

# **Progressing the Human Rights of Children in Scotland: A Report 2018-2021**

**Report to the Scottish Parliament under  
Part 1 of the Children and Young People  
(Scotland) Act 2014**

**November 2021**



Scottish Government  
Riaghaltas na h-Alba  
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## Ministerial Foreword

As Minister for Children and Young People, I feel a great sense of honour in laying this second report, 'Progressing the Human Rights of Children in Scotland 2018-2021', and the action plan for 2021-2024, before the Scottish Parliament, and before the children and young people of Scotland. As well as setting out our four priority strategic actions for the next three years under the action plan, this report also provides an update on how the Scottish Government has worked over the past three years to help to take forward children's rights.



The last 18 months have been incredibly challenging for Scotland's children, young people and their families, with the global coronavirus pandemic and the impact of the measures necessary to protect public health and our NHS. The pandemic has had a profound effect on the lives of children and young people in Scotland and I am immensely proud and impressed with the way in which they have responded to these unprecedented circumstances.

I was also very proud when the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill was backed unanimously by the Scottish Parliament in March 2021 and disappointed when the UK Supreme Court ruled that certain parts of the Bill were outwith the competence of the Scottish Parliament. I can confirm, however, that the Scottish Government remains committed to incorporating the UNCRC into domestic law to the maximum extent possible as soon as practicable and that we are considering with urgency the best way to do that. In the meantime, the majority of work in relation to implementation of the UNCRC can and is continuing.

This report sets out major children's rights based policies and legislation progressed over the last three years. However; there is more to do to ensure that every child and young person in Scotland can experience all of their rights to the fullest and our action plan sets out our priorities for that work over the period 2021-2024.

I want to express my heartfelt thanks to the many children, young people and stakeholders, who have worked tirelessly towards making children's rights real in Scotland, and who continue to be part of this exciting journey. I am incredibly proud to have this opportunity to work for the children and young people of Scotland to ensure that all children's rights are respected, protected and fulfilled.

Clare Haughey MSP  
Minister for Children and Young People

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## Introduction

This Progressing the Human Rights of Children in Scotland: A Report 2018-2021 (the '2021 Report') has been compiled in accordance with the reporting duties on Scottish Ministers under section 1(4) of the Children and Young People (Scotland) Act 2014. This is the second report to be laid before the Scottish Parliament in compliance with these duties; the first was laid in December 2018. This report discusses actions taken to support and promote the rights of the child in line with Part 1 of the Children and Young People (Scotland) Act 2014 Act from 2018 until 2021 (the Reporting Period).

### i. Children's Rights in Scotland

The United Nations Convention on the Rights of the Child (UNCRC) sets out the civil, political, economic, social and cultural rights to which all children are entitled, regardless of their circumstances. The UK ratified the UNCRC in 1991.

Arrangements for taking forward children's rights within the UK (the signatory state party) reflect the separate constitutional responsibilities of constituent administrations. The Scottish Ministers, therefore, have responsibilities for the progression of children's rights with reference to devolved public services and legislation, including in relation to education, health, childcare and housing.

Children's rights, within the broader context of human rights, are at the heart of Scotland's [National Performance Framework](#), which tracks progress towards delivery of Scotland's National Outcomes. The National Performance Framework is not solely a government framework, but belongs to the whole of Scotland. In support of the review of the National Performance Framework in 2018, the Scottish Government commissioned the Children's Parliament to ask children: 'What do children like and dislike about their current lives in Scotland? Looking forward, what sort of Scotland should children grow up in?' resulting in the report [What Kind of Scotland?](#) This work, which included primary research with children, supported the Scottish Government's efforts to ensure that the National Performance Framework National Outcomes reflected the needs and rights of children from their early years to middle childhood. The refreshed National Performance Framework, published in June 2018, includes the following National 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 UNCRC also underpins key Scottish Government policies and legislation including the Getting it right for every child (GIRFEC) approach and the assessment of wellbeing, as set out in the Children and Young People (Scotland) Act 2014, which establishes the need for each child to be: safe, healthy, achieving, nurtured, active, respected, responsible, and included. The principles of the UNCRC are also reflected in domestic law and in Scottish Government policies and strategies including its approach to child and adolescent mental health, education, youth justice and measures to tackle child poverty.

## **ii. United Nations Convention on the Rights of the Child (Incorporation)(Scotland) Bill**

In March 2021, the Scottish Parliament unanimously passed the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill (the “Bill”) to incorporate the UN Convention on the Rights of the Child and Optional Protocols 1 and 2<sup>1</sup> into Scots law to the maximum extent possible, signalling a revolution in children’s rights in Scotland. On 12 April 2021, a reference of certain provisions of the Bill was made by UK Law Officers to the UK Supreme Court. A hearing before the UK Supreme Court took place on 28 and 29 June 2021.

In October 2021, the Supreme Court ruled that certain parts of the Bill fell outwith the competence of the Scottish Parliament. At the time of writing, the Scottish Government is urgently and carefully considering the implications of the Supreme Court judgment and how best to take that work forward. We remain committed to the incorporation of the UNCRC to the maximum extent possible as soon as practicable<sup>2</sup>, and the majority of work in relation to implementation of the UNCRC can, and is, continuing. More details on this can be found in Section 1.1.

## **iii. Part 1 of the Children and Young People (Scotland) Act 2014**

Part 1 of the Children and Young People (Scotland) Act 2014, which was commenced in June 2015, requires the Scottish Ministers to keep under consideration whether there are any steps which they could take which would, or might, secure better or further effect in Scotland of the UNCRC requirements (as defined in that Act) and, if appropriate, to take steps identified by that consideration. The Children and Young People (Scotland) Act 2014 further specifies that, in complying with these duties, Ministers must “take such account as they consider appropriate of any relevant views of children of which the Scottish Ministers are aware”. Ministers are also required to promote public awareness and understanding of children’s rights, including amongst children. Scottish Ministers’ duties under section 1 of the Children and Young People (Scotland) Act 2014 apply in devolved areas only.

Section 1(4) of the Children and Young People (Scotland) Act 2014 requires Ministers to report to the Scottish Parliament every three years on the steps they have taken in that period to secure better or further effect in Scotland of the UNCRC requirements and to promote public awareness and understanding of the rights of the child. Ministers must also set out their plans until the end of the next three year period.

In accordance with these duties, the [Progressing the Human Rights of Children in Scotland: A Report 2015-2018](#) (the “2018 Report”) was laid before Parliament in December 2018. The Report set out progress made in relation to children’s rights from June 2015 until June 2018. The [Progressing the Human Rights of Children in Scotland: An Action Plan 2018-2021](#) (the “2018 Action Plan”), published alongside

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<sup>1</sup> “the first optional protocol” means the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, “the second optional protocol” means the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,

<sup>2</sup> [Pledge on children’s rights - gov.scot \(www.gov.scot\)](https://www.gov.scot/Topics/childrenandyoungpeople/pledge)

the 2018 Report, set out the Scottish Ministers' planned activity to further children's rights during the three year period from June 2018 until June 2021. The 2018 Action Plan was developed following public consultation and engagement with children and young people and included the following four strategic actions which aimed to support transformational change in how children and young people experienced their rights:

- Incorporate the UNCRC into Scots law.<sup>3</sup>
- Develop and deliver through co-production an ambitious programme to raise awareness and understanding of children's rights across all sectors of society in Scotland.
- Develop a strategic approach to children and young people's participation, as part of the Year of Young People legacy.
- Evaluate the Child Rights and Wellbeing Impact Assessment (CRWIA) process and further support and promote its use.

#### **iv. Progressing the Human Rights of Children in Scotland: A Report 2018-2021**

This second report, prepared in accordance with Part 1 of the Children and Young People (Scotland) Act 2014, provides an update on the wide-ranging activities that have been taken forward across the Scottish Government in support of the rights of children and to raise awareness and understanding of the UNCRC since 2018, and is set out as follows:

- **The Progressing the Human Rights of Children in Scotland: An Action Plan 2018-2021**- Measures taken to progress the Action Plan's strategic priorities over the last 3 years (2018-2021).
- **COVID-19** – Measures taken to ensure that the human rights of children and young people, particularly those who are most vulnerable, remain at the heart of the Government's response to the COVID-19 crisis and recovery.
- **Key Policy Initiatives** – Measures undertaken during the reporting period to give further effect to the UNCRC.
- **Annex** - Responsibility for taking forward children's rights is mainstreamed across all portfolios within the Scottish Government. The principles of the UNCRC are, therefore, taken into account in the development of Scottish Government legislation, policies, strategic frameworks, action plans and other key initiatives relating to the health and wellbeing of children and their families. To more fully reflect this widespread activity, the Annex to this report includes a list of policy specific initiatives that are currently being progressed across the Scottish Government relevant to the rights of the child.

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<sup>3</sup> The [Progressing the Human Rights of Children in Scotland: An Action Plan 2018-2021](#), published in December 2018, contained the following action: "We will incorporate the principles of the UNCRC into Scots law". Following public consultation on the model of incorporation that will deliver the best outcomes for children and young people in Scotland, this action was amended to: "We will incorporate the UNCRC into Scots law" in the Progressing the Human Rights of Children in Scotland: An Action Plan 2018-2021 - Progress Report 2019 .

We have also produced a separate [Easy-Read](#) version of this report which is published on the Scottish Government website.

A separate [Action Plan](#), published alongside this report, sets out the Scottish Ministers' planned activity from June 2021 until June 2024 to further children's rights in Scotland. The 2021 action plan takes account of the findings of the [consultation analysis](#) on incorporating the United Nations Convention on the Rights of the Child into domestic law in Scotland, undertaken in 2019. A total of 162 responses to this consultation were received, including 13 responses from organisations which specifically represented the views of children and young people. Views were collected by these organisations during consultation events, young people's forums and workshops.

The 2021 action plan also takes account of subsequent stakeholder engagement through our governance bodies: the [UNCRC Strategic Implementation Board](#) and the Children and Young People's Interim Consortium.<sup>4</sup>

#### **v. UN Committee on the Rights of the Child**

The UN Committee on the Rights of the Child examines State parties approximately every 5 years on their progress in taking forward children's rights in line with the UNCRC. The UK was last examined in 2016. Following from this, the UN Committee published its Concluding Observations for the UK, including the devolved administrations: a list of around 150 recommendations relating to a wide range of policy areas.

Scottish Ministers work with the UK Government in reporting to the UN Committee on the Rights of the Child on compliance with the UNCRC, with reference to devolved matters in Scotland. The UK has signed up to a new 'Simplified Reporting Procedure' for reporting under the UNCRC. As part of this process, the UN Committee publishes a request for specific information, known as the List of Issues Prior to Reporting (LOIPR). The State party's response to this request constitutes its report to the Committee.

In February 2021, the UN Committee published its [List of Issues Prior to Reporting](#) (LOIPR) for the UK, a request for specific information on a wide range of policy matters, including in relation to child poverty, health and education. As the State party, the UK Government is responsible for compiling the UK-wide response to this report by the UN Committee's recently revised deadline of June 2022.

As the UN Committee has placed a strict word limit on the UK response, it is likely that not all of the Scottish Government's contribution will be included in the final UK report. In view of this, the Scottish Government intends to develop and publish a comprehensive Scottish Position Statement in late spring of 2022.

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<sup>4</sup> The Children and Young People's Interim Consortium was established in September 2021 to support the meaningful and inclusive participation of children and young people in the UNCRC Strategic Implementation Board and wider implementation programme. It is made up of 6 organisations and is being co-ordinated by Together (Scottish Alliance for Children's Rights).

## **1. Progressing the Human Rights of Children in Scotland: An Action Plan 2018-21 – End of Plan Update**

In accordance with duties under section 1(4) of the Children and Young People (Scotland) Act 2014, the [Progressing the Human Rights of Children in Scotland: An Action Plan 2018-2021](#) (2018 Action Plan) was laid before Parliament in December 2018. The 2018 Action Plan included the following 4 strategic actions which aimed to support transformational change in how children and young people experience their rights:

- Incorporate the UNCRC into Scots law.
- Develop and deliver through co-production, an ambitious programme to raise awareness and understanding of children's rights across all sectors of society in Scotland.
- Develop a strategic approach to children and young people's participation, as part of the Year of Young People legacy.
- Evaluate the Child Rights and Wellbeing Impact Assessment (CRWIA) process and further support and promote its use.

Building on the updates published in [2019](#) and [2020](#), this chapter will provide an end of plan summary of the activity undertaken in relation to the above strategic actions since 2018.

## 1.1 Incorporation

### We will incorporate the UNCRC into Scots law

The Scottish Government is committed to a revolution in children's rights and to doing all that we can to support children and young people to better experience their rights, and to empower them to defend their rights and those of others. In the 2018 Action Plan, the Scottish Government committed to incorporating the principles of the UNCRC into Scots law by:

- Consulting widely, including with children and young people and their families, local authorities and other public bodies across Scotland, as well as third sector partners on the right model of incorporation.
- Considering where it may be possible for Scots law to go further than the UNCRC requires, where that is demonstrably beneficial for children and young people.
- Continuing, in the interim, to consider ways in which rights under the UNCRC can be given better or further effect across individual policy areas.

Following wide-ranging public engagement, on the 30<sup>th</sup> anniversary of the UNCRC, in November 2019, the Deputy First Minister announced the Scottish Government's intention to incorporate the UNCRC directly into Scots law to the maximum extent possible within the powers of the Scottish Parliament.

This decision was informed by a public [consultation](#), which sought views on the model of incorporation that would deliver the best outcomes for children, young people and their families in Scotland. The consultation, which opened on 22 May 2019, was extended by two weeks until 28 August 2019 to enable greater participation of children and young people. A total of 162 consultation [responses](#) were received from individuals, public bodies, third sector organisations, legal organisations, academia and others. Engagement events, including with children and young people, also informed the consultation process, resulting in 13 consultation responses from organisations which specifically represented the views of children and young people. The independent [analysis](#) of the responses to the consultation and engagement events was published in November 2019. An [Easy Read](#) summary of the responses to the consultation was also published at this time.

The Scottish Government also convened a short-life Working Group that included representatives from UNICEF, Together (Scottish Alliance for Children's Rights), academics, parenting organisations, the Scottish Youth Parliament, the NHS, Police Scotland, the Convention of Scottish Local Authorities (COSLA), the Law Society of Scotland and the Faculty of Advocates. The Group, which met eight times between 25 June 2019 and 24 February 2020, considered the policy, practice and legislative implications of UNCRC incorporation, using the Scottish Government's consultation document on "Incorporating the United Nations Convention on the Rights of the Child into our domestic law in Scotland" as the framework for discussions. The Group's [Summary Report](#) includes the majority views expressed by members, including that there should be a Scottish Bill to incorporate the UNCRC fully and directly into Scots law, as far as possible within the powers of the Scottish Parliament.

The [United Nations Convention on the Rights of the Child \(Incorporation\)\(Scotland\) Bill](#) was subsequently introduced on 1 September 2020, and unanimously passed by the Scottish Parliament on 16 March 2021, signalling a revolution in children’s rights in Scotland.

On 12 April 2021, a reference of certain provisions of the Bill was made by UK Law Officers to the UK Supreme Court. The provisions referred to the Supreme Court were: section 6 (duty on public authorities); and sections 19 to 21 (the interpretation duty and judicial powers of ‘strike down’ and ‘incompatibility declarator’). A hearing before the UK Supreme Court took place on 28 and 29 June 2021.

On 6 October 2021, the UK Supreme Court delivered a judgment on the referral, finding each of the provisions referred by UK Law Officers to be outwith the legislative competence of the Scottish Parliament. As articulated in the Deputy First Minister’s statement to the Scottish Parliament on the same day<sup>5</sup>, the Scottish Government fully respects the court’s judgment, but cannot help but be disappointed. We are urgently and carefully considering the implications of the Supreme Court judgment and how best to take that work forward. However, meanwhile the majority of work in relation to implementation of the UNCRC can, and is, continuing.

### **The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill (the Bill)**

The intent behind the Bill was to ensure that the rights contained in the UNCRC are afforded the highest protection and respect possible within the current constitutional settlement. As stated above, we are currently carefully considering the Supreme Court judgment, and the implications for the UNCRC Bill.

The Bill, as passed by the Scottish Parliament on 16 March 2021, provides that public authorities, including health boards and councils, and the Scottish Government itself, would be legally obliged to respect children’s rights. If they do not, children, young people and their representatives would be able to use the courts to enforce their rights.

The Bill would deliver a proactive culture of everyday accountability for children’s rights across public services in Scotland, and would ensure that public authorities take proactive steps to ensure compliance with children’s rights in their decision making and service delivery. The Bill would apply to all public functions that it is possible for the Scottish Parliament to cover, including public functions which are ‘contracted out’ to non-State actors such as private or third-sector bodies.

The Bill provides that, for the purposes of the incorporated rights and obligations, a child is a person under 18 years old. The Bill also contains specific measures to remove barriers that children and young people may face in realising their rights under the Bill and in accessing justice. These provisions include giving the Children and Young People’s Commissioner in Scotland and the Scottish Human Rights Commission the power to raise, and intervene in, claims in the public interest.

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<sup>5</sup> [Deputy First Minister John Swinney - statement on Supreme Court Judgement, 6 October, 2021 - gov.scot \(www.gov.scot\)](#)

The Bill would also require the Scottish Ministers to create a Children's Rights Scheme ("the Scheme"), setting out the arrangements they have, or will have in place, to meet their duty to comply with, and to secure better or further effect of, the rights of the child. The Scheme would be required to include arrangements for the Scottish Ministers to:

- Ensure that children are able to participate in the making of decisions that affect them, with access to such support and representation (for example from children's advocacy services) as they require to do so.
- Identify and address any situation where a child's rights are (or are at a significant risk of) not being fulfilled.
- Raise awareness of and promote the rights of children.
- Promote complaints handling procedures that children can understand and use.
- Ensure that children have effective access to justice.
- Protect the rights of children in relation to their interactions with persons, other than public authorities, who provide services which affect children.
- Consider the rights of children in the Scottish Government's budget process;
- Ensure that Scottish Ministers' actions contribute to any national outcome for children determined by them under Part 1 of the Community Empowerment (Scotland) Act 2015.
- Prepare and publish Child Rights and Wellbeing Impact Assessments (CRWIAs).
- Use, and promote the use of, inclusive ways of communicating that ensure that children are able to receive information and express themselves in ways that best meet their needs (in relation to speech, language or otherwise).

The Bill would require Scottish Ministers to report on the Scheme annually, including actions taken in the previous year and plans for taking forward children's rights in the year ahead. The Scottish Ministers could amend the Scheme or make a new scheme to replace it at any time.

The Bill would also require the Scottish Ministers to prepare and publish CRWIAs for all new Bills being introduced by the Scottish Ministers in the Scottish Parliament; most Scottish statutory instruments made by the Scottish Ministers; and decisions of a strategic nature made by the Scottish Ministers relating to the rights and wellbeing of children. The CRWIA is discussed further at section 1.4.

The Bill would also place a duty on certain listed public authorities to report every three years on the steps they have taken, and will in future take, to: act compatibly with the incorporated UNCRC rights and obligations and to secure better or further effect of children's rights.

The Bill contains provision which will mean it would automatically commence 6 months from Royal Assent. It also contains powers for the Scottish Ministers to make regulations to commence the Bill earlier than 6 months from Royal Assent.

Whilst the judgment means that the Bill cannot receive Royal Assent in its current form, the majority of work in relation to implementation of the UNCRC can and is continuing.

## **Implementation of the UNCRC**

Through the implementation of the UNCRC the rights of all children should be fully realised and protected. Between now and 2024, the Scottish Government is continuing our work to implement the UNCRC by investing £4 million in a three year implementation programme to deliver a fundamental shift in the way children's rights are respected, protected and fulfilled in Scotland. Respecting, protecting and fulfilling children's rights is central to our commitment to #KeepThePromise and to Getting it right for every child (GIRFEC), which will continue to underpin how we love, care for, and support all children and young people in Scotland.

## **Governance of the UNCRC Implementation Programme**

The UNCRC Strategic Implementation Board (the Board) was convened in 2021 to provide strategic and collaborative oversight and leadership of the three-year UNCRC implementation programme and includes representation from leaders in the children's rights sector and public authorities. The inaugural meeting of the Board took place on 1 July 2021 and the Board is currently meeting monthly to provide strategic vision, oversee delivery of the programme and to monitor progress. The Terms of Reference for the Board have been published on the Scottish Government website<sup>6</sup>, along with the minutes of each meeting.

To support the meaningful and inclusive participation of children and young people in the UNCRC Strategic Implementation Board, and wider implementation programme, we are also working to establish a consortium of organisations that have strong, trusting relationships with children and young people across Scotland. As well as creating a way for children and young people to be part of the decision-making process for the UNCRC implementation programme, it is the intention that this approach would support a more sustainable and strategic approach to participation and engagement and, in time, allow wider policy issues across the Scottish Government to be considered too.

In order to ensure children and young people are at the heart of the UNCRC Strategic Implementation Board's collective leadership and decision-making before the consortium is established, Together (Scottish Alliance for Children's Rights) are currently supporting the Scottish Government to put in place the following interim measures:

- Involving children and young people in the work of the UNCRC Strategic Implementation Board, including preparing child-friendly and accessible information.
- Developing, documenting and disseminating innovative best practice on children and young people's participation, including an end-of-project evaluation, which will also help to shape the model for the proposed consortium.
- Consulting with children and young people on specific deliverables from the UNCRC Implementation Programme strands.

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<sup>6</sup> [UNCRC Strategic Implementation Board - gov.scot \(www.gov.scot\)](http://www.gov.scot)

Together have established an Interim Consortium, made up of children and young people representing 6 organisations<sup>7</sup>, along with a number of wider associate organisations. The Interim Consortium met for the first time in October 2021.

### **The UNCRC Implementation Programme Strands**

The [Financial Memorandum](#) to the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill set out the high level plan for the three year implementation programme covering three strands which have been further developed and expanded into four, and are now as follows:

#### **Scottish Government Leadership for Children's Rights**

As set out in the 2021 action plan, this strand of work is focussed on ensuring that the Scottish Government is a leader for children's rights and a role model to others in upholding children's rights, as well as ensuring all Scottish Government policy and legislation is UNCRC compliant by:

- Remaining committed to the incorporation of the UNCRC into domestic law to the maximum extent possible as soon as practicable.
- Developing and delivering a strategic plan for raising awareness and training on the UNCRC and children's rights across the Scottish Government and its agencies.
- Promoting the importance and adoption of Child Rights and Wellbeing Impact Assessments (CRWIAs) and continuing work to improve CRWIA training and to develop an impact evaluation process.
- Consulting on, and publishing, a Children's Rights Scheme which will set out how the Scottish Government will give better and further effect to the rights of children.

#### **Empowering Children and Young People to Claim Their Rights**

This strand of work is focussed on creating and amplifying systems that enable children and young people to be empowered human rights defenders, by continuing to drive forward a rights-based approach to participation, ensuring we listen, consider, and respond to representative voices of children and young people, and particularly those who are seldom heard by:

- Co-creating a national awareness raising campaign for children's rights with children and their families, to ensure that children, young people, their families and all of Scottish society are aware of and understand the UNCRC, and to support them to be rights defenders.
- Producing a wide range of information and guidance resources aimed at raising public awareness to increase individuals' understanding of children's rights.
- Establishing a consortium of organisations to support a sustainable, meaningful and inclusive approach to participation of children and young people in decision making.

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<sup>7</sup> Scottish Youth Parliament, Children in Scotland, Carers Trust Scotland, Who Cares? Scotland, Aberlour and Scottish Commission for People with Learning Disabilities (SCLD)

## **Embedding Children’s Rights in Public Services**

The Scottish Government recognises the vital role that public services play in delivering for children, young people and their communities. This strand is focussed on supporting a proactive culture of everyday accountability for children’s rights across public services in Scotland by:

- Producing guidance for public authorities, and those undertaking functions of a public nature, to implement the UNCRC.
- Developing a Children’s Rights Skills and Knowledge Framework to support capacity building in public services in taking a children’s rights approach in practice to drive forward the cultural change required.
- Developing a National Improvement Programme, which will include an approach to self-evaluation, and the creation of an Innovation Fund to provide financial support for testing and implementing creative approaches to embedding children’s rights.

