



		Paper
1.	Apologies	
2.	AOB <ul style="list-style-type: none">•	
3.	Draft Minute of Meeting held on 18 January 2016 <ul style="list-style-type: none">• Accuracy & Matters Arising• Action Tracker	 OperationalGroupMinute18January2016.d  OperationalGroupactionlogrevisedFeb2016
4.	Victim Information Co-ordinators Report	 VIS Report Dec 2015.doc
5	Non Disclosure Summary Paper	 ND Summary Paper 15 2 16.docx
6.	Risk <ul style="list-style-type: none">• Operational Risk Register• New Risks	 OperationalRiskRegisterFebruary2016.doc
7.	Date of Next meeting: 27 April 10.30 a.m.	

Annual Report of Victim Information Service

By Fiona Smith and Yvonne Graham,
Victim Information Co-ordinators

January 2016

Introduction

The Victim Information Service has been running as an opt in service since 10 June 2013. The main principles remain the same:

- To provide victims of youth crime with access to routine information about the Children's Hearing System
- To provide specific information to victims about what has happened to the referral to the Reporter, of the child or young person responsible for the offence
- to protect the right of the child or young person to confidentiality

The process of identifying the victim of an offence is done by the Victim Information Coordinators (VICs) checking a weekly Data Report of their allocated areas. This report details all the offence grounds which have been entered on CMS the preceding week. The police report is then viewed through CMS and the VICs then write to all relevant victims.

There are certain categories who are not written to and these include members of the Police as they are given the outcome by SCRA, close family members as they will be given information directly from the Children's Reporter or from the parent themselves, Children's Residential workers as they work closely with the young person and will be given the information through the work they undertake with the young person and Corporate Organisations who are not part of the Service as prescribed in Section 53 of the Criminal Justice (Scotland) Act 2003. VICs then write to relevant victims at the initial stage of the investigation.

When a victim opts in to the service, this is recorded on a spreadsheet by the VIC and an email is sent to the Active Reporter to let them know that a victim has opted in and the VIC will keep the Reporter apprised of any relevant information from the victim, this could be the victim informing the VIC of further incidents where the young person has committed an offence against them or that the young person has just continued to cause annoyance to the victim. The Reporters are also very helpfully keeping the VICs updated when they have made a decision on the case and this results in the victim receiving a decision as quickly as possible as well as helping the VIC explain the outcome to the victim, if they should ask for more detailed reasons. There have been occasions where it has been necessary for the Reporter and VIC to coordinate when decision letters are sent to both the young person, their family and the victim, in order that one doesn't know the outcome before the other. This helps alleviate any upset that the decision may cause one or other of the recipients.

Victim Information Service Figures for 2015

Locality	Initial Letters	No. Opt-Ins	% Opt-Ins	1 st Delay	2 nd Delay
Ayrshire	313	59	19%	13	0
Central	371	86	23%	26	0
Glasgow	449	79	18%	23	0
Grampian	126	23	18%	5	0
Highlands & Islands	229	49	21%	14	0
Lanarkshire & Dumfries & Galloway	551	86	16%	19	1
North Strathclyde	319	60	19%	11	0
Tayside/Fife	365	77	22%	23	1
South East	608	140	23%	19	0
Total	3331	659	20%	153	2
Victim Information Service Figures for 2014					
Total	3594	619	17%	807	31

Figures have remained consistent over the past year. 2015 saw slightly less initial letters being sent but a higher number of victims opting into the service. There has also been a reduction in the number of delay letters sent to victims in 2015 resulting in less complaints from victims regarding the length of time they are waiting to receive an outcome.

Anomalies

In our last report we discussed the problem with anomalies in the recording of charges onto CMS, these included duplication of charges, joint reports being recorded as standard, incorrect charges, duplication of police reports and police reports being indexed to the wrong child. During 2014 an excel spreadsheet was introduced which recorded all the anomalies and this was sent to LSMs for the Locality concerned, the LSM would then arrange to have the anomaly corrected and record this on the spreadsheet. Since the inception of this spreadsheet the anomalies have all but ceased. Staff are also becoming familiar with how CMS works and understand better how to record information correctly. This now ensures that victims are receiving all the information they are entitled to at the earliest opportunity as no corrections are required to take place.

Responses from victim to final decisions

After receiving the final decision, victims may contact the VIC for an explanation. The victim is often unhappy with the decision, however, in the majority of cases after discussion with the VIC the victim will be satisfied with the decision. There are, however, occasions where the victim will not be satisfied with the decision no matter how much it is explained to them and this can result in the victim submitting a complaint to the SCRA Complaints department where the outcome will be reviewed by the LRM and the victim responded to by them. The victim may still be unhappy with this outcome and on occasion the LRM has agreed to have a meeting with the victim and discuss their issues. There has also been times when the complaint has escalated to the SPSO. Sometimes, the victim may not wish to lodge a formal complaint but requests to speak with the Reporter who made the decision. If that is the case, the VIC will let the victim know that they will contact the Reporter and ask them if they are able to speak with the victim. In most cases, if the Reporter contacts the victim, this is enough to resolve the situation and the victim does not make any further complaint.

