

**Document 1 – Outgoing email with papers for SIB – 18/10/2021**

**From:** [redacted - 38(1)] > On Behalf Of UNCRC Incorporation

**Sent:** 18 October 2022 11:11

**To:** UNCRC Incorporation <UNCRCIncorporation@gov.scot>

**Subject:** PAPERS – Strategic Implementation Board – Tuesday 25 October 2022

Dear Board Members

Please find attached papers ahead of next Tuesday's Strategic Implementation Board meeting.

Papers are as follows:

- Paper 1 – Agenda
- Paper 2 – Minutes from 27 September 2022
- Paper 3 – Minutes from 27 September 2022 (accessible version)
- Paper 4 – Action Tracker
- Paper 5 – Monthly Programme Highlight report

Kind Regards

**[redacted – 38(1)]**

Project Manager

UNCRC Implementation, Directorate for Children and Families, Scottish Government

*My working hours are: Monday - Friday (09:00-17:00)*

## Document 1a – SIB Agenda 25/10/2022



### UNCRC Strategic Implementation Board Tuesday 25<sup>th</sup> October 2022 15:30 – 17:00

No	Times	Item	Lead
1.	15:30-15:35	Welcome and Apologies	Michael Chalmers, Chair
2.	15:35-15:45	Minutes and Actions from last meeting <ul style="list-style-type: none"><li>• Paper 2 - Minutes</li><li>• Paper 3 - Accessible Minutes</li><li>• Paper 4 - Action Tracker</li><li>• Paper 5 – Highlight Report</li></ul>	<b>[redacted - 38(1)]</b> Children's Rights Unit
3.	15:45-15:50	Update on the Bill	<b>[redacted – 38(1)]</b> Children's Rights Unit
4.	15:50-16:00	Support for commencement	<b>[redacted - 38(1)]</b> Children's Rights Unit
5.	16:00-16:25	UNICEF Presentation	<b>[redacted – 38(1)]</b> , UNICEF
6.	16:25-16:50	SPSO Presentation	<b>[redacted – 38(1)]</b> SPSO
7.	16:50-17:00	A.O.B	Michael Chalmers, Chair
8.	17:00	Close	Michael Chalmers, Chair



**Minutes of Meeting – Tuesday 27<sup>th</sup> September 2022, 15:30-17:00**

**Accessible Version**

**What is the Strategic Implementation Board?**

The Strategic Implementation Board (or SIB, for short) is a group of people that meet every month to support the Government to make the [United Nations Convention on the Rights of the Child](#) part of Scots law and to put in place support for organisations, children and young people and their families to help ensure that children's rights are respected. They discuss if the work is on track and help to resolve any problems in trying to make this happen. There are people on the



SIB from Police, Education, Health, Social Work, children's rights organisations, and the Scottish Government.

### **What was discussed at this meeting?**

Members were told that printing of the Parents/Carers/Families UNCRC booklet has been delayed until the UNCRC Bill receives royal assent\* but that an online version is being created which will be available in time for World Children's day on 20<sup>th</sup> November 2022.

SIB were told that Together members think it is really important to involve children in the new participation guidelines. SIB were told that the Children's Rights Unit are looking at ways to include the voices of infants and younger children when making the new participation guidelines.

An organisation called the Improvement Service delivered a presentation to SIB. The presentation told members about what is being done now and what will be done in the future for children's rights within the services that support children in local government.

A paper was shared before the meeting which gave details of how the Children's Rights Unit hoped to keep check of the UNCRC Implementation Programme to ensure everything was going well. The paper was discussed further at the meeting and everyone agreed how important it was to have a plan for keeping track of the programme.



The next meeting of the SIB will be held on Tuesday 25 October 2022.

\* Royal Assent - [Your Scottish Parliament How the Scottish Parliament makes laws - YouTube](#)

## Document 1c – SIB action tracker

No.	Actions that are still open	Action Raised	Due Date	Comments	Status Open/Close?
56	<b>[redacted - 38(1)]</b> to share developments from conversations with the Chief Economist and Director General Economy with the SIB	25/08/2022	Nov-22	<b>[[redacted - 38(1)]</b> confirmed at SIB on 27/09 this meeting had been pushed back to November. As such no date will be available until after it has taken place	<b>Open</b>
59	Programme Office to ensure the forward planner is updated.	27/09/2022		Completed.	<b>Closed</b>
61	<b>[redacted - 38(1)]</b> will follow up with <b>[redacted - 38(1)]</b> around inclusion of younger children in participation after the meeting.	27/09/2022		<b>[redacted - 38(1)]</b> has engaged with <b>[redacted - 38(1)]</b> and a meeting has been arranged.	<b>Closed</b>
62	Programme lead to provide an update within the minutes offering more information around the Innovation Fund.	27/09/2022		Completed.	<b>Closed</b>
63	Programme lead to set up a meeting with COSLA to provide more information if needed.	27/09/2022		<b>[[redacted - 38(1)]</b> met with COSLA on 5 October 2022	<b>Closed</b>
64	<b>[redacted - 38(1)]</b> to discuss communications around transitional arrangements for reporting duties for public authorities.	27/09/2022		<b>[redacted - 38(1)]</b> met with COSLA on 5 October 2022	<b>Closed</b>

Item Number	What	Action Raised	Due Date	Comments	Status (Open/Closed)
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	The proposed model for the consortium to be tabled as a future agenda item for further discussion and the Board's guidance and thoughts	7/1/2021	7/29/2021	An update is being provided on 29 July 2021 (Item 8)	<b>Closed</b>
	Look at how the aims of the implementation programme could be adjusted to reflect the cultural transformation also required.	7/1/2021	7/29/2021	A revised aims diagram has been circulated and will be discussed on 29 July 2021 (Item 4)	<b>Closed</b>
	Follow up on how do we meaningfully ensure the participation and engagement of younger children? Children's Parliament to be invited to speak at a future meeting	01/07/2021	01/09/2021	Children's Parliament have agreed to do an input at a future Board meeting (September)	<b>Closed</b>

	<p>Terms of Reference- Suggestions to be taken away and further narrative to be constructed on what this board is set up to do- namely to provide oversight, scrutiny, challenge, and leadership, and will be brought back to the next meeting.</p>	<p>01/07/2021</p>	<p>29/07/2021</p>	<p>Revised Terms of Reference has been circulated to reflect the comments made and will be discussed on 29 July 2021 (Item 4)</p>	<p><b>Closed</b></p>
	<p>Monthly meetings on the last Thursday of the month from 3pm-4.30pm will be set up and will be subject to review.</p>	<p>01/07/2021</p>	<p>29/07/2021</p>	<p>Future meeting dates circulated for 3pm-4.30pm on:</p> <ul style="list-style-type: none"> <li>• Thursday 29th July</li> <li>• Thursday August 26th</li> <li>• Thursday September 30th</li> <li>• Thursday October 28th</li> <li>• Thursday November 25th</li> </ul> <p>Frequency of meetings to then be reviewed.</p>	<p><b>Closed</b></p>

	Members were asked to submit any proposed agenda items for consideration at future meetings to the Board Secretariat at <a href="mailto:UNCRCIncorporation@gov.scot">UNCRCIncorporation@gov.scot</a> .	29/07/2021	26/08/2021	Ongoing- Members encouraged to do this throughout the lifespan of this Board	<b>Closed</b>
	Agreed Terms of Reference will now be published	29/07/2021	26/08/2021	Terms of Reference is now published on the Board's page of the Scottish Government website	<b>Closed</b>
	To table a discussion at a future meeting on monitoring and evaluation proposals for the programme	29/07/2021	26/08/2021	Future date to be agreed	<b>Closed</b>



	Members to send any further thoughts and suggestions to <b>[redacted - 38(1)]</b> on working methods to effectively support the engagement of children and young people before the next meeting of the Board	29/07/2021	26/08/2021	None received to date- update to be provided by <b>[redacted - 38(1)]</b> on 26 August	<b>Closed</b>
10	<b>[[redacted - 38(1)]</b> to follow up on expressions of interest and offers of further discussion in relation to targeted compliance support and children's rights journeys.	26/08/2021	26/08/2021	We have had initial discussions with UNICEF and Together and parenting orgs, WhoCares? <b>[redacted - 38(1)]</b> and Clan.	Closed
	Board members who have not done so to submit a video biography to Together	30/09/2021			<b>Closed</b>
	Together asked if 2-3 members of the Board could attend on the 14th or 15th October.	30/09/2021	15/10/2021	Some interest at SIB meeting, unsure who attended	<b>Closed</b>

	<p><b>[redacted - 38(1)]</b> agreed to share a paper covering agenda item 7 in advance of a dedicated discussion at the next meeting.</p>	<p>30/09/2021</p>	<p>28/10/2021</p>		<p><b>Closed</b></p>
	<p>An ask was made to Members to share their reflections at the next Board meeting about what activities are being undertaken by public bodies in relation to implementation and to feedback on any challenges to date.</p>	<p>30/09/2021</p>	<p>28/10/2021</p>	<p>[redacted - 38(1)] (Education Scotland) and <b>[redacted - 38(1)]</b> (Police Scotland) presented to the Board on their activities to ensure readiness</p>	<p><b>Closed</b></p>

17	CoSLA will provide an update on work underway to prepare for incorporation	28/10/2021		Agreed at March meeting that it wasn't consistent with the Board's remit to use meeting to discuss how public authorities, represented on the Board, were implementing UNCRC.	<b>Closed</b>
19	SIB members and Consortium to explore how best to communicate developments from respective meetings (e.g. video updates, briefings etc).	28/10/2021		Currently Progressing	<b>Closed</b>
	Have about 3 - 4 SIB members attend the next meeting of the Interim Consortium -11th November.	28/10/2021	25/11/2021	Some interest at SIB meeting, unsure who attended	<b>Closed</b>

	Bring <b>[redacted - 38(1)]</b> from Together and <b>[redacted - 38(1)]</b> from Scottish Government into the SIB to make sure there is an ongoing strategic relationship between SIB members and the children and young people at the consortium.	28/10/2021	25/11/2021	<b>[redacted - 38(1)]</b> now both invited to SIB meetings	<b>Closed</b>
	Details of this ROCK event to be shared with board.	28/10/2021		Email with details sent to the Board	<b>Closed</b>
20	<b>[redacted - 38(1)]</b> requested board members' help in disseminating DFM video message.	25/11/2021		Thanks to those who shared this.	<b>Closed</b>
21	Secretariat to arrange an extra-ordinary meeting of the SIB, unless the timing of engagement coincides with a regular scheduled meeting of the Board.	25/11/2021		Still not in a position to begin targeted engagement but there will be an update at item 4.	<b>Closed</b>

22	[redacted - 38(1)] asked Michael if he could produce a video ahead of the next Interim Consortium meeting, by Monday 29th December.	25/11/2021	29/12/2021	Michael provided this video to the Interim Consortium	<b>Closed</b>
23	[redacted - 38(1)] will discuss with [redacted - 38(1)] how best to develop a child friendly summary of the highlight report	28/01/2022	24/02/2022	After each SIB the CRU will commit to publish an accessible version of the minutes in collaboration with the Coordinator of the main Consortium and the children and young people present at the meeting.	Close

24	<p><b>[redacted - 38(1)]</b> (who is the SG lead on the Rights Resolution workstream) for a summary of how stakeholders will be engaged in this work.</p>	28/01/2022	24/02/2022	<p>The Rights Resolution workstream covers a wide range of issues including: access to justice; advocacy; child friendly complaint; children at risk of not having their rights met; and drafting the Children's Rights Scheme. The team intends to work with a wide range of stakeholders, making best use of existing groups and networks, e.g. Together's Task Groups on access to advocacy, access to justice and children whose rights are most at risk of being breached and the Children's Rights Implementation Group (set up under the Youth Justice Improvement Board). This will be kept under review as the programme of work develops. It may be that short term groups will be helpful in developing specific pieces of work. The team will engage with members of SIB as appropriate and engage with children and young people in taking the strand forward.</p>	Close
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25	<p><b>[redacted - 38(1)]</b> to ensure that future highlight reports and updates make clear that it's the nature of the technical fix that is being explored rather than the mechanism through which the technical fix will be brought about.</p>	28/01/2022	24/02/2022	Actioned.	Close
26	<p><b>[redacted - 38(1)]</b> agreed to pick up with local authority colleagues on readiness and share any questions raised in the discussions with the Children's Rights Unit by 10 February 2022.</p>	28/01/2022	24/02/2022	<p><b>[redacted - 38(1)]</b> shared feedback with the CRU on this. <b>[redacted - 38(1)]</b> to share an update at agenda item 5.</p>	Close

27	<p><b>[redacted - 38(1)]</b> to explore with Empowering Children's team how we share learning from engagement in a way that respects permission received from children and young people.</p>	28/01/2022	24/02/2022	<p>The CRU plan to establish a stakeholders network to co-create and then publish guidance and good practice in engaging CYP in decision making processes. The current advice and guidance can be found here:  <a href="https://www.gov.scot/publications/decision-making-children-and-young-peoples-participation/">https://www.gov.scot/publications/decision-making-children-and-young-peoples-participation/</a></p>	Close
28	<p><b>[redacted - 38(1)]</b> to share Together's State of Children's Rights report with the Board in due course.</p>	28/01/2022	24/02/2022	Report shared with SIB	Close



29	Board Members requested to send feedback on the paper in relation sequencing to uncrincorporation@gov.scot within a fortnight.	28/01/2022	24/02/2022	Written feedback received from COSLA, Care Inspectorate and Police Scotland. To be summarised at item 5.	Closed
30	Interested SIB members to attend the next meeting on 17th Feb 2022. <b>[redacted - 38(1)]</b> to share invites via the SIB Secretariat.	28/01/2022	24/02/2022	<b>[redacted - 38(1)]</b> and <b>[redacted - 38(1)]</b> down to attend	Closed
31	When update is published by the Committee, <b>[redacted - 38(1)]</b> will send on a link to Board.	24/02/2022	24/02/2022	Links were shared with the board on the 7th of march.	Closed
32	All members to give thought to how best to raise awareness of duties on hybrid authorities.	24/02/2022		No further suggestions received, beyond those provided at February's meeting.	Close

33	<b>[redacted - 38(1)]</b> to discuss with <b>[redacted - 38(1)]</b> the timelines for launching the public awareness raising campaign and whether we can launch this sooner	31/03/2022		The national campaign can't happen until 2023 due to allocation of funding. However, we have initiated it's creation by establishing networks to generate the key messages and build unity. We have our parents network who are creating a booklet specifically aimed at parents/carers/families. We have sent invitations to stakeholders to establish a Comms network for people who have a remit from UNCRC marketing/comms. When the Consortium is established we will have a CYP comms subgroup. Young Scot have agreed to run a week of comms around UNCRC in November leading to World Children's Rights day. We will build events around their week. Finally, RRSA award will be offered to all primary and secondary schools to raise awareness with CYP.	<b>Closed</b>
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34	Programme Office to share a revised Terms of Reference with the SIB to reflect these changes	31/03/2022		These will be shared with this months papers.	<b>Closed</b>
35	<b>[redacted - 38(1)]</b> to ensure the minutes are updated and to add the risk register to the action tracker for the Board.	26/05/2022		Minutes updated	<b>Closed</b>
36	Highlight repport to include an update on the progress of SPSO's work around a child friendly complaints mechanism in the highlight report for the next meeting on Thursday 30 June 2022.	26/05/2022		The highlight report will provide an update	<b>Closed</b>

37	<b>[redacted - 38(1)]</b> to contact <b>[redacted - 38(1)]</b> after the meeting about how to take forward an approach to the judiciary [Now included in targeted engagement and contacted via AP].	26/05/2022		Complete	<b>Closed</b>
38	Members to submit written responses to the engagement paper by 17 June 2022.	26/05/2022	17/06/2022	<b>[redacted - 38(1)]</b> provide update on feedback received	<b>Closed</b>
39	<b>[redacted - 38(1)]</b> to share briefing paper with <b>[redacted - 38(1)]</b>	26/05/2022		Received 29/06/22	<b>Closed</b>
34	<b>[redacted - 38(1)]</b> to send the updated ToR to the group and to add to next meeting agenda so that these can be formally approved.	26/05/2022		Issued 08/06/22, added to agenda for discussion at next SIB (30/06/22)	<b>Closed</b>
37	<b>[redacted - 38(1)]</b> to include an agenda item for the ToC in a future meeting.	26/05/2022		On agenda for 30/06	<b>Closed</b>

41	[redacted - 38(1)] to distribute SPSO communication.	30/06/2022 2		Issued 17/07/2022	<b>Closed</b>
42	[redacted - 38(1)] to issue UNCRC Programme Update to all SIB members.	30/06/2022 2		Issued 17/07/2022	<b>Closed</b>
43	[redacted - 38(1)] add actions to progress the Bill to the list of priorities for this month's report.	30/06/2022 2		Included in June highlight report	<b>Closed</b>
44	Meeting to be arranged between [redacted - 38(1)] and child rights budgeting sub-group.	30/06/2022 2		Meeting held on 1 Aug	<b>Closed</b>
46	PO to issue letter to the Equalities Committee referenced by [redacted - 38(1)] and link to standing orders .	30/06/2022 2		Issued 17/07/2022	<b>Closed</b>
47	PO to circulate revised ToR with the minutes for sign off.	30/06/2022 2		Issued 17/07/2022	<b>Closed</b>
48	PO to make note in forward planner for this to return to SIB	30/06/2022 2		Added to forward planner for October	<b>Closed</b>

51	PO to draft and send brief highlight report in July	30/06/2022 2		Issued 29/07/2022	<b>Closed</b>
45	Check in with <b>[redacted - 38(1)]</b> regarding involvement of children under 14 in upcoming consultation work.	30/06/2022 2		Clarification required as to which consultation this relates to	<b>Closed</b>
40	<b>[redacted - 38(1)]</b> to come back to a future meeting to set out proposed eligibility criteria and scoring framework.	26/05/2022 2	TBC	This has been added to forward planner, exact timescale to be confirmed although expected to be early 2023	<b>Closed</b>
49	Programme Office to devise paper re: Programme alignment with Theory of change as <b>[redacted - 38(1)]</b> has discussed	30/06/2022 2		Added to forward planner, exact date TBC but expected early 2023	<b>Closed</b>

50	<p><b>[redacted - 38(1)]</b> to forward letter sent from LPPO detailing what courts are doing to make processes as child friendly as possible</p>	30/06/2022		<p><b>[redacted - 38(1)]</b> noted that although the Judicial Institute have mentioned in broad terms a training pack for the judiciary post Royal Assent, judicial training is a matter for the judiciary and the Judicial Institute. Action to be closed.</p>	<b>Closed</b>
52	<p><b>[redacted - 38(1)]</b> to share information on the national participation guidance with <b>[redacted - 38(1)]</b></p>	25/08/2022		<p><b>[redacted - 38(1)]</b> has shared information with <b>[redacted - 38(1)]</b> on 14/09/2022</p>	<b>Closed</b>

53	[redacted - 38(1)] to discuss with Together how SG provides an annual progress report in November	25/08/2022		We will be publishing a lengthy position statement to coincide with National Children's day [redacted - 38(1)] have discussed substituting this for annual progress report. Both parties see merit in doing so however [redacted - 38(1)] will relay position to colleagues at Together and seek other views	<b>Closed</b>
54	Programme Office to ensure that the highlight report provides an update on all priorities identified in the previous month and where it doesn't, provide an explanation.	25/08/2022	Ongoing	Position noted and PO will ensure that this is the case moving forward	<b>Closed</b>



55	<b>[redacted - 38(1)]</b> to speak to colleagues at The Promise about their recommendations to Ministers and provide an update.	25/08/2022		<b>[redacted - 38(1)]</b> to provide members with an update at the meeting on 27 Sept 2022.	<b>Closed</b>
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57	<b>[redacted - 38(1)]</b> to speak to colleagues at The Promise about work relating to a wellbeing economy and feed back to the group.	25/08/2022		During the Independent Care Review, <b>[redacted - 38(1)]</b> spent time understanding what the Care Review had been doing and what it had heard in the context of her work on the 'wellbeing economy', producing this paper: <a href="http://www.carereview.scot/wp-content/uploads/2020/02/The-Money.pdf">www.carereview.scot/wp-content/uploads/2020/02/The-Money.pdf</a> . A meeting is being arranged with the Scottish Government team working on child rights budgeting to discuss the links between this and the Follow the Money work.	<b>Closed</b>
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58	Programme Office to include CRB presentation with papers.	25/08/2022		Issued with minutes on 05/09/22	<b>Closed</b>
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## Document 1d – SIB Highlight Report – October 2022

<p><b>Programme Description:</b> This is a three-year programme to further embed the UNCRC into policy and practice in Scotland and deliver the provisions in the UNCRC (Incorporation)(Scotland) Bill.</p>	<p><b>Reporting Period:</b> October 2022</p>	<p><b>Overall RAG Status: RED.</b> To reflect the delay to the UNCRC Bill receiving Royal Assent.</p>
<p><b>Progress Past Month</b></p>	<p><b>Priorities Next Month</b></p>	
<ul style="list-style-type: none"> <li>• Engaged with Parliament to test admissibility of draft amendments to the Bill and engaged with UK Government to try to identify if they have any concerns about the legislative competence of the draft amendments. Still awaiting response. (Parliamentary authorities capacity affected by emergency housing Bill and 10 days suspension of Parliament.)</li> <li>• Agreed best approach to revised procurement exercise for the Innovation Fund, informed by market engagement.</li> <li>• Met with Skills and Knowledge Framework supplier to review and agree more detailed project plans.</li> <li>• Continued to work on sections of statutory guidance for Part 2 and 3 of the UNCRC Bill that are not dependent on remedial action and share with policy colleagues for review.</li> <li>• Agreed approach to guidance consultation and consultation on the Children’s Rights Scheme.</li> <li>• Communication to listed public authorities on the options being explored for transitional arrangements for child rights reporting under the Bill.</li> <li>• Communication to relevant public authorities to prompt that Children’s rights reports for 2017-20 continue to remain due as soon</li> </ul>	<ul style="list-style-type: none"> <li>• Subject to response from UKG and parliament officials, motion to reconsider the Bill is considered by Parliament and amendments are published.</li> <li>• Continue to firm up plans to procure a Fund Administrator for the Innovation Fund.</li> <li>• Continue to work on sections of statutory guidance for Part 2 and 3 of the UNCRC Bill that are not dependent on remedial action and share with policy colleagues for review.</li> <li>• Firm up plans re delivery of statutory consultation on CRS and guidance.</li> <li>• Scope and develop plans for increased support for public authorities on the lead up to Royal Assent.</li> <li>• Awareness Raising: Young Scot social media campaign launched, virtual version of the Parents/Carers/Families booklet launched, continue to support UNICEF strengthen the Rights Respecting Schools Award in local authorities.</li> <li>• Participation: meeting with prenatal mental health colleagues and third sector partners to explore how the voice of infants and younger children could be included in</li> </ul>	

<p>as practicable, with provisions enabling their delay expiring after the 30th of September.</p> <ul style="list-style-type: none"> <li>• Activity around raising awareness: final draft of the parents, carers, families (PCF) booklet was circulated to the PCF network for comment. Parent Club colleagues are developing a landing page and social media campaign to support the launch of the booklet once the Bill receives Royal Assent. Data and research collated to provide baseline for the National Campaign. Young Scot social media campaign is being created.</li> <li>• Participation Activity: Continue to support SYP to test the resources being created for the Participation Guidance. Met with the Pre-natal mental health team to discuss their resource around the voice of the infant and best practice guidelines.</li> <li>• Advocacy Work: Continued to have discussions with the Promise around a national advocacy mapping exercise.</li> <li>• Agreed to socialise the court rules paper with relevant court rules councils.</li> <li>• Draft of strategy for monitoring and evaluating UNCRC incorporation and implementation shared with SIB and written comments received.</li> </ul>	<p>Participation resource, and Executive Team will meet with members of the Scottish Youth Parliament.</p> <ul style="list-style-type: none"> <li>• Advocacy: continue to explore mapping and strengthening of advocacy services.</li> <li>• The courts rule papers will be updated to reflect proposed amendment to the Bill .When amendments are published papers will be shared with court rules councils for suggestions about further refinement.</li> <li>• Draft of strategy for monitoring and evaluating UNCRC incorporation and implementation will be updated to reflect written feedback from SIB.</li> <li>• Publication of Scottish Position Statement on the UN Committee’s List of Issues Prior to Reporting.</li> </ul>
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**Progress Against Planned Outputs in the programme plan for next 12 months**

Output	Target Date	RAG Status and Updates
Parents Network, Booklet and Research. The Network is a group of parenting orgs, and SG colleagues interested in how we create resources and guidance for parents, carers, and families (PCF). The first output is a new booklet targeted directly at PCF but we expect	October 2022 (Digital Version)	<p>The intention is now to publish a digital version in October and paper version after the Bill secures Royal Assent. Publishing company will have first draft of designed booklet by late October.</p>

more will be needed and for bespoke groups such as those with children in the care system or justice system.	Post-Royal Assent (Physical version)	
Work alongside Young Scot to co-create a social media campaign with and for young people.	01/11/2022	Good example of partnership with grant organisation and co-creation with YP.
Publication of comprehensive Scottish Government Position Statement on the UN Committee's List of Issues Prior to Reporting (LOIPR).	20/11/2022	Proposing to publish around World Children's Day on 20 Nov as a substitute for the annual progress report.
Launch national campaign to raise awareness of children's rights.	31/01/2023 To 31/03/2024	Work begun with the Comms Network to explore possible approaches. We are engaging with Marketing and Comms colleagues who are offering advice.
Prepare for UN Committee examination of UK State Party	May 2023	UK examination now reschedule until May 23. Preparation will begin in February 23.
Launch Skills and Knowledge Framework.	31/03/2023	Suppliers appointed, kick off meeting has taken place.
Scottish Public Services Ombudsman produce guidance on child friendly complaints and creating child friendly materials and a self-assessment tool. To be implemented under SPSO's model complaints handling. This will include providing guidance, support and training to public bodies in developing and delivering child friendly complaints processes, as well as providing support for children and young people themselves, and those who support children and young people, in particular parents, guardians, third-sector organisations and advocates.	31/03/2023	SPSO have advised that they are working towards target date of model procedures going live by 31/03/23.
Consortium in Place that ensures CYP's voices are being meaningfully heard within the implementation programme	April 2023.	Procurement process will start again in late 2022. Expectation to have Consortium coordinator in place by April 2023.

Scottish Youth Parliament - Policy Project. Working alongside SYP to engage with YP and three policy areas to create a series of resources through live projects. Wider capacity building and AR are other outcomes.	April 2023	Feedback all positive. Project deliverable are on track.
Publish National Participation for CYP guidance to complement public authority guidance.	31/04/2023	On track. Scottish Youth Parliament (SYP) continue to test out resources with policy areas across SG. Consideration being given to ensure the resource has reach beyond the SYP age range, i.e. 14 – 25. Meeting pre-natal mental health team to look at their 'voice of the infant' guidelines. In discussions with the Scottish Government's Digital team around their proposed National Participation Guidance platform. Suggestion of initial website held by Scottish Youth Parliament that would house initial guidance.
Launch an Innovation Fund (Fun Administrator in place by April 2023)	June 2023	Will launch next financial year. We are currently considering the best approach to taking this forward.
Participation Blog will raise awareness of ongoing participation work within the CRU. It aims to offer guidance and support to those looking to undertake participation with CYP.	ongoing	Ongoing. Tracking data to assess impact.
UNCRC Comms Network - bimonthly meetings to ensure sector buy-in and co-creation of National Campaign	ongoing	Meetings are going well. Diverse cross section of sector.
Child Employment and Child Performance Guidance. Ensure the general public and organisations are provided with the correct support and guidance around the employment of under 16 and children involved in the entertainment industry.	ongoing	N/A - ongoing - dealing with requests when received.

<p>Takeover Model - This ongoing programme of work delivers three key strategic meetings and a host of systemic interventions to build a culture of participation in SG. One Cabinet Meeting, one Children's ET meeting, and one YP ET meeting. Annual Cabinet Commitments and Report. A series of meetings and dev sessions with policy areas.</p>	<p>ongoing</p>	<p>The new approach to delivering the Takeovers is enabling more conversations to happening across SG - embedding and raising awareness.</p>
<p>SG policy advice submitted to the Scottish Civil Justice Council and Criminal Courts Rules Council on amendments to court rules which may be required to enable provisions of the UNCRC Bill, which relate to the function of the courts.</p>	<p>Needs to be agreed by respective Councils at least 6 months before the commencement of relevant provisions. Policy advice to be finalised between Parliament passing the Bill and Royal Assent.</p>	<p>Civil Court rules paper drafted as far as possible but will be finalised between Parliament passing the Bill and Royal Assent. Criminal Court rules paper under review and liaison ongoing with criminal justice colleagues to ensure the necessary information is given to support procedural rules. Final amendments will be key to processes required.</p>
<p>Consultation and analysis on Statutory Guidance on UNCRC Parts 2 and 3 for public authorities, including consultation with children and young people.</p>	<p>As soon as possible after Royal Assent</p>	<p>Work is underway to prepare for a targeted consultation approach.</p>



<p>Publication of Statutory Guidance on Part 2 and Part 3 of the Bill.</p>	<p>As soon as possible after consultation exercise concludes, aim is to publish within commencement period.</p>	<p>Preparatory work continues but need clarity of final duties in the Bill. The fifth meeting of the Guidance sub-group was held on 9 August.</p>
<p>Publication of first Children's Rights Scheme</p>	<p>Prior to commencement of the Act (6 months post RA).</p>	<p>Work to draft the Scheme progressing including recent engagement with colleagues to shape Ministerial commitments in relation to budget improvement. Engagement and consultation plan drafted subject to Ministerial approval. Planning and timetable subject to Bill progress.</p>
<p>Agreeing a strategy for the evaluation and monitoring of the UNCRC Implementation Programme, agreeing a realistic timetable, commissioning elements of the work and reporting on the results on a regular basis.</p>	<p>Agree strategy by end of 2022 and then agree delivery timetable.</p>	<p>Draft of strategy for monitoring and evaluating UNCRC incorporation and implementation shared with SIB and written comments received.</p>

## Document 2 – Outgoing email with Papers for SIB – 22/02/2023

**From:** [redacted - 38(1)]

**Sent:** 22 February 2023 07:39

**To:** [redacted - 38(1)]

Director for Children and Families <DirectorforChildrenandFamilies@gov.scot>; Donaldson I (Ian) <Ian.Donaldson@gov.scot>; [redacted - 38(1)] >; Social Security Scotland Chief Executive <ce@socialsecurity.gov.scot>; [redacted - 38(1)]

**Cc:** [redacted - 38(1)] >; UNCRC Incorporation <UNCRCIncorporation@gov.scot>

**Subject:** FW: UNCRC STRATEGIC IMPLEMENTATION BOARD - PAPERS - 28 FEBRUARY 2023

Dear UNCRC SIB members,

I now attach the final paper for next week's meeting. This is paper 7 (please note that the agenda sent yesterday had this labelled as paper 6 – now corrected in the attached). This paper sets out the work that the unit 'must' or 'should' take forward within three timeframes: before the Bill receives Royal Assent; between Royal Assent and commencement of the duties; and post commencement. It is intended to trigger a discussion about whether we have overlooked anything and how SIB would want to be involved and can support individual priorities.

You should now have the complete package of papers as follows:

- Paper 1 – agenda
- Paper 2 – minutes from previous meeting
- Paper 3 – accessible minutes from previous meeting
- Paper 4 – action tracker
- Paper 5 – highlight report
- Paper 6 – groups supporting UNCRC implementation (in line with action 59)
- Paper 7 – programme priorities and role of SIB in supporting these.

[redacted - 38(1)]

**From:** [redacted - 38(1)]

**Sent:** 21 February 2023 15:44

**Subject:** UNCRC STRATEGIC IMPLEMENTATION BOARD - PAPERS - 28 FEBRUARY 2023

Dear UNCRC SIB members,

We look forward to welcoming you to the next meeting of the UNCRC Strategic Implementation Board, on Tuesday 28 February 2023.

Please find attached the papers for this meeting. These are as follows:

- Paper 1 – agenda
- Paper 2 – minutes from previous meeting
- Paper 3 – accessible minutes from previous meeting
- Paper 4 – action tracker

- Paper 5 – highlight report
- Paper 6 – groups supporting UNCRC implementation (in line with action 59)

Please note a further paper, in line with item 5 of the agenda, will follow.

Please don't hesitate to get in touch if you have any further questions.

Best wishes,

**[redacted - 38(1)]**

**[redacted - 38(1)]**

UNCRC Programme Assistant | Embedding Children's Rights in Public Services | Children's Rights  
Unit

Scottish Government | Area 2B South | Victoria Quay | Edinburgh | EH6 6QQ

## Document 2b – Agenda for SIB meeting 28/02/23



### UNCRC Strategic Implementation Board

Tuesday 28 February 2023

15:30 – 17:00

No	Times	Item	Lead
9.	15:30-15:35	Welcome and Apologies	Michael Chalmers, Chair
10.	15:35-15:45	Minutes and actions from last meeting <ul style="list-style-type: none"><li>• Paper 2 - Minutes</li><li>• Paper 3 - Accessible minutes</li><li>• Paper 4 - Action tracker</li><li>• Paper 5 – Highlight report</li></ul>	[redacted - 38(1)] Children's Rights Unit
11.	15:45-15:55	Update on the Bill	[redacted - 38(1)] Children's Rights Unit
12.	15:55-16:20	Presentation from Scottish Youth Parliament on how they contribute to the UNCRC implementation programme.	[redacted - 38(1)] Scottish Youth Parliament
13.	16:20-16:45	Children's Rights Unit Programme of work and discussion on how SIB can support/wish to be engaged in individual projects. <ul style="list-style-type: none"><li>• Paper 7 – SIB role in supporting UNCRC Programme priorities</li></ul>	[redacted - 38(1)] Children's Rights Unit
14.	16:45-17:00	A.O.B	Michael Chalmers, Chair
15.	17:00	Close	Michael Chalmers, Chair

**UNCRC Strategic Implementation Board**  
**Minutes of Meeting – Tuesday 28 January 2023, 15:30 - 17:00**

**Accessible Version**



**What is the Strategic Implementation Board?**

The Strategic Implementation Board (or SIB, for short) is a group of people that meet every month.

They support the Government to make the [United Nations Convention on the Rights of the Child](#) (UNCRC) part of Scots law

They put in place support for organisations, children and young people and their families to help ensure that children's rights are made real. They discuss if the work is on track and help to resolve any problems in trying to make this happen.

There are people on the SIB from Police, Education, Health, Social Work, children's rights organisations, and the Scottish Government.



## **What was discussed at this meeting?**

### **Progress with the Bill**

The Scottish Government and the UK Government have been discussing changes to the Bill that incorporate the UNCRC into the law in Scotland.



Members of the SIB thanked officials for their hard work and offered support in progressing the Bill.

Some SIB members spoke about the need to have a timeline for the Bill coming back to the Scottish Parliament. However, due to the ongoing conversations with the UK Government this is not possible at this stage.

Some SIB members also spoke of their frustration about this. They highlighted that it is almost 2 years since the original Bill passed in the Scottish Parliament.

### **Monitoring and Evaluation**

The Scottish Government is looking at ways to monitor and evaluate the impact of the UNCRC Bill. A small group of SIB members met to discuss this before the main meeting. At the main meeting everyone had a chance to speak about their suggestions. They agreed the proposals were strong and would help Scotland when reporting to the UN committee of the Rights of the Child.



### **Programme update for Public Authorities**

The Scottish Government wants to support all Public Authorities to take a Child Rights based approach. The SIB spoke about how the Government will do this. Everyone agreed that this is very important work and people offered to help.

### **Together (Scottish Alliance for Children's Rights)**

SIB were shown a presentation by an organisation called [Together](#). Their vision is for all children and young people growing up in Scotland to have their human rights respected, protected and fulfilled.

The next meeting of the SIB will be held on **Tuesday 28 February 2023**

## Document 2d – Highlight Report – Feb 2023

<p><b>Programme Description:</b> This is a three-year programme to further embed the UNCRC into policy and practice in Scotland and deliver the provisions in the UNCRC (Incorporation) (Scotland) Bill.</p>	<p><b>Reporting Period:</b> February 2023</p>	<p><b>Overall RAG Status: RED.</b> To reflect the delay to the UNCRC Bill receiving Royal Assent.</p>
<p><b>Progress Past Month</b></p>	<p><b>Priorities Next Month</b></p>	
<ul style="list-style-type: none"> <li>• Progress with UNCRC Bill - Discussions with lawyers in UKG have focused on whether and how the Supreme Court judgment enables us to require public authorities to act compatibility where they are acting under powers conferred by a UK Act in a devolved area that gives them the legislative discretion to do so.</li> <li>• CYP Framework Agreement - Scoping work with the Procurement team has continued. We have begun to put in place arrangements to engage with policy colleagues and civil society organisations to scope the specification for the Framework. Over thirty policy colleagues attended an event to explore what they need from the Framework.</li> <li>• UNCRC awareness raising - We have continued to develop the work of the Comms Network with particular focus on building specialist campaigns that reach those CYP furthest from their rights within the National Campaign. We have met with Marketing colleagues who are supporting the design of the campaign.</li> <li>• Child-friendly complaints - We met with SPSO to learn more about their workshops that will ‘test’ the child-friendly-complaints processes and agree their new timetable.</li> <li>• CYP participation resources - We continued to collaborate with Scottish Youth Parliament to ensure the participation website and resource is delivered by the April deadline.</li> </ul>	<ul style="list-style-type: none"> <li>• We hope to conclude engagement with UKG on amendments to the UNCRC Bill and set out timetable for parliamentary process.</li> <li>• Develop the ITT/Spec for the Framework Agreement through consultation with policy colleagues and civil society organisations</li> <li>• Due to the need for Cabinet to prioritise transition to new FM, the CYP Cabinet Takeover that was scheduled for late March has been postponed. We are working with CP and SYP to consider alternative dates.</li> <li>• Promote the shadowing opportunities being offered by the Scottish Youth Parliament for senior members of the SG through their participation guidance.</li> <li>• Further engagement with policy colleagues on how we plan to scope whether we need to strengthen CYP advocacy with the expectation of presenting plans to the SIB in March.</li> <li>• Continue preparations for Constructive Dialogue with UN Committee on the Rights of the Child in Geneva in May.</li> <li>• To ensure that we are ready for the compatibility duty to apply to those delivering functions carried out under a</li> </ul>	

- Planning continued for the annual CYP Cabinet ‘takeover’ in March.
- Innovation Fund - We have supported the Corra Foundation with initial project planning.
- Proposal requested from Improvement Service to repackage elected members’ training for use with a wider governance audience e.g., Health Boards, Housing Associations, Creative Scotland etc.
- Further development of statutory guidance for Parts 2 and 3 of the UNCRC Bill.
- Preparatory work for the statutory consultation on children’s rights scheme and Part 2 and 3 statutory guidance continued.
- We have continued to scope a plan for additional, intelligence led support for public authorities.
- Ongoing engagement about practical arrangements for dealing with compatibility issues in the criminal courts meant that unable to share a paper with secretariat for criminal courts council for their February meeting 2023.
- Contract management of the Skills and Knowledge Framework.
- Preparation for UN Committee examination of UK State Party in May is underway

- contract or other arrangement with a public authority, we will engage with SG procurement and grants management team to embed children's rights requirements into relevant procurements and grants.
- We will support the Corra Foundation to draft criteria for the Innovation Fund.
  - We will continue to develop statutory guidance for Parts 2 and 3 of the UNCRC Bill.
  - We will continue to prepare for the statutory consultation on children’s rights scheme and Part 2 and 3 statutory guidance.
  - We will further shape plans for additional, intelligence led support for public authorities.
  - Contract management of the Skills and Knowledge Framework.
  - Joint event with Improvement Service on 27 February to support Children’s Rights Reporting (final reports, 2020-23, under the Children and Young People (Scotland) Act 2014)
  - Continued engagement about practical arrangements for dealing with compatibility issues in the criminal courts with a view to sharing a paper with secretariat for criminal courts council as soon as possible.



Progress Against Planned Outputs in the programme plan for next 12 months		
Output	Target Date	RAG Status and Updates
UNCRC (Incorporation) (Scotland) Bill receives Royal Assent	ASAP	Ministers to be appraised of the outcome of engagement between SG and UKG lawyers on current amendments to the Bill. Discussions are ongoing. Thereafter further engagement with Parliament's legislation team about the admissibility of finalised amendments will be required. (Red to reflect delay.)
Parents Network, Booklet and Research. The Network is a group of parenting orgs and SG colleagues interested in how we create resources and guidance for parents, carers, and families (PCF). The first output is a new booklet targeted directly at PCF, but we expect more will be needed and for bespoke groups such as those with children in the care system or justice system.	Complete (Digital Version)  Post-Royal Assent (Physical version)	Digital version published on new parent club website on week leading up to World Children's Day.  Hard copy of booklet will be published when the Bill receives Royal Assent.  Work is underway with the network to ensure booklet reaches those parents, carers, and families whose CYP rights are at most risk.  Parentclub page now has case studies and will have links to more specialist resources.
Launch national campaign to raise awareness of children's rights.	31/01/2023  To	The Comms Network continues to map current work and explore possible approaches. We are engaging with Marketing

	31/03/2024	and Comms colleagues who are providing specialist advice.
Launch Skills and Knowledge Framework.	31/03/2024	Suppliers continue to work with Children and Families and Professionals panels. A meeting will take place with the suppliers on the 22 <sup>nd</sup> of February to inform the first content.
Scottish Public Services Ombudsman produce guidance on child friendly complaints and create child friendly materials and a self-assessment tool.	31/03/2023	SPSO have advised that they are now working towards a target date of a 'soft launch' by Oct 23, full publication by Jan 24, and an expectation of Public Bodies being fully compliant by April 24. This is due to a delayed start to the programme, and resolving complex issues raised during the consultation phase, including language, consent, and the Supreme court judgment.
Consortium in Place that ensures CYP's voices are being meaningfully heard within the implementation programme	April 2023. New revised date is Summer 2023	As presented at the December SIB we are in the process of creating a new CYP Participation Framework that will provide a mechanism that ensures policy colleagues from across SG are more able to engage meaningfully with CYP within their work.  Expectation is to have new Framework in place by summer 2023. In the meantime, we will ensure that we consult with CYP on the development of the Children's Right Scheme and the statutory guidance to accompany the provisions in the Bill. This will include some engagement via the Children's Parliament.
Scottish Youth Parliament - Policy Project. Working alongside SYP to engage with YP and three policy areas to create a series of resources on engagement reflecting learning from live projects.	April 2023	Feedback all positive. Project deliverables are on track.