## **Children’s Rights Resolution**

This strand, which was not originally included in the Financial Memorandum accompanying the Bill, was added to the implementation programme in June 2021. This strand is focussed on working to provide targeted support to those areas which we know can make a real difference in furthering children’s rights and allowing children to access their rights when they are not being met, by:

- Working with the Scottish Public Services Ombudsman to develop a child-friendly complaints process to ensure children and young people are able to access their rights.
- Working across the 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.
- Developing 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.

This strand will also involve proactive engagement with colleagues across the Scottish Government on specific issues where more can be done for children’s rights. We intend to strategically target those issues where we can go further to respect, protect and fulfil children’s rights in policy, legislation and practice and contribute to the progressive realisation of children’s rights.

### **Other Legislative Measures**

In addition to the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill, throughout the reporting period the Scottish Government has also taken forward a range of other legislative measures which aim to give further effect to the UNCRC including:

- The Age of Criminal Responsibility (Scotland) Act 2019.
- The Vulnerable Witnesses (Criminal Evidence) (Scotland) Act 2019.
- Our support for the Children (Equal Protection from Assault) (Scotland) Act 2019.
- The Children (Scotland) Act 2020.

## 1.2 Raising Awareness

**We will develop and deliver through co-production, an ambitious programme to raise awareness and understanding of children's rights across all sectors of society in Scotland.**

Achieving a Scotland-wide knowledge and understanding of children's rights and how to act on them is central to the implementation of the UNCRC, and to embedding children's human rights into the fabric of Scottish society. In the 2018 Action Plan, the Scottish Government committed to developing and delivering through co-production, an ambitious programme to raise awareness and understanding of children's rights across all sectors of society in Scotland by:

- Mapping existing rights-based awareness resources, programmes and training packages.
- Recruiting a group of young leaders to organise and co-facilitate 6 conference events and local discussion groups in different locations across Scotland, including engagement with those who are seldom heard.
- Developing, through co-production, resources and training programmes to strengthen rights awareness and understanding across all areas of society, in particular where gaps or weaknesses are identified.
- Working alongside Education Scotland to strengthen awareness and understanding of children's rights through a range of activities which support the development of a rights-based culture and ethos in schools and early learning and childcare centres.

In 2019, an online resource mapping exercise was undertaken, inviting professionals and organisations from across the children and young people's sector to share their knowledge of existing children's rights awareness raising resources, programmes and training packages. The findings from this exercise helped inform our decision to create the #ActivateYourRights Pack and begin conversations with parents groups.

During 2019, five Rights Cafe events were held in Glasgow, Edinburgh, Inverness, Stirling and Dundee, with 180 children, young people and adults in attendance. These events aimed to identify gaps, or areas for development, in awareness of children's rights, which will continue to be addressed through the three year implementation programme.

Following the online resource mapping exercise described above, the Scottish Government commissioned Young Scot, in partnership with Children in Scotland and young people, to lead the co-production of resources and training programmes to strengthen awareness and understanding of children's rights. Building upon existing materials and resources, an #ActivateYourRights panel of 20 children and young people, aged 8 to 18 years old, with 50% coming from seldom heard groups, was established.

Working together with Young Scot and Children in Scotland, they co-produced a range of materials to support raising awareness of children's rights amongst children and young people, to be used in a variety of settings across Scotland. These resources seek to aid progressive learning about children's rights, introduce activities

to help children and young people understand what rights look like in practice, and build their confidence to defend their rights when these are not being respected.

The #ActivateYourRights resources, which include an Activity Facilitation Pack, a Q&A podcast from Maree Todd, MSP, the previous Minister for Children and Young People, and the Children and Young People's Commissioner Scotland and a host of online, interactive articles, were published on Young Scot's [website](#) in September 2020.

The online resource mapping exercise and the Rights Café events identified parents and carers as a priority group for raising awareness of the UNCRC. A Reference Group of key partners was therefore initiated in March 2020 to develop and design resources to increase the awareness of children's rights amongst parents and carers and to advise on the best approach to test these resources. In April 2020, in light of the pandemic, the group took the strategic decision to pause commencement of this work until such time as parents and carers could be meaningfully engaged with, and also in recognition of the need for partners, at that time, to focus their time and resources on crucial, emergency COVID-19 response work. The group have recently reformed and further stakeholder engagement will continue to help inform what resources are required to increase the awareness and understanding of children's rights amongst parents and carers.

We are also continuing to work alongside Education Scotland to strengthen awareness and understanding of children's rights. In November 2020, Education Scotland published the [Children's Rights and Participation Strategy 2020 - 2022](#), which sets out how the organisation will strive to protect and respect the rights of all children, as set out in the UNCRC. Education Scotland also continue to chair a rights and participation network which includes officials from the Scottish Government, third sector organisations and local authorities. The network meets every 6-8 weeks and aims to focus on topical themes through a children's rights lens.

We have also worked with Education Scotland and YouthLink Scotland, through the testing of the professional learning resource [Children's Rights in Youth Work - What, Why and How? Training Tool](#). This learning resource was previously called Recognising & Realising Children's Rights: Youth Work.

Since April 2021, Education Scotland has experienced a high demand across all areas of education for support and professional learning around the UNCRC, with over 2000 participants attending training events. In August 2021, the training tool was refreshed and renamed, and as a result of this high demand, a 'Train the Trainers' approach was also developed and delivered.

The Children's Rights Professional Learning - What, Why and How? Resource aims to raise knowledge and awareness of the UNCRC and to support the development of a rights-based culture and ethos across community learning and development, early learning and childcare, and amongst school-based staff. It has been adapted to be delivered online in several formats: an introductory session, a full workshop and a Train the Trainer session, which supports local authority leads to take forward the programme in their own contexts. Every local authority in Scotland has a person who

is able to support the delivery of professional learning regarding the UNCRC in educational settings.

The resource supports all community learning and development practitioners working with young people in a youth work or formal education setting. It can also be used to build the understanding of other community learning and development stakeholders for example Community Learning and Development Partnerships; Community Planning Partnerships and elected members. The full workshop and Train the Trainer session continues to be delivered throughout the year by Education Scotland, local authority leads, YouthLink Scotland and other third sector partners.

Raising awareness of children's rights amongst public authorities with duties under Part 1, Section 2 of the Children and Young People (Scotland) Act 2014 (the "2014 Act") is also critical to making rights real for children, young people and their families. These duties require public authorities listed in Schedule 1 of the 2014 Act, to publish a report every 3 years on, among other things, the steps that they have taken in that period to secure better or further effect of the UNCRC requirements (as defined in the Act). The Coronavirus (Scotland) Act 2020 permitted those public authorities to delay publication of such reports due to delays caused by the pandemic but such reports are still required as soon as reasonably practicable from the original deadline of 1 April 2020.

### **1.3 Strategic Approach to Participation**

**We will develop a strategic approach to children and young people's participation as part of the Year of Young People legacy. Our aim is to mainstream the participation of children and young people in decision-making across Scottish society.**

In the 2018 Action Plan, the Scottish Government committed to developing a strategic approach to mainstream the participation of children and young people in decision-making across Scottish society by:

- Working in partnership with our stakeholders, and children and young people, to develop our strategic approach.
- Making sure that we listen to 'representative' voices of children and young people, in particular ensuring that the voices of the seldom heard, vulnerable and younger children are routinely heard.
- Considering resourcing and how participation is made sustainable.
- Considering access, including digital technology, to support wider engagement.
- Publishing an evidence base of existing research, good practice and policy areas that have consulted with children and young people.

As set out in Article 12 of the UN Convention on the Rights of the Child, children and young people who are capable of forming their own views have the right to have their views heard on issues that affect them. The Scottish Government is committed to safe, inclusive and meaningful engagement with children and young people and to ensuring that the views of children and young people are at the heart of the decisions that affect them.

In October 2019, an Access Working Group was established to consider how best to support and promote wider engagement with children and young people so that they could participate in decision-making, and to look at the methods that might be best utilised - including digital media.

During January and February 2020, a survey was issued to gather views on how stakeholders worked with children and young people to support their participation in decision-making, and to identify barriers respondents had experienced or witnessed that had hindered this engagement. The survey received 451 responses. Young Scot also facilitated two sessions with a number of children and young people from the #ActivateYourRights cohort via Zoom in April 2020. This was used to gain insight into their digital engagement experience as a result of the COVID-19 lockdown.

In March 2020, we published the '[Decision-making: children and young people's participation](#)' guidance to provide best practice guidance to support those who engage with children and young people as part of their decision-making. This was developed with an expert working group with representatives from a range of third sector organisations, local authorities, health boards and academia, all working in the field of children's rights with a focus on participation in Scotland. A small group of young people also reviewed some of the content.

The section entitled 'Participation' of the aforementioned guidance, sets out the nine basic requirements (as recommended in [General Comment 12](#) of the UN Committee on the Rights of the Child, which was published as a non-binding interpretive aid to the UNCRC) for effective participation of children and young people. This states that participation should be transparent and informative; voluntary; respectful; relevant to children and young people; child-friendly; inclusive; supported by training; safe and sensitive to risk and accountable. It also states that participation should also be viewed as a process, not a one-off event, and tokenistic approaches must be avoided. The Scottish Government remain committed to including these requirements in our strategic rights-based approach to participation, to ensure children and young people are not only engaged, but are able to safely and meaningfully participate in decision making, and influence decision makers in solution-based discussions.

### **Participation at National Level**

Over the past three years, the Scottish Government has taken a number of steps to ensure that the voices of children and young people are heard at the highest levels of Government, on issues that matter most to them, with the aim of improving policy and legislation development and implementation. These have included:

- Holding an annual meeting of Cabinet members with children and young people. These meetings have taken place since 2017, and have enabled children and young people to raise issues that matter to them and to inform the Scottish Government's agenda over the coming year. The issues raised by children and young people at these meetings have been wide ranging, including those relating to schools, bullying, mental health, incorporation of the UNCRC, Human Rights Defenders, and the future of Scotland's relationship with Europe. At the end of each of the meetings, children, young people and Cabinet members have collectively agreed actions for the year ahead and published progress reports on the actions agreed. [The latest report](#) on progress made on the actions agreed at the fourth annual meeting of Cabinet members and children and young people, held on 3 March 2020, was published in March 2021, and the last annual meeting of Cabinet members with children and young people took place online on 16 March 2021.
- Holding two First Minister's Question Times, facilitated by YouthLink Scotland and Children in Scotland, in September 2018 and April 2019. These gave children and young people the opportunity to put their questions directly to Scotland's First Minister.
- Arranging for members of the Scottish Youth Parliament to have the opportunity to engage with the Scottish Government's Executive Team, including the Permanent Secretary and Directors General. The most recent meeting took place in November 2021.

Over the last three years, young people have also become more involved in Government groups, forums and taskforces. Examples have included:

- Young people representatives being members of the Scottish Government's Age of Criminal Responsibility Advisory Group.
- Members of the Scottish Youth Parliament attending the COVID-19 Education Recovery Group; the Scottish Education Council; the Mental Health Equalities

and Human Rights Forum; the Scottish Government's Race Equality in Education Stakeholder Group; the National Qualification Group; the Gender Equality Taskforce and the Children and Young People's Mental Health and Wellbeing Joint Delivery Board.

In addition to children and young people being directly involved in Government groups, we have also continued to fund a number of third sector organisations, including the Scottish Youth Parliament, the Children's Parliament and Young Scot, to lead on participation and engagement with children and young people through core grants and through specific pieces of commissioned work. Examples of how children and young people have been able to be involved in informing and shaping decision-making, policy and action plans have included:

- **Children and Young People's Panel on Europe** - In 2018, the Scottish Government provided funding to Children in Scotland to enable them to set up this Panel which was delivered in partnership with Together (Scottish Alliance for Children's Rights). The Panel included members from all over Scotland, aged 8-19, and met several times to articulate the views of children and young people on Brexit and the issues it raised for them. Further funding was provided to allow this work to continue until September 2020. The Panel identified EU funding as one of four areas of most concern to children and young people in the context of Brexit. The other three were: the economy, trade and jobs; rights; and opportunities to work, study and travel. In their [report](#), the Panel called for any losses to youth funding which arose through Brexit to be replaced. They also urged the Scottish Government to seek continued participation in Erasmus+. Scottish Ministers, including the First Minister, met Panel members on a number of occasions and issued statements supporting their work. Ministers have noted the Panel's concerns and these have helped to inform their continuing work in the aftermath of Brexit.
- **The Independent Care Review** - which listened very carefully to those with experience of living and working in and around the 'care system' to properly understand what needed to change. The Care Review heard over 5,500 experiences, of which over half were children, young people and adults who had lived in care. It was their stories that guided the Care Review and their experiences have shaped everything the Care Review concluded. The work of the whole Care Review culminated in the publication of 7 outputs on the 5<sup>th</sup> February 2020, the main volume of which was [The Promise](#).
- **Our Hearings, Our Voice** - which is an independent board for children and young people from across Scotland between the ages of 8-18, who have experience of the Children's Hearings System. In 2021 they launched an [interactive Zine online](#) in which the young people shared their 40 Calls to Action.
- Views gathered from children and young people themselves were also key to informing the vision and priorities in the recently published [A Rights-Respecting Approach to Justice for Children and Young People](#). This engagement included eliciting support from the Youth Parliament, and the Scottish Throughcare and Aftercare Forum/ Children and Young People's Centre for Justice Youth Justice Voices participation project. Members of their youth-led steering group 'YouthJustUs' became Youth Justice Visionaries to

develop a guide to be used by practitioners working with children and young people. Young people in HMP&YOI Polmont were also asked for their thoughts and opinions through one-to-one phone calls and group sessions delivered by Barnardos.

### **Participation of Learners**

Pupil participation and learner engagement are vital aspects of the Curriculum for Excellence approach and we know that when pupils have a strong voice in shaping the life and work of their school, this has a positive impact on their attainment and achievement. In schools, learner participation is core to a good education and as part of all educational experience, it is children and young people's right to have a say in matters that affect them. The Scottish Government encourages meaningful participation of children and young people in the life and work of their school and this is supported by [guidance](#) for school staff and improvement support to schools via Education Scotland.

During the COVID-19 education recovery process, we strengthened the voice of children and young people by working with Young Scot and Children in Scotland to establish and support the [Education Recovery Youth Panel](#) which helped to input into recovery issues between Nov 2020 and June 2021.

As announced on 22<sup>nd</sup> June 2021, the Scottish Government will further support and enhance the participation of children and young people by including young people in the membership of the Scottish Education Council (SEC) and by establishing a Children and Young People's Education Council (CYPEC). The CYPEC will have parity of esteem with the SEC and ensure that the voices of children and young people in Scottish schools reach directly into the heart of decision making.

The remit of both the SEC and the CYPEC are expected to be broad and to cover all matters relating to education and schools, which would encompass climate education and Learning for Sustainability (LfS). In addition, and on the specific theme of climate education, the Scottish Government continues to engage with the young person-led Teach the Future campaign as we seek to strengthen our approach to LfS.

### **Participation and COVID**

The Scottish Government has taken steps throughout the crisis to hear the views, concerns and lived experiences of children and young people in relation to COVID-19 and to empower them to participate in the decisions around the response that affect them. We have also continued to make sure that we listen to representative voices of children and young people, in particular ensuring that the voices of the seldom heard, vulnerable and younger children and families are heard, by working in collaboration with a range of stakeholders who have existing and trusting relationships with various groups of children and young people. More details of the work which has been undertaken with children and young people during the pandemic can be read in Section 2.

## **Participation and the UNCRC Implementation Programme**

As mentioned in Section 1.1, to support the meaningful and inclusive participation of children and young people in the implementation programme, and to support the work of the UNCRC Strategic Implementation Board, during 2021, we have been exploring with stakeholders the establishment of a consortium of organisations that have already built strong, trusting relationships with children and young people across Scotland and which can be engaged regularly to enable children and young people's participation at a national level. The intention would be to include children's rights organisations who operate at a national level, as well as organisations that work in specific communities. It is expected that this consortium of organisations would engage with children and young people in ways that are most appropriate for them, thereby ensuring the participation of the most vulnerable and excluded groups, those most commonly not engaged in participation work and those most likely to not have their rights respected.

As also discussed in Section 1.1, in order to ensure children and young people are at the heart of the UNCRC implementation programme and the Strategic Implementation Board before the consortium above is established, Together (Scottish Alliance for Children's Rights) have established an Interim Consortium, made up of children and young people representing 6 organisations<sup>8</sup>, along with a number of wider associate organisations. The Interim Consortium met for the first time in October 2021.

The UNCRC implementation programme will continue to build on work undertaken by the Scottish Government since 2018 to develop a strategic approach to children and young people's participation, which seeks to establish a more coordinated, systematic and sustainable approach to engaging with children and young people at national and local levels.

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<sup>8</sup> Scottish Youth Parliament, Children in Scotland, Carers Trust Scotland, Who Cares? Scotland, Aberlour and Scottish Commission for People with Learning Disabilities (SCLD)

## **1.4 Child Rights and Wellbeing Impact Assessment**

**We will evaluate the Child Rights and Wellbeing Impact Assessment (CRWIA) process and further support and promote its use.**

The non-statutory Child Rights and Wellbeing Impact Assessment (CRWIA), which was introduced in 2015, seeks to ensure that all areas of the Scottish Government consider the possible direct and indirect impacts of proposed policies and legislation on the rights and wellbeing of children and young people. The views of children and young people are integral to the CRWIA process.

The CRWIA is promoted across the Scottish Government as a key tool in the development of policy and is assisting officials and other relevant organisations who choose to use this resource, to take a rights-based approach to the development of relevant policies, legislation, services, and significant investment decisions ensuring that children's rights, wellbeing and voices are at the heart of policy development.

In the 2018 Action Plan, the Scottish Government committed to evaluate the CRWIA and further support and promote its use by:

- Updating templates, guidance and training materials for the CRWIA process, making these publicly available on the Scottish Government website.
- Encouraging the use of the CRWIA materials by public authorities and children and young people's organisations.
- Developing an impact evaluation process for the CRWIA.

Following an independent review of the CRWIA; updated guidance, associated CRWIA templates and training materials were published on the Scottish Government website in March 2019. Work then began in September 2020 to determine the scope of a full review of the CRWIA. This sought to evaluate the procedures and outcomes of the CRWIA, allowing us to develop and create an efficient, effective and accessible process, and consisted of a range of engagement with internal and external stakeholders.

As a result of this engagement and evaluation, new templates and updated guidance have recently been published on the Scottish Government website for anyone to use<sup>9</sup>. These updated materials also meet Scottish Government accessibility legislation. We will continue to gather feedback from anyone using the templates and guidance to ensure they are continuously improved. Work to improve the CRWIA training and to develop an impact evaluation process for the CRWIA also continues.

The Scottish Government has taken steps throughout the reporting period to raise awareness of the CRWIA process and materials and to promote their use across public authorities, including as part of visits and online meetings. This has also supported individual authorities in meeting their reporting duties under Part 1 of the Children and Young People (Scotland) Act 2014.

The Scottish Government has also continued to place a children's rights awareness raising objective within the terms of grant allocations to third sector organisations

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<sup>9</sup> <https://www.gov.scot/isbn/9781802016406>

who receive core funding from the [Children, Young People and Families Early Intervention and Adult Learning and Empowering Communities Fund](#).<sup>10</sup> Since 2019, an indicator for this objective has been that organisations ‘will evidence that they have considered the rights and wellbeing of children and young people by completing a CRWIA for the creation and development of their policies and procedures’. Due to the COVID-19 pandemic, it was agreed that organisations did not need to report on their use of CRWIAs for the 2021 report. Information was, however, still collected for this year and will be published in the 2022 report. Despite the difficulties and challenges many organisations have faced in light of the pandemic, over 80 organisations have either already begun to review their policies and procedures with a CRWIA or have a plan in place to do so for next year.

### **CRWIA Provisions in the United Nations Convention on the Rights of the Child (Incorporation)(Scotland) Bill**

As discussed at section 1.1 above, provision was made in the United Nations Convention on the Rights of the Child (Incorporation)(Scotland) Bill (the “UNCRC Bill”) to place a statutory duty on Ministers to prepare and publish CRWIAs for new Bills introduced by the Scottish Ministers and most Scottish statutory instruments made by Scottish Ministers. As noted previously, Ministers are carefully considering the Supreme Court judgment, and the implications for the UNCRC Bill.

The Bill, as passed by the Scottish Parliament on 16 March 2021, provides that Ministers would also need to prepare and publish CRWIAs in relation to decisions of a strategic nature relating to the rights and wellbeing of children as required by, and in accordance with, arrangements which would be set out in the Children’s Rights Scheme. The UNCRC Bill would not place a statutory duty on all public authorities to undertake CRWIAs in policy development. This is in line with the comments made by UNICEF UK during the public consultation on the draft Bill that this might place an unnecessary burden on wider levels of government.

### **CRWIA and COVID-19**

Our approach to CRWIAs continues to support and inform our response to the COVID-19 pandemic.

In 2020, a full [CRWIA](#) was prepared and published in respect of the Coronavirus (Scotland) Act 2020. CRWIAs were also undertaken in respect of the Coronavirus (Scotland) (No. 2) Act 2020; the Education (Miscellaneous Amendments) (Coronavirus) (Scotland) Regulations 2020; closure and reopening of schools; restrictions on children and young people; the Scottish General Election (Coronavirus) Bill, teacher and lecturer estimates - 2020 results; and the temporary closure of child contact centres at level 4 for in person contact.

The CRWIA also informed Scotland’s response to COVID in 2021, including in respect of the Education (Miscellaneous Amendments) (Coronavirus) (Scotland) Regulations 2021, the Health Protection (Coronavirus) (International Travel) (Scotland) Amendment Regulations 2021; the Coronavirus (Extension and Expiry) (Scotland) Bill; the Health Protection (Coronavirus) (Restrictions and Requirements)

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<sup>10</sup> The Fund supports the third sector to use early intervention and prevention to improve outcomes for children, young people, families and communities.

(Local Levels) (Scotland) Amendment (No.21) Regulations 2021; the Community Orders (Coronavirus) (Scotland) Regulations 2021; and the Coronavirus (COVID-19): shielding social care workers support scheme.

A [list](#) of CRWIAs prepared by the Scottish Government, including in response to the pandemic and the ongoing recovery, is available on the Scottish Government's website.

## 1.5 Governance Arrangements

**To provide a leadership space to discuss ideas and issues to make children's rights real in Scotland and oversee the 2018 action plan.**

High-level oversight of progress made in relation to the strategic actions in the 2018 action plan was initially provided by the Improving Outcomes for Children and Young People Strategic Forum. This Forum was chaired jointly by the Scottish Government Director of Children and Families and the Director of Learning and included representatives from local government, public authorities and the third sector.

In March 2020, at the outset of the pandemic, governance activity turned its focus to the collective response to the health emergency and its impact for children and young people, especially those who were vulnerable. In May 2020, the Scottish Government established a COVID-19 Children and Families Collective Leadership Group (the Collective Leadership Group). Co-chaired by the Scottish Government and the Society of Local Authority Chief Executives and Senior Managers (SOLACE), the Collective Leadership Group includes members from the Convention of Scottish Local Authorities (COSLA), Police Scotland, the Scottish Children's Reporter Administration (SCRA), Children's Hearings Scotland (CHS), as well as representatives from health, education, social work, the third sector and other key organisations. The Collective Leadership Group continues to meet monthly.