In conclusion, more victims are happy with being kept up to date with the progress of the case. The initial letter from the Victim Information Coordinator is often the first they have heard of the offence since they reported it to the police.

Positive outcomes

A victim had emailed to find out the decision regarding her child who had been the victim of a sexual assault by a family member. The VIC emailed to inform her that the Children's Reporter had decided not to bring the child to a children's hearing as a result of their being insufficient evidence. She then phoned to ask if the case was closed now and it was. She was extremely relieved and said that she was glad the case had not proceeded to a children's hearing and she would be able to move on from the incident.

There are occasions, however, when victims of sexual assault are not so happy with outcomes whereby the decision has been not to proceed due to insufficient evidence. Mothers of victims can find the question of insufficient evidence difficult to understand, especially if their child has been questioned and examined and feel that their child has not been believed.

Productions

In 2015, the VICs received several queries from victims regarding receiving their property back after a case had been disposed of. In the majority of cases, the victims had experienced problems when they had contacted Police Scotland to enquire about their property.

There was a particular case in Ayrshire whereby the victim had been trying to get clothing back which belonged to her daughter and was told by Police Scotland that she couldn't get the property back even although the case had been disposed of by SCRA. After many weeks of the VICs liaising with various Police officers and identifying who could authorise the release of the productions, the Productions Office in Kilmarnock were extremely helpful and acknowledged that indeed the property should be returned to the owner and that the VIC could contact the owner to advise her.

This is only one case but there were other victims in similar circumstances who had tried to contact Police who had received no help. This problem was highlighted with the VICs Line Manager, who then met with Police Scotland to highlight the problem. The Police acknowledged that there had been problems and there was a huge backlog of productions. In view of this, the Police had formed a Working Group to look into this. A member of SCRA is part of this group and will attend meetings.

It is too early to determine whether the Working Group has managed to alleviate the problem and this will be monitored closely by the member of staff who attends the group.

Recording of Decisions

On occasions, there have been some decisions that have been recorded on CMS where the VIC is confused by what has been input.

For example, a decision may have been put through as a no action – no action and in the reasons for the Reporter's decision, it may say that the child is working and engaging with a Youth Justice Team to address their behaviour. The VIC would write out to the victim with a letter indicating that the child was working with an agency to deal with their offending behaviour and issues in their life.

If decisions are difficult to comprehend, the VIC will liaise with the Reporter before any final decision communication is sent to a victim.

Letters sent to victims

Recently all the standard letters that have been sent to victims over the past two years have had minor amendments. These have been updated to explain the Children's Hearing System in more detail and give victims a better understanding of what to expect in terms of the final decision. The final decision letters that are sent are 52-14 tailored towards the type of decision that is made and the Reporter's comments in the CMS system.

Non-disclosure and Withholding Information – Summary Paper

Gill Short
February 2016

This paper sets out a summary of the points for inclusion in amended Practice Direction on Non-disclosure (or any related process guidance) in order to reflect the recent decision of EMT in relation to withholding information. The decision was to withhold 'non-disclosure' information about placement addresses and whereabouts from all parties and panel members and instead inform them of their right to receive the information on request.

The paper is developed to assist identification of related issues around Practice or process, and their determination, so that Practice Direction and any process guidance can accurately reflect the organisational position. The paper is structured into four sections, each looking at a different 'non-disclosure' situation, although more than one may apply at the same time.

- A. Withholding information in response to a non-disclosure request relating to a recommended placement.
- B. Withholding information about a placement to which a non-disclosure measure applies.
- C. Withholding the whereabouts of the child or a relevant person (rule 16).
- D. Withholding information in response to a non-disclosure request relating to information other than placement or whereabouts.

Draft revised Forms are also included. They are initial drafts only, to assist with consideration of the issues.

In this paper, reference to a children's hearing includes reference to a pre-hearing panel.

Comments for consideration are provided throughout the Paper and a summary of the key queries or issues for determination is included at the end of the Paper.

A. WITHHOLDING INFORMATION ABOUT A RECOMMENDED PLACEMENT (NON-DISCLOSURE REQUEST)	COMMENTS
<p>1. Full details must be provided to the reporter by the local authority. This may be within the report/plan or within a separate document.</p>	<p>Whether within the report/plan or in a separate document, ideally there should be a single reference to the proposed placement address.</p> <p>Should we seek to develop an understanding with local authorities that the general location (or even distance from the home address) is included within reports, perhaps as part of the rule 80 information, unless disclosure of even that broad information is likely to cause significant harm to the child. See point 8 below.</p>
<p>2. The local authority must make a non-disclosure request in relation to the address of the proposed placement (and any other information which it thinks meets the criteria for withholding eg name of proposed carers).</p>	<p>A draft revised Non-disclosure Request Form is attached. It is suggested that the non-disclosure request does not contain the full details of the address (or other related information included in the request) but:</p> <ul style="list-style-type: none"> (i) provides a broad description eg 'the address of the placement being recommended' and (ii) states the place in the report/plan where the information is specified or, if the information is in a separate report and the request applies to the whole report, a brief description of the report. <p>The approach at (i) is suggested in order to minimise the need for redaction of the non-disclosure request. However this is different to the approach suggested for non-disclosure requests which relate to information other than placement or whereabouts (see Process D). If a dual approach is not practicable, both types of non-disclosure requests will require to contain full information and be subject to redaction.</p>
<p>3. The reporter withholds the information from all parties (child if of age to understand, relevant persons, safeguarder and panel members).</p>	<p>Is the information to be withheld from a safeguarder? It would be consistent with overall approach to do so. (This question also arises in relation to notification of hearing decisions and Processes B and C.)</p> <p>A revised draft Form (Form 2) informing persons that information has been withheld is attached.</p>

