

ANGUS COUNCIL – 12 FEBRUARY 2015

TAYSIDE AREA SUPPORT TEAM

REPORT BY SHEONA HUNTER, HEAD OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

This report advises members on the development of the Tayside Area Support Team and on the recent review of the Minute of Agreement governing the Council's involvement in the Tayside Area Support Team.

1. RECOMMENDATIONS

It is recommended that Council:-

- (i) agrees not to amend the Minute of Agreement between Angus Council, Dundee City Council and Perth & Kinross Councils and Children's Hearings Scotland;
- (ii) notes that a meeting was held between the National Convener of Children's Hearings Scotland (CHS) and the Leader of the Council on 4th February 2015;
- (iii) considers whether Angus Council wishes to remain as part of the Tayside Area Support Team with an Area Convener providing a strategic and monitoring role but retaining the emphasis on locality for the administration and delivery of panel members support all as provided within the Minute of Agreement; and
- (iv) reserves the right to revert to the National Convener in the event of what appears to the Council to be non-compliance with the Minute of Agreement, for the purpose of applying to the National Convener to become a stand-alone Angus Area Support Team should this be deemed to be in the best interests of the Children's Panel Members and the children of Angus whom they serve.

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/COPORATE PLAN

This report contributes to the following Angus Community Plan Outcomes:-

- (i) Our children and young people are confident individuals, effective contributors, successful learners and responsible citizens;
- (ii) Individuals are involved in their communities and contribute to a number of the priority areas within the Children's and Learning Partnership, including the priorities of Getting it Right in Early Years; Getting it Right for Children and Young People; and Getting it Right for Children with Additional Needs.

3. BACKGROUND

Reference is made to Report No 632/12 considered by the Social Work and Health Committee meeting held on 8 November 2012.

That report detailed a proposed structure for an Area Support Team for the Children's Hearing System across the Tayside area which would retain a local connection with the Angus, Dundee and Perth and Kinross areas. The report advised on the new legislation, the Children's Hearing (Scotland) Act 2011 and outlined how it had replaced much of the former Children's (Scotland) Act 1995. That report highlighted that the primary focus of the changes

was aimed at ensuring that the Children's Hearing System was nationally consistent and locally delivered so that all hearings were child and young person centred and that they made effective, evidence-based decisions.

Following consideration of that report, the Committee agreed to approve, in principle, the proposals for a Tayside Area Support Team subject to the proviso that, if there was any indication that the operation of the Tayside Area Support Team was detracting from the positive operation of the current structure in Angus, a report would be brought forward asking members to reconsider whether Angus wished to be part of such a wider Area Support Team (AST).

Following upon approval of that report, the Head of Legal and Democratic Services, on behalf of Angus Council, entered into a Minute of Agreement amongst Children's Hearings Scotland, Dundee City Council and Perth & Kinross Council. That agreement provided for the setting-up of a single Tayside-wide Area Support Team to which an Area Convener along with three local Depute Area Conveners, each representing one local authority area within Tayside were to be appointed by CHS.

The Minute of Agreement provided that the Council in whose area the Area Convener resided would support the Tayside Area Support Team but that each authority would provide administrative support to their respective Depute Area Convener; their lead Panel representatives; the Panel Practice Advisers; the Learning and Development Co-ordinators; and the local authority representatives, with local meetings being held within each local authority area to support the local Panel members.

As the Area Convener at the time of entering into the agreement was resident in Angus, it was agreed that Angus Council in addition would support the Area Convener in the duties outlined within the Minute of Agreement. Angus was also responsible for supporting the local Children's Hearing system volunteers and ensuring that various processes, including recruitment, monitoring, local training and payment of travel and subsistence expenses, were undertaken at a local level. Similarly Dundee and Perth and Kinross Councils retained responsibility for providing such support to their volunteers in their respective areas.

In May 2013 the initial Area Convener resigned and in December 2013 an Area Convener who did not reside in, but who worked in Tayside, was appointed.

4. CURRENT POSITION

The Minute of Agreement provides that it will be reviewed annually and unless the Parties agree otherwise, shall subsist until 30 June 2017.

In terms of the above a meeting was convened on 14 January 2015 of the relevant officers of each of the three local authorities. After considerable discussion, they concluded that the working arrangements contained in the Minute of Agreement, which provided for the three local areas to operate relatively independently and in accordance with National Standards as set out by CHS, but sharing elements e.g. pre service training and infrequent sharing of members when exigencies required, were still relevant. They therefore concluded that no changes were required to the Minute of Agreement. Council is asked to agree that no changes are required to the Minute of Agreement.

However, members are referred to the proviso contained in Report 632/12 that if there was any indication that the operation of the Tayside Area Support Team was detracting from the current structure in Angus, members would reconsider whether Angus wished to remain a part of the wider AST.