In 2021 the UNCRC Strategic Implementation Board (the Board) was convened to provide strategic and collaborative oversight and leadership of the three-year UNCRC implementation programme and this includes representation from leaders in the children's rights sector and public authorities. The inaugural meeting of the Board took place on 1 July 2021 and the Board is currently meeting monthly to provide strategic vision, to oversee delivery and to monitor progress of the programme. The Terms of Reference for the Board have been published on the Scottish Government website<sup>11</sup>, along with the minutes of each meeting.

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As discussed previously, to support the meaningful and inclusive participation of children and young people in the UNCRC Strategic Implementation Board and wider implementation programme, we are also working to establish a consortium of organisations that have strong, trusting relationships with children and young people across Scotland. In September 2021 an Interim Consortium, made up of children and young people representing 6 organisations<sup>12</sup>, along with a number of wider associate organisations was established and met for the first time in October 2021.

In addition to the governance arrangements outlined above, a cross-government group of Directors within the Scottish Government also continues to ensure co-ordinated approaches to policy and outcomes relevant to the rights and wellbeing of children and young people.

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<sup>11</sup> [UNCRC Strategic Implementation Board - gov.scot \(www.gov.scot\)](http://www.gov.scot)

<sup>12</sup> Scottish Youth Parliament, Children in Scotland, Carers Trust Scotland, Who Cares? Scotland, Aberlour and Scottish Commission for People with Learning Disabilities (SCLD)

## 2. Children's Rights in the Context of the COVID-19 Pandemic

During 2020 and 2021, the global COVID-19 pandemic, the single greatest public health crisis of our lifetimes, has continued to impact on the lives of children and young people across Scotland and the delivery of the vital services on which they, and their families, rely.

The Scottish Ministers have taken steps to ensure that the human rights of children and young people, particularly those who are most vulnerable, continue to be at the heart of the Scottish Government's response to the COVID-19 crisis. Our response continues to be underpinned by the UN Committee on the Rights of the Child's [11 recommended areas](#) for governments to focus on when considering the rights of children in relation to the pandemic. In addition to the [reporting](#) to the Scottish Parliament undertaken in relation to COVID-19 emergency legislation, the Scottish Government has also reported regularly during 2020 on the actions taken relevant to the 11 recommended areas. These reports can be accessed via the Scottish Government's [website](#). Some specific examples of actions taken to support the needs of vulnerable children and young people during the pandemic have included:

- Investment of around £2.5 billion to support low income households, including nearly £1 billion to directly support children in 2020-21. Over £140 million has been invested to tackle food insecurity, with over £56 million during 2020-21 targeted at continuing alternate Free School Meal provision during periods of school closure, and during school holiday periods for children and young people eligible on the basis of low income.
- Investment of £25 million to support digital inclusion among school-aged children and young people, through the provision of connectivity, devices or both. All councils across Scotland have been securing and distributing devices to meet local needs and over 70,000 children and young people have benefitted to date. An additional £45 million was distributed to councils in early 2021 to enable them to procure additional devices or connectivity, to recruit additional staff, or to deliver wider family support measures.
- Allocation of £48 million to the Scottish Government's Connecting Scotland project, and working with the Scottish Council for Voluntary Organisations (SCVO) and other partners to identify and support digitally excluded households through the provision of devices, connectivity and skills. This will enable us to reach up to 60,000 households by the end of 2021.

The Scottish Government has also aimed to develop a holistic, evidence-based approach to the needs of children and young people who are at risk during the pandemic. We have continued to work with partners to ensure robust ongoing processes for monitoring the impact of the pandemic on children, young people and their families, particularly those most at risk. As previously mentioned, in May 2020, the Scottish Government established a COVID-19 Children and Families Collective Leadership Group. A regular data collection has provided intelligence to the Collective Leadership Group, bringing together intelligence from the 32 Chief Officer Groups and national agencies and delivery partners including the third sector, police and health. The dataset has included key data on what is happening across

children's services partnerships to support children and young people on the child protection register, those looked after and on the edge of care. A second data set covering a range of aspects of adult protection has also been established to help provide a broader picture on related issues such as domestic abuse, substance misuse and specific vulnerable populations. A child health update is also produced by Scottish Government analysts to inform about the wider impact of the COVID-19 pandemic on the health and wellbeing of children and young people across Scotland.

From February to April 2021, the Collective Leadership Group led and co-ordinated its action plan as a response to the immediate needs of children, young people and families<sup>13</sup>. The action plan aligned with medium and longer term objectives to support children's and family services and the [Coronavirus Strategic Framework](#). It was linked to the broader cross-cutting issues of mental health and wellbeing; poverty policy initiatives; and family support and was underpinned by engagement with, and feedback from, children, young people and families. As the emphasis now shifts from crisis response to intermediate and longer-term recovery, the focus of the Collective Leadership Group is on providing longer term support for COVID-19 recovery and renewal.

### **Participation and COVID-19**

The Scottish Government has taken steps throughout the crisis to hear the views, concerns and lived experiences of children and young people in relation to COVID-19 and to empower them to participate in the decisions around the Scottish Government's response that affect them. We have also continued to make sure that we listen to 'representative' voices of children and young people, in particular ensuring that the voices of the seldom heard, vulnerable and younger children and families are heard, by working in collaboration with a range of stakeholders who have existing and trusting relationships with various groups of children and young people.

For example, between January and April 2021, qualitative research was commissioned by the Collective Leadership Group and conducted by nine third sector organisations with a range of children, young people and parents in vulnerable or seldom heard groups, to explore their lived experiences throughout the COVID-19 pandemic. These groups included children and young people with additional support needs; with domestic abuse experiences; who were asylum seeking, who were from minority ethnic backgrounds; and in Gypsy/Traveller families. The [Report](#) from this research was published on 27 July 2021 and its findings have been shared widely, including to help inform the [COVID Recovery Strategy: For a Fairer Future](#), and the work of the COVID-19 Education Recovery Group.

We have also supported a range of new research activities to address evidence gaps, including funding the COVID-19 Early Years Resilience and Impact Survey

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<sup>13</sup> Further information on the Collective Leadership Group's action plan is available on these links: [Coronavirus \(COVID-19\) Children and Families Collective Leadership Group: action plan - gov.scot \(www.gov.scot\)](#)  
[Coronavirus \(COVID-19\) Children and Families Collective Leadership Group: action plan - outcomes - gov.scot \(www.gov.scot\)](#)

(CEYRIS) of parents of 2-7 year olds, and questions on mental wellbeing in the Young People in Scotland survey of secondary school pupils.

We supported the Children's Parliament with their research "Children and the Coronavirus: How are you doing?". This was an online national wellbeing survey of children, aged between 8 and 14 years old, from across Scotland which ran four times between April and October 2020, and collected over 12,000 responses. The final report can be read [on the Children's Parliament website](#). We also supported the Children's Parliament to undertake 15 qualitative interviews with children aged 3-7 years old and their families to understand the impact of COVID-19 on this age group. In a published series of [15 stories](#), parents and children reflect upon their experience of lockdown and the journey since.

We also commissioned the Scottish Youth Parliament, Young Scot and YouthLink Scotland to deliver in partnership "LockdownLowdown", which was a series of three online surveys that explored young people's concerns in response to the pandemic. Phase 2 of this research also included a series of five focus groups with young people whose voices are seldom heard: young carers; young people with experience of the criminal justice system; care experienced young people, young people with additional support needs and young people from black, Asian and minority ethnic communities.

We have also maintained an overview of the evidence base on the impact of COVID-19 on children and young people to inform policy decisions around our COVID-19 response. We have published five evidence summaries of the emerging evidence in this area between June and December 2020.

### **COVID Recovery**

In the context of the pandemic and its continuing impact, Scottish Ministers are supporting a range of initiatives to assist recovery, focusing on addressing the ongoing effects on children and young people. Some examples are set out below:

- On 23 March 2021, the Deputy First Minister announced a £20 million ["Get Into Summer"](#) fund to local authorities and national organisations to support the wellbeing and mental health of children, young people and families most impacted by COVID-19 through an enhanced summer offer as part of our COVID-19 and Education Recovery approach. The summer offer specifically targeted children and young people most impacted by COVID-19, particularly those from low income households and those who fell within the Tackling Child Poverty priority groups<sup>14</sup> and provided a mix of universal and tailored support to remove stigma and barriers to participation. We will build on Get Into Summer 2021 to deliver a summer 2022 offer for children and families in low income households which provides coordinated access to food, childcare and activities during the holidays. By summer 2023, we will build on this work to make holiday childcare provision available for all children from low income families.

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<sup>14</sup><http://www.healthscotland.scot/population-groups/children/child-poverty/child-poverty-overview/priority-groups-affected-by-child-poverty>

- We committed to investing £450 million over 2020/21 and 2021/22 to support education recovery. The majority of this funding is supporting a range of work to accelerate learning recovery and to support children and young people’s health and wellbeing, including the provision of additional teachers and staff to support those who need it most; devices and connectivity to lift children and young people out of digital exclusion as quickly as possible; and targeted youth work services.
- We have also committed to using the payment mechanism for COVID Hardship Payments and the delivery of alternate Free School Meal provision to deliver Scottish Child Payment bridging payments of £520 in both 2021 and 2022, prior to delivery of this new social security benefit for children and young people aged 6-15 years old. The bridging payments will be made quarterly and are estimated to benefit in the region of 150,000 children and young people. We have also provided a £130 pandemic support payment to every household who received Council Tax Reduction in April 2021, reaching around 500,000 households, many of them families with children.
- In October 2020, we published the [Mental Health: Transition and Recovery Plan](#) in response to the mental health effects of the COVID-19 pandemic. The plan contains a number of actions targeted at supporting children and young people and is supported by the £120 million Mental Health Recovery and Renewal Fund, announced in February 2021. Specifically, this work includes actions to improve specialist Child and Adolescent Mental Health Services, address waiting times, and improve other mental health supports and services for children and young people.
- In October 2021, we published the [COVID Recovery Strategy For A Fairer Future](#). This strategy aims to address the systematic inequalities made worse by COVID, improve people’s wellbeing and remobilise public services. Improving the wellbeing of children and young people is one of the outcomes of the strategy, and the strategy includes actions in this area – including investing at least £500 million over the life of this Parliament to create a Whole Family Wellbeing Fund, increased investment in mental health support for children and young people, and support for young people through the Young Person’s Guarantee scheme.

The Annex to this Report provides further information on these and other initiatives being taken forward across all areas of the Scottish Government, including in relation to Scotland’s recovery from the pandemic.

### **COVID-19 Public Inquiry**

As announced on 24 August 2021, the Scottish Government will establish an independent Scottish public inquiry this year to consider matters in relation to Scotland’s handling of the pandemic. The Scottish public inquiry is expected to adopt a person-centred, human rights based approach.

Decisions about the scope of the inquiry are yet to be taken. Public engagement on a draft Scottish public inquiry aims and principles paper took place between 24th August 2021 and the end of September 2021. The Scottish Government is actively

seeking the views of equality and human rights stakeholder groups. The Deputy First Minister also met with equality and human rights groups on 30 September 2021. This feedback will help inform the terms of reference to be agreed between Ministers and the inquiry's Chair, once they have been appointed.

### 3. Key Initiatives for taking forward Children’s Rights during the Reporting Period 2018-2021

The Scottish Government has taken forward a wide range of measures throughout the reporting period to better support children and young people to experience their rights. Many of these initiatives were highlighted in the progress reports published in [2019](#) and [2020](#). Some of our key achievements in the reporting period 2018-2021 are as follows:

#### **Meetings of the Scottish Cabinet with children and young people, ensuring that children’s voices are heard at the highest level of Government.**



The annual meeting between Cabinet members and children and young people, which has taken place since 2017, enables children and young people to raise issues that matter to them and to inform the Scottish Government’s agenda over the coming year. At the end of each meeting, children, young people and Cabinet members have

collectively agreed actions for the year ahead and published reports on the progress made in taking these forward.

The Permanent Secretary and the Scottish Government Executive Team have also met annually with members of the Scottish Youth Parliament to discuss issues of significance to young people in Scotland. The most recent meeting in November 2021 offered an opportunity for the Executive Team to hear from members of the Scottish Youth Parliament on topics taken from their Manifesto. Topics of greatest significance to young people in Scotland were discussed including rights and participation, mental health, education and gender recognition.

#### **Measures in the Children (Scotland) Act 2020 to ensure that the rights of the child are at the heart of any family law case and that their views are heard**



The Children (Scotland) Act 2020 (the 2020 Act) removes the presumption that a child aged 12 or over is considered mature enough to give their views in family court cases, Children’s Hearings and permanence and adoption cases. This was in response to concerns that the presumption was leading to the views of younger children not always

being heard, which was not the intention when the presumption was introduced. The 2020 Act places a requirement for a child’s views to be sought when a court or a Children’s Hearing is making a decision that concerns the child unless the court is satisfied that the child is not capable of forming a view. The child’s preferred method of giving their views is to be used, unless it is not reasonable to do so, or the child has not expressed a preferred method of giving their views.

The 2020 Act also places a duty on the Scottish Ministers to make such provision as they consider necessary and sufficient to ensure that all children concerned in proceedings in which the court is considering making an order under section 11(1) of the Children (Scotland) Act 1995 have access to appropriate child advocacy services.

### **Work to implement the Children (Equal Protection from Assault) (Scotland) Act 2019, giving children the same legal protection from assault as adults.**



The Scottish Government supported the [Children \(Equal Protection from Assault\) Scotland Act 2019](#) during its passage through the Scottish Parliament. The Act, which came fully into force on 7 November 2020, removed the common law defence of “reasonable chastisement” from the law of Scotland, essentially making all forms of physical

punishment of children by a parent or carer unlawful in Scotland from that date.

The Scottish Government has provided information on the Act in a [factsheet](#), including in an [easy read version](#); on [mygov.scot](#); and on [Parent Club](#). We have also prepared [promotional materials](#) about the Act for parents and carers, and for children and young people. In addition, the Scottish Government ran a [marketing campaign](#) and developed [digital resources](#) for families to promote positive parenting in line with its commitment to provide support to parents and carers as part of implementation work for the Act.

### **Our commitment to #KeepThePromise and help transform how Scotland cares so that all children grow up loved, safe and respected.**



In 2017, the Scottish Government established an independent root and branch review of the care system for children and young people in Scotland, to help identify how to change the future of the care system for the better and improve both the quality of life and outcomes of young people in care. The review concluded with [The Promise](#) in February 2020, setting out over 80 recommendations.

The First Minister is fully committed to #KeepThePromise and has since supported The Promise Scotland to become a non-statutory company, allowing them to provide support and oversight to enable full implementation of the Care Review’s conclusions. The Promise Scotland published [The Plan 21-24](#), the first of three plans setting out the priorities to realising the ambition of implementing the Promise. This was followed by [Change Programme ONE](#). The Scottish Government will play a pivotal role in keeping the Promise and is committed to delivering the transformational change required.

### **Fourth Anniversary of the baby box – with over 190,000 baby boxes distributed to families across Scotland since the introduction of the scheme.**



At its heart, Scotland's Baby Box strongly signals our determination that every child born and resident in Scotland, regardless of their circumstances, should get the best start in life by ensuring that every family with a newborn has access to essential items needed in the first six months of a child's life. It is a simple idea which helps to tackle

deprivation, improve health and support parents during the first few months of their child's life. The Baby Box balances practical items, such as the clothing, the hooded bath towel and the changing mat, with items designed to have a positive impact on parent-child interaction through the inclusion of books, a baby wrap and a play mat to support attachment, early learning and play.

An independent [evaluation](#) of Scotland's Baby Box, published in August 2021, highlighted a positive impact of the programme on families, both financially and in terms of wider benefits, such as informing them about, or reinforcing, key child health and development messages.

### **Our investment in school counselling services across education in Scotland, alongside enhanced funding for Child and Adolescent Mental Health Services.**



The Scottish Government [Programme for Government \(PFG\) 2018/19](#) included a commitment to invest in access to school counselling services across education in Scotland. The [aims and principles](#) set out that the counselling service should be available for children aged 10 and over, meaning that the service would also be available for primary

and special schools which are linked to the secondary school. We are providing £16 million<sup>15</sup> to local authorities per year to support delivery of the commitment. Local authorities have confirmed that counselling services are in place across Scotland.

In 2021-22 around £40 million has been allocated to improve the mental health care that children and young people receive through Child and Adolescent Mental Health Services (CAMHS). This will address CAMHS waiting times; support implementation of our National CAMHS Service Specification, which sets out the levels of service that children, young people and families can expect from CAMHS across Scotland and improve community CAMHS, with an expansion from age 18 years old to age 25 years old for targeted groups, and those who wish it. The funding will also provide access to out of hours assessments, intensive and specialist CAMHS services, which will benefit children and young people with complex needs, and their families, including in a home setting. This is part of a longer term commitment to ensure that by 2026, 10% of frontline NHS budget is invested in mental health, with 1% directed specifically to children and young people.

<sup>15</sup> [Mental health in schools - gov.scot \(www.gov.scot\)](http://www.gov.scot)

## Record investment in measures to tackle child poverty, including the ‘game changing’ Scottish Child Payment



The Scottish Government set in statute the ambition to eradicate child poverty through the [Child Poverty \(Scotland\) Act 2017](#), underpinned by ambitious income-based targets to be met by 2030. Concrete action to tackle and reduce child poverty is set out within the Tackling Child Poverty Delivery Plan: [Every Child Every Chance 2018-2022](#).

This includes the introduction of the new Scottish Child Payment, worth £40 every four weeks, for eligible children – described by anti-poverty campaigners as a ‘game-changer’. The Payment commenced in February 2021 for eligible children under the age of six, and will be delivered to all eligible children up to the age of 16 by the end of 2022 when it is estimated that up to 406,000 children will be eligible. Scottish Ministers have committed to doubling the value of the payment to £80 every four weeks as soon as is practicable, further enhancing the support available for children in poverty. In 2020-21, investment targeted at supporting children in low income households, reached almost £1 billion.

### The ongoing extension of free school meals

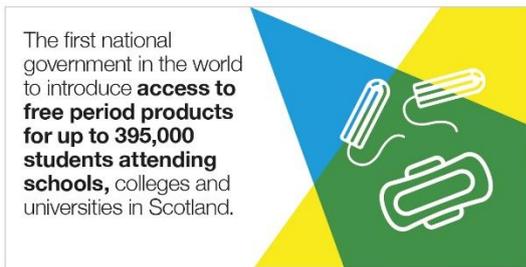


Free school meals are a vital support to thousands of children and young people across the country – ensuring they have access to a free, healthy and nutritious meal every day they are in school and are ready to engage in learning. The Scottish Government continues to offer free school meals to all children in Primary 1 to 3. In

addition to this, a new £28 million commitment is now delivering free school lunches during term time for all children in primary 4. This will be further expanded to include all children in primary 5, starting in January 2022, and all primary 6 and 7 pupils from August 2022. The policy of providing universal free school meals saves all families an average of £400 per child, per year and 220,945 children are currently benefitting from this policy.

We are also providing £21.75 million to fund targeted support during school holidays for all families who meet the eligibility criteria to receive free school meals. Free school meals continue to be provided to children and young people who meet the income based eligibility criteria set out in statute outside of those age ranges where universal provision is made.

## World leading action to ensure period dignity for everyone in Scotland who menstruates.



The Scottish Government believes that being able to access period products is fundamental to equality and dignity. The Scottish Government has taken world leading and award winning action through investing over £21 million since 2017 to fund access to free period products across a range of settings including schools, colleges and

universities, wider public spaces and targeted access through community groups for those on low incomes.

In October 2020, the Period Products in Schools (Scotland) Regulations 2020 came into force which places a duty on local authorities and grant-aided schools to provide free period products for pupils. These Regulations will be superseded by the Period Products (Free Provision) Scotland Act 2021 (“the Act”) when it comes into force.

The Act, which received Royal Assent in January 2021, will place duties on local authorities and education providers to make period products obtainable free of charge for anyone who needs to use them. The Act will come fully into force by January 2023 at the latest. When in force, the Act will ensure that everyone in Scotland who menstruates can have reasonably convenient access to period products, free of charge, as and when they are required. In advance of this, free products continue to be available through voluntary provision and under the Regulations above. The Scottish Government remains ambitious about Scotland continuing to lead the way internationally not just to tackle period poverty, but to also achieve wider gender equality.

## Expanded funding to help close the poverty-related attainment gap and support education recovery.



We continue to focus on our firm commitment to reduce the poverty-related attainment gap. The [poverty-related attainment gap 2016-2021 progress report](#) demonstrated evidence of good progress being made to date and that the Scottish Attainment Challenge has made a positive impact.

The report highlighted that headteachers were positive about the impact of the Scottish Attainment Challenge, with nine out of ten schools reporting an improvement in closing the gap in attainment and/or health and wellbeing as a result of Attainment Scotland Fund-supported approaches. Building on existing progress, we are continuing to work in partnership with local authorities, schools and other partners to develop the Scottish Attainment Challenge programme.

We have extended our commitment to tackling the poverty related attainment gap and to supporting education recovery by committing an investment of £1 billion over

the course of this parliament. As part of this, we have committed over £215 million to the Scottish Attainment Challenge in 2021/22. This record funding, the largest amount awarded as part of the Scottish Attainment Challenge for a single year, enables headteachers, schools, councils and other partners to provide targeted support for our most disadvantaged pupils

### **The expansion of the entitlement of funded early learning and childcare hours to all eligible children, up from 600 to 1140 hours per year.**



The Scottish Government has made a significant investment in early learning and childcare (ELC) in order to expand the entitlement of funded hours to all 'eligible children' from up to 600 hours a year to up to 1140 hours a year from August 2021. A landmark multi-year funding agreement was reached by the Scottish Government and

COSLA in April 2018 to fully fund the expansion.

Funded ELC is available to all 3 and 4 year olds, irrespective of their parents' employment status, and to around a quarter of 2 year olds - those that evidence suggests will benefit most from early access to high quality ELC. Eligibility criteria target this early offer to children with experience of care or with a parent with experience of care; and those in families in receipt of no or low income benefits. The long-term outcomes of this investment are that: children's development improves and the attainment gap narrows; family wellbeing improves through enhanced nurture and support; and parents' opportunities to take up work, training or study increase.

### **Publication of a new Air Quality Strategy which aims to reduce health inequalities across vulnerable groups, including children**



Over the last 50 years, air quality in Scotland has seen a significant overall improvement. The choking smogs of the 1950s are a thing of the past, driven by concerted action, especially on energy use, industry and transport. Air quality in Scotland's towns and cities is improving year on year, but there are still areas across the country where air quality

standards for human and environmental health are not being met. Road transport in urban areas remains the significant contributor to poor air quality. Air pollution especially impacts on the more vulnerable members of society – the very young and the elderly or those with existing health conditions such as asthma, respiratory and heart disease. This makes air quality an important health inequalities issue.

[Cleaner Air for Scotland 2 – Towards a Better Place for Everyone](#), published in July 2021, sets out the air quality policy framework in Scotland to 2026 and contains around 70 actions which are designed to deliver further air pollution reductions and improved health outcomes for Scotland's children and wider society.

**The passage of the Age of Criminal Responsibility (Scotland) Act 2019, will increase the age of criminal responsibility in Scotland from 8 to 12 years.**



The increase in the age of criminal responsibility (ACR) from 8 to 12 years old by way of full implementation of the Age of Criminal Responsibility (Scotland) Act 2019 will mean that Scotland has the highest minimum age of criminal responsibility within the four UK nations, reflecting this Government's progressive commitment to

international human rights standards.

The Act requires the Scottish Ministers to carry out a review within 3 years of the commencement of section 1 of the Act (which will increase the ACR to 12 years old). The review will evaluate the operation of the Act in general as well as giving consideration to a future ACR. Evaluation of the Act will ensure that operational learning and experience about how the legislation and associated change programme operates for the under-12 age group can be taken into account as part of the overall consideration of a future higher ACR in Scotland.

