

Child Rights and Wellbeing Impact Assessment (CRWIA) for the Ukraine Super Sponsor Scheme Review Interventions

September 2023

Contents

Introduction	3
1. Which articles of the UNCRC does this policy/measure impact on?	3
2. What impact will your policy/measure have on children’s rights?	4
3. Will there be different impacts on different groups of children and young people? 5	
4. If a negative impact is assessed for any area of rights or any group of children and young people, can you explain why this is necessary and proportionate? What options have you considered to modify the proposal, or mitigate the impact?	5
5. How will the policy/measure give better or further effect to the implementation of the UNCRC in Scotland?.....	6
6. How have you consulted with relevant stakeholders, including involving children and young people in the development of the policy/measure?.....	7
7. What evidence have you used to inform your assessment?	7
8. How will the impact of the policy/measure be monitored?	9
9. How will you communicate to children and young people the impact of the policy/measure on their rights?	9
10. Sign & Date	9
Annex 1 – UNCRC Article Clusters	11
Annex 2 – General Comments	13

Introduction

On the 13 July, the Scottish Government paused the Ukraine Super Sponsor Scheme to ensure that we could continue to provide appropriate support for those displaced people who had already arrived, and those still to travel. Following the pause, a review of the Scheme was undertaken, which identified 16 interventions designed to improve sustainability and empowerment of the scheme. The interventions are:

1. Improved Clarity in Pre-Arrival Communications – *Immediate*
2. Refined Arrival Script and Communications – *Immediate*
3. Strengthening of Matching – *Immediate*
4. Social Housing – *Immediate*
5. Scotland Call for Volunteers – *Short-term*
6. Greater Emphasis on Employability – *Short-term*
7. Local Welcome – *Short-term*
8. National Approach to Re-matching – *Short-term*
9. Refinement of Accommodation Offer – *Short-term*
10. Warm Welcome Grant – *Medium-term*
11. Private Rental Assistance – *Medium-term*
12. Self-matching Infrastructure – *Medium-term*
13. Modular Housing – *Medium-term*
14. Approach to Matching – *Medium-term*
15. Headlease Scheme – *Longer-term*
16. Research and International Best Practice – *Ongoing*

This Children's Rights and Wellbeing Impacts Assessment seeks to identify the impact of the proposed interventions on children and young people, as well as identifying any mitigations that need to be in place. This is an iterative process that will sit alongside other impact assessments officials deem necessary to progress in the event of a significant decision or policy shift.

1. Which articles of the UNCRC does this policy/measure impact on?

Article 2 (non-discrimination): The Convention applies to every child without discrimination, whatever their ethnicity, gender, religion, language, abilities or any other status, whatever they think or say, whatever their family background.

Article 3 (best interests of the child): The best interests of the child must be a top priority in all decisions and actions that affect children.

Article 4 (implementation of the Convention): Governments must do all they can to make sure every child can enjoy their rights by creating systems and passing laws that promote and protect children's rights.

Article 6 (life, survival and development): Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential.

Article 19 (protection from violence, abuse and neglect): Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

Article 22: If a child is seeking refuge or has refugee status, governments must provide them with appropriate protection and assistance to help them enjoy all the rights in the Convention. Governments must help refugee children who are separated from their parents to be reunited with them.

Article 27: Every child has the right to a standard of living that is good enough to meet their physical and social needs and support their development. Governments must help families who cannot afford to provide this.

Article 34 (sexual exploitation) : Governments must protect children from all forms of sexual abuse and exploitation.

Article 35 (abduction, sale and trafficking): Governments must protect children from being abducted, sold or moved illegally to a different place in or outside their country for the purpose of exploitation.

Article 39 (recovery from trauma and reintegration): Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life.

2. What impact will your policy/measure have on children's rights?

In assessing the impact on children's rights, we have considered the collective impact of the 16 interventions as a suite of improvement measures rather than assessing each and every intervention on its own.

Nevertheless, while we recognise that by and large the impact of the 16 interventions should be positive, intervention 9 (refinement of accommodation offer) could return both positive and negative impacts. While the overall intention of the proposed policy change is to reduce programme costs, align with wider housing schemes and to also encourage uptake of longer-term accommodation in hosted accommodation and social housing, the most immediate impact on children and young people would be adjusting to changes to our welcome accommodation offer, including the removal of lunches and the potential removal of dinner provision.

