

Performance Support and Monitoring Framework

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Context

The Children's Hearings (Scotland) Act 2011 (Safeguarders Panel) Regulations 2012 (the 2012 regulations) provides the statutory framework for the management of Safeguarders and were amended by the Children's Hearings (Scotland) Act 2011 (Safeguarders Panel) Amendment Regulations 2016. The regulations place a duty on Scottish Ministers to monitor the performance of members of the Safeguarders Panel (regulation 11 (4)). The Performance Support and Monitoring Framework (PSMF) provides the structure for monitoring and assessing performance and the arrangements for the training and support of Safeguarders.

This is the first review of the Performance Support and Monitoring Framework, and we have consulted with Safeguarders in bringing this review together. It is the intention to carry out a review every 5 years.

Purpose of the Framework

The purpose of the PSMF is to describe the support available to Safeguarders via the Safeguarders Panel Team (SPT) and the arrangements for monitoring and assessing performance to assist delivery of the Safeguarder role and ensure the best possible outcomes for children.

This document describes the key areas of support and monitoring, all of which are expanded in the Practice Standards, Practice Notes and Concerns and Complaints Policy, and other associated policies.

Benefits of the Framework

For children, parents, carers, and all significant people in a child's life

Provides clarity on the role and expectations of a Safeguarder and how their practice and ongoing learning and development is being supported and monitored.

For Safeguarders

Provides clarity and accountability about the expectations of the role, and how performance is supported and monitored by the SPT.

For everyone

Provides confidence and clarity of the arrangements for supporting Safeguarders to meet the Practice Standards for Safeguarders and working within their Terms and Conditions.

Practice Standards

The Practice Standards describe the expectations from all Safeguarders for every child in every appointment and is the basis for performance support and monitoring.

Standard 1 - THE CHILD'S VIEW

In all actions concerning the child, the Safeguarder must, in the best interests of the child, enable the child to exercise their right to be heard and express a view through the Safeguarder's practice and child's participation in the process.

Standard 2 – RELATIONSHIPS

Every child is supported through the Safeguarder's development of effective relationships with all relevant parties.

Standard 3 – INDEPENDENCE

A Safeguarder will act with independence within the parameters of the role, ensuring that the best interests of the child are their primary consideration.

Standard 4 – REPORTING

The child's views and best interests are reflected in the Safeguarders verbal and written contribution into proceedings.

Standard 5 – CONFIDENTIALITY

The Safeguarder must respect the child's, parents' and carers' right to privacy and maintain confidentiality and not disclose information unless in accordance with the law.

Standard 6 – VALUE-BASED PRACTICE

A Safeguarder must treat the child, their parents, carers, and people involved in the children's hearing and court proceedings with integrity, fairness, openness, respect, and without discrimination.

Standard 7 – LEARNING AND DEVELOPMENT

Every child's Safeguarder takes responsibility for their continuing professional learning and development.

Further detail on the Practice Standards can be found [here](#).

Recruitment of Safeguarders

Recruitment Process

The current arrangements for the recruitment of Safeguarders to the Safeguarders Panel include six days of Pre-appointment Assessment and Training, following the completion of an application form, shortlisting, and a successful interview. Once a candidate successfully completes these stages and is considered to have met all the requirements of their Pre-appointment Assessment, a recommendation is made to Scottish Ministers. If this recommendation is approved, the new Safeguarder is appointed to the national Safeguarders Panel and begins their induction into the role.

Appointment and Re-appointment Process

Safeguarders are initially appointed by Ministers for a period of three years. Once appointed, each Safeguarder is allocated a Support Manager who provides support and monitors their performance against the Practice Standards throughout the duration of their appointment. It is the responsibility of the Safeguarder to provide evidence to show how they meet the Practice Standards. If there are any performance concerns, individual development plans are employed to support and improve the Safeguarder's practice. Completion of development plans forms an essential part of the consideration of any future reappointment after the initial three years.

If a Safeguarder cannot provide sufficient evidence of meeting the Practice Standards, but the evidence indicates that they could, given more time, provide sufficient evidence for re-appointment, then a re-appointment can be made for a period of one year to allow time to address any concerns and improve practice. If a Safeguarder is unable to demonstrate improvements in practice the SPT may recommend to Scottish Ministers that they should not be reappointed.