<p>4. The reporter sends to all parties and panel members:</p> <ul style="list-style-type: none"> (i) the non-disclosure request and (ii) the Form advising that information has been withheld. 	<p>Note that if the non-disclosure request contains the placement details, that info will require to be redacted and replaced with a broad description of the information.</p> <p>Should draft Form 2 be 'bundled' as part of the hearing papers for panel members and/or others ?</p> <p>Where there is variation of a CSO because of a change of placement, there may be circumstances where careful comparison of all the measures from one order to another is required in order to identify whether the variation is due to the specified placement being changed or some other aspect of the previous order being changed. However, generally the inclusion of the names of the carers will provide a ready comparison, and the reasons for decision will also help clarify.</p>
<p>5. If someone who is entitled to be given the withheld information requests to have it, the reporter is to provide it as soon as possible.</p>	<p>Contact details will require to be provided in Form 2. These should be as clear as possible and offer appropriate choices (eg phone, post, email, text?). A very speedy response will be required. The response must be in writing.</p> <p>What contact details are to be provided ?</p> <p>The written response should be available at the hearing centre in case the person does not receive it in time. Also in case anyone requests the information at the hearing centre (see point 6 below).</p>
<p>6. The reporter is to have the withheld information available in writing at the hearing centre in case someone asks for it at the hearing centre or in the hearing.</p>	<p>It is suggested that it is better to have the information prepared in advance in order to deal with requests made at the hearing centre or in the hearing. The request will require to be met and not having the information readily available in writing is likely to cause delay to the hearing.</p> <p>A new Form containing the details of the withheld information can be developed if thought to be helpful.</p>
<p>7. Any request for the information and the provision of the information must be recorded.</p>	<p>What is the best way to record these ?</p>
<p>8. The non-disclosure request is dealt with at the start of the children's hearing (unless it is a grounds hearing).</p>	

<p>9. If the panel members do not have the address details, and are considering requiring the child to reside at the recommended placement, they may need to be alert to any issues which might be especially material eg where the general location appears to have implications for contact arrangements.</p>	<p>How to deal with situation where the reporter considers some of the address information (eg general location) to be especially material to the hearing's consideration but neither the panel members nor local authority have raised it ?</p> <p>Reporter intervention would throw into sharp relief that the reporter has material information which the panel members and parties do not have. Therefore inclusion in the report of broad information about location is likely to be helpful – see point 1 above.</p>
<p>10. If a panel member decides to require the child to reside at a particular placement (a non-disclosure request having been agreed and a continuing need for non-disclosure possibly applying) the panel member is likely to specify the address indirectly eg 'the placement which is recommended by the local authority'.</p>	<p>If there is any doubt as to the placement details being decided by the panel member, the reporter must intervene to clarify.</p>
<p>11. The reporter records the placement details in full on the record of proceedings and the order.</p>	
<p>12. If the hearing decides to include a non-disclosure measure in the Order, the reporter redacts the relevant information for notification of the hearing outcomes for all parties and sends the new Form (Form 2) advising that information has been withheld.</p>	<p>Also withhold from safeguarder – see point 3 ?</p> <p>Are the specified carers and implementation authority to be provided with the full unredacted information specified in rule 89 (decisions, reasons and orders)?</p>
<p>13. If the local authority does not provide the placement information to the reporter in advance of the hearing but brings it to the hearing centre, the local authority will require to table it at the hearing by giving it to the panel members and make a non-disclosure request at the same time (in writing or verbally).</p>	<p>The general position in relation to anyone bringing information to the hearing centre is that such information is not provided to the reporter and therefore does not trigger the reporter's duties - Practice Direction 11 paragraph 4.9 (extract below).</p> <p>It is strongly recommended that this position is maintained.</p>

B. WITHHOLDING INFORMATION ABOUT A PLACEMENT TO WHICH A NON-DISCLOSURE MEASURE APPLIES	COMMENTS
1. A non-disclosure request is not required and ideally none should be made.	The reporter should explain the position to anyone making a non-disclosure request in relation to such a placement and invite the person to withdraw the request. If the person does not withdraw the request the reporter must process the request as any other non-disclosure request relating to placement or whereabouts (see process A).
2. The full details of the placement should be provided to the reporter by the local authority. This may be within the report/plan or within a separate document.	Should the details always be provided by the local authority, or would an indirect reference suffice (eg the placement determined by the last hearing') ? If details are not included, is there a risk of confusion or misunderstanding ? Whether the details are provided within the report/plan or in a separate document, ideally there should be a single reference to the placement address.
3. The reporter withholds the address of the placement (and any other information that the reporter has determined would lead to indirect disclosure of the address). The information is withheld from all parties and panel members.	Note this will include redaction of the relevant information from the previous hearing decision and the current order.
4. The reporter sends the Form advising that information has been withheld to all parties and panel members.	See draft Form 2.
5. The steps at 5 – 7, 9 and 10 – 13 of Process A apply.	
6. If a panel member decides to continue the same placement, and a continuing need for a non-disclosure measure possibly applies, the panel member is expected to specify the address indirectly eg 'the same placement'.	If there is any doubt as to the placement details being decided by the panel member, the reporter must intervene to clarify.