Following upon the appointment of the current Area Convener, the trend of activities has been to centralise the work of the AST. The Area Convener was appointed in December 2013 and since approximately July 2014 concerns have been expressed by AST and Angus Panel representatives concerning the centralisation of the service away from Angus and the lack of influence the locality plays in the organisation of the Area Support Team. For example, the local Area Support Groups were disbanded with minimal consultation with members and local authorities. These changes have resulted in the resignation of the Lead Panel Representative for Angus. The centralised recruitment exercise which took place in October 2014 did not go as planned and Angus was offered candidates who lived outwith their area.

It is considered that the original intention of the Minute of Agreement was that local people were, in the main, taking decisions and making recommendations in connection with local children, a philosophy supported throughout CHS documentation.

Officers became aware of concerns expressed by local volunteers and were also aware that by being excluded from key decisions and meetings, local Angus officers were unable to keep volunteers informed or advised of emerging issues. As a result, a level of discontent amongst AST members and Panel Representatives has arisen and a number of experienced volunteers have either resigned from posts or have indicated they are considering doing so. This is considered to be to the detriment of the service provided to the Children's Panel.

As a result of these concerns, the Leader of the Council sought and convened a meeting between himself and the Local Authority representative (Councillor Middleton) and the National Convener of CHS. That meeting was held on 4 February 2015 when the Leader of the Council highlighted to the National Convener, the original intention within the Minute of Agreement had been to retain a strong local element with local panel members making decisions on local children locally supported by the local authority. The National Convener undertook to consider the areas of concern and revert to the Leader as soon as possible.

5. **LEGISLATIVE CHANGES**

Members are advised that the legislation has once again changed and that the Children and Young People (Scotland) Act 2014 has now come into effect. This Act provides that the National Convener must keep the designation of areas under review and that the National Convener may revoke or make a new designation at any time. The National Convener will be required to ensure, when revoking or making new designations that each local authority will fall within a designated area. Where a designation is revoked, this will have the effect of dissolving the Area Support Team that was established as a consequence of the original designation. The legislation requires the National Convener to consult with the affected local authority before revoking or making a designation. This means that the National Convener must ensure that when exercising the power to make and revoke designations of ASTs, there will always be an AST in relation to each local authority area and therefore there will not be a time when a local authority no longer has an AST as a result of a revocation.

Whilst it is accepted that the aim of Children's Hearings Scotland under the Children's Hearing (Scotland) Act 2011 was to create a limited number of Area Support Teams, it is noted that amongst the 32 local authorities there are currently 22 Area Support Teams. The dissolution of the Tayside Area Support Team to create a single Angus Area Support Team does not significantly increase the overall number of Area Support Teams, although it is accepted that the trend is upward rather than downward as is sought by CHS. It would be for the National Convener to determine any application by Angus Council and any implications arising for the remainder of the current Tayside AST.

A list of the existing AST areas is attached at **Appendix 1**. Members will note from this list that such authorities as East Dunbartonshire, East Renfrewshire, Inverclyde, Renfrewshire and West Dunbartonshire all currently support individual ASTs. Indeed of the 22 ASTs, 17 are made up of individual local authorities.

6. **OPTIONS**

Members are advised of the current situation and asked to consider awaiting further contact from the National Convener with proposals to resolve the concerns expressed by the local AST members and Panel representatives.

Alternatively, members could consider whether or not they wish to act upon the recommendation contained within Report No 632/12 and approved at the Social Work and Health Committee meeting of 8 November 2012 which stated that the Committee agrees to note that if there is any indication that the operation of the Tayside Area Support Team is detracting from the positive operation of the current structure in Angus, members will reconsider whether Angus wishes to be part of the wider Area Support Team.

7. FINANCIAL IMPLICATIONS

There are no financial implications in connection with the establishment of an Angus Area Support Team. Provision is currently made within the miscellaneous budget for support of Panel members and clerical/administrative support, including advisory support to the Depute Area Convener and Lead Panel representatives. The existing miscellaneous budget and support arrangements from within Legal and Democratic Services would be utilised and would provide sufficient funding if the Council determined to seek the establishment of an Angus AST.

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NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

LIST OF THE EXISTING AST AREAS

There are 22 Area Support Teams (ASTs) across Scotland:

Area Support Team	Constituent local authorities within the AST
Aberdeen	Aberdeen City
Aberdeenshire	Aberdeenshire
Argyll and Bute	Argyll and Bute
Ayrshire	East Ayrshire, North Ayrshire, South Ayrshire
Central and West Lothian	Clackmannanshire, Falkirk, Stirling, West Lothian
Dumfries and Galloway	Dumfries and Galloway
East Dunbartonshire	East Dunbartonshire
East Renfrewshire	East Renfrewshire
Edinburgh	Edinburgh
Eilean Siar	Eilean Siar
Fife	Fife
Glasgow	Glasgow
Highland and Moray	Highland, Moray
Inverclyde	Inverclyde
North Lanarkshire	North Lanarkshire
Orkney	Orkney
Renfrewshire	Renfrewshire
South East Scotland	East Lothian, Midlothian, Scottish Borders
South Lanarkshire	South Lanarkshire
Shetland	Shetland
Tayside	Angus, Dundee, Perth and Kinross
West Dunbartonshire	West Dunbartonshire

