

**Changes to legislation:** Children's Hearings (Scotland) Act 2011, SCHEDULE 2 is up to date with all changes known to be in force on or before 04 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULE 2

(introduced by section 4)

### THE CHILDREN'S PANEL

#### *Recruitment and tenure of panel members*

- 1
- (1) The National Convener may make arrangements for the recruitment of persons as members of the Children's Panel (a person appointed as a member being referred to in this schedule as a “panel member”).
  - (2) It is for the National Convener to appoint persons as panel members from those recruited under sub-paragraph (1).
  - (3) The National Convener must reappoint as a panel member a person whose appointment has ceased unless—
    - (a) the person declines to be reappointed, or
    - (b) the National Convener is satisfied that sub-paragraph (4) applies.
  - (4) This sub-paragraph applies if the person is unfit to be a panel member by reason of—
    - (a) inability,
    - (b) conduct, or
    - (c) failure without reasonable excuse to comply with any training requirements imposed by the National Convener.
  - (5) The period for which a person is appointed or reappointed as a panel member is 3 years.
  - (6) The National Convener may, with the consent of the Lord President of the Court of Session, remove a panel member during the period mentioned in sub-paragraph (5) if satisfied that sub-paragraph (4) applies.

#### **Commencement Information**

- I1** Sch. 2 para. 1(1) in force at 19.9.2012 by S.S.I. 2012/246, art. 2, Sch.  
**I2** Sch. 2 para. 1(2)-(6) in force at 31.3.2013 by S.S.I. 2013/98, art. 2, Sch.

#### *List of panel members*

- 2
- (1) The National Convener must publish a list setting out in relation to each panel member—
    - (a) the member's name,
    - (b) the local authority area in which the member resides, and
    - (c) if the member works, the local authority area in which the member works.
  - (2) The National Convener must make the list available for public inspection.

#### **Commencement Information**

- I3** Sch. 2 para. 2 in force at 24.6.2013 by S.S.I. 2013/195, arts. 2, 3

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### *Training*

- 3
- (1) The National Convener may train, or make arrangements for the training of, panel members and potential panel members.
  - (2) The National Convener must take reasonable steps to involve persons who are under 25 years of age and in respect of whom a children's hearing has been held in the development and delivery of training under sub-paragraph (1).
  - (3) The National Convener must, in training (or making arrangements for the training of) panel members under sub-paragraph (1), have regard to the need to provide training on how panel members may best elicit the views of a child to whom a children's hearing relates.
  - (4) The National Convener may monitor the performance of panel members.

#### **Commencement Information**

**I4** Sch. 2 para. 3 in force at 31.3.2013 by S.S.I. 2013/98, art. 2, Sch.

### *Allowances*

- 4
- (1) The National Convener may, with the approval of the Scottish Ministers, determine the allowances to be paid to—
    - (a) panel members,
    - (b) potential panel members.
  - (2) Different determinations may be made for different cases or different classes of case.
  - (3) The National Convener may pay to panel members and potential panel members allowances determined under sub-paragraph (1).

#### **Commencement Information**

**I5** Sch. 2 para. 4 in force at 19.9.2012 by S.S.I. 2012/246, art. 2, Sch.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 17A inserted by [2020 asp 16 s. 6\(2\)](#)
- s. 25(3) inserted by [2020 asp 16 s. 30\(7\)](#)
- s. 27(3)-(4A) substituted for s. 27(3)(4) by [2020 asp 16 s. 3\(2\)](#)
- s. 62(5)(q)-(u) inserted by [2020 asp 9 s. 8\(2\)\(b\)](#)
- s. 163(2)-(2B) substituted for s. 163(2) by [2020 asp 16 s. 27\(3\)\(b\)](#)
- s. 164(2)-(2B) substituted for s. 164(2) by [2020 asp 16 s. 27\(4\)\(b\)](#)
- s. 165(2)-(2B) substituted for s. 165(2) by [2020 asp 16 s. 27\(5\)\(b\)](#)