Where a Safeguarder decides not to be considered for reappointment at the end of their appointment period, this is treated as a resignation.

Re-instatement

We recognise that some Safeguarders may need to leave the Safeguarders Panel for a variety of reasons, including securing a paid or volunteering position which may be in conflict with the Safeguarder role, or because their current work and personal commitments mean they are unable to undertake the role and meet their terms and conditions. Sometimes this can be a temporary change and a person may want to re-join the Safeguarders Panel at a later stage.

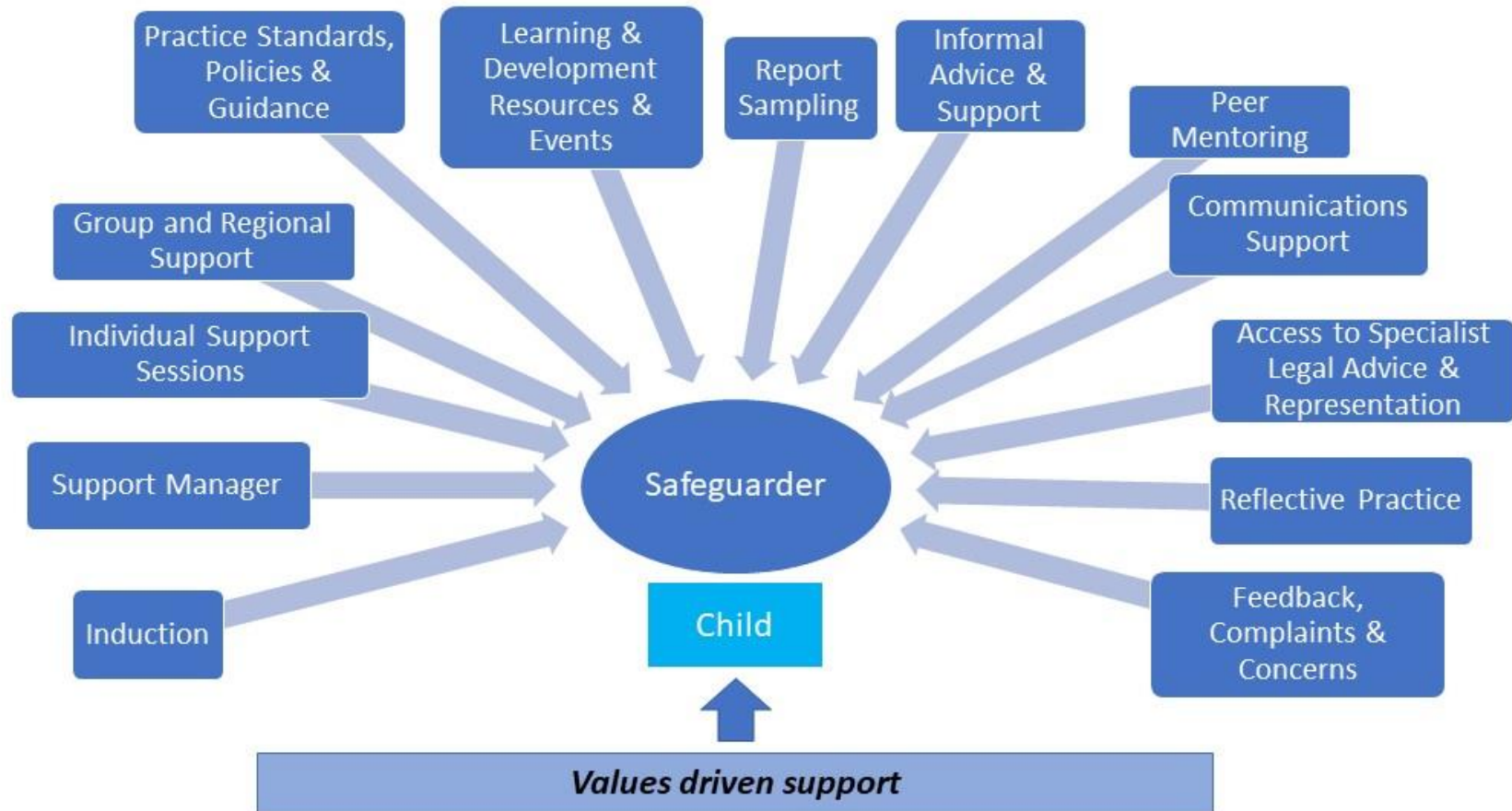
If a Safeguarder has resigned within a two-year period and would like to be considered for re-instatement onto the national panel, they can make an application to be re-instated. The application process considers such issue as:

- the business need of the Safeguarders Panel,
- the reasons for resignation,

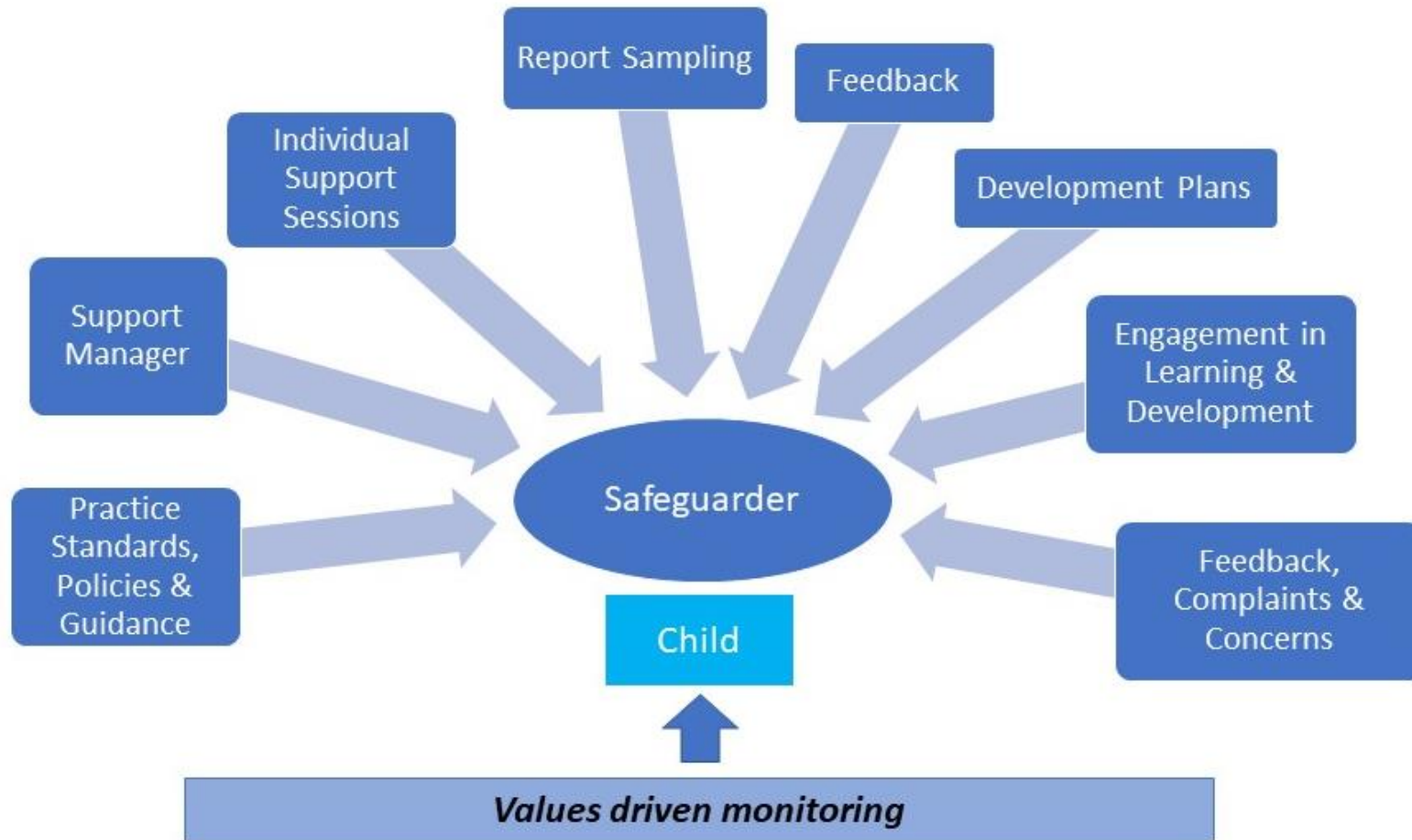
- related work,
- learning and development undertaken during the period between resignation and request to re-join, and
- previous meeting of the Standards during period operating as a Safeguarder.