Officials are working to mitigate the impact of any such policy changes through ensuring local authorities are providing interim payments on arrival, supporting guests access their full social security entitlement including Universal Credit, Scottish Child Payment and free school meals, and sign posting to discretionary support

including the Scottish Welfare Fund. As we start to move away from a focus on welcome accommodation to longer term and more settled housing, targeted closures of hotels in rural areas should mean those still in welcome accommodation can access local amenities.

In addition, existing policy within Scotland means that school age children should be able to access free lunch and snacks and would not be adversely impacted by the removal of lunch provision.

3. Will there be different impacts on different groups of children and young people?

Children fleeing from the conflict in Ukraine will be affected by any proposed operational policy changes. Although numbers in welcome accommodation is on a decreasing trend, there are still a significant number of displaced children from Ukraine residing in Scotland, either in welcome accommodation or more settled housing. With 3000 Ukrainian children were enrolled in primary and secondary schools across Scotland since first reported in September 2023.

We will consider the impact of policy changes across all age groups and in all circumstances. For example, those in more settled accommodation may be less impacted by changes to lunch and dinner provision as they have facilities to cook while those of school age will still enjoy free lunches in line with wider Scottish Government policy.

A strong focus on safeguarding underpins our approach and we are working closely with Local Authorities to ensure all the necessary safeguarding and welfare checks are undertaken.

4. If a negative impact is assessed for any area of rights or any group of children and young people, can you explain why this is necessary and proportionate? What options have you considered to modify the proposal, or mitigate the impact?

As noted in the answer to Q2, some of the operational changes like the removal of lunch or dinner provision could negatively impact some groups of children.

However, we deem this change necessary because of the overall need to reframe the welcome accommodation offer; to encourage uptake of long term accommodation in hosted accommodation, social housing or private rental; and to reduce overall programme costs and move in line with wider housing schemes.

Article 27 'Adequate standard of living' of the UNCRC, mandates that every child has a right to a standard of living adequate for the child's physical, mental, spiritual, moral and social development. Item 2 caveats that the parent(s) or others

responsible for the child have the primary responsibility to secure, within their abilities and financial capabilities, the conditions of living necessary. In terms of the proposed policy change documented above, the accompanying adult(s) would have direct responsibility to cover the additional expenses of paying for snacks for those in hotels and lunches (unless covered by free school meals) for their child(ren). The State has a role in assisting with this, for Item 3 of Article 27 prescribes that State Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this need, particularly with regard to nutrition, clothing and housing.

The Scottish and UK Governments are facilitating this responsibility via the provision of devolved and reserved benefits to UDPs, such as the £200 initial payment, which aims to help with subsistence costs. This includes child element of Universal Credit, Best Start Grant and Scottish Child Payment. Moreover, councils in Scotland are required to provide school places for children of school age and/or with additional support needs. From January 2022 all children in primary 1 to primary 5 can get free school meals in local authority schools in Scotland. Eligible children and young people are also entitled to free school meals in the primary 6 and 7, as well as secondary school and funded early learning and childcare places.

This also means that in addition to provision of meals during term time, ELC, school-age children and young people may be entitled to access help with the provision of schools meals, throughout the school holidays.

The financial savings delivered through this intervention would allow us to continue with the welcome accommodation scheme and our wider aim of providing a universal offer of accommodation to all UDPs. This is in line with Article 22 'Refugee children' of the UNCRC which mandates that State parties shall take appropriate measures to ensure a child seeking refugee status, or who is considered a refugee in accordance with applicable international and domestic laws, shall receive appropriate protection and humanitarian assistance.

To negate any negative impacts, we will work with local authorities to identify hotels where shops and other amenities are not in proximity and engage in discussions about keeping provisions in place where they would otherwise be removed. As part of the implementation of the wider package of interventions, we will also consider what further provision is required to help support the needs and wellbeing of Ukrainian children and young people. This is addition to the support offered by the UK Government, which includes measures such as the thank you payment to hosts.

5. How will the policy/measure give better or further effect to the implementation of the UNCRC in Scotland?

Our policy approach and programme will give better effect to a number of articles under the UNCRC.

Firstly, Article 22 'Refugee Children' mandates appropriate protection and humanitarian assistance. Article 27 'Adequate standard of living' relates to the provision of an adequate standard of care and helping parent(s) or other adults responsible for the child where able. By continuing to provide welcome

accommodation to new arrivals, we are adhering to the requirements of these articles. In addition, our robust safeguarding and well-being policies should ensure we adhere to articles 34(sexual exploitation) and 35 (abduction, sale and trafficking).

