

# Some changes in Children's Hearings

## Briefing Note for Education Staff

1. Children's Hearings highly value the input they receive from education, and your involvement can be pivotal in Hearing's decision making. Education staff will continue to receive invitations to attend Children's Hearings, either face to face or virtually.
2. If you have been invited to attend a Children's Hearing in person, but would prefer to attend virtually, then please let SCRA know. Ideally do this at least five working days before the hearing.
3. The chairing panel member of a Children's Hearing may decide to allow someone who does not have a right to attend the hearing to attend (Section 78(2) of the Children (Scotland) Act 2011). The chairing panel member also has a duty to take all reasonable steps to ensure that the number of persons present at a Children's Hearing at the same time is kept to a minimum (section 78(4)). In addition, there is consistent feedback from children and young people that there can be too many people at their Hearings. In order to support the chairing member to manage attendance at Hearings, the practical operation of attendance at the start has changed. Only those with a right to attend at the start, and one social worker for the child, will come into the Hearing at the beginning. This applies to face to face and virtual Hearings.
4. Any other people in attendance will join by invitation of the chairing panel member and will remain for as long as the chairing panel member determines. In reality this may mean that people join and leave the Hearing at various points throughout the entire discussion.
5. This change in practice is designed to improve participation by children, young people and families in Children Hearings. The Promise has told us that '*Scotland must be aware of the power dynamics that can exist within decision making, where influential professional voices can dominate and drown out other perspectives. There must be a balanced approach to decision making that primarily listens to and focuses on children and their families*'. Our Hearings Our Voice are very clear in their 40 Calls to Action that "*There should be less professionals at my Hearing, and adults should leave my hearing when they don't need to be there.*"
6. Children's Hearings are not for multi-agency information sharing. It may be more appropriate to plan attendance for the right professionals and fully share information at any GIRFEC meeting for a child in advance of a Children's Hearing. At the end of any Children's Hearing the Reporter will notify the Locality Authority of the Hearing decision. In practice this means we notify the designated social work department electronic mailbox. It is then for the social work department to share the decision with education if appropriate.
7. The chairing panel member may allow a person, including education staff, to attend for much of the hearing, for example joining shortly after the start and remaining for the rest of the Hearing. The chairing panel member might consider this appropriate for example if the child or relevant person finds the education representative very supportive or the education representative has a significant contribution to make throughout the Hearing. This will be for the chairing panel member to decide, taking into account all the relevant circumstances.
8. If you come to a Hearing Centre in person, you will be asked to wait in a waiting room. If you attend a Hearing virtually you are likely to have to wait in the meeting 'lobby' where unfortunately there is no direct means of communication. The duration of the wait will vary from Hearing to Hearing.
9. If a further discussion, a question and answer session or some further information from SCRA would be helpful please get in touch with your Locality SCRA office to arrange a face to face or virtual meeting.