

Our Vision and Values for the Children's Hearings System in Scotland



Children's Hearings
Improvement Partnership



**"A Children's
Hearing
should be a
conversation,
not a
confrontation"**

(Young person, 'All About Me'
event, Dundee)

The Children's Hearings System

Our Hearings System is:

- Based on a paramount concern for the welfare of children and young people
- Respectful of our mutual roles and responsibilities – not adversarial in its conduct or behaviours
- Positive and constructive for children and young people, committed to their rights and needs
- Transparent fair and lawful – but not a court of law
- Committed to a culture of learning and partnership

Our responsibilities to the Hearings System

The Hearings System in Scotland has developed and been shaped over a period of some 40 years, adapting to a variety of social, demographic and legal challenges. The Hearings System has proven resilient and will continue to adapt and improve.

As leaders in the Hearings System, we are setting out our expectations about how this adaptation and improvement will continue.

The Hearings System relies on a number of highly inter-dependent roles - when these individuals work well together – the decisions they make and therefore the future outcomes for children and young people are the best they can be.

Part of this is about re-stating the values and vision for our work for and on the behalf of children and young people in the Hearings System. We want this vision and those values to be visible all across Scotland, with everyone aligning themselves with them.

The Hearings System in Scotland is founded on humanitarian principles, emphasising welfare, protection and positive growth for children and young people. The Hearings System is founded on a commitment to children and young people's needs and rights which we believe can only exist in the context of a wider commitment to human rights.

The Hearings System relies on a number of highly inter-dependent roles – the Panel Members, the social workers, the legal representatives, Reporters and Safeguarders and a wide range of other professionals. We know that when these individuals work well together – the decisions they make and the future outcomes for children and young people are the best they can be.

All of us, in our individual roles, make up the Hearings System. Our respect for children and young people and their needs and rights demands mutual respect and understanding for each other in how we do our work - individually and together.

Child-centred, timely decisions, comprehensively implemented, supported by professionals, agencies, families and our communities, give children and young people the opportunities that they need to overcome the difficulties and adversity that they may have already encountered in their lives.

The best decisions will flow more readily from a respectful process with open and enquiring Hearings that base decisions on well assessed and comprehensive information which has a clear and understood basis.

Respect for children and young people: by respecting each other's roles and responsibilities

All of us in our individual roles make up the Hearings System. Our respect for children and young people and their needs and rights demands a mutual respect and understanding for each other in how we do our work both individually and collectively.

Without this respect and understanding, we risk failing children and young people by not promoting at every turn values and behaviours that will make the Hearings System and all its processes the best experience and outcome it can be for children and young people.

By not attending to this agenda of respect and understanding we risk the Hearings System becoming an environment characterised by acrimony and negative behaviours, where tensions are played out in the Hearing room in front of children, young people and their families.

It is vitally important that different views and perspectives are expressed in the decision making process. This is a key strength of the Hearings System, which will lead to the best possible decisions for children and young people.

We seek to listen carefully to each other's views and perspectives, reflect, question and at times challenge each other where we need to. We will ensure everything we do is socially just and ensures positive outcomes for children and young people.

These are important legitimate and necessary activities which are consistent with our collective values and principles – but they must be conducted at all times with respect and courtesy for each other and ultimately for the children and young people we are there to serve.

We actively seek the necessary information and evidence that underpins our recommendations and our decisions.

All of us who have a formal role in the Hearings System will promote respect for each other, gain an understanding of each other's responsibilities and functions and will discharge their duties in a moderate and reasonable way.

The Hearings System is there to meet the needs of children and young people as part of a fair, transparent and lawful process. The Hearings System is also required to ensure a balance is struck between the rights and obligations of everyone with a responsibility for children and young people each other and ultimately for the children and young people we are there to serve.

Positive, constructive behaviours

The Hearings System is concerned with the safety, welfare and socially positive outcomes of children and young people.

To deliver on these outcomes we all have a responsibility to display and promote positive behaviours and to work in a way that is consistent with the values and principles outlined here.

Our positive behaviours can help ensure the active participation of children and young people and relevant persons within and outwith the Hearing.

This is a critical and fundamental aspect of our approach in Scotland. Conversely negative behaviours such as aggression, inappropriate criticism and confrontation are not consistent with these values and principles and will actively work against children, young people and families' participation before, during and after the Hearing.

The welfare of children and young people is our paramount concern

The Hearings System is there to meet the needs of children and young people as part of a fair, transparent and lawful process. Decisions have to be made by ensuring a balance is struck between the rights of the child/young person and their family.

These rights and obligations are sometimes perceived as competing and irreconcilable.

However, all agencies and professionals involved in the Hearings System, in undertaking their responsibilities, will have, at the centre of their approach a demonstrable and overarching concern for the welfare of children and young people as well as a recognition and respect for the legal decision making role of the Hearing.

Put simply that the welfare of the child or young person is paramount and we should all be able to consistently show this through our day to day actions. Panel Members and Reporters have a statutory responsibility to observe this paramountcy, other than in exceptional circumstances.

They also have an overarching objective to ensure that the environment within which the discussions take place is as fair, supportive and conducive to participation by the child/young person as far as is possible and will manage the proceedings in order to secure this.

A culture of learning and improvement

A culture of learning together in order to improve the work we do and the positive impact we can make for children and young people is vital.

The Hearings System in Scotland recognises that there is scope for ongoing improvement and this needs to involve everyone with a role and a commitment to its work. This requires openness, honesty and trust between those agencies and professionals who are charged with this improvement.

This means an ongoing respect for the independent discharge of our roles and an acknowledgment that working together for improvement is also essential.

We will use data and other available evidence to inform our improvements.

For further information on the work of the Children's Hearings Improvement Partnership (CHIP) go to: www.chip-partnership.co.uk



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