



ABERDEEN CITY CHILD PROTECTION COMMITTEE

CONSTITUTION

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1. SIGNATORIES

ABERDEEN CITY COUNCIL

Incorporated by and acting under the Local Government etc. (Scotland) Act 1994 and having its principal office at Marischal College, Broad Street, Aberdeen. (hereinafter referred to as “Aberdeen City Council”).

NHS GRAMPIAN

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

Constituted under the Police and Fire Reform (Scotland) Act 2012 and having its Divisional Headquarters at Nigg Police Office, Aberdeen.
(hereinafter referred to as “Police Scotland”)

2. FUNCTIONS & RESPONSIBILITIES

- 2.1 The Aberdeen City Child Protection Committee (“CPC”) is the key local body responsible for implementing and improving child protection strategy across and between agencies, bodies and the Aberdeen community. The CPC has a crucial role in identifying and managing risk to children and young people, monitoring and improving performance and promoting the ethos that, *“It’s everyone’s job to make sure I’m alright.”* Its role, local structures and membership, provide leadership and direction for the management of child protection services across Aberdeen City. It works in partnership with the Chief Officers 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 Child Protection Committee are specified in part 2A of the National Guidance for Child Protection in Scotland 2021 (Scottish Government 2021) as developing, implementing, and improving child protection strategy across and between agencies, bodies and the local community, and are, or any revision of same, deemed incorporated herein. Hereafter this is referred to the National Guidance 2021.
- 2.3 Supplementary Scottish Government guidance is contained in Protecting Children and Young People: Child Protection Committee and Chief Officer Responsibilities (February 2019). Hereafter this is referred to the 2019 Guidance.
- 2.4 The CPC has the responsibility to ensure the implementation of and adherence to
 - Part 2A of the National Guidance 2021 which specifies the individual roles and responsibilities of the Child Protection Committee and its members.
 - The 2019 Guidance
 - Aberdeen City specific Child Protection Guidelines.

- The CPC Child Protection Programme.
- Any revisals of the foregoing following national or local quality assurance to ensure effective protecting of children in Aberdeen City.

3. COMPOSITION OF THE CHILD PROTECTION COMMITTEE

Core membership is determined by the 2019 Guidance. Members of the CPC will be Senior Officers or staff who meet the requirements set out in 4.7 and 4.8 below. In Aberdeen, CPC membership includes:

- Independent Chair
- Aberdeen City Council: Chief Social Work Officer, Lead Officer of the CPC, and representatives from Childrens Social Work Services, Education Services, Housing Services, and Legal Services.
- Police Scotland
- NHS Grampian
- Scottish Children's Reporter's Administration.
- Care Inspectorate.
- Scottish Fire and Rescue Service
- The Independent Education Sector
- One representative from separate voluntary sector organisations operating within Aberdeen City, appointed by ACVO to represent the third sector on the CPC.
- Representatives, if so advised, from Aberdeen City Alcohol and Drugs Partnership, Adult Protection Committee and Violence against Women Partnership.
- The Chair of each permanent Sub Committee of the CPC who is not already a member of the CPC.
- The CPC may from time-to-time co-opt further members onto the CPC to assist in the discharge of its functions.
- The CPC may routinely, or from time-to-time, invite observers or advisors to meetings.

4. APPOINTMENT OF MEMBERS

- 4.1 Members of the CPC may either be appointed or co-opted.
- 4.2 Where a member is appointed, they 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 so made at any time and appoint another CPC member in that person's place.
- 4.3 Any agency with the right to appoint members to the CPC must also appoint substitutes for all or any members, being persons who would be entitled to be appointed to the CPC in their own right. A substitute member shall have the same status and powers at a meeting of the CPC as the members for whom he or she substitutes.
- 4.4 All appointments and withdrawals of appointment of members and substitute members of the CPC shall be intimated to the Lead Officer of the CPC by the relevant agency in writing as soon as practicable after they are made.
- 4.5 Where a member is co-opted, they shall be co-opted to the CPC following a decision of the CPC itself. They shall be co-opted for such term as the CPC consider appropriate. The CPC may decide to remove any co-opted member at any time and co-opt another member in that person's place.
- 4.6 Any member of the CPC co-opted by the CPC itself may resign from membership at any time. A resignation shall take effect on receipt of written notification by the Lead Officer.
- 4.7 Members of the CPC will require to have sufficient level of authority to realise the objectives of the agreed business plan on behalf of their agency and make the required policy and resource commitments.
- 4.8 Members of the CPC will require to have the necessary child protection skills and knowledge to enable them to fulfill their individual roles and collective responsibilities in relation to the work of the CPC.
- 4.9 The documentation detailed in paragraph 2.3 will be made available to all members upon their appointment to the CPC and/or any Sub Committee thereof.

5. RESPONSIBILITIES OF MEMBERS

- 5.1 The responsibility of CPC members is to:
- Participate fully in the business of the CPC and its sub-committees between meetings.
 - Actively support and commit to the CPC's Learning and Development strategy.
 - Ensure that the relevant tasks from the work of the CPC are actioned appropriately.
 - Support, challenge and hold each other to account to ensure each contributes effectively to

the work of the Committee.