<p>Publish National Participation for CYP guidance to complement public authority guidance.</p>	<p>31/04/2023</p>	<p>The first phase is on track. Scottish Youth Parliament will publish the guidelines on a new website 'The Right Way' in Spring 2023. Consideration is being given to ensure the resource has reach beyond the SYP age range, i.e., up to age as well as 14 – 25. We are looking to include the 'voice of the infant' guidelines and other suitable resources to ensure the needs of all children are considered.</p> <p>We are in discussions with the Scottish Government's Digital team around their proposed National Participation Guidance platform. When established all the resources on the SYP website will be transferred to this National site.</p>
<p>Prepare for UN Committee examination of UK State Party</p>	<p>May 2023</p>	<p>UK examination scheduled for May 23. Preparation of briefing pack is now underway</p>
<p>Launch an Innovation Fund (Fun Administrator in place by April 2023)</p>	<p>June 2024</p>	<p>The Corra Foundation is drafting Fund criteria to launch in Spring 2023.</p>
<p>Participation Blog will raise awareness of ongoing participation work within the CRU. It aims to offer guidance and support to those looking to undertake participation with CYP.</p>	<p>ongoing</p>	<p>Ongoing. Tracking data to assess impact.</p>
<p>Takeover Model to help build a culture of CYP participation at a senior level in SG through annual CYP meetings with Cabinet and the Executive Team, agreement of annual Cabinet Commitments and an annual progress report.</p>	<p>ongoing</p>	<p>Next Cabinet Takeover was due to take place on 28th March. Due to the need for Cabinet to prioritise transition to new FM this has been postponed. We are working with CP and SYP to consider alternative dates.</p>
<p>SG policy advice submitted to the Scottish Civil Justice Council and Criminal Courts Rules Council on amendments to court rules which</p>	<p>Needs to be agreed by</p>	<p>Civil Court rules paper drafted as far as possible but will be finalised between</p>

<p>may be required to enable provisions of the UNCRC Bill, which relate to the function of the courts.</p>	<p>respective Councils at least 6 months before the commencement of relevant provisions. Policy advice to be finalised between Parliament passing the Bill and Royal Assent.</p>	<p>Parliament passing the Bill and Royal Assent. Criminal Court rules paper under review and liaison ongoing with criminal justice colleagues to ensure the necessary information is given to support procedural rules. Final amendments will be key to processes required.</p>
<p>Consultation and analysis on Statutory Guidance on UNCRC Parts 2 and 3 for public authorities, including consultation with children and young people.</p>	<p>As soon as possible after Royal Assent</p>	<p>Work is underway to prepare for the consultation.</p>

<p>Publication of Statutory Guidance on Part 2 and Part 3 of the Bill.</p>	<p>As soon as possible after consultation exercise concludes, aim is to publish within commencement period.</p>	<p>Preparatory work continues but clarity of final duties in the Bill is needed.</p>
<p>Publication of first Children's Rights Scheme</p>	<p>Prior to commencement of the Act (6 months post RA).</p>	<p>Work to draft the Scheme progressing well including recent engagement with colleagues to shape Ministerial commitments in relation to budget improvement. Provisional feedback received from Together. Engagement and consultation plan drafted subject to Ministerial approval. Planning and timetable subject to Bill progress.</p>
<p>Agreeing a strategy for the evaluation and monitoring of the UNCRC Implementation Programme, agreeing a realistic timetable, commissioning elements of the work and reporting on the results on a regular basis.</p>	<p>Agree strategy by end of 2022 and then agree delivery timetable.</p>	<p>Engagement with a subgroup of members now complete. Latest draft of monitoring and evaluation framework was shared with SIB and received sign-off at January meeting. Broad approach now included in draft of Children's Rights Scheme.</p>
<p>Revision of internal CRWIA templates and guidance. Development and delivery of an internal capacity building strategy across SG and Executive Agencies.</p>	<p>Implementation of templates and capacity building</p>	<p>New CRWIA templates, guidance and training launched across SG and Executive Agencies on 8<sup>th</sup> Feb. Work to integrate the raising awareness of children's rights into the CRWIA capacity building strategy ongoing.</p>

	strategy to begin in January 2023.	
Engaging with Parliamentary Legislation Unit on templates for statements of compatibility for primary and secondary legislation	Templates to be ready in advance of commencement	Parliamentary colleagues are identifying the most appropriate templates to use and areas where guidance and training will require to be updated. For example, Bill handbook, Bill training, Bill management meetings in advance of introduction

## Document 2e – Paper to SIB – Groups supporting UNCRC Implementation

Directorate	Full name of Group/Sub Group	Leader/Chair of the group	Members	Purpose
DCAF	United Nations Convention on the Rights of the Child Strategic Implementation Board	Chair - Michal Chalmers, Director for Children and Families	<u>United Nations Convention on the Rights of the Child (UNCRC) Strategic Implementation Board - gov.scot</u> ( <a href="http://www.gov.scot">www.gov.scot</a> )	To provide strategic oversight of a comprehensive and joined-up programme to implement the United Nations Convention on the Rights of the Child (UNCRC). This will work to ensure children's rights in Scotland are respected, protected and fulfilled.
DCAF	United Nations Convention on the Rights of the Child Embedding in Public Services Group (formerly known as UNCRC Reference group)	Chair - <b>[redacted - 38(1)]</b> Embedding Children's Rights in Public Services Programme Lead	<u>United Nations Convention on the Rights of the Child (UNCRC) Implementation: Embedding in Public Services Group - gov.scot</u> ( <a href="http://www.gov.scot">www.gov.scot</a> )	To support the Embedding Children's Rights in Public Services Team (ECRPS) within the Children's Rights Unit with their work to assist public authorities and those involved with public service delivery to implement the UNCRC. The Group focusses on providing advice and support for the ECRPS Team as it progresses with the UNCRC Implementation Programme, and will consider how to best support wider cultural change and understanding of children's rights within the delivery of public services.
DCAF	United Nations Convention on the Rights of the Child Embedding Children's Rights in Public Services Guidance Sub-Group	Chair - <b>[redacted - 38(1)]</b> Embedding Children's Rights in Public Services Programme Lead	<u>United Nations Convention on the Rights of the Child (UNCRC): Embedding Children's Rights in Public Services Guidance Sub-Group - gov.scot</u> ( <a href="http://www.gov.scot">www.gov.scot</a> )	To support the Embedding Children's Rights in Public Services Team (ECRPS) within the Children's Rights Unit with development of Part 2 and Part 3 Statutory Guidance in the context of imminent remedial work on the UNCRC Bill. The Subgroup will provide advice and support for the Embedding in Public Services Group in relation to Statutory Guidance as it progresses with its work to assist on the Embedding Children's Rights in Public Services strand of the UNCRC Implementation Programme.

DCAF	UNCRC Awareness Raising Comms Network	<b>[redacted - 38(1)]</b>	Childrens Parliament, UNICEF, North Lanarkshire Council, CYPCS, Young Scot, Childrens Health Scotland, Who Cares Scotland, Article 12, Together Scotland, Scottish Youth Parliament, and Starcatchers.	To support the development of a UNCRC National Raising Awareness Campaign.
DCAF	UNCRC Parents Network	<b>[redacted - 38(1)]</b>	Childrens Parliament, UNICEF, North Lanarkshire Council, CYPCS, Young Scot, Childrens Health Scotland, Who Cares Scotland, Article 12, Together Scotland, Scottish Youth Parliament, and Starcatchers.	To support awareness raising of UNCRC amongst parents, carers, and families by sharing and creating resources
DCAF	UNCRC Working Together Group	Rolling chair amongst members	Scottish Government, Improvement Service, UNICEF, Scottish Youth Parliament, Children's Parliament, Clan Childlaw, Together Scotland, Observatory of Children's Human Rights Scotland, Lickety Spit, Scottish Public Services Ombudsman (SPSO), Skills and Knowledge Framework provider – when appointed, Innovation Fund Administrator – when appointed	The Working Together Partnership (the Partnership) brings together all of the organisations who are grant funded by Scottish Government to deliver aspects of the UNCRC Implementation Programme (the Programme), including organisations in receipt of additional core funding via the Programme budget, and organisations who have particular skills, knowledge and experience to contribute. The Partnership will coalesce around the shared vision for the Programme, via a coordinated forum
DCAF	Tbc, current working name is Regulation and Improvement working group	<b>[redacted - 38(1)]</b>	Currently scoping with the Care Inspectorate, Healthcare Improvement Scotland, Education Scotland, NHS Education Scotland and Scottish Social Services Council. Further scoping required with SG stakeholders.	Currently being scoped. Stakeholders would welcomed a forum to share learning on embedding child rights in regulation frameworks and professional standards. The approach will be piloted with children's rights with the intention of informing wider work on equality and human rights.

**Related groups - work in progress**



DCAF	Covid-19 Children and Families Collective Leadership Group	Michael Chalmers (Scottish Government)/ <b>[redacted - 38(1)]</b> (SOLACE)	<a href="http://www.gov.scot">Coronavirus (COVID-19): Children and Families Collective Leadership Group - gov.scot (www.gov.scot)</a>	
DCAF	Collective Leadership Group CLG Workforce Sub-Group Children and Families	<b>[redacted - 38(1)]</b> , Chief Officer, COSLA	Care Inspectorate; Scottish Social Services Council; Scottish Association of Social Workers; Coalition of Care and Support Providers in Scotland; Scottish Children's Reporter Administration; Social Work Scotland; The Promise; Scottish Government; NES (NHS Education for Scotland); COSLA; Highland Council; Argyll & Bute Council; CELCIS; Barnardo's;	To support the children and families workforce to deliver on national priorities.

## Document 2f – Role of SIB supporting Programme priorities

### SIB PAPER 7

#### UNCRC IMPLEMENTATION – ROLE OF SIB IN SUPPORTING PROGRAMME PRIORITIES

##### BEFORE THE BILL RECEIVES ROYAL ASSENT

<b>Must</b>	<b>SIB role</b>
Ensure PAs deliver their children’s rights reports under existing legislation	None
Agree the final amendments to the Bill (including finalising engagement with the UKG)	To provide stakeholder feedback on the extent to which the amendments impact on policy intentions
First draft of the statutory guidance for the Bill	None, will be invited to provide feedback as part of wider consultation. Development of guidance being supported by Embedding Children’s Rights in Public Services Guidance Sub-Group
First draft of the Children’s Rights Scheme, including commitments	None, will be invited to provide feedback as part of wider consultation
Prepare for consultation on statutory guidance and CRS	To provide advice on general approach to consultation
Advice to Ministers about a potential legislative audit	None. Stakeholder views on this are clear
Finalise advice to Ministers about whether and which provisions could be commenced early	To review suggestions and offer comments ahead of advice going to Ministers
Support for Parliamentary debates on motion to reconsider and vote on amendments, and potential Committee session	None
Prepare for UK’s constructive dialogue with the UN Committee in May	None
Development of Children’s Rights Skills and Knowledge Framework	To provide feedback on structure and approach
<b>Should</b>	
Identify rights issues that are being highlighted by stakeholders, ensure SG senior policy leads are aware and record progress in addressing	To review list of rights issues

Develop an approach by which PAs can explore and discuss potential rights issues in practice	Review proposal and provide feedback
Raise awareness of duties within SG	None
Raise awareness of duties among public authorities	To help raise awareness within own organisation and wider networks
Develop capacity building training for public authorities	To provide feedback on approach
Roll out of new CRWIA template to SG and Executive Agencies	None
Develop CRWIA and children's rights e-learning for SG staff	None
Engage with senior leaders networks (e.g. C & F National Leadership Group) to embed a culture of children's rights compliance	To promote children's rights approach through relevant networks in which already involved and to look for opportunities to engage other networks
Engage with public authority regulation and inspection bodies to ensure they are helping to promote UNCRC compliance through their work	None
Development of a framework contract for engaging CYP in SG policy making	To be kept informed of progress
Develop guidance for public authorities on engaging CYP	None
Design a national awareness raising campaign for CYP and their families	To be kept informed and provide support with promoting the campaign assets
Review the provision of advocacy support for children's rights	To be kept updated on progress with this and provide advice about approach/next steps
SPSO develop a child-friendly complaints model	To help promote the use of this model

#### BETWEEN THE BILL RECEIVING ROYAL ASSENT AND THE COMMENCEMENT OF THE DUTIES

<b>Must</b>	<b>SIB role</b>
SSI to amend the date of commencement of the reporting duties under the Bill and set out the transition arrangements	None
SSI setting out which provisions can commence early	None
Consultation on statutory guidance and CRS	To respond along with others
Consultation with CYP on statutory guidance and CRS	None

Revised draft statutory guidance and CRS in response to consultation feedback	To be provide advice as required. Development of statutory guidance being supported by Embedding Children's Rights in Public Services Guidance Sub-Group
Ensure that SG Bill teams are aware of legal requirement for a CRWIA and there's a process for ensuring these are in place.	None
Adapt public sector procurement and grant guidance to ensure there is clarity about duties for those delivering services on behalf of a public authority	None
Work with Parliamentary Liaison Unit to amend the Bill handbook to make clear the requirements about a 'statement of compatibility' for all primary legislation and SSI	None
Papers for civil and criminal court rules Councils setting out how courts will need to be ready to deal with compatibility issues	None
Make contact with tribunals to ensure they are aware and ready to deal with compatibility issues	None
Continue raising awareness of duties beyond SG	To help raise awareness through relevant networks
Engage with the courts to ensure they have the appropriate remedies for dealing with compatibility issues and consider whether more needs to be introduced using the section 32 powers in the Bill.	None
Plan and deliver media/comms around commencement of duties	To provide advice about communications strategy.
<b>Should</b>	
Launch a national awareness raising campaign for CYP and their families	To be kept informed and promote localised campaigns to reach those furthest from their rights. The work is already steered by UNCRC Awareness Raising Comms Network.
Management of Improvement Service grant to support LAs and produce resources for elected members and PAs	Potential to review any resources drafted for wider PA audience.
Delivery of Innovation Fund	Promote fund within their networks.

Establishing forum of regulators to share good practice and embed UNCRC considerations into frameworks and professional standards	To review any potential resources developed through the forum.
Identify rights issues that are being highlighted by stakeholders, ensure SG senior policy leads are aware and record progress in addressing	To review list of rights issues
<b>Could</b>	
Developing SG CRWIA champions (who will in time become Equalities and Human Rights Champions).	None

### POST-COMMENCEMENT OF DUTIES

<b>Must</b>	<b>SIB role</b>
Publish Part 2 & 3 Statutory Guidance	None
Publish the Children's Rights Scheme (CRS)	None
Quality assure SG CRWIAs	None
Annual reporting on progress on the commitments in the CRS.	To provide feedback on draft report
Respond to enquiries from policy teams across SG and wider public authorities about duties in the Bill	None
Maintain awareness of how the domestic understanding of children's rights is evolving through decisions in the courts and ensure this is reflected in policy development.	To help promote understanding across relevant networks.
Continue to co-ordinate the Cabinet and Executive Team Takeovers	None
Develop and put in place indicators for selected rights. Starting with the rights most at risk of being breached.	None. Advisory group may be established.
Develop and put in place indicators that we have in place the drivers of change for UNCRC implementation.	None. Advisory group may be established.
Identify rights issues that are being highlighted by stakeholders, ensure SG senior policy leads are aware and record progress in addressing	To review list of rights issues.

Build case studies of how policy development is taking a child's rights approach.	To help suggest case studies and review material.
<b>Should</b>	
Support completion of CR reports by public authorities	To promote awareness across relevant networks.
Analyse children's rights reports from public authorities to help monitor the progress being made to embed children's rights	To review analysis of reports and any associated recommendations.
Embedding child rights based practice considerations into existing frameworks e.g. Public Sector Improvement Framework	None
Peer support and learning to empower leaders to improve child rights based practice and embed system level approaches	To promote children's rights based practice through relevant networks
Capture and share good practice in developing resources/support for building capacity to children's rights approach among public authorities.	To share examples good practice and highlight transferable approaches.
Maintain awareness of how the international understanding of children's rights is evolving through UN Committee reporting, concluding observations, days of general discussion and consider how this needs to be reflected in any advice on policy development.	None

### Document 3 – Outgoing email to SIB with Papers – 18/08/2022

Please see message on behalf of [redacted - 38(1)] , below

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Dear SIB members,

Please see attached a copy of the papers for next Thursday's Strategic Implementation Board meeting.

The papers are as follows:

- Paper 1 - Agenda
- Paper 2 - Minutes from June meeting
- Paper 3 - Accessible minutes
- Paper 4 - Action Tracker
- Paper 5 - Programme Highlight Report

Please note that the Programme Highlight Report will now be by exception. Therefore we kindly ask that members please read the report beforehand and come prepared to ask any questions during that segment.

Thank you to the members who recently completed our doodle poll regarding identifying new dates for this meeting. We can confirm that as from September, SIB will take place on the last Tuesday of the month from 15:30-17:00. We will update the meeting invitations in the next few days.

We look forward to seeing you all at the meeting next week. Please do not hesitate to contact me if you have any questions or concerns.

Kind regards,

[redacted - 38(1)]

[redacted - 38(1)] UNCRC Programme Assistant | Embedding Children's Rights in Public Services | Children's Rights Unit  
Scottish Government | Area 2B South | Victoria Quay | Edinburgh | EH6 6QQ

Document 3a – SIB Agenda 25/08/22



**UNCRC Strategic Implementation Board**  
**Thursday 25<sup>th</sup> August 2022**  
**3.15 – 4.30 PM**

<b>No</b>	<b>Times</b>	<b>Item</b>	<b>Lead</b>
<b>16.</b>	15:15-15:20	Welcome and Apologies	Michael Chalmers, Chair
<b>17.</b>	15:20-15:25	Minutes and Actions from last meeting <ul style="list-style-type: none"><li>• Paper 2 – Minutes</li><li>• Paper 3 – Accessible Minutes</li><li>• Paper 4 - Action Tracker</li></ul>	<b>[redacted - 38(1)]</b> Children's Rights Unit
<b>18.</b>	15:25-15:30	UNCRC Programme Board Update. <ul style="list-style-type: none"><li>• Paper 5 - Monthly Highlight Report</li></ul>	Programme Office, Children's Right Unit
<b>19.</b>	15:30-15:35	Update on the Bill	<b>[redacted - 38(1)]</b> Children's Rights Unit
<b>20.</b>	15:35-15:55	Child rights budgeting	<b>[redacted - 38(1)]</b> Scottish Government
<b>21.</b>	15:55-16:15	Raising public awareness of UNCRC	<b>[redacted - 38(1)]</b> Scottish Government
<b>22.</b>	16:15-16:25	A.O.B	Michael Chalmers, Chair
<b>23.</b>	16:25-16:30	Close	Michael Chalmers, Chair



## UNCRC Strategic Implementation Board

Minutes of Meeting – Thursday 30 June 2022, 15:00-16:30

### Accessible Version

#### What is the Strategic Implementation Board?

The Strategic Implementation Board (or SIB, for short) is a group of people that meet every month to support the Government to make the United Nations Convention on the Rights of the Child part of Scots law and put in place support for organisations, children and young people and their families to help ensure that children's rights are respected.

They discuss whether the work that's required is on track and help to resolve any problems that are encountered in trying to make this happen.

There are people on the SIB from Police, Education, Health, Social Work, Children's rights organisations, and the Scottish Government.



#### What was discussed at this meeting?

- the Children's Rights team in the Scottish Government gave an update on the work they have delivered since the last SIB meeting
- the SIB were told that a Parents booklet will hopefully be released in October. This will provide parents with more information on the UNCRC
- SIB members were told that guidance for two sections of the UNCRC Bill (Parts 2 and 3) have been drafted
- the SIB were told that when the two parts of the statutory guidance are ready, they will go out to the public to get their views and feedback. This is called a public consultation
- the Children's Rights team are checking to see if the public consultation would involve children under 14



- the SIB also discussed the Children’s Rights Scheme. The Scheme sets out plans made by Scottish Ministers to support children’s rights. It was mentioned that the Scheme will be a helpful way of getting children’s rights more recognised within the Scottish Government
- the SIB were told that officials in the Scottish Government will keep talking to the UK Government in an open and honest way to hopefully avoid more challenge to the UNCRC Bill
- the Theory of Change [report](#) was released in early June and shared with SIB members. This report explains all the things that need to happen to ensure we take a children’s rights respecting approach in Scotland.
- Jennifer Davidson from Institute for Inspiring Children’s Futures, Kay Tisdall from The Observatory for Children’s Human Rights Scotland and Debby Wason from Public Health Scotland came to speak to SIB members about the Theory of Change report and the next steps
- Debby Wason told SIB that the Improvement Service are creating a plan between children’s services and Health and Social Care Partnerships (HSCP) to deliver the UNCRC.
- the SIB were told that there needs to be more focus on raising awareness of UNCRC with the people who make policies. Ann Skelton, who works for the UN Committee on the Rights of the Child, will be meeting with the Scottish Government directors network soon to raise more awareness



- the SIB won’t meet in July and will meet again in August

**The next meeting is:  
Thursday 25 August, 3PM**

## Document 3d – Highlight Report August 2022

<p><b>Programme Description:</b> This is a three-year programme to further embed the UNCRC into policy and practice in Scotland and deliver the provisions in the UNCRC (Incorporation)(Scotland) Bill.</p>	<p><b>Reporting Period:</b> August 2022</p>	<p><b>Overall RAG Status: RED.</b> To reflect the delay to the UNCRC Bill receiving Royal Assent.</p>
<p><b>Progress Past Month</b></p>	<p><b>Priorities Next Month</b></p>	
<ul style="list-style-type: none"> <li>• Continued drafting of amendments to the UNCRC Bill..</li> <li>• Have begun plans to initiate further market analysis to inform the redevelopment of the Innovation Fund spec, with a view to having contract go-live by April 2023.</li> <li>• We awarded the Skills and Knowledge Framework contract. The supplier for this work will be a partnership, with JRS Knowhow as the lead organisation, working with JustRight Scotland, Together and Children’s Parliament.</li> <li>• Continued work on sections of statutory guidance for Part 2 and 3 of the UNCRC Bill that are not dependent on remedial action.</li> <li>• Have completed analysis of responses from stakeholders on options to transition Children’s Rights Reporting from the Children and Young People (Scotland) Act 2014 to the UNCRC Bill.</li> <li>• Issued 2<sup>nd</sup> edition of the ‘Programme Update’ to a wide range of public authorities.</li> <li>• We have confirmed the new arrangements for the Spec for the Consortium to be reissued.</li> <li>• The approach to the National Campaign has been agreed by the Comms Network and the Children’s Rights Unit.</li> <li>• The Marketing brief for the Parents booklet is now with the external Marketing organisation.</li> <li>• Shared updated draft policy paper on changes to civil court rules with LPPO, SCTS and SCJC Secretariat. Progressed work on criminal court rules policy paper.</li> <li>• Progressed the contribution for the Children’s Rights Scheme and statutory guidance in relation to children’s rights budgeting including</li> </ul>	<ul style="list-style-type: none"> <li>• Share amendments to the UNCRC Bill with relevant Ministers for clearance. Engagement with parliament officials to test admissibility of amendments at Reconsideration Stage. Engagement with UK Government to test risk of further challenge</li> <li>• Continue with market engagement to inform revised procurement exercise for the Innovation Fund.</li> <li>• Kick off meetings and planning work with Skills and Knowledge Framework supplier.</li> <li>• Continue to work on sections of statutory guidance for Part 2 and 3 of the UNCRC Bill that are not dependent on remedial action.</li> <li>• Continue work to establish transitional arrangements for child rights reporting.</li> <li>• Discuss draft civil court rules paper and implications of commencement of the Bill with SCTS, LPPO and SCJC Secretariat. Continue to progress criminal court rules paper.</li> <li>• Meet with the Judicial Institute re training for the Judiciary (w/c 15 August).</li> <li>• Continue to engage with colleagues across SG on areas that link into child rights budgeting to support delivery of the Children’s Rights Scheme.</li> <li>• Continue to progress the Scottish Position Statement on LOIPR including hearing the child’s voice on key issues.</li> <li>• Meet with policy colleagues and The Promise lead on advocacy service project.</li> <li>• Take steps to agree key messaging for the National Campaign with the Comms network by gathering data from current Awareness Raising work. Concepts/ designs by the external Marketing organisation for the parents booklet will be shared with the Empowering CYP team. Start a co-produced project with Young Scot to create a social media campaign with their young ambassadors. All this work connects to the development of the National Awareness Raising Campaign</li> </ul>	

<p>engagement with public finance, equalities and mainstreaming diversity colleagues. Met with the child rights budgeting subgroup of the Children’s Sector Strategic and Policy Forum and colleagues leading on Open Government and the National Performance Framework review.</p> <ul style="list-style-type: none"> <li>• Policy colleagues have provided comment and updated information for the draft Scottish Position Statement to the LOIPR.</li> </ul>	<ul style="list-style-type: none"> <li>• We will continue to produce programmes to champion meaningful participation with the Scottish Youth Parliament(SYP) delivering a session to policy colleagues who are delivering the 2022 Cabinet Commitments. SYP will also begin their shadowing project where policy leads shadow a young person to learn from their experience.</li> </ul>	
<p><b>Progress Against Planned Outputs in the programme plan for next 12 months</b></p>		
<p>Consortium in Place that ensures CYP's voices are being meaningfully heard within the implementation programme</p>	<p>Originally 31/04/2022.</p>	<p>Bids now received. Procurement process of marking and finalising complete. The process of awarding the contract was delayed due to a period of clarification. No bids were awarded. The Spec will be reissued which will result in a delay to its commencement.</p>
<p>Review of advocacy provision. Identify ways to strengthen advocacy provision</p>	<p>Internal mapping commission - completed in May 2022.</p>	<p>External mapping conversations progressed re collaborative working to deliver The Promise recommendation - to scope a national lifelong advocacy service for care experienced people and advocacy for families coming into contact with the care system. The Promise Scotland will present recommendations to Scottish Ministers for consideration by the end of 2023</p>
<p>Launch of animated version of Phase 1 Guidance that was published in Nov 2021.</p>	<p>30/06/2022 - now expected to be 15/08/2022 as young people needed additional time to work on script.</p>	<p>Feedback provided on first cut of animated film. Final version of the film with professional voice over and sound effects due week starting 15<sup>th</sup> August</p>

Parents Network, Booklet and Research. The Network will be a group of parenting orgs, and SG colleagues interested in how we create resources and guidance for parents, carers, and families (PCF). The first output is a new booklet targeted directly at PCF but we expect more will be needed and for bespoke groups such as those with children in the care system or justice system.	01/10/2022	The booklet frame is with an external agency who will write the copy supported by Marketing colleagues. Target date is confirmed and we are confident it will be published then.
Launch an Innovation Fund.	10/10/2022 - delayed until next financial year	The Innovation Fund has been delayed to financial year 23/24 after procurement exercise failed to secure a fund administrator. Review completed and planning commenced for a second procurement round.
Publication of comprehensive Scottish Government Position Statement on the UN Committee's List of Issues Prior to Reporting (LOIR).	31/10/2022	Work progressing. SG colleagues have commented and added to a draft. Draft to be amended and further input sought. Further consideration around the child's voice including reviewing what children and young people have already told us on key issues.
Work alongside Young Scot to co-create a social media campaign with and for young people.	Oct 22	Good example of partnership with grant org and co-creation with YP. Initial session delivered with YP on Aug 16 <sup>th</sup> .
Publication of annual progress report on the Progressing the Human Rights of Children in Scotland: An Action Plan 2021-2024	20/11/2022	To be commissioned
Launch national campaign to raise awareness of children's rights	31/01/2023	Comms Network has agreed approach. We are engaging with Marketing and Comms colleagues who are offering advice. In the processes of agreeing main messages.
Launch Skills and Knowledge Framework.	31/03/2023	Contract awarded, planning work underway.
Scottish Public Services Ombudsman produce guidance on child friendly complaints and creating child friendly materials and a self-assessment tool. To be implemented under SPSO's model complaints handling. This will include providing guidance, support and training to public bodies in developing and delivering child friendly complaints processes, as well as providing support for	31/03/2023	Under current plans SPSO will publish guidance to allow for it to be in force by 1 April 2023. Public bodies under the jurisdiction of SPSO will be supported to achieve compliance by 1 April 2024.

children and young people themselves, and those who support children and young people, in particular parents, guardians, third-sector organisations and advocates.		
Publish National Participation for CYP guidance to complement public authority guidance.	31/04/2023	SYP have already started to create draft resources, collect case studies, and work with the policy areas. We are speaking to the digital team about the platform this could sit on. Potential to have a wider SG participation webpage.
Scottish Youth Parliament - Policy Project. Working alongside SYP to engage with YP and three policy areas to create a series of resources through live projects. Wider capacity building and AR are other outcomes.	April 23	Feedback all positive. Project deliverable are on track.
Prepare for UN Committee examination of UK State Party	February-May 2023	UK examination now reschedule until May 23. Preparation will begin in February 23.
SG policy advice submitted to the Scottish Civil Justice Council and Criminal Courts Rules Council on amendments to court rules which may be required to enable provisions of the UNCRC Bill, which relate to the function of the courts.	Needs to be agreed by respective Councils at least 6 months before the commencement of relevant provisions. Policy advice to be finalised between Parliament passing the Bill and	Civil Court rules paper drafted as far as possible and shared with SCTS, LPPO and SCJC Secretariat but will require further amendment as the Bill progresses Reconsideration Stage and finalised between Parliament passing the Bill and Royal Assent. Criminal Court rules paper reviewed but will require further consideration.

	Royal Assent.	
Publication of Statutory Guidance on UNCRC Part 2 for duties on public authorities.	At a minimum 4 months from RA but may require up to 6 months depending on nature of the consultation .	Preparatory work continues but need clarity of final duties in the Bill. The fifth meeting of the sub-group was held on 9th August. The next meeting is 13 <sup>th</sup> September.
Publication of Statutory Guidance on UNCRC Part 3 for public authorities (reporting requirements).	At a minimum 4 months from RA but may require up to 6 months depending on nature of the consultation .	As above
Publication of first Children's Rights Scheme	Prior to commencement of the Act (6 months post RA).	Progressing work on content. Planning and timetable subject to Bill progress.

## Document 4 – Interim Consortium Update – 25/11/21

### *Interim Children & Young People's Consortium*

## **Update for the Strategic Implementation Board**

*November 2021*

### **About the Interim Children and Young People's Consortium**

The Interim Children and Young People's Consortium is a pilot project to ensure children and young people are at the heart of the Strategic Implementation Board's (SIB) collective leadership and decision-making. The Interim Consortium is coordinated by Together (Scottish Alliance for Children's Rights) in partnership with six Together members: Aberlour, Carers Trust Scotland, Children in Scotland, Scottish Commission for Learning Disability, Scottish Youth Parliament, Who Cares? Scotland. These partner organisations have trusting relationships with children and young people who have been involved in the UNCRC Bill and have committed to strengthen SIB's capacity to involve children and young people with a broad range of experiences and background in its work.

### **Meeting #2 – Thursday 11<sup>th</sup> November**

The second meeting was attended by 9 children and young people from across the partner organisations alongside participation workers. At the meeting they were joined by Michael Chalmers, [redacted - 38(1)] from the Strategic Implementation Board (SIB) alongside [redacted - 38(1)] who attended both in a SIB and Together capacity.

The second meeting provided an opportunity to continue to develop relationships between children and young people and help form the group and get to know each other. At the start of the session everyone took part in an icebreaker which involved tracing the outline of your face. Having the time and space to develop relationships, build trust and have fun is something that is important for enabling children to feel supported and engaged to share their views. This is something that will continue to be a focus for the development of the Interim Consortium. The main focus of the session was to find out children and young people's views to inform the development of the Children's Rights Action Plan. This involved exploring the four key strategic priorities. In advance of the session, partner organisations supported children and young people to consider key questions and activities which related to the Action Plan priorities. Children continued to explore these themes in breakout discussion groups.



### *1. Scottish Government leadership for children's rights*

Children and young people highlighted that to be a good leader the Scottish Government must truly **"believe it [UNCRC] will make a difference"** to children's lives. We heard that the Scottish Government needs to be honest and say when it doesn't know something or is unable to take certain decisions.

We heard that the government must acknowledge that some children and young people are currently not experiencing their rights. Groups discussed included young carers, young offenders and asylum-seeking children and young people and those not in school or formal education.

Children and young people shared how important it was to them to have spaces like the Consortium to engage with the government on issues that impact them: **"Scottish Government should take into account children's opinions - this meeting is one way of doing it"**. However, they recognised the need for accountability - to know what happens next and for **"action to be continued"**.

They emphasised that good leadership requires ensuring awareness is raised and training provided to adults across all areas of society.

### *2. Empowering children and young people who can claim their rights*

Children and young people spoke about the need to feel informed about their rights and to know how adults are supporting and protecting their rights. This will help them to speak up if they aren't experiencing their rights.

We heard that there needs to be more funding and support for participation, particularly in local communities to ensure that all children are listened to in decision making processes.

### *3. Embedding children's rights into public service*

Children and young people recognised that there is a lack of knowledge about their rights amongst people that they meet every day, for example, teachers, bus drivers and shopkeepers. It was felt that **"essentially everyone"** should be aware of children's rights. They were aware that a gap exists between rights awareness and implementation.

It was shared that the way adults act towards them is sometimes in opposition to what a rights-based approach should be. We heard of an example of a young person being told to **"shut up"** by a teacher and the impact it had on them. It was also felt that there is more of an awareness of children's rights at primary school rather than secondary school. Children felt that they aren't respected across society and can be perceived negatively. We heard that children can be restricted from entering shops because they are seen as going to **"steal"** something.

Children and young people spoke about the importance of receiving information to help them feel safe and to make informed decisions. They emphasised the need to have their choices respected and to be involved in decisions made about their lives. We also heard about the importance of adults being kind and comforting. Children and young people emphasised that if rights are happening in practice, then professionals shouldn't feel concerned.

### *4. Children's rights resolution*

Children and young people highlighted that they didn't know where to go or who to speak to if they felt their rights weren't being met. They spoke about the importance of having an understanding and trusted adult to raise issues with and to take actions on their behalf.

**"A trusted adult is someone I can confide in without being judged- someone who will take you seriously and take action if you ask them to"**

Children said they can feel scared to speak up if they feel they don't have anyone they can trust. We heard about individuals and organisations that can support children these included:

independent advocacy, Child Law, social workers, schools, parents, corporate parents, rights workers and mental health services. Children suggested there could be an organisation or place for children to go if they feel their rights are not being respected. They said that Having knowledge and awareness of their rights helps to support them to understand if their rights have not been met **“Raise awareness about children’s rights, advertise independent advocacy”**.

### **Principles**

Based on what children told us, key principles emerged from the discussion. Children need to feel:

- **Respected**- a culture shift is required to ensure that children and young people are being respected and that their rights are protected in all aspects of their life.
- **Informed**- they need to know about things that are happening to them in their lives.
- **Listened to**- their views need to be taken seriously and actioned.
- **Included**- ensure that those children most at risk of having their rights breached are included in all decision making relating to children’s rights.
- **Supported**- adults need to receive training and awareness about children’s rights to ensure that children’s rights are being respected, protected and fulfilled.
- **Protected**- children need to feel that adults are actively protecting and upholding their rights across all of society and this must go beyond public authorities.

### **Evaluation**

In the evaluation of the session children and young people said:

*"Sharing my views w/everyone"*

*"When ppl encouraged me with answering"*

*"Listening to michael, it was really interesting for me"*

*"We need more food! Other than that, and the fact that it is a bit off being n front of a screen for so long and we could of done with a break, nothing"*

## **For consideration by the Strategic Implementation Board**

During the session one of the young people asked how the SIB were going to use what they heard from children and young people to make decisions. Reflecting on this point, it is important that there is a clear feedback loop between the Interim Consortium and Strategic Implementation Board. This will involve setting expectations around how the SIB provides updates to the Consortium in advance of meetings. Feedback processes should take into account the points outlined in the top tips document and should be informed by ongoing discussions with the children and young people about how they like to receive feedback.

- **How can SIB members embed the key principles identified by children and young people into its decision-making?**
- **How can SIB members feedback to the Consortium what action they plan to take as a result of the feedback from the Consortium? Could the Chair produce a video in the format of 'you said/we did'?**

## **Next Steps**

The next meeting of the Consortium is taking place on **Thursday 2nd December at 5pm** and up to 3 board members are invited to attend. We encourage all board members to read the top tips document for attending any meeting with children and young people. The focus of the meeting will be on continuing to get to know each other, exploring how the Consortium works and thinking about the key issues that are important to the group. In advance of the session partner organisations will undertake preparatory questions and activities to support the young people to attend.

**17th November 2021**

*For further information, please contact [redacted - 38(1)], Participation Lead*

**Together (Scottish Alliance for Children's Rights)**

*Email: [redacted - 38(1)] Web: [www.togetherscotland.org.uk](http://www.togetherscotland.org.uk) Twitter: @together\_sacr*

*Together (Scottish Alliance for Children's Rights), The Melting Pot, 15 Calton Road, Edinburgh, EH8 8DL*

## Document 5 – Brief for SIB on CRC Theory of Change – 25/11/2021

### Theory of Change Process for ‘Making Children’s Rights Real’ in Scotland

The following paper is being provided to the Strategic Implementation Board (SIB) as background information to give them sight on this emerging project, given the central role of the SIB in driving and informing the implementation of the CRC.

The [Observatory of Children’s Human Rights Scotland](#) is in discussions with the Scottish Government over a project to develop a collective Theory of Change for the implementation of the CRC in Scotland, by end of March 2022.

As a starting point, the Observatory is working together with the consultancy Matter of Focus on a series of online workshops which will bring key stakeholders together to develop the foundation for the Theory of Change. SIB members are requested to consider supporting a representative from their organisations to become involved in these workshops.

An exclusive SIB session will additionally be made available in early 2022 to enable SIB members’ involvement in the development of the Theory of Change.

#### **Objectives of the project:**

**To lead a collaborative process across key stakeholders across Scotland** to contribute to the generation of ‘readiness’ and stimulate greater coherence, for the changes that CRC incorporation will demand. This will have at its centre the Strategic Implementation Board, the NGO children’s rights sector, and children and young people, and further engagement will cascade from there.

**To create an in-depth Theory of Change (TOC)** through a structured, evidence-based process, to propose to the Scottish Government the steps best placed to achieve CRC implementation in children’s lives. This Theory of Change will:

- Take account of the actors at multiple levels, including across: NGOs and civil society; government; public bodies; and professional workforces.
- Identify assumptions and principles.
- Collate the best available evidence on how to achieve children’s human rights.
- Identify outstanding gaps in evidence and knowledge.
- Propose the key required partnerships and actions, and related sequencing.
- Manage expectations of implementation timescales.

#### **The TOC should also align with:**

- Key indicators for an effective monitoring and evaluation framework,
- Key components of a skills and knowledge framework.

#### **Invitation to workshops:**

The following invitation has gone out to members of the Scottish Government and key civil society partners, including the core membership of the Observatory for

Children's Human Rights Scotland and members of Together's Implementation Strategy Group, to facilitate a wide range of partners' involvement in the development of the Theory of Change.

We would hope that SIB members would forward this on to a relevant member of their organisation and support them to attend, if unable to attend themselves.

An alternative session will be arranged for SIB members in the course of the project.

Dear colleagues,

You are warmly invited to participate in a **series of two workshops**, which will provide the foundation for a **Theory of Change for implementing the UN Convention on the Rights of the Child** in Scotland.

The [Observatory of Children's Human Rights Scotland](#) is in discussions with the Scottish Government over a project to develop a collective Theory of Change over the next few months. Time is of the essence, with the aim of having a full version of the Theory of Change by the end of March 2022. Through this Theory of Change process, we want to look ten years into the future to how we collectively want to transform Scotland in order to realise children's human rights. This is visionary, it is complex, and it is ground-breaking in the human rights field.

The **workshops** will be facilitated by [Matter of Focus](#) and **take place online** on:

- **Tuesday 30<sup>th</sup> November, 11am-1pm;**
- **Monday 13<sup>th</sup> December, 9.30-11.30am.**

The first workshop will focus on context mapping and developing a common core vision, while the second one will look at outcomes planning. The workshops have been developed to work together so it is **strongly recommended that participants attend both**.

Places are very limited, as the online workshops are highly participative, so **please do register your interest with [redacted - 38(1)] by the 24<sup>th</sup> of November if possible**. We will be in touch closer to the time to confirm your place and share the meeting link.

For any questions related to the project or if you are interested in contributing but cannot make the workshops, please contact **[redacted - 38(1)]**.

Thank you so much for your consideration and we hope you can join us on this important journey.

Yours sincerely,

Observatory of Children's Human Rights Scotland and Matter of Focus

## Document 6 – Top Tips for working with the CYP Consortium – 25/11/2021

Top Tips for working with the Children and Young People’s Consortium:  
Here are some of our top tips. We will keep adding to this as we get to know each other and decide what works best!

- ⑩ • When you join us, please be warm and friendly. Here’s some of our suggestions:
  - Don’t dress too formal – we prefer it if you dress casually.
  - □ Be conscious of your body language using things like smiling and nodding or other facial expressions to let us know you are listening/hearing what we are saying. You could also use the emoji reaction buttons if we are online! □ If we are online, please:
    - Put your first name on the screen.
    - keep your camera on - as it’s difficult to talk to a blank screen – but understand that we might need to turn ours off if we are feeling uncomfortable.
    - look at us (please check where your camera is and if you are
    - using two screens then please look at the one with the camera
    - - so we don’t think you are looking away from us )
- Listen (even when we are quiet), don’t interrupt and respect everyone’s opinions.
  - Give us extra time for thinking and don’t put us on the spot.
  - Make adaptations for everyone to help us understand e.g. by using simple words and language, visuals, subtitles, etc. Please don’t use acronyms - as a lot of the time we don’t know what they mean!!
  - Be an active part of our meetings, taking part in the ice-breakers, maybe even leading some of the activities (as long as you work closely with the people we know!) so we don’t feel as if we are in a fish bowl with you just looking on, or taking notes!
- Have FUN with us...it’s important and will help us get to know each other, build trust and work together.
- Encourage us to share our thoughts and views, rather than our personal stories.
- Teamwork - be ready to try doing things differently!
- Our right to privacy - Social Media – we ask that you don’t share any identifiable information (photos etc) on any social media platforms. There are many reasons for this which one of the workers can explain.
- If you meet us outside, please be mindful of our confidentiality and allow us to make an approach to you if we want to, rather than the other way round. Please understand that we might not acknowledge you depending on our situation.
- Always be kind.

## Document 7 – Outgoing Email to SIB with Papers – 15/11/2021

Dear SIB members,

We look forward to welcoming you to the next meeting of the UNCRC Strategic Implementation Board on Tuesday 22 November.

Please find attached the papers for this meeting, as outlined below:

- Paper 1 – agenda
- Paper 2 – minutes from previous meeting
- Paper 3 – accessible minutes from previous meeting
- Paper 4 – action tracker
- Paper 5 – highlight report
- Paper 6 – revised Monitoring and Evaluation Framework

Please also see the below message from the team around our plans to celebrate World Children's Day.

### Celebrating World Children's Day

At the last meeting [redacted - 38(1)] offered to provide an update on our plans to celebrate World Children's Day on 20th November.

This week, the Empowering Children and Young People team will be using the Scottish Government [Participation blog](#) to highlight examples of how children and young people and parents, carers and families are participating in the UNCRC implementation programme.

On Tuesday 15<sup>th</sup> November we are highlighting the Embedding Children's Rights in Public Services team's work to develop a short animated film with young people. The film acts as a companion piece to support the UNCRC Introductory Guidance. The [blog](#) describes the making of the film and the role young people played in directing the content, visuals and script. All the characters in the film were voiced by young people from the group. The organisations who participated in the making of the film (Carers Trust Scotland, Parent Network Scotland, Partners in Advocacy and Renfrewshire Youth Services) will be Tweeting and posting to support its launch during the week of WCD.

Young Scot have also developed a social media campaign in partnership young people. Over the course of this week, they'll be issuing youth-friendly awareness raising posts on a variety of social media platforms. For example:

- A UNCRC Quiz that tests young people on how much they know about the UNCRC and points them to reliable sources of information;
- TikTok Reels of young people in conversation with children's rights experts, clipped into a one minute video;
- Examples of how children and young people from across the world have successfully used their rights to deliver change;
- Facebook and Instagram posts explaining the different articles; and

- A Video providing tips about what children and young people can do if they're concerned that their rights are being breached.

On Thursday, we'll launch information for parents, carers, and family members on the UNCRC that will sit on a new UNCRC page on the Parent Club website.

On Friday 18th November we expect to publish the Scottish Position Statement on Embedding Children's Rights. This report is linked to the UK's regular examination by the UN Committee on the Rights of the Child, although it's not part of the formal documentation submitted to Committee. The key audience for this report will be the Scottish Parliament, stakeholders and children and young people. There will be an accompanying child-friendly version.

To shine a spotlight on some of the achievements in the report, we're planning an accompanying series of tweets from the SG Education Twitter account and from the GIRFEC Twitter account. The tweets will also include a link to a new blog space.

We hope to issue a tweet and an accompanying blog on as many days as possible between World Children's Day on the 20th of November and Human Rights Day on the 10th of December.

Example tweets include:

- Find out how the Scottish Government is ensuring that we make the best interests of children a primary consideration when developing policies and legislation.
- Find out how we're promoting the mental health and wellbeing of children and young people to help them realise their right to be as healthy as possible.
- Find out how our commitment to 'Keep the Promise' will strengthen the right to special care for children who can't live with their parents.
- Find out about the many ways in which we're tackling child poverty and delivering children's right to financial support from government if they need it.

We'd be grateful for your help in retweeting/spreading the communications. For further information please contact **[redacted - 38(1)]**

Best wishes,  
**[redacted - 38(1)]**

UNCRC Programme Assistant | Embedding Children's Rights in Public Services | Children's Rights Unit  
Scottish Government | Area 2B South | Victoria Quay | Edinburgh | EH6 6QQ



## Document 7a – SIB Agenda 22/11/22



### UNCRC Strategic Implementation Board Tuesday 22<sup>nd</sup> November 2022 15:30 – 17:00

No	Times	Item	Lead
24.	15:30-15:35	Welcome and Apologies	Michael Chalmers, Chair
25.	15:35-15:40	Minutes and Actions from last meeting <ul style="list-style-type: none"><li>• Paper 2 - Minutes</li><li>• Paper 3 - Accessible Minutes</li><li>• Paper 4 - Action Tracker</li><li>• Paper 5 – Highlight Report</li></ul>	[redacted - 38(1)], Children's Rights Unit
26.	15:40-15:45	Update on the Bill	[redacted - 38(1)], Children's Rights Unit
27.	15:45-16:05	Children's Parliament Presentation	[redacted - 38(1)], Children's Parliament
28.	16:05-16:20	Parts 2 & 3 Guidance	[redacted - 38(1)] Children's Rights Unit
29.	16:20-16:35	The participation of children aged 1-14	[redacted - 38(1)] Children's Rights Unit
30.	16:35-16:55	Feedback on Evaluation & Monitoring Framework <ul style="list-style-type: none"><li>• Paper 6 – Revised Evaluation &amp; Monitoring Framework</li></ul>	[redacted - 38(1)], Children's Rights Unit
31.	16:55-17:00	A.O.B	Michael Chalmers, Chair
32.	17:00	Close	Michael Chalmers, Chair

**UNCRC Strategic Implementation Board**  
**Minutes of Meeting – Tuesday 25<sup>th</sup> October 2022, 15:30-17:00**

**Accessible Version**



**What is the Strategic Implementation Board?**

The Strategic Implementation Board (or SIB, for short) is a group of people that meet every month.

They support the Government to make the [United Nations Convention on the Rights of the Child](#) part of Scots law

They put in place support for organisations, children and young people and their families to help ensure that children's rights are respected. They discuss if the work is on track and help to resolve any problems in trying to make this happen.

There are people on the SIB from Police, Education, Health, Social Work, children's rights organisations, and the Scottish Government.



## **What was discussed at this meeting?**

### **Progress with the Bill**

Members were told that the Scottish Government were speaking to the UK Government about the changes being made to the UNCRC Bill. We do not know if this means that the UK Government agree with the changes but it shows they are thinking about them.

This also means we do not know when the Bill will receive [Royal Assent](#) but we are doing everything we can to prepare for it happening.