The universal accommodation offer and ability to access employment, education and benefits where eligible aligns with the GIRFEC policy framework by ensuring everyone is treated equally and providing support for children, young people and families when they need it.

6. How have you consulted with relevant stakeholders, including involving children and young people in the development of the policy/measure?

The review of the Super Sponsor Scheme was led by the Chief Social Policy Adviser, and included experts from across national and local government, academia and the third sector. It also included the lived experience of recently arrived Ukrainians. In his statement to Parliament on 1 November¹, the Minister for Culture, Europe and International Development and Minister with special responsibility for Refugees from Ukraine outlined the 16 interventions that were the conclusions from the review. This included the 7 criteria for reopening the Super Sponsor Scheme, which were supported by the Convention of Scottish Local Authorities, the Society of Local Authority Chief Executives and Senior Managers—SOLACE—and third sector partners.

Ongoing plans to support engagement around relevant interventions, particularly refining our welcome accommodation offer, are in development. Children and young people, as well as intersectionality with other protected characteristics such as disability, will be considered as part of this process. These discussions will then inform the final changes to the accommodation offer that will be communicated to UDPs (both those already in welcome accommodation and those planning to travel in future).

7. What evidence have you used to inform your assessment?

We gather a range of evidence and information on displaced people from Ukraine, including:

- Monthly Scottish Government statistical publication on Ukraine Sponsorship Scheme in Scotland: [Next steps and additional sources - Ukraine Sponsorship Scheme in Scotland: statistics - March 2023 - gov.scot \(www.gov.scot\)](#)
- Monthly Scottish Government education analytical services dashboard on Ukrainian children enrolled in Scottish schools: [Pupils displaced from Ukraine | Tableau Public](#)

¹ [Meeting of the Parliament: 01/11/2022 | Scottish Parliament Website](#)

- Weekly DLUHC statistics on Ukraine Sponsorship Scheme: Visa data by country, upper and lower tier local authority:
- [Ukraine Sponsorship Scheme: Visa data by country, upper and lower tier local authority - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/ukraine-sponsorship-scheme-visa-data-by-country-upper-and-lower-tier-local-authority)
- Weekly data on applications, visas issued and arrivals in the UK (including Ukraine Family Scheme): [Ukraine Visa Schemes: visa data - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/ukraine-visa-schemes-visa-data)
- Quarterly DLUHC statistics on Homes for Ukraine Sponsorship Scheme: Visa data by age and sex of applicant: [Homes for Ukraine Sponsorship Scheme: Visa data by age and sex of applicant - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/homes-for-ukraine-sponsorship-scheme-visa-data-by-age-and-sex-of-applicant)
- Expressions of interest data reconciliation exercise: [Ukraine Sponsorship Scheme in Scotland: expressions of interest data reconciliation exercise – February 2023 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/expressions-of-interest-data-reconciliation-exercise-february-2023/pages/introduction.aspx)
- OCEA paper on Ukrainian displaced people - economic impact of migration: [Ukrainian displaced people - economic impact of migration: discussion paper - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/ukrainian-displaced-people-economic-impact-of-migration-discussion-paper/pages/introduction.aspx)
- Office for National Statistic (ONS) experimental statistics on sponsors' experiences of Ukraine Sponsorship Scheme: [Experiences of Homes for Ukraine scheme sponsors - follow-up, UK - Office for National Statistics](https://www.ons.gov.uk/peoplepopulationandcommunity/migrationandimmigration/briefings/experiences-of-homes-for-ukraine-scheme-sponsors-follow-up-uk)
- ONS experimental statistics on experiences of visa holders entering the UK under the Ukraine Humanitarian Schemes: [Visa holders entering the UK under the Ukraine Humanitarian Schemes, Outcomes Survey - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/migrationandimmigration/briefings/visa-holders-entering-the-uk-under-the-ukraine-humanitarian-schemes-outcomes-survey)
- Analysis of Ukrainian nationals entering employment in the UK: [Analysis of Ukrainian nationals entering employment in the UK - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/analysis-of-ukrainian-nationals-entering-employment-in-the-uk)
- People displaced from Ukraine - interviews: summary report: <https://www.gov.scot/collections/ukraine-analysis-and-statistics/>

However, there is unfortunately limited evidence available on the views and experiences of children and young people within the Ukraine response programme.

