

ABERDEENSHIRE CHILD AND FAMILY PROTECTION COMMITTEE

CONSTITUTION 2014



*Protecting Aberdeenshire's Children
It's Everyone's Business*

ABERDEENSHIRE CHILD AND FAMILIES PROTECTION COMMITTEE

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ABERDEENSHIRE CHILD AND FAMILIES PROTECTION COMMITTEE

1 AIMS

The aim of the Aberdeenshire Child and Family Protection Committee, (the "Committee") is to operate as a single committee dealing with Child Protection and Domestic Violence, including oversight of the Multi Agency Risk Assessment Conferences process in Aberdeenshire. It will work in partnership with the Public Protection Chief Officers Group, the Central and North East Consortium of Child Protection Committees, the National Scottish Child Protection Chairs Forum, With Scotland and the Scottish Government to take forward child protection policy and practice across the local area and across Scotland.

2 RESPONSIBILITIES

- 2.1 The Committee is a locally based, interagency strategic partnership responsible for the design, development, publication, distribution, dissemination, implementation and evaluation of Child Protection policy and practice across the public, private and wider third sectors in the locality of Aberdeenshire and (in conjunction with the work of other Child Protection Committees) across Scotland. Its role, local structures and membership provides individual and collective leadership and direction for the management of child protection services across Aberdeenshire. The Committee works in partnership with the Chief Executives' Public Protection Group and the Scottish Government to take forward child protection policy and practice across the local area and across Scotland.
- 2.2 The core functions of the Committee are specified in part 2 of the National Guidance for Child Protection in Scotland 2014 (Scottish Government 2014) as; continuous improvement, strategic planning, public information and communication. The core functions of the said Guidance (and any revision of the same), are deemed to be incorporated within the terms of this Constitution.
- 2.3 The Committee has the responsibility to ensure the implementation of and adherence to:
 - Part 2 of the National Guidance for Child Protection in Scotland 2014 which specifies the individual roles and responsibilities of the Child Protection Committee and its members;
 - North East Scotland specific Child Protection Guidelines;
 - Aberdeenshire specific Child Protection Guidelines;
 - The Business Plan of the Committee;
 - Any revisions of the foregoing to ensure effective protection of children in Aberdeenshire.

3 PARTICIPATING AGENCIES

Aberdeenshire Council

Aberdeenshire Council incorporated by and acting under the Local Government etc (Scotland) Act 1994 and having its principal office at Woodhill House, Westburn Road, Aberdeen (hereinafter referred to as "Aberdeenshire Council").

Grampian NHS Board

Grampian NHS Board constituted under the National Health Service (Scotland) Act 1978 (as amended) and having its principal office at Summerfield House, 2 Eday Road, Aberdeen (hereinafter referred to as "NHS Grampian").

Police Service of Scotland

Police Service of Scotland constituted under the Police and Fire Reform (Scotland) Act 2012 and having its divisional headquarters at Queen Street, Aberdeen (hereinafter referred to "Police Scotland").

Aberdeenshire Alcohol and Drug Partnership

Aberdeenshire Alcohol and Drug Partnership, forming part of the Aberdeenshire Community Planning Partnership providing strategic leadership for alcohol and drug issues and having its headquarters at Summerfield House, 2 Eday Road, Aberdeen.

Aberdeenshire Voluntary Sector

Aberdeenshire Voluntary Sector represented by Drugs Action (known as 'DA'), a registered charity having its principal office at 7 Hadden Street, Aberdeen, AB11 6NU.

Scottish Children's Reporter Administration

Incorporated by and acting under the Local Government etc. (Scotland) Act 1994 and having its local office at Exchange No. 2, 62-104 Market Street, Aberdeen, (hereinafter referred to as "SCRA").

4 COMPOSITION OF COMMITTEE

- The Director of Housing & Social Work, or equivalent, Aberdeenshire Council.
- A Superintendent, or equivalent, Police Scotland.
- The Head of Service (Inclusion), or equivalent, Education Learning and Leisure, Aberdeenshire Council.
- The Child Health Commissioner, or equivalent, NHS Grampian
- The Head of Service (Children's Services), or equivalent, Social Work Service, Aberdeenshire Council.
- The Chair of the Child & Families Sub-Group, or equivalent, Aberdeenshire Alcohol and Drug Partnership.
- A Locality Reporter Manager, or equivalent, Scottish Children's Reporter Administration.
- A Legal Service Manager, or equivalent, Legal & Governance, Aberdeenshire Council.
- The Chief Executive, or equivalent, Drugs Action (known as 'DA'), representing the Aberdeenshire Voluntary Sector, or from such other organisation as the Committee deems appropriate.