### **Supporting Public Authorities**

The Children's Rights Unit told SIB about the support available for public authorities to help them understand what they need to do to get ready for the Bill. Some organisations have said they would like more support on how to identify and fix issues. SIB were asked if they would be interested in working together to think about how this could be done. Members all thought this was a very good idea and it was important that support was available. The Children's Rights Unit will be in touch with members to start discussing ideas over the next few weeks.

### **UNICEF**

An organisation called UNICEF UK delivered a presentation to SIB. The presentation told members about their Rights Respecting Schools Award programme. With extra support from the Scottish Government, UNICEF are working with local authorities in Scotland to help get more schools involved in the programme – both primary and secondary. UNICEF also told SIB about their Child Friendly Cities programme which helps to bring positive changes for children and young people.



### **Child Friendly Complaints**

Another organisation, called the Scottish Public Services Ombudsman, also delivered a presentation to SIB. The presentation told members about the work they were doing to make sure child friendly complaints processes were in place. They told members that it was important children voices and opinions were heard and about the training they were making for child complaints handling. Members all felt this was very important work and was needed to make sure children's rights were being met.



The next meeting of the SIB will be held on **Tuesday 22 November 2022**.

## Document 7c – SIB Highlight Report – November 2022

<p><b>Programme Description:</b> This is a three-year programme to further embed the UNCRC into policy and practice in Scotland and deliver the provisions in the UNCRC (Incorporation)(Scotland) Bill.</p>	<p><b>Reporting Period:</b> November 2022</p>	<p><b>Overall RAG Status: RED.</b> To reflect the delay to the UNCRC Bill receiving Royal Assent.</p>
<p><b>Progress Past Month</b></p>	<p><b>Priorities Next Month</b></p>	
<ul style="list-style-type: none"> <li>• Subject to response from UKG and parliament officials, motion to reconsider the Bill is considered by Parliament and amendments are published.</li> <li>• We have further scoped plans to secure a Fund Administrator for the Innovation Fund. Market engagement was positive and we believe we will have an Administrator in place to launch the fund in 23/24.</li> <li>• We continued to work on sections of statutory guidance for Part 2 and 3 of the UNCRC Bill that are not dependent on remedial action and shared Part 3 with policy colleagues for review. Sections of Part 2 were shared with the guidance sub group.</li> <li>• We have further scoped plans to deliver the statutory consultation on CRS and Part 2 and 3 statutory guidance.</li> <li>• We have carried out initial scoping to determine what would be required to provide intelligence led support for public authorities re potential areas of incompatibility on the lead up to commencement. Calls have been arranged with SIB and CLG members who are keen to support this work.</li> <li>• Awareness Raising: The Young Scot social media campaign launched in the week leading to World Childrens Day, The virtual version of the Parents/Carers/Families booklet launched on the new UNCRC Parents</li> </ul>	<ul style="list-style-type: none"> <li>• Subject to response from UKG and parliament officials, motion to reconsider the Bill is considered by Parliament and amendments are published.</li> <li>• A decision will be made on the best route to securing a Fund Administrator for the Innovation Fund.</li> <li>• Continue to develop statutory guidance for Part 2 and 3 of the UNCRC Bill based on guidance sub group and policy colleagues’ feedback. Part 2 will be shared with policy colleagues for review.</li> <li>• Finalising plans for delivery of the statutory consultation on CRS and Part 2 and 3 statutory guidance.</li> <li>• We will continue to scope what additional, intelligence led support for public authorities would look like and where possible, cost this for SIB to consider at a future meeting.</li> <li>• Raising Awareness: work will continue with the Parents/Carers/Families Network to disseminate the new booklet into the wider system. The UNCRC comms network will meet to map out the National Campaign, and we continue to support UNICEF with their offer of the RRSA to all schools.</li> </ul>	

<p>Club page, continue to support UNICEF strengthen the Rights Respecting Schools Award in local authorities.</p> <ul style="list-style-type: none"> <li>• Participation: a meeting took place with prenatal mental health colleagues and third sector partners to explore how the voice of infants and younger children could be included in the participation resource. We explored how the SYP participation guidance can become a signpost for resources that support duty bearers to engage with infants and younger children.</li> <li>• Advocacy: we met with The Promise Scotland to discuss their mapping exercise. The scope of this is still to be decided so will update SIB when confirmed. We have continued to explore opportunities to strengthen advocacy services by engaging with those policy teams identified through the internal advocacy map.</li> <li>• The courts rule papers will be updated to reflect proposes amendment to the Bill. When amendments are published papers will be shared with court rules councils for suggestions about further refinement.</li> <li>• Draft of strategy for monitoring and evaluating UNCRC incorporation and implementation will be updated to reflect written feedback from SIB.</li> <li>• Publication of Scottish Position Statement on the UN Committee’s List of Issues Prior to Reporting.</li> </ul>	<ul style="list-style-type: none"> <li>• Participation: bring interested stakeholders together with Scottish Youth Parliament to discuss how their new guidance can be used as a signpost for other resources; liaise with policy areas to gather updates for the 2022 CYP Cabinet Takeover Report; and continue to work with Procurement on the Consortium. The Executive Team will meet with members of the Scottish Youth Parliament on 29<sup>th</sup> Nov.</li> <li>• To help us to further develop the criminal court rules paper, engagement is currently underway with CYPSC and SHRC about what needs to be in place for the section 10 powers to intervene in court proceedings.</li> <li>• Second draft of monitoring and evaluation strategy has been shared with SIB for discussion at November meeting.</li> <li>• Publication of Scottish Position Statement scheduled for 18 Nov, to be accompanied by a series of tweets and blogs to spotlight how we’re delivering children’s rights across a wide range of policy areas.</li> </ul>
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**Progress Against Planned Outputs in the programme plan for next 12 months**

Output	Target Date	RAG Status and Updates
UNCRC (Incorporation) (Scotland) Bill receives Royal Assent	ASAP	Engagement with UKG on amendments continues and is constructive. Continued

		engagement with Parliament's legislation team about the admissibility of amendments. (Red to reflect delay.)
Parents Network, Booklet and Research. The Network is a group of parenting orgs, and SG colleagues interested in how we create resources and guidance for parents, carers, and families (PCF). The first output is a new booklet targeted directly at PCF but we expect more will be needed and for bespoke groups such as those with children in the care system or justice system.	October 2022 (Digital Version)  Post-Royal Assent (Physical version)	Digital version published on new parent club website on week leading up to World Childrens Day.  Hard copy of booklet will be published when the Bill receives Royal Assent.  Work is underway with the network to ensure booklet reaches those parents, carers, and families whose CYP rights are at most risk.
Work alongside Young Scot to co-create a social media campaign with and for young people.	01/11/2022	Good example of partnership with grant organisation and co-creation with YP. Campaign launched in the week of World Childrens Day.
Publication of comprehensive Scottish Government Position Statement on the UN Committee's List of Issues Prior to Reporting (LOIPR).	20/11/2022	Proposing to publish on 18 Nov to coincide with World Children's Day on 20 <sup>th</sup> and as a substitute for the annual progress report.
Launch national campaign to raise awareness of children's rights.	31/01/2023  To  31/03/2024	The Comms Network continues to map current work and explore possible approaches. We are engaging with Marketing and Comms colleagues who are providing specialist advice.
Launch Skills and Knowledge Framework.	31/03/2023	Suppliers appointed, kick off meeting and meeting on more detailed project plan have taken place.
Scottish Public Services Ombudsman produce guidance on child friendly complaints and creating child friendly materials and a self-assessment tool. To be implemented under SPSO's model complaints handling. This will include providing guidance, support and training to	31/03/2023	SPSO have advised that they are working towards target date of model procedures going live by 31/03/23.

<p>public bodies in developing and delivering child friendly complaints processes, as well as providing support for children and young people themselves, and those who support children and young people, in particular parents, guardians, third-sector organisations and advocates.</p>		
<p>Consortium in Place that ensures CYP's voices are being meaningfully heard within the implementation programme</p>	<p>April 2023.</p>	<p>We're scoping a revised, more efficient approach to commissioning the consortium and will provide an update at a future SIB meeting once internal approval has been secured. This is resulting in a delay. Expectation is to have Consortium in place by summer 2023. In the meantime we will ensure that we consult with CYP on the development of the Children's Right Scheme and the statutory guidance to accompany the provisions in the Bill. This will include some engagement via the Children's Parliament.</p>
<p>Scottish Youth Parliament - Policy Project. Working alongside SYP to engage with YP and three policy areas to create a series of resources on engagement through live projects. Wider capacity building and awareness raising are other outcomes.</p>	<p>April 2023</p>	<p>Feedback all positive. Project deliverable are on track.</p>
<p>Publish National Participation for CYP guidance to complement public authority guidance.</p>	<p>31/04/2023</p>	<p>The first phase is on track. Scottish Youth Parliament will publish the guidelines on a new website 'The Right Way' in Spring 23. Consideration is being given to ensure the resource has reach beyond the SYP age range, i.e. 14 – 25. We are looking to include the 'voice of the infant' guidelines and other suitable resources to ensure the needs of all children are considered.</p> <p>We are in discussions with the Scottish Government's Digital team around their</p>



		proposed National Participation Guidance platform. When established all the resources on the SYP website will be transferred to this National site.
Prepare for UN Committee examination of UK State Party	May 2023	UK examination now reschedule for May 23. Preparation will begin in February 23.
Launch an Innovation Fund (Fun Administrator in place by April 2023)	June 2023	Will launch next financial year. We are currently considering the best approach to taking this forward.
Participation Blog will raise awareness of ongoing participation work within the CRU. It aims to offer guidance and support to those looking to undertake participation with CYP.	ongoing	Ongoing. Tracking data to assess impact.
Takeover Model - This ongoing programme of work delivers three key strategic meetings and a host of systemic interventions to build a culture of participation in SG. One Cabinet Meeting, one Children's ET meeting, and one YP ET meeting. Annual Cabinet Commitments and Report. A series of meetings and dev sessions with policy areas.	ongoing	The new approach to delivering the Takeovers is enabling more conversations to happening across SG - embedding and raising awareness.
SG policy advice submitted to the Scottish Civil Justice Council and Criminal Courts Rules Council on amendments to court rules which may be required to enable provisions of the UNCRC Bill, which relate to the function of the courts.	Needs to be agreed by respective Councils at least 6 months before the commencement of relevant provisions. Policy advice to be finalised between	Civil Court rules paper drafted as far as possible but will be finalised between Parliament passing the Bill and Royal Assent. Criminal Court rules paper under review and liaison ongoing with criminal justice colleagues to ensure the necessary information is given to support procedural rules. Final amendments will be key to processes required.

	Parliament passing the Bill and Royal Assent.	
Consultation and analysis on Statutory Guidance on UNCRC Parts 2 and 3 for public authorities, including consultation with children and young people.	As soon as possible after Royal Assent	Work is underway to prepare for a targeted consultation approach.
Publication of Statutory Guidance on Part 2 and Part 3 of the Bill.	As soon as possible after consultation exercise concludes, aim is to publish within commencement period.	Preparatory work continues but need clarity of final duties in the Bill. The eighth meeting of the Guidance sub-group was held on 8 November.
Publication of first Children's Rights Scheme	Prior to commencement of the Act (6 months post RA).	Work to draft the Scheme progressing including recent engagement with colleagues to shape Ministerial commitments in relation to budget improvement. Provisional feedback received from Together. Engagement and consultation plan drafted subject to Ministerial approval. Planning and timetable subject to Bill progress.
Agreeing a strategy for the evaluation and monitoring of the UNCRC Implementation Programme, agreeing a realistic timetable, commissioning elements of the work and reporting on the results on a regular basis.	Agree strategy by end of 2022 and then	Revised draft of strategy for monitoring and evaluating UNCRC incorporation and implementation shared with SIB for discussion at Nov meeting.

	agree delivery timetable.	
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## **UNCRC INCORPORATION – MONITORING AND EVALUATION STRATEGY**

### **VERSION 2 – November 2022 – Revised to reflect feedback from the UNCRC Strategic Implementation Board**

#### **Introduction**

1. Our [Action Plan for Progressing the Human Rights of Children in Scotland](#) contains a commitment to, by 2024, develop an “evaluation and monitoring framework to monitor and evaluate the delivery, aims and impact of the UNCRC Implementation Programme, whilst simultaneously linking progress in embedding children’s rights to long-term outcomes for children and young people”. Although the target dates have been impacted by the delay to the UNCRC Bill, the aims of the implementation programme were originally set out as follows:

- by Oct 2021, public services and children will be ready for the commencement of the UNCRC Bill; and
- by April 2024, children experience public services consistently upholding their rights.

2. This paper has been prepared to prompt discussion at the UNCRC Strategic Implementation Board (SIB) about a possible framework for evaluation and monitoring. It aims to establish a shared understanding about a broad approach - one that would help us to assess current conditions and further steer progress in embedding children’s rights. It also seeks agreement about how that’s designed to be manageable and sustainable for public authorities and others involved in supporting delivery of the new duties.

#### **Potential approaches**

3. Our approach to developing children’s rights indicators could include collecting data to:

- a) check that children’s rights are being met, across each of the Articles;
- b) identify where there are recurring rights breaches that require changes to policy/practice;
- c) check that we have in place the drivers of change for embedding a children’s rights approach in Scotland;
- d) analyse the extent to which children's rights are being considered in the policy making process and driving decisions; and
- e) analyse the extent to which embedding children’s rights has improved outcomes for children and young people.

4. This paper discusses what would be involved in each of these approaches and then recommends an approach that we consider would provide a sufficiently comprehensive strategy, while also being manageable and sustainable, and how the work might be sequenced over time.

#### **a) Checking that children’s rights are being met**

5. One of the drivers of change highlighted in the [Theory of Change for Making Children's Rights Real in Scotland](#) is the development of children's rights indicators. The Theory of Change report states that the Scottish Government should lead on "developing children's rights indicators to provide the evidence needed to assess change and guide action" and that "this will help ensure that duty bearers learn where children's rights are not being realised and where systemic responses are needed". The UN Committee has also recommended the development of nationally applicable child rights indicators to monitor UNCRC implementation<sup>1</sup>.

6. Our analysts have undertaken an [initial mapping exercise](#) to identify existing sources of data that could be used to assess the extent to which each of the articles in the UNCRC are embedded in Scotland. (See [Annex A](#).) While this data does provide relevant and useful evidence for some of the rights, relying only on existing sources of data means that these are not precise measures of the implementation of all of the rights in the articles and that there are inevitable data gaps.

7. We have considered what would be required to develop robust national indicators that meaningfully operationalise each of the 42 Articles in the UNCRC. Our conclusion is that it is not possible to meaningfully operationalise all of the rights and that, even where this might be possible, this would require too many new (potentially complex) national data collections to make this feasible, affordable and manageable to public authorities, practitioners and partners.

8. To help illustrate this we provide an example of what would be required to develop meaningful indicators for Article 29. Article 29 states that education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment. The mapping exercise identified a range of existing indicators as follows:

- Percentage of primary pupils achieving expected CfE levels in: reading; writing; listening and talking; and numeracy;
- Percentage of school leavers with one or more qualification: at SCQF Level 4 or better; and at SCQF Level 6 or better;
- Number and percentage of all school leavers in positive destinations at 9-month follow-up;
- Percentage of people aged 16–19 years who are in education, employment or training;
- Percentage of people aged 16–24 years who: are in employment; intend to continue full time education beyond S4; expect to continue to a positive destination after leaving school.

9. While these are useful measures of attainment, more would be required to measure the extent to which children and young people have realised their own individual full potential, and have developed a respect for the full range of human rights, their parents, their own and other cultures, and the environment.

10. If the purpose of developing indicators is to ensure that duty bearers can identify where children's rights are not being realised and where systemic responses are needed and to monitor progress on this, we argue that a more efficient and manageable approach would be to identify where there are concerns regarding the

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<sup>1</sup> General Comment no. 5, [The Convention on the Rights of the Child \(unicef-irc.org\)](#), Section F, paragraph 48.

fulfilment of rights that may require changes to policy/practice. We discuss how we could approach that in the following section.

11. Identifying where rights issues need most priority would allow us, not only to ensure issues are being addressed, but also to focus the development of child rights indicators to monitor progress with this. We could then develop indicators to monitor UNCRC implementation on those rights that are in most danger of being breached. That might allow us to build a rationale for the development of new targeted indicators that would give us meaningful measures, at least (and perhaps initially) in priority areas. Those measures would draw upon both qualitative and quantitative sources of evidence. The latter would need to be stratified in a way that allows us to identify whether there are particular groups of children who are furthest from their rights.

**b) Identifying where there are recurring rights breaches that require changes to policy/practice.**

12. The Children's Rights Scheme (which will demonstrate annually how the Scottish Government is progressing children's rights) will set out how we will identify and address any situation where a child's rights are, or are at a significant risk of, not being fulfilled. To support this and in partnership with the children's rights sector we will develop a system for collating recurring rights issues by working in partnership with Scotland's strong and active children's rights sector.

13. We will work with: Together: Scottish Alliance for Children's Rights; The Children and Young Person's Commissioner Scotland, the Scottish Human Rights Commission; The Scottish Youth Parliament; and the Children's Parliament to identify children's rights issues that are concerning children and young people (and those who lobby on their behalf) as quickly as possible. We will highlight these children's rights issues to Scottish Government senior management and relevant policy areas, and monitor progress in addressing these. We will also work in partnership with public authorities and representative organisations to ensure that progress can be made in areas of concern.

14. Feedback from our children's rights sector will also be supplemented by UN Committee's Concluding Observations to highlight rights breaches that require changes to policy/practice. The UK Government is examined periodically on their record in relation to the UNCRC by the UN Committee on the Rights of the Child and will be next examined by the Committee in May 2023. The Scottish Government contributes to that reporting process and our children's rights sector are given an opportunity to highlight concerns about rights issues in evidence that is shared with us. Following that examination the UN Committee will publish a list of recommendations (Concluding Observations).

15. In addition, we will explore the possibility of developing new data collections in partnership with the key partners that will help us identify whether and what recurring rights breaches are being raised. The Scottish Public Service Ombudsman is supporting public authorities to develop a child-friendly model complaint process. As part of that we will explore if and how we can use data from their records of complaints escalated to them. We will also explore what data could be captured by

specialist child law centres (Clan Childlaw and the Scottish Child Law Centre), relevant tribunals and the Equalities and Human Rights Commission on calls to their advice lines.

16. Our work to embed children's rights in public authorities and the statutory reporting duty of 'listed authorities' under section 15 of the Bill will be a source of intelligence and insights on where public authorities themselves recognise there are compatibility issues. Through the National Improvement Plan, attendance at the Working Together Group, development research for the Skills and Knowledge Framework and capacity building work with public authorities, we will ensure that intelligence of this nature is captured. We will also consider how best to sample the 3-yearly reports from listed public authorities (which report on the steps they have taken to secure better or further effect of the UNCRC requirements) to identify areas where there are compatibility issues (without identifying or 'singling out' particular public authorities). In all of this it will be important to reflect the context and any specific challenges or barriers to the realisation of rights which public authorities are experiencing and to try to work in partnership to address them.

17. By focusing on identifying recurring issues that are already known or being raised with the children's rights sector, there is a risk that we overlook the experiences of more marginalised groups of children, who may be most likely to experience a breach in their rights but least likely to believe they have the ability to raise their concerns. We will therefore ensure regular engagement with organisations that represent children and young people living in challenging circumstances and/or have additional support needs. Some of these organisations (e.g. Carers Trust Scotland, CELCIS, Child Poverty Action Group, Children 1<sup>st</sup>, Families Outside, Hope for Autism) are already represented by Together but we will consider whether and how to facilitate additional engagement<sup>2</sup>.

**c) Checking that we have in place the drivers of change for embedding a children's rights approach in Scotland.**

18. The UNCRC Bill will not deliver the culture of accountability for children's rights that we seek to achieve across public services unless the context and conditions are right. It is therefore important that we have a mechanism for monitoring this and assessing what more needs to be done to deliver our vision.

19. The Theory of Change for Making Rights Real in Scotland gives us a framework that can help us to assess whether we have created the context in which children's rights can be realised in Scotland. Given the challenge of establishing a causal relationship between the incorporation of UNCRC and improved outcomes for children and young people, this type of assessment can be a more fruitful approach by making it possible to measure the likelihood of achieving longer-term goals by assessing the extent to which the groundwork or context is in place. Assessing this and identifying where drivers need to be strengthened also has the advantage of directing us to clear action that we can take to improve our chances of successfully realising children's rights.

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<sup>2</sup> With for example, the Inclusion Ambassadors who represent children with additional support needs.

20. [Annex B](#) lists each of the drivers of change that were identified in the Theory of Change and makes some suggestions about evidence that could be collected to assess the extent to which these are in place in Scotland. This remains a 'work in progress'. Our recommendation is that we invest in developing measures of the drivers of change, either by using existing sources or developing new data collections. If the SIB is in agreement, these measures will be given further consideration at a future SIB meeting. Once we have engaged on measuring the extent to which the drivers are in place and how soon and on what frequency we could measure of each driver, we would set out a reporting schedule for the analysis and consider how that could be commissioned.

**d) Analyse the extent to which children's rights are being considered in the policy making process and driving decisions.**

21. Various methods, including case studies and policy analysis could be used to explore the extent to which children's rights are being considered in policy making and driving decisions. This would allow us to identify good practice in and barriers to implementing UNCRC and make recommendations for improvement. This might also allow us to identify how those decisions impact on experiences and outcomes for children and young people, at least in the short-term. We could also draw upon the 3-yearly reports from listed public authorities already mentioned above, again using a sampling approach. This will support ongoing quality improvement and innovation in relation to child rights-based practice and decision making. Another (to complement a focus on policy development) might be to 'follow' someone through a service or through a complaints process to establish the impact of taking a rights based approach to improve a service and the fulfilment of rights.

**e) Analyse the extent to which embedding children's rights has improved outcomes for children and young people**

22. With the range of other significant policy developments that impact on children and young people, it will be impossible to assess the extent to which embedding children's rights (alone) has improved their long term outcomes. The significant focus and investment in making Scotland the best place in the world to grow up means that we cannot disentangle the impact of individual policy developments. Other significant policy developments include: the Promise; Family Nurse Partnership; the development of a National Care Service; Children Poverty Strategy; the Baby Box; The Children's Care and Justice Bill; and the expansion of funded early learning and childcare.

23. There are existing data designed to help measure the extent to which the combination of our policies are improving outcomes for children and young people. The National Performance Framework (NPF) monitors our overarching progress towards Scotland's outcomes and will remain a key monitoring tool. Children's rights are, within the broader context of human rights, at the heart of Scotland's (NPF). The NPF includes the following outcomes: "We respect, protect and fulfil human rights and live free from discrimination" and "We grow up loved, safe and respected so that we realise our full potential." The NPF tracks progress towards delivery of these, and the other, national outcomes and is underpinned by a broad suite of [National Indicators](#). Indicators include measures of children's social and physical



development; their wellbeing and happiness, voices, positive relationships and the quality of children's services. In addition there are others indicators that measure our progress in improving health, education, tackling poverty, and fulfilling human rights.

24. In recognition that the NPF does not currently provide us with all we need to know to have a high level overview of the wellbeing of children and young people in Scotland, the Children, Young People and Families (CYPF) Outcomes Framework is being developed to provide a holistic picture and understanding of the wellbeing of children, young people and families in Scotland. This complements Scotland's National Performance Framework, with a particular focus on outcomes for children, young people and families. The Core Wellbeing Indicator Set (CWIS) provides a high level, holistic overview of wellbeing and consists of 21 indicators covering SHANNARI, the sides of the My World Triangle and the UNCRC articles.

25. This is not to suggest that these wellbeing indicators could be used a substitute or proxy indicator of rights. Wellbeing indicators provide information about outcomes for children which should be improving as rights are giving better and further effect throughout Scotland. Existing measures of wellbeing may help us to explore this. Drawing on this framework will provide a high level, holistic overview of whether the sum of our collective actions at a local and national level is making a difference to improving the lives of children and families in Scotland.

## **Recommendation**

1. We focus the development of children's rights indicators on the rights identified through our engagement with stakeholders, require priority attention.
2. In partnership with the children's rights sector, we develop a system for collating rights issues, highlighting them to Scottish Government senior management and relevant policy areas, and monitoring progress in addressing these. This will help us to assess the extent to which we have achieved our programme aim 'children experience public services consistently upholding their rights'. We set out how that will be done in the publication of the first Children's Rights Scheme and update these issues and progress towards addressing them annually thereafter.
3. With relevant partners, we develop evidence that will allow us to assess whether we have in place each of the drivers of change identified in the Theory of Change for Making Rights Real. When we have identified what would be required to develop meaningful evidence and collect the data, we will make a recommendation about a manageable reporting cycle. This will help us to assess the extent to which we have achieved our programme aim 'public services and children will be ready for the commencement of the UNCRC Bill'.
4. When the duties under the Bill commence, we analyse the impact that policy development and implementation has on children's rights. This can be done through various methods, including commissioning case studies to test the extent to which children's rights are driving policy decisions in Scottish Government and harvest learning and good practice from the 3-yearly reports from listed public authorities.
5. We use the Core Wellbeing Indicator Set developed for the Children, Young People and Families Outcomes Framework as a measure of whether the sum of our collective actions is making a real difference to improving the lives of children and families in Scotland.

Children's Rights Unit  
15 November 2022

ANNEX A - UNCRC INCORPORATION – MONITORING AND EVALUATION STRATEGY- initial mapping exercise to identify existing sources of data that could be used to assess the extent to which each of the articles in the UNCRC are embedded in Scotland

Article	Definition	Measure	Source	Age	Frequency
1. Definition of child	Everyone under the age of 18 has all the rights in the Convention.				
2. Non-discrimination	The Convention applies to every child without discrimination, whatever their ethnicity, sex, religion, language, abilities or any other status, whatever they think or say, whatever their family background.	Whether treated badly for any discriminatory reasons	H&W surveys (RCS)	S1-S4	3 tranches (2015-2020)
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.				
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.				
5. Parental guidance and a child’s evolving capacities	Governments must respect the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up, so that they fully enjoy their rights. This must be done in a way that recognises the child’s increasing capacity to make their own choices.	Percentage of adults in Scotland who say that 11-15 year olds should have ‘a great deal’ or ‘quite a lot’ of say over decisions that affect their life	SSAS	All adults	biennial
		Percentage of adults in Scotland who say that 16-18 year olds should have ‘a great deal’ or ‘quite a lot’ of say over decisions that affect their life	SSAS	All adults	biennial
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.	Children with one or more developmental concerns at 27–30 month review	ISD	27-30 months	Annual
		Percentage of pregnant women recorded as obese at antenatal booking	ISD		annual
		Percentage of pregnant women recorded as current smokers at antenatal booking	ISD		annual

		Rate of drug misuse per 1,000 maternities	ISD		Data available annually but reported less frequently
		Percentage of all singleton live births before 37 weeks' gestation	ISD		annual
		Percentage of all live singleton births with low weight	ISD		annual
		percentage of babies reported by parent as being breastfed at 6–8 week review;	ISD		annual
		Percentage of babies reported by parent as being exposed to second-hand smoke at the 6–8 week review;	ISD		By request
7. Birth registration, name, nationality and care	Every child has the right to be registered at birth, to have a name and nationality, and, as far as possible, to know and be cared for by their parents.	Percentage of children with completed 6-8 week Health Visitor review	ISD		Annual
		Percentage of children with completed 13-15 month Health Visitor review	ISD		Annual
		Percentage of children with completed 27-30 month Health Visitor review	ISD		Annual
		Percentage of children with completed 4-5 year Health Visitor review	ISD		Annual
8. Protection and preservation of identity	Every child has the right to an identity. Governments must respect and protect that right, and prevent the child's name, nationality or family relationships from being changed unlawfully				
9. Separation from parents	Children must not be separated from their parents against their will unless it is in their best interests (for example, if a parent is				

	hurting or neglecting a child). Children whose parents have separated have the right to stay in contact with both parents, unless this could cause them harm.				
10. Family reunification	Governments must respond quickly and sympathetically if a child or their parents apply to live together in the same country. If a child's parents live apart in different countries, the child has the right to visit and keep in contact with both of them.				
11. Abduction and non-return of children	Governments must do everything they can to stop children being taken out of their own country illegally by their parents or other relatives, or being prevented from returning home.				
12. Respect for the views of the child	Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.	Percentage of secondary school pupils who agree that adults in general, such as their family, teachers, youth workers, sport coaches and Scouts/Guides leaders, are good at taking their views into account in decisions that affect their life	H&WB census	P5-S6	Every four years
		Percentage who say they are included in making a decision for their class or school 'often' or 'always'	H&WB census	P5-S6	Every four years
		Percentage of secondary school pupils who say they have a lot or some say over what they learn	YPS	Secondary school	Survey is generally biennial. Inclusion of question TBC
		Percentage of secondary school pupils who agree that they feel able to let the adults running out of school activities or groups	YPS	Secondary school	Survey is generally biennial.

		know their views on how those groups/activities are run			Inclusion of question TBC
		Percentage who have an adult in their life who they can trust and talk to about any personal problems	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to their neighbour(s) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to their teacher(s) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to their club or group leader(s) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to other adults (youth workers, doctors, social workers) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage of 13 and 15 year olds who agree that people say hello and talk to each other in the street	HBSC	11, 13 and 15 year olds	Every four years
		Felt you were playing a useful part in things?	SHeS	13-15 year olds	Annual
		Felt capable of making decisions about things?	SHeS	13-15 year olds	Annual
13. Freedom of expression	Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law	Percentage who agree that they can influence decisions affecting my local area	SHS	16-24 (potentially 16-18 or 16-21)	Annual
14. Freedom of thought, belief, and religion	Every child has the right to think and believe what they choose and also to practise their religion, as long as they are				

	not stopping other people from enjoying their rights. Governments must respect the rights and responsibilities of parents to guide their child as they grow up.				
15. Freedom of association	Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights.	Percentage providing unpaid help to organisations or groups in the last 12 months	SHS	16-24 years old	Annual
		Percentage of people who provide unpaid help to organisations or groups who volunteer once a week or more	SHS	16-24 years old	Annual
		Percentage who did voluntary work	H&WB census	S1, S3, S5-6	Every four years
16. Right to privacy	Every child has the right to privacy. The law should protect the child's private, family and home life, including protecting children from unlawful attacks that harm their reputation				
17. Access to information from the media	Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand. Governments must help protect children from materials that could harm them.	SG commitment to 100% superfast broadband access across Scotland by 2021			
18. Parental responsibilities and state assistance	Both parents share responsibility for bringing up their child and should always consider what is best for the child. Governments must support parents by creating support services for children and giving parents the help they need to raise their children.	Children looked after at home; rate per 1,000 population aged under 18 years	EAS	Under 18	Annual
		Children referred to SCRA for reasons of care and protection; rate per 1,000 children aged 0–15 years	SCRA	0–15 years	Annual

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.	Emergency hospital admissions for unintentional injury; age–sex standardised rate per 100,000 population	ScotPHO (ISD)	Under 5	annual
		General acute inpatient and day case admissions due to assault; age-sex standardised rate per 100,000 population	ScotPHO (ISD)	15-25	annual
		While you were growing up, before the age of 18: How often did a parent or adult in your home ever swear at you, insult you, or put you down?	SHeS	Young adults	Annual
		While you were growing up, before the age of 18: How often did your parents or adults in your home ever slap, hit, kick, punch or beat each other up?	SHeS	Young adults	Annual
		While you were growing up, before the age of 18: How often did a parent or adult in your home ever hit, beat, kick or physically hurt you in any way?	SHeS	Young adults	Annual
20. Children unable to live with their family	If a child cannot be looked after by their immediate family, the government must give them special protection and assistance. This includes making sure the child is provided with alternative care that is continuous and respects the child’s culture, language and religion	Children on the Child Protection Register; rate per 1,000 children under 16 years	EAS	Under 16	Annual
		Children looked after by the local authority; rate per 1,000 population aged under 18 years	EAS	Under 18	Annual
		Children looked after outside the home; rate per 1,000 population aged under 18 years	EAS	Under 18	Annual
21. Adoption	Governments must oversee the process of adoption to make sure it is safe, lawful and that it prioritises children’s best interests. Children should only be adopted outside of their country if they cannot be placed with a family in their own country.				



22. Refugee children	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.	<a href="https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018-2022/">https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018-2022/</a>			
		Number of children granted asylum	ONS	Under 18	Annual
		Family reunion entry clearance grants, by age.	ONS	Under 18	Annual
23. Children with a disability	A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.	Young Disabled People’s Forum - established to provide an inclusive space for young people with a disability to come together regularly and engage with the issues that interest and affect them and feed into policy making.			
24. Health and health services	Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy. Richer countries must help poorer countries achieve this	Emergency hospital admissions for unintentional injury; age–sex standardised rate per 100,000 population	ScotPho (ISD)	Under 5	Annual
		Percentage of children who have a low score Warwick–Edinburgh Mental Wellbeing Scale (WEMWBS) score	H&WB census/ SALSUS	S2-S6/S2, S4	Every four years (historical data from SALSUS)
		Percentage with a slightly raised (previously “borderline”) or high or very high (previously, “abnormal”) SDQ score	H&WB census/ SALSUS	S2-S6/S2, S4	Every four years (historical data from SALSUS)
		Percentage with a slightly raised (previously “borderline”) or high or very high (previously, “abnormal”) SDQ score	SHeS	4-12	annual
		Mental health strategy <a href="https://www.gov.scot/publications/mental-health-strategy-2017-2027/">https://www.gov.scot/publications/mental-health-strategy-2017-2027/</a>			

		Percentage of children living in absolute poverty (living in families with incomes less than 60% of inflation adjusted 2011-12 median income) after housing costs	FRS	All	Annual
		Percentage of children in combined material deprivation (based on a suite of questions in the Family Resources Survey) and low income after housing costs (below 70% of UK median income) after housing costs	FRS	All	Annual
		Percentage of households with children experiencing food insecurity	SHeS	All	Annual
		Percentage of households with children living in fuel poverty (required fuel costs >10% of income)	SHCS		Annual
		Percentage normally travelling to school in an active way (walking, cycling, and using a scooter, skateboard or inline/roller skates).	Hands up Scotland	P1-S6	annual
		Percentage who meet physical activities guidelines (including activities at school)	SHeS	2-15 year olds	annual
		Percentage who take part in vigorous physical activity at least 4 times a week	H&WB census /HBSC	P5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Average sedentary minutes per week	SHeS	2-15	annual
		Percentage who spend two or more hours a weekday on electronic devices	H&WB census	P5-S6	Every four years
		Percentage who had the recommended 5 portions of fruit and vegetables the previous day	SHeS	2-12 year olds; 13-15 year olds	annual

				and 16-24 year olds	
		Percentage who ate sweets or chocolates once a day or more in the last week	SHeS	2-12 year olds; 13-15 year olds and 16-24 year olds	annual
		Percentage who consume non-diet soft drinks daily	SHeS	2-12 year olds; 13-15 year olds and 16-24 year olds	annual
		Percentage who consume fruit daily	H&WB census /HBSC	P5-S1, S3, S5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage who consume vegetables daily	H&WB census /HBSC	P5-S1, S3, S5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage who consume sugary soft drinks daily	H&WB census /HBSC	P5-S1, S3, S5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage who eat breakfast every weekday	H&WB census /HBSC	P5-S6 (census)/ 11, 13 and	Likely every two years depending

				15 year olds (HBSC)	on how census and HBSC align
		Percentage of children at risk of overweight or obesity at Primary 1	ISD	P1	annual
		Percentage of young people at risk of overweight or obesity	SHeS	2-12 year olds; 13-15 year olds and 16-24 year olds	annual
		Percentage of children receiving a letter 'C' (no obvious decay experience) at basic inspection	ISD	P1, P7	annual
		Percentage of children who usually sleep at least eight hours a night	H&WB census	P5-S6	Every four years
		Percentage who are in good or very good general health	SHeS	0-15 year olds	annual
		Percentage with at least one long term health condition	SHeS	0-15 year olds	annual
		Percentage with at least one limiting long term health condition	SHeS	0-15 year olds	annual
25. Review of treatment in care	If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.				
26. Social Security	Every child has the right to benefit from social security. Governments must provide social security, including financial support	Percentage of children registered for free school meals	EAS	P4 and above	Annual

	and other benefits, to families in need of assistance.				
27. Adequate standard of living	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.	Percentage of children living in relative poverty (living in households whose equivalised income is below 60 per cent of inflation adjusted median income) after housing costs	FRS	All	Annual
		Percentage who agree that most of the time, they have enough money to do the same things as their friends	H&WB census	P5-S1; S3	Every four years
28. Right to education	Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights. Richer countries must help poorer countries achieve this.	Gap between children and from most and least deprived 20% of areas in percentage of people aged 16–19 years who are in education, employment or training	EAS	16-19	Annual
29. Goals of education	Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.	Percentage of primary pupils achieving expected CfE levels in reading	EAS	P1, P4, P7, S3	annual
		Percentage of primary pupils achieving expected CfE levels in writing	EAS	P1, P4, P7, S3	annual
		Percentage of primary pupils achieving expected CfE levels in listening and talking	EAS	P1, P4, P7, S3	annual
		Percentage of primary pupils achieving expected CfE levels in numeracy	EAS	P1, P4, P7, S3	annual
		Percentage of school leavers with one or more qualification at SCQF Level 4 or better	EAS	all school leavers	annual
		Percentage of school leavers with one or more qualification at SCQF Level 6 or better	EAS	all school leavers	annual
		Number and percentage of all school leavers in positive destinations at 9-month follow-up	EAS	all school leavers	annual

		Participation measure - percentage of people aged 16–19 years who are in education, employment or training	EAS	16-19	annual
		Youth employment rate - percentage of people aged 16–24 years who are in employment	EAS	16-24 years old	annual
		Percentage who intend to continue full time education beyond S4	H&WB census	S1-S4	Every four years
		Percentage who expect to continue to a positive destination after leaving school	H&WB census	S1-S6	Every four years
30. Children from minority or indigenous groups	Every child has the right to learn and use the language, customs and religion of their family, whether or not these are shared by the majority of the people in the country where they live.				
31. Leisure, play and culture	Every child has the right to relax, play and take part in a wide range of cultural and artistic activities.	Percentage of households with children aged 6 to 12 with five minute access to a public greenspace	SHS	6-12 year olds	Annual
		Percentage who say there are 'lots' of places where they live where they can play outdoors	H&WB census	P5-S2	Every four years
		Percentage of 13 and 15 year olds who use local greenspace weekly during summertime	HBSC	13 and 15 year olds	Every four years
		Percentage of 13 and 15 year olds who used greenspace at least 2 hours a week in the summertime	HBSC	13 and 15 year olds	Every four years
		Percentage who had participated in sport outside of school in the week prior to interview	SHeS	5-15 year olds	annual
		Percentage of children engaged in active play	SHeS	2-15	annual

		Percentage who participated in at least of the following in the last year: buddying/mentoring programme at school; charity event; drama/ acting / singing / dancing group; religious activity; attended a youth organisation (e.g. Boys or Girls Brigade, Scouts, Girl Guides, etc.); Duke of Edinburgh; Sports clubs	H&WB census	S1, S3, S5-6	Every four years
		Percentage of households with children aged 8 to 12 where children regularly take part in at least one leisure activity outside of school	SHS	8-12 years old	Annual
32. Child labour	Governments must protect children from economic exploitation and work that is dangerous or might harm their health, development or education. Governments must set a minimum age for children to work and ensure that work conditions are safe and appropriate.				
33. Drug abuse	Governments must protect children from the illegal use of drugs and from being involved in the production or distribution of drugs.	Percentage who have ever taken drugs	H&WB census	S2, S4	Every four years
		Percentage who usually take drugs once a month or more	H&WB census	S2, S4	Every four years
		Percentage who have taken drugs in the last month	SALSUS	S2, S4	Survey last run 2018. Will report while no H&WB Census data available, will be replaced by similar

					questions in H&WB census.
		Percentage of S2 and S4 pupils who have ever used drugs who experienced a negative effect as a result	SALSUS	S2, S4	Survey last run 2018. Will report while no H&WB Census data available, will be replaced by similar questions in H&WB census.
		General acute inpatient and day case stays in young people aged 15–24 years with a diagnosis of drug misuse; rate per 100,000 population	ISD	15-24 years old	Annual
34. Sexual exploitation	Governments must protect children from all forms of sexual abuse and exploitation.	Percentage of sexual crimes recorded where victim was under 18	Police statistics	Under 18	Annual
		While you were growing up, before the age of 18: How often did anyone at least 5 years older than you (including adults) ever touch you – or try to make you touch them – sexually?	SHeS	Young adults	Annual
		While you were growing up, before the age of 18: How often did anyone at least 5 years older than you (including adults) force you to have any type of sexual intercourse (oral, anal or vaginal)?	SHeS	Young adults	Annual



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.	The Human Trafficking and Exploitation (Scotland) Act (2015)			
		Trafficking and Exploitation Strategy (Scottish Government 2017)			
36. Other forms of exploitation	Governments must protect children from all other forms of exploitation, for example the exploitation of children for political activities, by the media or for medical research.				
37. Inhumane treatments and detention	Children must not be tortured, sentenced to the death penalty or suffer other cruel or degrading treatment or punishment. Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible. They must be treated with respect and care, and be able to keep in contact with their family. Children must not be put in prison with adults.				
38. War and armed conflict	Governments must not allow children under the age of 15 to take part in war or join the armed forces. Governments must do everything they can to protect and care for children affected by war and armed conflicts.				
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.				
40. Juvenile justice	A child accused or guilty of breaking the law must be treated with dignity and respect. They have the right to legal assistance and	Children referred to the SCRA for offence reasons; crude rate per 1,000 children aged 8–15 years	SCRA	8 - 15 years old	Annual

	a fair trial that takes account of their age. Governments must set a minimum age for children to be tried in a criminal court and manage a justice system that enables children who have been in conflict with the law to reintegrate into society.	Rate of under 18 year olds proceeded against in court per 1000 population	Criminal proceedings	Under 18	Annual
		Rate of under 21 year olds in custody per 1000 population	Scottish prison service	Under 21	Annual
41. Respect for higher national standards	If a country has laws and standards that go further than the present Convention, then the country must keep these laws.				
42. Knowledge of rights	Governments must actively work to make sure children and adults know about the Convention.				
45. Advice	Unicef can provide expert advice and assistance on children's rights.				

## **ANNEX B: ASSESSING WHETHER WE HAVE EMBEDDED THE DRIVERS OF CHANGE FOR MAKING RIGHTS REAL**

### **CHANGE PROCESS 1: Policy adaptation, coordination, administrative integration and budgetary consideration**

<b>Key drivers of change</b>	<b>What evidence could we develop to help assess if this driver is in place?</b>
Children and young people meaningfully participate in policy-making	Reports on progress with actions from the Scottish Government Executive Team and Cabinet Takeovers. Evidence of engagement with CYP on the UNCRC Implementation Programme. Vignettes/case studies from across Scottish Government. Direct engagement with CYP to explore whether they have found engagement to be meaningful.
Awareness of UNCRC raised amongst policy makers	Regular survey of SG senior civil service to test understanding of duties under the UNCRC Bill.

	Number of multi-agency leaders trained in Children's Rights in Practice from Child Friendly Cities and Communities Programme to support a child rights-based approach to policy, planning, budgeting.
UNCRC incorporated to maximum extent	UNCRC Bill receives Royal Assent
Children's rights integrated across policy areas	Sampling of 3-yearly statutory reports from public authorities to identify good practice and areas of concerns/risks.
A properly resourced national action plan for children's human rights	Regular review of the extent to which the Scottish Government and its funded partners in the children's rights sector have actions to support each of the drivers of change in the Theory of Change and monitoring of progress with these actions.
Child Rights and Wellbeing Impact Assessments that are supported by senior leaders, properly resourced, timely and purposeful	Sampling of SG CRWIAs against a pre-agreed light touch assessment framework. Report on areas for improvement.
Making children's rights visible in budgets	The extent to which children's rights are visible through published budgetary documentation (for example, through the SG budget, future RSRs, and EFSBS). Sampling of CRWIA carried out on SG budget decisions to assess the extent to which published budget allocations are linked to children rights outcomes. The extent to which children are participating in the budget cycle, including assessment of budget transparency and accessibility for children.
Collecting and using data to assess whether all children and young people are having their rights met	Intelligence from: regular engagement with the children's rights sector; state party reporting; complaints escalated to SPSO; and data from calls
Scrutiny bodies hold government to account	Concluding observations from the UN Committee on the Rights of the Child, following state party reporting and dialogue.

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**CHANGE PROCESS 2: Building cross-sector capacity and capability to integrate rights-based ways of working**

<b>Key drivers of change</b>	<b>What evidence could we develop to help assess if this driver is in place?</b>
Cross-sector systems leadership	<p>Potential for some case studies but monitoring data would be difficult to collect without significant burden on public authorities. (That would likely involved a survey.)</p> <p>Number of multi-agency leaders trained in Children's Rights in Practice from Child Friendly Cities and Communities Programme to support a child rights-based approach to policy, planning, budgeting.</p>
Duty bearers take proactive steps to ensure compliance	Actions set out in statutory child rights reports (under section 15 of the Bill) to ensure compatibility with UNCRC requirements.
Duty bearers provide capacity building and implementation support and demonstrate rights-based ways of working.	Data on use of the Skills & Knowledge Framework, including how many users, which modules, post-training evaluation etc. Also potential for some case studies, in collaboration with the Improvement Service.
Leaders and champions communicate and demonstrate a rights-based approach	Engagement with capacity building networks and community of practice platform. Focus Group discussions with leaders & champions.
System grows from positive and negative experiences and challenge	Potential for some case studies, in collaboration with the Improvement Service.