**The launch of a national advocacy service to reinforce the rights of children involved in the Children's Hearings System**



A national advocacy service to reinforce the rights of children involved in the Children's Hearings System was launched in November 2020. The demand-led service, means children and young people will be offered support to express their needs and views on decisions that affect their lives. From July 2021, the provision was expanded to also

support the right of siblings to participate in Children's Hearings, where they are invited to give their views on when or how they want to see their brothers or sisters. The national scheme was backed by an initial £1.5 million, and increased to £1.8 million in 2021-22. A Children's Hearings Advocacy Expert Reference group was set up to support the design, delivery and implementation of the service, which is offered Scotland-wide by ten third sector providers. The funding supports the training and provision of advocacy workers.

## Enhanced use of pre-recorded evidence helps avoid the need for child witnesses in serious cases to face the trauma of giving evidence in court



The Vulnerable Witnesses (Criminal Evidence) (Scotland) Act 2019 was passed unanimously by the Scottish Parliament in May 2019. Following certain provisions in the Act coming into force in January 2020, child witnesses in some of the most serious criminal cases can have their evidence pre-recorded, avoiding the trauma of them having

to give evidence in court during the trial. The exception to this is if it is shown that this would significantly prejudice the interests of justice in the individual case.

The enhanced use of pre-recorded evidence for child witnesses has been backed by Scottish Government funding, as has the establishment of a new evidence and hearings suite in Glasgow, specifically designed for the needs of children and other vulnerable witnesses, enabling evidence to be taken in a safe and secure environment. The evidence suite in Glasgow and the one planned within the Inverness Justice Centre, showcase what can be achieved for vulnerable witnesses through using high quality video recording equipment. Further work is also being undertaken in Edinburgh and Aberdeen.

## The work of the National Taskforce for Human Rights Leadership, and a commitment to introduce a new Human Rights Bill



In March 2021, the National Taskforce for Human Rights Leadership published 30 progressive, bold and ambitious recommendations for a new human rights framework for Scotland.

The Scottish Government has accepted all of these recommendations, and as part of

taking these forward, a new multi-treaty Human Rights Bill will be introduced this parliamentary session. The Bill will give effect in Scots law to a wide range of internationally recognised human rights - belonging to everyone in Scotland - as far as possible within devolved competence. This builds on the ongoing work to incorporate the UNCRC into Scots law, which, as part of our wider agenda of giving effect to human rights in Scotland, contributes to building momentum to see internationally recognised human rights being made directly justiciable in Scots law. The Programme for Government 2021-22 announced a commitment to consult on the Bill in the coming year. This Bill will demonstrate global human rights leadership, placing Scotland at the forefront of human rights legislation and, most importantly, practice.

Further information on other initiatives taken forward in support of children's rights within the reporting period is provided in the Annex to this Report.

## Annex

### Key forward actions and strategic plans

Responsibility for taking forward children's rights is mainstreamed across portfolios within the Scottish Government. The principles of the UNCRC are, therefore, taken into account in the development of relevant Scottish Government policies, strategic frameworks, action plans and other key documents and initiatives, covering all areas relating to the health and wellbeing of children and families. Links to some of these key documents and policy initiatives, organised under the cluster groups used in reporting to the UN Committee on the Rights of the Child, are provided below.

The content of this Annex builds on the updates provided in the Progress Reports published in [2019](#) and [2020](#).

### General Measures of Implementation

#### [National Performance Framework](#)

The revised National Performance Framework (NPF) was developed together with the people of Scotland to reflect our values as a nation and the aspirations we hold for our future. It has also been formulated to link with and promote our commitment to the United Nation's Sustainable Development Goals which are aimed at improving wellbeing across the world. The NPF National Outcomes include: "*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*".

#### [National Taskforce for Human Rights: Leadership Report](#)

In March 2021, the National Taskforce for Human Rights Leadership published 30 progressive, bold and ambitious recommendations for a new human rights framework for Scotland. The Scottish Government has accepted all of these recommendations, and as part of taking these forward, a new multi-treaty Human Rights Bill will be introduced this parliamentary session.

The Bill will incorporate, as far as possible within devolved competence, the International Covenant on Economic, Social and Cultural Rights, alongside three other international human rights treaties for the empowerment of women, disabled people and minority ethnic people. The Bill will also include a right to a healthy environment, a right for older people to ensure equal access to their human rights so that they can live a life of dignity and independence, and provision to ensure equal access to everyone to the rights contained in the Bill. The [Programme for Government 2021-22](#) announced a commitment to consult on the Bill in the coming year (2021-22).

#### [Equality and Human Rights Fund](#)

In August 2021, the Scottish Government announced that organisations across Scotland will share £21 million funding over three years to advance human rights, promote equality and tackle discrimination. A total of 48 organisations will benefit from the new Equality and Human Rights Fund. Overall, this new three-year programme will provide additional funding for organisations dedicated to tackling

inequality and discrimination, furthering equality and advancing the realisation of human rights in Scotland.

#### [Equality and Fairer Scotland Budget statement 2021-22](#)

The Equality and Fairer Scotland Budget Statement was published alongside the Scottish Government Draft Budget 2021-22, to reflect and to report the impacts of policy and spending decisions on equality outcomes. The equality budgeting process for the Scottish Government is developed with the involvement of an independently chaired expert advisory group. For 2021-22, the Statement included a specific chapter on key budget commitments by protected characteristics, including children and young people.

#### [Global Citizenship: Scotland's International Development Strategy](#)

In 2016, the Scottish Government's refreshed International Development Strategy set the direction for Scotland's international activity to contribute to the fight against global poverty, inequality, injustice, and to promote sustainable development via the mechanism of the UN Global Goals. In 2020/21, we reviewed our approach to international development in light of COVID-19 and the Black Lives Matter movement. Our 2016 Scottish Government Strategy set out our Vision that "Embedding the Global Goals, Scotland will contribute to sustainable development and the fight against poverty, injustice and inequality internationally". Announcing the conclusion of our COVID [Review](#) in 2021, the Scottish Government Minister for International Development confirmed that ongoing vision, and set out an overarching ethos for our international development work: "International Solidarity in an interdependent world means embedding a human rights approach in all our work. We speak out with clarity of purpose and compassion, in support of democracy, human rights and the rule of law".

The Scottish Government is also committed to achieving the Sustainable Development Goals via the mechanisms of the National Performance Framework in order to reduce inequality domestically and to contribute internationally.

#### [National Action Plan to Implement the UN Guiding Principles on Business and Human Rights](#)

The Scottish Government is working with partners to develop a co-ordinated plan of action in Scotland to implement the UN Guiding Principles on Business and Human Rights (UNGPs). A national baseline assessment (NBA), which was published in October 2016, sets out how law, policy and practice in Scotland aligns with the UNGPs. Further engagement with stakeholders, including children and young people, has helped to prioritise the NBA's recommendations and will inform the drafting of an action plan.

#### [Economic Recovery Implementation Plan. The Scottish Government's Response to the Advisory Group on Economic Recovery](#)

The Scottish Government's response to the Advisory Group on Economic Recovery report, [Towards a Robust, Resilient Wellbeing Economy for Scotland](#), was published in August 2020. It sets out commitments to: tackle inequalities and improve the wellbeing of our communities, businesses and natural environment; create a socially just economy that protects and grows our assets, to support the wellbeing of current

and future generations; and embed equalities and human rights at the heart of the Scottish Government's approach to the economy.

In Autumn 2021, we will publish a new 10 year National Strategy for Economic Transformation. This will set out how we will deliver our vision for Scotland to create a low-carbon, wellbeing economy – a society that is thriving across economic, social and environmental dimensions, and that delivers sustainable and inclusive economic prosperity for Scotland's people and places. The Strategy will help put us on the path to meeting our 2030 climate targets, helping restore the natural environment, stimulate innovation, create jobs, improve wellbeing for all and further embed fair work standards across the economy. The Strategy will build on the COVID Recovery Strategy to create the economic future we want to see - a greener, fairer and more inclusive wellbeing economy where everyone can flourish.

### [Common Core of Skills, Knowledge & Understanding and Values for the 'Children's Workforce' in Scotland](#)

The Common Core describes the skills, knowledge and understanding, and values that everyone should have if they work with children, young people and their families, whether they are paid or unpaid. The skills, knowledge and understanding are explicitly cross-referenced to the guiding principles of the UNCRC.

## **General Principles**

### [Getting it right for every child](#)

Getting it right for every child (GIRFEC) is Scotland's national approach to improving outcomes for children and young people. It provides a shared framework for the many services and agencies that work with children and families to take a co-ordinated, holistic approach which puts the rights of the child at the centre. For over a decade, GIRFEC has shaped the way children's services are planned and delivered in Scotland, and it is well-embedded in policy and practice.

The Scottish Government has committed to updating the over-arching policy statement and national practice material on GIRFEC. This includes guidance on information sharing, following the Practice Development Panel's recommendation that an authoritative code of practice is not possible given the complexity of the issues and the need for accessibility. Work on the GIRFEC refresh was paused due to the COVID-19 pandemic, but resumed in March 2021, in partnership with key delivery partners.

Materials in development include the GIRFEC Policy Statement, with updated values and principles reflective of our current landscape; Statutory Guidance for the Assessment of Wellbeing; an Information Sharing Charter for agencies and organisations to share with children and families and a Practice Guidance series covering key elements of GIRFEC (role of named person, role of lead professional, information sharing, using the national practice model).

Public [consultation](#) on the Statutory Guidance for the Assessment of Wellbeing is taking place until 4 February 2022. Other materials in development are subject to a stakeholder focussed consultation. Publication of the refreshed GIRFEC materials is planned for 2022.

### Children, Young People and Families Outcomes Framework

A Children, Young People and Families Outcomes Framework is being developed to provide an overall holistic picture and understanding of children and young people's wellbeing in Scotland. This adopts an approach grounded within GIRFEC and has children's rights at its heart. The Outcomes Framework will sit underneath, and be aligned to Scotland's National Performance Framework, and aims to enhance our accountability to Scotland's children, young people and families. The framework will help highlight positive impact and identify areas where improvement activity is required to drive progress. Work in progress was paused due to the pandemic and resumed in 2021. The framework approach and core wellbeing indicators are being developed collaboratively with partners across Scotland, with opportunities for children, young people and families to meaningfully participate in its development, through national forums and organisations that work with children and young people, and local youth participation networks in Children's Services Planning Partnerships.

The core wellbeing indicator set will provide a high level overview of wellbeing at both a whole population level, and at a local level for Children's Services Planning Partnerships, helping to support greater consistency across different national reporting requirements, including on Children's Services Plans. We aim for the Outcomes Framework to go live in 2022, with a starter set of core wellbeing indicators available for use by April 2022.

### [Equality Outcomes and Mainstreaming Report](#)

The Report, which was published in 2017, provided an update on the Scottish Government's progress in promoting and mainstreaming equality across its activities and a final report on the 2013 equality outcomes. It also set new equality outcomes covering the period 2017-21. The two most relevant outcomes related to: ensuring that children affected by domestic abuse are increasingly recognised and supported in the justice system; and, making progress in the educational experience of children whose success, according to the evidence, is hampered by having a protected characteristic. (An update on progress against those outcomes was provided in the [2019 Equality Outcomes and Mainstreaming Report](#).) The document includes measurement tools for progress on each of the outcomes.

### [Equality Outcomes and Mainstreaming: Report 2021](#)

This report provided an update on progress made by the Scottish Government in mainstreaming and promoting equality across its activities. It also reported a final progress report in relation to the equality outcomes set in 2017. The report also sets new equality outcomes covering the period 2021-25.

### [Race Equality Framework for Scotland 2016-2030](#)

The Race Equality Framework for Scotland sets out the Scottish Government's approach to promoting race equality and tackling racism and inequality between 2016 and 2030. It was created in partnership with our key stakeholders and is intended to frame how we look at racism and race equality. The first product of its implementation was our Race Equality Action Plan 2017-21.

### [Race Equality Action Plan: Final Report](#)

We published the Race Equality Action Plan: Final Report in March 2021. This final year report includes consideration of activity across all relevant portfolios, including particular attention to the issues which have been highlighted by the COVID-19 pandemic.

We are currently developing our next long-term action plan to implement the Race Equality Framework for Scotland 2016-30. Understanding racism and taking a truly anti-racist position means acknowledging the existence of formal and informal structural, institutional and cultural processes that place minority ethnic and migrant groups at a disadvantage within Scotland in relation to the majority. We understand the need to develop a deeper understanding of how systemic racism creates racial inequality, to inform longer-term system change. That is why we will be conducting a wholesale strategic review of our approach to race equality. This will incorporate the lessons learned through our implementation of the Race Equality Action Plan as well as from our stakeholders and those with lived experience. The result of this review will be a new, multi-year anti-racist plan for Scotland, beginning in 2023.

### [Race Equality: Immediate Priorities Plan](#)

Recognising the urgent need for action to address immediate racial inequalities, on 14 September 2021, we published our Immediate Priorities Plan, which focused on delivering an equal and anti-racist recovery from COVID-19 for minority ethnic Scots. Our immediate priorities are rooted in the delivery of the recommendations of our Expert Reference Group on COVID-19 and Ethnicity, as well as continuation of priority areas of work already underway to address immediate issues of race equality in key policy areas. Scrutiny will be provided both internally and externally, so that we can be held to account on our delivery.

### [Improving the lives of Scotland's Gypsy/Travellers: 2019-2021](#)

This is a joint Action Plan by the Scottish Government and COSLA to improve outcomes for Scotland's Gypsy/Travellers in the key areas of accommodation, education, health and poverty. It sets out five long term goals which are to ensure that Gypsy/Travellers:

- Have safe and culturally appropriate places to live and travel.
- Understand their rights and have positive experiences of accessing services.
- Have support to maximise incomes, increase employment opportunities, and improve the standard of living.
- Feel safe, respected and valued members of Scotland's diverse population.
- Have a seat at the table, are listened to and have a say in decisions that affect their lives.

The plan was originally due to conclude in March 2021 but, due to COVID-19, it was extended to October 2022. An additional 3 [actions](#) have also been added to the original 33, focussing on COVID-19 recovery. These combined actions across different policy areas have been developed with the advice, support and challenge of advocates; activists and members of the Gypsy/Traveller community themselves – as well as being informed by the expertise of those responsible for developing and delivering policy and services at both national and local level.

A Ministerial Working Group for Gypsy/Travellers has met regularly to discuss the project's progress, and quarterly Community Conversations have also been, and are being, held to give officials, the Minister and the lead Councillor the chance to meet with members of the public. These are opportunities to give updates, discuss individual concerns and to be generally held to account by the community.

Alongside the announcement of the general extension, in March 2021, the Scottish Government also announced that [£20 million](#) will be made available over the next five years to help provide more and better Gypsy/Traveller accommodation as part of Housing 2040 - Scotland's first long-term national housing strategy.

### [Minority Ethnic Leadership & Development Programme](#)

In September 2020, the Scottish Government announced its investment in a development programme which will aim to remove barriers that can be faced by minority ethnic people moving into leadership positions in society. Up to 50 people will benefit from a nine-month professional and personal development programme backed by mentoring and living wage placements across the public, third and private sectors. The programme will focus on young people, and is being delivered by the John Smith Centre, backed up by £470,000 of Scottish Government funding. The programme will focus on developing the professional and personal skills of participants, including negotiating and communication.

### [British Sign Language National Plan 2017-2023](#)

The British Sign Language National Plan 2017-2023 sets out the ambition to make Scotland the best place in the world for British Sign Language users to live, work and visit. The plan is framed around ten long-term goals and contains a number of actions relevant to children and their families. A progress report and a further set of actions were due to be published in 2020. However, this was rescheduled until 2021 in light of the COVID-19 pandemic. The [Progress Report](#) was published on 27 October 2021.

### [Adverse Childhood Experiences and Trauma](#)

Adverse Childhood Experiences (ACEs) are stressful or traumatic experiences that can have a huge impact on children and young people throughout their lives. 71% of the Scottish adult population report having experienced at least one ACE and 15% have experienced four or more ACEs. Experiencing multiple adversities in childhood impacts on health behaviours, mental health and physical health in adulthood. The Scottish Government is committed to preventing ACEs and helping to reduce the negative impacts of these where they occur and supporting the resilience of children, families and adults in overcoming adversity. Work is underway to help reduce the incidence and impact of all types of childhood adversity, focusing on:

- Support for children, parents and families to prevent ACEs.
- Mitigating ACEs for children and young people.
- Training for staff across the workforce in supporting people who have experienced trauma.
- Raising wider awareness about ACEs and supporting action across communities.

Work to address ACEs is also related to actions underway to address the social and economic circumstances in which people live. Social inequalities, such as poverty or gender inequality, can influence the levels of childhood adversity and people's ability to overcome that experience. The 2020-21 Programme for Government outlined a range of commitments which continue to drive progress on the agenda to address ACEs, including: the incorporation into domestic law of the UNCRC, tackling child poverty, fulfilling the Independent Care Review (The Promise), supporting families, and expansion of the National Trauma Training Programme.

The 2021-22 Programme for Government has committed to extending the [National Trauma Training Programme](#) for a further two years, to 2023, recognising that the pandemic has both increased and exacerbated levels of childhood adversity and traumatic experiences for many. We want to ensure that services and workforces recognise where people are affected by ACEs and trauma, respond in ways that prevent further harm and support people's recovery and life-chances.

### [National Hub for Reviewing and Learning from the Deaths of Children and Young People](#)

In collaboration with Health Improvement Scotland and the Care Inspectorate, the Scottish Government launched a new child death review system on 1 October 2021 to ensure the death of every child in Scotland is subject to a high quality and consistent review. The principle aim is to channel learning from reviews in order to reduce the number of preventable deaths (and harm) of children and young people. A review will be conducted into the deaths of all live born children up to the date of their 18th birthday, or 26th birthday for care leavers who are in receipt of aftercare or continuing care at the time of their death.

### [Maternity and Children Quality Improvement Collaborative](#)

The Maternity and Children Quality Improvement Collaborative (MCQIC), part of the Scottish Patient Safety Programme, focuses on improving outcomes for babies, children and their mothers. The maternity programme activities take cognisance of existing national policies and approaches, including [The Best Start: A five-year forward plan for maternity and neonatal care in Scotland](#) and [Getting it right for every child \(GIRFEC\)](#). Key recommendations from this are central to the maternity care programme. The MCQIC Maternity Care is currently focusing on reducing stillbirth, neonatal mortality and severe postpartum haemorrhage as well as the implementation of a national maternity early warning chart.

## **Participation**

### [Annual Cabinet Meeting with Children and Young People](#)

The fifth annual Cabinet meeting with children and young people took place on 16 March 2021. Members of the Children's Parliament, the Scottish Youth Parliament and Cabinet Ministers discussed the most important issues affecting children and young people in Scotland. Actions [agreed](#) at the meeting include measures relating to the provision of anti-racist education, participation of children and young people in matters affecting them, the environment and the human rights based approach to the recovery from the pandemic. A report on progress will be published ahead of the next cabinet meeting with children and young people in 2022.

### [Children and Young People's Voices Matter: Progress Report](#)

In March 2021, the Scottish Government published a Report on progress made in taking forward the actions agreed at the fourth annual meeting of Cabinet members and children and young people on 3 March 2020.

### [Scottish Elections \(Franchise and Representation\) Act 2020](#)

The Act received Royal Assent on 1 April 2020 and extends the right to vote in Scottish Parliament and local government elections to all foreign nationals with leave to remain, including all those granted refugee status. This includes 16 and 17 year olds. The Act also extends candidacy rights to foreign nationals with indefinite leave to remain, and to those with pre-settled status. Candidates standing for election have to be 18 years or over. The legislation also ensures that Scotland complies with the European Convention on Human Rights when it comes to the issue of prisoner voting, by extending the franchise to those serving a custodial sentence of 12 months or less.

### [Scottish Elections \(Reform\) Act 2020](#)

The Act received Royal Assent on 8<sup>th</sup> July 2020 and clarifies that all persons aged 14 or 15 can register as attainers prior to obtaining voting rights in Scottish devolved elections at the age of 16.

### [Rethinking Legal Aid: An Independent Strategic Review](#)

Rethinking Legal Aid: An Independent Strategic Review, commissioned by Scottish Ministers and chaired by Martyn Evans, was published in February 2018. It set out an ambitious vision for publicly funded legal assistance in Scotland, through a citizen focused approach, including for children's legal aid. A Scottish Government [consultation](#) on possible actions following from the recommendations made in the Review closed on 19 September 2019. The [Consultation Analysis](#) was published on 16 June 2020. The Scottish Government plans to introduce primary legislation during this Parliament to take forward the supported reforms in the consultation. We will engage with relevant stakeholders, including victim support organisations, during the development of the Bill.

### [Young Islanders Network](#)

The Scottish Government is continuing to support the emergence of a new Network to provide children and young people from across all of Scotland's islands with the opportunity to participate and have their say in the delivery of the National Islands Plan (NIP). With the support of Youth Scotland, the Young Islanders Network (YIN) will be co-created and led by our young islanders, ensuring that the interests and priorities of this cohort are carefully considered and reflected in the development of this new forum.

The NIP commits the Scottish Government to "Create a Young Islanders Network constituted by young people from all Scottish islands, which will have a consultative role in the implementation of the NIP, to ensure that the delivery of the Plan fully considers the interests and priorities of young people". The YIN is not intended to supersede or replace any existing youth organisations and networks already operating in or in partnership with our island communities. Its role will be to help build on these and facilitate engagement, collaboration and a strong collective voice across our islands.

The YIN is one part of what is becoming an increasingly audible voice, representing children and young people on islands in legislative and policy development in a way that will directly affect them and their life chances. The YIN will also assist in delivering on wider commitments, including providing an opportunity to input to the wider voice of Rural Scotland, through the Rural Parliament, and contributing support to a growing rural youth movement. This work will include engagement that supports a 2021-22 Programme for Government commitment, which says that we will support Carbon Neutral Islands, including pilots for islands to run on 100% renewable energy, create circular economies, and explore more sustainable transport options.

Following a sustained initial focus to develop the aims, aspirations and terms of reference for the YIN, our young islanders have articulated a desire to engage with the Cabinet Secretary for Rural Affairs and Islands and contribute to the governance of the National Islands Plan at a senior level. This vision aligns closely with the original aspirations for the YIN to deliver grassroots youth representation that delivers tangible positive outcomes for young people in our island communities.

## **Civil Rights and Freedoms**

### [Biometric Data](#)

The Scottish Government's response to the Report by the Independent Advisory Group (IAG) on the Use of Biometric Data was published in March 2018. The Scottish Government agreed with the Group's recommendation for considering a different approach to children aged between 12 and 17 years old to ensure that their biometric data is taken, used and retained in a proportionate manner that reduces any unintended negative risks or consequences. This approach is consistent with wider Scottish policy approaches including Getting it right for every child and the Whole System Approach for Children and Young People who Offend. Police Scotland established a short life working group to develop the new policy; new investigative options; and the decision-making model required to progress this recommendation, in parallel with considerations arising from proposals to increase the minimum age of criminal responsibility in Scotland. Police Scotland are currently taking forward the recommendations of the short life working group in respect of:

- Altering the presumption to one of not taking biometrics from children arrested and released without charge unless the case is one of serious violent or sexual offending. The Working Group has recommended that biometric data should only be routinely taken from children who are arrested and subsequently charged for any sexual, violent or other offence which causes or risks causing significant harm. A proportionate and necessary approach will be applied in relation to charges for more routine offences.
- That in instances when biometric data is taken, this should be authorised by the custody sergeant and the rationale and decision making process is recorded and as such the National Custody System should be amended to allow the recording of this information. The Working Group are currently drafting a decision making framework to assist officers in the decision making process.

The remaining recommendations around the taking of samples, including from vulnerable children, are intended to be taken forward in liaison with the Scottish Biometrics Commissioner.

The [Scottish Biometrics Commissioner Act 2020](#) provides for the role and functions of the Commissioner. The Commissioner is expected to promote the interests of children and young people and have a role in raising their awareness of police powers and duties in relation to biometric data - and of how these powers and duties can be monitored and challenged. The Commissioner was appointed in April 2021.