C. WITHHOLDING INFORMATION ABOUT THE CURRENT WHEREABOUTS OF THE CHILD OR A RELEVANT PERSON (RULE 16)	COMMENTS
1. A non-disclosure request is not required if the reporter intends to apply rule 16 and ideally none should be made (though an agency should alert the reporter if it thinks the whereabouts should be withheld).	If the reporter intends to apply rule 16, the reporter should explain the position to anyone making a non-disclosure request in relation to the whereabouts of the child or a relevant person and invite the person to withdraw the request. If the person does not withdraw the request the reporter must process the request as any other non-disclosure request in relation to address or whereabouts (see Process A)
2. Full details must be provided to the reporter by the local authority. This may be within the report/plan or within a separate document.	Whether within the report/plan or in a separate document, ideally there should be a single reference to the whereabouts.
3. The reporter withholds the whereabouts from all parties and panel members and specifies the person's address as care of the reporter.	Rule 16
4. The reporter sends the Form advising that information has been withheld to all parties and panel members.	See draft Form 2.
5. The steps at 5 – 7 of Process A apply.	

D. WITHHOLDING INFORMATION RELATING TO INFORMATION OTHER THAN PLACEMENT OR WHEREABOUTS (NON-DISCLOSURE REQUEST)	COMMENTS
1. A non-disclosure request is required.	<p>It is suggested that the non-disclosure request should include:</p> <ul style="list-style-type: none"> (i) the full details of the information to which the request relates and (ii) the place in the plan/report where the information is specified or, if the information is in a separate report and the request applies to the whole report, a brief description of the report. <p>Note: This is different to the suggested position for a non-disclosure request relating to a placement or whereabouts.</p>
2. The reporter withholds the information from all parties (child if of age to understand, relevant persons, safeguarder and panel members).	
4. The reporter sends to all parties and panel members except the 'non-disclosure individual(s): (i) the non-disclosure request and (ii) a Form (draft Form 3) advising that information has been withheld.	See draft Form 3
5. The reporter sends to the individual(s) specified in the non-disclosure request: (i) a copy of the non-disclosure request from which the information to be withheld has been redacted and (ii) a Form (draft Form 4) advising that information has been withheld – this to include a broad description of the withheld information.	See draft Form 4
6. Steps 5 – 8 in Process A apply.	

Summary of Key Queries

1. Where a placement address is being withheld, should we expect the general location (or even distance from the home address) to be included within reports, unless disclosure of even that broad information is likely to cause significant harm to the child.
2. Should we expect the non-disclosure request to identify where in a report/plan the information is set out?
3. Should we have two approaches to the description of the information to be withheld under a non-disclosure request in order to minimise redaction by the reporter ? (1) If the request relates to a placement or whereabouts, the details are not included in the request, just a broad description. No redaction of the non-disclosure request is required by the reporter and (2) if the request relates to other information, the full information to be withheld is specified in the non-disclosure request. The copy of the non-disclosure request sent to the specified person is redacted by the reporter (others receive it unredacted).
4. Is information to be withheld from a safeguarder in the same way as for panel members and parties entitled to receive it ?
5. Should draft Forms 2, 3 and 4 be 'bundled' as part of the hearing papers for panel members and/or others ?
6. What routes or contact information should be provided for individuals to obtain the information?
7. Should prepared copies of the withheld information be available at the hearing centre in order to enable any requests for the information to be met without delay ?
8. How to record requests for the withheld information and the giving of the information?
9. When notifying hearing decisions, should the specified carer and/or the local authority be provided with the full unredacted information specified in rule 89 (ie decisions, reasons and order) ?
10. Where there is a non-disclosure measure in the current order, should the detail of the placement be provided in the report/plan from the local authority for next hearing, or would an indirect reference suffice ?

Extract from Practice Direction 11 – Role of the Reporter at a Children’s Hearing or Pre-hearing Panel

- 4.9 The reporter has duties under the Rules to give documents or information to the panel members and others entitled to receive them. These duties do not apply to documents or information which a person provides within the hearing. Documents or written information which a person brings with them when they attend a children’s hearing are similarly to be regarded as not triggering the reporter’s duties under the Rules. This applies irrespective of who it is who has brought the report to the hearing. They are to be regarded as being brought for tabling at the hearing and not as being provided to the reporter. It will be for the person bringing the document or information to request within the hearing that the hearing considers the document or information. The reporter must make no assumptions about how the hearing will choose to deal with the report or information and is not to accept a copy or distribute the document to the panel members or other parties. **If a non-disclosure provision applies in the case or is being sought, the reporter is to alert the person bringing the report to this.**
- 4.10 The reporter may make copies of the report to give to the person bringing the report but there is no obligation or expectation to do so. **If a non-disclosure provision applies or is being sought in the case then the reporter is generally not to make copies in advance of the hearing considering the issue.**

**Non-disclosure Request
(Rules of Procedure in Children's Hearings 2013 Part 19)**

Please use this form if making a non-disclosure request in relation to the information you are providing. Note that the basis for making a non-disclosure request is that disclosure of the information to the person or persons specified would be likely to cause significant harm to the child.

