear to be serious shortfalls within the children's hearing system in the north of Scotland.

"There has been an exodus of volunteers in the Moray and Highland area in recent months.

"At the moment, I am told there is no area convener as the previous two incumbents both resigned only days into their role, such was their concern at the set-up.

"It is also alarming to hear that a four-month period passed without any hearings in this area, when normally there would be around 45 a month.

"Current and former panel members have said they fear that vulnerable children are being lost in the system.

"This is deeply worrying, particularly given the Children's Hearing system is designed to protect young people who are most at risk.

"I have written to the Scottish Government to seek clarity on these reports and to ask what is being done to address these issues. This is an issue that demands an immediate response and I hope we get that from the Scottish Government."

ENDS

Notes to Editors

For more information contact Dave McKay on [REDACTED]

See below for the text of the letter sent by Douglas Ross to Maree Todd

Dear Minister

Children's Hearings Highland and Moray

It is with some concern that I have learned of apparent serious shortfalls within the Children's Hearing system especially in Highland and Moray. These concerns have been raised by current and former panel members and the local clergy.

Of particular concern is the fact that over the four month period between 29th of May and the end of September, no Children's Hearings have taken place in Moray for example. One of the reasons given was that the space normally used to facilitate such meetings was not large enough to accommodate social distancing. However, local panel members suggested utilising a local hotel. They were advised by Children's Hearings Scotland (CHS) that this option was not acceptable because there was a cost implication.

Alarming, in the last few months no fewer than 11 panel members have left the Highland and Moray Children's Panel and currently there is not an Area Convener for this location as the previous two incumbents both resigned days into the role, such was their own concern about the whole set up.

I am advised that since the new styled CHS was set up with full time paid staff based in Edinburgh, that morale has hit rock bottom amongst the voluntary panel members, many with up to 20 years experience. The reasons apparently given included the direction from the CHS in Edinburgh, the oppressive nature of Senior Management and the fact that those senior members of this organisation had no previous panel experience and they treated panel volunteers with a dismissive attitude.

As I have delved further into this matter, I have ascertained that during the covid-19 period, discussions were held between the Minister, Marie Todd MSP, and Senior Managers within the CHS. At no time were any of the experienced volunteers contacted for their views and/or observations. This fact alone has ensured that the divide between the Senior Managers at CHS and the volunteers on the ground has become a chasm.

I am further told that normally the Moray panel held 45 hearings per month. That figure is now down to four, as Children on hearing orders are automatically put on new ones without any further hearing having taken place. This means that a child can be on an order for up to three months and by automatically being put on another order means they do not have to come to a Children's Hearing for up to six months.

Finally, it is claimed by current and former panel members that the vulnerable and at risk children here in Highland and Moray are being lost in the system now as a result of the poor management and poor oversight of the whole organisation. It seems to me and those who have contacted me, that finance and budgeting are more important than the health and wellbeing of the children which the CHS is supposed to protect.

I would appreciate a response setting out with clarity if the facts brought to my attention are correct and what proposals if any the Government have to address them.

Kind regards

Douglas