

CHILDREN'S HEARINGS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 – the National Convener and Children's Hearings Scotland (Chs)

Functions of CHS

Section 11 – Provision of assistance to National Convener

13. This section specifies the principal function of CHS which is to support the work of the National Convener.

Section 12 – Independence of National Convener

14. This section provides a clear separation of functions between CHS and the National Convener and prevents CHS or any other person from directing or guiding the National Convener in carrying out their functions. Subsection (2) makes clear that this prohibition is subject to the power of the Scottish Ministers under section 10(1)(e) to specify by secondary legislation the manner or timing in which any function of the National Convener is carried out.

Section 13 – Directions

15. This section enables the Scottish Ministers to give directions to CHS about the carrying out of its functions. Such directions might relate to setting the strategic direction of CHS or its organisational objectives and outcomes. CHS must comply with these directions.