You may also make a non-disclosure request in relation to other documents or information that will be considered by the hearing or pre-hearing panel. Please complete a separate form for each document.

Do not use this form for (a) withholding information from a child who would not be able to understand it or (b) withholding details of a placement which is already subject to a non-disclosure measure in the child's order.

1. Name of person making the non-disclosure request.

2. The information you wish to be withheld.

- If the information relates to a placement please specify the information in broad terms without including the details eg *the address of the placement being recommended.*
- If the request relates to other information, please specify the information in full.

3. Description of the document containing the information.

If the non-disclosure request does not relate to the whole document, specify the place or places within the document where the information is eg by page and paragraph numbers.

4. Person(s) from whom you wish the information to be withheld.

5. Reasons for making the non-disclosure request

Notification of Withheld Information relating to an Address

1. The following information has not been included in the papers for the children's hearing (or pre-hearing panel) [drop down list ?]

Completion note: Specify in general terms eg:

- The address of the placement being recommended by the local authority
- The name of the carer and the address being recommended by the local authority
- The address of the place where the child is required to reside
- The child's current whereabouts
- The whereabouts of [specify relevant person]

2. The following person or persons are not entitled to receive the information.

If you are NOT the person named above, you have a right to be given the withheld information. If you want the information, please contact [specify contact details – to be agreed].

3. The information has been withheld because: [drop down list ? more than one can apply]

- The reporter has decided to withhold the whereabouts (rule 16)
- A non-disclosure request has been made in relation to the information. The non-disclosure request is attached and the children's hearing (or pre-hearing panel). [Drop down list ?] will decide whether the specified person(s) is to be given the information.
- The child's order prohibits disclosure of the address.

Notification of Withheld Information (non address)

For persons who have a right to be given the withheld information

A request has been made to withhold information from an individual or individuals.

The information, the individual(s) and the reasons for the request are specified on the attached Non-disclosure Request Form.

The reporter has withheld the information from the specified individual(s) when providing the papers for the children's hearing (or pre-hearing panel) [drop down ?]. The children's hearing (or pre-hearing panel) [drop down ?] will decide whether the individual(s) is to be given the information or not.

Notification of Withheld Information (non address)

For persons from whom the information is being withheld

A request has been made to withhold information from you.

The information is:

Provide broad description of the information in the non-disclosure request.

The attached Non-disclosure Request specifies the reasons for the request and the individuals it applies to (it may apply to more than one person).

[Completion Note: The information being withheld must be redacted from the non-disclosure request]

The reporter has withheld the information from you, and any other person specified in the request, when providing the papers for the children's hearing (or pre-hearing panel) [drop down ?]. The children's hearing (or pre-hearing panel) [drop down ?] will decide whether you are to be given the information or not.



Scottish Children's Reporter Administration
Minute of Operational Group
held on 18 January 2016 at Ochil House, Stirling

Present:

Malcolm Schaffer (Chair), Kenneth Ritchie, Joe Hamilton, Tom Philliben, Anne Gerry Gordon Brechin, Alistair Hogg, Maureen Manns

In attendance:

Janis McDougall, Kirsty MacDiarmid

		Timescale	Action
1.	Apologies were received from Neil Hunter, Iain Gault, Neil McKinlay, Rosemary Burnett, Iain Gault, Shona Spence and Jill Richards.		
2.	<p>Operational Group Papers There was a general discussion around Operational Group agendas, minutes and papers.</p> <p>Noted:</p> <ol style="list-style-type: none"> 1. The need for appropriate recording of agenda items and minutes and that all reports should be submitted on the agreed report template. 2. Ops Group members were reminded that there is collective responsibility for agenda items and that all members have a standing invitation to submit items for consideration. 		All
3.	<p>Draft Minute of Meeting held on 28 October 2015 The minute was agreed as a correct record subject to minor amendments to the attendees and apologies list.</p> <p>Action Tracker The action tracker was reviewed.</p> <p>Matters Arising Noted:</p> <ol style="list-style-type: none"> 1. National Users Group – Mapping Process All LMTs should be discussing and adopting the agreed mapping processes. 2. Hearing Arrangement & Outcome Forms The form is currently being discussed at the National Partnership Forum. 3. Panel Pocket The pilot is due to comment in February in Dumbarton. The scope of the pilot is to produce papers electronically then post out (i.e. no electronic transmission at this stage). 4. Managers' Event February 2016 Children 1st have a programme slot to speak about Safeguarders. 	Immediate	JMcD

