



Children's Hearings (Scotland) Act 2011

2011 asp 1

PART 4

SAFEGUARDERS

32 The Safeguarders Panel

- (1) The Scottish Ministers must establish and maintain a panel of persons (to be known as the Safeguarders Panel) from which any appointment under this Act of a safeguarder is to be made.
- (2) The Scottish Ministers may by regulations make provision for or in connection with—
 - (a) the recruitment and selection of persons who may be appointed as members of the Safeguarders Panel,
 - (b) the appointment and removal of members of the Safeguarders Panel,
 - (c) qualifications to be held by members of the Safeguarders Panel,
 - (d) the training of members and potential members of the Safeguarders Panel,
 - (e) the payment of expenses, fees and allowances by the Scottish Ministers to members and potential members of the Safeguarders Panel,
 - (f) the operation and management of the Safeguarders Panel.
- (3) For the purpose of complying with the requirements imposed by subsection (1) and regulations under subsection (2), the Scottish Ministers may enter into arrangements (contractual or otherwise) with any person other than CHS or SCRA.

33 Functions of safeguarder

- (1) A safeguarder appointed in relation to a child by virtue of section 30 must—
 - (a) except where subsection (2) applies, on being so appointed, prepare a report setting out anything that, in the opinion of the safeguarder, is relevant to the consideration of the matter before the children's hearing,
 - (b) so far as reasonably practicable, attend the children's hearing, and
 - (c) prepare any report that the safeguarder is required to prepare by a children's hearing.

Status: This is the original version (as it was originally enacted).

- (2) This subsection applies where the children's hearing directs the Principal Reporter under section 93(2)(a) or 94(2)(a) to make an application to the sheriff.

34 Safeguarders: regulations

- (1) The Scottish Ministers may by regulations make further provision about safeguarders.
- (2) Regulations under this section may in particular make provision for or in connection with—
- (a) imposing additional requirements on safeguarders,
 - (b) conferring additional powers (including rights of appeal) on safeguarders,
 - (c) the termination of safeguarders' appointments.