### CHANGE PROCESS 3: Influencing attitudes, norms, values and everyday actions

Key drivers of change	What evidence could we develop to help assess if this driver is in place?
National awareness-raising and information	Data in understanding of UNCRC and incorporation from regular survey of families e.g. IPSOS Mori parents' survey. Evaluation of the national awareness raising campaign. Monitoring of individual campaigns Through the UNCRC Communications Network.
Explore patterns of social norms on children's rights to inform interventions	Regular survey of general population. Focus Group Discussions with key stakeholder groups.
Leaders and champions communicate and demonstrate a rights-based approach	Regular survey of SG senior civil service to test attitudes and support for children's rights. Focus Group Discussions with leaders & champions to provide qualitative data.
Invest in community-based approaches for people to experience a rights-based approach	A light-touch evaluation of the impact of the innovation fund.
Children and young people learn about their rights	Proportion of schools taking part in and achieving accreditation as a Rights Respecting School and data on understanding of rights from Young People in Scotland Survey or other quantitative survey of CYP.  Number of CYP trained in Children's Rights in Practice and participating in Child Friendly Cities and Communities journeys.

System grows from positive and negative experiences and challenge	Tracking of SPSO complaint resolution or impact of strategic litigation.  Case studies e.g. from cities and communities working in partnership with UNICEF UK on Child Friendly Cities and Communities Programme.
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**CHANGE PROCESS 4: Ensuring a system of information, advocacy, complaints, redress and effective remedy for children and young people**

<b>Key drivers of change</b>	<b>What evidence could we develop to help assess if this driver is in place?</b>
Children and young people meaningfully participate in designing system to uphold rights	Record of CYP engagement in UNCRC Implementation Programme and how this engagement has helped to shape the programme.  Evaluation of the Interim Consortium- Rights Right Now!  Feedback from the CYP on other strategic approaches to participation, including inclusive communications.  Evidence of CYP engagement across SG and how this has shaped policy.
Duty bearers ensure a trusted, effective and child friendly system to uphold rights at all levels	Proportion of listed public authorities with a child-friendly complaints process.
Advocates and scrutiny bodies hold duty bearers to account	Number and proportion of children's advocates who are trained in children's rights. Examples of where children's rights issues have been raised. Number of complaints raised on behalf of a child. Number of cases taken to court on behalf of a child, where a breach of the UNCRC requirements is given.
System grows from positive and negative experiences and	Examples of where challenges have resulted in positive change.

challenge/rights breaches result in system change.	
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**Document 8 – Outgoing Email to SIB with Papers – 22/09/22**

**From:** [redacted - 38(1)] > **On Behalf Of** UNCRC Incorporation

**Sent:** 22 September 2022 16:42

**To:** UNCRC Incorporation <UNCRCIncorporation@gov.scot>

**Subject:** PAPERS - Strategic Implementation Board - Tuesday 27 September 2022

Dear Board Members

With apologies for the delay in issuing, please find attached papers ahead of next Tuesday's Strategic Implementation Board meeting.

Papers are as follows:

- Paper 1 – Agenda
- Paper 2 – Minutes from 25 August 2022
- Paper 3 – Minutes from 25 August 2022 (accessible version)
- Paper 4 – Action Tracker
- Paper 5 – Monthly Programme Highlight report
- Paper 6 – Draft Evaluation & Monitoring Strategy

Kind Regards

**[redacted - 38(1)]**

Project Manager

UNCRC Implementation, Directorate for Children and Families, Scottish Government

*My working hours are: Monday - Friday (09:00-17:00)*



**Document 8a – SIB Agenda – 27/09/22**



**UNCRC Strategic Implementation Board  
Tuesday 27<sup>th</sup> September 2022  
15:30 – 17:00**

<b>No</b>	<b>Times</b>	<b>Item</b>	<b>Lead</b>
<b>33.</b>	15:30-15:35	Welcome and Apologies	Michael Chalmers, Chair
<b>34.</b>	15:35-15:45	Minutes and Actions from last meeting <ul style="list-style-type: none"><li>• Paper 2 - Minutes</li><li>• Paper 3 - Accessible Minutes</li><li>• Paper 4 - Action Tracker</li></ul>	<b>[redacted - 38(1)]</b> , Children's Rights Unit
<b>35.</b>	15:45-15:55	UNCRC Programme Board Update. <ul style="list-style-type: none"><li>• Paper 5 - Monthly Highlight Report</li></ul>	<b>[redacted - 38(1)]</b> Children's Right Unit
<b>36.</b>	15:55-16:00	Update on the Bill	<b>[redacted - 38(1)]</b> Children's Rights Unit
<b>37.</b>	16:00-16:20	Improvement Service	<b>[redacted - 38(1)]</b> Improvement Service
<b>38.</b>	16:20-16:50	Draft evaluation and monitoring strategy for UNCRC implementation <ul style="list-style-type: none"><li>• Paper 6 – Monitoring and Evaluation Strategy</li></ul>	<b>[redacted - 38(1)]</b> , Scottish Government
<b>39.</b>	16:50-16:55	A.O.B	Michael Chalmers, Chair
<b>40.</b>	16:55-17:00	Close	Michael Chalmers, Chair

## **UNCRC Strategic Implementation Board**



**Minutes of Meeting – Thursday 25<sup>th</sup> August 2022, 15:00-**

**16:30**

**Accessible Version**

### **What is the Strategic Implementation Board?**

The Strategic Implementation Board (or SIB, for short) is a group of people that meet every month to support the Government to make the [United Nations Convention on the Rights of the Child](#) part of Scots law and put in place support for organisations, children and young people and their families to help ensure that children's rights are respected. They discuss whether the work that's required is on track and help to resolve any problems that are encountered in trying to make this happen. There are people on the SIB from Police, Education, Health, Social Work, Children's rights organisations, and the Scottish Government.

### **What was discussed at this meeting?**

SIB were told that the Scottish Government are encouraging organisations to make sure they consider the rights of the child when they are making decisions about their budgets. You can find more information about child rights budgeting [here](#).



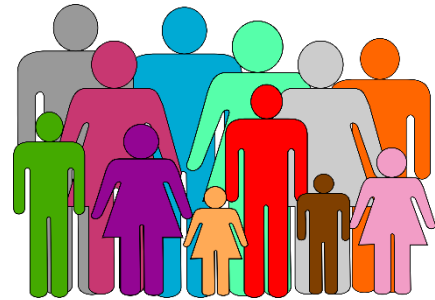
SIB were also told the organisation [Together](#) are meeting with the Chief Economist and the Director General Economy, to see what support can be given so that Scotland can lead by example. (If you are interested in learning more about Together then please click the word together that is highlighted above).

SIB members were given an update on the UNCRC ([UN Convention on the Rights of the Child](#)) Bill. The aim is for the UNCRC Bill to be brought back to Parliament by the end of this year. Changes are being made to address the challenges identified by the Supreme Court.



The Scottish Government will share details of the changes with the UK Government, allowing us to respond to any issues to reduce the chance of the Supreme Court becoming involved again.

The Scottish Government has created a new information booklet for families to help keep them informed about UNCRC. It's important that parents, carers, and guardians know about children's rights to ensure everyone is empowered to be a rights defender.



At the next SIB meeting, different organisations will present their work to build awareness of what's happening across Scotland to help make children's rights real.

The next meeting will be held on Tuesday 27 September 2022.

## Document 8c – Sib Highlight Report Sept 2022

<p><b>Programme Description:</b> This is a three-year programme to further embed the UNCRC into policy and practice in Scotland and deliver the provisions in the UNCRC (Incorporation)(Scotland) Bill.</p>	<p><b>Reporting Period:</b> September 2022</p>	<p><b>Overall RAG Status: RED.</b> To reflect the delay to the UNCRC Bill receiving Royal Assent.</p>
<p><b>Progress Past Month</b></p>	<p><b>Priorities Next Month</b></p>	
<ul style="list-style-type: none"> <li>• <b>UNCRC Bill</b> - Ministers have now cleared draft amendments. Currently engaging with UK Government to test and reduce the risk of further challenge and engaging with parliament officials to test admissibility of amendments at Reconsideration Stage.</li> <li>• Continued with market engagement to inform revised procurement exercise for the Innovation Fund.</li> <li>• Kick off meetings and planning work with Skills and Knowledge Framework supplier to agree ways of working and project governance.</li> <li>• Continued to work on sections of statutory guidance for Part 2 and 3 of the UNCRC Bill that are not dependent on remedial action.</li> <li>• Continue work to establish transitional arrangements for child rights reporting.</li> <li>• Second newsletter sent, sharing updates on incorporation, implementation and support available for public authorities.</li> <li>• Animation on UNCRC introductory guidance completed and premiered with the young people who developed the script and voiced the characters.</li> <li>• First Working Together Partnership meeting hosted by the Improvement Service (01/08/22).</li> <li>• Discussed criminal court rules paper with secretariat to Criminal Court Rules Council.</li> </ul>	<ul style="list-style-type: none"> <li>• Engage with Parliament to test admissibility of amendments to the Bill and receive feedback from UK Government.</li> <li>• Agree best approach to revised procurement exercise for the Innovation Fund, informed by market engagement.</li> <li>• Meeting with Skills and Knowledge Framework supplier to review and agree more detailed project plans.</li> <li>• Continue to work on sections of statutory guidance for Part 2 and 3 of the UNCRC Bill that are not dependent on remedial action and share with policy colleagues for review.</li> <li>• Agree approach to guidance consultation and consultation on the Children’s Rights Scheme.</li> <li>• Communication to listed public authorities on the options being explored for transitional arrangements for child rights reporting.</li> <li>• Communication to relevant public authorities to prompt that Children’s rights reports for 2017-20 continue to remain due as soon as practicable, with provisions enabling their delay expiring after the 30th of September.</li> <li>• Activity around raising awareness: final draft of the parents, carers, families (PCF) booklet circulated to the PCF network for comment. Parent Club colleagues are developing a landing page and social media campaign to support the launch of the booklet once the Bill receives Royal Assent. Data and research collated to provide baseline for the National Campaign. Young Scot social media campaign is being created.</li> <li>• Participation Activity: Continue to support SYP to test the resources being created for the National Participation Guidance. Meet with the Pre-natal mental health team to discuss their resource around the voice of the infant and best practice guidelines.</li> <li>• Advocacy Work: Continue discussions with the Promise around a national advocacy mapping exercise.</li> </ul>	

<ul style="list-style-type: none"> <li>• Met with the Judicial Institute re training for the Judiciary. Judicial institute have a training pack ready to go once Bill secures Royal Assent.</li> <li>• Continued to engage with colleagues across SG on areas that link into child rights budgeting to support delivery of the Children’s Rights Scheme.</li> <li>• Continued to progress the Scottish Position Statement on LOIPR</li> <li>• Met with policy colleagues and The Promise lead on advocacy service project.</li> <li>• The Comms Network met to look at key messaging for the National Campaign and started to gather data from current Awareness Raising work. Concepts/designs by the external Marketing organisation for the parents booklet were shared with the Empowering CYP team. Started a co-produced project with Young Scot to create a social media campaign with their young ambassadors. All this work connects to the development of the National Awareness Raising Campaign</li> <li>• We continued to produce programmes to champion meaningful participation with the Scottish Youth Parliament (SYP) by delivering a session to policy colleagues who are delivering the 2022 Cabinet Commitments. SYP have begun their shadowing project where policy leads shadow a young person to learn from their experience.</li> </ul>	<ul style="list-style-type: none"> <li>• Agree how soon we can socialise the court rules paper with relevant court rules councils.</li> </ul>
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**Progress Against Planned Outputs in the programme plan for next 12 months**

Output	Target Date	RAG Status and Updates
Parents Network, Booklet and Research. The Network will be a group of parenting orgs, and SG colleagues interested in how we create resources and guidance for parents, carers, and families (PCF). The first output is a new booklet targeted directly at PCF but we expect more will be needed	01/10/2022	The booklet frame is with an external agency who will write the copy supported by Marketing colleagues. The intention is now to publish a digital version in October and paper version after the Bill secures Royal Assent.

and for bespoke groups such as those with children in the care system or justice system.		
Work alongside Young Scot to co-create a social media campaign with and for young people.	Oct 2022	Good example of partnership with grant organisation and co-creation with YP.
Publication of comprehensive Scottish Government Position Statement on the UN Committee's List of Issues Prior to Reporting (LOIPR).	31/10/2022	Work underway but now proposing to publish around World Children's Day on 20 Nov as a substitute for the annual progress report and to reflect the delay to UN Committee examination (see below).
Launch national campaign to raise awareness of children's rights	31/01/2023	Work begun with the Comms Network to explore possible approaches. We are engaging with Marketing and Comms colleagues who are offering advice.
Prepare for UN Committee examination of UK State Party	Feb-May 2023	UK examination now reschedule until May 23. Preparation will begin in February 23.
Launch Skills and Knowledge Framework.	31/03/2023	Suppliers appointed, kick off meeting has taken place.
Scottish Public Services Ombudsman produce guidance on child friendly complaints and creating child friendly materials and a self assessment tool. To be implemented under SPSO's model complaints handling. This will include providing guidance, support and training to public bodies in developing and delivering child friendly complaints processes, as well as providing support for children and young people themselves, and those who support children and young people, in particular parents, guardians, third-sector organisations and advocates.	31/03/2023	SPSO have advised that they are working towards target date of model procedures going live by 31/03/23.
Consortium in Place that ensures CYP's voices are being meaningfully heard within the implementation programme	April 2023.	Procurement process will start again in late 2022. Expectation to have Consortium coordinator in place by April 2023.
Scottish Youth Parliament - Policy Project. Working alongside SYP to engage with YP and three policy areas to create a series of resources through live projects. Wider capacity building and AR are other outcomes.	April 2023	Feedback all positive. Project deliverable are on track.

Publish National Participation for CYP guidance to complement public authority guidance.	31/04/2023	On track. Scottish Youth Parliament (SYP) continue to test out resources with policy areas across SG. Consideration being given to ensure the resource has reach beyond the SYP age range, i.e. 14 – 25. Meeting pre-natal mental health team to look at their ‘voice of the infant’ guidelines.
Launch an Innovation Fund (contracted April 2023)	June 2023	Will launch next financial year. We are currently considering the best approach to taking this forward.
Participation Blog will raise awareness of ongoing participation work within the CRU. It aims to offer guidance and support to those looking to undertake participation with CYP.	ongoing	Ongoing. Tracking data to assess impact.
UNCRC Comms Network - bimonthly meetings to ensure sector buy-in and co-creation of National Campaign	ongoing	Meetings are going well. Diverse cross section of sector.
Child Employment and Child Performance Guidance. Ensure the general public and organisations are provided with the correct support and guidance around the employment of under 16 and children involved in the entertainment industry.	ongoing	N/A - ongoing - dealing with requests when received.
Takeover Model - This ongoing programme of work delivers three key strategic meetings and a host of systemic interventions to build a culture of participation in SG. One Cabinet Meeting, one Children’s ET meeting, and one YP ET meeting. Annual Cabinet Commitments and Report. A series of meetings and dev sessions with policy areas.	ongoing	The new approach to delivering the Takeovers is enabling more conversations to happening across SG - embedding and raising awareness.
SG policy advice submitted to the Scottish Civil Justice Council and Criminal Courts Rules Council on amendments to court rules which may be required to enable provisions of the UNCRC Bill, which relate to the function of the courts.	Needs to be agreed by respective Councils at least 6 months before the commencement of	Civil Court rules paper drafted as far as possible but will be finalised between Parliament passing the Bill and Royal Assent. Criminal Court rules paper reviewed but will require further consideration. Discussing with secretariat to the council how best to socialise the papers so that they

	relevant provisions. Policy advice to be finalised between Parliament passing the Bill and Royal Assent.	are ready to issue as soon as possible after the Bill has passed.
Consultation and analysis on Statutory Guidance on UNCRC Parts 2 and 3 for public authorities, including consultation with children and young people.	Day after Royal Assent	Work is underway to prepare for a targeted consultation approach.
Publication of Statutory Guidance on UNCRC Part 2 for duties on public authorities.	At a minimum 4 months from RA but may require up to 6 months depending on nature of the consultation.	Preparatory work continues but need clarity of final duties in the Bill. The fifth meeting of the sub-group was held on 9 August.
Publication of Statutory Guidance on UNCRC Part 3 for public authorities (reporting requirements).		
Publication of first Children's Rights Scheme	Prior to commencement of the Act (6 months post RA).	Progressing work on content. Further content added this month and reviewed by Unit Head. Planning and timetable subject to Bill progress.



## Document 8d – Monitoring and Evaluation Strategy – September 2022

### UNCRC INCORPORATION – MONITORING AND EVALUATION STRATEGY

#### Introduction

1. Our [Action Plan for Progressing the Human Rights of Children in Scotland](#) contains a commitment to, by 2024, develop an “evaluation and monitoring framework to monitor and evaluate the delivery, aims and impact of the UNCRC Implementation Programme, whilst simultaneously linking progress in embedding children’s rights to long-term outcomes for children and young people”. Although the target dates have been impacted by the delay to the UNCRC Bill, the aims of the implementation programme were originally set out as follows:
  - by Oct 2021, public services and children will be ready for the commencement of the UNCRC Bill; and
  - by April 2024, children experience public services consistently upholding their rights.
2. This paper has been prepared to prompt discussion at the UNCRC Strategic Implementation Board (SIB) about a possible framework for evaluation and monitoring. It aims to establish a shared understanding about a broad approach - one that would help us to assess current conditions and further steer progress in embedding children’s rights. It also seeks agreement about how that’s designed to be manageable and sustainable for public authorities and others involved in supporting delivery of the new duties.

#### Potential approaches

4. Our approach to developing children’s rights indicators could include collecting data to:
  - a. check that children’s rights are being met, across each of the Articles;
  - b. identify where there are recurring rights breaches that require changes to policy/practice;
  - c. assess the extent to which embedding children’s rights has improved outcomes for children and young people;
  - d. check that we have in place the drivers of change for embedding a children’s rights approach in Scotland; and
  - e. explore the extent to which children’s rights are being considered in the policy making process and driving decisions.
5. This paper discusses what would be involved in each of these approaches and then recommends an approach that we consider would provide a sufficiently comprehensive strategy, while also being manageable and sustainable, and how the work might be sequenced over time.

#### a) Checking that children’s rights are being met

6. One of the drivers of change highlighted in the [Theory of Change for Making Children’s Rights Real in Scotland](#) is the development of children’s rights indicators. The Theory of Change report states that the Scottish Government should lead on “developing children’s rights indicators to provide the evidence needed to assess

change and guide action” and that “this will help ensure that duty bearers learn where children’s rights are not being realised and where systemic responses are needed”. The UN Committee has also recommended the development of nationally applicable child rights indicators to monitor UNCRC implementation<sup>3</sup>.

7. Our analysts have undertaken an [initial mapping exercise](#) to identify existing sources of data that could be used to assess the extent to which each of the articles in the UNCRC are embedded in Scotland. (See [Annex A.](#)) However, relying on existing sources of data means that these are not precise measures of the rights in the articles and that there are inevitable data gaps.

8. We have considered what would be required to develop robust national indicators that meaningfully operationalise each of the 42 Articles in the UNCRC. Our conclusion is that it is not possible to meaningfully operationalise all of the rights and that, even where this might be possible, this would require too many new (potentially complex) national data collections to make this feasible, affordable and manageable to public authorities and partners.

9. To help illustrate this we provide an example of what would be required to develop meaningful indicators for Article 29. Article 29 states that education must develop every child’s personality, talents and abilities to the full. It must encourage the child’s respect for human rights, as well as respect for their parents, their own and other cultures, and the environment. The mapping exercise identified a range of existing indicators as follows:

- Percentage of primary pupils achieving expected CfE levels in: reading; writing; listening and talking; and numeracy;
- Percentage of school leavers with one or more qualification: at SCQF Level 4 or better; and at SCQF Level 6 or better;
- Number and percentage of all school leavers in positive destinations at 9-month follow-up;
- Percentage of people aged 16–19 years who are in education, employment or training;
- Percentage of people aged 16–24 years who: are in employment; intend to continue full time education beyond S4; expect to continue to a positive destination after leaving school.

10. While these are useful measures of achievement, more would be required to measure the extent to which children and young people have realised their own individual full potential, and have developed a respect for the full range of human rights, their parents, their own and other cultures, and the environment. We would also need to ensure that the data collected can be stratified in a way that allows us to identify whether there are particular groups of children who are furthest from their rights.

11. If the purpose of developing indicators is to ensure that duty bearers can identify where children’s rights are not being realised and where systemic responses are needed and to monitor progress on this, we argue that a more efficient and manageable approach would be to identify where there are concerns regarding the fulfilment of rights that may require changes to policy/practice. We discuss how we could approach that in the following section.

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<sup>3</sup> General Comment no. 5, [The Convention on the Rights of the Child \(unicef-irc.org\)](#), Section F, paragraph 48.

12. Identifying where rights issues need most priority would allow us, not only to ensure issues are being addressed, but also to focus the development of child rights indicators to monitor progress with this. In developing indicators to monitor UNCRC implementation, we understand that some governments (such as Belgium) have primarily opted to focus only on those rights that have been flagged as not being fulfilled. That seems to us to be a sensible approach and one that might allow us to build a rationale for the development of new targeted indicators that would give us meaningful measures, at least (and perhaps initially) in priority areas.

**b) Identifying where there are recurring rights breaches that require changes to policy/practice**

13. The Children's Rights Scheme (which will demonstrate annually how the Scottish Government is progressing children's rights) will set out how we will identify and address any situation where a child's rights are, or are at a significant risk of, not being fulfilled. To support this and in partnership with the children's rights sector we will develop a system for collating recurring rights issues by working in partnership with Scotland's strong and active children's rights sector.

14. We will work with: Together: Scottish Alliance for Children's Rights; The Children and Young Person's Commissioner Scotland, the Scottish Human Rights Commission; The Scottish Youth Parliament; and the Children's Parliament to identify children's rights issues that are concerning children and young people (and those who lobby on their behalf) as quickly as possible. We will highlight these children's rights issues to Scottish Government senior management and relevant policy areas, and monitor progress in addressing these.

15. It will be particularly important to understand the experience of children and young people who are furthest away from realising their rights. We will therefore ensure regular engagement with organisations that represent children and young people living in challenging circumstances and/or have additional support needs. Some of these organisations (e.g. Carers Trust Scotland, CELCIS, Child Poverty Action Group, Children 1<sup>st</sup>, Families Outside, Hope for Autism) are already represented by Together but we will consider whether and how to facilitate additional engagement.

16. Feedback from our children's rights sector will also be supplemented by UN Committee's Concluding Observations to highlight rights breaches that require changes to policy/practice. The UK Government is examined periodically on their record in relation to the UNCRC by the UN Committee on the Rights of the Child and will be next examined by the Committee in May 2023. The Scottish Government contributes to that reporting process and our children's rights sector are given an opportunity to highlight concerns about rights issues in evidence that is shared with us. Following that examination the UN Committee will publish a list of recommendations (Concluding Observations).

17. In addition, we will explore the possibility of developing new data collections in partnership with the key partners that will help us identify where there may be recurring rights breaches. The Scottish Public Service Ombudsman is supporting

public authorities to develop a child-friendly model complaint process. As part of that we will explore if and how we can use data from their records of complaints escalated to them. We will also explore what data could be captured by specialist child law centres (Clan Childlaw and the Scottish Child Law Centre) and the Equalities and Human Rights Commission on calls to their advice lines.

18. Our work to embed children's rights in public authorities and the statutory reporting duty of 'listed authorities' under section 15 of the Bill will be a source of intelligence and insights on where public authorities themselves recognise there are compatibility issues. Through the National Improvement Plan, attendance at the Working Together Group, development research for the Skills and Knowledge Framework and capacity building work with public authorities, we will ensure that intelligence of this nature is captured. We will also consider how best to sample the 3-yearly reports from listed public authorities (which report on the steps they have taken to secure better or further effect of the UNCRC requirements) to identify areas where there are compatibility issues.

**c) Assessing the extent to which embedding children's rights has improved outcomes for children and young people**

19. With the range of other significant policy developments that impact on children and young people, it will be impossible to assess the extent to which embedding children's rights (alone) has improved their long term outcomes. The significant focus and investment in making Scotland the best place in the world to grow up means that we cannot disentangle the impact of individual policy developments. Other significant policy developments include: the Promise; Family Nurse Partnership; the development of a National Care Service; Children Poverty Strategy; the Baby Box; The Children's Care and Justice Bill; and the expansion of funded early learning and childcare.

20. Children's rights are, within the broader context of human rights, at the heart of Scotland's National Performance Framework (NPF). The NPF includes the following outcomes: "We respect, protect and fulfil human rights and live free from discrimination" and "We grow up loved, safe and respected so that we realise our full potential." The NPF tracks progress towards delivery of these, and the other, national outcomes and is underpinned by a broad suite of [National Indicators](#). Indicators include measures of children's social and physical development; their wellbeing and happiness, voices, positive relationships and the quality of children's services. In addition there are others indicators that measure our progress in improving health, education, tackling poverty, and fulfilling human rights. This already helps to provides us with some measures for assessing the extent to which the combination of policies are improving outcomes for children and young people. The NPF acts to monitor our overarching progress towards Scotland's outcomes and will remain a key monitoring tool.

21. In recognition that the NPF does not currently provide us with all we need to know to have a high level overview of the wellbeing of children and young people in Scotland, the Children, Young People and Families (CYPF) Outcomes Framework is being developed to provide a holistic picture and understanding of the wellbeing of children, young people and families in Scotland. This complements Scotland's

National Performance Framework, with a particular focus on outcomes for children, young people and families. The Core Wellbeing Indicator Set (CWIS) provides a high level, holistic overview of wellbeing and consists of 21 indicators covering SHANNARI, the sides of the My World Triangle and the UNCRC articles.

22. The CWIS will be supplemented by deep-dive data, other local information, and the views of children, young people and families. The Core Wellbeing Indicator Set is an initial step as part of Scotland's longer-term data improvement journey, which will include the development of more meaningful impact and outcome measures. As data becomes available over time, the Core Wellbeing Indicator Set will provide us with a high level overview of wellbeing at both a whole population level, and through disaggregation of data, enable us to see the extent to which we are closing wellbeing gaps for particular groups of children and young people. The framework will help to highlight positive impact, identify where improvement activity is required to drive progress, and is part of how we are enhancing Scotland's accountability to children, young people and families.

23. The Outcomes Framework went live in 2022, with the wellbeing outcomes, shared aims and initial core wellbeing indicators available for use by partners from April 2022. Development of the CYPF Outcomes Framework has been substantially informed by the views of children, young people, and families gathered through existing engagement activity on 'what matters'.

24. Drawing on the CWIS will provide a high level, holistic overview of whether the sum of our collective actions at a local and national level is making a real difference to improving the lives of children and families in Scotland. We suggest that this is a more realistic approach than trying to establish a causal connection between embedding children's rights (specifically) and improved outcomes for children and young people.

**d) Checking that we have in place the drivers of change for embedding a children's rights approach in Scotland.**

25. The UNCRC Bill will not deliver the culture of accountability for children's rights that we seek to achieve across public services unless the context and conditions are right. It is therefore important that we have a mechanism for monitoring this and assessing what more needs to be done to deliver our vision.

26. The Theory of Change for Making Rights Real in Scotland gives us a framework that can help us to assess whether we have created the context in which children's rights can be realised in Scotland. Given the challenge of establishing a causal relationship between the incorporation of UNCRC and improved outcomes for children and young people, this type of assessment can be a more fruitful approach by making it possible to measure the likelihood of achieving longer-term goals by assessing the extent to which the groundwork or context is in place. Assessing this and identifying where drivers need to be strengthened also has the advantage of directing us to clear action that we can take to improve our chances of successfully realising children's rights.

27. [Annex B](#) lists each of the drivers of change that were identified in the Theory of Change and makes some suggestions about evidence that could be collected to assess the extent to which these are in place in Scotland. This remains a 'work in progress'. Our recommendation is that we invest in developing measures of the drivers of change, either by using existing sources or developing new data collections. If the SIB is in agreement, these measures will be given further consideration at a future SIB meeting. Once we have identified how we could measure the extent to which the drivers are in place and how soon and on what frequency we could measure of each driver, we would set out a reporting schedule and consider how the reports could be commissioned.

**e) Explore the extent to which children's rights are being considered in the policy making process and driving decisions.**

28. Case studies of policy making and/or practice development could be used to explore the extent to which children's rights are being considered in policy making and driving decisions. This would allow us to identify good practice in and barriers to implementing UNCRC and make recommendations for improvement. Case studies might also allow us to identify how those decisions impact on experiences and outcomes for children and young people, at least in the short-term. As well as developing case studies on Scottish Government policy making, to identify possible case studies from across the public sector we could draw upon the 3-yearly reports from listed public authorities already mentioned above, again using a sampling approach. This will support ongoing quality improvement and innovation in relation to child rights-based practice and decision making.

## **Recommendation**

1. In partnership with the children's rights sector, we develop a system for collating rights issues, highlighting them to Scottish Government senior management and relevant policy areas, and monitoring progress in addressing these. This will help us to assess the extent to which we have achieved our programme aim 'children experience public services consistently upholding their rights'. We set out how that will be done in the publication of the first Children's Rights Scheme and update these issues and progress towards addressing them annually thereafter.
2. We focus the development of children's rights indicators on the rights that we know, through our engagement with stakeholders, require priority attention.
3. We use the Core Wellbeing Indicator Set developed for the Children, Young People and Families Outcomes Framework as a measure of whether the sum of our collective actions is making a real difference to improving the lives of children and families in Scotland.
4. With relevant partners, we develop evidence that will allow us to assess whether we have in place each of the drivers of change identified in the Theory of Change for Making Rights Real. When we have identified what would be required to develop meaningful evidence and collect the data, we will make a recommendation about a manageable reporting cycle. This will help us to assess the extent to which we have achieved our programme aim 'public services and children will be ready for the commencement of the UNCRC Bill'.
5. When the duties under the Bill commence, we commission case studies to test the extent to which children's rights are driving policy decisions in Scottish Government and harvest learning and good practice from the 3-yearly reports from listed public authorities.

Children's Rights Unit  
September 2022

## **Document 9 – Outgoing email to SIB with papers – 14/12/22**

**From:** [redacted - 38(1)], **On Behalf Of** UNCRC Incorporation

**Sent:** 14 December 2022 14:56

**Subject:** UNCRC STRATEGIC IMPLEMENTATION BOARD - PAPERS - 20 DECEMBER 2022

Dear SIB members,

We look forward to welcoming you to the next meeting of the UNCRC Strategic Implementation Board on Tuesday 20 December.

Please find attached the papers for this meeting. These are as follows:

- Paper 1 – agenda
- Paper 2 – minutes from previous meeting
- Paper 3 – accessible minutes from previous meeting
- Paper 4 – action tracker
- Paper 5 – highlight report

Please don't hesitate to get in touch if you have any further questions.

Best wishes,  
[redacted - 38(1)],

UNCRC Programme Assistant | Embedding Children's Rights in Public Services | Children's Rights Unit  
Scottish Government | Area 2B South | Victoria Quay | Edinburgh | EH6 6QQ



**Document 9a – SIB Agenda – 20/12/22**



**UNCRC Strategic Implementation Board**

**Tuesday 22<sup>nd</sup> November 2022**

**15:30 – 17:00**

<b>No</b>	<b>Item</b>	<b>Lead</b>
41.	Welcome and Apologies	Michael Chalmers, Chair
42.	Minutes and Actions from last meeting <ul style="list-style-type: none"><li>• Paper 2 - Minutes</li><li>• Paper 3 - Accessible Minutes</li><li>• Paper 4 - Action Tracker</li><li>• Paper 5 – Highlight Report</li></ul>	[redacted - 38(1)], Children's Rights Unit
43.	Update on the Bill	[redacted - 38(1)], Children's Rights Unit
44.	Support for public authorities	[redacted - 38(1)], Children's Rights Unit
45.	Programme update for public authorities	[redacted - 38(1)], Children's Rights unit
46.	SIB's role in driving cross-sector systems leadership	[redacted - 38(1)], Children's Rights Unit
47.	Case studies of how children's rights are featuring in key policy developments	[redacted - 38(1)], Children's Rights Unit
48.	Plans for the final consortium	[redacted - 38(1)], Children's Rights Unit
49.	The development of a risk register	[redacted - 38(1)], Children's Rights Unit
50.	Other suggestions for agenda items next year and future timings of meetings	[redacted - 38(1)], Children's Rights Unit
51.	A.O.B	Michael Chalmers, Chair
52.	Close	Michael Chalmers, Chair

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**UNCRC Strategic Implementation Board**

**Minutes of Meeting – Tuesday 22<sup>nd</sup> November 2022, 15:30 - 17:00**

**Accessible Version**



**What is the Strategic Implementation Board?**

The Strategic Implementation Board (or SIB, for short) is a group of people that meet every month.

They support the Government to make the [United Nations Convention on the Rights of the Child](#) (UNCRC) part of Scots law

They put in place support for organisations, children and young people and their families to help ensure that children's rights are made real. They discuss if the work is on track and help to resolve any problems in trying to make this happen.

There are people on the SIB from Police, Education, Health, Social Work, children's rights organisations, and the Scottish Government.



## **What was discussed at this meeting?**

### **Progress with the Bill**

Members were told that the Scottish Government were speaking to the UK Government about the changes being made to the UNCRC Bill. We do not know if this means that the UK Government agree with the changes but it shows they are thinking about them carefully.



### **Children's Parliament**

A member of staff from the Children's Parliament came to SIB to tell them about work they do to help make children's rights real. They spoke about two projects called Dignity in Schools and the UNCRC Skills and Knowledge Framework. These help to teach adults who work in children's services about children's rights and the UNCRC. Find out more about the Children's Parliament at their website [here](#).

### **Parts 2 and 3 guidance**

When the Bill is passed, the Scottish Government will publish statutory guidance. Statutory is when a formal document is created to help people understand what they are required to do by law.

The guidance is for public authorities. It will provide information on how to review if their policies and actions are in line with the rights in the UNCRC.



In March 2022, a sub-group was created to help write the guidance and first drafts have been shared with them to review and provide feedback.

There will be a consultation on the guidance as soon as possible after the Bill has been formally approved. A consultation is when someone is asked questions about their feelings or opinions on a specific topic. Children will be part of the consultation.

### **Participation of children aged 1-14**

An agenda item was requested on the participation of children aged 1-14 in the UNCRC Implementation Programme. Many projects in the programme were

created in participation with children and young people. These include Rights Right Now!, the Theory of Change and a new animation. Children and young people are also involved in the Cabinet and Executive team takeovers. The team spoke about resources that are already available to support people to participate with children and young people. Next year the Scottish Government will publish new Guidance for Policy Makers on Participation and Consultation. The guidance will help people involve infants, children and young people in decision making processes.



The next meeting of the SIB will be held on **Tuesday 20 December 2022.**

## Document 9c – SIB Highlight Report – November 2022

<p><b>Programme Description:</b> This is a three-year programme to further embed the UNCRC into policy and practice in Scotland and deliver the provisions in the UNCRC (Incorporation)(Scotland) Bill.</p>	<p><b>Reporting Period:</b> November 2022</p>	<p><b>Overall RAG Status: RED.</b> To reflect the delay to the UNCRC Bill receiving Royal Assent.</p>
<p><b>Progress Past Month</b></p>	<p><b>Priorities Next Month</b></p>	
<ul style="list-style-type: none"> <li>• the most recent engagement with the UK Government has been constructive and we are hopeful that they will be able to respond to us substantively in the very near future. However, it is now not possible to bring a motion for Parliament to progress to next steps before Christmas recess.</li> <li>• a decision was taken on the best route to securing a Fund Administrator for the Innovation Fund. This will now be delivered as a grant</li> <li>• we have continued to develop statutory guidance for Parts 2 and 3 of the UNCRC Bill, based on the guidance sub-group and policy colleagues’ feedback. Part 2 and Part 3 were shared with policy colleagues for review on Monday 28 November</li> <li>• further developed plans for the statutory consultation on the Children’s Rights Scheme and Part 2 and 3 statutory guidance.</li> <li>• continue to scope what additional, intelligence led support for public authorities would look like. This will be costed for SIB to consider at a future meeting.</li> <li>• raising awareness among parents and families: the Parents/Carers/Families Network has disseminated the new booklet into the wider system: Parent Club, Parent Zone, Parent Portal, Ready Steady Baby, and numerous parent org websites.</li> </ul>	<ul style="list-style-type: none"> <li>• to finalise amendments following UKG engagement to reduce the risk of further reference to the Supreme Court</li> <li>• to get Ministerial approval for final amendments</li> <li>• to make motion to Parliament to agree to bring the Bill back for reconsideration</li> <li>• once motion passed to share agreed proposed amendments with Committee.</li> <li>• the Innovation Fund is subject to final budget approval, however, we hope to appoint an administrator early in the New Year</li> <li>• update statutory guidance for Parts 2 and 3 of the UNCRC Bill, to address the guidance sub-group and policy colleagues’ feedback</li> <li>• finalise approach for delivery of the statutory consultation on CRS and Part 2 and 3 statutory guidance</li> <li>• develop and cost plan for additional, intelligence led support for public authorities</li> <li>• continue to develop our understanding and knowledge of what raising awareness work is happening with the target groups, exploring the branding opportunities to unite the national campaign, continue to measure the impact of the</li> </ul>	

<ul style="list-style-type: none"> <li>• the UNCRC comms network met to clarify the key messages and agree on those groups whose rights are most at risk for the National Campaign.</li> <li>• we met interested stakeholders to discuss how the new participation guidance can be used as a signpost for other resources.</li> <li>• the Executive Team met with members of the Scottish Youth Parliament on 29th Nov</li> <li>• we continued to work with procurement colleagues on the Consortium. SIB will be updated on this at the Dec meeting.</li> <li>• to help us to further develop the criminal court rules paper, engagement is currently underway with CYPCS and SHRC and COPFS about the section 10 powers to intervene in court proceedings</li> <li>• addressing further feedback on the second draft of monitoring and evaluation strategy and arranging meetings with relevant SIB members.</li> <li>• finalising content of revised CRWIA templates and guidance.</li> </ul>	<p>booklet and find opportunities to reach those groups representing CYP whose rights are most at risk</p> <ul style="list-style-type: none"> <li>• timeline for the Consortium/Framework Agreement agreed with Procurement colleagues</li> <li>• ongoing dialogue with Digital colleagues on the internal Participation Guidance</li> <li>• to share a paper with secretariat for criminal courts council for next meeting in February 2023</li> </ul>
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**Progress Against Planned Outputs in the programme plan for next 12 months**

Output	Target Date	RAG Status and Updates
UNCRC (Incorporation) (Scotland) Bill receives Royal Assent	ASAP	Engagement with UKG on amendments continues and is constructive. Continued engagement with Parliament's legislation team about the admissibility of amendments. (Red to reflect delay.)
Parents Network, Booklet and Research. The Network is a group of parenting orgs and SG colleagues interested in how we create resources and guidance for parents, carers, and families (PCF). The first output is a new booklet targeted directly at PCF but we expect	Complete (Digital Version)	Digital version published on new parent club website on week leading up to World Children's Day.

more will be needed and for bespoke groups such as those with children in the care system or justice system.	Post-Royal Assent (Physical version)	Hard copy of booklet will be published when the Bill receives Royal Assent.  Work is underway with the network to ensure booklet reaches those parents, carers, and families whose CYP rights are at most risk.
Work alongside Young Scot to co-create a social media campaign with and for young people.	01/11/2022 Complete	Good example of partnership with grant organisation and co-creation with YP. Campaign launched in the week of World Children's Day.
Publication of comprehensive Scottish Government Position Statement on the UN Committee's List of Issues Prior to Reporting (LOIPR).	Complete	Published on 18 Nov to coincide with World Children's Day on 20 <sup>th</sup> and as a substitute for the annual progress report.
Launch national campaign to raise awareness of children's rights.	31/01/2023  To  31/03/2024	The Comms Network continues to map current work and explore possible approaches. We are engaging with Marketing and Comms colleagues who are providing specialist advice.
Launch Skills and Knowledge Framework.	31/03/2023	Suppliers have set up Children and Families and Professionals panels. Needs analysis currently underway.
Scottish Public Services Ombudsman produce guidance on child friendly complaints and creating child friendly materials and a self-assessment tool. To be implemented under SPSO's model complaints handling. This will include providing guidance, support and training to public bodies in developing and delivering child friendly complaints processes, as well as providing support for children and young people themselves, and those who support children and young people, in particular parents, guardians, third-sector organisations and advocates.	31/03/2023	SPSO have advised that they are working towards target date of model procedures going live by 31/03/23.
Consortium in Place that ensures CYP's voices are being meaningfully heard within the implementation programme	April 2023. New revised date is	We're scoping a revised, more efficient approach to commissioning the consortium and will provide an update at Dec SIB. This



	Summer 2023	is resulting in a delay. Expectation is to have Consortium in place by summer 2023. In the meantime we will ensure that we consult with CYP on the development of the Children's Right Scheme and the statutory guidance to accompany the provisions in the Bill. This will include some engagement via the Children's Parliament.
Scottish Youth Parliament - Policy Project. Working alongside SYP to engage with YP and three policy areas to create a series of resources on engagement through live projects. Wider capacity building and awareness raising are other outcomes.	April 2023	Feedback all positive. Project deliverable are on track.
Publish National Participation for CYP guidance to complement public authority guidance.	31/04/2023	<p>The first phase is on track. Scottish Youth Parliament will publish the guidelines on a new website 'The Right Way' in Spring 2023. Consideration is being given to ensure the resource has reach beyond the SYP age range, i.e. 14 – 25. We are looking to include the 'voice of the infant' guidelines and other suitable resources to ensure the needs of all children are considered.</p> <p>We are in discussions with the Scottish Government's Digital team around their proposed National Participation Guidance platform. When established all the resources on the SYP website will be transferred to this National site.</p>
Prepare for UN Committee examination of UK State Party	May 2023	UK examination now reschedule for May 23. Preparation will begin in February 23.
Launch an Innovation Fund (Fun Administrator in place by April 2023)	June 2023	We hope to appoint an administrator early in the New Year

<p>Participation Blog will raise awareness of ongoing participation work within the CRU. It aims to offer guidance and support to those looking to undertake participation with CYP.</p>	<p>ongoing</p>	<p>Ongoing. Tracking data to assess impact.</p>
<p>Takeover Model - This ongoing programme of work delivers three key strategic meetings and a host of systemic interventions to build a culture of participation in SG. One Cabinet Meeting, one Children's ET meeting, and one YP ET meeting. Annual Cabinet Commitments and Report. A series of meetings and dev sessions with policy areas.</p>	<p>ongoing</p>	<p>The new approach to delivering the Takeovers is enabling more conversations to happening across SG - embedding and raising awareness.</p>
<p>SG policy advice submitted to the Scottish Civil Justice Council and Criminal Courts Rules Council on amendments to court rules which may be required to enable provisions of the UNCRC Bill, which relate to the function of the courts.</p>	<p>Needs to be agreed by respective Councils at least 6 months before the commencement of relevant provisions. Policy advice to be finalised between Parliament passing the Bill and Royal Assent.</p>	<p>Civil Court rules paper drafted as far as possible but will be finalised between Parliament passing the Bill and Royal Assent. Criminal Court rules paper under review and liaison ongoing with criminal justice colleagues to ensure the necessary information is given to support procedural rules. Final amendments will be key to processes required.</p>
<p>Consultation and analysis on Statutory Guidance on UNCRC Parts 2 and 3 for public authorities, including consultation with children and young people.</p>	<p>As soon as possible after Royal Assent</p>	<p>Work is underway to prepare for the consultation.</p>

<p>Publication of Statutory Guidance on Part 2 and Part 3 of the Bill.</p>	<p>As soon as possible after consultation exercise concludes, aim is to publish within commencement period.</p>	<p>Preparatory work continues but need clarity of final duties in the Bill.</p>
<p>Publication of first Children's Rights Scheme</p>	<p>Prior to commencement of the Act (6 months post RA).</p>	<p>Work to draft the Scheme progressing well including recent engagement with colleagues to shape Ministerial commitments in relation to budget improvement. Provisional feedback received from Together. Engagement and consultation plan drafted subject to Ministerial approval. Planning and timetable subject to Bill progress.</p>
<p>Agreeing a strategy for the evaluation and monitoring of the UNCRC Implementation Programme, agreeing a realistic timetable, commissioning elements of the work and reporting on the results on a regular basis.</p>	<p>Agree strategy by end of 2022 and then agree delivery timetable.</p>	<p>Revised draft of strategy for monitoring and evaluating UNCRC incorporation and implementation shared with SIB at Nov meeting. Ongoing engagement with a subgroup of members.</p>
<p>CRWIA: Revision of CRWIA templates and guidance. Development and delivery of an internal capacity building strategy across SG and Executive Agencies.</p>	<p>Implementation of templates and capacity building</p>	<p>New templates and guidance complete. Work to finalise CRWIA capacity building strategy ongoing.</p>

	strategy to begin in January 2023.	
Engaging with Parliamentary Legislation Unit on templates for statements of compatibility for primary and secondary legislation	Templates to be ready in advance of commencement	Parliamentary colleagues are identifying the most appropriate templates to use and areas where guidance and training will require to be updated. For example Bill handbook, Bill training, Bill management meetings in advance of introduction

## Document 10 – Outgoing email to SIB with papers – 17/01/23

**From:** [redacted - 38(1)], > On Behalf Of UNCRC Incorporation

**Sent:** 17 January 2023 16:31

**Subject:** UNCRC STRATEGIC IMPLEMENTATION BOARD - PAPERS - 24 JANUARY 2023

Dear UNCRC SIB members,

We look forward to welcoming you to the first UNCRC Strategic Implementation Board meeting of 2023, on Tuesday 24 January.