		Timescale	Action
	<p>5. Practice Training Work is underway at the Practice & Quality Network who are also linking in with the Operational Development Manager.</p> <p>6. Address Checks Responsibility The recent IG Leads meeting had discussed the issue of incorrect addresses and it was reaffirmed that it is the responsibility of the local authority to provide SCRA with correct address details.</p> <p>Ops Group members noted that this issue remains a problem for localities.</p> <p>Agreed The PR/CE to raise address information at the next Tripartite (SCRA/CHS/SWS) meeting and the Head of Practice & Policy will highlight the issue at the next CHIP meeting. Note: The Head of Practice & Policy raised the issue at the Police Concern Hub meeting instead as relevant parties were present.</p> <p>7. Postponed Hearings The letter is on Connect under heading: CMS Hearings Outcomes.</p>		NH/MS
4.	<p>Non-Disclosure Arrangements There was a general discussion about arrangements in relation to non-disclosure arrangements for withheld information.</p> <p>Noted:</p> <ol style="list-style-type: none"> 1. EMT has agreed that there should a national approach to arrangements and that there needs to be a clear statement assuring access to information to those parties who are entitled to it. The Head of Practice & Policy and Senior Operational Managers to progress. 2. Revision to practice direction is underway including consultation with CHS and the Hearing Management Group and an agreed national operational process will be developed through NUG. The revision will include the issue identified in relation to inconsistency around inclusion of address information in the report of proceeding. It will also take account of learning from research. 3. The Head of Practice & Policy confirmed that Localities should continue with current practice until completion of the work. 		

		Timescale	Action
	<p>General</p> <p>4. The Glasgow Improvement Project is looking at different areas where practice can be improved.</p> <p>5. Chief Social Work Officers (CSWOs) have responsibility for overview of practice of non-disclosure. Scottish Government will be writing to all CSWOs asking for a report on what they have done in last year and what practice they have in place.</p> <p>6. There has been an increase recently in data breaches which have all been due to human error. LMT's to reinforce the need for checks to take place and in particular the role of the reporter in checking that the right reports are going into the right packs.</p>	Immediate	All
5.	<p>Translation and Interpretation</p> <p>Noted:</p> <p>1. Practice guidance has now been issued and localities should arrange to share it with local authority partners.</p> <p>2. Core practice will be to acquire positive evidence of a need for translation or interpretation.</p> <p>3. The position will be continue to be monitored and there will be monthly management reports on translation and interpretation costs.</p> <p>4. The Head of Practice & Policy recently met with SLAB and SCS. It has been agreed that SCS will take responsibility for provision of interpretation from the beginning of April for applications and appeals unless the need is in respect of a particular witness.</p> <p>5. A process document will be written up – SCRA will have responsibility to tell the Courts of the need for interpretation.</p> <p>6. Liaison will take place between SCRA and SCS Chief Executive's in relation to appropriate budget transfer.</p> <p>7. CHS will issue guidance to Panel Members and translation/interpretation will be a standing item on the Hearings Management Group agenda. Arrangements are also in place to meet with needs of the deaf/blind.</p> <p>8. The position will be reviewed in six months' time to look at any operational issues and costs.</p>		
6.	<p>Protocol for the Arrangement of Children's Hearings for children resident in Secure Accommodation</p> <p>Noted:</p> <p>1. All secure units have signed up to the protocol and there is now an action for localities to make sure there is an awareness in their area.</p> <p>2. The expectation is that the hearing will take place in the hearing centre unless a risk assessment has been undertaken and written up.</p> <p>3. Current practice in some localities indicates that risk assessments are not being undertaken.</p>	Jan 16	All

		Timescale	Action
	<p>Agreed:</p> <ol style="list-style-type: none"> 1. The need for the protocol to be branded to state clearly its origins and that it has been adopted by all relevant parties. The Head of Practice & Policy will raise this with Scottish Government. 2. It would be helpful to keep a note of how many cases were held in a secure unit to provide a measurement of how the protocol is working in practice. For the next six months, localities to keep a record of the numbers of hearings held in secure units. 3. Where a hearing is to be held in a secure unit, it remains the responsibility of the home reporter to ask the locality in whose area the secure unit is, if they can take on the case and for the home reporter to provide the appropriate risk assessment. 4. There is no obligation for the 'away' locality to cover the hearing where they have staffing pressures. 	<p>Jan 16</p> <p>July 16</p>	<p>MS</p> <p>LRMs</p>
7.	<p>Safeguarders</p> <p>Noted:</p> <ol style="list-style-type: none"> 1. Children 1st will be speaking at the next managers event in February. 2. Statutory regulations are currently being revised which will enable copies of Safeguarders reports to be provided to Children 1st for the purposes of complaints and performance monitoring. (The current position is that there is no statutory authority for SCRA to provide this information to Children 1st). 3. Once the new regulations are in place, a formal process will be set up for information requests. 4. Children 1st are intending to visit local offices to talk about practice issues and at some future point the intention is to set up local forums. 5. There is an inconsistency in relation to the process around notification of replacement safeguarders. On occasion contact is made by the individual rather than Children 1st. The Head of Practice & Policy will raise this with Children 1st and in the meantime any contact from individuals should be double-checked with Children 1st. 	<p>Jan 16</p> <p>Immediate</p>	<p>MS</p> <p>All</p>
8.	<p>Case Examples</p> <p>Noted:</p> <ol style="list-style-type: none"> 1. Case examples from Glasgow and Edinburgh have been collated to evidence the change in workload/referrals in the context of decreasing referrals but more complex work. This has been used in discussions with the Board and Scottish Government. 		