- Ensure that strategies and plans agreed by the CPC are implemented within their services and report activity to the CPC as appropriate.
- Cascade and transmit the work of the CPC within their own agency and ensure it is understood and embraced by staff.
- Ensure such liaison as may be required with their respective agencies to enable them to fulfill their role in the work of the CPC.

6. APPOINTMENT OF CHAIR & VICE CHAIR

- 6.1 The Chief Officer Group will appoint an Independent Chair by undertaking a formal appointment process.
- 6.2 The responsibilities of the Chair are contained within the 2019 Guidance.
- 6.3 The responsibilities of the Vice Chair are to act as Chair of the CPC if the Chair is not present.
- 6.4 The CPC shall appoint the Vice Chair, and their appointment shall be agreed by the Chief Officer Group.
- 6.5 Both the Chair and the Vice Chair shall be appointed for a period of 2 years, or for such other period as the CPC may determine. The Chair and Vice Chair shall be eligible for re-appointment for such further period or periods as the CPC may determine, and as agreed by the Chief Officer Group.
- 6.6 In the event of either post becoming vacant at a time other than at the end of the term of office, the post shall be filled in a manner to be determined by the CPC with the agreement of the Chief Officer Group.
- 6.7 If neither the Chair nor the Vice Chair are present at the CPC meeting, the agency members present shall appoint a substitute to Chair at that meeting.

7. ACCOUNTABILITY

- 7.1 The CPC is accountable to the Chief Officers Group who individually and collectively are responsible for the leadership, direction and scrutiny of their own respective child protection services and the Aberdeen City Child Protection Committee.
- 7.2 The CPC will have in place a business plan outlining its programme for continuous improvement, strategic planning, public information and communication. It will have a risk register to assist in the delivery and reporting on the business plan. The CPC will report on

the business plan and risk register where required and at regular intervals to the Chief Officers Group and/or Community Planning Partnership.

- 7.3 The CPC will publish an Annual Report as soon as possible after 31 July each year.
- 7.4 The CPC will work in partnership with Aberdeenshire Child Protection Committee and Moray Child Protection Committee in relation to
- North East Scotland Child Protection Register
 - North East Scotland arrangements for joint investigative interview training
 - North East Scotland learning and development in child protection matters
 - North East Leaders Group for Public Protection.

8. MEETINGS

- 8.1 The CPC will meet with such frequency as necessary for the discharge of its functions. It shall meet not less than four times in each period of 12 months.
- 8.2 Meetings may be held in person, remotely via Microsoft Teams or a hybrid of the two previous options at the discretion of the Chair. The Chair shall intimate their decision on this matter to the CPC in advance of the meeting.
- 8.3 The agenda for each CPC meeting will be determined by the Chair. CPC members shall be entitled to have items placed on the agenda, provided they have been intimated to the Chair no later than 8 calendar days before any meeting of the CPC.
- 8.4 The quorum of the CPC shall be four members from at least four different services/agencies. In the absence of a quorum, the CPC may meet to make recommendations for consideration at future meetings.
- 8.5 In the event of a member being unable to attend a CPC meeting, that member and the agency they represent must make all reasonable efforts to ensure that an appointed substitute member is able to attend on their behalf. Substitutes shall have sufficient delegated responsibility for their service.
- 8.6 Where agencies have more than one member representing their agency, it is expected that at least one will be in attendance.
- 8.7 All determinations of the CPC, with the exception of approving amendments to this Constitution, shall be made by a majority vote of the members of the CPC present. If there is an equality of votes, the person chairing the meeting shall have a second or casting vote.
- 8.8 A formal minute of each meeting of the CPC shall be taken and circulated by the Lead Officer to the CPC members. The formal minutes will not be published in the public domain.
- 8.9 A summary of CPC meetings will be published on Aberdeen Protects, following approval by

the Chair and Vice Chair, comprising of agency attendance, decisions taken, and providing updates on longer term pieces of work.

9. SUB COMMITTEES AND THEMATIC GROUPS

- 9.1 The CPC shall be entitled to establish such number of Sub Committees as it considers necessary for the purpose of discharging its functions. The role, remit, responsibilities and duration of these Sub Committees will be determined by the CPC.
- 9.2 Each Sub Committee may comprise CPC members and/or other representatives nominated by services/agencies for that purpose.
- 9.3 The CPC may establish further thematic, or project, groups in order to support the activity of the business plan.
- 9.4 Each Sub Committee and thematic group shall report back to the CPC in a manner determined by the CPC

10. RELATIONSHIP TO OTHER PARTNERSHIPS AND NATIONAL GROUPS

- 10.1 The CPC will have close links with Aberdeen City Adult Protection Committee, Public Protection Lead Officers Group, Alcohol and Drugs Partnership, Violence Against Women Partnership, CPA Community Justice Group, MAPPA, Suicide Prevention Group, and Homelessness Prevention, to collaborate on strategic work and, where possible, align public protection agendas.
- 10.2 The Independent Chair and Lead Officer will be a member of CPCScotland, and where appropriate, will represent the CPC at CPCScotland subgroups. Through CPCScotland the CPC will have links to, including but limited to:
 - Chairs and Lead Officers from Child Protection Committees across Scotland.
 - Associate members: Police Scotland, Care Inspectorate, Association of Directors of Education Scotland, Social Work Scotland, NHS, Coalition of Care and Support Providers Scotland, Scottish Children's Reporters Administration and Children's Hearings Scotland, and CELCIS.