#### [Code of Practice on the Use of Stop and Search](#)

The Code of Practice, which was developed by the Independent Advisory Group on Stop and Search, came into force on 11 May 2017. The Code and its use is a matter for Police Scotland and it has been designed to ensure that searches are carried out with fairness, integrity and respect. Chapter 7 of the Code is targeted specifically at children and young people and sets out additional consideration and specific guidance for police officers on the conduct of searches in cases where a child or young person is involved. The Code specifies that the police must have the child's wellbeing as a primary consideration in deciding whether to proceed with a stop and search and, where that is necessary, to conduct searches in a way that minimises potential distress. A separate guidance document, [Stop and Search in Scotland: What you need to know - A Guide for Children and Young People](#), was also published in 2017. In June 2019 the Independent Advisory Group published a twelve month [Review](#) of the Code of Practice.

Since 2015, in the interests of accountability and transparency, Police Scotland has published stop and search data on its website. All searches carried out are subject to governance and review in line with scrutiny arrangements in place to confirm they comply with the Code of Practice as being lawful, necessary and proportionate.

#### [Connecting Scotland](#)

The Connecting Scotland programme was set up in May 2020 in response to the COVID-19 pandemic. It aims to provide a national, human-centred, consistent and comprehensive approach to reducing the rates of digital exclusion and digital marginalisation due to low income.

Building on the initial success, Connecting Scotland has been extended to reach 60,000 people by the end of 2021, backed by £48 million of investment. The programme provides people with a device, connection with unlimited data for two years, as well as training and support. The programme is aimed at people who are digitally excluded and on a low income. To date, the following groups have been targeted:

- Those shielding or at high risk from COVID-19.
- Families (including pregnant women) with children.
- Single parents.
- Young care leavers.
- Care home residents.
- Socially isolated older and disabled people.

- People seeking support with employability.

In the 2021-22 Programme for Government, the Scottish Government committed to extending the Connecting Scotland programme to bring 300,000 households online by March 2026, backed by £200 million of investment, through the provision of devices, data and digital skills.

#### [A Changing Nation: How Scotland will Thrive in a Digital World](#)

This new Digital Strategy for Scotland, published in March 2021, sets out measures which will ensure that Scotland will fulfil its potential in a constantly evolving digital world. The Strategy includes a vision for an ethical digital nation, “A place where children and vulnerable people are protected from harm. Where digital technologies adopt the principles of privacy, resilience and harm reduction by design and are inclusive, fair and useful.” The new Digital Strategy for Scotland, includes actions that will ensure that no-one is excluded from digital services. An Expert group, supported by public and stakeholder insights and inputs, has been tasked with setting out a Framework for an Ethical Digital Nation.

#### [Scotland’s Artificial Intelligence Strategy: Trustworthy, Ethical and Inclusive](#)

Scotland’s Artificial Intelligence (AI) Strategy, published in March 2021, recognises that AI presents specific challenges and opportunities for children. The Strategy aims to have a positive impact on all children’s rights, by supporting the development and use of trustworthy, ethical and inclusive AI in Scotland. To achieve this aim, we will take action at multiple levels. At a strategic level, we will adopt UNICEF’s policy guidance on AI for children. At an operational level, the Scottish Government will lead by example by making targeted investments to explore in detail specific challenges relating to children and AI, and develop practical solutions. We will also expand international collaboration on AI and children, so that we can learn from good practice elsewhere and influence the global development of AI that respects children’s rights by organising international events dedicated to AI and children. At a governance level, we will ensure sustained, meaningful input from children and young people into the Strategy’s implementation, as key stakeholders, and based on their lived experience, by participating in the Scottish AI Alliance, an open-to-all stakeholder group with representation from across society.

## **Violence Against Children**

#### [Child Protection Improvement Programme Report and Child Protection Systems Review Report Recommendations](#)

The Child Protection Improvement Programme report, published in March 2017, set out 35 Actions covering: children’s hearings; leadership and workforce development; inspections of children’s services; neglect; data and evidence; child sexual exploitation; child internet safety; and trafficking. [The Systems Review report](#) makes 12 recommendations, covering Initial and Significant Case Reviews, Child Protection Committees, the Child Protection Register, and matters of leadership, governance and accountability. The Scottish Government has accepted all of the recommendations made in the Report and progress is being monitored through the National Child Protection Leadership Group.

### [National Guidance for Child Protection in Scotland](#)

The revised guidance, published in September 2021, was developed collaboratively with a National Child Protection Guidance Steering Group, and replaces the 2014 National Child Protection Guidance. It describes the responsibilities and expectations for all involved in protecting children. The Guidance informs the development of local multi-agency child protection procedures, processes and training, and will support the care and protection of children across Scotland.

### [National Action Plan to Prevent & Tackle Child Sexual Exploitation 2016-2020 - Delivery Report](#)

The Delivery Report, published in July 2020, sets out the wealth of achievements delivered since the publication of [Scotland's 2016 National Action Plan to Prevent & Tackle Child Sexual Exploitation Update](#) as well as the ongoing activity to tackle child sexual exploitation. Achievements have included the development of a national child sexual exploitation definition for Scotland and associated briefing papers for practitioners, supporting awareness raising campaigns, and delivering training which emphasises the links between child sexual exploitation and other forms of abuse. Action continues through cross-directorate Government-supported work-streams in Health, Justice, Safer Communities and Equalities, which collectively take action to prevent and protect children in Scotland from child sexual abuse, child sexual exploitation and provide appropriate support to victims and survivors.

### [National Action Plan on Internet Safety for Children and Young People](#)

The National Action Plan, published in April 2017, sets out the Scottish Government's priorities to help children stay safe and build resilience online, and aims to equip professionals, parents and carers with the skills to support children in their online activity. Action also includes working with the UK Government on their regulatory proposals to tackle online harms which includes legislative and non-legislative measures to make companies more responsible for their users' safety online, in particular, children and vulnerable groups. The Scottish Government continues its participation as an executive board member of the UK Council for Internet Safety (UKCIS) and its subgroups, to engage in UK-wide discussions with social media companies and technology firms, focusing on their responsibilities to society and improving online safety.

### [Expert Group on Preventing Sexual Offending Involving Children and Young People - Final Report](#)

The Scottish Government is committed to preventing all types of harmful sexual behaviour (HSB) and sexual offending involving children and young people. The Group's report, published in January 2020, contains findings relating to the nature, causes and frequency of harmful sexual behaviour by children towards other children, highlights existing best practice, and sets out 19 proposals for further action.

Action to address these proposals and develop HSB policy includes: the publication of revised National Guidance for Child Protection in Scotland and updated Care and Risk Management (CARM) guidance; continued funding of Interventions for Vulnerable Youth projects (IVY); and development of guidance for staff in education and training settings to identify, understand and respond to sexual behaviours in young people. Action also includes publication of research exploring potential links

between childhood experiences and HSB, and a survey of the views of children and young people on online harmful sexual behaviour to assist services in designing effective support and guidance; and development of training for schools in addressing online problematic sexual behaviour, with roll-out across local authorities commencing October 2021. An HSB Delivery Group has been established to oversee further successful delivery of these proposals.

[Protecting Children: Review of section 12 of the Children and Young Persons \(Scotland\) Act 1937 and section 42 of the Sexual Offences \(Scotland\) Act 2009](#)

The Programme for Government 2017-18 included the commitment to consult on revising the criminal offence of abuse and neglect of children to ensure it reflects a modern understanding of such terms. A formal consultation on the proposed amendments took place during 2018. The Scottish Government's [analysis report](#) of the consultation responses was published on 30 September 2019. Some respondents agreed with the need to reform, viewing it as a positive step towards further protecting children. However, many respondents urged caution to avoid widening the potential for criminality excessively, noting the harm that would be caused to children by unnecessarily drawing some families in to the criminal justice system where other non-criminal routes of addressing neglect may be more appropriate.

The Care Review sets out that early help and support to families is the best protection before issues escalate and statutory intervention is required. In accepting the Review's conclusions, the First Minister committed to make the changes that the review considers necessary. The Programme for Government announced investment of at least £500 million over the life of this Parliament to create a new Whole Family Wellbeing Fund to enable the building of universal, holistic support services across Scotland. This investment will help to improve access to early support and, in doing so, reduce the risk of harm and need for criminal justice measures.

Given the potential unintended consequences of the proposed amendments and the subsequent strengthened focus on supporting families, we are giving further consideration to the shape of any legislative reform of this area.

[Disclosure \(Scotland\) Act 2020](#)

This Act received Royal Assent on 14 July 2020. Once implemented, the Disclosure (Scotland) Act 2020 will strengthen safeguarding by making the Protecting Vulnerable Groups (PVG) Scheme mandatory for anyone carrying out regulated roles with children and adults. This includes individuals working in sports, for example, youth coaches and agents.

The Act will introduce a unique approach to childhood offending behaviour, including significantly limiting disclosure. It will amend the Rehabilitation of Offenders Act 1974 so that the disclosure period for the majority of childhood convictions will be zero, meaning these will immediately become 'spent'. As such, most childhood convictions will not be disclosable on Level 1 disclosures, replacing the basic disclosure. It will also end the automatic disclosure of childhood offending behaviour on Level 2 disclosures, replacing the current higher level disclosures. Instead, decisions on disclosing such information will be on a case by case basis, following statutory

guidance. There will also be an opportunity for the applicant to make 'representations', explaining why they believe the information should not be disclosed, and a right to an independent review of decisions to include information.

### [Children \(Equal Protection from Assault\) \(Scotland\) Act 2019](#)

The Act, which came fully into force on 7 November 2020, removed the common law defence of "reasonable chastisement" from the law of Scotland, essentially making all forms of physical punishment of children by a parent or carer unlawful in Scotland from that date. The Act also requires the Scottish Ministers to take steps to promote public understanding and awareness about the removal of the reasonable chastisement defence.

The Scottish Government formed an Implementation Group which considered what was required to implement this legislation. Information about the work of the Group can be found on the Scottish Government's [website](#). As part of its implementation work, the Scottish Government developed resources intended to inform children and young people about this change in the law, and worked with stakeholders to share these resources across Scotland.

The Scottish Government has provided information on the Act in a [factsheet](#) including in an [easy read version](#); on [mygov.scot](#); and on [Parent Club](#). The Scottish Government also prepared [promotional materials](#) about the Act for parents and carers, and for children and young people. In addition, the Scottish Government ran a [marketing campaign](#) and developed [digital resources](#) for families to promote positive parenting in line with its commitment to provide support to parents and carers as part of implementation work for the Act.

### [Forensic Medical Services \(Victims of Sexual Offences\) \(Scotland\) Act 2021 \(FMS Act\)](#)

This landmark Act received Royal Assent on 20 January 2021. Once commenced, the Act places a statutory duty on health boards to provide forensic medical services for victims of sexual offences to nationally agreed standards. The Act will also establish a legal framework for consistent access to "self-referral" where a victim can access healthcare and request a forensic medical examination without first having to make a report to the police. Self-referral will be available to those who are aged 16 and over, subject to professional judgement. The Act underpins the ongoing work of the [Chief Medical Officer's Rape and Sexual Assault Taskforce \(CMO Taskforce\)](#), to provide national leadership for the improvement of healthcare and forensic medical services for victims of sexual crime.

The [national children and young people clinical pathway](#) was published in November 2020 and a revised children's pro-forma has also been produced to align with a new national dataset for this age group. The purpose of the children and young people clinical pathway is to ensure a consistent approach to the provision of healthcare and forensic medical examination services for children and young people who may have experienced sexual abuse. The clinical pathway is in the process of being updated to take account of the provisions of the FMS Act and progress being made in related children and young people's policy areas including: the revised National Guidance for Child Protection; Bairns' Hoose; Getting it right for every child; and the ongoing

work to incorporate the UNCRC into Scots Law. The updated pathway will be rolled out to coincide with the commencement of the FMS Act.

### [Trafficking and Exploitation Strategy](#)

Scotland's first Trafficking and Exploitation Strategy, published in May 2017, set out the Scottish Government's ambition to work with partners to eliminate human trafficking and exploitation. The Strategy identified the following areas for action: identify victims and support them to safety and recovery; identify perpetrators and disrupt their activity; and address the conditions, both local and global, that foster trafficking and exploitation, as well as a dedicated section on actions related to Child Trafficking.

### [Third Annual Progress Report and Strategy Review](#)

The third annual progress report and review of the trafficking and exploitation strategy was published on 29 May 2020, in line with our statutory obligations set out in the Human Trafficking and Exploitation (Scotland) Act 2015.

A [consultation](#), about the duty to notify and provide information about victims (section 38 of the Human Trafficking and Exploitation (Scotland) Act 2015), closed in September 2019. We published all consultation responses online and the consultation analysis report was also published on 30 April 2020. Overall there was strong support for the Scottish Government proposals. Legislative implementation of the duty has been delayed due to the ongoing response to COVID-19 and its impact on public services.

### [Unaccompanied Children](#)

The Scottish Government's Programme for Government 2021-22 commits to launch the Independent Child Trafficking Guardians (ICTG) service in the summer of 2022. This service will support unaccompanied asylum seeking children in Scotland where there is reason to believe they might have been, or are at risk of being, trafficked. Whilst this work is underway, the Scottish Government will continue to fund the Scottish Guardianship Service to provide a guardian to trafficked and unaccompanied children throughout Scotland.

### [Equally Safe: Scotland's Strategy for Preventing and Eradicating Violence Against Women and Girls](#)

Equally Safe, the Scottish Government and COSLA's Strategy for preventing and eradicating violence against women and girls, seeks to work with stakeholders to prevent violence from occurring in the first place, build the capability and capacity of mainstream and specialist services to support survivors and those at risk, and strengthen the justice response to victims and perpetrators. The Strategy was originally published in 2014 and updated in March 2016 and in April 2018.

### [Equally Safe - A Delivery Plan for Scotland's Strategy to Prevent and Eradicate Violence Against Women and Girls 2017-21](#)

The Delivery Plan set out the actions the Scottish Government, COSLA and partners aimed to take to prevent and ultimately eradicate all forms of violence against women and girls (VAWG). The Delivery Plan included a range of actions relevant to children and young people, including prevention within schools and ensuring more effective, trauma-informed support for children and young people affected by VAWG.

Progress on the specific actions in the delivery plan is reported annually. Published in November 2020, the [Equally Safe: Final Report](#) provided an overview of progress made since the publication of the Equally Safe Delivery Plan in 2017, actions taken during the COVID-19 pandemic and a look forward to plans for an updated Equally Safe Delivery Plan.

#### [Scotland's National Action Plan to Prevent and Eradicate Female Genital Mutilation \(FGM\) 2016-2020](#)

The National Action Plan sets out an agreed range of actions and associated activities to be taken forward by the Scottish Government and its partners to prevent and ultimately eradicate FGM. Progress against actions from the plan was monitored by a Multi-Agency Implementation Group. The FGM National Action Plan [Year 3 Report](#) was published in November 2019. The Scottish Government is now considering next steps within the scope of our wider work to update the Equally Safe Delivery Plan.

#### [Female Genital Mutilation \(Protection and Guidance\)\(Scotland\) Act 2020](#)

The new Act, which was passed in March 2020, will introduce FGM Protection Orders, which are specifically designed to safeguard women and children at risk of FGM; it will also provide for the development of statutory guidance for professionals and agencies working in this area. Due to the COVID-19 pandemic, work on implementing this Act was paused in order to focus resources on combatting issues arising out of the pandemic and the subsequent lockdown. This work is currently recommencing and plans for consulting on and drafting the guidance are being developed.

#### [Domestic Abuse \(Scotland\) Act 2018](#)

This ground breaking legislation that criminalises psychological domestic abuse and coercive and controlling behaviour came into force on 1 April 2019. It includes a specific statutory sentencing aggravation to reflect the harm that can be caused to children growing up in an environment where domestic abuse takes place.

#### [Domestic Abuse \(Protection\) \(Scotland\) Act 2021](#)

This new legislation, which received Royal Assent on 5 May 2021, provides for new protective orders to keep a suspected perpetrator away from the household of someone at risk of abuse and prohibit them from contacting or approaching the person at risk. In contrast with existing civil measures such as Non-Harassment Orders and Exclusion Orders, protective orders would not require the person at risk to make the application to the court themselves. Police would be able to impose a short-term notice directly and to apply to a court to put in place a longer-term order. An Implementation Group, including Police Scotland, Scottish Courts and Tribunals Service and Scottish Women's Aid, has been established to oversee the work required to implement the scheme of protective orders.

## **Family Environment and Alternative Care**

#### [Children \(Scotland\) Act 2020 \(1 October 2020\)](#)

##### [The Family Justice Modernisation Strategy](#)

The Children (Scotland) Act 2020 makes a number of changes to family law, in particular to further ensure that the child's best interests are at the centre of any

contact and residence cases and that the views of the child are heard. The Scottish Government recognises that primary legislation is only part of the action necessary to improve the operation of family justice. A Family Justice Modernisation Strategy, published on 3 September 2019, sets out the work that is ongoing by Scottish Government and others, including work that can be delivered via secondary legislation or by improved guidance; areas covered by the Act, and areas that are for longer-term work. It also includes work on prioritising sibling relationships for children in care.

### [The Promise](#)

The Scottish Government remains fully committed to deliver on its pledge to care experienced people in Scotland by accepting and responding to the [independent Care Review](#) conclusions in order to '#KeepThePromise' and to ensure all changes that will be made will have lived experience meaningfully embedded.

The 2021-22 Programme for Government sets out further work which will be undertaken this year, and over the course of this Parliament, to accelerate the change that is needed to #KeepThePromise, and make Scotland the best place to grow up. This includes a commitment to:

- Investing at least £500 million over the life of this Parliament to create a Whole Family Wellbeing Fund (discussed below) to enable the building of universal, holistic support services, giving families access to the help they need, where and when they need it.
- A £200 annual Care Experience Grant for those aged between 16 and 26.
- Working with The Promise Scotland to undertake the redesign of the Children's Hearing System.
- A Children's Care and Justice Bill to support transformation of the approach to youth justice.

[The Promise Scotland](#) have set out the priorities required to make the necessary changes to ensure full implementation by 2030 within the first of three [Plans](#) and [Change Programme ONE](#). The Scottish Government is committed to working collaboratively with The Promise Scotland and across Government and together with partners in local government, health boards, the third sector and the care community to bridge the gap of progressive intent with our policy ambitions, ensuring improvements are felt day to day in the lives of the children and families they are intended for.

### [Whole Family Wellbeing Fund](#)

The Whole Family Wellbeing Fund, announced by the Programme for Government 2021-2022, is backed by at least £500 million over the Parliamentary term. The fund seeks to reduce crisis intervention and keep children and young people with their families by enabling the building of universal and holistic support services across communities in Scotland and by giving families access to the help they need, where and when they need it. It will contribute to improving people's lives across a wide range of different areas, including, but not limited to: child and adolescent mental health, child poverty, alcohol and drugs misuse and educational attainment. The aim is also to significantly reduce the number of children and young people who are living away from their families by 2030.

### [Getting it Right for Looked After Children and Young People Strategy](#)

This Strategy, published in 2015, set out the Scottish Government's priorities to improve the lives of looked after children and young people. The Strategy, which had relationships at its heart, had 3 priority areas of work: early engagement, early permanence and improving the quality of care. The Strategy proposed that different approaches would be required to monitor and assess progress on the priorities identified through the strategy. In taking forward the conclusions within The Promise, the Scottish Government will consider the next steps for this Strategy, as well as other related documents.

### [New Rules to Protect Sibling Relationships for Children in Care](#)

Section 13 of the Children (Scotland) Act 2020 and the Looked After Children (Scotland) Amendment Regulations 2021, which came into force on 26 July 2021, place a duty on local authorities to ensure siblings are supported to stay together, where appropriate. Where it is not appropriate for brothers and sisters to live together, steps should be taken to help them stay in regular touch with each other and to nurture their relationships, again where appropriate.

Under the new rules, brothers and sisters have new rights to appropriately participate – with support including advocacy services – in Children's Hearings where contact with their siblings is being considered. [Guidance](#) to help social workers and other practitioners to implement the legislation was published in July 2021.

### [Youth Homelessness Prevention Pathway: Improving Care Leavers Housing Pathways](#)

The Youth Homelessness Prevention Pathway: Improving Care Leavers Housing Pathways Report was developed by a working group co-ordinated by the A Way Home Scotland Coalition<sup>16</sup> and published in 2019. The Report set out sensible, evidence based next steps to ensure corporate parents act on their legal and moral duties to prevent care leavers experiencing homelessness, at the point of leaving care and later, by fully implementing existing policy and legislative frameworks. The Scottish Government accepted the recommendations in principle.

Subsequently, A Way Home Scotland developed the [Youth Homelessness Prevention Pathway](#), which was published on 22 March 2021. This report includes recommendations which, if implemented, can make homelessness rare, brief and non-recurring for young people aged 16-25. The Pathway addresses the needs of young people who are most vulnerable to homelessness. This includes young people who are care experienced/on the edges of care, LGBTI+, involved in the justice or health system, have adverse childhood experiences and those who have multiple and complex needs. Scottish Government officials in the Homelessness Unit are currently developing plans for the implementation of these pathways, working closely with partners.

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<sup>16</sup> The Coalition was set-up and launched by the Rock Trust in 2017 and is funded by the Scottish Government. It brings together organisations and professionals from across Scotland working in the fields of housing, homelessness, education, youth work, families, health and justice to create and implement plans to address youth homelessness in their localities.

### [National Review of Care Allowances](#)

A National Review of Care Allowances for children living in foster care, kinship care and adoptive placements was carried out between November 2017 and August 2018. The Review Group's final report, including 12 recommendations for Scottish Ministers and COSLA leaders, was published in September 2018. Following a delay due to COVID-19, the Scottish Government is continuing to work with COSLA to agree how best to take forward the Group's recommendations, with a view to implementation of a national minimum allowance. This will improve consistency and transparency for looked after children, their families and their carers across Scotland.

### [A National Care Service For Scotland Consultation](#)

This consultation, which opened on 9 August 2021, sets out our proposals to improve the way we deliver social care in Scotland. Social care includes support for people with physical disabilities, learning disabilities or mental health conditions, older people and those with dementia, people with or recovering from alcohol or drug addictions, those who are, have been or are at risk of being homeless, and children and families who may need additional support, or where children are unable to live with their own families. The Independent Review of Adult Social Care recommended the creation of a National Care Service, with Scottish Ministers being accountable for adult social care support. However, the Scottish Government's ambition is to go beyond that. The consultation, therefore, seeks views on creating a comprehensive community health and social care service that supports people of all ages. The consultation closed on 2 November 2021.

### [National Missing Persons Framework for Scotland](#)

The National Missing Persons Framework for Scotland, published in May 2017, set out the roles and responsibilities of respective agencies, as well as key national objectives and supporting commitments, to focus efforts on preventing people from going missing and limiting the harm associated when they do go missing. The Framework clarified responsibilities and set out a clear set of objectives and supporting commitments. The Working Group for Missing People was asked by the Minister for Community Safety to support and assess the implementation of the National Framework for Missing People aims and recommendations in 2019. The Group's [Report](#), which was published in September 2020, sets out the findings and next steps from their implementation review.

### [Support for Young Carers](#)

We are continuing work to embed the Carers (Scotland) Act 2016, focusing on priorities highlighted in the [National Implementation Plan](#) for the Act, which was recently refreshed and published in September 2021. As well as the [Carers' charter](#), we have funded partners to develop resources aimed at supporting young carers to understand their rights under the Act, including a Carers Act [Young Carers Jargon Buster](#). In addition to this, we fund the annual Young Carers Festival, where the rights of young carers are discussed and highlighted to all those who attend.

We continue to fund Young Scot to provide an [exclusive platform for young carers](#) with tailored e-vouchers, discounts and opportunities to help support young carers' wellbeing and enable them to relax and have fun. This package is available to all young carers aged 11 to 18 years old. We provided an additional £300,000 in funding for this package during the COVID-19 pandemic to ensure that young carers

could continue to access opportunities which were safe and had a particular focus on maintaining mental health and wellbeing. We have also used this platform to host specific up to date information for young carers, particularly around support and COVID-19.