		Timescale	Action
	2. It would be helpful to have an example from each locality to illustrate that the issues faced are not just city wide and localities were requested to provide a case example to the Head of Practice & Policy (other than Glasgow and Edinburgh).	March 2016	LRMs
9.	<p>Practice Training</p> <p>Noted:</p> <ol style="list-style-type: none"> 1. There will be a one day mandatory practice training course on domestic abuse. The timescale for this will be April-October 2016. 2. The training day has been trialled with the Head of Practice & Policy, Practice Team and Senior Practitioners and the feedback has been positive. 		
10.	<p>IG Leads Draft Minutes</p> <p>Noted:</p> <ol style="list-style-type: none"> 1. The draft minutes from the meeting of IG Leads on 17 December 2015. 2. Minutes will routinely be scheduled for Ops Group agenda and should also be shared at locality level and issues discussed at LMTs. 3. Historic Child Abuse Inquiry – case information needs to be retained meantime – IG leads to mark over 18s files so that it will be easy to identify and destroy in the future. The Head of Practice & Policy and Information & Research Manager are due to have further discussions with the Inquiry Team. 4. Panel Member Swops – some localities are experiencing a high level of swops - information is being collated on the number of rota swops which will feed into the next CHS/SCRA IG Group on 27 January 2016. 	Jan 16	MS
11.	<p>Supervision Framework Implementation</p> <p>Noted:</p> <ol style="list-style-type: none"> 1. The Quality & Assurance Manager reminded Ops Group members about the supervision survey currently underway to establish how well the supervision framework has been implemented and to get staff views on supervision. 2. The survey is on Connect and is due to close at the end of next week. Focus groups are also being established to provide an opportunity for in-depth feedback and there is a request for volunteers to join the groups – full information is on Connect. 		

		Timescale	Action
12.	New Risks No risks were identified but it was noted there may be risks arising from the budget challenge and review process in February.		
13.	Date of Next Meeting: 4 March 2016		

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Scottish Children's Reporter Administration
Operational Group Action Log (revised February 2016)

ITEM 3

	Op Group Minute	Header	Description	Action	Date	Status
1.	National Users Group – Process Maps					
a.	3/9/14	National Users Group – Process mapping	LMTs to assess changes required that require to be made to align their local processes to the agreed SCRA Business Process and to arrange for those changes to be put in place	LMTs	May onwards	A
2	Non Disclosure Process					
a	12/8/15	Hearing Arrangement and Outcome Forms	<p>Communication to be issued setting out context for use of forms.</p> <p>Outlook development issues to be explored to allow forms to be visible and linked to outlook entries.</p> <p>LRMs to undertake dialogue with Panel Members via ASTs.</p>	<p>NH/TM</p> <p>TM</p> <p>LRMs</p>	<p>Aug 15</p> <p>Tbc</p> <p>Sept 15</p>	<p>Done – further follow up via National Partnership Forum – referred to NUG 12/15.</p> <p>TM to Advise re outlook link</p> <p>LRM's to advise re dialogue with AST's</p>

	Op Group Minute	Header	Description	Action	Date	Status
3.	Panel Papers					
a.	13/8/14	Panel Papers	Consistent approach to panel papers will be progressed via CHS and the Hearings Management Group. MS to report back to Ops on progress	MS	Ongoing via Panel Pocket project and test sites with CHS	A
4.	Panel Pocket					
a	12/8/15	Panel Pocket	Group to be updated as pilot progresses.	IG	As above (3(a))	A
5	Training					
a	12/8/15	Practice Training	Commission Practice & Quality Network to undertake work on practice training.	MS	work ongoing via PP	A
6.	Information Governance					
a	29/5/15	Information Governance	Address Checks Responsibility – MS to progress via IG Leads	MS		A
b		Information Governance	NH to take to SWS Liaison	NH	Sep 15 Feb 2016	R
c	18/1/16	Information Governance	LMT's to reinforce the need for checks to take place and in particular the role of the reporter in checking that the right reports are going into the right packs.	LRMs	Feb 2016	New
7	Practice					
a		Translation & Interpretation	Fianl document to be issued and discussed at LMTs	MS & LMTs	Sept 15 & Oct 15	G
b			Arrangements to be made for use of single leaflet sheet asking if translation/interpretation service required.	MS	Being assessed by Practice Network – Feb 16	A

