

EAST AYRSHIRE COUNCIL

POLICY AND RESOURCES COMMITTEE – 19 FEBRUARY 2004

CHILDREN'S PANEL ADVISORY COMMITTEE EXTENDED MEMBERSHIP

Report by the Clerk to the CPAC

1. PURPOSE OF REPORT

- 1.1** To seek the Committee's approval in principle to recommend to the Scottish Executive that the Children's Panel Advisory Committee membership be extended by one member in order to recruit a new Chair, should this provision be required in due course.

2. BACKGROUND

- 2.1** Children's Panel Advisory Committees are composed in the first instance of 5 members, 3 of whom are appointed by the Scottish Executive and 2 by the Local Authority. The Chair must be a Scottish Executive appointee and must reside within the local Authority area.
- 2.2** Where workload or other factors necessitate it, under the terms of Paragraph 4 of Schedule 1 of the Children (Scotland) Act 1995, the local Authority may request an increase in the membership of the Committee. Increases require the prior written approval of Scottish Ministers. If approved, the first and any second or fourth additional member would be appointed by the Scottish Executive and the third and fifth additional members by the local Authority.

3. CURRENT POSITION

- 3.1** The Chair of East Ayrshire's Children's Panel Advisory Committee retired on 31 December 2003, both as member of the CPAC and as Chair. Accordingly, a recruitment exercise was undertaken and a new CPAC member appointed by the Scottish Executive. Of the 3 Scottish Executive appointees currently on the Local Committee, only one (namely the new member) would be eligible by reason of residency, to chair the CPAC. Subject to "transferring" as local Authority appointees to Scottish Executive appointees, two further CPAC members would also be eligible to chair the Advisory Committee. At present, however, no interest has been expressed in chairmanship by this limited number of qualified CPAC members.
- 3.2** In liaising with the Scottish Executive in connection with the above, it was noted that the provision outlined in 2.2 above exists to increase membership of the CPAC by up to 5 members. An additional one member, appointed to chair the CPAC, would assist in resolving the current difficulty in terms of chairmanship and the CPAC itself has indicated it has no objection, in principle, to such an arrangement.
- 3.3** As an interim arrangement in the short term, the Vice-Chair of the Advisory Committee, who is not qualified by reason of residency to become the Chair, has agreed to carry out the duties of the chair for approximately 4-6 months. Thereafter, it is intended that existing qualifying members of the Advisory

Committee will again be contacted to establish if there is any interest in chairmanship. If there is still no interest at this time, the Advisory Committee would wish to mitigate against any further delay by seeking to recruit as Chair an additional member of the Advisory Committee. Accordingly, the permission of the Policy and Resources Committee is requested for an approach to be made to the Scottish Executive in the event that it becomes necessary to recruit a further member to the Advisory Committee.

4. FINANCIAL IMPLICATIONS

- 4.1** The appointment of an additional CPAC member would involve the provision of appropriate training and reimbursement of travelling expenses and other costs, as well as meeting the cost of advertising in connection with the recruitment itself. All such costs would be met from within existing budget provision.

5. POLICY IMPLICATIONS – Nil

6. LEGAL IMPLICATIONS

- 6.1** Paragraph 4 of Schedule 1 of the Children (Scotland) Act 1995 provides for an increase in the membership of Children's Panel Advisory Committees, by a number not exceeding 5, of additional members as the Authority specifies in relation to its request. Any recruitment exercise undertaken to have additional members appointed would require to be carried out in accordance with the Nolan principles and any potential appointees subject to pre-appointment criminal record checks carried out by Disclosure Scotland.

7. RECOMMENDATION

- 7.1** The Committee is asked:-

- (i) to seek approval in principle to recommend to the Scottish Executive that the Children's Panel Advisory Committee membership be extended by 1 member in order to recruit a new Chair, should this provision be required in due course; and
- (ii) that it be remitted to the Clerk to the CPAC to undertake any necessary arrangement.

Fiona Lees
Depute Chief Executive/
Director of Corporate Resources

MJA/JW
23 January 2004

LIST OF BACKGROUND PAPERS

1. Scottish Executive Circular SEED 2002.05
2. Children (Scotland) Act 1995
3. Correspondence with existing eligible members of the Children's Panel Advisory Committee

Any person wishing to inspect the background papers relative to this report should contact Bill Walkinshaw, Administration Manager, on telephone number (01563) 576135.

Implementation Officer: Bill Walkinshaw, Clerk