We continue to fund a full time Education Officer post in Carers Trust Scotland. They have been working closely with us, Education Scotland, the General Teaching Council for Scotland and the Scottish Qualifications Authority to ensure that education staff are aware of young carers and have the understanding and resources to be able to support them appropriately. This has included the launch of a dedicated [page](#) on the Education Scotland National Improvement Hub, on young carers and how they can be supported through education during COVID-19.

### [Carers Strategic Policy Statement Consultation](#)

We consulted on a draft Carers Strategic Policy Statement between September and December 2019. The draft policy statement set out the Scottish Government's priorities and the overall outcomes it is working to achieve for unpaid carers across all policy areas, including social security, fair work and social inclusion. It also mapped existing policies to support carers and young carers across different Ministerial portfolios. The final publication has been delayed due to the ongoing pandemic. However, throughout the crisis we have continued to communicate with carer and young carer services to understand the challenges they are facing as we move through and out of the pandemic.

### [Carers Parliament 2021](#)

The annual Carers Parliament has continued to take place and the latest one, held in October 2021, was once again held virtually due to COVID-19. The focus of the workshops in 2021 was the current [National Care Service Consultation](#). The creation of such a service would have significant impacts on all carers, including young carers, and a specific workshop was held for young carers to explain and discuss the option proposed through the consultation and to gather young carers' views so this could be fed back into the consultation via the National Carer Organisations.

### [Young Carer Grant](#)

The first of its kind in the UK, the Young Carer Grant helps eligible young carers aged 16, 17 and 18 years old with a payment of £308.15, which can be applied for annually, to help them access life opportunities which are the norm for many other young people. [Figures](#) published in September 2021 demonstrate that the Scottish Government has paid out more than £1.25 million by 31 July 2021 to eligible young carers since the Young Carer Grant opened in October 2019.

## **Disability, Basic Health and Welfare**

### [A Fairer Scotland for Disabled People: Our Delivery Plan to 2021 for the United Nations Convention on the Rights of Persons with Disabilities](#)

The Delivery Plan, published in 2016, had five long-term ambitions and 93 actions aimed at transforming the lives of disabled people in Scotland and ensuring that their human rights are realised. The actions included a range of measures relevant to children and young people and supporting families raising disabled children and young people.

Progress on the delivery plan has been monitored through: the review process for the UK State Party in relation to the UN Convention on the Rights of Persons with Disabilities; the [Fairer Scotland Action Plan: Progress Report 2018](#); and the [Equality Outcomes and Mainstreaming Report](#), published in April 2019. We also [reported](#) on progress to the Scottish Parliament in March 2021.

### [Supporting Disabled Children, Young People and Their Families: Guidance](#)

In 2016, the Scottish Government funded a survey of families with disabled children and young people across Scotland to gather evidence about their information needs. Families said they favoured a centralised resource which could signpost them to relevant information and organisations. In response to this consultation, the Scottish Government developed an [online resource to Support Disabled Children, Young People and their Families](#), which launched in 2019. The site is rights based and was developed through a process of co-design and co-production. It aims to provide clear, accessible information on national policies, entitlements, rights and the provision of various forms of support which may be available to disabled children, young people and their families. The guides to policies, legislation and service provision are interspersed with examples of real life stories of children and young people which highlight how support or a service available in their area has helped them. The online resource was updated in April 2020 with a COVID-19 support page which included information for parents and carers on sources of support, online safety and financial support.

### [Transitions to Adulthood](#)

In September 2021, as part of the Programme for Government 2021-22, the Scottish Government committed to developing a National Transitions to Adulthood Strategy to ensure there is a joined up approach to supporting our disabled young people. Our priority is to start early discussions with disabled children and young people to ensure their voices are clearly heard across developing policies that impact their daily lives.

### [Principles into Practice Trial Programme](#)

As part of our commitment to improving transitions for young people who require additional support to make the transition to young adult life, the Scottish Government has been working in partnership with ARC (Association for Real Change) Scotland to develop and deliver the Principles into Practice trial programme, a trial of ARC's transitions framework '[Principles into Practice](#)'. The purpose of this trial is to:

- Improve the lived experiences of young people (14 to 25 years old) who require additional support to make the transition to young adult life.
- Support the improvement of transitions support available to young people and their parents and carers in the participating trial areas.
- Test and bring the draft of Principles into Practice and associated resources to completion to support its implementation more widely.

We are embedding the 'Principles of Good Transitions' into policy, planning and practice across ten local authority areas. These ten areas have committed to developing and testing changes that transform the way young people are supported

as they prepare to leave school and beyond. By the end of the trial, we aim to have a fully developed and tested framework, and evaluation resources, that will be freely available to every local authority area in Scotland.

### [Learning/Intellectual Disability and Autism: Towards Transformation Plan](#)

The Scottish Government continues to champion the human rights of autistic children and young people and children and young people with learning /intellectual disabilities. We published our Learning/Intellectual Disability and Autism: Towards Transformation Plan in March 2021. The Plan puts human rights front and centre and details the actions needed to shape supports, services and attitudes to ensure that the human rights of autistic people and people with learning/intellectual disabilities are respected and protected and that they are empowered to live their lives the same as everyone else. Work continues on this and we are establishing an innovative new leadership model which puts lived experience at the heart of the decision making process. This will help drive progress towards implementation of the Towards Transformation Plan.

### [See Hear](#)

This strategic framework, published in 2014, commits to ensuring that children, young people and adults with a sensory impairment have the same access to health and social care opportunities and public services as everyone else. The Strategy is implemented through local partnerships of statutory and third sector organisations and See Hear Leads have been nominated to help drive progress across priority areas within the local partnerships.

There is a National See Hear Coordinator who sits on both the Visual Impairment Network for Children and Young People and the Hearing Impairment Network for Children and Young People steering groups. The coordinator also works closely with colleagues engaged with Getting it right for every child at The Health and Social Care Alliance, ensuring inclusive communication and rights-based practice are central to the experience of children and young people living with sensory loss across Scotland.

We are now reviewing what the See Hear Strategy has achieved to date, and reflecting on what outcomes we would collectively like to achieve in the longer term. A key part of this will be engagement with service users and stakeholders to capture their views and experiences. To this end, we are currently considering responses to a survey which was carried out with the See Hear Leads network and sensory Third Sector organisations, where they were asked to report on each of the Strategic Recommendations of the See Hear Strategy in order to provide a national picture of progress within these areas.

### [Part 4 of the Health \(Tobacco, Nicotine etc. and Care\) \(Scotland\) Act 2016 – Provision of Communication Equipment](#)

Part 4 of this Act, which commenced on 19 March 2018, places a duty on NHS Boards to ensure communication equipment, as well as the support to use it, are provided free of charge to people of all ages, from all care groups, who have lost their voice or who have difficulty speaking. To support the delivery of this legislation, the following tools have been developed: [Guidance on the Provision of Communication Equipment and Support in using that Equipment](#), [Easy Read version](#)

[of the Guidance](#) and a [National AAC Core Pathway](#). The [2019 Progress Report](#) was published on 21 February 2020. Work will be taken forward to co-produce with our national advisory group members and stakeholders, a refresh of the national Augmentative and Alternative Communication (AAC) high level work plan, reflecting the broader and ongoing programme of work on AAC.

### [Going Further: Scotland's Accessible Travel Framework](#)

Scotland's Accessible Travel Framework, published in 2016, is about improving the door to door journeys that disabled people make whilst working to remove the barriers which prevent them travelling. The ten year Framework has been shaped by disabled people themselves, together with organisations that represent them; this ensures the experiences and voices of disabled people are heard. It is built around one vision, four outcomes and 48 actions that were collectively agreed by disabled people's organisations, transport providers and government. We have worked with partners to respond to stakeholders' concerns to progress the Framework more quickly and have ramped up implementation of the Framework by moving to an annual delivery plan model. The first annual [Delivery Plan](#) was published in June 2019, with the [second](#) published in July 2021.

### [A Fairer Scotland for Disabled People: Employment Action Plan](#)

This plan, published in December 2018, sets out the steps the Scottish Government will take to reduce the employment gap between disabled people and the rest of the working age population (the disability employment gap) by at least half, by 2038. These actions cover three key themes identified by stakeholders during the development of the plan: Supporting employers to recruit and retain disabled people; Supporting disabled people to enter employment; and Young people and transitions. Annual reports updating on progress of the actions within the plan were published in March 2020 and March 2021. Key achievements to support young disabled people making the transition from school to further or higher education within this period have included:

- Enhanced funding for Modern Apprenticeships (up to £10,200 in 2021/22) offered up to the higher age limit of 29 years old for disabled and care-experienced young people.
- A review of supported employment across Scotland, which also links to the employment actions agreed in Scotland's Learning Disability Strategy, [Keys to Life](#). The findings from this review will be published in late 2021.
- Increased applications to the Independent Living Fund (ILF) Scotland Transitions Fund, which supports young disabled people, between the ages of 16 and 25 years old, with the transition after leaving school or children's services. Since opening in 2017, the Independent Living Fund has received 5100 applications and delivered £8.2 million in grants to young people; recording year-on-year growth in the number of successful awards made to young people across Scotland. The number of Independent Living Fund awards increased by 30% from 2019-20 to 2020-21 with the Scottish Government allocating an additional £1.4 million to ILF Scotland in 2020-21.

We are currently working on a refresh of the overall action plan, which will aim to tackle structural barriers to employment for disabled people, as well as identify

opportunities to scale up existing best practice and to inform our wider fair work approach. The final refreshed action plan will be published in Spring 2022.

### [No One Left Behind – Next Steps for the Integration and Alignment of Employability Support in Scotland](#)

In March 2018, the Scottish Government published No One Left Behind – Next Steps for the Integration and Alignment of Employability Support in Scotland, which contains a comprehensive range of activities to deliver more effective and joined-up employability support across Scotland. The document recognises that better integration and alignment of employability with other services is a vital part of its ambition to tackle labour market inequalities and help more people into work.

The new No One Left Behind Employability partnership approach commenced in April 2019. Funding was allocated to all 32 local authorities to deliver our key objectives, which includes providing tailored support to some young people who have left school to help them prepare for employment, training or education. The [No One Left Behind: Delivery Plan](#), published in November 2020, outlined the next stage of implementation of the No One Left Behind collective approach. Phase 2 of No One Left Behind will commence in April 2022 and see Scottish and local government continue to work collaboratively with the third and private sector to identify and commission employability support on an informed, evidence-based basis, flexing these to meet emerging labour market demands.

### [The Disability Assistance for Children and Young People \(Scotland\) Regulations 2021](#)

These Regulations set out the rules and eligibility criteria for the Child Disability Payment (CDP), which is the Scottish replacement for Disability Living Allowance for Children (DLAC). The payment provides extra money to help with the additional costs that a disabled child or young person might incur.

The Scottish Government will automatically extend CDP to any individual who is entitled to it immediately prior to their 16th birthday up to age 18 years old. We recognise that age 16 is a key transition point in the lives of children and young people, and this will help reduce stress for young people and their families. Over 52,000 Scottish children and young people will have their benefit changed from DLAC to CDP via the case transfer process. Individuals whose benefits are being transferred will not have to apply for CDP and their CDP will be paid at the same rates as their DLAC was.

Social Security Scotland began accepting new applications from children under 16 on 26 July 2021 in 3 local authority areas: Perth and Kinross, Dundee City and Western Isles. From 22 November 2021, children under 16 in all other Scottish local authority areas will be able to make an application for CDP. Amendment Regulations were laid in September 2021. These regulations allow young people to remain on CDP after age 18 in some circumstances. This will introduce further flexibility and will help improve outcomes for disabled children and young people.

### [Winter Heating Assistance for Children and Young People \(Scotland\) Amendment Regulations 2021](#)

These Regulations provide for Child Winter Heating Assistance, the first disability benefit to be introduced using new social security powers. Launched in winter 2020, the first annual payment provided families of children and young people in receipt of the highest rate of the care component of Disability Living Allowance (DLA) for children/ Child Disability Payment (CDP) with support with their winter heating costs. Amendment regulations came into force on 16 November 2021 and extend eligibility to clients aged 16 to 18 years old in receipt of the enhanced rate of the daily living component of Personal Independent Payment (PIP). These payments will be made automatically to eligible clients through Social Security Scotland. With the proposed amendment regulations in place, the payment will make a difference to the lives of over 19,000 children and young people in 2021/22.

## **Health and Wellbeing**

### [The Best Start: A Five-Year Forward Plan for Maternity and Neonatal Care in Scotland](#)

The Best Start, published in January 2017, sets out the vision for the delivery of high quality and safe maternity and neonatal services across Scotland, where services regard mother and baby as one entity and truly put the mother, baby and family at the centre of service planning delivery. Implementation of a number of key policies in the report is well underway. This will see the introduction of continuity of carer for women throughout their pregnancy which will improve relationships. Evidence also tells us that this will lead to improved clinical outcomes for mothers and babies. A range of changes for neonatal services will also keep mothers and babies together as much as possible, which will improve bonding and attachment.

### [A Universal Health Visiting Pathway for Scotland](#)

This Pathway, published in 2015, sets out the minimum core home visiting programme to be offered to all families by Health Visitors. The programme consists of 11 home visits to all families - 8 within the first year of life and 3 child health reviews between 13 months and 4-5 years. An evaluation was commissioned in 2016 following an [Evaluability assessment of the enhanced health visiting pathway in Scotland](#). Phase 1 will publish in late 2021/early 2022, with a follow up scheduled for 2023/24. This will explore how the pathway has been implemented across Scotland, and some early learning on impact.

### [Family Nurse Partnership \(FNP\)](#)

The FNP is an intensive, preventive, one-to-one home visiting programme for first-time mothers aged 19 years old and under and their children (as well as some mothers aged up to 24 years in some areas). The FNP programme is delivered by a specially trained nurse on a one-to-one basis for first-time young mothers from early pregnancy (before 28 weeks) until their child is two years old. The FNP programme aims to improve pregnancy and birth outcomes and break the cycle of disadvantage by working directly with young mothers and their children to improve their health and wellbeing. In June 2019, we published a [qualitative study, 'Revaluation of the Family Nurse Partnership in Scotland'](#), which provided insight to the value of the programme as perceived by clients, nurses and wider stakeholders. In March 2021, we published a further [qualitative study, 'Family Nurse Partnership 10 year anniversary'](#), exploring family nurse stories of their journey through the programme.

### [Pregnancy and Parenthood in Young People Strategy 2016-2026](#)

The Pregnancy and Parenthood in Young People Strategy, published in March 2016, sets out the action required to support young people around pregnancy and parenthood. It aims to address the cycle of deprivation that is often associated with pregnancy in young people and supports young parents. The Strategy focuses on increasing the opportunities available to young people to support their wellbeing and prosperity and to help young people develop the appropriate knowledge, skills and confidence they need around pregnancy and parenthood through a partnership approach between professionals and young people. The [National Progress Report](#), published in June 2019, outlined how the Scottish Government is working to support young people around pregnancy and parenthood, through the implementation of the Pregnancy and Parenthood in Young People Strategy as well as through wider work across Government. Under this Strategy, [guidance](#) for local authorities was published in August 2021 to help them support young pregnant women and young parents in school.

The [Getting Maternity Services Right for Young Parents](#) resource and quick reference guide were published on the NHS Education for Scotland website on 23 March 2021. These resources provide more information for professionals who are supporting young parents on their maternity journey: midwives, maternity support workers, obstetricians, nurses, family nurses, health visitors and other non-health professionals involved in the maternity pathway.

### [A Healthier Future: Scotland's Diet & Healthy Weight Delivery Plan](#)

The Diet & Healthy Weight Delivery Plan, published in July 2018, sets out our vision for everyone in Scotland to eat well and have a healthy weight. Central to the plan is our aim to halve childhood obesity by 2030, and to significantly reduce diet-related health inequalities, which was reaffirmed in our 2021-22 Programme for Government. The plan has over 60 broad ranging actions, including more support for women to have a healthy weight in pregnancy; support for breastfeeding; improving food served in early learning and childcare settings and schools; and better access to quality weight management services for children and young people, as well as adults. As outlined in the 2021-22 Programme for Government, we are committed to introducing legislation on restricting promotions of foods high in fat, sugar or salt during this Parliament.

### [Out of Home Action Plan](#)

The Scottish Government published its framework to help outlets provide healthier foods, including industry and local authorities, on 10 September 2021. The framework will include among other things, calorie labelling and a Code of Practice for Children's Menus which will be developed by Food Standards Scotland and Public Health Scotland. As well as being part of a wider Framework for Eating Out, Eating Well, it will also be implemented and supported as a stand-alone measure, if that is what outlets want to pursue.

### [Good Body Image Report](#)

The Scottish Government's Advisory Group on Good Body Image for children and young people published a report in March 2020 with a number of recommendations relating to addressing weight stigma. It expressed support for the development of communications guidance for avoiding weight-stigmatising language as well as

training materials on this topic for relevant health and social care professionals. Public Health Scotland is working with a range of stakeholders to co-produce:

- An electronic training resource for health, social care and other professionals about the impact of weight bias and discrimination.
- National communication guidelines for policy and campaign development when communicating about obesity.

The training resource and guidelines are intended to be launched in 2022.

### [Milk and Healthy Snack Scheme](#)

The Scottish Milk and Healthy Snack Scheme replaced the UK Nursery Milk Scheme in Scotland from 1 August 2021. The Scheme aims to improve children's health and wellbeing through improved nutrition and by tackling health inequalities. All pre-schoolers who spend two hours or more a day in eligible childcare settings registered with the scheme will be entitled to a serving of fresh milk. Unlike the UK scheme, a piece of fruit or portion of vegetables will also be offered and children who cannot drink cow's milk for medical, ethical or religious reasons will be offered a specified non-dairy alternative. More than 3,000 childcare settings and over 116,000 children are already signed up to the new scheme and it is anticipated that more will register to benefit in year one. The Scottish Government is expected to provide around £9 million to £12 million funding to local authorities, depending on uptake, to administer the scheme in the first year.

### [A More Active Scotland: Scotland's Physical Activity Delivery Plan](#)

Following on from the [Active Scotland Outcomes Framework](#) in 2017, the Delivery Plan, published in 2018, outlines the actions that the Scottish Government and a wide range of partner organisations will take to support and enable people in Scotland to be more physically active. This includes actions which particularly target the needs of girls and young women and those children and young people who face barriers to participation. The Active Scotland Delivery Group is monitoring delivery of the actions in the Plan. The minutes of meetings of the Group are available on the Scottish Government's [website](#).

Our approach during the COVID-19 pandemic has been to permit as much sport and physical activity as possible, in particular prioritising sport for the under 18 year olds, recognising the importance to both physical and mental health. This has included providing various exemptions for children and young people to enable them to take part in sport and physical activity, within the overall restrictions in place at the time, and to travel to their local club to play with their team, when travel restrictions would have prevented this.

The Scottish Government are committed to breaking down the barriers, financial or otherwise, that keep too many people from leading active lives. **sportscotland** works in partnership with all 32 local authorities to invest in and support the Active Schools Network. In the 2018-19 academic year, 313,000 participants made 7.3 million visits to Active Schools activities. The Programme for Government 2021-22 announced a commitment to ensure that Active Schools programmes are free for all children and young people by the end of this Parliament. This will provide

opportunities for more children and young people to take part in sport before, during and after school.

### [Oral Health Improvement Plan](#)

As part of the Oral Health Improvement Plan, published in 2018, we continue to develop the Childsmile Programme of toothbrushing and fluoride varnish application for children up to 5 years of age. The programme has been expanded to include all children in the 20 per cent most deprived areas of Scotland. The percentage of Primary 1 children with 'no obvious decay experience' has increased to 74 per cent in 2020, compared with 58 per cent in 2008. As the programme is accessed via schools and nurseries, COVID-19 meant Childsmile was halted. The Childsmile programme has been remobilising since September 2021.

### [Oral Health Community Challenge Fund](#)

The Oral Health Improvement Plan also included a key commitment to introduce a new three-year Oral Health Community Challenge Fund. This seeks to enable third sector organisations to deliver projects that support families with young children living in areas of multiple deprivation to reduce oral health inequalities and support better early years oral health. The Fund was launched in February 2019 and 21 projects across Scotland have received funding to deliver a range of oral health interventions.

### [Free NHS Dental Care for Young People](#)

New measures to introduce free NHS dental care to all young people came into force on 24 August 2021. We estimate around 600,000 young people will benefit from this policy. This represents a substantial increase on an earlier Programme for Government commitment to remove NHS dental charges for care-experienced young people.

### [Mental Health Strategy 2017-2027](#)

The Strategy, published in 2017, sets out the Scottish Government's approach to mental health and a central 10-year vision for Scotland where people can get the right help at the right time, expect recovery, and fully enjoy their rights, free from discrimination and stigma. It sets out 40 actions organised under five key headings: Prevention and Early Intervention; Access to Treatment and Joined-up, Accessible Services; the Physical Wellbeing of People with Mental Health Problems; Rights, Information Use, and Planning; and Data and Measurement. The plan includes a range of specific actions relevant to children and young people, including the commitment to develop a [matrix](#) of evidence-based interventions to improve the mental health and wellbeing of children and young people.

### [Coronavirus \(COVID-19\) :Mental Health – Transition and Recovery Plan](#)

This Plan, published in October 2020, outlines the Scottish Government's response to the mental health impacts of COVID-19. It addresses the challenges that the pandemic has had, and will continue to have, on the population's mental health. The plan contains a number of actions targeted at supporting children and young people and is supported by the £120 million Mental Health Recovery and Renewal Fund, announced in February 2021. Specifically, this work includes actions to improve specialist CAMHS services, address waiting times, and improve other mental health supports and services for children and young people.

### [Child & Adolescent Mental Health Services \(CAMHS\) NHS Scotland National Service Specification](#)

The National CAMHS Service Specification, published in February 2020, is a product of the [Children and Young People's Mental Health and Wellbeing Programme Board](#) and outlines the minimum service standards provision children, young people and families/carers can expect from NHS Scotland CAMHS.

### [Supporting Young People's Mental Health - Online Learning Resource](#)

A new online learning resource to help school staff support young people's mental health was published in June 2021. The resource will assist staff to learn more about factors influencing mental health and wellbeing; prevention-based approaches in schools and tips on how to end mental health stigma and discrimination. The Mental Health Foundation, Children's Health Scotland and training provider Digital Bricks developed the resource that is open to all school staff in primary, secondary and special schools.

### [Mental Health and Wellbeing: Whole School Approach: Framework](#)

The Mental Health in Schools Working Group, which was convened by the Scottish Government, developed a whole school approach framework for schools to utilise as they continue to support positive mental health in children and young people. The framework was published in August 2021 and is designed to help all school staff to promote children and young people's mental, emotional and social wellbeing and assist in responding to and supporting children and young people's mental health in schools. We will work with the Mental Health in Schools Working Group to embed these approaches across Scotland.

### [Every Life Matters](#)

Every Life Matters is Scotland's Suicide Prevention Action Plan. It envisages a Scotland where suicide is preventable; where help and support is available to anyone contemplating suicide and to those who have lost a loved one to suicide. The Plan sets out ambitious actions which leaders at national, regional and local level must take to transform society's response and attitudes towards suicide, including the targets to further reduce the suicide rate by 20% by 2022 (from a 2017 baseline) and to consider, in particular, the needs of children and young people. The National Suicide Prevention Leadership Group (NSPLG) has been established to recommend how actions in the action plan are to be implemented to influence change and remove barriers to progress. The NSPLG published its [second Annual Report](#) in September 2020 and [third Annual Report](#) in September 2021.