A survey was recently conducted via Ukraine Advice Scotland, a service funded by the Scottish Government and run by the independent charity Just Right Scotland, to explore the views of Ukrainian citizens arriving in Scotland.² Although this study focuses on adults rather than children and young people, it provides a useful snapshot of the experiences of those in welcome accommodation in the form of hotels and cruise ships. Whilst the overall survey response was generally positive, areas of concerns were raised. One of these was around uncertainty around timeframes and next steps. Issues were also raised around feeling uncomfortable/unsuitable for living with children, the quality of food, location of accommodation and unmet additional needs (e.g. caring for a disabled child). These findings highlight the need for longer-term solutions such as hosted accommodation or social housing, something which we are ultimately striving towards.

Examining the policy landscape for children's services in Scotland finds a number of legislative approaches that shape the services for children and young people arriving from Ukraine. As per the Children (Scotland) Act 1995, children are classified as

² Just Right Scotland. (2022). Reflections on the Ukraine Scheme in Scotland: Feedback from Clients of Ukraine Advice Scotland. [UAS Report PDF FINAL \(justrightscotland.org.uk\)](https://www.justrightscotland.org.uk/reports/2022/05/24/ukraine-scheme-in-scotland-feedback-from-clients-of-ukraine-advice-scotland)

'individuals under the age of eighteen years.' There is a rights-based approach to support the wellbeing of children and young people in Scotland called 'Getting It Right for Every Child' (GIRFEC). Its principles are based on the United Nations Convention on the Rights of the Child (UNCRC) and a National Practice Model has been developed to allow practitioners to suitably apply these.³

Under the visa scheme, children arriving in Scotland from Ukraine are entitled to the same rights as children already living here. This means they are entitled to an education and have access to the same level of services and benefits as people who reside here.

8. How will the impact of the policy/measure be monitored?

This CRWIA will be a living document and will help inform policy change and development moving forward. The proposed changes will likely be part of a suite of interventions to the programme, all of which will require monitoring. Discussions will continue to be held with COSLA, SOLACE, the Scottish Refugee Council and the Consulate General, with a particular focus on the impact on children and young people.

9. How will you communicate to children and young people the impact of the policy/measure on their rights?

As part of our super sponsor scheme and welcome accommodation offer, families and children have access to key services, including employment and education officers. Families can also access and claim social security benefits.

10. Sign & Date

Policy Lead Signature & Date of Sign Off:

Tara Clark

11 November 2022

Deputy Director Signature & Date of Sign Off:

³ Scottish Government. (n.d.). Getting it Right for Every Child (GIRFEC). [GIRFEC principles and values - Getting it right for every child \(GIRFEC\) - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/consultation-papers/cgp-getting-it-right-for-every-child-girfec-principles-and-values/)

Once signed off, please send to CRWIA@gov.scot
and publish on gov.scot website.

Annex 1 – UNCRC Article Clusters

[CRC Clusters \(unicef-irc.org\)](http://www.unicef-irc.org)

I General measures of implementation

[Article 4](#) implementation obligations

[Article 41](#) respect for existing standards

[Article 42](#) making Convention widely known

[Article 44\(6\)](#) making reports widely available

II Definition of a child

[Article 1](#)

III General principles

[Article 2](#) non-discrimination

[Article 3\(1\)](#) best interest to be a primary consideration

[Article 3\(2\)](#) State's obligations to ensure necessary care and protection

[Article 3\(3\)](#) standards for institutions services and facilities

[Article 6](#) the right to life, survival and development (see also: [VI Basic health and welfare](#))

[Article 12](#) respect for the views of the child

IV Civil rights and freedoms

[Article 7](#) right to name, nationality and to know and be cared for by parents

[Article 8](#) preservation of child's identity

[Article 13](#) freedom of expression

[Article 14](#) freedom of thought, conscience and religion

[Article 15](#) freedom of association and peaceful assembly

[Article 16](#) protection of privacy

[Article 17](#) child's access to information, and role of mass media

[Article 37\(a\)](#) right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment

V Family environment and alternative care

[Article 5](#) parental guidance and child's evolving capacities

[Article 18\(1\) and \(2\)](#) parental responsibilities and State's assistance

[Article 9](#) separation from parents

[Article 10](#) family reunification

[Article 11](#) illicit transfer and non-return

[Article 27\(4\)](#) recovery of maintenance for the child

[Article 20](#) children deprived of their family environment

[Article 21](#) adoption

[Article 25](#) periodic review of placement and treatment

[Article 19](#) protection from all forms of violence

[Article 39](#) rehabilitation and reintegration of victims of violence (see also: [VIII - Special protection measures](#))

VI Basic health and welfare

[Article 6](#) right to life, survival and development (see also: [III - General principles](#))