If this application is approved, a tailored induction is developed and, if completed satisfactorily, a report and recommendation is submitted to the Scottish Government indicating all conditions have been met and the agreed tailored induction and PVG checks have been completed. This report is considered by Ministers who make the decision as to appointment, in line with the current process for appointment of Safeguarders.

Supporting Safeguarders



Monitoring Safeguarders



Performance Support and Monitoring for Safeguarders

Induction

Once a new Safeguarder is appointed and has agreed to their Terms and Conditions, they participate in an induction process. The induction aims to provide a practical understanding of the expectations and requirements of the Safeguarder and the SPT, including allocations, fees and expenses, data management, learning and development and support and monitoring. At the induction stage, Safeguarders are also given access to additional training modules, including the training we have developed for Safeguarders, which we hold on Children's Hearings Scotland's Virtual Learning Academy. Safeguarders and staff of the SPT also meet, and, in particular, Safeguarders are introduced to their Support Manager who will be their main support during their appointment period. Peer Mentor Support will also be discussed during the induction stage.

Support Managers

Each Safeguarder is allocated a Support Manager when they are appointed to the Safeguarders Panel Team. The Support Manager's relationship with the Safeguarder is a crucial aspect of the support and monitoring which SPT provides. Support Managers provide individual support through their support sessions as outlined in this document. Alongside this, working with a colleague in a regional model, they arrange Group Meetings for the Safeguarders within their region where peer support, sharing good practice and discussion can take place. Support Managers will also be the first port of call for Safeguarders if they require one-to-one advice/support in their role.

Support Managers bring a supportive, questioning approach to their role, focussing on practice improvement, and encouraging Safeguarders to reflect on their own practice, so that children's best interests are protected.

Individual Support Sessions

Support Managers support Safeguarders to achieve best practice and, as a minimum, to work within the Practice Standards for Safeguarders. A Support Manager will arrange support sessions, in a mutually agreed and confidential venue (which excludes meeting in the Safeguarder's home). The sessions may be planned to take place in person or by video call. During support sessions, the Support Manager provides ongoing support, monitoring, and objective feedback to Safeguarders as required. During the support sessions, at least two of the Safeguarder's reports are requested from the Scottish Children's Reporter Administration (SCRA) and sampled and analysed to ensure that the Safeguarder is meeting the Practice Standards for each appointment year.

Reports are sent two weeks in advance of a planned support session to allow enough time for the Safeguarder to review these. Both the Safeguarder and Support Manager are required to prepare for the session, and Safeguarders are asked to bring their own evidence to demonstrate they are meeting the Practice Standards and evidencing best practice. This is a

solution-focused space for learning and development, and to reflect on feedback, practice, and experience. Although there are only two mandatory sessions, the Support Manager informs the Safeguarder where evidence of the Practice Standards is outstanding, to allow agreement to be reached on further sessions if required.

Performance may demonstrate excellence, and this is also acknowledged and recorded at the session. However, where additional support, individual development, or action is required in relation to performance, this is discussed and planned through the support sessions and an action plan is agreed to address any gaps in practice. If a change of approach is required, expectations are made clear to the Safeguarder. Information about performance is shared at the session, areas for development are agreed upon, and improvement actions are planned. Where improvement is not occurring within an agreed timeframe, the action plan is reviewed, which could result in a recommendation for one-year appointment or non-reappointment. A one-year appointment allows further time for the Safeguarder to demonstrate progress in the area identified. Transparency and honesty are key features of discussions.

Group and Regional Support

Regional Support

Since July 2020, the SPT has been developing a model of regional support as a means of building relationships and improving connections with Safeguarders and other partners. In each region (East, West and North), two Support Managers are allocated to offer individual and group support to Safeguarders and to work alongside partner agencies.