Please find attached the papers for this meeting. These are as follows:

- Paper 1 – agenda
- Paper 2 – minutes from previous meeting
- Paper 3 – accessible minutes from previous meeting
- Paper 4 – action tracker
- Paper 5 – highlight report
- Paper 6 – Monitoring and Evaluation Framework
- Paper 7 – Impact pathways for UNCRC implementation

Please don't hesitate to get in touch if you have any further questions.

Best wishes,

[redacted - 38(1)],

[redacted - 38(1)], UNCRC Programme Assistant | Embedding Children's Rights in Public Services | Children's Rights Unit  
Scottish Government | Area 2B South | Victoria Quay | Edinburgh | EH6 6QQ

Document 10a– SIB Agenda – January 2023



**UNCRC Strategic Implementation Board**  
**Tuesday 24 January 2022**  
**15:30 – 17:00**

<b>No</b>	<b>Item</b>	<b>Lead</b>
53.	Welcome and apologies	Michael Chalmers, Chair
54.	Minutes and actions from last meeting <ul style="list-style-type: none"><li>• Paper 2 - Minutes</li><li>• Paper 3 - Accessible minutes</li><li>• Paper 4 - Action tracker</li><li>• Paper 5 – Highlight report</li></ul>	[redacted - 38(1)], Children’s Rights Unit
55.	Update on the Bill	[redacted - 38(1)], Children’s Rights Unit
56.	Monitoring and Evaluation Framework <ul style="list-style-type: none"><li>• Paper 6</li></ul>	[redacted - 38(1)], , Children’s Rights Unit
57.	Feedback on public authority commencement support impact chains <ul style="list-style-type: none"><li>• Paper 7</li></ul>	[redacted - 38(1)], Children’s Rights Unit
58.	The development of a risk register	[redacted - 38(1)], Children’s Rights Unit
59.	Together Scotland presentation	[redacted - 38(1)], , Together Scotland
60.	A.O.B	Michael Chalmers, Chair
61.	Close	Michael Chalmers, Chair

**UNCRC Strategic Implementation Board**  
**Minutes of Meeting – Tuesday 20<sup>th</sup> December 2022, 15:30 - 17:00**

**Accessible Version**



**What is the Strategic Implementation Board?**

The Strategic Implementation Board (or SIB, for short) is a group of people that meet every month.

They support the Government to make the [United Nations Convention on the Rights of the Child](#) (UNCRC) part of Scots law

They put in place support for organisations, children and young people and their families to help ensure that children's rights are made real. They discuss if the work is on track and help to resolve any problems in trying to make this happen.

There are people on the SIB from Police, Education, Health, Social Work, children's rights organisations, and the Scottish Government.



## **What was discussed at this meeting?**

### **Progress with the Bill**

SIB were told that discussions about the changes to the Bill between the Scottish Government and the UK Government were at a very important stage. The discussions are about the areas of the Bill identified by the Supreme Court as needing to be fixed. It is not yet possible to provide a timescale for bringing the Bill back to parliament.



### **Support for public authorities**

When the Bill is passed the Scottish Government will provide guidance for public authorities to support them to develop their child rights-based approach. An organisation called the Improvement Service will provide training and support for local authorities.

The Scottish Government want to make sure that all public authority workers are taking a child rights-based approach. To help with this, a framework will be developed that will make sure all workers bring child rights into their work.

### **Programme update for public authorities**

The Children's Rights Unit issues a newsletter to over 800 people and organisations. It includes an update on the Bill, shares new UNCRC resources and includes examples of good work happening in children's rights. The next edition will go out in January 2023.



### **Stories of children's rights in action**

SIB were reminded of a past meeting that discussed the importance of sharing stories about how children's rights are influencing policy decisions. SIB agreed that more stories would be helpful and will look into how they can be collected and shared.

### **Plans for the final consortium**

An Action Plan was published by the Scottish Government in November 2022. The Plan included a promise to create a Children and Young People's Consortium to support children's participation in decision-making. The SIB were told of the new



plan to make this happen. The plan would support anyone working in the Scottish Government to involve children in decision making.



The next meeting of the SIB will be held on **Tuesday 24 January 2023.**

## Document 10c – SIB Highlight Report – Jan 2023

<p><b>Programme Description:</b> This is a three-year programme to further embed the UNCRC into policy and practice in Scotland and deliver the provisions in the UNCRC (Incorporation) (Scotland) Bill.</p>	<p><b>Reporting Period:</b> January 2023</p>	<p><b>Overall RAG Status: RED.</b> To reflect the delay to the UNCRC Bill receiving Royal Assent.</p>
<p><b>Progress Past Month</b></p>	<p><b>Priorities Next Month</b></p>	
<ul style="list-style-type: none"> <li>• Engagement with UKG lawyers on our current draft amendments concluded on 16 January.</li> <li>• The Corra Foundation has been appointed as the administrator for the Innovation Fund and we intend to launch the fund in Spring this year.</li> <li>• The statutory guidance for Parts 2 and 3 of the UNCRC Bill was updated, to address guidance sub-group and policy colleague feedback.</li> <li>• The approach to the statutory consultation on the Children’s Rights Scheme and Part 2 and 3 of the statutory guidance was agreed.</li> <li>• We undertook further scoping to develop and cost a plan for additional, intelligence led support for public authorities.</li> <li>• We continued to develop our understanding and knowledge of the raising awareness work happening with the target groups, considered branding opportunities to unite the national campaign, continued to measure the impact of the parents/carers/families booklet and started to find opportunities to reach those groups representing CYP whose rights are most at risk.</li> <li>• A timeline for the Consortium/Framework Agreement has been agreed with Procurement colleagues</li> </ul>	<ul style="list-style-type: none"> <li>• Seek formal confirmation from the UKG, at official level, of their feedback on the draft amendments to the UNCRC Bill and, subject to that, present Ministers with options.</li> <li>• Scoping work with the Procurement team will continue to support the delivery of the Consortium/Framework. We will put in place arrangements to engage with policy colleagues and civil society organisations to scope the specification for the Framework.</li> <li>• We will continue to develop the work of the Comms Network with particular focus on building specialist campaigns that reach those CYP furthest from their rights within the National Campaign.</li> <li>• We will meet with SPSO to learn more about their workshops that will ‘test’ the child-friendly-complaints processes.</li> <li>• We will continue to work with SYP to ensure the participation website and resource is delivered by the April deadline.</li> <li>• Planning for the annual CYP Cabinet ‘takeover’ in March.</li> <li>• We will support the Corra Foundation with initial project planning for the Innovation Fund.</li> </ul>	

<ul style="list-style-type: none"> <li>• We worked on the CYP sections for the Digital Teams internal Participation Guidance.</li> <li>• We met with the Crown Office and Procurator Fiscal Service to further discuss the practical arrangements for dealing with compatibility issues in the criminal courts. We are still working towards sharing a paper with secretariat for criminal courts council for next meeting in February 2023.</li> </ul>	<ul style="list-style-type: none"> <li>• The statutory guidance for Parts 2 and 3 of the UNCRC Bill will be shared across SG for comment.</li> <li>• We will undertake preparatory work for the statutory consultation on children’s rights scheme and Part 2 and 3 statutory guidance.</li> <li>• We will continue to scope and cost a plan for additional, intelligence led support for public authorities.</li> <li>• Work towards sharing a paper with secretariat for criminal courts council for next meeting in February 2023 that helps to put in place the practical arrangements for dealing with compatibility issues in the criminal courts.</li> <li>• Contract management on Knowledge and Skills Framework.</li> </ul>
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**Progress Against Planned Outputs in the programme plan for next 12 months**

Output	Target Date	RAG Status and Updates
UNCRC (Incorporation) (Scotland) Bill receives Royal Assent	ASAP	Updating Ministers on the outcome of engagement with UKG lawyers on current amendment to the Bill and seeking approval to confirm that outcome at official level. Continued engagement with Parliament’s legislation team about the admissibility of amendments. (Red to reflect delay.)
Parents Network, Booklet and Research. The Network is a group of parenting orgs and SG colleagues interested in how we create resources and guidance for parents, carers, and families (PCF). The first output is a new booklet targeted directly at PCF but we expect	Complete (Digital Version)	Digital version published on new parent club website on week leading up to World Children’s Day.

more will be needed and for bespoke groups such as those with children in the care system or justice system.	Post-Royal Assent (Physical version)	Hard copy of booklet will be published when the Bill receives Royal Assent.  Work is underway with the network to ensure booklet reaches those parents, carers, and families whose CYP rights are at most risk.
Work alongside Young Scot to co-create a social media campaign with and for young people.	01/11/2022 Complete	Good example of partnership with grant organisation and co-creation with YP. Campaign launched in the week of World Children's Day.
Publication of comprehensive Scottish Government Position Statement on the UN Committee's List of Issues Prior to Reporting (LOIPR).	Complete	Published on 18 Nov to coincide with World Children's Day on 20 <sup>th</sup> and as a substitute for the annual progress report.
Launch national campaign to raise awareness of children's rights.	31/01/2023  To  31/03/2024	The Comms Network continues to map current work and explore possible approaches. We are engaging with Marketing and Comms colleagues who are providing specialist advice.
Launch Skills and Knowledge Framework.	31/03/2024	Suppliers have met with Children and Families and Professionals panels. An initial needs analysis for workforces was drafted, this will be reviewed and updated throughout the project to inform the framework.
Scottish Public Services Ombudsman produce guidance on child friendly complaints and create child friendly materials and a self-assessment tool.	31/03/2023	SPSO have advised that they are working towards target date of model procedures going live by 31/03/23.
Consortium in Place that ensures CYP's voices are being meaningfully heard within the implementation programme	April 2023. New revised date is Summer 2023	As presented at the December SIB we are in the process of creating a new CYP Participation Framework that will provide a mechanism that ensures policy colleagues from across SG are more able to engage meaningfully with CYP within their work.

		Expectation is to have new Framework in place by summer 2023. In the meantime we will ensure that we consult with CYP on the development of the Children's Right Scheme and the statutory guidance to accompany the provisions in the Bill. This will include some engagement via the Children's Parliament.
Scottish Youth Parliament - Policy Project. Working alongside SYP to engage with YP and three policy areas to create a series of resources on engagement reflecting learning from live projects.	April 2023	Feedback all positive. Project deliverable are on track.
Publish National Participation for CYP guidance to complement public authority guidance.	31/04/2023	<p>The first phase is on track. Scottish Youth Parliament will publish the guidelines on a new website 'The Right Way' in Spring 2023. Consideration is being given to ensure the resource has reach beyond the SYP age range, i.e. up to age as well as 14 – 25. We are looking to include the 'voice of the infant' guidelines and other suitable resources to ensure the needs of all children are considered.</p> <p>We are in discussions with the Scottish Government's Digital team around their proposed National Participation Guidance platform. When established all the resources on the SYP website will be transferred to this National site.</p>
Prepare for UN Committee examination of UK State Party	May 2023	UK examination now rescheduled for May 23. Preparation of briefing pack will begin in February.

<p>Launch an Innovation Fund (Fun Administrator in place by April 2023)</p>	<p>June 2024</p>	<p>The Corra Foundation appointed as administrator.</p>
<p>Participation Blog will raise awareness of ongoing participation work within the CRU. It aims to offer guidance and support to those looking to undertake participation with CYP.</p>	<p>ongoing</p>	<p>Ongoing. Tracking data to assess impact.</p>
<p>Takeover Model to help build a culture of CYP participation at a senior level in SG through annual CYP meetings with Cabinet and the Executive Team, agreement of annual Cabinet Commitments and an annual progress report.</p>	<p>ongoing</p>	<p>Next Cabinet Takeover is due to take place 28<sup>th</sup> March. The new approach to delivering the Takeovers is enabling more conversations with policy teams and the Executive Team and helping colleagues to develop the skills and knowledge to ensure meaningful participation with CYP.</p>
<p>SG policy advice submitted to the Scottish Civil Justice Council and Criminal Courts Rules Council on amendments to court rules which may be required to enable provisions of the UNCRC Bill, which relate to the function of the courts.</p>	<p>Needs to be agreed by respective Councils at least 6 months before the commencement of relevant provisions. Policy advice to be finalised between Parliament passing the Bill and</p>	<p>Civil Court rules paper drafted as far as possible but will be finalised between Parliament passing the Bill and Royal Assent. Criminal Court rules paper under review and liaison ongoing with criminal justice colleagues to ensure the necessary information is given to support procedural rules. Final amendments will be key to processes required.</p>

	Royal Assent.	
Consultation and analysis on Statutory Guidance on UNCRC Parts 2 and 3 for public authorities, including consultation with children and young people.	As soon as possible after Royal Assent	Work is underway to prepare for the consultation.
Publication of Statutory Guidance on Part 2 and Part 3 of the Bill.	As soon as possible after consultation exercise concludes, aim is to publish within commencement period.	Preparatory work continues but need clarity of final duties in the Bill.
Publication of first Children's Rights Scheme	Prior to commencement of the Act (6 months post RA).	Work to draft the Scheme progressing well including recent engagement with colleagues to shape Ministerial commitments in relation to budget improvement. Provisional feedback received from Together. Engagement and consultation plan drafted subject to Ministerial approval. Planning and timetable subject to Bill progress.
Agreeing a strategy for the evaluation and monitoring of the UNCRC Implementation Programme, agreeing a realistic timetable, commissioning elements of the work and reporting on the results on a regular basis.	Agree strategy by end of 2022 and then agree delivery timetable.	Engagement with a subgroup of members now complete. Latest draft of monitoring and evaluation framework shared with SIB for sign-off at January meeting.

<p>Revision of internal CRWIA templates and guidance. Development and delivery of an internal capacity building strategy across SG and Executive Agencies.</p>	<p>Implementation of templates and capacity building strategy to begin in January 2023.</p>	<p>New templates and guidance complete. Work to finalise CRWIA capacity building strategy ongoing.</p>
<p>Engaging with Parliamentary Legislation Unit on templates for statements of compatibility for primary and secondary legislation</p>	<p>Templates to be ready in advance of commencement</p>	<p>Parliamentary colleagues are identifying the most appropriate templates to use and areas where guidance and training will require to be updated. For example Bill handbook, Bill training, Bill management meetings in advance of introduction</p>



## Document 10d – Monitoring & Evaluation Framework – Jan 2023

### UNCRC INCORPORATION – MONITORING AND EVALUATION FRAMEWORK

#### VERSION 3 – January 2023

#### Introduction

1. Our [Action Plan for Progressing the Human Rights of Children in Scotland](#) contains a commitment to, by 2024, develop an “evaluation and monitoring framework to monitor and evaluate the delivery, aims and impact of the UNCRC Implementation Programme, whilst simultaneously linking progress in embedding children’s rights to long-term outcomes for children and young people”. Although the target dates have been impacted by the delay to the UNCRC Bill, the aims of the implementation programme were originally set out as follows:

- by Oct 2021, public services and children will be ready for the commencement of the UNCRC Bill; and
- by April 2024, children experience public services consistently upholding their rights.

2. This paper sets a framework for this evaluation and monitoring has been prepared with input from the UNCRC Strategic Implementation Board. It sets out a broad approach that would help us to assess current conditions and further steer progress in embedding children’s rights. It also seeks to achieve that in a way that is manageable and sustainable for public authorities and others involved in supporting delivery of the new duties.

#### Potential approaches

3. Our approach to developing children’s rights indicators could include collecting data to:

- f) check that children’s rights are being met, across each of the Articles;
- g) identify where there are recurring rights breaches that require changes to policy/practice;
- h) check that we have in place the drivers of change for embedding a children’s rights approach and giving better and further effect to children’s rights in Scotland;
- i) analyse the extent to which children’s rights are being considered in the policy making process and driving decisions; including the extent to which children are able to influence these; and
- j) analyse the extent to which embedding children’s rights has improved outcomes for children and young people.

4. This paper discusses what would be involved in each of these approaches and then recommends an approach that we consider would provide a sufficiently comprehensive strategy (while also being manageable and sustainable) and how the work might be sequenced over time.

#### a) **Checking that children’s rights are being met**

5. One of the drivers of change highlighted in the [Theory of Change for Making Children’s Rights Real in Scotland](#) is the development of children’s rights indicators. The Theory of Change report states that the Scottish Government should lead on “developing children’s rights indicators to provide the evidence needed to assess

change and guide action” and that “this will help ensure that duty bearers learn where children’s rights are not being realised and where systemic responses are needed”. The UN Committee has also recommended the development of nationally applicable child rights indicators to monitor UNCRC implementation<sup>4</sup>.

6. Our analysts have undertaken an [initial mapping exercise](#) to identify existing sources of data that could be used to assess the extent to which each of the articles in the UNCRC are embedded in Scotland. (See [Annex A](#).) While this data does provide relevant and useful evidence for some of the rights, relying only on existing sources of data means that these are not precise measures of the implementation of all of the rights in the articles and that there are inevitable data gaps.

7. We have considered what would be required to develop robust national indicators that meaningfully operationalise each of the 42 Articles in the UNCRC. Our conclusion is that to meaningfully operationalise all of the rights would require too many new (potentially complex) national data collections to make this feasible, affordable and manageable to public authorities, practitioners and partners, at least in the medium term.

8. To help illustrate this we provide an example of what would be required to develop meaningful indicators for Article 29. Article 29 states that education must develop every child’s personality, talents and abilities to the full. It must encourage the child’s respect for human rights, as well as respect for their parents, their own and other cultures, and the environment. The mapping exercise identified a range of existing indicators as follows:

- Percentage of primary pupils achieving expected CfE levels in: reading; writing; listening and talking; and numeracy;
- Percentage of school leavers with one or more qualification: at SCQF Level 4 or better; and at SCQF Level 6 or better;
- Number and percentage of all school leavers in positive destinations at 9-month follow-up;
- Percentage of people aged 16–19 years who are in education, employment or training;
- Percentage of people aged 16–24 years who: are in employment; intend to continue full time education beyond S4; expect to continue to a positive destination after leaving school.

9. While these are useful measures of attainment, more would be required to measure the extent to which children and young people have realised their own individual full potential, and have developed a respect for the full range of human rights, their parents, their own and other cultures, and the environment.

10. If the purpose of developing indicators is to ensure that duty bearers can identify where children’s rights are not being realised and where systemic responses are needed and to monitor progress on this, we argue that a more efficient and manageable approach would be to identify where there are concerns regarding the fulfilment of rights that may require changes to policy/practice. We discuss how we could approach that in the following section.

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<sup>4</sup> General Comment no. 5, [The Convention on the Rights of the Child \(unicef-irc.org\)](#), Section F, paragraph 48.

11. Identifying where rights issues need most priority would allow us to focus the development of child rights indicators on those that are in most danger of being breached. That might allow us to build a rationale for the development of new targeted indicators that would give us meaningful measures, at least (and perhaps initially) in priority areas. Those measures would draw upon both qualitative and quantitative sources of evidence. The latter would need to be stratified in a way that allows us to identify whether there are particular groups of children who are furthest from their rights. Over time, we could test the work involved and the support we might expect for the gradual development of indicators for all of rights in the future, but without making any current commitment around this.

**b) Identifying where there are recurring rights breaches that require changes to policy/practice.**

12. The Children's Rights Scheme (which will demonstrate annually how the Scottish Government is progressing children's rights) will set out how we will identify and address any situation where a child's rights are, or are at a significant risk of, not being fulfilled. To support this and in partnership with the children's rights sector we will develop a system for collating recurring rights issues by working in partnership with Scotland's strong and active children's rights sector. This could include a focus not only on rights that are not being realised but also on rights that could be given better and further effect.

13. We will work with groups such as Together: Scottish Alliance for Children's Rights; The Children and Young Person's Commissioner Scotland, the Scottish Human Rights Commission; The Scottish Youth Parliament; and the Children's Parliament, amongst others, to identify children's rights issues that are concerning children and young people (and those who lobby on their behalf) as quickly as possible. We will highlight these children's rights issues to Scottish Government senior management and relevant policy areas, and monitor progress in addressing these. We will also work in partnership with public authorities and representative organisations to ensure that progress can be made in areas of concern. All of this engagement will be embedded in systematic way to ensure that it happens regularly and routinely.

14. Feedback from our children's rights sector will also be supplemented by UN Committee's Concluding Observations to highlight rights breaches that require changes to policy/practice. The UK Government is examined periodically on their record in relation to the UNCRC by the UN Committee on the Rights of the Child and will be next examined by the Committee in May 2023. The Scottish Government contributes to that reporting process and our children's rights sector are given an opportunity to highlight concerns about rights issues in evidence that is shared with us. Following that examination the UN Committee will publish a list of recommendations (Concluding Observations) which will also inform the content of our Children's Rights Scheme.

15. In addition, we will explore the possibility of developing new data collections in partnership with the key partners that will help us identify whether and what recurring rights breaches are being raised. For example, the Scottish Public Service Ombudsman is supporting public authorities to develop a child-friendly model

complaint process. As part of that we will explore if and how we can use data from their records of complaints escalated to them. We will also explore what data could be captured by specialist child law centres (Clan Childlaw and the Scottish Child Law Centre), children's advocacy services<sup>5</sup>, relevant tribunals and the Equalities and Human Rights Commission on calls to their advice lines.

16. Our work to embed children's rights in public authorities and the statutory reporting duty of 'listed authorities' under section 15 of the Bill will be a source of intelligence and insights on where public authorities themselves recognise there are compatibility issues. Through the National Improvement Plan, attendance at the Working Together Group, scoping for the Skills and Knowledge Framework and capacity building work with public authorities, we will ensure that intelligence of this nature is captured. We will also consider how best to sample the 3-yearly reports from listed public authorities (which report on the steps they have taken to secure better or further effect of the UNCRC requirements) to identify areas where there are compatibility issues (without identifying or 'singling out' particular public authorities). In all of this it will be important to reflect the context and any specific challenges or barriers to the realisation of rights which public authorities are experiencing and to try to work in partnership to address them.

17. By focusing on identifying recurring issues that are already known or being raised with the children's rights sector, there is a risk that we overlook the experiences of more marginalised groups of children, who may be most likely to experience a breach in their rights but least likely to believe they have the ability to raise their concerns. We will therefore ensure regular engagement with organisations that represent children and young people living in challenging circumstances and/or have additional support needs. Some of these organisations (e.g. Carers Trust Scotland, CELCIS, Child Poverty Action Group, Children 1<sup>st</sup>, Families Outside, Hope for Autism) are already represented by Together but we will consider whether and how to facilitate additional engagement<sup>6</sup>.

**c) Checking that we have in place the drivers of change for embedding a children's rights approach in Scotland.**

18. The UNCRC Bill will not deliver the culture of accountability for children's rights that we seek to achieve across public services unless the context and conditions are right. It is therefore important that we have a mechanism for monitoring this and assessing what more needs to be done to deliver our vision.

19. The Theory of Change for Making Rights Real in Scotland gives us a framework that can help us to assess whether we have created the context in which children's rights can be realised in Scotland. Given the challenge of establishing a causal relationship between the incorporation of UNCRC and improved outcomes for children and young people, this type of assessment can be a more fruitful approach by making it possible to measure the likelihood of achieving longer-term goals by assessing the extent to which the groundwork or context is in place. Assessing this and identifying

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<sup>5</sup> For example, Who Cares? Scotland provide advocacy for care experienced children and maintain a record of support requested to help them access their rights under a range of treaties (including the UNCRC), the nature of the support provided and the outcome.

<sup>6</sup> With for example, the Inclusion Ambassadors who represent children with additional support needs.

where drivers need to be strengthened also has the advantage of directing us to clear action that we can take to improve our chances of successfully realising children's rights.

20. [Annex B](#) lists each of the drivers of change that were identified in the Theory of Change and makes some suggestions about evidence that could be collected to assess the extent to which these are in place in Scotland. This remains a 'work in progress'. Our recommendation is that we invest in developing measures of the drivers of change and a regular reporting cycle, either by using existing sources or developing new data collections.

**d) Analyse the extent to which children's rights are being considered in the policy making process and driving decisions.**

21. Process indicators are useful for assessing the ongoing policy efforts of duty-bearers towards rights fulfilment. Various methods, including case studies and policy analysis could be used to explore the extent to which children's rights are being considered in policy making and driving decisions. This would allow us to identify good practice in and barriers to implementing UNCRC, including by assessing the extent to which children are able to influence the processes and decisions, and to make recommendations for improvement. This might also allow us to identify how those decisions impact on experiences and outcomes for children and young people, at least in the short-term. We will also use information from completed Child Rights and Wellbeing Impact Assessments (CRWIA) which has been revised in 2022 to include an evaluation phase based on the Child Rights Impact Evaluation (CRIE) approach. We could also draw upon the 3-yearly reports from listed public authorities already mentioned above, again using a sampling approach. This will support ongoing quality improvement and innovation in relation to child rights-based practice and decision making. To complement a focus on policy development, it might also be interesting to 'follow' someone through a service or through a complaints process to establish the impact of taking a rights based approach on service improvement and the fulfilment of individual rights.

**e) Analyse the extent to which embedding children's rights has improved outcomes for children and young people**

22. To effectively monitor and evaluate children's rights fulfilment, it is necessary to gather information for outcome indicators as well as structural and process indicators. However, with the range of other significant policy developments that impact on children and young people, it will be impossible to assess the extent to which embedding children's rights (alone) has improved long term outcomes. The significant focus and investment in making Scotland the best place in the world to grow up means that we cannot disentangle the impact of individual policy developments. Other significant policy developments include: the Promise; Family Nurse Partnership; the development of a National Care Service; Children Poverty Strategy; the Baby Box; The Children's Care and Justice Bill; and the expansion of funded early learning and childcare.

23. There are existing data designed to help measure the extent to which the combination of our policies are improving outcomes for children and young people.

The National Performance Framework (NPF) monitors our overarching progress towards Scotland's outcomes and will remain a key monitoring tool. Children's rights are, within the broader context of human rights, at the heart of Scotland's (NPF). The NPF includes the following outcomes: "We respect, protect and fulfil human rights and live free from discrimination" and "We grow up loved, safe and respected so that we realise our full potential." The NPF tracks progress towards delivery of these, and the other, national outcomes and is underpinned by a broad suite of [National Indicators](#). Indicators include measures of children's social and physical development; their wellbeing and happiness, voices, positive relationships and the quality of children's services. In addition there are others indicators that measure our progress in improving health, education, tackling poverty, and fulfilling human rights.

24. In recognition that the NPF does not currently provide us with all we need to know to have a high level overview of the wellbeing of children and young people in Scotland, the Children, Young People and Families (CYPF) Outcomes Framework is being developed to provide a holistic picture and understanding of the wellbeing of children, young people and families in Scotland. This complements Scotland's National Performance Framework, with a particular focus on outcomes for children, young people and families. The Core Wellbeing Indicator Set (CWIS) provides a high level, holistic overview of wellbeing and consists of 21 indicators covering SHANNARI, the sides of the My World Triangle and the UNCRC articles. Both the National Indicators as well as the CWIS actively included the perspectives and lived experiences of children and their families.

25. However, wellbeing indicators are not a substitute or proxy indicator of rights. While they can provide information about outcomes for children which should be improving as rights are giving better and further effect throughout Scotland, and can provide a high level, holistic overview of whether the sum of our collective actions at a local and national level is making a difference to improving the lives of children and families in Scotland, further outcome indicators focused specifically on rights fulfilment will be explored over time.

## **Recommendation**

6. We initially focus the development of children's rights indicators on those rights which have been identified through our engagement with stakeholders, and require priority attention.
7. In partnership with the children's rights sector, we develop a system for collating rights issues, highlighting them to Scottish Government senior management and relevant policy areas, and monitoring progress in addressing these. This will help us to assess the extent to which we have achieved our programme aim 'children experience public services consistently upholding their rights'. We set out how that will be done in the publication of the first Children's Rights Scheme and update these issues and progress towards addressing them annually thereafter.
8. With relevant partners, we develop evidence that will allow us to assess whether we have in place each of the drivers of change identified in the Theory of Change for Making Rights Real. When we have identified what would be required to develop meaningful evidence and collect the data, we will make a recommendation about a manageable reporting cycle. This will help us to assess the extent to which we have achieved our programme aim 'public services and children will be ready for the commencement of the UNCRC Bill',

as well as delivered the wider cultural change required and the conditions required to empower children and young people to claim their rights.

9. When the duties under the Bill commence, we analyse the impact that process indicators such as policy development and implementation have on children's rights. This can be done through various methods, including participatory research with children and families, commissioning case studies to test the extent to which children's rights are driving policy decisions in Scottish Government and harvest learning and good practice from the 3-yearly reports from listed public authorities.
10. We use outcome indicators such as the National Indicators and the Core Wellbeing Indicator Set developed for the Children, Young People and Families Outcomes Framework, amongst others, as a measure of whether the sum of our collective actions is making a real difference to improving the lives of children and families in Scotland.

Children's Rights Unit  
17 January 2023

ANNEX A - UNCRC INCORPORATION – MONITORING AND EVALUATION STRATEGY- initial mapping exercise to identify existing sources of data that could be used to assess the extent to which each of the articles in the UNCRC are embedded in Scotland

Article	Definition	Measure	Source	Age	Frequency
1. Definition of child	Everyone under the age of 18 has all the rights in the Convention.				
2. Non-discrimination	The Convention applies to every child without discrimination, whatever their ethnicity, sex, religion, language, abilities or any other status, whatever they think or say, whatever their family background.	Whether treated badly for any discriminatory reasons	H&W surveys (RCS)	S1-S4	3 tranches (2015-2020)
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.				
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.				
5. Parental guidance and a child’s evolving capacities	Governments must respect the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up, so that they fully enjoy their rights. This must be done in a way that recognises the child’s increasing capacity to make their own choices.	Percentage of adults in Scotland who say that 11-15 year olds should have ‘a great deal’ or ‘quite a lot’ of say over decisions that affect their life	SSAS	All adults	biennial
		Percentage of adults in Scotland who say that 16-18 year olds should have ‘a great deal’ or ‘quite a lot’ of say over decisions that affect their life	SSAS	All adults	biennial
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.	Children with one or more developmental concerns at 27–30 month review	ISD	27-30 months	Annual
		Percentage of pregnant women recorded as obese at antenatal booking	ISD		annual
		Percentage of pregnant women recorded as current smokers at antenatal booking	ISD		annual



		Rate of drug misuse per 1,000 maternities	ISD		Data available annually but reported less frequently
		Percentage of all singleton live births before 37 weeks' gestation	ISD		annual
		Percentage of all live singleton births with low weight	ISD		annual
		percentage of babies reported by parent as being breastfed at 6–8 week review;	ISD		annual
		Percentage of babies reported by parent as being exposed to second-hand smoke at the 6–8 week review;	ISD		By request
7. Birth registration, name, nationality and care	Every child has the right to be registered at birth, to have a name and nationality, and, as far as possible, to know and be cared for by their parents.	Percentage of children with completed 6-8 week Health Visitor review	ISD		Annual
		Percentage of children with completed 13-15 month Health Visitor review	ISD		Annual
		Percentage of children with completed 27-30 month Health Visitor review	ISD		Annual
		Percentage of children with completed 4-5 year Health Visitor review	ISD		Annual
8. Protection and preservation of identity	Every child has the right to an identity. Governments must respect and protect that right, and prevent the child's name, nationality or family relationships from being changed unlawfully				
9. Separation from parents	Children must not be separated from their parents against their will unless it is in their best interests (for example, if a parent is				

	hurting or neglecting a child). Children whose parents have separated have the right to stay in contact with both parents, unless this could cause them harm.				
10. Family reunification	Governments must respond quickly and sympathetically if a child or their parents apply to live together in the same country. If a child's parents live apart in different countries, the child has the right to visit and keep in contact with both of them.				
11. Abduction and non-return of children	Governments must do everything they can to stop children being taken out of their own country illegally by their parents or other relatives, or being prevented from returning home.				
12. Respect for the views of the child	Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.	Percentage of secondary school pupils who agree that adults in general, such as their family, teachers, youth workers, sport coaches and Scouts/Guides leaders, are good at taking their views into account in decisions that affect their life	H&WB census	P5-S6	Every four years
		Percentage who say they are included in making a decision for their class or school 'often' or 'always'	H&WB census	P5-S6	Every four years
		Percentage of secondary school pupils who say they have a lot or some say over what they learn	YPS	Secondary school	Survey is generally biennial. Inclusion of question TBC
		Percentage of secondary school pupils who agree that they feel able to let the adults running out of school activities or groups	YPS	Secondary school	Survey is generally biennial.

		know their views on how those groups/activities are run			Inclusion of question TBC
		Percentage who have an adult in their life who they can trust and talk to about any personal problems	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to their neighbour(s) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to their teacher(s) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to their club or group leader(s) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to other adults (youth workers, doctors, social workers) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage of 13 and 15 year olds who agree that people say hello and talk to each other in the street	HBSC	11, 13 and 15 year olds	Every four years
		Felt you were playing a useful part in things?	SHeS	13-15 year olds	Annual
		Felt capable of making decisions about things?	SHeS	13-15 year olds	Annual
13. Freedom of expression	Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law	Percentage who agree that they can influence decisions affecting my local area	SHS	16-24 (potentially 16-18 or 16-21)	Annual
14. Freedom of thought, belief, and religion	Every child has the right to think and believe what they choose and also to practise their religion, as long as they are not stopping				

	other people from enjoying their rights. Governments must respect the rights and responsibilities of parents to guide their child as they grow up.				
15. Freedom of association	Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights.	Percentage providing unpaid help to organisations or groups in the last 12 months	SHS	16-24 years old	Annual
		Percentage of people who provide unpaid help to organisations or groups who volunteer once a week or more	SHS	16-24 years old	Annual
		Percentage who did voluntary work	H&WB census	S1, S3, S5-6	Every four years
16. Right to privacy	Every child has the right to privacy. The law should protect the child's private, family and home life, including protecting children from unlawful attacks that harm their reputation				
17. Access to information from the media	Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand. Governments must help protect children from materials that could harm them.	SG commitment to 100% superfast broadband access across Scotland by 2021			
18. Parental responsibilities and state assistance	Both parents share responsibility for bringing up their child and should always consider what is best for the child. Governments must support parents by creating support services for children and giving parents the help they need to raise their children.	Children looked after at home; rate per 1,000 population aged under 18 years	EAS	Under 18	Annual
		Children referred to SCRA for reasons of care and protection; rate per 1,000 children aged 0–15 years	SCRA	0–15 years	Annual
19. Protection from violence,	Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment	Emergency hospital admissions for unintentional injury; age–sex standardised rate per 100,000 population	ScotPHO (ISD)	Under 5	annual

abuse and neglect	by their parents or anyone else who looks after them.	General acute inpatient and day case admissions due to assault; age-sex standardised rate per 100,000 population	ScotPHO (ISD)	15-25	annual
		While you were growing up, before the age of 18: How often did a parent or adult in your home ever swear at you, insult you, or put you down?	SHeS	Young adults	Annual
		While you were growing up, before the age of 18: How often did your parents or adults in your home ever slap, hit, kick, punch or beat each other up?	SHeS	Young adults	Annual
		While you were growing up, before the age of 18: How often did a parent or adult in your home ever hit, beat, kick or physically hurt you in any way?	SHeS	Young adults	Annual
20. Children unable to live with their family	If a child cannot be looked after by their immediate family, the government must give them special protection and assistance. This includes making sure the child is provided with alternative care that is continuous and respects the child's culture, language and religion	Children on the Child Protection Register; rate per 1,000 children under 16 years	EAS	Under 16	Annual
		Children looked after by the local authority; rate per 1,000 population aged under 18 years	EAS	Under 18	Annual
		Children looked after outside the home; rate per 1,000 population aged under 18 years	EAS	Under 18	Annual
21. Adoption	Governments must oversee the process of adoption to make sure it is safe, lawful and that it prioritises children's best interests. Children should only be adopted outside of their country if they cannot be placed with a family in their own country.				
22. Refugee children	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	<a href="https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018-2022/">https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018-2022/</a>			
		Number of children granted asylum	ONS	Under 18	Annual

	Convention. Governments must help refugee children who are separated from their parents to be reunited with them.	Family reunion entry clearance grants, by age.	ONS	Under 18	Annual
23. Children with a disability	A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.	Young Disabled People's Forum - established to provide an inclusive space for young people with a disability to come together regularly and engage with the issues that interest and affect them and feed into policy making.			
24. Health and health services	Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy. Richer countries must help poorer countries achieve this	Emergency hospital admissions for unintentional injury; age-sex standardised rate per 100,000 population	ScotPho (ISD)	Under 5	Annual
		Percentage of children who have a low score Warwick-Edinburgh Mental Wellbeing Scale (WEMWBS) score	H&WB census/SALSUS	S2-S6/S2, S4	Every four years (historical data from SALSUS)
		Percentage with a slightly raised (previously "borderline") or high or very high (previously, "abnormal") SDQ score	H&WB census/SALSUS	S2-S6/S2, S4	Every four years (historical data from SALSUS)
		Percentage with a slightly raised (previously "borderline") or high or very high (previously, "abnormal") SDQ score	SHeS	4-12	annual
		Mental health strategy <a href="https://www.gov.scot/publications/mental-health-strategy-2017-2027/">https://www.gov.scot/publications/mental-health-strategy-2017-2027/</a>			
		Percentage of children living in absolute poverty (living in families with incomes less than 60% of inflation adjusted 2011-12 median income) after housing costs	FRS	All	Annual

		Percentage of children in combined material deprivation (based on a suite of questions in the Family Resources Survey) and low income after housing costs (below 70% of UK median income) after housing costs	FRS	All	Annual
		Percentage of households with children experiencing food insecurity	SHeS	All	Annual
		Percentage of households with children living in fuel poverty (required fuel costs >10% of income)	SHCS		Annual
		Percentage normally travelling to school in an active way (walking, cycling, and using a scooter, skateboard or inline/roller skates).	Hands up Scotland	P1-S6	annual
		Percentage who meet physical activities guidelines (including activities at school)	SHeS	2-15 year olds	annual
		Percentage who take part in vigorous physical activity at least 4 times a week	H&WB census /HBSC	P5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Average sedentary minutes per week	SHeS	2-15	annual
		Percentage who spend two or more hours a weekday on electronic devices	H&WB census	P5-S6	Every four years
		Percentage who had the recommended 5 portions of fruit and vegetables the previous day	SHeS	2-12 year olds; 13-15 year olds and 16-24 year olds	annual
		Percentage who ate sweets or chocolates once a day or more in the last week	SHeS	2-12 year olds; 13-15 year olds	annual

				and 16-24 year olds	
		Percentage who consume non-diet soft drinks daily	SHeS	2-12 year olds; 13-15 year olds and 16-24 year olds	annual
		Percentage who consume fruit daily	H&WB census /HBSC	P5-S1, S3, S5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage who consume vegetables daily	H&WB census /HBSC	P5-S1, S3, S5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage who consume sugary soft drinks daily	H&WB census /HBSC	P5-S1, S3, S5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage who eat breakfast every weekday	H&WB census /HBSC	P5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage of children at risk of overweight or obesity at Primary 1	ISD	P1	annual



		Percentage of young people at risk of overweight or obesity	SHeS	2-12 year olds; 13-15 year olds and 16-24 year olds	annual
		Percentage of children receiving a letter 'C' (no obvious decay experience) at basic inspection	ISD	P1, P7	annual
		Percentage of children who usually sleep at least eight hours a night	H&WB census	P5-S6	Every four years
		Percentage who are in good or very good general health	SHeS	0-15 year olds	annual
		Percentage with at least one long term health condition	SHeS	0-15 year olds	annual
		Percentage with at least one limiting long term health condition	SHeS	0-15 year olds	annual
25. Review of treatment in care	If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.				
26. Social Security	Every child has the right to benefit from social security. Governments must provide social security, including financial support and other benefits, to families in need of assistance.	Percentage of children registered for free school meals	EAS	P4 and above	Annual
27. Adequate standard of living	Every child has the right to a standard of living that is good enough to meet their physical and social needs and support their	Percentage of children living in relative poverty (living in households whose equivalised income is below 60 per cent of	FRS	All	Annual

	development. Governments must help families who cannot afford to provide this.	inflation adjusted median income) after housing costs			
		Percentage who agree that most of the time, they have enough money to do the same things as their friends	H&WB census	P5-S1; S3	Every four years
28. Right to education	Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights. Richer countries must help poorer countries achieve this.	Gap between children and from most and least deprived 20% of areas in percentage of people aged 16–19 years who are in education, employment or training	EAS	16-19	Annual
29. Goals of education	Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.	Percentage of primary pupils achieving expected CfE levels in reading	EAS	P1, P4, P7, S3	annual
		Percentage of primary pupils achieving expected CfE levels in writing	EAS	P1, P4, P7, S3	annual
		Percentage of primary pupils achieving expected CfE levels in listening and talking	EAS	P1, P4, P7, S3	annual
		Percentage of primary pupils achieving expected CfE levels in numeracy	EAS	P1, P4, P7, S3	annual
		Percentage of school leavers with one or more qualification at SCQF Level 4 or better	EAS	all school leavers	annual
		Percentage of school leavers with one or more qualification at SCQF Level 6 or better	EAS	all school leavers	annual
		Number and percentage of all school leavers in positive destinations at 9-month follow-up	EAS	all school leavers	annual
		Participation measure - percentage of people aged 16–19 years who are in education, employment or training	EAS	16-19	annual
		Youth employment rate - percentage of people aged 16–24 years who are in employment	EAS	16-24 years old	annual

		Percentage who intend to continue full time education beyond S4	H&WB census	S1-S4	Every four years
		Percentage who expect to continue to a positive destination after leaving school	H&WB census	S1-S6	Every four years
30. Children from minority or indigenous groups	Every child has the right to learn and use the language, customs and religion of their family, whether or not these are shared by the majority of the people in the country where they live.				
31. Leisure, play and culture	Every child has the right to relax, play and take part in a wide range of cultural and artistic activities.	Percentage of households with children aged 6 to 12 with five minute access to a public greenspace	SHS	6-12 year olds	Annual
		Percentage who say there are 'lots' of places where they live where they can play outdoors	H&WB census	P5-S2	Every four years
		Percentage of 13 and 15 year olds who use local greenspace weekly during summertime	HBSC	13 and 15 year olds	Every four years
		Percentage of 13 and 15 year olds who used greenspace at least 2 hours a week in the summertime	HBSC	13 and 15 year olds	Every four years
		Percentage who had participated in sport outside of school in the week prior to interview	SHeS	5-15 year olds	annual
		Percentage of children engaged in active play	SHeS	2-15	annual
		Percentage who participated in at least of the following in the last year: buddying/mentoring programme at school; charity event; drama/ acting / singing / dancing group; religious activity; attended a youth organisation (e.g. Boys or Girls	H&WB census	S1, S3, S5-6	Every four years

		Brigade, Scouts, Girl Guides, etc.); Duke of Edinburgh; Sports clubs			
		Percentage of households with children aged 8 to 12 where children regularly take part in at least one leisure activity outside of school	SHS	8-12 years old	Annual
32. Child labour	Governments must protect children from economic exploitation and work that is dangerous or might harm their health, development or education. Governments must set a minimum age for children to work and ensure that work conditions are safe and appropriate.				
33. Drug abuse	Governments must protect children from the illegal use of drugs and from being involved in the production or distribution of drugs.	Percentage who have ever taken drugs	H&WB census	S2, S4	Every four years
		Percentage who usually take drugs once a month or more	H&WB census	S2, S4	Every four years
		Percentage who have taken drugs in the last month	SALSUS	S2, S4	Survey last run 2018. Will report while no H&WB Census data available, will be replaced by similar questions in H&WB census.
		Percentage of S2 and S4 pupils who have ever used drugs who experienced a negative effect as a result	SALSUS	S2, S4	Survey last run 2018. Will report

					while no H&WB Census data available, will be replaced by similar questions in H&WB census.
		General acute inpatient and day case stays in young people aged 15–24 years with a diagnosis of drug misuse; rate per 100,000 population	ISD	15-24 years old	Annual
34. Sexual exploitation	Governments must protect children from all forms of sexual abuse and exploitation.	Percentage of sexual crimes recorded where victim was under 18	Police statistics	Under 18	Annual
		While you were growing up, before the age of 18: How often did anyone at least 5 years older than you (including adults) ever touch you – or try to make you touch them – sexually?	SHeS	Young adults	Annual
		While you were growing up, before the age of 18: How often did anyone at least 5 years older than you (including adults) force you to have any type of sexual intercourse (oral, anal or vaginal)?	SHeS	Young adults	Annual
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.	The Human Trafficking and Exploitation (Scotland) Act (2015)			
		Trafficking and Exploitation Strategy (Scottish Government 2017)			
36. Other forms of exploitation	Governments must protect children from all other forms of exploitation, for example the exploitation of children for political				

	activities, by the media or for medical research.				
37. Inhumane treatments and detention	Children must not be tortured, sentenced to the death penalty or suffer other cruel or degrading treatment or punishment. Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible. They must be treated with respect and care, and be able to keep in contact with their family. Children must not be put in prison with adults.				
38. War and armed conflict	Governments must not allow children under the age of 15 to take part in war or join the armed forces. Governments must do everything they can to protect and care for children affected by war and armed conflicts.				
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.				
40. Juvenile justice	A child accused or guilty of breaking the law must be treated with dignity and respect. They have the right to legal assistance and a fair trial that takes account of their age. Governments must set a minimum age for children to be tried in a criminal court and manage a justice system that enables children who have been in conflict with the law to reintegrate into society.	Children referred to the SCRA for offence reasons; crude rate per 1,000 children aged 8–15 years	SCRA	8 - 15 years old	Annual
		Rate of under 18 year olds proceeded against in court per 1000 population	Criminal proceedings	Under 18	Annual
		Rate of under 21 year olds in custody per 1000 population	Scottish prison service	Under 21	Annual

41. Respect for higher national standards	If a country has laws and standards that go further than the present Convention, then the country must keep these laws.				
42. Knowledge of rights	Governments must actively work to make sure children and adults know about the Convention.				
45. Advice	Unicef can provide expert advice and assistance on children's rights.				