### [The Perinatal and Infant Mental Health Fund](#)

The Perinatal and Infant Mental Health fund was established by the Scottish Government to provide crucial help for mothers, infants and their families who are in need of mental health support. The Fund supports third sector organisations so they can provide enhanced peer support, parenting support and perinatal counselling services during pregnancy and in the early stages of life. Inspiring Scotland manages the Fund, which will provide annual funding of up to £1 million. The Fund is running for three years, from August 2020 – March 2023.

### [Eating Disorder Services Review: Summary Recommendations](#)

The Scottish Government announced the National Review of Eating Disorder Services in 2020. The Review was tasked with providing a full picture of the current system, and to provide recommendations on how services and the wider support system could be improved. The Review's report and recommendations were published in March 2021. On 18th June 2021, the Minister for Mental Wellbeing and Social Care announced funding of £5 million to respond to the recommendations from the Review and announced the establishment of the National Review of Eating Disorder Services Implementation Group, which has been tasked with taking forward the Review's recommendations. The Group is jointly chaired by former MSP Dennis Robertson, who has campaigned for greater awareness of eating disorders, and Dr Charlotte Oakley, who was previously the Clinical Lead of Connect-Eating Disorders in NHS Greater Glasgow and Clyde and who co-led the National Review.

### [A Connected Scotland: Our Strategy for Tackling Social Isolation & Loneliness and Building Stronger Social Connections](#)

The Scottish Government's first national strategy to tackle social isolation and loneliness sets out a vision for a Scotland where everyone has the opportunity to develop meaningful relationships, regardless of age, status, circumstance, or identity. The Strategy was published in December 2018, and the National Implementation Group and Ministerial steering group were formed to drive forward implementation of the strategy.

In this new Parliamentary session, which has a strong focus on COVID-19 recovery, the Minister for Equalities and Older People has agreed a refresh of the stakeholder group which has been extended and renamed the 'Social Isolation and Loneliness Advisory Group'. Additionally, recognising the importance of tackling this public health issue, in July 2021, the Scottish Government announced £1 million funding to nine initiatives as part of the first round of £10 million funding to help tackle loneliness and isolation. This includes funding to Youthlink, to help young people directly affected by the impacts of the pandemic right now. We have also started work to develop a new five-year social isolation and loneliness plan, in conjunction with the Advisory Group.

### [Young Patients Family Fund](#)

A new Fund to help parents/carers and siblings of young inpatients to cover the costs of hospital visits was launched in July 2021. The Young Patients Family Fund supports parents/carers and siblings of young inpatients by covering expenses for travel, food and overnight accommodation where necessary. An initial annual investment of £5 million has been set aside for the fund, although actual spend will depend on demand.

### [Sexual Health and Blood Borne Virus Framework 2015-2020 Update](#)

The Sexual Health and Blood Borne Virus Framework was first published in 2011 and updated in 2015 to run to 2020. The Scottish Government and its partners have continued to use the Framework as a vehicle to improve sexual and reproductive health outcomes among young people in Scotland. However, we recognise that COVID-19 has presented sexual and reproductive health services with unprecedented challenges, and has also had a disproportionate impact on young people (those under the age of 20). During lockdown all dedicated sexual health services for young people were closed and, while urgent sexual health care was

available in many areas of Scotland, much of this involved telemedicine models, and was provided in ways that created barriers for young people. The refresh to the framework, which was due in 2020, was delayed due to the COVID-19 pandemic. However, the recovery plan, published in August 2021 (see below), bridges the gap to the next multi-year framework, which is expected to be published in 2022.

#### [Reset and Rebuild - Sexual Health and Blood Borne Virus Services: Recovery Plan](#)

Co-produced with NHS and third sector partners, the new Plan, published in August 2021, takes stock of the impacts of COVID-19 on sexual health. It seeks to address the challenges services now face as a result of the pandemic, while harnessing the positive examples of innovation displayed throughout the crisis. The Plan takes account of the needs of young people and is informed by their experiences.

#### [Alcohol and Drug Treatment Strategy - Rights, Respect and Recovery](#)

The Strategy, published in November 2018, presents a combined approach to the treatment of drugs and alcohol in recognition of the many shared underlying causes and similarities in treatment services. Rights, Respect and Recovery has a commitment to children, young people and families affected by alcohol and drug use, that they will be safe, healthy, included and supported.

The framework to improve holistic support for families affected by alcohol and drug use has been developed through a multi-agency/lived experienced working group, and will publish late Autumn 2021. It will support local partners, their workforce and family members to work together in developing holistic family support services that meet the needs of family members, ensuring they are more approachable and accessible. Human, family and child rights are at the centre of this approach. Implementation of this framework can save lives, reduce harms and transform the quality of life for families. Local areas are being asked to review their current provision and plans against the recommendations within this framework and initiate action. Support towards implementation will be provided through members of the multi-agency/ lived experience working group and the Scottish Government.

#### [Increasing capacity for drugs services](#)

In January 2021, the First Minister announced a new National Mission to reduce drug related deaths and harms. This is supported by an additional investment of £50 million per year for five years. This funding will increase capacity in and access to treatment services, implement standards to ensure quality care for people who use drugs and support third-sector and grassroots organisations.

This investment will also provide £3.5 million per annum direct investment to Alcohol and Drug Partnerships (ADPs) to support implementation of the Framework “Towards a Whole Family Approach and Family Inclusive Practice For Families Affected by Drug and Alcohol Use“. Each area’s Children’s Services Plan must be developed to take into account the best use of locally available resource across its partners. This is in addition to the £3 million allocated to the Children and Families Fund which is being administered through the Corra Foundation. This fund aims to support direct work with children and families affected by drugs and alcohol. Applications for this are based on partnership approaches which demonstrate how they will take a Whole Family Approach which is relational and rights based when delivering front-line services which support children and families.

### [Alcohol Framework](#)

The updated Alcohol Framework, published in November 2018, outlines the Scottish Government's national prevention aims on alcohol, including a strong focus on doing more to protect children and young people from alcohol-related harm and putting their voices at the heart of developing policy. We commissioned Young Scot to facilitate a co-design project on alcohol marketing with young people in Scotland. The Young Scot Health Panel involved 20 young people from across Scotland aged between 13 and 25 years old. The [report](#) was published on 19 November 2020 and clearly showed that young people are exposed to a lot of alcohol marketing and that the current self-regulatory system is not working. The young people recommended that a range of restrictions are implemented on TV, cinema and outdoor advertising as well as on product packaging, sports venues and alcohol branded merchandise. These findings will feed into the proposals we will set out in our public consultation on measures to restrict alcohol marketing which is planned for 2022.

### [Raising Scotland's Tobacco-free Generation](#)

This five-year action plan, published in June 2018, sets out interventions and policies to help reduce the use of, and associated harms from using, tobacco in Scotland. It aims to protect children born since 2013 from tobacco so that when they begin to turn 21 (from 2034) they will be, and remain, tobacco-free. Bi-annual evaluations of progress will be published every two years from 2020.

### [Strategic Framework for Action on Palliative and End of Life Care 2016-2021](#)

Through the implementation of the Strategic Framework for Action on Palliative and End of Life Care, we have supported children and families by promoting the further development of holistic palliative care for the 0 - 25 year age group, recognising that many of their needs may differ from those of adults.

In 2019, the Paediatric End of Life Care Network (PELiCaN) was established as part of this work to bring together medical professionals working in children's palliative care to improve on the care and support provided to children and their families when they need it most. Throughout 2020, PELiCaN worked to connect paediatric palliative care professionals together in order to help ensure that young people and their families could continue to get the support they need at this difficult time.

The Scottish Government [Programme for Government 2021-22](#) includes a commitment to develop and publish a new national strategy for palliative and end of life care over the coming year, which will take a whole system, public health approach. As part of this work, we will look at how to further improve services for children and families. In the Programme for Government 2021-22, the Scottish Government also committed to ensuring provision of high-quality child palliative care, regardless of location. This will be supported by sustainable funding of at least £7 million per year through Children's Hospices Across Scotland.

## **Support for Families**

### [The Child Poverty \(Scotland\) Act 2017](#)

This Act, which was passed unanimously in the Scottish Parliament in November 2017, set in statute the ambition to eradicate child poverty in Scotland underpinned

by four ambitious income based targets for child poverty reduction to be met by 2030 (final targets), alongside interim targets to be met by 2023. It placed duties on Scottish Ministers to produce three 'delivery plans' (in 2018, 2022 and 2026) setting out action to be taken to meet the targets and report annually on progress. In addition, local authorities and Health Boards are also required to jointly produce Local Child Poverty Action Reports, outlining the action they have taken in the reporting year, and plan to take in future, to contribute to reducing child poverty.

#### [Every Child, Every Chance - The Tackling Child Poverty Delivery Plan 2018-22](#)

The first Tackling Child Poverty Delivery Plan, published in March 2018, set out the action we would take to make progress towards Scotland's ambitious child poverty targets. The Plan outlined a comprehensive range of action to tackle the three key drivers of child poverty reduction (income from work and earnings; costs of living; and income from social security) and action to mitigate the impacts of poverty on children living in low income households. This included transformative new action such as the Scottish Child Payment which will be delivered in full by the end of 2022, subject to the necessary data being received from the Department for Work and Pensions.

The [Third Annual Progress Report](#), published June 2021, highlights a range of important supports introduced in the previous 12 months to help tackle child poverty, including investment of almost £1 billion, the roll-out of the Scottish Child Payment, and investment in free school meal provision for low income families during school closures, periods of online learning and school holidays. The report also demonstrates that all 66 of the actions previously reported on are either in progress or being delivered.

#### [Extension of Free School Meals Provision](#)

In June 2021, the Scottish Government confirmed that it had reached agreement with local authority partners to introduce universal free school lunches for primary 4 and 5 children and targeted support during school holidays for all eligible primary and secondary children and young people. The £28 million commitment is delivering free school lunches during term time for primary 4 children from August 2021 and will deliver to primary 5 children from January 2022. A further £21.75 million is providing targeted free school meal support during school holidays in 2021-22 for around 145,000 primary and secondary children and young people from low income households.

#### [Help With School Clothing Costs](#)

In July 2021, the Scottish Government and local authority leaders reached an agreement to increase the national school clothing grant to a minimum of £120 per eligible primary school pupil and £150 per eligible secondary school pupil. This will be supported by £11.8 million of additional funding to local authorities. The school clothing grant will help to ensure that all eligible children and young people can go to school feeling comfortable, confident and ready to learn.

#### [Fairer Scotland Duty](#)

The Fairer Scotland Duty is enshrined in Part 1 of the Equality Act 2010 and came into force in Scotland from April 2018. It places a legal responsibility on particular public bodies in Scotland to actively consider how they can reduce inequalities of

outcome caused by socio-economic disadvantage when making strategic decisions. In deciding how to fulfil the Duty, public bodies must take into account the [revised guidance](#) published by Scottish Ministers on 4 October 2021. The Equality and Human Rights Commission is the Regulator for the Fairer Scotland Duty and is closely involved with monitoring and the development of best practice for the Duty.

### [Social Security](#)

The Scotland Act 2016 devolved new social security powers to Scotland. Section 1 of the Social Security (Scotland) Act 2018 sets out eight core principles in the Scottish social security system's founding legislation. These principles will define all aspects of the design, development and implementation of this new system. The Act also proposes a statutory requirement on Scottish Ministers to produce a publicly accessible charter that reflects the key principles and communicates in clear terms what people are entitled to expect from the new system, and how it will be delivered in practice.

[Our Charter](#), which was published in January 2019, and approved by the Scottish Parliament, was co-designed with people who have lived experience of social security, organisations that help or represent people who may use the new system and Scottish Government and Social Security Scotland staff.

A [Measurement Framework](#) relating to commitments set out in the Charter was published in October 2019. It sets out a strong commitment from Scottish Government and Social Security Scotland to openly and honestly report on the extent to which we are delivering the commitments in the Charter. Like the new Social Security System in Scotland, the Framework is innovative and challenging and as such will require bespoke data collection which we will develop and roll-out as the system rolls out. The framework is published each year, [the Measuring Our Charter 2019/20 report](#) can be viewed online and the 2020-2021 framework will be published later this year.

### [Benefit Take-up Strategy](#)

Since publishing the first Benefit Take-up Strategy under the Social Security (Scotland) Act on 21 October 2019, the Scottish Government has taken forward a number of initiatives to address barriers to accessing Scottish benefits, including:

- Two new funds totalling £600,000 to assist 26 third sector organisations to support people who will be applying for Scottish benefits and to ensure people are aware of the financial support available to them.
- A Stakeholder Take-up Reference Group to provide advice and support in the implementation of our Strategy. The Group also fed in to the development of the next [Benefit Take-up Strategy](#), which was published on 21 October 2021.
- Developing a Take-up Stakeholder Toolkit to help existing services to support their clients with Scottish benefits and in particular with issues related to non-take-up.
- Ongoing work to support third sector organisations and local authorities to identify and replicate examples of good practice in promoting/ supporting benefit take-up from elsewhere in the third and public sectors.

### [Best Start Grant](#)

The Best Start Grant (BSG) has replaced and improved upon the UK Government's Sure Start Maternity Grant in Scotland. The BSG offers financial support to low income families at three key transition points in a child's early years. The Pregnancy and Baby Payment opened for applications in December 2018 and provides £606 for a first child and £303 for second and subsequent children. The Early Learning Payment, which launched in April 2019, provides £252.50 per child around the time a child could go to nursery. The School Age Payment launched in June 2019 and provides £252.50 per child around the time a child is first old enough to start school. The three BSG payments, along with Best Start Foods and Scottish Child Payment, form a package of five family payments administered by Social Security Scotland. The BSG payments were increased by 1% on 1 April 2021.

### [Best Start Foods](#)

Best Start Foods payments are preloaded every 4 weeks onto a prepaid card, which can be used in shops or online to buy healthy foods like eggs, milk, vegetables or fruit. The payment supports low income families to buy healthy food for pregnant women and children under the age of three, and forms part of the Scottish Government's national mission of eradicating child poverty. In August 2021, the Best Start Foods payment was [increased](#) from £17 to £18 during pregnancy and for any children between one and three years old. It was also increased from £34 to £36 for children under one.

### [Ending the need for food banks](#)

A consultation on a draft national plan to end the need for food banks as a primary response to food insecurity was published in October 2021. Our draft plan, which sets out our human rights approach to the issue, prioritises action that prevents poverty and promotes cash-first responses alongside holistic support services where needed. It outlines further action that can be taken, building on learning during the pandemic, and has been developed alongside food banks and people with direct experience of using their services.

### [Scottish Child Payment](#)

The Scottish Child Payment is a new benefit that opened for applications on 9 November 2020 and commenced on 15 February 2021, with the first payments arriving within that month. This game changing new payment means that low-income families with a child under six in receipt of qualifying benefits, will be eligible for a payment of £10 per child per week – this is equivalent to £520 per year. There are no limits on the number of eligible children supported by the Scottish Child Payment. The latest Scottish Fiscal Commission forecast suggests that the payment could support up to 133,000 children this year (2021/22).

### [Fuel Poverty \(Targets, Definition & Strategy\) \(Scotland\) Act 2019](#)

A [Draft Fuel Poverty Strategy](#) for Scotland was published alongside the Fuel Poverty (Target, Definition & Strategy) (Scotland) Bill, on 27 June 2018. The Bill became an Act in July 2019. It sets out that the final strategy will outline the actions that will be taken to drive progress towards meeting our ambitious targets for reducing fuel poverty. The final Strategy was originally due to be published in September 2020, but work on its development was paused due to the COVID-19 pandemic. This work resumed earlier this year and the final Strategy will be published before the end of

2021. The final Strategy will set out the actions we will take to bring people out of fuel poverty, improving their lives and ensuring support is provided to those who need it most. This will be based on our guiding principles of fairness and equality for all, and reflect the different needs of all of Scotland's urban, suburban, rural, island and remote communities. We will ensure this work is aligned with policies across Government to tackle poverty and improve homes, including the Fairer Scotland Action Plan and Tackling Child Poverty Delivery Plan.

### [Ending Homelessness Together: High Level Action Plan](#)

The Ending Homelessness Together: High Level Action Plan takes forward the 70 recommendations from the Homelessness and Rough Sleeping Action Group and sets out a five year programme, to be delivered in partnership with local authorities and others, to end homelessness and transform temporary accommodation in Scotland.

In October 2020, we updated the [Ending Homelessness Together Action Plan](#) to reflect actions needed in response to the global coronavirus pandemic. The Action Plan was updated following the reconvening of the Homelessness and Rough Sleeping Action Group in June 2020, to guide us on what we need to do now and in the future to end homelessness in light of COVID-19. The updated action plan renewed our commitment to ending homelessness by placing greater emphasis on prevention, accelerating the implementation to rapid rehousing and ending the use of night shelters and dormitory style provision. An [Annual Report](#) detailing progress being made in delivering the work outlined in the Action Plan was published in October 2021

### [Housing to 2040](#)

Housing to 2040, published in March 2021, sets out a vision for housing in Scotland to 2040 and a route map to get there. The Strategy aims to deliver the Scottish Government's ambition for everyone to have a safe, good quality and affordable home that meets their needs in the place they want to be.

We are committed to delivering 110,000 affordable homes by 2032, of which at least 70% will be available for social rent and 10% will be in our remote, rural and island communities. We are backing this commitment by investing £3.5 billion in housing in this Parliamentary term, and £3.44 billion of that will deliver more social and affordable homes, continuing to ensure the right homes in the right places.

Housing to 2040 commits us to delivering a new Rented Sector Strategy, one that considers the social and private rented sectors as a whole. This Strategy will also reflect the additional commitments included in the Scottish Government and Scottish Greens Party's Co-operation Agreement, and will set out how we will deliver a new deal for tenants – giving them more secure, stable, affordable tenancies with improved standards of accommodation, new controls on rent and more flexibility to personalise homes. A draft Strategy will be published for consultation by the end of this year, before a final version is published later in 2022 following a full public consultation.

### [Tenant Hardship Loan Fund and Grant Fund](#)

In December 2020, we introduced a £10 million [Tenant Hardship Loan Fund](#) which offers interest free loans to tenants who are struggling with rent because of changes to their finances and/or employment during the pandemic. Similar loans are also offered to landlords. Borrowing while struggling with debt will not be the best solution for all circumstances and that is why in September 2021 Councils have been given £10 million to provide [grants to tenants](#) who have fallen into rent arrears as a result of the pandemic and are at risk of eviction, allowing them to reduce or pay off their rent arrears. Loans and grants are available to tenants in both the private and social rented sectors. This is part of a package of measures available to local authorities to prevent homelessness, alongside Discretionary Housing Payments and advice on maximising income.

## **Climate and Environment**

### [The Environment Strategy for Scotland: Vision & Outcomes](#)

The Environment Strategy creates an overarching framework for Scotland's strategies and plans on the environment and climate change. The Strategy's 2045 vision was published in February 2020, with a set of supporting outcomes. The vision describes our ambitions for Scotland's natural environment and our role in tackling the global climate and nature crises. It also highlights the significant benefits this will create for the health and wellbeing of Scotland's people, our economy and our global citizenship. A range of issues within the scope of the Strategy are linked to children's wellbeing, including outdoor play and education; fuel and transport poverty; and the health impacts of air pollution and access to nature. More broadly, tackling the crises of climate change and biodiversity loss is fundamental to the wellbeing and prosperity of countries around the world, and of future generations.

The [Environment Strategy: Initial Monitoring Framework](#) was published in February 2021. Mirroring the simplicity of the vision and outcomes publication, it identifies a set of high-level indicators that will be used to track progress towards the Environment Strategy outcomes. Indicators were selected to provide a strategic and accessible overview of progress towards each outcome – drawing, where relevant, on National Indicators in the National Performance Framework to ensure close alignment between the two frameworks. An [Environment Strategy Monitoring Framework website](#) was launched in November 2021.

### [The Continuity \(Scotland\) Act 2021](#)

The UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021 ("the Continuity Act") received Royal Assent during January 2021. Provisions in the Continuity Act give a discretionary power to align devolved law with EU law. The Scottish Government and Scottish Green Party's Shared Policy Programme also commits that, where practicable, we will stay aligned with new EU measures and policy developments. The main policy driver behind the Continuity Act 2021 is the Scottish Government's recognition of the beneficial impact which EU law has had in promoting standards and protections, including those specifically relating to children and young people. The broad policy intention of the Act is to prevent any regression in standards or protections following the UK's exit from the European Union.

Additionally, the Continuity Act introduces a new environmental governance regime for Scotland, replacing the role previously fulfilled by the European Commission and

gives legal effect to the EU guiding environmental principles in Scots law – including the precautionary, polluter pays, preventative, rectification at source principles and the principle of integration, with a view to promoting sustainable development.

The environmental provisions of the Continuity Act were influenced by the analysis of public consultation regarding the role of environmental principles in developing future policy and legislation and maintaining effective, appropriate and proportionate governance in Scotland. The profile of respondents featured environmental charities, membership organisations, private business, academic institutions, local authorities and third sector organisations. Engagement from children and young people was evident through a number of these groups.

### **Supporting Children and Young People to participate at COP26 and beyond**

A new programme of events and initiatives to put the voices of children and young people in Scotland at the heart of the climate conversation during COP26 has been put in place over the last year, supported by almost £950,000 of funding. These included:

- The [Young Scot-led Scottish Youth Climate Programme](#), in conjunction with Youth Link Scotland and Keep Scotland Beautiful, co-designed by young people across Scotland to develop the skills and knowledge to embed and sustain action and change following COP.
- The [Local Authority Climate Champions programme](#), supporting local authorities to engage in the Scottish Youth Climate Programme and is recruiting Local Champions across Scotland as part of a legacy of youth involvement in climate change policy and decision-making, and increasing climate awareness.
- Hosting the [16th Conference of Youth \(COY16\)](#), the UN's official youth event for COP26 and providing opportunities for five young people from Scotland to attend to build their skills, meet peers, share learning and contribute to the Statement of Youth presented to COP leaders ahead of the negotiations.
- Supporting the [Children's Parliament's Climate Changemakers](#) programme which is a collaboration between the Children's Parliament, Scotland's Climate Assembly and Global Legislators to create rights-based opportunities for younger children up to 14 years of age to share their ideas for tackling the climate crisis.

### **[Scotland's Biodiversity: A Route Map to 2020](#)**

The Route Map is the overarching plan for delivering Scotland's Biodiversity Strategy. It sets out the Six Big Steps for Nature that we need to see to reverse the long term decline in our biodiversity through a series of 12 Priority Projects. Big Step 3 - Quality Greenspace for health and education benefits, focuses on people's engagement with nature and includes two particularly relevant Projects: Taking Learning Outdoors and Developing Scotland's Natural Health Service.

Taking Learning Outdoors aims to increase secondary and primary schools' access to greenspace and nature for outdoor learning as part of the wider 'Learning for Sustainability' agenda. This builds on existing online and professional learning resources, including Beyond Your Boundary, a Greenspace Map for Outdoor Learning, and successful camera trapping projects with schools. This is part of the

legacy of the Learning in Local Greenspace project, which worked with over 100 schools across some of the most disadvantaged areas in Scotland, directly facilitating their outdoor learning. The project evaluation, due to be published in late 2021, will include lessons learned to help promote outdoor learning practice across Scotland's schools. Further provision of outdoor learning information, resources and opportunities, across the education sector will be developed. This will include support for teachers to help them deliver good quality outdoor learning experiences in nature for pupils at all stages, as part of a place-based progression. The focus will be on sustainable outdoor learning close to schools in tandem with the use and improvement of greenspaces, and access to special places for nature.

The ['Our Natural Health Service'](#) programme builds on research showing the physical, mental and social health benefits from physical activity outdoors and contact with nature. NatureScot are leading on the development of this programme, which will see nature-based health initiatives used as part of health promotion and improvement, and encourage healthier lifestyle behaviours. Working with cross-sectoral partners, two main areas of work focus on NHS Greenspace and piloting Green Health Partnerships. To date, NHS greenspace demonstration projects have been delivered by most area health boards, impacting on a total of over 87 hectares and generating a wide range of benefits for both people and nature. Four [Green Health Partnerships](#) have been established, implementing action plans to expand local green health opportunities and mainstream their use as part of health and social care delivery. [Research](#) published in 2020 will inform future activities aimed at tackling health inequalities and increasing green health activity.