	Op Group Minute	Header	Description	Action	Date	Status
	Practice					
b	18/1/16	Protocol for the Arrangement of Children's Hearings for children resident in Secure Accommodation	<p>All secure units have signed up to the protocol and there is now an action for localities to make sure there is an awareness in their area.</p> <p>The need for the protocol to be branded to state clearly its origins and that it has been adopted by all relevant parties. The Head of Practice & Policy will raise this with Scottish Government.</p> <p>It would be helpful to keep a note of how many cases were held in a secure unit to provide a measurement of how the protocol is working in practice. For the next six months, localities to keep a record of the numbers of hearings held in secure units.</p>	LRMs MS LRMs	Jan 16 Jan 16 July 16	New New New
c	18/1/16	Case examples from Glasgow and Edinburgh have been collated to evidence the change in workload/referrals in the context of decreasing referrals but more complex work.	It would be helpful to have an example from each locality to illustrate that the issues faced are not just city wide and localities were requested to provide a case example to the Head of Practice & Policy (other than Glasgow and Edinburgh).	LRMs	March 16	New

	Op Group Minute	Header	Description	Action	Date	Status
8. Safeguarders						
	18/1/16	Notification of replacement safeguarders	There is an inconsistency in relation to the process around notification of replacement safeguarders. On occasion contact is made by the individual rather than Children 1 st . The Head of Practice & Policy will raise this with Children 1 st and in the meantime any contact from individuals should be double-checked with Children 1 st .	MS LRMs	Jan 16 Immediate	New

Operational Risk Register – February 2016

Risk No.	Risk type	Risk description	Risk Owner	Inherent Risk Score L*I	Key Mitigating Controls	Residual Risk Score L*I	Trend	Actions & timescales	Risk Appetite	Target risk score L*I	Next Review Date
1	Operational/ Reputational	Insufficient operational capacity/capability to improve or sustain service quality	Senior Operational Managers	(4:4) 16	Consolidate temporary staffing where feasible/sustainable. Development of further phases of workload measurement and resource allocation. Capacity measurement jointly with UNISON and ongoing discussions with Scottish Government on long-term resource needs. Improved CMS performance and function. Delivery of comprehensive Locality Plan. Retention of temp Reporter and other staff beyond April 15 to prevent loss of expertise in advance of known pressure period (Summer) Reporter Capacity project initiated to free time for key reporter activities Wider adoption of inter locality assistance and support Adoption of inter locality working protocol in BCP. CMS Flexibility	(2:4) 8	—	Locality plans in place in each area. Quarterly review of plans by LMTs. Six monthly review by Senior Operational Managers. Six monthly business plan review. Engagement of planning officers/team with LMTs. - ongoing Provision of regular/routine performance/cms data (weekly/monthly). Three year budget settlement to be implemented 12/13 to 15/16. Opening of sustainability programme. Reporter Capacity and Court review and change programmes now ongoing with project management and sponsorship – reporting via Change Board CMS Improvement Plan implemented and user survey completed. CMS Development phase being scoped for delivery. Contracts extended for key temp staff till end June 15 in first instance and subject to review thereafter alongside budget availability/operational needs	Cautious	(2:2) 4	Dec 15
2	Non compliance with legal duty/reputational	Failure to implement SCRA's Security Policy Framework and Strategic Framework for Information Management	Information & Research Manager	(4;4) 16	Information Governance Working Group comprehensive plan and actions in place. Locality leads for IG identified and leading delivery at local level. Ad hoc national support programmes. Ongoing staff training Lead by Senior Operational Managers of Breach Reviews Adoption of Principles Paper by CHIP and greater CSO accountability.	(3:3) 9	—	Individual Locality leads - distilling necessary activity at team level - Ongoing. Continued review and learning from current adverse incidents/breaches/ near misses - Ongoing – Rapid dissemination of learning outcomes to local teams. Deliver training and staff awareness programmes across 2014 via e-learning portal – ongoing. Implement ICO Audit recommendations Ongoing . Strengthen role of IG Leads at locality level and continued LMT focus on information governance. Glasgow Improvement Project – Sept 2015 Ongoing monitoring by CHS/SCRA/Social Work Scotland tri-partite group and CHIP	Minimalist	(2:3) 6	Dec 15

Operational Risk Register	Risk type	Risk description	Risk Owner	Inherent Risk Score	Key Mitigating Controls	Residual Risk Score	Trend	Actions & timescales	Risk Appetite	Target risk score	Next Review Date
Risk No.				L*I		L*I				L*I	
New 3.	Operational/reputational	CMS Improvements – as the programme of improvements is implemented, the potential risks around ensuring that awareness and training for staff in implementing the changes is up to date/synchronised	Senior Operational Managers/ Principal Reporter	(4:3) 12	Ongoing training and awareness sessions for all CMS users relative to assessed needs. Each upgrade is accompanied by appropriate guidance notes. Upgrades where necessary are accompanied by refresher/bespoke training.	(2:1) 2	↓	Managers to use regular team communication methods to ensure visibility of guidance. Guidance is well presented and accessible to all. Alignment of IT Service Delivery and Training Managers to each Locality. Identification, via line managers of staff in most need of desk based support/guidance.	Cautious	(2:1) 2	Oct 15 Proposal to close – seek advice from NUG
New Will be scoped for next Ops Group meeting (Jan 16)	Operational/reputational	Non-disclosure – the risk around legal practice versus statutory requirements was noted									