**ANNEX B: ASSESSING WHETHER WE HAVE EMBEDDED THE DRIVERS OF CHANGE FOR MAKING RIGHTS REAL**

**CHANGE PROCESS 1: Policy adaptation, coordination, administrative integration and budgetary consideration**

<b>Key drivers of change</b>	<b>What evidence could we develop to help assess if this driver is in place?</b>
Children and young people meaningfully participate in policy-making	Reports on progress with actions from the Scottish Government Executive Team and Cabinet Takeovers. Evidence of engagement with CYP on the UNCRC Implementation Programme. Vignettes/case studies from across Scottish Government. Direct engagement with CYP to explore whether they have found engagement to be meaningful.
Awareness of UNCRC raised amongst policy makers	Regular survey of SG senior civil service to test understanding of duties under the UNCRC Bill.
UNCRC incorporated to maximum extent	UNCRC Bill receives Royal Assent
Children's rights integrated across policy areas	Sampling of 3-yearly statutory reports from public authorities to identify good practice and areas of concerns/risks.

A properly resourced national action plan for children's human rights	Regular review of the extent to which the Scottish Government and its funded partners in the children's rights sector have actions to support each of the drivers of change in the Theory of Change and monitoring of progress with these actions.
Child Rights and Wellbeing Impact Assessments that are supported by senior leaders, properly resourced, timely and purposeful	Sampling of SG CRWIAs against a pre-agreed light touch assessment framework. Reviews to involve stakeholders. Report on areas for improvement.
Making children's rights visible in budgets	The extent to which children's rights are visible through published budgetary documentation (for example, through the SG budget, future RSRs, and EFSBS). Sampling of CRWIA carried out on SG budget decisions to assess the extent to which published budget allocations are linked to children rights outcomes. The extent to which children are participating in the budget cycle, including assessment of budget transparency and accessibility for children.
Collecting and using data to assess whether all children and young people are having their rights met	Intelligence from: regular engagement with the children's rights sector; state party reporting; complaints escalated to SPSO; and data from calls, specialist child law centres (Clan Childlaw and the Scottish Child Law Centre), advocacy services, relevant tribunals and the Equalities and Human Rights Commission on calls to their advice lines.
Scrutiny bodies hold government to account	Concluding observations from the UN Committee on the Rights of the Child, following state party reporting and dialogue.

**CHANGE PROCESS 2: Building cross-sector capacity and capability to integrate rights-based ways of working**

<b>Key drivers of change</b>	<b>What evidence could we develop to help assess if this driver is in place?</b>
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Cross-sector systems leadership	Potential for some case studies but monitoring data would be difficult to collect without significant burden on public authorities. (That would likely involved a survey.)
Duty bearers take proactive steps to ensure compliance	Actions set out in statutory child rights reports (under section 15 of the Bill) to ensure compatibility with UNCRC requirements.
Duty bearers provide capacity building and implementation support and demonstrate rights-based ways of working.	Data on use of the Skills & Knowledge Framework, including how many users, which modules, post-training evaluation etc. Also potential for some case studies, in collaboration with the Improvement Service.
Leaders and champions communicate and demonstrate a rights-based approach	Engagement with capacity building networks and community of practice platform. Focus Group discussions with leaders & champions.
System grows from positive and negative experiences and challenge	Potential for some case studies, in collaboration with the Improvement Service.

### **CHANGE PROCESS 3: Influencing attitudes, norms, values and everyday actions**

<b>Key drivers of change</b>	<b>What evidence could we develop to help assess if this driver is in place?</b>
National awareness-raising and information	Data in understanding of UNCRC and incorporation from regular survey of families e.g. IPSOS Mori parents' survey. Evaluation of the national awareness raising campaign. Monitoring of individual campaigns Through the UNCRC Communications Network.

Explore patterns of social norms on children's rights to inform interventions	Regular survey of general population. Focus Group Discussions with key stakeholder groups.
Leaders and champions communicate and demonstrate a rights-based approach	Regular survey of SG senior civil service to test attitudes and support for children's rights. Focus Group Discussions with leaders & champions to provide qualitative data.
Invest in community-based approaches for people to experience a rights-based approach	A light-touch evaluation of the impact of the innovation fund.
Children and young people learn about their rights	Proportion of schools taking part in and achieving accreditation as a Rights Respecting School and data on understanding of rights from Young People in Scotland Survey or other quantitative survey of CYP.
System grows from positive and negative experiences and challenge	Tracking of SPSO complaint resolution or impact of strategic litigation.

**CHANGE PROCESS 4: Ensuring a system of information, advocacy, complaints, redress and effective remedy for children and young people**

<b>Key drivers of change</b>	<b>What evidence could we develop to help assess if this driver is in place?</b>
Children and young people meaningfully	Record of CYP engagement in UNCRC Implementation Programme and how this engagement has helped to shape the programme.  Evaluation of the Interim Consortium- Rights Right Now!

<p>participate in designing system to uphold rights</p>	<p>Feedback from the CYP on other strategic approaches to participation, including inclusive communications.</p> <p>Evidence of CYP engagement across SG and how this has shaped policy.</p>
<p>Duty bearers ensure a trusted, effective and child friendly system to uphold rights at all levels</p>	<p>Proportion of listed public authorities with a child-friendly complaints process.</p>
<p>Advocates and scrutiny bodies hold duty bearers to account</p>	<p>Number and proportion of children's advocates who are trained in children's rights. Examples of where children's rights issues have been raised.</p> <p>Number of complaints raised on behalf of a child.</p> <p>Number of cases taken to court on behalf of a child, where a breach of the UNCRC requirements is given.</p>
<p>System grows from positive and negative experiences and challenge/rights breaches result in system change.</p>	<p>Examples of where challenges have resulted in positive change.</p>

**Document 10e – Impact Pathways for UNCRC Implementation – Jan 2023**

<b>Work stream 1:</b>			
<b>Problem:</b> Duty bearers are not fully aware of their new duties under the UNCRC Bill			
<b>Causes:</b> a) lack of awareness of the Bill in some sectors b) lack of certainty yet about how the Bill will be amended, specifically section 6 duties b) limited knowledge and understanding of UNCRC in some sectors, particularly those not working directly with cyp c) competing priorities for duty bearers d) new duties for PVI sectors and functions carried out under contract			
<b>A. Outputs:</b> Products of the work (these are the interventions we will do to tackle the issue, either alone or with partners)	<b>B. Outcomes:</b> System + behaviour changes which result from the use of the outputs, and create the foundations for impact		<b>C. Impact:</b> Consequences of system + behavioural changes
Findings and products + knowledge and evidence sharing	System – SG and/or org.s formally commit to change	Behaviour - new approach in common use	Improvement in people’s lives
<p><b>A1.</b> Statutory guidance including compatibility tool for PAs (completed and published post consultation, (~ 7 mths post RA)</p> <p><b>A2.</b> Support and training for duty bearers including:</p> <ul style="list-style-type: none"> <li>• Improvement Service events and peer groups (July 22 – Mar 24)</li> <li>• <a href="#">Capacity building, including training events on child rights based approach, e.g. participation, child friendly info (once guidance published)*</a></li> <li>• Work with senior leaders and key networks to embed culture change e.g. National Leadership group for Children and Families ( Jan 23 onwards) and subgroup on C &amp; F workforce (ongoing)</li> <li>• Internal SG and EA CRWIA roll out, including engagement with upcoming Bill teams and supporting CRWIA champion model across exec agencies (Jan 23 onwards)</li> </ul>	<p><b>B1. Duty bearers feel encouraged, supported and empowered in making the change</b></p>	<p><b>B4. Duty bearers act compatibly with the UNCRC rights and obligations set out in the Bill.</b></p>	<p><b>C1. Children’s rights are realised for all children and young people, including those whose rights are most at risk.</b></p>

**A3.** National improvement prog. (NIP) tools to assist public bodies to improve, innovate and evaluate their approach including: resources for LA staff and elected members (Oct 22); self-evaluation framework (Jun 22); and good practice case studies (Jul 23 onwards).

**A4.** NIP work to develop and embed child rights based practice indicators into existing frameworks:

- work with Improvement Service to embed indicators into self-evaluation frameworks e.g. Public Sector Improvement Framework, Community Planning Partnership framework (Jan 23 – Mar 24)
- Work with inspectorates/regulators/audit agencies to embed indicators into inspection frameworks (Jan 23 – Mar 24)

**A5.** Internal SG child rights e-learning (Jan 23) including CRWIA, section (updated post RA)

**A6.** CRU maintain a document to signpost to useful sources, including: UNCRC General Comments; concluding observations on the UK; reports from Days of General Discussion (ongoing)

**A7. Support for commencement:**

- CRU maintain a list of rights issues raised by stakeholders, CYP and their representatives and ensure there is awareness of these at senior level within SG. (Jan 23 ongoing)
- Raise awareness with health and other key sectors (Jan 23 Q4 – Jun 24)

**B2. Children's rights are embedded in internal and external quality frameworks and processes**

**B3. Duty bearers recognise areas which may be challenged re compliance/ compatibility and where systematic responses may be required**

- Support collaborative group to map areas of risk/identify issues in practice that may be incompatible. Pilot issues discussed, with input from experts/professional advisers to present/ provide targeted support in identifying and addressing issues. (initially Jan 23 – Jul 23)

Key assumptions

Duty bearers will have enough background knowledge to make use of the resources we provide.  
 Targeted work with a limited number of duty bearers will inform wider change. (Peer network helps support this assumption)

There is sufficient structure and support to embed consistent and effective frameworks and processes.

Duty bearers will comply with their duties to avoid legal action.

Capacity and resource can be prioritised effectively to address rights most at risk and ensure rights are realised for all.

**Document 11 – Outgoing email to SIB with draft minutes & CRWIA template & Final Monitoring & Evaluation Strategy – 31/01/23**

**From:** [redacted - 38(1)] On Behalf Of UNCRC Incorporation

**Sent:** 31 January 2023 17:10

**Subject:** UNCRC Strategic Implementation Board - minutes and accompanying papers - 24 January 2023

Dear UNCRC SIB members,

Thank you for attending the first meeting of 2023. Please find attached the draft minutes of the meeting. We would be grateful if members could submit requests for amendments to the minutes by **Friday 10 February 2023**, as these will be uploaded to the SIB webpage shortly thereafter.

Also attached is the final version of the monitoring and evaluation strategy. Thank you for your support in refining this. It can now be used as the basis for commitments in the Children's Rights Scheme and [redacted - 38(1)] will use it to develop the detailed approach when she settles into her new role as team leader for Children's Rights Reporting and Monitoring.

In addition, please find attached the new internal CRWIA template for Scottish Government and Executive Agencies. Please note that full CRWIAs would be published by Scottish ministers under the provisions of the UNCRC Bill.

Best wishes,  
[redacted - 38(1)]

[redacted - 38(1)] (she/her)

UNCRC Programme Assistant | Embedding Children's Rights in Public Services | Children's Rights Unit

Scottish Government | Area 2B South | Victoria Quay | Edinburgh | EH6 6QQ

## Document 11b – Finalised Monitoring & Evaluation Strategy – 31/01/23

### UNCRC INCORPORATION – MONITORING AND EVALUATION STRATEGY

#### VERSION 4 – January 2023

#### Introduction

1. Our [Action Plan for Progressing the Human Rights of Children in Scotland](#) contains a commitment to, by 2024, develop an “evaluation and monitoring framework to monitor and evaluate the delivery, aims and impact of the UNCRC Implementation Programme, whilst simultaneously linking progress in embedding children’s rights to long-term outcomes for children and young people”. Although the target dates have been impacted by the delay to the UNCRC Bill, the aims of the implementation programme were originally set out as follows:

- by Oct 2021, public services and children will be ready for the commencement of the UNCRC Bill; and
- by April 2024, children experience public services consistently upholding their rights.

2. This paper sets a framework for this evaluation and monitoring has been prepared with input from the UNCRC Strategic Implementation Board. It sets out a broad approach that would help us to assess current conditions and further steer progress in embedding children’s rights. It also seeks to achieve that in a way that is manageable and sustainable for public authorities and others involved in supporting delivery of the new duties.

#### Potential approaches

3. Our approach to developing children’s rights indicators could include collecting data to:

- k) check that children’s rights are being met, across each of the Articles;
- l) identify where there are recurring rights breaches that require changes to policy/practice;
- m) check that we have in place the drivers of change for embedding a children’s rights approach and giving better and further effect to children’s rights in Scotland;
- n) identify structural and process indicators which analyse the extent to which children’s rights are being considered in the policy making process and driving decisions; including the extent to which children are able to influence these; and
- o) analyse the extent to which embedding children’s rights has improved outcomes for children and young people.

4. This paper discusses what would be involved in each of these approaches and then recommends an approach that we consider would provide a sufficiently comprehensive strategy (while also being manageable and sustainable) and how the work might be sequenced over time.

#### a) **Checking that children’s rights are being met**

5. One of the drivers of change highlighted in the [Theory of Change for Making Children’s Rights Real in Scotland](#) is the development of children’s rights indicators. The Theory of Change report states that the Scottish Government should lead on



“developing children’s rights indicators to provide the evidence needed to assess change and guide action” and that “this will help ensure that duty bearers learn where children’s rights are not being realised and where systemic responses are needed”. The UN Committee has also recommended the development of nationally applicable child rights indicators to monitor UNCRC implementation<sup>7</sup>.

6. Our analysts have undertaken an [initial mapping exercise](#) to identify existing sources of data that could be used to assess the extent to which each of the articles in the UNCRC are embedded in Scotland. (See [Annex A](#).) While this data does provide relevant and useful evidence for some of the rights, relying only on existing sources of data means that these are not precise measures of the implementation of all of the rights in the articles and that there are inevitable data gaps.

7. We have considered what would be required to develop robust national indicators that meaningfully operationalise each of the 42 Articles in the UNCRC. Our conclusion is that to meaningfully operationalise all of the rights would require too many new (potentially complex) national data collections to make this feasible, affordable and manageable to public authorities, practitioners and partners, at least in the medium term.

8. To help illustrate this we provide an example of what would be required to develop meaningful indicators for Article 29. Article 29 states that education must develop every child’s personality, talents and abilities to the full. It must encourage the child’s respect for human rights, as well as respect for their parents, their own and other cultures, and the environment. The mapping exercise identified a range of existing indicators as follows:

- Percentage of primary pupils achieving expected CfE levels in: reading; writing; listening and talking; and numeracy;
- Percentage of school leavers with one or more qualification: at SCQF Level 4 or better; and at SCQF Level 6 or better;
- Number and percentage of all school leavers in positive destinations at 9-month follow-up;
- Percentage of people aged 16–19 years who are in education, employment or training;
- Percentage of people aged 16–24 years who: are in employment; intend to continue full time education beyond S4; expect to continue to a positive destination after leaving school.

9. While these are useful measures of attainment, more would be required to measure the extent to which children and young people have realised their own individual full potential, and have developed a respect for the full range of human rights, their parents, their own and other cultures, and the environment.

10. If the purpose of developing indicators is to ensure that duty bearers can identify where children’s rights are not being realised and where systemic responses are needed and to monitor progress on this, we argue that a more efficient and manageable approach would be to identify where there are concerns regarding the fulfilment of rights that may require changes to policy/practice. We discuss how we could approach that in the following section.

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<sup>7</sup> General Comment no. 5, [The Convention on the Rights of the Child \(unicef-irc.org\)](#), Section F, paragraph 48.

11. Identifying where rights issues need most priority would allow us to focus the development of child rights indicators on those that are in most danger of being breached. That might allow us to build a rationale for the development of new targeted indicators that would give us meaningful measures, at least (and perhaps initially) in priority areas. Those measures would draw upon both qualitative and quantitative sources of evidence. The latter would need to be stratified in a way that allows us to identify whether there are particular groups of children who are furthest from their rights. Over time, we could test the work involved and the support we might expect for the gradual development of indicators for all of rights in the future, but without making any current commitment around this.

**b) Identifying where there are recurring rights breaches that require changes to policy/practice.**

12. The Children's Rights Scheme (which will demonstrate annually how the Scottish Government is progressing children's rights) will set out how we will identify and address any situation where a child's rights are, or are at a significant risk of, not being fulfilled. To support this and in partnership with the children's rights sector we will develop a system for collating recurring rights issues by working in partnership with Scotland's strong and active children's rights sector. The rights identified during the Pre-Session leading up to the Constructive Dialogue with the UN Committee on the Rights of the Child in May 2023 will assist in this identification. This could include a focus not only on rights that are not being realised but also on rights that could be given better and further effect.

13. We will work with groups such as Together: Scottish Alliance for Children's Rights; The Children and Young Person's Commissioner Scotland, the Scottish Human Rights Commission; The Scottish Youth Parliament; and the Children's Parliament, amongst others, to identify children's rights issues that are concerning children and young people (and those who lobby on their behalf) as quickly as possible. The involvement of children and young people is central to this endeavour. We will highlight these children's rights issues to Scottish Government senior management and relevant policy areas, and monitor progress in addressing these. We will also work in partnership with public authorities and representative organisations to ensure that progress can be made in areas of concern. All of this engagement will be embedded in a systematic way to ensure that it happens regularly and routinely.

14. Feedback from our children's rights sector will also be supplemented by UN Committee's Concluding Observations to highlight rights breaches that require changes to policy/practice. The UK Government is examined periodically on their record in relation to the UNCRC by the UN Committee on the Rights of the Child and will be next examined by the Committee in May 2023. The Scottish Government contributes to that reporting process and our children's rights sector are given an opportunity to highlight concerns about rights issues in evidence that is shared with us. Following that examination the UN Committee will publish a list of recommendations (Concluding Observations) which will also inform the content of our Children's Rights Scheme.

15. In addition, we will explore the possibility of developing new data collections in partnership with the key partners that will help us identify whether and what recurring rights breaches are being raised. For example, the Scottish Public Service Ombudsman is supporting public authorities to develop a child-friendly model complaint process. As part of that we will explore if and how we can use data from their records of complaints escalated to them. We will also explore what data could be captured by specialist child law centres (Clan Childlaw and the Scottish Child Law Centre), children's advocacy services<sup>8</sup>, relevant tribunals and the Equalities and Human Rights Commission on calls to their advice lines.

16. Our work to embed children's rights in public authorities and the statutory reporting duty of 'listed authorities' under section 15 of the Bill will be a source of intelligence and insights on where public authorities themselves recognise there are compatibility issues. Through the National Improvement Plan, attendance at the Working Together Group, scoping for the Skills and Knowledge Framework and capacity building work with public authorities, we will ensure that intelligence of this nature is captured. We will also consider how best to sample the 3-yearly reports from listed public authorities (which report on the steps they have taken to secure better or further effect of the UNCRC requirements) to identify areas where there are compatibility issues (without identifying or 'singling out' particular public authorities). In all of this it will be important to reflect the context and any specific challenges or barriers to the realisation of rights which public authorities are experiencing and to try to work in partnership to address them.

17. By focusing on identifying recurring issues that are already known or being raised with the children's rights sector, there is a risk that we overlook the experiences of more marginalised groups of children, who may be most likely to experience a breach in their rights but least likely to believe they have the ability to raise their concerns. We will therefore ensure regular engagement with children and young people and organisations that represent children and young people living in challenging circumstances and/or have additional support needs. Some of these organisations (e.g. Carers Trust Scotland, CELCIS, Child Poverty Action Group, Children 1<sup>st</sup>, Families Outside, Hope for Autism) are already represented by Together but we will consider whether and how to facilitate additional engagement<sup>9</sup>.

**c) Checking that we have in place the drivers of change for embedding a children's rights approach in Scotland.**

18. The UNCRC Bill will not deliver the culture of accountability for children's rights that we seek to achieve across public services unless the context and conditions are right. It is therefore important that we have a mechanism for monitoring this and assessing what more needs to be done to deliver our vision.

19. The Theory of Change for Making Rights Real in Scotland gives us a framework that can help us to assess whether we have created the context in which children's rights can be realised in Scotland. Given the challenge of establishing a causal

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<sup>8</sup> For example, Who Cares? Scotland provide advocacy for care experienced children and maintain a record of support requested to help them access their rights under a range of treaties (including the UNCRC), the nature of the support provided and the outcome.

<sup>9</sup> With for example, the Inclusion Ambassadors who represent children with additional support needs.

relationship between the incorporation of UNCRC and improved outcomes for children and young people, this type of assessment can be a more fruitful approach by making it possible to measure the likelihood of achieving longer-term goals by assessing the extent to which the groundwork or context is in place. Assessing this and identifying where drivers need to be strengthened also has the advantage of directing us to clear action that we can take to improve our chances of successfully realising children's rights.

20. [Annex B](#) lists each of the drivers of change that were identified in the Theory of Change and makes some suggestions about evidence that could be collected to assess the extent to which these are in place in Scotland. This remains a 'work in progress'. Our recommendation is that we invest in developing measures of the drivers of change and a regular reporting cycle, either by using existing sources or developing new data collections.

**d) Identify structural and process indicators that analyse the extent to which children's rights are being considered in the policy making process and driving decisions.**

21. Process indicators are useful for assessing the ongoing policy efforts of duty-bearers towards rights fulfilment. Various methods, including case studies and policy analysis could be used to explore the extent to which children's rights are being considered in policy making and driving decisions. This would allow us to identify good practice in and barriers to implementing UNCRC, including by assessing the extent to which children are able to influence the processes and decisions, and to make recommendations for improvement. This might also allow us to identify how those decisions impact on experiences and outcomes for children and young people, at least in the short-term. We will also use information from completed Child Rights and Wellbeing Impact Assessments (CRWIA) which has been revised in 2022 to include an evaluation phase based on the Child Rights Impact Evaluation (CRIE) approach. We could also draw upon the 3-yearly reports from listed public authorities already mentioned above, again using a sampling approach. This will support ongoing quality improvement and innovation in relation to child rights-based practice and decision making. To complement a focus on policy development, it might also be interesting to 'follow' someone through a service or through a complaints process to establish the impact of taking a rights based approach on service improvement and the fulfilment of individual rights.

**e) Analyse the extent to which embedding children's rights has improved outcomes for children and young people**

22. To effectively monitor and evaluate children's rights fulfilment, it is necessary to gather information for outcome indicators as well as structural and process indicators. However, with the range of other significant policy developments that impact on children and young people, it will be impossible to assess the extent to which embedding children's rights (alone) has improved long term outcomes. The significant focus and investment in making Scotland the best place in the world to grow up means that we cannot disentangle the impact of individual policy developments. Other significant policy developments include: the Promise; Family Nurse Partnership; the development of a National Care Service; Children Poverty Strategy; the Baby Box;

The Children's Care and Justice Bill; and the expansion of funded early learning and childcare.

23. There are existing data designed to help measure the extent to which the combination of our policies are improving outcomes for children and young people. The National Performance Framework (NPF) monitors our overarching progress towards Scotland's outcomes and will remain a key monitoring tool. Children's rights are, within the broader context of human rights, at the heart of Scotland's (NPF). The NPF includes the following outcomes: "We respect, protect and fulfil human rights and live free from discrimination" and "We grow up loved, safe and respected so that we realise our full potential." The NPF tracks progress towards delivery of these, and the other, national outcomes and is underpinned by a broad suite of [National Indicators](#). Indicators include measures of children's social and physical development; their wellbeing and happiness, voices, positive relationships and the quality of children's services. In addition there are others indicators that measure our progress in improving health, education, tackling poverty, and fulfilling human rights.

24. In recognition that the NPF does not currently provide us with all we need to know to have a high level overview of the wellbeing of children and young people in Scotland, the Children, Young People and Families (CYPF) Outcomes Framework is being developed to provide a holistic picture and understanding of the wellbeing of children, young people and families in Scotland. This complements Scotland's National Performance Framework, with a particular focus on outcomes for children, young people and families. The Core Wellbeing Indicator Set (CWIS) provides a high level, holistic overview of wellbeing and consists of 21 indicators covering SHANNARI, the sides of the My World Triangle and the UNCRC articles. Both the National Indicators as well as the CWIS actively included the perspectives and lived experiences of children and their families.

25. However, wellbeing indicators are not a substitute or proxy indicator of rights. While they can provide information about outcomes for children which should be improving as rights are giving better and further effect throughout Scotland, and can provide a high level, holistic overview of whether the sum of our collective actions at a local and national level is making a difference to improving the lives of children and families in Scotland, further outcome indicators focused specifically on rights fulfilment will be explored over time.

## **Recommendation**

11. We initially focus the development of children's rights indicators on those rights which have been identified through our engagement with stakeholders, and require priority attention.
12. In partnership with the children's rights sector, we develop a system for collating rights issues, highlighting them to Scottish Government senior management and relevant policy areas, and monitoring progress in addressing these. The involvement of children and young people will be central to this. This will help us to assess the extent to which we have achieved our programme aim 'children experience public services consistently upholding their rights'. We set out how that will be done in the publication of the first Children's

Rights Scheme and update these issues and progress towards addressing them annually thereafter.

13. With relevant partners, we develop evidence that will allow us to assess whether we have in place each of the drivers of change identified in the Theory of Change for Making Rights Real. When we have identified what would be required to develop meaningful evidence and collect the data, we will make a recommendation about a manageable reporting cycle. This will help us to assess the extent to which we have achieved our programme aim 'public services and children will be ready for the commencement of the UNCRC Bill', as well as delivered the wider cultural change required and the conditions required to empower children and young people to claim their rights.
14. When the duties under the Bill commence, we will develop and analyse the impact that structural and process indicators such as policy development and implementation have on children's rights. This can be done through various methods, including participatory research with children and families, commissioning case studies to test the extent to which children's rights are driving policy decisions in Scottish Government and harvest learning and good practice from the 3-yearly reports from listed public authorities.
15. We use outcome indicators such as the National Indicators and the Core Wellbeing Indicator Set developed for the Children, Young People and Families Outcomes Framework, amongst others, as a measure of whether the sum of our collective actions is making a real difference to improving the lives of children and families in Scotland.

Children's Rights Unit  
26 January 2023

ANNEX A - UNCRC INCORPORATION – MONITORING AND EVALUATION STRATEGY- initial mapping exercise to identify existing sources of data that could be used to assess the extent to which each of the articles in the UNCRC are embedded in Scotland

Article	Definition	Measure	Source	Age	Frequency
1. Definition of child	Everyone under the age of 18 has all the rights in the Convention.				
2. Non-discrimination	The Convention applies to every child without discrimination, whatever their ethnicity, sex, religion, language, abilities or any other status, whatever they think or say, whatever their family background.	Whether treated badly for any discriminatory reasons	H&W surveys (RCS)	S1-S4	3 tranches (2015-2020)
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.				
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.				
5. Parental guidance and a child’s evolving capacities	Governments must respect the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up, so that they fully enjoy their rights. This must be done in a way that recognises the child’s increasing capacity to make their own choices.	Percentage of adults in Scotland who say that 11-15 year olds should have ‘a great deal’ or ‘quite a lot’ of say over decisions that affect their life	SSAS	All adults	biennial
		Percentage of adults in Scotland who say that 16-18 year olds should have ‘a great deal’ or ‘quite a lot’ of say over decisions that affect their life	SSAS	All adults	biennial
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.	Children with one or more developmental concerns at 27–30 month review	ISD	27-30 months	Annual
		Percentage of pregnant women recorded as obese at antenatal booking	ISD		annual
		Percentage of pregnant women recorded as current smokers at antenatal booking	ISD		annual

		Rate of drug misuse per 1,000 maternities	ISD		Data available annually but reported less frequently
		Percentage of all singleton live births before 37 weeks' gestation	ISD		annual
		Percentage of all live singleton births with low weight	ISD		annual
		percentage of babies reported by parent as being breastfed at 6–8 week review;	ISD		annual
		Percentage of babies reported by parent as being exposed to second-hand smoke at the 6–8 week review;	ISD		By request
7. Birth registration, name, nationality and care	Every child has the right to be registered at birth, to have a name and nationality, and, as far as possible, to know and be cared for by their parents.	Percentage of children with completed 6-8 week Health Visitor review	ISD		Annual
		Percentage of children with completed 13-15 month Health Visitor review	ISD		Annual
		Percentage of children with completed 27-30 month Health Visitor review	ISD		Annual
		Percentage of children with completed 4-5 year Health Visitor review	ISD		Annual
8. Protection and preservation of identity	Every child has the right to an identity. Governments must respect and protect that right, and prevent the child's name, nationality or family relationships from being changed unlawfully				
9. Separation from parents	Children must not be separated from their parents against their will unless it is in their best interests (for example, if a parent is				



	hurting or neglecting a child). Children whose parents have separated have the right to stay in contact with both parents, unless this could cause them harm.				
10. Family reunification	Governments must respond quickly and sympathetically if a child or their parents apply to live together in the same country. If a child's parents live apart in different countries, the child has the right to visit and keep in contact with both of them.				
11. Abduction and non-return of children	Governments must do everything they can to stop children being taken out of their own country illegally by their parents or other relatives, or being prevented from returning home.				
12. Respect for the views of the child	Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.	Percentage of secondary school pupils who agree that adults in general, such as their family, teachers, youth workers, sport coaches and Scouts/Guides leaders, are good at taking their views into account in decisions that affect their life	H&WB census	P5-S6	Every four years
		Percentage who say they are included in making a decision for their class or school 'often' or 'always'	H&WB census	P5-S6	Every four years
		Percentage of secondary school pupils who say they have a lot or some say over what they learn	YPS	Secondary school	Survey is generally biennial. Inclusion of question TBC
		Percentage of secondary school pupils who agree that they feel able to let the adults running out of school activities or groups	YPS	Secondary school	Survey is generally biennial.

		know their views on how those groups/activities are run			Inclusion of question TBC
		Percentage who have an adult in their life who they can trust and talk to about any personal problems	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to their neighbour(s) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to their teacher(s) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to their club or group leader(s) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to other adults (youth workers, doctors, social workers) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage of 13 and 15 year olds who agree that people say hello and talk to each other in the street	HBSC	11, 13 and 15 year olds	Every four years
		Felt you were playing a useful part in things?	SHeS	13-15 year olds	Annual
		Felt capable of making decisions about things?	SHeS	13-15 year olds	Annual
13. Freedom of expression	Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law	Percentage who agree that they can influence decisions affecting my local area	SHS	16-24 (potentially 16-18 or 16-21)	Annual
14. Freedom of thought, belief, and religion	Every child has the right to think and believe what they choose and also to practise their religion, as long as they are not stopping				

	other people from enjoying their rights. Governments must respect the rights and responsibilities of parents to guide their child as they grow up.				
15. Freedom of association	Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights.	Percentage providing unpaid help to organisations or groups in the last 12 months	SHS	16-24 years old	Annual
		Percentage of people who provide unpaid help to organisations or groups who volunteer once a week or more	SHS	16-24 years old	Annual
		Percentage who did voluntary work	H&WB census	S1, S3, S5-6	Every four years
16. Right to privacy	Every child has the right to privacy. The law should protect the child's private, family and home life, including protecting children from unlawful attacks that harm their reputation				
17. Access to information from the media	Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand. Governments must help protect children from materials that could harm them.	SG commitment to 100% superfast broadband access across Scotland by 2021			
18. Parental responsibilities and state assistance	Both parents share responsibility for bringing up their child and should always consider what is best for the child. Governments must support parents by creating support services for children and giving parents the help they need to raise their children.	Children looked after at home; rate per 1,000 population aged under 18 years	EAS	Under 18	Annual
		Children referred to SCRA for reasons of care and protection; rate per 1,000 children aged 0–15 years	SCRA	0–15 years	Annual
19. Protection from violence,	Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment	Emergency hospital admissions for unintentional injury; age–sex standardised rate per 100,000 population	ScotPHO (ISD)	Under 5	annual

abuse and neglect	by their parents or anyone else who looks after them.	General acute inpatient and day case admissions due to assault; age-sex standardised rate per 100,000 population	ScotPHO (ISD)	15-25	annual
		While you were growing up, before the age of 18: How often did a parent or adult in your home ever swear at you, insult you, or put you down?	SHeS	Young adults	Annual
		While you were growing up, before the age of 18: How often did your parents or adults in your home ever slap, hit, kick, punch or beat each other up?	SHeS	Young adults	Annual
		While you were growing up, before the age of 18: How often did a parent or adult in your home ever hit, beat, kick or physically hurt you in any way?	SHeS	Young adults	Annual
20. Children unable to live with their family	If a child cannot be looked after by their immediate family, the government must give them special protection and assistance. This includes making sure the child is provided with alternative care that is continuous and respects the child's culture, language and religion	Children on the Child Protection Register; rate per 1,000 children under 16 years	EAS	Under 16	Annual
		Children looked after by the local authority; rate per 1,000 population aged under 18 years	EAS	Under 18	Annual
		Children looked after outside the home; rate per 1,000 population aged under 18 years	EAS	Under 18	Annual
21. Adoption	Governments must oversee the process of adoption to make sure it is safe, lawful and that it prioritises children's best interests. Children should only be adopted outside of their country if they cannot be placed with a family in their own country.				
22. Refugee children	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	<a href="https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018-2022/">https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018-2022/</a>			
		Number of children granted asylum	ONS	Under 18	Annual

	Convention. Governments must help refugee children who are separated from their parents to be reunited with them.	Family reunion entry clearance grants, by age.	ONS	Under 18	Annual
23. Children with a disability	A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.	Young Disabled People’s Forum - established to provide an inclusive space for young people with a disability to come together regularly and engage with the issues that interest and affect them and feed into policy making.			
24. Health and health services	Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy. Richer countries must help poorer countries achieve this	Emergency hospital admissions for unintentional injury; age–sex standardised rate per 100,000 population	ScotPho (ISD)	Under 5	Annual
		Percentage of children who have a low score Warwick–Edinburgh Mental Wellbeing Scale (WEMWBS) score	H&WB census/ SALSUS	S2-S6/S2, S4	Every four years (historical data from SALSUS)
		Percentage with a slightly raised (previously “borderline”) or high or very high (previously, “abnormal”) SDQ score	H&WB census/ SALSUS	S2-S6/S2, S4	Every four years (historical data from SALSUS)
		Percentage with a slightly raised (previously “borderline”) or high or very high (previously, “abnormal”) SDQ score	SHeS	4-12	annual
		Mental health strategy <a href="https://www.gov.scot/publications/mental-health-strategy-2017-2027/">https://www.gov.scot/publications/mental-health-strategy-2017-2027/</a>			
		Percentage of children living in absolute poverty (living in families with incomes less than 60% of inflation adjusted 2011-12 median income) after housing costs	FRS	All	Annual

		Percentage of children in combined material deprivation (based on a suite of questions in the Family Resources Survey) and low income after housing costs (below 70% of UK median income) after housing costs	FRS	All	Annual
		Percentage of households with children experiencing food insecurity	SHeS	All	Annual
		Percentage of households with children living in fuel poverty (required fuel costs >10% of income)	SHCS		Annual
		Percentage normally travelling to school in an active way (walking, cycling, and using a scooter, skateboard or inline/roller skates).	Hands up Scotland	P1-S6	annual
		Percentage who meet physical activities guidelines (including activities at school)	SHeS	2-15 year olds	annual
		Percentage who take part in vigorous physical activity at least 4 times a week	H&WB census /HBSC	P5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Average sedentary minutes per week	SHeS	2-15	annual
		Percentage who spend two or more hours a weekday on electronic devices	H&WB census	P5-S6	Every four years
		Percentage who had the recommended 5 portions of fruit and vegetables the previous day	SHeS	2-12 year olds; 13-15 year olds and 16-24 year olds	annual
		Percentage who ate sweets or chocolates once a day or more in the last week	SHeS	2-12 year olds; 13-15 year olds	annual

				and 16-24 year olds	
		Percentage who consume non-diet soft drinks daily	SHeS	2-12 year olds; 13-15 year olds and 16-24 year olds	annual
		Percentage who consume fruit daily	H&WB census /HBSC	P5-S1, S3, S5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage who consume vegetables daily	H&WB census /HBSC	P5-S1, S3, S5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage who consume sugary soft drinks daily	H&WB census /HBSC	P5-S1, S3, S5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage who eat breakfast every weekday	H&WB census /HBSC	P5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage of children at risk of overweight or obesity at Primary 1	ISD	P1	annual

		Percentage of young people at risk of overweight or obesity	SHeS	2-12 year olds; 13-15 year olds and 16-24 year olds	annual
		Percentage of children receiving a letter 'C' (no obvious decay experience) at basic inspection	ISD	P1, P7	annual
		Percentage of children who usually sleep at least eight hours a night	H&WB census	P5-S6	Every four years
		Percentage who are in good or very good general health	SHeS	0-15 year olds	annual
		Percentage with at least one long term health condition	SHeS	0-15 year olds	annual
		Percentage with at least one limiting long term health condition	SHeS	0-15 year olds	annual
25. Review of treatment in care	If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.				
26. Social Security	Every child has the right to benefit from social security. Governments must provide social security, including financial support and other benefits, to families in need of assistance.	Percentage of children registered for free school meals	EAS	P4 and above	Annual
27. Adequate standard of living	Every child has the right to a standard of living that is good enough to meet their physical and social needs and support their	Percentage of children living in relative poverty (living in households whose equivalised income is below 60 per cent of	FRS	All	Annual



	development. Governments must help families who cannot afford to provide this.	inflation adjusted median income) after housing costs			
		Percentage who agree that most of the time, they have enough money to do the same things as their friends	H&WB census	P5-S1; S3	Every four years
28. Right to education	Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights. Richer countries must help poorer countries achieve this.	Gap between children and from most and least deprived 20% of areas in percentage of people aged 16–19 years who are in education, employment or training	EAS	16-19	Annual
29. Goals of education	Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.	Percentage of primary pupils achieving expected CfE levels in reading	EAS	P1, P4, P7, S3	annual
		Percentage of primary pupils achieving expected CfE levels in writing	EAS	P1, P4, P7, S3	annual
		Percentage of primary pupils achieving expected CfE levels in listening and talking	EAS	P1, P4, P7, S3	annual
		Percentage of primary pupils achieving expected CfE levels in numeracy	EAS	P1, P4, P7, S3	annual
		Percentage of school leavers with one or more qualification at SCQF Level 4 or better	EAS	all school leavers	annual
		Percentage of school leavers with one or more qualification at SCQF Level 6 or better	EAS	all school leavers	annual
		Number and percentage of all school leavers in positive destinations at 9-month follow-up	EAS	all school leavers	annual
		Participation measure - percentage of people aged 16–19 years who are in education, employment or training	EAS	16-19	annual
		Youth employment rate - percentage of people aged 16–24 years who are in employment	EAS	16-24 years old	annual

		Percentage who intend to continue full time education beyond S4	H&WB census	S1-S4	Every four years
		Percentage who expect to continue to a positive destination after leaving school	H&WB census	S1-S6	Every four years
30. Children from minority or indigenous groups	Every child has the right to learn and use the language, customs and religion of their family, whether or not these are shared by the majority of the people in the country where they live.				
31. Leisure, play and culture	Every child has the right to relax, play and take part in a wide range of cultural and artistic activities.	Percentage of households with children aged 6 to 12 with five minute access to a public greenspace	SHS	6-12 year olds	Annual
		Percentage who say there are 'lots' of places where they live where they can play outdoors	H&WB census	P5-S2	Every four years
		Percentage of 13 and 15 year olds who use local greenspace weekly during summertime	HBSC	13 and 15 year olds	Every four years
		Percentage of 13 and 15 year olds who used greenspace at least 2 hours a week in the summertime	HBSC	13 and 15 year olds	Every four years
		Percentage who had participated in sport outside of school in the week prior to interview	SHeS	5-15 year olds	annual
		Percentage of children engaged in active play	SHeS	2-15	annual
		Percentage who participated in at least of the following in the last year: buddying/mentoring programme at school; charity event; drama/ acting / singing / dancing group; religious activity; attended a youth organisation (e.g. Boys or Girls	H&WB census	S1, S3, S5-6	Every four years

		Brigade, Scouts, Girl Guides, etc.); Duke of Edinburgh; Sports clubs			
		Percentage of households with children aged 8 to 12 where children regularly take part in at least one leisure activity outside of school	SHS	8-12 years old	Annual
32. Child labour	Governments must protect children from economic exploitation and work that is dangerous or might harm their health, development or education. Governments must set a minimum age for children to work and ensure that work conditions are safe and appropriate.				
33. Drug abuse	Governments must protect children from the illegal use of drugs and from being involved in the production or distribution of drugs.	Percentage who have ever taken drugs	H&WB census	S2, S4	Every four years
		Percentage who usually take drugs once a month or more	H&WB census	S2, S4	Every four years
		Percentage who have taken drugs in the last month	SALSUS	S2, S4	Survey last run 2018. Will report while no H&WB Census data available, will be replaced by similar questions in H&WB census.
		Percentage of S2 and S4 pupils who have ever used drugs who experienced a negative effect as a result	SALSUS	S2, S4	Survey last run 2018. Will report

					while no H&WB Census data available, will be replaced by similar questions in H&WB census.
		General acute inpatient and day case stays in young people aged 15–24 years with a diagnosis of drug misuse; rate per 100,000 population	ISD	15-24 years old	Annual
34. Sexual exploitation	Governments must protect children from all forms of sexual abuse and exploitation.	Percentage of sexual crimes recorded where victim was under 18	Police statistics	Under 18	Annual
		While you were growing up, before the age of 18: How often did anyone at least 5 years older than you (including adults) ever touch you – or try to make you touch them – sexually?	SHeS	Young adults	Annual
		While you were growing up, before the age of 18: How often did anyone at least 5 years older than you (including adults) force you to have any type of sexual intercourse (oral, anal or vaginal)?	SHeS	Young adults	Annual
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.	The Human Trafficking and Exploitation (Scotland) Act (2015)			
		Trafficking and Exploitation Strategy (Scottish Government 2017)			
36. Other forms of exploitation	Governments must protect children from all other forms of exploitation, for example the exploitation of children for political				

	activities, by the media or for medical research.				
37. Inhumane treatments and detention	Children must not be tortured, sentenced to the death penalty or suffer other cruel or degrading treatment or punishment. Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible. They must be treated with respect and care, and be able to keep in contact with their family. Children must not be put in prison with adults.				
38. War and armed conflict	Governments must not allow children under the age of 15 to take part in war or join the armed forces. Governments must do everything they can to protect and care for children affected by war and armed conflicts.				
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.				
40. Juvenile justice	A child accused or guilty of breaking the law must be treated with dignity and respect. They have the right to legal assistance and a fair trial that takes account of their age. Governments must set a minimum age for children to be tried in a criminal court and manage a justice system that enables children who have been in conflict with the law to reintegrate into society.	Children referred to the SCRA for offence reasons; crude rate per 1,000 children aged 8–15 years	SCRA	8 - 15 years old	Annual
		Rate of under 18 year olds proceeded against in court per 1000 population	Criminal proceedings	Under 18	Annual
		Rate of under 21 year olds in custody per 1000 population	Scottish prison service	Under 21	Annual

41. Respect for higher national standards	If a country has laws and standards that go further than the present Convention, then the country must keep these laws.				
42. Knowledge of rights	Governments must actively work to make sure children and adults know about the Convention.				
45. Advice	Unicef can provide expert advice and assistance on children's rights.				

## Version 4 February 2023

### ANNEX B: ASSESSING WHETHER WE HAVE EMBEDDED THE DRIVERS OF CHANGE FOR MAKING RIGHTS REAL

#### CHANGE PROCESS 1: Policy adaptation, coordination, administrative integration and budgetary consideration

Key drivers of change	What evidence could we develop to help assess if this driver is in place?
Children and young people meaningfully participate in policy-making	Reports on progress with actions from the Scottish Government Executive Team and Cabinet Takeovers. Evidence of engagement with CYP on the UNCRC Implementation Programme. Vignettes/case studies from across Scottish Government. Direct engagement with CYP to explore whether they have found engagement to be meaningful.
Awareness of UNCRC raised amongst policy makers	Regular survey of SG senior civil service to test understanding of duties under the UNCRC Bill.
UNCRC incorporated to maximum extent	UNCRC Bill receives Royal Assent
Children's rights integrated across policy areas	Sampling of 3-yearly statutory reports from public authorities to identify good practice and areas of concerns/risks.
A properly resourced national action plan for children's human rights	Regular review of the extent to which the Scottish Government and its funded partners in the children's rights sector have actions to support each of the drivers of change in the Theory of Change and monitoring of progress with these actions.
Child Rights and Wellbeing Impact Assessments that are supported by senior leaders, properly resourced, timely and purposeful	Sampling of SG CRWIAs against a pre-agreed light touch assessment framework. Reviews to involve stakeholders. Report on areas for improvement.
Making children's rights visible in budgets	The extent to which children's rights are visible through published budgetary documentation (for example, through the SG budget, future RSRs, and EFSBS). Sampling of CRWIA carried out on SG budget decisions to assess the extent to which published budget allocations are linked to children rights outcomes. The extent to which children are participating in the budget cycle, including assessment of budget transparency and accessibility for children.
Collecting and using data to assess whether all children and young people are having their rights met	Intelligence from: regular engagement with the children's rights sector; state party reporting; complaints escalated to SPSO; and data from calls, specialist child law centres (Clan Childlaw and the Scottish Child Law Centre), advocacy services, relevant tribunals and the Equalities and Human Rights Commission on calls to their advice lines.
Scrutiny bodies hold government to account	Concluding observations from the UN Committee on the Rights of the Child, following state party reporting and dialogue.