5 APPOINTMENT AND ROLE OF MEMBERS

- 5.1 Except where the Committee have co-opted a member on to the Committee, members of the Committee shall be appointed by the respective agencies they represent and for such term as the relevant agency considers appropriate. Any agency may withdraw any appointment made at any time and appoint another Committee member in that person's place.
- 5.2 Any agency with the right to appoint members to the Committee may also appoint substitutes for all or any members, being persons who would be entitled to be appointed to the Committee in their own right. A substitute member shall have the same status and powers at a meeting of the Committee as the member for whom he or she substitutes.
- 5.3 All appointments and withdrawals of appointment of members and substitute members of the Committee shall be intimated to the Chair of the Committee by the relevant agency, in writing, as soon as practicable.
- 5.4 Any member of the Committee co-opted by the Committee itself will be appointed for such period of as the Committee deems appropriate and may resign from membership at any time. A resignation shall take effect on receipt of written notification by the Chair of the Committee.
- 5.5 Members of the Committee will require to have a sufficient level of authority to carry out the aims and responsibilities of the Committee and make the required policy and resource commitments on behalf of the agency they represent.
- 5.6 Members of the Committee will require to have the necessary child protection skills and knowledge to enable them to fulfil their individual roles and collective responsibilities in relation to the work of the Committee. Members will be required to support, challenge and hold each other to account to ensure each contributes effectively to the work of the Committee.
- 5.7 Members will be required to cascade and promote the work of the Committee within their own agency and ensure it is understood and embraced by staff.
- 5.8 The necessary documentation for the members of the Committee, as detailed in paragraph 2.3 will be made available (as appropriate) to all members of the Committee and/or any sub-group upon their appointment, and circulated when required.
- 5.9 Members of the Committee shall be responsible for such liaison as may be required within their respective agencies, to enable them to fulfil their role in the work of the Committee.
- 5.10 Members will be required to take adequate measures to protect all personal/confidential information relating to the work of the Committee and to ensure that such information is only disclosed within their agencies, where reasonably required in the fulfilment of any statutory or employment duty, or where required to do so by a Court of Law. Relevant information required to fulfil the functions of the Committee shall be shared in accordance with the relevant agencies' data sharing protocols. All members of the Committee shall adhere to the requirements of their own agency's data protection policies and procedures.

6 APPOINTMENT OF CHAIR AND VICE-CHAIR

- 6.1 The Chair of the Committee may be drawn from any participating agency or independent of them and shall be such person as the Committee determines.
- 6.2 The Vice-Chair shall be appointed by the Committee from a different agency to that of the Chair.
- 6.3 Both the Chair and the Vice-Chair shall be appointed for a period of two years, or for such other period as the Committee deems appropriate. The Chair and Vice-Chair shall be eligible for reappointment for such further period or periods as the Committee may determine. In the event of more than one candidate for either post, a vote will take place at a meeting of the Committee. All members will be entitled to vote. The Chair of the Committee shall have a deliberative as well as a casting vote.
- 6.4 In the event of either post becoming vacant at a time outwith the end of the term of office, the post shall be filled in a manner to be determined by the Committee at any of its meetings.
- 6.5 If neither the Chair, nor the Vice-Chair are present at the Committee meeting, the agency members present shall appoint a substitute to Chair at that meeting.

7 ACCOUNTABILITY

- 7.1 The Committee is accountable to the Aberdeenshire Community Planning Partnership and the Chief Executive Officers' Group Protection Committee, who are individually and collectively responsible for *inter alia* the leadership, direction and scrutiny of their own respective child protection services and the Aberdeenshire Child & Family Protection Committee.
- 7.2 The Committee will have in place a Business Plan outlining its priorities for continuous improvement, strategic planning, public information and communication. The Committee will report where required and at regular intervals to the Aberdeenshire Community Planning Partnership.
- 7.3 The Committee will publish an annual report.
- 7.4 The Committee will work in partnership with Aberdeen City Child Protection Committee and Moray Child Protection Committee in relation to the;
 - a) The North East Scotland Child Protection Register.
 - b) The North East Scotland Child Protection Guidelines.
 - c) The North East Scotland Arrangements for the Conduct of Significant Case Reviews.
 - d) North East Scotland Training Programme in Child Protection Matters.

8 MEETINGS

- 8.1 The Committee will meet with such frequency as it deems necessary for the discharge of its functions. It shall meet not less than four times in each period of twelve months.

- 8.2 The quorum of the Committee shall be four members from at least four different services/agencies. In the absence of a quorum the Committee may meet to make recommendations for consideration at future meetings.
- 8.3 All determinations of the Committee shall be made by a majority vote of the members of the Committee present. If there is an equality of votes the person chairing shall have a second or casting vote.
- 8.4 A minute of each meeting of the Committee shall be taken and circulated to the Committee members. Once approved, the minute will be deemed to be an accurate record of that meeting and will be available on the Aberdeenshire Child and Family Protection web page.
- 8.5 The agenda for each Committee meeting will be determined by the Chair. Committee members shall be entitled to have items placed on the agenda provided they have been intimated to the Chair, using the agreed documentation, and paperwork, no later than 21 days prior to the Committee meeting.

