

Paper 1: Draft Remit, Membership and Working Practices

Summary

This note presents a draft remit for the Reference Group. It contains a proposed membership and working practices for the group. It is presented to the group for discussion and approval.

Draft Remit

1. The remit of the National Confidential Forum Reference Group will be to inform government policy on the preparation of a Bill to establish a National Confidential Forum for adult survivors and other former residents abused in care as children, including the forthcoming public consultation on the development of a National Confidential Forum.

2. Under this remit the group will:

- Provide advice on the development of the consultation paper.
- Identify gaps in the proposals for consultation.
- Comment on the draft consultation paper.
- Assist with key issues arising during the consultation and Bill process.
- Comment on the draft legislation and the Bill.

SHRC Framework

3. The recommendations in the SHRC Framework are being considered separately as part of the SHRC Interaction process. It is not proposed that this group will consider the recommendations as part of its remit. Ministers have agreed that the Scottish Government will participate in the SHRC Interaction.

How the group will work

4. The Reference group will therefore take a central role in respect to developing and shaping the overall direction of the National Confidential Forum Bill.

- The organisations and individuals represented on the Reference Group will bring their expertise to inform the development of a National Confidential Forum.
- Members will bring constructive challenge, support, advice and guidance to the Scottish Government. All organisations and private individuals should have the opportunity to comment on the legislative proposals at the earliest possible opportunity.
- To ensure a rich and informed debate, members will communicate and consult with colleagues in their organisations prior to and following meetings of the Group. They will bring to the table views and concerns raised by their organisations.

- Members will work together with others in an inclusive way. It is recognised that members will be representing particular groups or interests. Nevertheless, the development of legislation will be a collaborative exercise.
- Notwithstanding the collective role for the Reference Group, members will retain their right out with the Reference Group to hold independent views on both the Bill as a whole and its constituent parts. In addition to the work of this Group, organisations may wish to submit detailed views on any formal consultation for National Confidential Forum and any other proposals.

Relationship to the Survivor Stakeholder Group

5. A separate Survivor Stakeholder Group will be established to gather a wide range of views about issues concerning the National Confidential Forum. Their views will be brought to the Reference Group discussions by the Chair of the Survivor Stakeholder Group.

Governance

6. The Group will operate within the governance arrangements for the Scottish Government's SurvivorScotland Strategy. The views and decisions of the group will be reported to the National Confidential Forum Bill Team. Ministers will be advised of the views of the Reference Group.

Membership

7. The group should contain representations from a wide range of key organisations with an interest and role to play in relation to the needs and rights of survivors who were abused in care as children and other former residents. It should include current and past care providers, survivors and other former residents with an interest in the development of a National Confidential Forum and related matters.

8. The following organisations are asked to provide a named person to represent them on the Reference Group. **[members are invited to consider if this is an appropriate membership and whether others should be invited to contribute to the work of the group.]**

Name	Organisation
	Association of Directors of Social Work (ADSW) Barnardos Scotland Care Inspectorate Care Leavers Association Catholic Church Centre of Excellence for Looked after Children in Scotland (CELCIS) Church of Scotland COSLA

	Education through Care Scotland Former Boys and Girls Abused (FBGA) In-Care Abuse Survivors (INCAS) In Care Survivors Service Scotland Mental Welfare Commission of Scotland Rivers Centre for Traumatic Stress Roshni Scottish Human Rights Commission Who Cares Scotland
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9. The Chair will be Jean Maclellan. The Group will be supported by a Secretariat from the SurvivorScotland Team. Officials from the Scottish Government Legal Directorate might also attend to offer support and advice to the Group.

Frequency of meetings and duration of the Reference Group

10. The first meeting will be in May 2012. Prior to any Parliamentary process, the group will meet roughly every 8-12 weeks though additional meetings may be called if necessary. The group is expected to meet for 9 months, up to February 2013 - the earliest point at which any legislative proposals would be introduced into the Scottish Parliament. In order that the work can be taken forward consistently organisations are asked to try and ensure that the same representative attends each meeting.

Publication of Minutes and Communications

11. A specific section of the SurvivorScotland website will be developed to publicise the National Confidential Forum and developments with other related matters. This will include a section on the work of the National Confidential Forum Reference Group. The membership and remit of the Reference Group will be posted on the website, as will the agenda and minutes of the Group's meetings.

Preparation and Guidance

12. People who may not have been involved previously in such groups and/or who may have specific concerns about becoming involved can speak individually and in confidence to members of the SurvivorScotland Team before deciding whether to take part. At the first meeting guidance will be given about the way in which Bills are prepared and the Parliamentary process in relation to Bills.

SurvivorScotland Team
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