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### CHANGE PROCESS 2: Building cross-sector capacity and capability to integrate rights-based ways of working

Key drivers of change	What evidence could we develop to help assess if this driver is in place?
Cross-sector systems leadership	Potential for some case studies but monitoring data would be difficult to collect without significant burden on public authorities. (That would likely involved a survey.)
Duty bearers take proactive steps to ensure compliance	Actions set out in statutory child rights reports (under section 15 of the Bill) to ensure compatibility with UNCRC requirements.
Duty bearers provide capacity building and implementation support and demonstrate rights-based ways of working.	Data on use of the Skills & Knowledge Framework, including how many users, which modules, post-training evaluation etc. Also potential for some case studies, in collaboration with the Improvement Service.
Leaders and champions communicate and demonstrate a rights-based approach	Engagement with capacity building networks and community of practice platform. Focus Group discussions with leaders & champions.
System grows from positive and negative experiences and challenge	Potential for some case studies, in collaboration with the Improvement Service.

### CHANGE PROCESS 3: Influencing attitudes, norms, values and everyday actions

Key drivers of change	What evidence could we develop to help assess if this driver is in place?
National awareness-raising and information	Data in understanding of UNCRC and incorporation from regular survey of families e.g. IPSOS Mori parents' survey. Evaluation of the national awareness raising campaign. Monitoring of individual campaigns Through the UNCRC Communications Network.
Explore patterns of social norms on children's rights to inform interventions	Regular survey of general population. Focus Group Discussions with key stakeholder groups.
Leaders and champions communicate and demonstrate a rights-based approach	Regular survey of SG senior civil service to test attitudes and support for children's rights. Focus Group Discussions with leaders & champions to provide qualitative data.
Invest in community-based approaches for people to experience a rights-based	A light-touch evaluation of the impact of the innovation fund.



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approach	
Children and young people learn about their rights	Proportion of schools taking part in and achieving accreditation as a Rights Respecting School and data on understanding of rights from Young People in Scotland Survey or other quantitative survey of CYP.
System grows from positive and negative experiences and challenge	Tracking of SPSO complaint resolution or impact of strategic litigation.

### **CHANGE PROCESS 4: Ensuring a system of information, advocacy, complaints, redress and effective remedy for children and young people**

<b>Key drivers of change</b>	<b>What evidence could we develop to help assess if this driver is in place?</b>
Children and young people meaningfully participate in designing system to uphold rights	Record of CYP engagement in UNCRC Implementation Programme and how this engagement has helped to shape the programme.  Evaluation of the Interim Consortium- Rights Right Now!  Feedback from the CYP on other strategic approaches to participation, including inclusive communications.  Evidence of CYP engagement across SG and how this has shaped policy.
Duty bearers ensure a trusted, effective and child friendly system to uphold rights at all levels	Proportion of listed public authorities with a child-friendly complaints process.
Advocates and scrutiny bodies hold duty bearers to account	Number and proportion of children's advocates who are trained in children's rights. Examples of where children's rights issues have been raised. Number of complaints raised on behalf of a child. Number of cases taken to court on behalf of a child, where a breach of the UNCRC requirements is given.
System grows from positive and negative experiences and challenge/rights breaches result in system change.	Examples of where challenges have resulted in positive change.

ANNEX A - UNCRC INCORPORATION – MONITORING AND EVALUATION STRATEGY- initial mapping exercise to identify existing sources of data that could be used to assess the extent to which each of the articles in the UNCRC are embedded in Scotland

Article	Definition	Measure	Source	Age	Frequency
1. Definition of child	Everyone under the age of 18 has all the rights in the Convention.				
2. Non-discrimination	The Convention applies to every child without discrimination, whatever their ethnicity, sex, religion, language, abilities or any other status, whatever they think or say, whatever their family background.	Whether treated badly for any discriminatory reasons	H&W surveys (RCS)	S1-S4	3 tranches (2015-2020)
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.				
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.				
5. Parental guidance and a child’s evolving capacities	Governments must respect the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up, so that they fully enjoy their rights. This must be done in a way that recognises the child’s increasing capacity to make their own choices.	Percentage of adults in Scotland who say that 11-15 year olds should have ‘a great deal’ or ‘quite a lot’ of say over decisions that affect their life	SSAS	All adults	biennial
		Percentage of adults in Scotland who say that 16-18 year olds should have ‘a great deal’ or ‘quite a lot’ of say over decisions that affect their life	SSAS	All adults	biennial
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.	Children with one or more developmental concerns at 27–30 month review	ISD	27-30 months	Annual
		Percentage of pregnant women recorded as obese at antenatal booking	ISD		annual
		Percentage of pregnant women recorded as current smokers at antenatal booking	ISD		annual

		Rate of drug misuse per 1,000 maternities	ISD		Data available annually but reported less frequently
		Percentage of all singleton live births before 37 weeks' gestation	ISD		annual
		Percentage of all live singleton births with low weight	ISD		annual
		percentage of babies reported by parent as being breastfed at 6–8 week review;	ISD		annual
		Percentage of babies reported by parent as being exposed to second-hand smoke at the 6–8 week review;	ISD		By request
7. Birth registration, name, nationality and care	Every child has the right to be registered at birth, to have a name and nationality, and, as far as possible, to know and be cared for by their parents.	Percentage of children with completed 6-8 week Health Visitor review	ISD		Annual
		Percentage of children with completed 13-15 month Health Visitor review	ISD		Annual
		Percentage of children with completed 27-30 month Health Visitor review	ISD		Annual
		Percentage of children with completed 4-5 year Health Visitor review	ISD		Annual
8. Protection and preservation of identity	Every child has the right to an identity. Governments must respect and protect that right, and prevent the child's name, nationality or family relationships from being changed unlawfully				
9. Separation from parents	Children must not be separated from their parents against their will unless it is in their best interests (for example, if a parent is				

	hurting or neglecting a child). Children whose parents have separated have the right to stay in contact with both parents, unless this could cause them harm.				
10. Family reunification	Governments must respond quickly and sympathetically if a child or their parents apply to live together in the same country. If a child's parents live apart in different countries, the child has the right to visit and keep in contact with both of them.				
11. Abduction and non-return of children	Governments must do everything they can to stop children being taken out of their own country illegally by their parents or other relatives, or being prevented from returning home.				
12. Respect for the views of the child	Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.	Percentage of secondary school pupils who agree that adults in general, such as their family, teachers, youth workers, sport coaches and Scouts/Guides leaders, are good at taking their views into account in decisions that affect their life	H&WB census	P5-S6	Every four years
		Percentage who say they are included in making a decision for their class or school 'often' or 'always'	H&WB census	P5-S6	Every four years
		Percentage of secondary school pupils who say they have a lot or some say over what they learn	YPS	Secondary school	Survey is generally biennial. Inclusion of question TBC
		Percentage of secondary school pupils who agree that they feel able to let the adults running out of school activities or groups	YPS	Secondary school	Survey is generally biennial.

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		know their views on how those groups/activities are run			Inclusion of question TBC
		Percentage who have an adult in their life who they can trust and talk to about any personal problems	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to their neighbour(s) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to their teacher(s) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to their club or group leader(s) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage who find it easy to talk to other adults (youth workers, doctors, social workers) about things that really bother them	H&WB census	P5-S6	Every four years
		Percentage of 13 and 15 year olds who agree that people say hello and talk to each other in the street	HBSC	11, 13 and 15 year olds	Every four years
		Felt you were playing a useful part in things?	SHeS	13-15 year olds	Annual
		Felt capable of making decisions about things?	SHeS	13-15 year olds	Annual
13. Freedom of expression	Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law	Percentage who agree that they can influence decisions affecting my local area	SHS	16-24 (potentially 16-18 or 16-21)	Annual
14. Freedom of thought, belief, and religion	Every child has the right to think and believe what they choose and also to practise their religion, as long as they are				

	not stopping other people from enjoying their rights. Governments must respect the rights and responsibilities of parents to guide their child as they grow up.				
15. Freedom of association	Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights.	Percentage providing unpaid help to organisations or groups in the last 12 months	SHS	16-24 years old	Annual
		Percentage of people who provide unpaid help to organisations or groups who volunteer once a week or more	SHS	16-24 years old	Annual
		Percentage who did voluntary work	H&WB census	S1, S3, S5-6	Every four years
16. Right to privacy	Every child has the right to privacy. The law should protect the child's private, family and home life, including protecting children from unlawful attacks that harm their reputation				
17. Access to information from the media	Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand. Governments must help protect children from materials that could harm them.	SG commitment to 100% superfast broadband access across Scotland by 2021			
18. Parental responsibilities and state assistance	Both parents share responsibility for bringing up their child and should always consider what is best for the child. Governments must support parents by creating support services for children and giving parents the help they need to raise their children.	Children looked after at home; rate per 1,000 population aged under 18 years	EAS	Under 18	Annual
		Children referred to SCRA for reasons of care and protection; rate per 1,000 children aged 0–15 years	SCRA	0–15 years	Annual

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.	Emergency hospital admissions for unintentional injury; age–sex standardised rate per 100,000 population	ScotPHO (ISD)	Under 5	annual
		General acute inpatient and day case admissions due to assault; age-sex standardised rate per 100,000 population	ScotPHO (ISD)	15-25	annual
		While you were growing up, before the age of 18: How often did a parent or adult in your home ever swear at you, insult you, or put you down?	SHeS	Young adults	Annual
		While you were growing up, before the age of 18: How often did your parents or adults in your home ever slap, hit, kick, punch or beat each other up?	SHeS	Young adults	Annual
		While you were growing up, before the age of 18: How often did a parent or adult in your home ever hit, beat, kick or physically hurt you in any way?	SHeS	Young adults	Annual
20. Children unable to live with their family	If a child cannot be looked after by their immediate family, the government must give them special protection and assistance. This includes making sure the child is provided with alternative care that is continuous and respects the child’s culture, language and religion	Children on the Child Protection Register; rate per 1,000 children under 16 years	EAS	Under 16	Annual
		Children looked after by the local authority; rate per 1,000 population aged under 18 years	EAS	Under 18	Annual
		Children looked after outside the home; rate per 1,000 population aged under 18 years	EAS	Under 18	Annual
21. Adoption	Governments must oversee the process of adoption to make sure it is safe, lawful and that it prioritises children’s best interests. Children should only be adopted outside of their country if they cannot be placed with a family in their own country.				

22. Refugee children	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.	<a href="https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018-2022/">https://www.gov.scot/publications/new-scots-refugee-integration-strategy-2018-2022/</a>			
		Number of children granted asylum	ONS	Under 18	Annual
		Family reunion entry clearance grants, by age.	ONS	Under 18	Annual
23. Children with a disability	A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.	Young Disabled People’s Forum - established to provide an inclusive space for young people with a disability to come together regularly and engage with the issues that interest and affect them and feed into policy making.			
24. Health and health services	Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy. Richer countries must help poorer countries achieve this	Emergency hospital admissions for unintentional injury; age–sex standardised rate per 100,000 population	ScotPho (ISD)	Under 5	Annual
		Percentage of children who have a low score Warwick–Edinburgh Mental Wellbeing Scale (WEMWBS) score	H&WB census/ SALSUS	S2-S6/S2, S4	Every four years (historical data from SALSUS)
		Percentage with a slightly raised (previously “borderline”) or high or very high (previously, “abnormal”) SDQ score	H&WB census/ SALSUS	S2-S6/S2, S4	Every four years (historical data from SALSUS)
		Percentage with a slightly raised (previously “borderline”) or high or very high (previously, “abnormal”) SDQ score	SHeS	4-12	annual
		Mental health strategy <a href="https://www.gov.scot/publications/mental-health-strategy-2017-2027/">https://www.gov.scot/publications/mental-health-strategy-2017-2027/</a>			



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		Percentage of children living in absolute poverty (living in families with incomes less than 60% of inflation adjusted 2011-12 median income) after housing costs	FRS	All	Annual
		Percentage of children in combined material deprivation (based on a suite of questions in the Family Resources Survey) and low income after housing costs (below 70% of UK median income) after housing costs	FRS	All	Annual
		Percentage of households with children experiencing food insecurity	SHeS	All	Annual
		Percentage of households with children living in fuel poverty (required fuel costs >10% of income)	SHCS		Annual
		Percentage normally travelling to school in an active way (walking, cycling, and using a scooter, skateboard or inline/roller skates).	Hands up Scotland	P1-S6	annual
		Percentage who meet physical activities guidelines (including activities at school)	SHeS	2-15 year olds	annual
		Percentage who take part in vigorous physical activity at least 4 times a week	H&WB census /HBSC	P5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Average sedentary minutes per week	SHeS	2-15	annual
		Percentage who spend two or more hours a weekday on electronic devices	H&WB census	P5-S6	Every four years
		Percentage who had the recommended 5 portions of fruit and vegetables the previous day	SHeS	2-12 year olds; 13-15 year olds	annual

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				and 16-24 year olds	
		Percentage who ate sweets or chocolates once a day or more in the last week	SHeS	2-12 year olds; 13-15 year olds and 16-24 year olds	annual
		Percentage who consume non-diet soft drinks daily	SHeS	2-12 year olds; 13-15 year olds and 16-24 year olds	annual
		Percentage who consume fruit daily	H&WB census /HBSC	P5-S1, S3, S5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage who consume vegetables daily	H&WB census /HBSC	P5-S1, S3, S5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage who consume sugary soft drinks daily	H&WB census /HBSC	P5-S1, S3, S5-S6 (census)/ 11, 13 and 15 year olds (HBSC)	Likely every two years depending on how census and HBSC align
		Percentage who eat breakfast every weekday	H&WB census /HBSC	P5-S6 (census)/ 11, 13 and	Likely every two years depending

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				15 year olds (HBSC)	on how census and HBSC align
		Percentage of children at risk of overweight or obesity at Primary 1	ISD	P1	annual
		Percentage of young people at risk of overweight or obesity	SHeS	2-12 year olds; 13-15 year olds and 16-24 year olds	annual
		Percentage of children receiving a letter 'C' (no obvious decay experience) at basic inspection	ISD	P1, P7	annual
		Percentage of children who usually sleep at least eight hours a night	H&WB census	P5-S6	Every four years
		Percentage who are in good or very good general health	SHeS	0-15 year olds	annual
		Percentage with at least one long term health condition	SHeS	0-15 year olds	annual
		Percentage with at least one limiting long term health condition	SHeS	0-15 year olds	annual
25. Review of treatment in care	If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.				
26. Social Security	Every child has the right to benefit from social security. Governments must provide social security, including financial support	Percentage of children registered for free school meals	EAS	P4 and above	Annual

	and other benefits, to families in need of assistance.				
27. Adequate standard of living	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.	Percentage of children living in relative poverty (living in households whose equivalised income is below 60 per cent of inflation adjusted median income) after housing costs	FRS	All	Annual
		Percentage who agree that most of the time, they have enough money to do the same things as their friends	H&WB census	P5-S1; S3	Every four years
28. Right to education	Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights. Richer countries must help poorer countries achieve this.	Gap between children and from most and least deprived 20% of areas in percentage of people aged 16–19 years who are in education, employment or training	EAS	16-19	Annual
29. Goals of education	Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.	Percentage of primary pupils achieving expected CfE levels in reading	EAS	P1, P4, P7, S3	annual
		Percentage of primary pupils achieving expected CfE levels in writing	EAS	P1, P4, P7, S3	annual
		Percentage of primary pupils achieving expected CfE levels in listening and talking	EAS	P1, P4, P7, S3	annual
		Percentage of primary pupils achieving expected CfE levels in numeracy	EAS	P1, P4, P7, S3	annual
		Percentage of school leavers with one or more qualification at SCQF Level 4 or better	EAS	all school leavers	annual
		Percentage of school leavers with one or more qualification at SCQF Level 6 or better	EAS	all school leavers	annual
		Number and percentage of all school leavers in positive destinations at 9-month follow-up	EAS	all school leavers	annual

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		Participation measure - percentage of people aged 16–19 years who are in education, employment or training	EAS	16-19	annual
		Youth employment rate - percentage of people aged 16–24 years who are in employment	EAS	16-24 years old	annual
		Percentage who intend to continue full time education beyond S4	H&WB census	S1-S4	Every four years
		Percentage who expect to continue to a positive destination after leaving school	H&WB census	S1-S6	Every four years
30. Children from minority or indigenous groups	Every child has the right to learn and use the language, customs and religion of their family, whether or not these are shared by the majority of the people in the country where they live.				
31. Leisure, play and culture	Every child has the right to relax, play and take part in a wide range of cultural and artistic activities.	Percentage of households with children aged 6 to 12 with five minute access to a public greenspace	SHS	6-12 year olds	Annual
		Percentage who say there are 'lots' of places where they live where they can play outdoors	H&WB census	P5-S2	Every four years
		Percentage of 13 and 15 year olds who use local greenspace weekly during summertime	HBSC	13 and 15 year olds	Every four years
		Percentage of 13 and 15 year olds who used greenspace at least 2 hours a week in the summertime	HBSC	13 and 15 year olds	Every four years
		Percentage who had participated in sport outside of school in the week prior to interview	SHeS	5-15 year olds	annual
		Percentage of children engaged in active play	SHeS	2-15	annual

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		Percentage who participated in at least of the following in the last year: buddying/mentoring programme at school; charity event; drama/ acting / singing / dancing group; religious activity; attended a youth organisation (e.g. Boys or Girls Brigade, Scouts, Girl Guides, etc.); Duke of Edinburgh; Sports clubs	H&WB census	S1, S3, S5-6	Every four years
		Percentage of households with children aged 8 to 12 where children regularly take part in at least one leisure activity outside of school	SHS	8-12 years old	Annual
32. Child labour	Governments must protect children from economic exploitation and work that is dangerous or might harm their health, development or education. Governments must set a minimum age for children to work and ensure that work conditions are safe and appropriate.				
33. Drug abuse	Governments must protect children from the illegal use of drugs and from being involved in the production or distribution of drugs.	Percentage who have ever taken drugs	H&WB census	S2, S4	Every four years
		Percentage who usually take drugs once a month or more	H&WB census	S2, S4	Every four years
		Percentage who have taken drugs in the last month	SALSUS	S2, S4	Survey last run 2018. Will report while no H&WB Census data available, will be replaced by similar

					questions in H&WB census.
		Percentage of S2 and S4 pupils who have ever used drugs who experienced a negative effect as a result	SALSUS	S2, S4	Survey last run 2018. Will report while no H&WB Census data available, will be replaced by similar questions in H&WB census.
		General acute inpatient and day case stays in young people aged 15–24 years with a diagnosis of drug misuse; rate per 100,000 population	ISD	15-24 years old	Annual
34. Sexual exploitation	Governments must protect children from all forms of sexual abuse and exploitation.	Percentage of sexual crimes recorded where victim was under 18	Police statistics	Under 18	Annual
		While you were growing up, before the age of 18: How often did anyone at least 5 years older than you (including adults) ever touch you – or try to make you touch them – sexually?	SHeS	Young adults	Annual
		While you were growing up, before the age of 18: How often did anyone at least 5 years older than you (including adults) force you to have any type of sexual intercourse (oral, anal or vaginal)?	SHeS	Young adults	Annual

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.	The Human Trafficking and Exploitation (Scotland) Act (2015) Trafficking and Exploitation Strategy (Scottish Government 2017)			
36. Other forms of exploitation	Governments must protect children from all other forms of exploitation, for example the exploitation of children for political activities, by the media or for medical research.				
37. Inhumane treatments and detention	Children must not be tortured, sentenced to the death penalty or suffer other cruel or degrading treatment or punishment. Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible. They must be treated with respect and care, and be able to keep in contact with their family. Children must not be put in prison with adults.				
38. War and armed conflict	Governments must not allow children under the age of 15 to take part in war or join the armed forces. Governments must do everything they can to protect and care for children affected by war and armed conflicts.				
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.				
40. Juvenile justice	A child accused or guilty of breaking the law must be treated with dignity and respect. They have the right to legal assistance and	Children referred to the SCRA for offence reasons; crude rate per 1,000 children aged 8–15 years	SCRA	8 - 15 years old	Annual



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	a fair trial that takes account of their age. Governments must set a minimum age for children to be tried in a criminal court and manage a justice system that enables children who have been in conflict with the law to reintegrate into society.	Rate of under 18 year olds proceeded against in court per 1000 population	Criminal proceedings	Under 18	Annual
		Rate of under 21 year olds in custody per 1000 population	Scottish prison service	Under 21	Annual
41. Respect for higher national standards	If a country has laws and standards that go further than the present Convention, then the country must keep these laws.				
42. Knowledge of rights	Governments must actively work to make sure children and adults know about the Convention.				
45. Advice	Unicef can provide expert advice and assistance on children's rights.				

**ANNEX B: ASSESSING WHETHER WE HAVE EMBEDDED THE DRIVERS OF CHANGE FOR MAKING RIGHTS REAL**

**CHANGE PROCESS 1: Policy adaptation, coordination, administrative integration and budgetary consideration**

<b>Key drivers of change</b>	<b>What evidence could we develop to help assess if this driver is in place?</b>
Children and young people meaningfully participate in policy-making	Reports on progress with actions from the Scottish Government Executive Team and Cabinet Takeovers. Evidence of engagement with CYP on the UNCRC Implementation Programme. Vignettes/case studies from across Scottish Government. Direct engagement with CYP to explore whether they have found engagement to be meaningful.
Awareness of UNCRC raised amongst policy makers	Regular survey of SG senior civil service to test understanding of duties under the UNCRC Bill.
UNCRC incorporated to maximum extent	UNCRC Bill receives Royal Assent
Children's rights integrated across policy areas	Sampling of 3-yearly statutory reports from public authorities to identify good practice and areas of concerns/risks.
A properly resourced national action plan for children's human rights	Regular review of the extent to which the Scottish Government and its funded partners in the children's rights sector have actions to support each of the drivers of change in the Theory of Change and monitoring of progress with these actions.
Child Rights and Wellbeing Impact Assessments that are supported by senior leaders, properly resourced, timely and purposeful	Sampling of SG CRWIAs against a pre-agreed light touch assessment framework. Report on areas for improvement.
Making children's rights visible in budgets	The extent to which children's rights are visible through published budgetary documentation (for example, through the SG budget, future RSRs, and EFSBS). Sampling of CRWIA carried out on SG budget decisions to assess the extent to which published budget allocations are linked to children rights outcomes. The extent to which children are participating in the budget cycle, including assessment of budget transparency and accessibility for children.
Collecting and using data to assess whether all children and young people are having their rights met	Intelligence from: regular engagement with the children's rights sector; state party reporting; complaints escalated to SPSO; and data from calls
Scrutiny bodies hold government to account	Concluding observations from the UN Committee on the Rights of the Child, following state party reporting and dialogue.

**CHANGE PROCESS 2: Building cross-sector capacity and capability to integrate rights-based ways of working**

<b>Key drivers of change</b>	<b>What evidence could we develop to help assess if this driver is in place?</b>
Cross-sector systems leadership	Potential for some case studies but monitoring data would be difficult to collect without significant burden on public authorities. (That would likely involved a survey.)
Duty bearers take proactive steps to ensure compliance	Actions set out in statutory child rights reports (under section 15 of the Bill) to ensure compatibility with UNCRC requirements.
Duty bearers provide capacity building and implementation support and demonstrate rights-based ways of working.	Data on use of the Skills & Knowledge Framework, including how many users, which modules, post-training evaluation etc. Also potential for some case studies, in collaboration with the Improvement Service.
Leaders and champions communicate and demonstrate a rights-based approach	Engagement with capacity building networks and community of practice platform. Focus Group discussions with leaders & champions.
System grows from positive and negative experiences and challenge	Potential for some case studies, in collaboration with the Improvement Service.

**CHANGE PROCESS 3: Influencing attitudes, norms, values and everyday actions**

<b>Key drivers of change</b>	<b>What evidence could we develop to help assess if this driver is in place?</b>
National awareness-raising and information	Data in understanding of UNCRC and incorporation from regular survey of families e.g. IPSOS Mori parents' survey. Evaluation of the national awareness raising campaign. Monitoring of individual campaigns Through the UNCRC Communications Network.
Explore patterns of social norms on children's rights to inform interventions	Regular survey of general population. Focus Group Discussions with key stakeholder groups.
Leaders and champions communicate and demonstrate a rights-based approach	Regular survey of SG senior civil service to test attitudes and support for children's rights. Focus Group Discussions with leaders & champions to provide qualitative data.
Invest in community-based approaches for people to experience a rights-based	A light-touch evaluation of the impact of the innovation fund.

approach	
Children and young people learn about their rights	Proportion of schools taking part in and achieving accreditation as a Rights Respecting School and data on understanding of rights from Young People in Scotland Survey or other quantitative survey of CYP.
System grows from positive and negative experiences and challenge	Tracking of SPSO complaint resolution or impact of strategic litigation.

**CHANGE PROCESS 4: Ensuring a system of information, advocacy, complaints, redress and effective remedy for children and young people**

<b>Key drivers of change</b>	<b>What evidence could we develop to help assess if this driver is in place?</b>
Children and young people meaningfully participate in designing system to uphold rights	Record of CYP engagement in UNCRC Implementation Programme and how this engagement has helped to shape the programme.  Evaluation of the Interim Consortium- Rights Right Now!  Feedback from the CYP on other strategic approaches to participation, including inclusive communications.  Evidence of CYP engagement across SG and how this has shaped policy.
Duty bearers ensure a trusted, effective and child friendly system to uphold rights at all levels	Proportion of listed public authorities with a child-friendly complaints process.
Advocates and scrutiny bodies hold duty bearers to account	Number and proportion of children's advocates who are trained in children's rights. Examples of where children's rights issues have been raised. Number of complaints raised on behalf of a child. Number of cases taken to court on behalf of a child, where a breach of the UNCRC requirements is given.
System grows from positive and negative experiences and challenge/rights breaches result in system change.	Examples of where challenges have resulted in positive change.

# Child Rights and Wellbeing Impact Assessment (CRWIA) for insert title of relevant proposal

## Disclaimer

This **draft** document is an **initial assessment** of the impact of **insert name of relevant proposal** and Scottish Government will continue to review and update this document where required during the **parliamentary/strategic decision making process**. Any future iterations will reflect an increased understanding of these impacts as the amount of data and research available continues to grow.

This impact assessment should be read in conjunction with the Equality Impact Assessment and the Fairer Scotland Duty Assessment.

1. CRWIA Stage 1 – Screening  
(Please note, the CRWIA should be started as soon as possible in the development process for the relevant proposal)

1. Brief Summary (Guidance Section 2.1)

Name the relevant proposal, and describe its overall aims.

Start date of relevant proposal:

Start date of CRWIA process:

2. Which aspects of the relevant proposal currently affects or will affect children and young people up to the age of 18? (Guidance Section 2.1)

3. Which groups of children and young people are currently or will be affected by the relevant proposal? (Guidance Section 2.1)

**Declaration**

4. Is a Stage 2 Children’s Rights and Wellbeing Impact Assessment required?  
(Tick relevant requirement) (Guidance Section 2.1)

CRWIA required  No explanation required, please complete questions 5 and 6

CRWIA not required  Please explain why below and contact the children’s rights unit to discuss this decision [crwia@gov.scot](mailto:crwia@gov.scot)

**Explanation why CRWIA is not required:**

## 5. Sign & Date

Policy Lead Signature & Date of Sign Off:

CRWIA author, if different from policy lead, Signature & Date of Sign Off:

Deputy Director Signature & Date of Sign Off:

2. Date SGLD contacted

**Once signed off, please send to [CRWIA@gov.scot](mailto:CRWIA@gov.scot) and publish on gov.scot website.**

## 6. Preparation Phase if undertaking a CRWIA (Guidance Section 2.1)

If CRWIA is required, please engage in the preparation phase as early as possible. This phase consists of a research and consultation plan.

**Evidence:** Please list any research you are currently aware of that is relevant to this relevant proposal ?

**Stakeholder engagement:** Please describe your initial plans for stakeholder engagement, including which organisations you would like to engage directly with.

**Involvement of children and young people:** Please describe your initial plans for involving children and young people in the development of this relevant proposal, including any specific groups of children you would like to engage directly with.

3. CRWIA Stage 2 – Assessment of Impact and Compatibility

1. What evidence have you used to inform your assessment? What does it tell you about the impact on children's rights? (Guidance Section 2.2)

**Identify any gaps in the evidence base, and set out how you will address these.**

2. Evidence from stakeholders/Policy Colleagues (Guidance Section 2.2)
3. Evidence from children and young people (Guidance Section 2.2)

### **Analysis of the evidence**

Using evidence detailed above, please answer the following questions on how this relevant proposal will impact children.

4. How have the findings outlined in questions 1-3 influenced the development of the relevant proposal? (Guidance Section 2.2)



## 5. Assessing for compatibility against the UNCRC requirements (Guidance Section 2.2)

Complete the below matrix, placing a tick against each article which is relevant to your existing legislation or decision or relevant proposal. Further on in the form you will be able to explain these answers in more detail.

### UNCRC Articles

Please click on the triangle to expand and collapse the text for a full definition of each article.

**What impact does/will your relevant proposal have on children's rights** (Please tick positive, negative or neutral)

	Positive	Negative	Neutral
Article 1 Definition of the child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 2 Non-discrimination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 3 Best interests of the child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 4 Implementation of the Convention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 5 Parental guidance and a child's evolving capacities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 6 Life, survival and development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 7 Birth registration, name, nationality, care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 8 Protection and preservation of identity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 9 Separation from parents	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 10 Family reunification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 11 Abduction and non-return of children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 12 Respect for the views of the child	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 13 Freedom of expression	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 14 Freedom of thought, belief and religion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 15 Freedom of association	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 16 Right to privacy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 17 Access to information from the media	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 18 Parental responsibilities and state assistance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 19 Protection from violence, abuse and neglect	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 20 Children unable to live with their family	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 21 Adoption	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 22 Refugee children	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 23 Children with a disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 24 Health and health services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 25 Review of treatment in care	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 26 Social security	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 27 Adequate standard of living	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 28 Right to education	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 29 Goals of education	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 30 Children from minority or indigenous groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 31 Leisure, play and culture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 32 Child labour	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Article 33 Drug abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 34 Sexual exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 35 Abduction, sale and trafficking	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 36 Other forms of exploitation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 37 Inhumane treatment and detention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 38 War and armed conflicts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 39 Recovery from trauma and reintegration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 40 Juvenile justice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 41 Respect for higher national standards	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Article 42 Knowledge of rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**3.1** First optional protocol

Positive | Negative | Neutral

**3.2** Article 4

**3.3** Article 5

Nothing in the present Protocol shall be construed as precluding provisions in the law of a State Party or in international instruments and international humanitarian law that are more conducive to the realization of the rights of the child.

**3.4** Article 6

**3.5** Article 7

3.6 Second Optional Protocol

**3.7** Article 1

**3.8** Article 2

3.9 Article 3

**3.10** Article 4

**3.11** Article 6

**3.12** Article 7

**3.13** Article 8



**3.14** Article 9



**3.15** Article 10



**3.16** Article 11



## 6. Impact on children and young people (Guidance Section 2.2)

In relation to the UNCRC articles that you have ticked above, please explain how your relevant proposal will impact or currently impacts on individual or groups of children. Please give consideration to groups who may be considered at greatest risk of not having their right fulfilled.

## 7. Negative Impact/Incompatibility (Guidance Section 2.2)

If negative impact is identified in Question 5 above, can you elaborate on this and explain why impact is or will be negative?

Are there any potential concerns about compatibility with the UNCRC requirements? Please explain these here.

## 8. Options for modification or mitigation of negative impact or incompatibility (Guidance Section 2.2)

What options have been considered to modify the existing legislation or decision or relevant proposal in order to mitigate negative impact or potential incompatibility issues?

Please summarise mitigation actions taken in the below table:

### Mitigation table

Issue or risk Identified per article/ Optional Protocol	Action Taken/ To Be Taken	Date action to be taken or was taken

## 9. Positive impact: Giving better or further effect to children's rights in Scotland (Guidance Section 2.2)

If positive impact is identified in Question 5, please reflect on and explain how your relevant proposal currently protects, respects and fulfils children's rights in Scotland or will do so in future.

## 10. Impact on Wellbeing: does or will the relevant proposal contribute to the wellbeing of children and young people in Scotland? (Guidance Section 2.2)

Please tick all of the wellbeing indicators that are relevant to your proposal.

Wellbeing Indicator	Will there be an improvement in wellbeing in relation to this indicator: yes/no
<b>Safe</b> - Growing up in an environment where a child or young person feels secure, nurtured, listened to and enabled to develop to their full potential. This includes freedom from abuse or neglect.	
<b>Healthy</b> - Having the highest attainable standards of physical and mental health, access to suitable healthcare, and support in learning to make healthy and safe choices.	
<b>Achieving</b> - Being supported and guided in learning and in the development of skills, confidence and self-esteem, at home, in school and in the community.	
<b>Nurtured</b> - Growing, developing and being cared for in an environment which provides the physical and emotional security, compassion and warmth necessary for healthy growth and to develop resilience and a positive identity.	
<b>Active</b> - Having opportunities to take part in activities such as play, recreation and sport, which contribute to healthy growth and development, at home, in school and in the community.	
<b>Respected</b> - Being involved in and having their voices heard in decisions that affect their life, with support where appropriate.	
<b>Responsible</b> - Having opportunities and encouragement to play active and responsible roles at home, in school and in the community, and where necessary, having appropriate guidance and supervision.	
<b>Included</b> - Having help to overcome inequalities and being accepted as part of their family, school and community.	

## Post Assessment Review and sign-off

### 11. Communicating impact to children and young people (Guidance Section 2.2)

How will you communicate to children and young people the impact that the relevant proposal is having or will have on their rights?

Providing information to children and young people on how their rights are being or will be impacted helps to ensure that policy-development is transparent. Are you publishing a child-friendly or accessible CRWIA?

### 12. Planning for the review of impact on child rights (Stage 3) (Guidance Section 2.2)

As part of the decision making process, plans for reviewing the impact on child rights need to be developed.

- How is the impact of the relevant proposal on child rights being monitored or how will it be monitored in the future?
- When will you review your CRWIA and complete Stage 3?

### 13. Compatibility sign off statement (Guidance Section 2.2)

This relevant proposal has been assessed against the UNCRC requirements and has been found to be compatible.

Policy Lead Signature & Date of Sign Off:

Deputy Director Signature & Date of Sign Off:

SGLD Sign Off: Yes  No

**Once signed off, please send to [CRWIA@gov.scot](mailto:CRWIA@gov.scot) and publish on gov.scot website.**

# CRWIA Stage 3 - Child Rights Impact Evaluation (CRIE) for the [insert title of relevant proposal](#)

## Introduction

**A Child Rights Impact Evaluation (CRIE)** provides an opportunity to consider the intended or unintended effect legislative changes, budget decisions, strategic decisions and policies, have had on children rights. This is done *after* a period of implementation, decision has been made or an action has been taken, such as 1, 3 or 5 years.

## Background

### 1. Brief Summary

Name the relevant proposal, and describe its overall aims.

Implementation start date of relevant proposal:

Link to CRWIA:

Reason for review (Annual review, Bill amendments, Policy refresh etc):

## Assessment of Impact

### 2. What evidence have you used to inform your evaluation? What does it tell you about the impact on children's rights? (Guidance Section ?)

- Evidence from stakeholders/policy colleagues?
- Evidence from children and young people?

### 3. Reflecting on the evidence gathered/feedback received to what extent did the intended impacts on children's rights match the outcome? (Guidance Section ?)

### 4. Where a positive impact was evidenced, please reflect on and explain how this contributes to protecting, respecting and fulfilling children's rights in Scotland/

## Negative Impacts

### 5. Where a negative impact was evidenced, how did this affect different groups of children?

### 6. What aspects of the relevant proposal lead to negative impacts?

### 7. Going forward, how will you mitigate against any negative impacts?

## Sustainability

(The extent to which the net benefits of the relevant proposal continue or are likely to continue.)

### 8. How will you protect the positive impacts evidenced on children's rights? Are the positive impacts likely to be sustainable?



## Compatibility

9. After implementation, do you still consider the relevant proposal to be compatible with the UNCRC? Please tick

Yes  No

If No, please provide details below:

## Sign & Date

Policy Lead Signature & Date of Sign Off:  
Deputy Director Signature & Date of Sign Off:  
Date Children's Rights Unit contacted:  
Date SGLD contacted:  
Next review date:

**Once signed off, please send to [CRWIA@gov.scot](mailto:CRWIA@gov.scot)  
and publish on gov.scot website.**

## Document 12 – outgoing email to SIB with draft minutes & accompanying papers

**From:** [redacted - 38(1)], On Behalf Of UNCRC Incorporation

**Sent:** 04 April 2023 12:11

**Subject:** UNCRC Strategic Implementation Board - Draft minutes and accompanying papers - 28 March 2023

Dear UNCRC SIB members,

Please find attached the draft minutes of the meeting on Tuesday 28 March. We would be grateful if members could submit requests for amendments to the minutes by **Friday 14 April**, as these will be uploaded to the SIB webpage shortly thereafter.

Also attached are the accompanying papers from the meeting. These are as follows:

- Paper 2 – [redacted - 38(1)], presentation on support for commencement, including links to current resources (in line with item 4 on the agenda)
- Paper 3 – Presentation by [redacted - 38(1)], from Barnardo's on advocacy (in line with item 5 on the agenda)
- Paper 4 – [redacted - 38(1)], presentation on advocacy (in line with item 5 on the agenda)

If you have any questions, please don't hesitate to get in touch.

Best wishes,

**[redacted - 38(1)],**

**redacted - 38(1),** (she/her)

UNCRC Programme Assistant | Embedding Children's Rights in Public Services | Children's Rights Unit

Scottish Government | Area 2B South | Victoria Quay | Edinburgh | EH6 6QQ

**Support for  
commencement**



## UNCRC resources

- [UNCRC Introductory guidance](#) and [animation](#)
- [20-minute training](#) on Children's Rights
- [Advice and guidance on enabling children and young people's participation in decision-making](#)
- [Children's rights knowledge hub](#) (please note you need to sign up)
- [Elected members' resource](#)

## Statutory Guidance

- Statutory guidance will be issued for Part 2 (section 6: Compatibility Duty on Public Authorities) and Part 3 (section 15: Reporting Duties on Public Authorities) of the UNCRC Bill.
- Part 2 guidance will include an optional review framework that public authorities may wish to consider to assist as part of their efforts to comply with the UNCRC requirements

## Capacity Building

- Supporting the Improvement Service who provide additional advice and guidance for Local Authorities in fulfilling their duties and in taking a child's rights-based approach, e.g., through hosting of the UNCRC Implementation: Local Government Network
- Children's Rights Skills and Knowledge Framework, with accompanying Training Plan.

## National Improvement Programme

- Focused at a local level with learning shared nationally through the development of networks and communities of practice
- Public sector supported to experience the value of utilising a children's rights approach and how this contributes to local and national strategic priorities.
- Innovation Fund to support public bodies to embed children's rights.

## National Improvement Programme

- Focused at a local level with learning shared nationally through the development of networks and communities of practice
- Public sector supported to experience the value of utilising a children's rights approach and how this contributes to local and national strategic priorities.
- Innovation Fund to support public bodies to embed children's rights.



## Further considerations

- Updating current resources to be suitable for all Public Authorities
- Working with the National Leadership Group for Children and Families
- Potential practice guidance on taking a child rights based approach
- Potential Regulation and Improvement Forum



## Document 12c – Presentation from Barnardos – Advocacy



UNCRC Strategic Implementation Board

Advocacy for Children & Young People

[REDACTED]

Barnardo's National Children's Rights & Advocacy Manager  
&  
Chair of the National Providers Network for Advocacy  
Services within the Childrens' Hearing System

28<sup>th</sup> March 2023

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 **Barnardo's**  
— Scotland —



## Overview

- What do we mean by children and young people's advocacy
- Approaches to the provision of independent advocacy support
- Why it matters to the United Nations Convention on the Rights of the Child
- Key issues within the provision of advocacy for children and young people

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## What is advocacy?

Advocacy is speaking, acting, and/or writing to promote and defend the rights, needs, and **interests** of children and young people.

Advocates present things from the child/young person's perspective. They **do not** present their own opinions or give advice.

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— Scotland —



Advocacy is about supporting a child to express their own needs and views and to make informed decisions on matters which influence their lives. Advocates do not make choices for children. Instead, they support children and young people to make their own choices”

Scottish Government – Children’s Advocacy Guide

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— Scotland —



## Types/Models of advocacy

- Professional **Independent** Advocacy
- Professional Non-Independent Advocacy
- Non-Instructed Advocacy
- Informal
- Collective
- Self Advocacy

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## Practice

- Relationship based
- Trust
- Voluntary – consent based
- Flexible – responsive
- Inclusive
- Available for however long the child/young person needs it..

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### Legislative background

- Mental Health (Care & Treatment) (Scotland) Act 2003
- Children's Hearings (Scotland) Act 2011
- Education (Scotland) Act 2016
- Children (Scotland) Act 2020

### Regulation & Inspection

- Health & Social Care Standards
- Care Inspectorate

### The Promise & UNCRC Incorporation

BELIEVE IN CHILDREN





## Children's Hearing (Scotland) Act 2011

- Section 122

'the chairing member of the children's hearing must inform the child of the availability of children's advocacy services'

(taking into consideration the age/maturity of the child)

21<sup>st</sup> November 2020

'Children's advocacy Services means services of support and representation provided for the purpose of assisting a child in relation to the child's involvement in a children's hearing'.

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## National Practice Model

Advocacy is defined as:

A discrete child-centred service delivered by skilled practitioners involving a process of advocacy workers being alongside a child or young person to assist them to participate in decision making processes.

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## Advocacy Principles

- Advocacy puts the child/young person first
- Advocacy seeks to understand and explain what is going on
- Advocacy workers only work with the child or young person
- Advocacy is for all children and young people who wish to take up **the offer** of advocacy

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- Independent Advocacy: A Guide for Commissioners (Scottish Government)
- Independent Advocacy: Principles & Standards & Code of Practice (Scottish Independent Advocacy Alliance)

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## Current provision

- Mental Health – CAMHS, Tribunals
- Children's Hearing System
- Additional Support Needs (ASN) (12 -15yr olds)
- Child Protection Processes
- Care Experienced CYP up to the age of 26
- Range of local & national providers including Children's Rights Officers.

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— Scotland —



## The role of an advocacy worker

- Empower
- Prepare
- Support
- Represent
- Promote & Enable

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— Scotland —



## Why advocacy matters to the UNCRC

The provision and availability of advocacy is a fundamental aspect of promoting and enabling

The **General Principles** of the UNCRC – often a focus on Article 12 but much wider scope

The **General Measures of Implementation** of the UNCRC – Article 42, Child Right Impact Assessments & Parliamentary Scrutiny of Proposed Legislation.

- Access to justice for children and young people – Scottish Public Services Ombudsman (SPSO) Child Friendly Complaints
- CYP's Civil Rights and Freedoms
- Protection/safeguarding from harm
- Family Life
- Health & Welfare – Development
- Education, Leisure and Culture

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Scotland





## Key issues

- Awareness and understanding – CYP & agencies/professionals
- Consent for younger children to access advocacy/ under 5's availability
- 'Gatekeepers' – enabling CYP to access advocacy
- 'Best interests' of the child – potential 'conflict' with decision makers
- Trust – 'who is best placed to advocate' – sufficient time
- Confidentiality
- Additional support needs, non -instructed advocacy
- Promoting child/young person centred meetings
- Promoting the professional status of advocacy services/workers
- Ensuring the wider representation of rights over and above the advocacy role

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— Scotland —



# Questions

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— Scotland —

Advocacy: supporting Children  
and Young People to access  
their rights



Education (Additional Support for Learning) (Scotland) Act 2004 (as amended) Additional:

Scottish Ministers must provide a free advocacy service to conduct discussions with or make representations to the Additional Support Needs Tribunal or any other person involved in the proceedings on behalf of a child's parent, or a young person. (section 14A)

Standards in Scotland's Schools etc Act 2000

An education authority must have due regard to the views (if there is a wish to express them) of the child in decisions that significantly affect that child, taking account of the child's age and maturity. (section 2)

Vulnerable Witnesses (Scotland) Act 2004

In court proceedings, any person calling a child witness must take into account the views of the child. Similarly, when determining whether special measures are necessary, a court must take into account the views of the child in question.

## Change Process 3: Culture

- Children's rights are realised for all children and young people, including those whose rights are most at risk.
- All children and young people are treated by adults in a way that is more equal, understanding, respectful, and responsive.
- All children and young people experience respect for their rights across all areas of their daily lives.

## Change Process 4: Empowerment

- We have a culture of everyday accountability for children's rights across duty bearers in Scotland.
- When breaches of rights occur, they do not endure and are remedied.


## Progressing the human rights of children in Scotland Action Plan 2021 - 24

Working across Scottish Government and with stakeholders to review existing advocacy arrangements to support children and young people in accessing their rights, and to consider how we can strengthen the provision of advocacy to children and young people who need it.