Regional Group Meetings

Regional group meetings are facilitated by Support Managers, and Safeguarders are invited to attend. This is a flexible model of supporting the sharing of knowledge and skills amongst peers, reflecting on actions and best practice, and ensuring the agenda for support is strongly influenced by the local Safeguarder community. The group sessions are offered both in person and online. The agenda is co-produced by members and could include practice development, shared practice, networking opportunities, and relevant aspects of learning and development. Group meetings also ensure that Safeguarders have an opportunity to build a relationship with another Support Manager who they can connect with, for example when their allocated Support Manager is on leave.

Practice Standards for Safeguarders, Practice Notes, Safeguarder Policies and Guidance

The Practice Standards for Safeguarders, as well as [other core documents](#), provide essential information and detail about the expectations of how Safeguarders undertake their role and demonstrate the quality of their practice.

Learning & Development Resources & Activities

Attendance and completion of mandatory training sessions within designated timescales is a core requirement for Safeguarders.

The ongoing self-directed professional learning and development of Safeguarders is supported and encouraged to ensure the knowledge and skills of every Safeguarder are kept up to date, to support them in demonstrating best practice for children. The SPT provides a range of high-quality learning and development activities for Safeguarders, and many of which are accessed through our Virtual Learning Academy. These learning opportunities throughout the year provide a wide range of specialist training relevant to Safeguarders and their developing practice.

Informal Advice & Support

The SPT is available to answer queries and ensure that Safeguarders have access to the support needed on a day-to-day basis from their Support Manager, or by contacting our SPT team directly.

Peer Mentoring

Safeguarders can become involved in our accredited Peer Mentoring Programme as either a mentor or mentee. This is a time-limited and goal-focussed programme, and the aim is to encourage and support the personal and professional development of Safeguarders so they can fulfil their role and ensure the best outcomes for the children to whom they are appointed.

Mentors undertake a thorough recruitment and training programme, and there is a carefully considered process for matching mentors and mentees to quality-assure the support provided.

By adopting a person-centred approach, mentors are supportive and provide a safe space in which mentees can explore their aspirations, develop their own solutions, overcome barriers, plan for their future and achieve their full potential.

The Peer Mentoring Programme recognises the wide range of skills, knowledge, values and experience that Safeguarders bring to the role, and both mentors and mentees have the opportunity to develop important skills and qualities and learn from their peers.

Communications Support

Safeguarders are provided with regular updates and information to support them in their role. This is in the form of monthly email updates, quarterly newsletters and annual reports, as well as regular informal communication between Safeguarders and the SPT.

Translation

Translation services can be requested from the Safeguarders Panel Team through our website, when required for communicating with children and/or family members.

Feedback

The SPT provides opportunities for children, families, and others in the Children's Hearing process to give feedback to Safeguarders to help them understand the impact of their practice, whether this is positive or negative.

If the SPT receives feedback about individual Safeguarders, then this will be shared, usually through the Safeguarder's Support Manager. If the feedback is positive, then it will be shared directly with the Safeguarder and considered in context at the next Support Session. Feedback from children, families and others in the Children's Hearings System can be an important aspect of evidence to demonstrate that Safeguarders are meeting the Practice Standards. Consideration needs to be given as to how feedback is understood in the context of the relationships a Safeguarder has with the range of people.

Complaints

Children, families, and others who the Safeguarder comes into contact with when fulfilling their role, may raise concerns about a Safeguarder's practice. Dealing with concerns or complaints raised about a Safeguarder's practice is a crucial aspect of demonstrating a Safeguarder's accountability to children, families and others involved in the Children's Hearings System. Safeguarders have a right to a fair and transparent process to deal with these concerns and complaints, which is detailed in our [Complaints Policy](#). This Policy was developed in consultation with Safeguarders, and others involved in the Children's Hearings System. If a concern is raised about a Safeguarder, the Support Manager is available for emotional support throughout the process. Support Managers also offer support to Safeguarders relevant to the outcome of any concern or complaint which may include supporting learning in a specific identified area for development.