9 SUB-GROUPS

- 9.1 The Committee shall be entitled to establish such number of Sub-Groups as it considers necessary for the purposes of discharging its functions. The objectives of these Sub-Groups will be determined by the Committee.
- 9.2 Each Sub-Group may comprise Committee members and/or other representatives nominated by services/agencies for that purpose. Each Sub-Committee shall report back to the Committee in a manner to be determined by the Committee.

10 ADMINISTRATIVE SUPPORT

- 10.1 The Committee shall agree, in consultation with the respective agencies, the arrangements including financial arrangements, for providing administrative, secretarial and professional support to the Committee and Sub-Groups. Such arrangements shall be sufficient to enable the Committee and any Sub-Groups to operate effectively and discharge their functions in compliance with national guidance.
- 10.2 Arrangements shall be reviewed every two years.

11 INDEMNITY

- 11.1 Each of the participating agencies shall bear its own liabilities in respect of loss, damage or injury suffered by it or its employees, agents or contractors in connection with the work of the Committee and, in particular shall indemnify its employees, agents and contractors when carrying out functions of the Committee to the same extent as it would indemnify those persons when carrying out the functions of the relevant agency.
- 11.2 An undertaking in like terms to clause 11.1 will be given by any agency or individual represented on the Committee, but not a party to this Constitution.

12 AMENDMENTS

- 12.1 This document comprises the agreed Constitution in respect of the Committee and supersedes all prior discussions and documentation relating to the same among the participating agencies, their representatives or advisors.
- 12.2 In the event that any of the provisions of this Constitution are held to be or become invalid or otherwise unenforceable for any reason, the remainder of the Constitution shall remain intact.
- 12.3 Any amendment to this Constitution shall be by two-thirds majority of the Committee members present and voting at any ordinary meeting of the Committee provided notice of the proposed changes have been given to all members in advance of the meeting.

13 DISPUTE RESOLUTION


- 13.1 Should any dispute or difference arise, participating agencies commit to resolving such dispute or difference as quickly as possible to ensure that the main functions of the Committee continue to be undertaken effectively. Each agency shall, in the first resort, seek resolution to the dispute or difference with the other member(s) of the Committee.
- 13.2 Should such resolution not be possible, a two-thirds majority of the Committee members in attendance and voting at any ordinary meeting of the Committee may appoint an independent arbiter to investigate, report and make recommendations to the Committee. In the absence of a determination by the independent arbiter as to the payment of his/her costs the participating agencies shall bear the costs equally among them.
- 13.3 A participating agency may withdraw from the Committee by giving three months notice of intent to the Chair or the Vice-Chair.

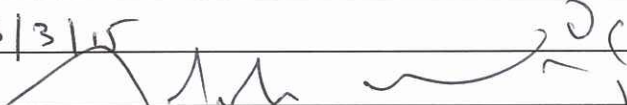
14 COMPLAINTS


- 14.1 Any complaints by a member of the public involving only one participating agency in relation to the work of the Committee, or to the provisions of the Constitution shall be dealt with in accordance with that agency's complaints procedure. The outcome shall be intimated to the Committee.
- 14.2 Any complaint by a member of the public involving more than one of the participating agencies in relation to the work of the Committee, or to the provisions of this Constitution shall be led by the agency against whom the complaint is made, in accordance with that agency's complaints procedure. The final response shall be agreed by all participating agencies complained against prior to being sent to the complainant. The outcome shall be intimated to the Committee.

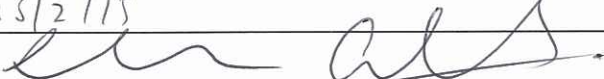
15 COMMENCEMENT AND REVIEW

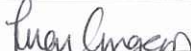
- 15.1 The terms of this Constitution shall have effect from the last date of execution hereof.
- 15.2 The Committee shall ensure that the terms of this Constitution are reviewed at least once every three years whilst it remains in force.

Agency	Aberdeenshire Council
Name	COLIN DOUGLAS MACKENZIE
Designation	Chief Executive
Date	12/2/15
Signature	

Agency	Grampian NHS Board
Name	MALCOLM WRIGHT
Designation	Chief Executive
Date	3/3/15
Signature	

Agency	Police Service of Scotland
Name	KATE STEPHEN
Designation	SUPERINTENDENT (OPERATIONS)
Date	2/3/2015
Signature	

Agency	Aberdeenshire Alcohol and Drug Partnership
Name	ADAM COLDWELL
Designation	CHAIR (C.O. ABERDEEN HASC Partnership)
Date	13/2/15
Signature	

Agency	Drugs Action (known as 'DA') representing Aberdeenshire Voluntary Sector
Name	LUAN GRUCEON
Designation	CHIEF EXECUTIVE
Date	23/2/15
Signature	

Agency	Scottish Children's Reporter Administration
Name	JULIAN RICHARDS
Designation	LOCALITY REPORTER MANAGER, GRAMPIAN
Date	24/2/15
Signature	