# Our Approach

1. Initial internal mapping exercise
2. Establishing an internal network
3. Internal review document and engagement with Advocacy providers to encourage connection and learning
4. Publish a review into the provision of advocacy by the end of 2023

A person with blonde hair, wearing a blue jacket, is seen from the side, holding a large, unfolded map. The background is a blurred, natural outdoor setting. The text "Stage One: Initial Internal Mapping" is overlaid on the left side of the image.

Stage One:  
Initial Internal  
Mapping

---

Stage Two:  
Better  
connected

---





Stage Three:  
Strengthening

# Stage Four: Our Review



Questions  
Comments  
Thoughts

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**Document 14 – Proposals for amending UNCRC Bill at reconsideration stage – 24/05/22**

Dear UNCRC Strategic Implementation Board,

As you'll hopefully have heard, the Deputy First Minister (DFM) updated Parliament this afternoon on the proposed next steps for the UNCRC (Incorporation) (Scotland) Bill. DFM's statement is available to watch [here](#).

As part of our planning for Reconsideration Stage, DFM committed to 3 weeks of engagement with key stakeholders, including with children and young people, to ensure that those who have lobbied passionately for this Bill, understand the changes that are being made and why. The engagement will also help us understand any concerns that need to be aired during Reconsideration Stage.

To support this engagement, we've prepared the attached 6 page paper that:

- explains the Supreme Court judgment;
- provides an update on our engagement with UK Government to explore potential routes to increasing the effectiveness of incorporation of the UNCRC;
- sets out the proposed amendments to the Bill at Reconsideration Stage;
- summarises next steps;
- and invites responses to 4 questions to test views on the impact of the amendment on the policy objectives of the UNCRC Bill and identify any issues that stakeholder foresee as a result of these fixes.

A child-friendly version of this paper is also available.

We will take initial reaction to DFM's statement and the attached paper at SIB on Thursday but you have until 17th June to provide us with a response from your individual organisations.

To avoid a lengthy engagement period, our preference is to take comments in writing – submitted to the UNCRC Incorporation mailbox (copied in here). However, if you have any questions or think it would be beneficial for someone from the Children's Rights Unit to join a meeting with your organisation, please let me know and we'll try to accommodate that.

I look forward to seeing as many of you as possible on Thursday and I hope that this afternoon's statement reassured you about our continued commitment to the Bill.

**[redacted - 38(1)],**

Joint Head – Children's Rights Unit

Children's Rights, Protection and Justice Division

Children and Families Directorate| Scottish Government

Mobile: **[redacted – 38(1)],**

My working days are Monday to Thursday.

**Document 15 – outgoing email to SIB with papers – 08/06/22**

**From:** [redacted - 38(1)],  
**Sent:** 08 June 2022 13:47  
**To:** [redacted - 38(1)], **Cc:** [redacted - 38(1)],  
**Subject:** UNCRC SIB - minutes and papers - 26 May 2022

Dear UNCRC SIB members,

Thank you for attending the meeting on 26 May 2022.

Please find attached a copy of the minutes from the latest meeting (including the child friendly version).

We have also attached the most recent version of the group's Terms of Reference (ToR), it is our intention to seek clearance at next month's meeting.

In addition, we have included Together's child-friendly version of the stakeholder engagement paper that was issued to members after the DFM's statement to Parliament on 24 May 2022.

Please do let me know if you have any amendments to the minutes or the ToR.

Best wishes,  
[redacted - 38(1)],

[redacted - 38(1)],  
UNCRC Programme Assistant | Embedding Children's Rights in Public Services | Children's Rights Unit  
Scottish Government | Area 2B South | Victoria Quay | Edinburgh | EH6 6QQ



## UNCRC Strategic Implementation Board

### Minutes of Meeting – Thursday 26 May 2022, 15:00-16:30

#### Accessible Version

#### What is the Strategic Implementation Board?

The Strategic Implementation Board (or SIB, for short) is a group of people that meet every month to support the Government to make the United Nations Convention on the Rights of the Child part of Scots law and put in place support for organisations, children and young people and their families to help ensure that children's rights are respected. They discuss whether the work that's required is on track and help to resolve any problems that are encountered in trying to make this happen. There are people on the SIB from Police, Education, Health, Social Work, Children's rights organisations, and the Scottish Government.

#### What was discussed at this meeting?

- The Children's Rights team in the Scottish Government gave an update on the work they have delivered since the last SIB meeting.
- The SIB were told that the 2021 [Cabinet Takeover report](#) has now been published. The Cabinet Takeover is an opportunity for Scotland's children and young people to make speeches to Scottish Government Ministers and ask them to respond to requests for action made by Members of the Scottish Youth Parliament and Children's Parliament.
- The SIB were told that the Deputy First Minister, John Swinney, gave a statement to Parliament on Tuesday 24 May about how the Scottish Government proposes to respond to the Supreme Court judgement on the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill (the Bill). The Bill, when passed, would make it unlawful for public authorities (organisations that deliver services that are paid for by the government) to act in a way that does not protect the rights in United Nations Convention on the Rights of the Child.
- After the statement was given to parliament, the SIB were sent a document that explains how the Scottish Government needs to change

the Bill to allow it to become law. The document also asks 4 questions about the impact of the suggested changes to the Bill and any issues they could cause. The SIB have been asked to respond to the questions by Friday the 17th of June.

- The SIB were told about how the Scottish Government will be helping organisation understand how to train their staff to get ready for the new requirements in the Bill, through a project called the Skills and Knowledge Framework.
- The SIB spent some time discussing some new funding that will be made available to public authorities to help them try new ways of protecting children's rights. This funding will be available through something called the 'Innovation Fund'. The SIB fed back that it was very important that the fund supports the rights of children and young people who are most likely not to have their rights met.
- SIB members were told that Together launched the Rights Right Now! report on Thursday 26th of May. Rights Right Now! was a project that involved children and young people across Scotland and the report looks at what it got up to and what needs to happen next. The child friendly version can be found through this link: [Together State of Children's Rights Report - child friendly version](#)
- The Theory of Change report will be released in early June and will be shared with SIB members. This report explains all the things that need to happen to ensure we take a children's rights respecting approach in Scotland. Public Health Scotland are hoping to create an action plan from the information shared in the report.

**The next meeting is:  
Thursday 30<sup>th</sup> June, 3PM**

**Document 15b – Revised Terms of Reference – 6/05/22**

### **UNCRC Strategic Implementation Board: terms of reference**

Terms of reference for the United Nations Convention on the Rights of the Child (UNCRC) Strategic Implementation Board.

#### **1. Purpose**

1. It is proposed that a Strategic Implementation Board (the Board) is convened to provide strategic and collaborative leadership for the three-year programme to

implement the United Nations Convention on the Rights of the Child (UNCRC) and the provisions in the United Nations Convention on the Rights of the Child (Incorporation)(Scotland) Bill.

## **2. Aim and Vision**

2. The overall aim of the Board will be to provide strategic vision and oversight of a comprehensive and joined up implementation programme so that children's rights are respected, protected and fulfilled in Scotland. The Board will ensure that the implementation programme takes a rights-respecting approach, and that the wider governance structure established to oversee delivery of the programme supports proportionate, effective, balanced and transparent decision making.

3. The Board will support the Scottish Government in the transformational change required, to ensure children and young people experience their rights being upheld by the end of the three-year implementation period to the maximum amount possible in public services and beyond. The Board will work together collaboratively and will support links being made with other relevant activity across Government and beyond.

## **3. Membership**

4. The Board will include representation from leaders in the children's rights sector, public authorities, private providers of public services and the wider third sector. Across the range of members will be those who represent the views of duty bearers and the views of rights holders. The experiences, ideas and feedback of children and young people will inform the work of the Board, and the governance structures that will sit beneath the Board.

5. To support the meaningful and inclusive participation of rights holders, we are exploring with stakeholders and internal colleagues the intention of establishing a consortium of organisations that have already built strong, trusting relationships with

children and young people across Scotland. We propose that we ask children and young people through the consortium of organisations how they wish to engage with the Board, and to nominate representatives to the Board. It is intended that these children and young people would also be provided with dedicated support to prepare and participate in meetings of the Board.

6. Board members will retain their independence with regard to their positioning on the implementation of children's rights, and the fulfilment of their statutory functions. Participation in the board is without prejudice to the statutory independence of the Scottish Human Rights Commission and Children and Young People's Commissioner of Scotland, and compliance with the requirements of the Paris Principles.

#### **4. Principles**

7. The Board would be required to review and authorise the principles of the implementation approach. The following principles are proposed:

- the implementation programme, including its governance, will be delivered in a rights-respecting way based on the PANEL principles (participation, accountability, non-discrimination and equality, empowerment and legality).
- children and young people's participation, including those who are from seldom heard groups will be actively sought, and their views listened to, at each level of governance including through the Board, through their direct representation and via the proposed consortium of organisations. They will be involved in decisions that affect them, and we will use inclusive communications to ensure the meaningful and sustained participation of all children and young people.
- collective leadership will deliver better outcomes for children, young people and their families.

- the programme will be informed by the three-step improvement framework for Scotland's public services.
- the governance structure design will support proportionate, effective, balanced and transparent decision making at different levels required to deliver a comprehensive and joined up implementation programme. We will seek to use existing structures where possible.

## **5. Remit**

8. Whilst the Scottish Ministers will retain ultimate responsibility and will make key programme decisions on the delivery of the implementation programme, the Board will provide wider strategic oversight, vision, scrutiny and collaborative leadership for the programme. Members of the Board will collectively make recommendations to Scottish Ministers based on their distinct expertise. The Board will also review and provide advice on the governance principles, and seek assurance that:

- governance principles support proportionate, effective, balanced and transparent decision making.
- activities are undertaken in a controlled and coordinated manner, and documented plans exist for each area of work and that these plans are suitable to deliver the required outputs, objectives and outcomes.
- progress on the programme outcomes is being delivered in terms of public value, timeliness and resource, (or clear explanation is provided of the reasons why not).
- performance is reviewed against intended outcomes and benefits, identifying trends (both positive and negative) and required areas of improvement.
- approaches to measurement and reporting of progress and impact are meaningful, accessible and transparent.
- risks and issues are being effectively identified, assessed, managed and escalated in line with the Risk Management strategy for the programme.

- appropriate knowledge, experience and understanding of children’s rights is being utilised to inform the work of the programme.
- the experiences, ideas and feedback from children, young people and their families, including those from seldom heard children, young people and their families have been included in decision-making.
- interdependencies are being effectively managed between relevant areas of work both within and outwith the programme.
- internal and external communications and engagement activity are taking place in a timely and appropriate manner.

## **6. Timeline**

9. Whilst the reference to the Supreme Court means that the Bill cannot go for Royal Assent at this stage, we consider that the majority of work in relation to implementation can continue. The Scottish Government remains committed to the incorporation of the UNCRC and to commencement of the UNCRC Bill as soon as is possible. We consider that there remains significant interest in progress being made, and it is therefore agreed that the Board should meet monthly with the opportunity for the Board to review the frequency of meetings in the future. It is expected that the Board will be in place until March 2024, supporting commencement of the Bill and the wider 3 year implementation programme.

## **7. Chair and Secretariat**

10. The Board will be chaired by Michael Chalmers, Director of Children and Families. The Secretariat will be provided by the Children’s Rights Unit within Scottish Government. The Secretariat will:

- circulate an agenda and other relevant papers one week in advance of each meeting; and
- issue draft minutes and actions within one week of each meeting.

11. The Terms of Reference, membership of the group and minutes of meetings will be published on the Scottish Government's website to ensure transparency.



## Making children’s rights the law – the Scottish Government wants to know what children and young people think!

Over the past few years, children and young people have been working hard to make sure children’s rights are properly protected in Scotland. They have been doing all they can to make sure children’s human rights are the law - rather than just something that people have to think about. Children and young people have said that it’s important that all government organisations (like schools, hospitals and the police) work in ways that make sure children and young people have all of their human rights, all of the time.



### What are children’s human rights?

Children and young people have the same human rights as adults. These are the same rights that protect everyone. Children also have extra rights to make sure they grow up happy, healthy and safe. Children’s human rights are written down in the United Nations Convention on the Rights of the Child. The UNCRC (for short) is an important agreement between lots of countries who have made a promise to protect children’s rights.

### The UNCRC says:

- ✓ all children have the same rights as adults, as well as extra rights to help them grow up happy, healthy and safe.
- ✓ children have the right to be listened to and taken seriously.
- ✓ Public authorities (like schools, hospitals and the police) must do what is best for children.

You can learn more about your rights [here](#) and [here](#). These websites have pictures to help explain what your rights are.



### What does the Scottish Government want to do?

The Scottish Government wants to make children’s rights part of the law. In March 2021, after getting lots of advice from children and young people, the Scottish Parliament passed a Bill to help them do this. A bill is an idea for a new law. The name of this Bill is the *UNCRC (Incorporation) (Scotland) Bill* (‘the UNCRC Bill’) and it will make UNCRC part of Scottish laws as much as possible.

When the Bill becomes law, it will make it easier for children to complain if their rights are not looked after. It will make sure that the Scottish Government and public authorities (like schools, hospitals and the police) think about children’s rights in everything they do.

### The Bill is not the law yet.



## What's happened so far?

The Scottish Parliament can only make laws about certain things. Some laws can only be made by the UK Parliament. The Supreme Court can help decide who has the powers to make a law.

In April 2021, the UK Government asked the Supreme Court to look at the UNCRC Bill and decide if the Scottish Parliament had the powers to make laws about everything that was written in the Bill.

In October 2021, the Supreme Court judges gave their decision. They said there were problems with how some parts of the Bill were written. These parts looked at **who** needs to follow the new law and **what courts can do** to make sure laws protect children's rights.

The judges said the new rules might affect laws passed by the UK Parliament and what UK public authorities (like schools, hospitals and the police) could do.

The judges said that this wasn't allowed. They said the Bill would need to be changed so that it is only about things that the Scottish Parliament has power over.



## What else?

The Scottish Government has tried to see if the problems found by the Supreme Court could be sorted out by agreeing new powers for Scotland. The UK Government has said that this would not be possible. This meant the Scottish Government needed to think of a different plan.



The plan is to make some changes to the UNCRC Bill and then give it back to the Scottish Parliament to have a look. This is called a 'Reconsideration Stage'. This will mean the Parliament will vote on the small changes to the Bill.

The changes will remove any parts that are for the UK Government. If there are any laws made by the UK Parliament before the Scottish Parliament existed that don't properly protect children's rights, the Scottish

Government can replace these with new ones made by the Scottish Parliament. These changes mean the Bill won't be quite as strong as it used to be but the Scottish Government sees it as the only way of making sure the Bill becomes a law. The Scottish Government wants to do everything in their power to protect children's rights.

**The Scottish Government would love to hear what you think about all of this.**



*What do you think about the changes that are being suggested?*

*Do you have any worries or questions you'd like to ask?*

If you want to answer these questions, Scottish Government have said that you can share your views as films, art, poetry, writing or in any other way you'd like to. Please share your views and ideas with your support worker by 16<sup>th</sup> June at the latest so they can share them with Jacqui at Together - [jacqui@togetherscotland.org.uk](mailto:jacqui@togetherscotland.org.uk). Jacqui is collecting lots of views from children and young people and will share them with the Scottish Government on 17<sup>th</sup> June 2022.

### **What happens next?**

The Scottish Parliament will take another look at the UNCRC Bill as soon as possible, after we have asked different people for their views to the changes.

It is really important that we work through the problems found by the Supreme Court to make sure that children's rights can become part of the law as quickly as possible.

Thanks for taking the time to let us know what you think.

We will let you know what happens with the next stages of the Bill through Together and your support workers.



For further information, please contact Jacqui Dunbar, Participation Lead

**Together (Scottish Alliance for Children's Rights)**

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Together (Scottish Alliance for Children's Rights) is a charity registered in Scotland (SC029403) and a company limited by guarantee (SC199725)

**PAPER 5 FOR STRATEGIC IMPLEMENTATION BOARD: 27 January 2022**

**Timing of commencement of provisions within the UNCRC (Incorporation) (Scotland) Bill**

Section 40(2)(a) of the UNCRC Bill provides that the substantive provisions of the Bill will come into force at the end of a period of 6 months beginning with the day of Royal Assent. Royal Assent is likely to be just over 1 month after the Scottish Parliament passes the Reconsidered Bill<sup>10</sup>.

However, provision for earlier commencement of all or some of the provisions in the Bill can be made via the regulation-making power in section 40(2)(b). In considering advice to Ministers on earlier commencement, we are keen to explore the readiness of both the Scottish Government and the public sector.

We consider that the foundations on which this Bill is building (including the Children and Young People (Scotland) Act 2014), the long-standing awareness of what it seeks to achieve, and the preparatory work already underway means that early commencement of some of the provisions within the Bill may be feasible.

A summary of the provisions in the Bill is provided in Annex A.

To help us explore the commencement timetable, please consider the following questions which we will discuss at the SIB meeting.

1. From your (agency's) perspective how prepared are you for commencement of Part 2 of the Bill - the duty of public authorities not to act incompatibly with the UNCRC requirements?
2. Annex A sets out some thoughts on possible sequencing of commencement and which sections of the Bill (as it is currently) may be commenced before others. We are seeking your view on sequencing.

**ANNEX A: Summary of Provisions in the UNCRC Bill**

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<sup>10</sup> The average time period between Stage 3 proceedings being completed and Royal Assent being granted is five and a half weeks.

## Document 17 – Paper re: UNCRC Implementation alignment with Theory of Change – June 2022

### SCOTTISH GOVERNMENT UNCRC IMPLEMENTATION PROGRAMME AND ITS ALIGNMENT WITH THE THEORY OF CHANGE FOR MAKING CHILDREN’S RIGHTS REAL IN SCOTLAND

The Theory of Change for Making Children’s Rights Real in Scotland was developed by the Observatory of Children’s Human Rights, Public Health Scotland and Matter of Focus using grant funding from the Scottish Government. It was published in June 2022 and summarises the system change required to make children’s rights real in Scotland.

This document maps the current strands of work underway within the UNCRC Implementation programme against the change processes identified in the Theory of Change. This should help us to consider whether there are any change processes that require further attention in our future programme of work.

**Note:** This is not an exhaustive account of work underway across Scottish Government that might contribute to change processes in the Theory of Change but is focused only on the work that forms part of the UNCRC Incorporation Programme. In some instances, relevant work could be aligned to multiple key drivers of change, but for simplicity they have been noted in detail only once.

#### CHANGE PROCESS 1: Policy adaptation, coordination, administrative integration and budgetary consideration

Key drivers of change	Relevant work underway or planned as part of the our programme
Children and young people meaningfully participate in policy-making	<p><b><u>Consortium</u></b> We are establishing a CYP Consortium of organisations that represents the views of seldom heard CYP to ensure their meaningful participation in the implementation of the UNCRC and, in time, wider DCAF policy issues.</p> <p><b><u>Citizens’ Assembly</u></b> The 2021-22 Programme for Government includes a commitment to introduce “a brand new Citizens’ Assembly for under 16’s, so that the generation who will grow up with the consequences of the decisions we take now can be involved in making them.” We’re considering how the Children’s Rights Unit can support this commitment, alongside other work underway within the programme and by our partners to empower CYP.</p> <p><b><u>Executive Team and Cabinet Takeovers</u></b> CYP directly engage with the Scottish Government Cabinet and Executive Team in a rolling programme of activity to inform, challenge, and collaborate on policies.</p> <p><b><u>SYP Participation Project</u></b> In partnership with members of the Scottish Youth Parliament, we’ll work with three policy areas over a 12 month period to increase knowledge and awareness of CYP participation in decision making and to launch a resource in Spring 2023 to ensure decision makers are able to meaningfully participate with CYP to design systems that uphold their rights.</p> <p><b><u>Children’s Parliament grant</u></b> We contribute to core funding for the Children’s Parliament that supports them to empower children to be heard and to influence policy making and to share and amplify examples of where children’s voices have been listened to, respected and have influenced public sector policy and practice.</p> <p><b><u>Young Scot granting funding</u></b></p>

	<p>We contribute to core funding for the Children’s Parliament that supports them to create opportunities for young people to engage with policy holders and inform change in policy.</p> <p><b><u>Taking a Child’s Rights Based Approach</u></b> Participation of children, young people and their families is a foundational principle of the Programme, with each strand ensuring opportunities for meaningful participation and co-design are considered and available (for example, work to produce with children and young people animated guidance for duty bearers, as well as building in an element of participation within the development of the Skills and Knowledge Framework and administration of the Innovation Fund). Through the Programme, we are committed to demonstrating how policy can be delivered through a child’s rights based approach.</p>
Awareness of UNCRC raised amongst policy makers	<p><b><u>UNCRC Programme update</u></b> In June we published the first of our regular updates for public authorities on the incorporation and implementation of the UNCRC. The purpose of these updates will be to: keep public authorities informed of the progress of the UNCRC Bill; explain how public authorities will be supported to deliver the duties under the Bill by the Scottish Government UNCRC Implementation Programme; and share practical examples on how public authorities are implementing the UNCRC and/or preparing for the commencement of the duties in the Bill in their own organisations.</p> <p><b><u>Engagement with Scottish Government Directors Network</u></b> Ann Skelton from the UN Committee on the rights of the child will be addressing the SG Directors Network on 30 June to help raise the profile of the UNCRC Bill by emphasising the significance of what Scotland can achieve with this Bill domestically, in terms of outcomes for children, young people and wider society, and internationally by leading the way for children’s rights incorporation.</p> <p><b><u>Universal and targeted Awareness Raising</u></b> The Unit seek out opportunities to contribute to relevant published policy documents, speak at national events, conferences and actively identifies other groups and fora to raise awareness of the rights of children, the Bill and work to support implementation. Much of this work is aimed at external audiences, recognising their role in policy-making at a regional and local level. The Improvement Service are also working to raise awareness via their networks and programmes of work. This is in addition to coordination of the Embedding Reference Group and Guidance sub-group.</p>
UNCRC incorporated to maximum extent	<p><b><u>Parliamentary reconsideration of the UNCRC Bill</u></b> We have engaged key stakeholders on how we propose to amend the UNCRC Bill to address the Supreme Court judgment and return it to Parliament for reconsideration. We will also engage with UK Government to mitigate the risk of the bill being subject to another referral to the Supreme Court.</p>
Children’s rights integrated across policy areas	<p><b><u>Children’s Rights Scheme</u></b> We are developing a Children’s Rights Scheme, which will set out the arrangements that the Scottish Ministers have made, or propose to make, to ensure that they comply with their obligations under the Bill. This includes identifying and addressing any situation where a child’s rights are (or are at a significant risk of) not being fulfilled.</p> <p><b><u>Cross-policy integration</u></b> The Unit coordinates and stimulates the integration of children’s rights across diverse policy areas of government through structured cross-policy engagement. Support for CRWIA supports this ambition.</p>
A properly resourced national action plan for	<p><b><u>3 year action plan</u></b> The Scottish Government has a <a href="#">3 year national action plan for progressing children’s human rights</a>, with a £4 million budget per</p>

children's human rights	year. Strategic and collaborative oversight and leadership of the action plan is provided by the <a href="#">UNCRC Strategic Implementation Board</a> which includes representation from leaders in the children's rights sector and public authorities.
Child Rights and Wellbeing Impact Assessments that are supported by senior leaders, properly resourced, timely and purposeful	<p><b><u>CRWIA update and support</u></b></p> <p>We updated the CRWIA templates and guidance in November 2021, making these publically available for adaptation and adoption by a range of bodies across public and third sector. Support is available to partners who wish to embed CRWIA in their practice, and we raise awareness of it via a range of funds and grant arrangements. As Scottish Ministers have a commitment to undertake CRWIA, which will become a duty under the Bill, work is underway to ensure the templates and guidance are fit for purpose going forward by revising them to incorporate a compatibility function. This will ensure all SG policy/measures can be assessed for compatibility against UNCRC requirements. Arrangements for CRWIA will be documented within the Children's Rights Scheme. Operational support will continue to be delivered to SG policy officers undertaking CRWIA.</p>
Making children's rights visible in budgets	<p><b><u>Guidance on children's rights-based budgeting</u></b></p> <p>To help public authorities understand and embed the principles and processes of children's rights budgeting, we will include child's rights-based budgeting within Part 2 statutory guidance. In the Children's Rights Scheme<sup>11</sup> we will consider how to provide reassurance that Scottish Ministers are considering the rights of children in the budget process.</p>
Collecting and using data to assess whether all children and young people are having their rights met	<p><b><u>Children's Rights Scheme</u></b></p> <p>The Children's Rights Scheme will set out how we will identify and address any situation where a child's rights are (or are at a significant risk of) not being fulfilled. To support this, we will develop a mechanism whereby rights issues can be collated, highlighted to SG senior management and relevant policy areas, and progress in addressing these monitored and reported on.</p> <p><b><u>Child-friendly model complaint process and child's rights reports</u></b></p> <p>We are considering how best to use these mechanisms to identify where more could be done to ensure children and young people are having their rights met. Other sources which could assist in this learning are also being considered.</p>
Scrutiny bodies hold government to account	<p><b><u>The role of Together</u></b></p> <p>We grant fund 'Together: Alliance for Children's Rights' who: monitor whether the law in Scotland is compliant with the UNCRC and other international human rights standards; advocate for law and policy in Scotland to be fully compliant; and assess progress in embedding children's rights in public sector policy and practice through their State of Children's Rights Report and by contributing to UK State Party examinations by UN treaty bodies.</p> <p><b><u>State Party reporting by the UN Committee</u></b></p> <p>The UK government is examined periodically on their record in relation to the UNCRC and will be examined by the Committee in May 2023. The Scottish government contributes to that reporting process and will form part of the delegation.</p>

<sup>11</sup> This will set out the arrangements that the Scottish Ministers have made, or propose to make, to ensure that they comply with their obligations under section 6 of the Bill.

**CHANGE PROCESS 2: Building cross-sector capacity and capability to integrate rights-based ways of working**

Key drivers of change	Relevant work underway or planned as part of the our programme
Cross-sector systems leadership	<p><b><u>Improvement Service</u></b>            We have funded the Improvement Service to support the delivery of the National Improvement Plan. As part of this work the Improvement Service will host a number of groups to support leadership for children's rights. This includes the Working Together partnership of organisations who are working with Scottish Government to deliver implementation of the UNCRC Programme and peer leadership groups to support public authorities working on implementation within their respective organisations. To support the development of local governance structures the Improvement Service will also provide training and development for elected members.</p> <p><b><u>Embedding in Public Services Working Group</u></b>            Whilst the purpose of this working group is to support the Embedding Children's Rights in Public Services Team in developing and delivering it's strand of work within the Programme, the group also play a key role in identifying and promoting examples of cross-sector leadership, and opportunities in that regard. We continue to consider how to best support wider cultural change through cross-sector leadership.</p>
Duty bearers take proactive steps to ensure compliance	<p><b><u>Compatibility Review Framework</u></b>            We are developing a framework that may be used by public authorities as a mechanism for reviewing existing and proposed services, functions and measures for compatibility with the UNCRC Requirements, as per the Bill. The framework will be incorporated into the Part 2 statutory guidance to be published as soon as possible after Royal Assent.</p> <p><b><u>Statutory guidance for public authorities</u></b>            Statutory guidance on Part 2 and Part 3 of the UNCRC Bill is being developed in consultation with a Guidance Subgroup. The Guidance will provide clarification for duty-bearers on the new duties imposed, suggestions on how to take a child rights-based approach and will include good practice examples and case studies as well as further resources. As required by the Bill, consultation on the Guidance will be conducted as soon as practicable after Royal Assent.</p> <p><b><u>Public body reporting duties</u></b>            We will provide statutory guidance, support and training on children's rights reporting for listed authorities with statutory reporting duties under the Children and Young People (Scotland) Act 2014, and the Bill once commenced.</p>

<p>Duty bearers provide capacity building and implementation support and demonstrate rights-based ways of working.</p>	<p><b><u>Skills and Knowledge Framework</u></b>  We are commissioning a Skills and Knowledge Framework that will provide a single point of access to new and existing resources and training in relation to children’s rights. It will be flexible and adaptable so it can be used across a wide range of sectors, giving users an enhanced understanding on how they can fulfil their duties in relation to the rights of children. An accompanying Training Plan will support the workforce to assess the level of skills and knowledge they require for their role, and access content accordingly.</p> <p><b><u>Self-evaluation for embedding children’s rights</u></b>  Feedback from public authorities suggested a framework which helped them to assess their strengths and opportunities for improvement with regards embedding children’s rights/ taking a child’s rights based approach would be helpful, particularly in relation to forward planning for securing fuller and further effect of children’s rights. Through a grant, the Improvement Service have undertaken a review of self-evaluation frameworks and have recommended a number of options for how best to meet this request. We are considering how best to progress this work.</p> <p><b><u>Resources to support inclusive practice and communications</u></b>  In partnership with members of the Scottish Youth Parliament, we’ll work with three policy areas over a 12 month period to increase their knowledge and awareness of CYP participation in decision making and to launch a resource in Spring 2023 to ensure decision makers are able to meaningfully participate with CYP to design systems that uphold their rights.  As part of the development of the Statutory Guidance, we are producing a short guide to creating inclusive, child-friendly communication resources.  We will develop content on CYP participation best practice for the Participation Blog (managed by the Scottish Government’s Digital Engagement Team).</p>
<p>Leaders and champions communicate and demonstrate a rights-based approach</p>	<p><b><u>ET and Cabinet Takeovers</u></b>  CYP directly engage with both the Cabinet and Executive team in a rolling programme of activity. This direct engagement with the most senior SG officials and Cabinet Ministers will provide an exemplar of best practice, and offer an opportunity for SG leaders to model and demonstrate a rights based approach in decision making.</p> <p><b><u>Annual State of Children’s Rights Report</u></b>  We grant fund ‘Together: Alliance for Children’s Rights’ who produce an annual State of Children’s Rights Report which provides case-studies of rights-based practice that help to promote good practice.</p> <p><b><u>Engagement with Scottish Government Directors Network</u></b>  Ann Skelton from the UN Committee on the rights of the child will be addressing the SG Directors Network on 30 June to help raise the profile of the UNCRC Bill, set out how the UN Committee will monitor Scotland’s progress in respecting, protecting and fulfilling the rights of children and young people and how the Scottish Government will be expected to demonstrate leadership on this.</p>
<p>System grows from positive and negative experiences and challenge</p>	<p><b><u>State Party reporting by the UN Committee</u></b>  The UK government is examined periodically on their record in relation to the UNCRC and will be examined by the Committee in May 2023. The Scottish government contributes to that reporting process and will form part of the delegation. Following that examination the UN Committee will publish a list of recommendations (Concluding Observations).</p> <p><b><u>Grant funding for ‘Together: Alliance for Children’s Rights’</u></b>  This allows Together to: monitor whether the law in Scotland is compliant with the UNCRC and other international human rights standards; advocate for law and policy in Scotland to be fully</p>



	<p>compliant; and assess progress in embedding children’s rights in public sector policy and practice through their State of Children's Rights Report and by contributing to UK State Party examinations by UN treaty bodies. Together's State of Children's Rights Report also provides case-studies of rights-based practice that help to promote good practice.</p> <p><b><u>Judicial remedy powers in the UNCRC Bill</u></b></p> <p>Once the Bill is passed and commenced, case law will evolve as judicial remedies are sought and influence legislation and practice.</p>
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### CHANGE PROCESS 3: Influencing attitudes, norms, values and everyday actions

Key drivers of change	Relevant work underway or planned as part of the our programme
National awareness-raising and information	<p><b><u>UNCRC Awareness Raising Network</u></b> We will launch a National UNCRC raising awareness campaign in 2023.</p> <p><b><u>UNCRC Parents Booklet</u></b> We have established the UNCRC Parents Network to share what is working well around UNCRC awareness raising with parents organisations. In collaboration with the Children’s Rights Unit and Parentclub, the Network will produce a booklet for parents, carers and families on children’s rights and UNCRC.</p> <p><b><u>Children’s Parliament grant</u></b> We contribute to core funding for the Children’s Parliament that supports them to raise awareness of children’s human rights among children and wider society and to create a national conversation that will positively impact on adults’ knowledge, understanding, perception and attitudes towards children’s human rights.</p>
Explore patterns of social norms on children’s rights to inform interventions	<p><b><u>Survey and focus group research</u></b> Parents understanding of the UNCRC was tested as part of a recent IPSOS survey and results are reported in <a href="https://www.gov.scot/resources/information/scottish-parents-survey-2021-childrens-rights-results">Scottish Parents' Survey 2021 - children's rights: results - gov.scot (www.gov.scot)</a>. This has informed deeper qualitative analysis with parents and carers and the development of further survey questions to help us understand the views and experiences of children and young people in relation to their rights. Children and young people’s survey currently being developed. This survey is targeted at secondary school aged young people.</p>
Leaders and champions communicate and demonstrate a rights-based approach	See entry under Change Process 2.
Invest in community-based approaches for people to experience a rights-based approach	<p><b><u>Innovation and Improvement Fund</u></b> We are commissioning an Innovation and Improvement Fund to stimulate change activity at local and national level around child rights based practice. The fund will make available between 10 and 20 grants for public authorities and/or voluntary sectors partners working in partnership to deliver children’s rights work to help them to demonstrate good practice and work creativity to develop child rights based approaches to systems and service delivery.</p>
Children and young people learn about their rights	<p><b><u>Rights Respecting Schools</u></b> We have provided national funding for UNICEF UK to offer their Rights Respecting Schools Award programme to all state primary and secondary schools in Scotland. The grant will allow schools to register for the Award and access all training, accreditations and support for free until March 2025, removing barriers and giving any school interested in becoming Rights Respecting the opportunity to do so.</p> <p><b><u>Children’s Parliament grant</u></b> We contribute to core funding for the Children’s Parliament that supports them to raise awareness of children’s human rights among children and wider society, including through their Dignity in Schools resource.</p> <p><b><u>Young Scot granting funding</u></b> We contribute to core funding for the Children’s Parliament that supports them to disseminate information about children’s rights to children and young people.</p>
System grows from positive and negative	See entry under Change Process 2.

experiences and challenge	
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**CHANGE PROCESS 4: Ensuring a system of information, advocacy, complaints, redress and effective remedy for children and young people**

<b>Key drivers of change</b>	<b>Relevant work underway or planned as part of the our programme</b>
Children and young people meaningfully participate in designing system to uphold rights	<p><b><u>Consortium</u></b> We are establishing a CYP Consortium of organisations that represents the views of seldom heard CYP to ensure their meaningful participation in the implementation of the UNCRC and, in time, wider DCAF policy issues.</p> <p>(Other entries in under 'Children and young people meaningfully participate in policy-making' in Change Process 1 are also relevant.)</p>
Duty bearers ensure a trusted, effective and child friendly system to uphold rights at all levels	<p><b><u>Development of child-friendly complaints system</u></b> We are supporting Scottish Public Service Ombudsman (SPSO) in their statutory role to develop a model child friendly complaints handling procedure, including support and training materials. We are considering what appropriate action we may be able to take in relation to those organisations out with SPSO's jurisdiction.</p> <p><b><u>Advocacy</u></b> We are undertaking an exercise to map current SG policy and future commitments in relation to advocacy and are exploring avenues to undertake an external mapping of advocacy provision.</p> <p><b><u>Court rules</u></b> We have engaged with SCTS, the LPPO and SCJC on draft papers covering changes to civil and criminal court rules which may be required as a result of the UNCRC Bill. These changes include ensuring that where a court or tribunal is considering a potential breach of a child's rights, the child or young person to whom the proceedings relate will be empowered to express views about the effectiveness of the potential relief, remedy or order. We will re-engage following the decisions on the content of the Bill at reconsideration stage.</p>
Advocates and scrutiny bodies hold duty bearers to account	<p><b><u>Funding for Clan Childlaw</u></b> We have increased support to Clan Childlaw to enhance their capacity; to provide advocacy support for children and young people, develop training and materials, work with SG to help identify areas where children's rights are not being met and, develop child-centred legal professional training. (Also see entry under 'Scrutiny bodies hold government to account' in Change Process 1.)</p>
System grows from positive and negative experiences and challenge/rights breaches result in system change.	<p><b><u>Children's Rights Scheme</u></b> The Scottish Government will prepare a Children's Rights Scheme which sets out arrangements the Scottish Ministers have made, or propose to make in order to comply with the UNCRC requirements and secure better and further effect to children's rights. The scheme is to be reviewed on an annual basis with a report on the operation of the Scheme being published following each review to support the progressive realisation of children's rights. (Also see entry under 'System grows from positive and negative experiences and challenge' in Change Process 2.)</p>

**Document 18 – Outgoing email to SIB with papers – 03/11/2022**

**From:** [redacted - 38(1)] On Behalf Of UNCRC Incorporation  
**Sent:** 03 November 2022 12:30  
**Subject:** UNCRC STRATEGIC IMPLEMENTATION BOARD - MINUTES AND SUPPORTING DOCUMENTS - 25 OCTOBER 2022

Dear SIB members,

Thank you for attending the meeting on Tuesday 25 October 2022. Please find attached the papers following the meeting. They are as follows:

- Paper 1 – minutes
- Paper 2 – minutes (accessible version)
- Paper 3 – presentation by UNICEF
- Paper 4 – presentation by SPSO

If you have any further questions, please don't hesitate to get in touch.

Best wishes,  
**[redacted - 38(1)]**

**[redacted - 38(1)]** UNCRC Programme Assistant | Embedding Children's Rights in Public Services | Children's Rights Unit  
Scottish Government | Area 2B South | Victoria Quay | Edinburgh | EH6 6QQ

**UNICEF UK**  
**Implementing the**  
**UNCRC in Scotland**



## UNICEF

- UN mandate to uphold the UNCRC – supporting Governments and working with partners.
- Delivered programmes in Scotland for 15 years and opened an office in 2015
- SG partnership to deliver RRSA to every LA school in Scotland; working with Aberdeen through Child Friendly City programme



© UNICEF/Flower



**RRSA**

RIGHTS  
RESPECTING  
SCHOOLS  
-----  
unicef  
UNITED KINGDOM

## WHAT IS RRSA

- UNICEF UK works with schools in the UK to create safe and inspiring places to learn, where children are respected, their talents are nurtured, and they are able to thrive.
- The Rights Respecting Schools Award embeds these values into daily school life and gives children the best chance to lead happy, healthy lives, and to be responsible, active citizens.
- The Award is based on principles of **equality, dignity, respect, non-discrimination** and **participation**. It takes a whole-school approach to child rights education.





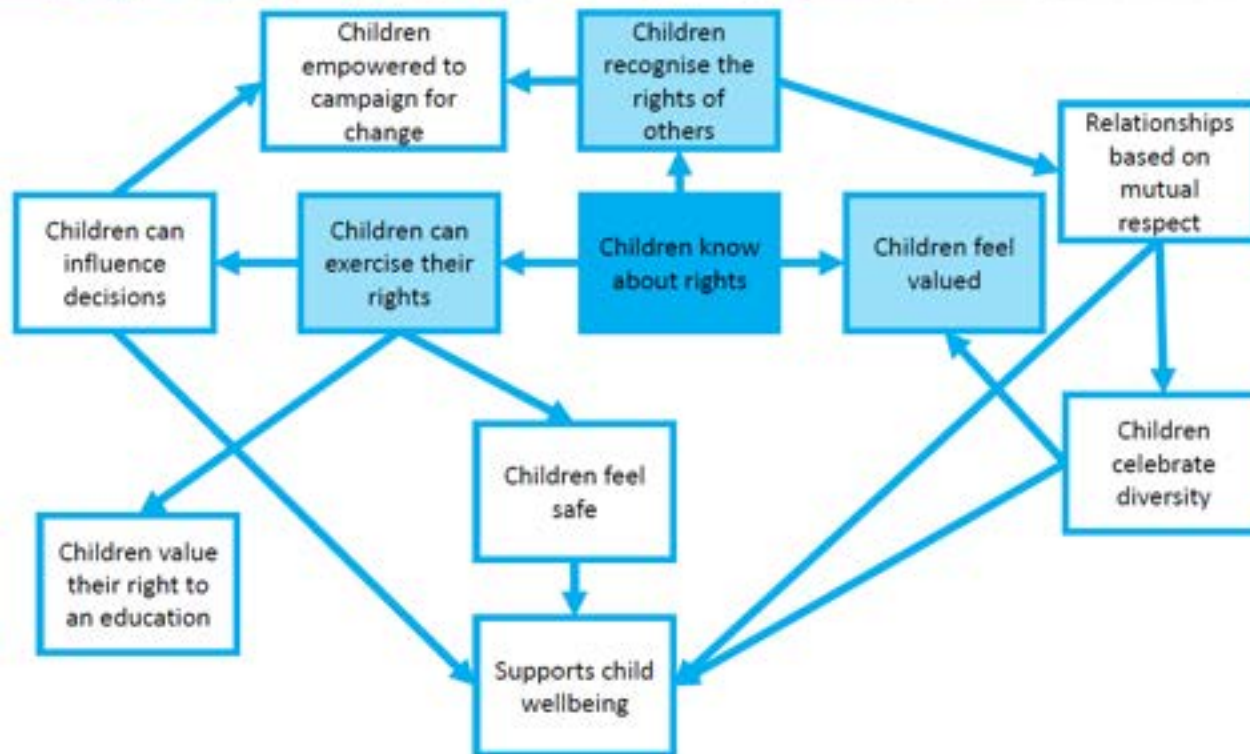
# CHILD RIGHTS EDUCATION

**Strand A**  
Teaching  
and learning  
about rights

**Strand B**  
Teaching  
and learning  
through rights

**Strand C**  
Teaching  
and learning  
for rights

# SUMMARY OF FINDINGS



The diagram here shows the connections between impacts highlighted in our qualitative data.

Knowledge about children's rights is central to achieving these impacts, since they not only set standards that children can expect, but also empower children to challenge when these standards are not met.

# IMPACT - SCHOOLS

Children learn about rights

Children can exercise their rights

A culture of respect across the school

Pupil engagement – a shared sense of community and belonging

A culture where children's voices are heard and valued

Children take their right to an education seriously

Global citizenship – children believe they can change the world for the better

Children develop self-esteem and value themselves

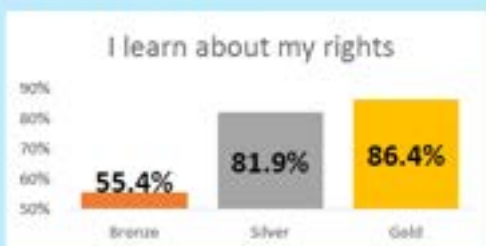
A school environment where children feel safe and cared for

Adults also benefit from a rights respecting culture

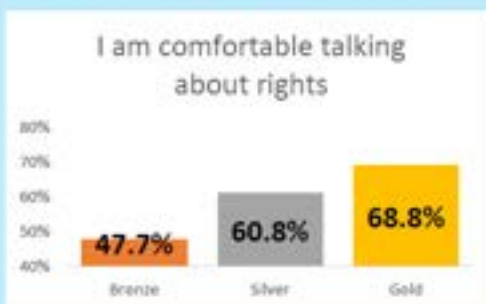


# CHILDREN LEARN ABOUT THEIR RIGHTS

## Pupils tell us...



## Adults strongly agreed that...



*"It would be hard not to know about rights because we put them everywhere we can. It's important to have them on the class doors because you know the teacher understands that rights are important."* (Pupil, Gold RRS)

*"The school have a rights focus every Friday. My son can talk about it at home; he really understands things and what it really means. We have discussions about things we see on the news."* (Parent, Gold RRS)

Within schools progressing from Bronze to Silver in 2019, pupil surveys showed a statistically significant increase in those who agreed that I **learn about my rights at school, with an average 37% increase.**

*"The rights of the child are at the heart of the school's vision. This is an excellent feature. Pupils have an exceptional understanding of their rights under the United Nations Convention, and this promotes their awareness of fairness, equality and tolerance effectively."* [Inspectorate report, Gold RRS]

# SCOTTISH GOVERNMENT FUNDING - OBJECTIVES

- To meet the primary objective of a universal offer of Rights Respecting School Award (RRSA) Programme to all primary schools and secondary schools in the 32 local authorities beginning in 2022/23 by increasing engagement of those schools not currently registered within all local authorities.
- To raise awareness amongst children and young people (CYP) of UNCRC and increase understanding of children's rights to help to create safe and inspiring places to learn, where children are respected, their talents are nurtured and they are able to thrive.
- To bring about whole school change by providing a framework to embed the UNCRC strategically and practically into schools, ensuring awareness of children and young people's rights for every child.

# SCOTTISH GOVERNMENT FUNDING - PLAN

	<b>Local Authorities (currently under SLA)</b>	<b>Local Authorities (not currently under SLA)</b>	<b>Ad hoc registrations</b>
<b>Year 1,</b> April 2022 – March 2023	Increase engagement where not all schools are registered. Maximise value of existing relationships to drive up registrations.	Start engagement with Strategic Leads (including mapping exercises).	Expect initial increase of registrations beyond Local Authority partnership.
<b>Year 2,</b> April 2023 – March 2024	Focus on advancement to Silver and skilling up Local Authority Strategic Leads.	Target Local Authorities where uptake is lower,	Based on progress through Local Authorities, promote RRSA more widely if required.
<b>Year 3,</b> April 2024 – March 2025	Increase the number of Strategic Leads delivering assessments, targeting non-registered schools, continued focus on advancement to Silver and legacy planning.		

# ACHIEVEMENTS TO DATE

## SCHOOLS

- 307 new registrations since 24 May
- 1608 primary and secondary schools registered (achieving March 2023 KPI), 67% of all primary and secondary schools

In 2022 so far

- 165 schools have achieved Bronze
- 98 schools have achieved Silver, 410 schools in total
- 51 schools have achieved Gold