The Complaints Policy lays out the mechanism for these concerns to be raised and responded to appropriately. This ensures that people, in particular children, get the service that they are entitled to get from a Safeguarder.

Conflict of Interest

Safeguarders have a responsibility to ensure that there is no conflict of interest in any aspect of the performance of their role. A conflict of interest is any situation, activity, loyalty, or interest which is, or is perceived to be, in conflict with the role of the Safeguarder, and which may affect a Safeguarder's independence. A conflict of interest may be professional or personal. It includes situations where prior or current knowledge or experience may affect the independence of a Safeguarder's role.

A conflict of interest can impact on a Safeguarder's ability to undertake their role with regard to their independence, confidentiality, integrity, impartiality, and transparency of practice. Ensuring a consistent and robust approach prevents difficulties which cause delays, distress and unnecessary intrusion into children's and families' lives.

The [Conflict of Interest statement](#) aims to support Safeguarders to consider and recognise conflicts of interest, and assure themselves, children and families, and other professionals that they are undertaking their role with transparency, impartiality, fairness and in line with the best interests of the child.

Withdrawal from/Not Receiving Allocation/Stepping Down

A Safeguarder may withdraw from an allocation to a child at any time, for a number of reasons. These reasons could include ill health, impact of caring responsibilities, conflict of interest, or that withdrawal is considered to be in the child's best interests. The Safeguarder should contact the SPT to discuss this.

If a Safeguarder withdraws, they must inform the Reporter or Sheriff who appointed them. This is to be carried out as soon as possible after they have become aware of the need to withdraw and have discussed with SPT. The Reporter or Sheriff will be responsible for contacting the SPT to ask for another Safeguarder to be allocated. The Safeguarder should inform SPT as part of their withdrawal.

The SPT may become aware, particularly during an inquiry into a concern or while investigating a complaint, that a Safeguarder receiving a new allocation, or continuing with their current allocation, may not be in the best interests of the child. This may be because, for example, someone, including a child, is unwilling or uncomfortable to engage with the Safeguarder. In such a situation, where the best interest of a child appears to be impacted negatively, the Safeguarder may withdraw. If, in such a situation the Safeguarder has not taken the decision to withdraw, and the SPT considers it is in the best interests of a child that they should withdraw, the SPT can request that a Safeguarder considers withdrawal. Withdrawal would be seen, in this context, as an act to ensure the child's best interest were protected, rather than a recognition of a breach of standards.

After discussion and consideration, there may be agreement regarding withdrawal or non-withdrawal. However, if the SPT still considers that withdrawal is necessary to protect the best interests of a child and the Safeguarder has decided they will not withdraw, the SPT can consider, if the matter is serious enough, to approach the Scottish Government Children's Hearings Team to discuss. A decision could be made, if required, that a Safeguarder, whilst remaining on the Safeguarders Panel, is withdrawn from an allocation to a child and/or does not receive further allocations to children, whilst further inquiries take place.

Temporarily Removed from Allocations

There may be other reasons where allocations are temporarily removed from a Safeguarder. In all cases the Scottish Government Children's Hearings Team will be contacted to discuss. This would be exceptional circumstances, for example, where a Safeguarder is not meeting their Terms and Conditions of appointment and action requires to be taken to protect the reputation of the Safeguarders Panel. This could be when a Safeguarder has not registered/maintained registration with the Information Commissioner's Office and is therefore not complying with data protection legislation and the SPT's Data Protection Policy, or a Safeguarder refuses to comply with the SPT Concerns Policy by participating in an inquiry/interview.

In such situations, temporary withdrawal from allocations allows further discussion and consideration, and engagement with a Safeguarder to ensure that Policies are complied with and Terms and Conditions of appointment can be satisfied, or if they cannot be satisfied, further action can be taken.

Linked Documents and Further Guidance

[Practice Standards for Safeguarders](#)

[Safeguarder Practice Standards Guidance](#)

[Practice Note on Reports](#)

[Practice Notes on Court](#)

[Information for Safeguarders on Report Sampling](#)

[Report Sampling Assessment - Quick Guide](#)

[Report Sampling - Assessment Tool](#)

[Complaints Policy](#)

[Data Management Policy & Guidance](#)

[Child Protection Policy](#)