11. ADMINISTRATIVE SUPPORT

- 11.1 The CPC shall agree the arrangements, including financial arrangements, for providing administrative, secretarial and professional support to the CPC and Sub Committees. Such arrangements shall be sufficient to enable the CPC and any Sub Committees to operate effectively and discharge their functions in compliance with the National Guidance 2021 and the 2019 Guidance.
- 11.2 Arrangements should be reviewed every 2 years.

12. INDEMNITY

- 12.1 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 CPC and, in particular, shall indemnify its employees, agents and contractors when carrying out functions of the CPC to the same extent as it would indemnify those persons when carrying out the functions of the relevant agency.
- 12.2 An undertaking in like terms to this Clause will be given by any agency or individual represented on the CPC but not a party to this Constitution.

13. AMENDMENTS

- 13.1 This document comprises the agreed constitution in respect of the CPC and supersedes all prior discussions and documentation relating to same among participating agencies, their representatives or advisors.
- 13.2 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 shall survive unaffected.
- 13.3 Any amendment to this constitution shall be by two thirds majority of the CPC members present and voting at any ordinary meeting of the CPC, provided notice of the proposed changes has been given to all members in advance of the meeting.

14. DISPUTE RESOLUTION

- 14.1 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 CPC continue to be undertaken effectively. Each agency shall, as first resort, seek resolution to the dispute or difference with the other member(s) of the CPC. Agencies may request the involvement of the Chair to support efforts to reach a resolution.
- 14.2 Should such resolution not be possible, it shall be the responsibility of the Chair to notify the Chief Officers Group, who will then arbitrate. The Chief Officers group may appoint an independent arbiter to investigate, report and make recommendations to the CPC and/or Chief Officers Group. 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.
- 14.3 A participating agency may withdraw from the CPC by giving 3 months' notice of intent to the Chair or the Vice Chair.

15.COMPLAINTS

- 15.1 Any complaint involving only one participating agency in relation to the work of the CPC or to the provisions of the constitution shall be dealt with in accordance with that agency's complaints procedures. The outcome shall be intimated to the CPC.
- 15.2 Any complaint involving more than one of the participating agencies in relation to the work of the CPC or to the provisions of this constitution shall be led by the agency against whom the bulk of the complaint is made in accordance with that agency's complaints procedures. 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 CPC.

16. DATA PROTECTION AND MANAGEMENT OF INFORMATION

- 16.1 Members will be required to take adequate measures to protect all confidential information relating to the work of the CPC, and to ensure that such information is only disclosed within their agencies where reasonably required in the fulfillment of any statutory or employment duty, or where required to do so by a Court or by operation of Law. Relevant information required to fulfill the functions of the CPC shall be shared.
- 16.2 Agencies have agreed an Information Sharing Protocol which covers the operational sharing of information necessary for each partner to fulfill their duties and responsibilities in relation to meeting the needs of Children and Young People.
- 16.3 The CPC agenda, along with supporting documents, and minutes will be distributed to members by email or via Microsoft Teams. Any information distributed prior to or during a CPC which contains sensitive information will be recorded in a closed minute. This will include any discussion or sharing of information relating to Significant Learning Reviews.
- 16.4 Agencies agree to store Information securely, in accordance with their organisational policies relating to Information Security, Data Protection and Records Management.

17. FREEDOM OF INFORMATION REQUESTS

- 17.1 The participating Agencies are each subject to the requirements of Freedom of Information (Scotland) Act 2002. Decisions as to whether the legislation requires the disclosure of any information that they hold rests with each participating Agency. In the event one or more of the participating Agencies, receives a request for information that they hold which relates to the CPC, that Agency must notify the CPC Lead Officer immediately. The CPC Lead Officer will circulate the request for information to other members of the CPC and work with the CPC representative(s) of that Agency or Agencies to ensure a coordinated response. The Agency or Agencies that received the request for information will be responsible for releasing, publishing or refusing to disclose any such information that has been requested.

18. COMMENCEMENT & REVIEW

18.1 The terms of this constitution shall have effect from the most recent date of execution hereof.

18.2 The CPC shall ensure that the terms of this constitution are reviewed at least once every three years whilst it remains in force.

IN WITNESS WHEREOF, this document is signed on behalf of the partner agencies as below:



Aberdeen City Council Date: 12 July 2023

Angela Scott, Chief Executive, Aberdeen City Council



Police Service of Scotland, Aberdeen Division Date: 12 July 2023

Graeme Mackie, Chief Superintendent, Police Commander, North East Division



NHS Grampian Date: 12 July 2023

Caroline Hiscox, Chief Executive, NHS Grampian