[Article 18\(3\)](#) support for working parents

[Article 23](#) rights of disabled children

[Article 24](#) right to health and health services

[Article 26](#) right to social security

[Article 27\(1\)-\(3\)](#) right to adequate standard of living

VII Education, leisure and cultural activities

[Article 28](#) right to education

[Article 29](#) aims of education

[Article 31](#) right to leisure, play and participation in cultural and artistic activities

VIII Special protection measures

A - Children in situations of emergency

[Article 22](#) refugee children

[Article 38](#) children and armed conflict

[Article 39](#) rehabilitation of child victims (see also: [V Family environment and alternative care](#))

B - Children involved with the system of administration of juvenile justice

[Article 40](#) administration of juvenile justice

[Article 37\(a\)](#) prohibition of capital punishment and life imprisonment

[Article 37\(b\)-\(d\)](#) restriction of liberty

[Article 39](#) rehabilitation and reintegration of child victims (see also: [V Family environment and alternative care](#))

C - Children in situations of exploitation

[Article 32](#) child labour

[Article 33](#) drug abuse

[Article 34](#) sexual exploitation

[Article 35](#) sale, trafficking and abduction

[Article 36](#) other forms of exploitation

D - Children belonging to a minority or an indigenous group

[Article 30](#)

[Optional Protocol to the UNCRC on the Involvement of Children in Armed Conflict](#)

[Governments](#) should ensure that children under 18 who are members of the armed forces do not take a part in combat. Any recruitment of children under 18 must be voluntary and carried out with the full consent of the child's parents/carers. The UK Government has entered interpretive Declarations to this Optional Protocol. The UK would not exclude the deployment of under 18s who are members of the armed forces in direct combat if there is a genuine military need; it is not practicable to withdraw them before deployment; or doing so would undermine the operational effectiveness of their unit. The minimum age at which children may join the UK armed forces is 16 years, with parental consent required.

[Optional Protocol to the UNCRC on the Sale of Children, Child Prostitution and Child Pornography](#) [Governments](#) must prohibit the sale of children, child prostitution and

child pornography, and recognise the vulnerability of child victims, protect their privacy, provide appropriate support services and ensure their safety.

Annex 2 – General Comments

General Comments are non-legally binding interpretive aids issued by the UN Committee on the Rights of the Child to provide State parties with assistance regarding the interpretation of an article or issue relating to the UNCRC, and what actions governments should take to ensure its implementation. New General Comments appear at irregular intervals.

Office of the High Commissioner for Human Rights (UN Human Rights) [UN Treaty Body Database](#)

1. [The aims of education \(2001\)](#)
2. [The role of independent National Human Rights Institutions in the protection and promotion of the rights of the child \(2002\)](#)
3. [HIV/AIDS and the rights of children \(2003\)](#)
4. [Adolescent health and development in the context of the Convention on the Rights of the Child \(2003\)](#)
5. [General measures of implementation on the Convention on the Rights of the Child \(2003\)](#)
6. [Treatment of unaccompanied and separated children outside their country of origin \(2005\)](#)
7. [Implementing child rights in early childhood \(2005\)](#)
8. [The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment \(2006\)](#)
9. [The rights of children with disabilities \(2006\)](#)
10. [Children's rights in juvenile justice \(2007\)](#)
11. [Indigenous children and their rights under the Convention \(2009\)](#)
12. [The right of the child to be heard \(2009\)](#)
13. [The right of the child to freedom from all forms of violence \(2011\)](#)
14. [On the right of the child to have his or her best interests taken as a primary consideration \(2013\)](#)
15. [On the right of the child to enjoyment of the highest attainable standard of health \(2013\)](#)
16. [State obligations regarding the impact of the business sector on children's rights \(2013\)](#)
17. [On the right of the child to rest, leisure, play, recreational activities, cultural life and the arts \(2013\)](#)

18. [On harmful practices \(Joint General Comment with the Committee on the Elimination of Discrimination against Women\) \(2019\)](#)
19. [Public budgeting for the realisation of children's rights \(2016\)](#)
20. [Implementation of the rights of the child during adolescence \(2016\)](#)
21. [Children in street situations \(2017\)](#)
22. General principles regarding the human rights of children in the context of international migration [\(Joint General Comment with the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families\) \(2017\)](#)
23. State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return [\(Joint General Comment with the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families\) \(2017\)](#)
24. [General comment No. 24 \(2019\)](#) on children's rights in the child justice system
25. [General comment 25 \(2021\)](#) Children's Rights in relation to the digital environment.



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