

# CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Schedule 2 – The Children's Panel*

370. [Schedule 2](#) is introduced by section 4 and makes provision concerning the recruitment, appointment, tenure, training and allowances of panel members, and for the publication of a list of panel members.

#### **Recruitment and tenure of panel members**

371. [Paragraph 1\(1\) to 1\(5\)](#) deals with the recruitment, appointment and re-appointment of panel members. The term of appointment is 3 years. The National Convener may re-appoint eligible panel members for consecutive terms of office. [Paragraph 1\(6\)](#) makes provision for the National Convener to remove panel members in certain circumstances. This can only be done with the consent of the Lord President of the Court of Session.

#### **List of panel members**

372. [Paragraph 2](#) places a duty on the National Convener to publish (and make available for public inspection) a list of panel member's names, the local authority area in which they live, and the local authority area in which they work, in the interests of public accountability.

#### **Training**

373. [Paragraph 3\(1\)](#) provides for the National Convener to make arrangements for the training of panel members and potential panel members. [Paragraph 3\(2\)](#) places a duty on the National Convener to take reasonable steps to involve people under 25 years of age, who have previously been to a Children's Hearing, in the development and delivery of training of panel members and potential panel members. [Paragraph 3\(3\)](#) places a duty on the National Convener, when training or making arrangements for the training of panel members, to have regard to the need to train panel members on how best to gain the child's views at a Children's Hearing. [Paragraph 3\(4\)](#) provides for the National Convener to make arrangements for monitoring the performance of panel members.

#### **Allowances**

374. [Paragraph 4](#) gives the National Convener the power, with the approval of the Scottish Ministers, to set the level of allowances payable to panel members and potential panel members, and provides for the National Convener to make such payments.