#### [Scottish Biodiversity Strategy Post 2020: Statement of Intent](#)

The Statement of Intent was published in December 2020 and sets the direction for a new biodiversity strategy which will respond to the increased urgency for action to tackle the twin challenges of biodiversity loss and climate change.

#### [Climate Change \(Emissions Reduction Targets\) \(Scotland\) Act 2019](#)

The Act, which amends the Climate Change (Scotland) Act 2009, sets targets to reduce Scotland's emissions of all greenhouse gases to net-zero by 2045 at the latest, with interim targets for reductions of at least 56% by 2020, 75% by 2030, 90% by 2040. The 2019 Act embeds the principles of a Just Transition, which means reducing emissions in a way which tackles inequality and promotes fair work, at the heart of Scotland's approach to reaching net-zero.

#### [Just Transition - A Fairer, Greener Scotland: Scottish Government response](#)

The Scottish Government's response to the Just Transition Commission was published in September 2021 and sets out our long-term vision for just transition. The response details a range of commitments including, future development of a skills guarantee for workers in carbon-intensive sectors and support for the use of Participatory Budgeting in delivery of community climate projects. It also provides details on our National Just Transition Planning Framework, which sets out how we will work with others to manage the economic and social impacts of the net zero transition. Co-design is at the heart of our approach - meaning we will ensure that those who stand to be most impacted by the transition to net zero are given a voice in determining their future. The Energy Strategy and Just Transition Plan will be our first

plan and will take the form of a clear roadmap for the next decade, and a longer term vision for the energy system in 2045. The draft publication is expected in Spring 2022.

#### [Climate Ready Scotland: Climate Change Adaptation Programme 2019-2024](#)

The second Scottish Climate Change Adaptation Programme sets out around 170 policies and proposals to prepare Scotland for the challenges we will face as our climate continues to change. The five-year Programme takes a people-centred and outcomes-based approach, aligned to Scotland's National Performance Framework and the UN Sustainable Development Goals. The [second annual report](#) on progress to delivering the Programme, which was published in May 2021, sets out how action on climate change adaptation and resilience, including additional investment in flood risk management and coastal change adaptation, is supporting Scotland's green recovery from COVID-19.

#### [Heat in Buildings Strategy](#)

The Scottish Government's Heat in Buildings Strategy was published in October 2021 and outlines the steps it will take to reduce greenhouse gas emissions from Scotland's homes, workplaces and community buildings and to ensure that we remove poor energy performance as a driver of fuel poverty. Building on the policies and actions set out in the Climate Change Plan Update, it sets out a pathway to zero emissions buildings by 2045 and details a series of near-term actions to put us on a clear path towards this, as well as a range of further, longer-term commitments to accelerate and further scale up the transformation of the nation's building stock. This Strategy also provides an update to the 2018 Energy Efficient Scotland Route Map and the 2015 Heat Policy Statement, and brings together our ambitions on energy efficiency and heat decarbonisation into a single framework.

#### [Cleaner Air for Scotland 2 – Towards a Better Place for Everyone](#)

Following an independent review of Scotland's first separate air quality strategy, Cleaner Air for Scotland – The Road to a Healthier Future, published in 2015, a new air quality strategy was published in July 2021, based on the review's conclusions and recommendations. Cleaner Air for Scotland 2 – Towards a Better Place for Everyone sets out the air quality policy framework for Scotland to 2026 and is accompanied by a delivery plan containing around 70 actions intended to deliver further air quality improvements.

#### [Recycling Improvement Fund](#)

A new £70 million Scottish Government fund to improve recycling infrastructure across Scotland launched on Global Recycling Day in March 2021. The five-year £70 million Recycling Improvement Fund, which was part of the Programme for Government 2021-22, aims to accelerate progress towards Scotland's ambitious waste and recycling targets and net zero commitment.

#### [Scotland's Forestry Strategy 2019–2029](#)

The Scottish Government's Forestry Strategy, published in February 2019, sets out a long-term framework for the expansion and sustainable management of Scotland's forests and woodland. It recognises the critical role forestry can play in combating climate change, building a growing and inclusive economy, and improving peoples' health, wellbeing and life chances. The Strategy presents evidence that children that are given the opportunity to experience outdoor learning and play show

improvements in their physical, social and emotional development. It commits to supporting greater opportunities for children to play and learn in forests and woodlands, so more of Scotland's young people can realise these benefits.

Scotland's [Forestry Strategy Implementation Plan 2020-2022](#) has also been published, although it should be noted that this Plan was prepared before the coronavirus pandemic. The Scottish Government and its partners will undertake activities such as rolling out the Forest Kindergarten 'training the trainers' programme; promoting and supporting access provision in forests and woodlands; and supporting community organisations involved in using, managing or owning woodland, and the provision of independent advice for community woodland groups. Work is now underway for the next Implementation Plan for the period 2022-25.

### [Free Bus Travel for young people](#)

By offering free bus travel to persons aged under 22 years old, the Scottish Government is seeking to encourage Scotland's younger generations to use low-emission and lower carbon public transport with a view to embedding that behaviour from a young age. This initiative supports our plans to tackle the climate emergency and to improve air quality in towns and cities by reducing the number of car journeys. In addition to these transport and environmental aims, the scheme also seeks to promote social inclusion in young people by improving access to education, healthcare, training and employment and to help reduce child poverty. Providing free bus travel widens opportunities for young people and could have a particular impact on people from lower income households, who are more likely to take the bus. There are approximately 930,000 people under 22 years old resident in Scotland who would become eligible for free bus travel from 31 January 2022.

## **Education, leisure and cultural activity**

### [Schools for the Future Programme](#)

This £1.8 billion programme, which delivered 117 new or refurbished schools, benefitting tens of thousands of pupils, was completed in March 2021. Over the last ten years, at least one new school project has been delivered in every council area, in addition to local authorities' own school improvement programmes. The £2 billion Learning Estate Investment Programme, which follows on from the successful Schools for the Future programme, will benefit around 50,000 pupils, with all projects announced and funding allocated by 2026. School Estates 2021 statistics show that the proportion of schools in "good" or "satisfactory" condition has increased from 61% in April 2007 to 90.2% in April 2021.

### [2021 National Improvement Framework and Improvement Plan](#)

The National Improvement Framework (NIF) and Improvement Plan was first published in January 2016, and a revised and updated version has been published each December since then. It is designed to help deliver the twin aims of excellence and equity in education. It serves as the single, definitive plan for securing educational improvement through six key improvement drivers: school leadership; teacher professionalism; parental engagement; assessment of children's progress; school improvement; and performance information. Through the National Improvement Framework and the annual [NIF Interactive Evidence Report](#), we will

build up a clear picture of progress across the key drivers and of overall progress towards our key priorities.

### [Scottish Attainment Challenge](#)

The Scottish Attainment Challenge was launched by the First Minister in February 2015. Our mission to reduce the poverty-related attainment gap remains central to our plans. We want a Scotland where every child achieves the highest standards in literacy and numeracy and the right range of skills, qualifications and achievements to allow them to succeed regardless of their background or circumstances. The Attainment Challenge is underpinned by the National Improvement Framework, Curriculum for Excellence and Getting it right for every child. It focuses on improvement activity in literacy, numeracy and health and wellbeing in schools across Scotland to close the poverty related attainment gap. It also supports and complements the broader range of initiatives and programmes to ensure that all of Scotland's children and young people reach their full potential.

We recognise the impact which COVID-19 has had on some of the most vulnerable children and families. We are committed to investing £1 billion over this parliament to close the attainment gap and support education recovery. As part of this, we have extended our commitment to the Scottish Attainment Challenge by committing record funding of £215 million to the Attainment Scotland Fund in 2021/22. This funding is focussed on ensuring the children and young people who need it most in our schools and communities, are supported.

The [poverty-related attainment gap 2016-2021 progress report](#) published in March 2021 showed evidence of good progress being made and that the Scottish Attainment Challenge has made a positive impact. Identified key strengths included a systemic change seeing equity embedded in the culture and ethos of our schools, improved learning and teaching, work with families and communities, strengthened collaboration and a focus on health and wellbeing. As we look ahead, we will build on these strengths to further support and improve the outcomes of children and young people from the most disadvantaged backgrounds and tackle the poverty related attainment gap.

### [Scotland's Ten Year Strategy for the Learning Provision for Children and Young People with Complex Additional Support Needs 2017-2026](#)

In response to recommendations of the Doran Review, a National Commissioning Group was established to develop a 10 year strategy for strategically commissioned national services. Scotland's Ten Year Strategy for the Learning Provision for Children and Young People with Complex Additional Support Needs was the subject of a public consultation in 2017. The full [consultation analysis](#) was published in April 2019 and the [final version](#) of the 10 year strategy was published in September 2019. The Group is progressing the early stages of the strategy and will provide an update during 2022.

### [Guidance on the Presumption to Provide Education in a Mainstream Setting](#)

The Scottish Government's guidance on mainstreaming was published in 2019 and provides clear and accurate information to help education authorities with their decisions about the best learning environment for a child or young person. Notably, it

includes a Scottish definition of inclusion and practical guidance to deliver inclusion in schools.

#### [Additional Support for Learning Review & Action Plan](#)

The independently chaired review of the implementation of additional support for learning was published in June 2020. The report made a number of recommendations to enhance implementation of additional support for learning. The Scottish Government, COSLA and the Association of Directors of Education in Scotland (ADES) published a joint response in October 2020. The [joint action plan](#) sets out the measures that will be taken to deliver the report's recommendations. Progress made in the first year against all of the actions set out in the plan was reported to Scottish Ministers and COSLA in October 2021. The Scottish Government and COSLA will continue to work with partners to deliver the action plan to ensure that we improve the experiences of children and young people with additional support needs. An updated action plan will be published in Spring 2022.

#### [Pupil Support Assistants](#)

In 2019, the First Minister announced £15 million for councils to increase the number of pupil support assistants already working in Scotland's classrooms. In 2020, 1,354 extra pupil support assistants were recruited. The Scottish Government continues to provide additional support to local authorities by investing an additional £15 million every year to further enhance capacity to respond effectively to the individual needs of children and young people.

#### [Respect for All: National Approach to Anti-Bullying](#)

Scotland's national approach to anti-bullying, published in 2017, aims to build capacity, resilience and skills in children and young people to prevent and deal with bullying. The approach is underpinned by the values of fairness; respect; equality and inclusion. It includes an explicit commitment to addressing prejudice-based bullying.

#### [Recording and Monitoring of Bullying Incidents in Schools: Supplementary Guidance](#)

In 2018-19 a new approach to recording and monitoring incidents of bullying in schools was introduced. This approach included an ability to record incidents of bullying on all protected characteristics. Supplementary guidance was published which sets out the expectations for recording and monitoring of bullying in schools.

#### [Scottish Government Response to OECD Review](#)

In June 2021, the Scottish Government accepted in full all 12 recommendations in the Organisation for Economic Co-operation and Development (OECD) report. The Scottish Government has subsequently published an implementation framework setting out how we will take forward the OECD's recommendations. The framework sets out the requirement to undertake engagement such that all stakeholders' voices are heard and have a role in developing policies. In particular there are commitments to engage with children and young people through the establishment of a new Children and Young People's Education Council in addition to having children and young people's representatives being members of the Scottish Education Council.

#### [STEM Education and Training Strategy](#)

This Strategy aims to build Scotland's capacity to deliver excellent STEM (Science, Technology, Engineering and Mathematics) learning, and to close equity gaps in participation and attainment in STEM. It also aims to inspire young people and adults to study STEM, and to provide a better connection between STEM education and training and the needs of the labour market in Scotland. The [Third Annual Report](#) was published in May 2021. The Scottish Government is currently reviewing the governance structures for the STEM Strategy, taking into account the impacts of the COVID-19 pandemic and progress on the Strategy so far, and will continue to engage with stakeholders as we move into the next phase of the Strategy.

#### [Music Tuition and Core Curriculum Fees](#)

In July 2021, it was announced that fees for children learning a musical instrument at school will be removed thanks to more than £7 million funding from the Scottish Government. It was also announced that Councils will also receive £6 million to waive core curriculum charges which can be levied on families for things including materials for home economics or theatre trips associated with drama qualifications. The agreement with COSLA covers the 2021-22 academic year. The Scottish Government will continue to work with COSLA and local authorities to develop a sustainable and funded model for future years. While not every young person will immediately have access to instrumental music tuition, we are working with local authorities to ensure greater numbers of young people are able to access instrumental music tuition in the future, with decisions about future participation being made on the basis of interest and aptitude, not on a family's ability to pay.

#### [Review of Personal and Social Education: Preparing Scotland's Children and Young People for Learning, Work and Life](#)

The Scottish Government announced in March 2017 that, as part of the Mental Health Strategy, the intention was to undertake a national review of Personal and Social Education (PSE). This report, published in 2019, outlines findings and the steps to take to strengthen PSE delivery and the wider network of pastoral guidance. Sixteen recommendations have been identified as a result of the findings of the thematic inspection and feedback received from delivery partners, young people, trade unions and third sector organisations. A joint approach is being taken between the Scottish Government, COSLA, ADES, local authorities and specialist third sector partners where appropriate to deliver a shared policy aim.

#### [Key Messages for Young People on Healthy Relationships and Consent](#)

In May 2019, the Scottish Government published a new resource for professionals to help them support young people's understanding of healthy relationships and consent. This means that wherever a young person seeks advice - whether from a teacher, a health professional or a youth worker – they should receive consistent, age appropriate information. The key messages set out that relationships should be mutually respectful, consensual, positive, healthy – and enjoyable. They are applicable to all romantic relationships regardless of whether they are in same sex or mixed sex relationships.

#### [Learning for Sustainability Action Plan](#)

Learning for Sustainability is a cross-curricular approach to learning which enables young people to develop the skills, knowledge and values to live sustainable lives. In recent years, Learning for Sustainability policy has been informed by the Learning for

Sustainability National Implementation Group which made 14 recommendations to the Scottish Government. In 2019, following a period of planning and informal consultation, the Scottish Government published a new Learning for Sustainability Action Plan to give effect to those recommendations. The plan's actions are developed around:

- Developing a strategic national approach to Learning for Sustainability.
- Adapting curriculum and assessment guidance to provide further opportunities for Learning for Sustainability.
- Increasing the skills and confidence of practitioners in relation to Learning for Sustainability.
- Ensuring that education leaders and decision makers understand the value of Learning for Sustainability.
- Adapting the learning estate to allow increased opportunities for the delivery of Learning for Sustainability.

#### [A Blueprint for 2020: The Expansion of Early Learning & Childcare in Scotland.- 17-18 Action Plan](#)

In a joint agreement with local government, the Scottish Government has delivered a transformative change in the provision of early learning and childcare (ELC), almost doubling the funded entitlement from up to 600 to 1140 hours per year for all 3 and 4 year olds and for eligible 2 year olds. A Blueprint for 2020, which was published in 2017, set out the Scottish Government's vision for the expansion of ELC, underpinned by four principles of quality, flexibility, accessibility and affordability. When the extent of the COVID-19 pandemic became clear, the Scottish Government took the difficult decision to suspend the statutory duty on local authorities to provide 1140 hours of ELC from August 2020. However, the Scottish Government and local partners have worked together in the face of the pandemic to deliver this transformational investment in children and families from August 2021.

As of August 2021, all councils are offering 1140 hours of funded ELC to all eligible children, making high quality early learning and childcare available to families and saving parents up to £4,900 per year for those children. Up to 130,000 children are expected to benefit this year as new children are enrolled.

#### [Expansion of Early Learning and Childcare in Scotland: Quality Action Plan](#)

The Quality Action Plan, published in 2017, identified the key drivers of quality and set out 15 actions to further embed and strengthen the quality of funded early learning and childcare (ELC). It reflected the international research and evidence which tells us that high quality ELC is a cornerstone for closing the poverty-related attainment gap. We have delivered all 15 actions in the Quality Action Plan, including developing the national practice resource '[Realising the Ambition](#)' and providing a range of professional development support. We are also funding bespoke improvement support to ELC settings at risk of failing to meet the National Standard.

#### [Wraparound School Age Childcare](#)

In the Programme for Government 2021-22, the Scottish Government has committed to building a system of wraparound school age childcare by the end of this Parliament, offering care before and after school and in the holidays, and supporting

parents – particularly on low-incomes – to have secure and stable employment. Those on the lowest incomes will pay nothing, and others will make fair and affordable contributions. This offer will reduce inequalities in access to a range of activities round about the school day, in particular for those children who may benefit most.

We want future policy on school age childcare to be shaped by those who need it most, which is why we will continue to engage people with lived experience of poverty to better understand the barriers they face in accessing childcare. Over this year, we will establish a diverse and inclusive people panel made up of parents and carers and children and young people, and run a series of workshops to ensure user experience is front and centre in our system design. We will publish a 5 year delivery plan within the next year, setting out the phasing and timescales for delivery to the end of the Parliament, engaging stakeholders in its development.

#### [Learning Together: Scotland's National Action Plan on Parental Involvement, Parental Engagement, Family Learning and Learning at Home 2018 – 2021](#)

Parental engagement and involvement in children's learning makes an important contribution to their attainment and achievement, and this supports a number of rights under the UNCRC. The Scottish Government's Action Plan "Learning Together", which was published in August 2018 and contained over 50 actions, set out a vision for parental involvement and engagement to support the learning and development of children and young people, from pre-birth to age 18 years old, and takes account of national and international evidence base and Scottish education system expertise. Key actions include a new census on Parental Involvement and Engagement (piloted in 2019), the development of strengthened statutory guidance and the funding of "Equalities and Equity" projects to assist involvement and engagement amongst families who may face additional barriers, for instance those from more deprived circumstances or those from black and minority ethnic backgrounds. A final report will be published at the end of the plan's lifecycle in late 2021.

#### [Play Strategy for Scotland: Our Vision](#)

Scotland's first national Play Strategy, published in 2013, was built on the views of children and young people, parents and carers, the play sector and others involved in their wellbeing. Together with the Action Plan, the Strategy sought to improve the play experiences of all children and young people, including those with disabilities or from disadvantaged backgrounds.

#### [Play Strategy for Scotland: Our Action Plan](#)

The Action Plan supported the Play Strategy by setting out the steps needed to realise a vision for play, underpinned by partnership working. A Play Strategy Implementation Group led by the Scottish Government and made up of representatives of statutory bodies, local authorities, third sector organisations and funders was established in order to support and monitor our progress.

#### [Playing with Quality and Equality: a Review of Inclusive Play in Scotland](#)

This Review of inclusive play in Scotland aimed to identify context, current practices, barriers and aspirations and to build the knowledge base to inform implementation of the Play Strategy for all children.

### [Progress Report on Play Strategy](#)

The Scottish Government commissioned Play Scotland to produce a progress report on the National Play Strategy in 2019, with an update requested in 2020 in the context of COVID-19. The research took into account the impact of COVID-19 and incorporated the views of children and young people. The report gave eight recommendations to the Scottish Government for the future of play policy. The Scottish Government welcomes Play Scotland's report and recommendations for building on the progress made on play in Scotland.

### [Refurbishment of Play Parks](#)

Over the course of this Parliament, the Scottish Government will invest £60 million to renew play parks in Scotland, so children have access to high-quality outdoor play in their own communities, with the first funding allocation of £5 million agreed with local authorities in our first 100 days. The Scottish Government has developed national principles for the renewal of play parks, against which local authority spending plans should be developed, which will ensure the funding will benefit all children and that children and young people are listened to throughout the renewal process.

### [Scotland's National Position Statement on Outdoor Play Based Learning](#)

Scotland's National Position Statement on Outdoor Play Based Learning was published in 2018. A coalition of over 100 influential national bodies and organisations have committed to work together to embed playing and learning outdoors as an everyday activity for all children and to celebrate this as a fundamental part of growing up in Scotland.

### [Out to Play: Practical Guidance for Creating Outdoor Play Experiences in Early Learning and Childcare](#)

Out to Play, published in 2020, provides practical guidance and advice for early learning and childcare settings and childcare practitioners on how to access outdoor spaces, including land or forest areas owned by local authorities, private landowners or national bodies, to create safe, nurturing and inspiring outdoor learning experiences. Additional chapters of this document were published in March 2021, providing specific guidance for the [Out of School Care Sector](#), [Childminders](#) and practitioners working with [children with Additional Support Needs](#).

### [Our Ambitions for Improving the Life Chances of Young People in Scotland: National Youth Work Strategy 2014-2019](#)

This Strategy, developed jointly by the Scottish Government, Education Scotland and YouthLink Scotland, aimed to set out our ambitions for improving outcomes for young people through youth work. It also aimed to ensure that we harness and build on our partnerships across the youth work sector and develop what we know works well in delivering vibrant and effective youth work practice. The Strategy recognised the contribution that youth work makes towards the National Outcomes and the wide range of activities and policies that impact on young people's lives; it also recognised that both universal and more targeted specific work have equal validity and importance.

A new youth work strategy is currently under development. As well as reflecting our learning to date, this will build on the success of the previous strategy, commitments

made to children and young people's participation through the Year of Young People and lessons learned during the coronavirus pandemic. A co-production approach is being taken. We are working with a national cohort of representative young people and a national stakeholders group to drive this work. Local conversations are also underway with young people and youth workers across the country to create a strategy grounded in the issues that affect youth work in Scotland.

## **Widening access to Higher Education**

### [15-24 Learner Journey Review](#)

The Scottish Government will take forward the recommendations of the 15-24 Learner Journey Review, the report of the review of education provision for 15-24 year olds published in 2018. The report set out the Scottish Government's ambition for a world class education and skills system. Year One implementation has concluded and the Scottish Government is committed to continuing to improve the experience for the learner and setting a clear expectation for more purposeful collaboration between schools, colleges, universities and employers. We are now considering what has been achieved, what is now being delivered through other routes and what is still outstanding.

### [A Blueprint for Fairness](#)

The Commission on Widening Access (COWA) was established in 2015 to advise Scottish Ministers on the steps necessary to achieve their ambition that every child, irrespective of socioeconomic background, should have an equal chance of accessing university. The Commission published its final report, A Blueprint for Fairness, in March 2016. This included 34 recommendations, which were accepted in full by the Scottish Government. We are making progress on implementing, coordinating and monitoring the recommendations through the [Access Delivery Group](#).

Over the past five years, very welcome progress has been made towards meeting the Government's fair access targets. The 2021 interim target, that 16 per cent of entrants should come from the 20 per cent most deprived areas in Scotland, has been achieved ahead of time. The main COWA recommendations have been successfully implemented over the past five years on access targets, access thresholds (or minimum entry requirements) and a guarantee of places for care-experienced applicants.

The Commissioner for Fair Access has published four annual reports as well as a number of [discussion papers](#). His fourth annual report, [Higher education - Re-committing to Fair Access - a Plan for Recovery: Annual Report 2021](#), published in June 2021, states that welcome progress has been made towards meeting the Government's fair access targets.

### [Developing the Young Workforce: Scotland's Youth Employment Strategy](#)

Scotland's Youth Employment Strategy, published in 2014, set out how the Scottish Government would implement the recommendations from the Commission for Developing Scotland's Young Workforce, including the commitment to reduce the 2014 level of youth unemployment by 40% by 2021 – a target that was met 4 years early in 2017. Together with Getting it right for every child and the Curriculum for

Excellence, Developing the Young Workforce is the key policy approach through which the Scottish Government is creating excellence and equity in Scottish education. Progress continues to be reported on annually.

### [Youth Guarantee](#)

In July 2020, Scottish Ministers announced additional assistance for people looking for work or those at risk of redundancy, to help them move into work or retrain. The package of support, is backed by £100 million for 2020/21, with at least £60 million of that funding set aside to help young people access all available opportunities. The measures include a guarantee for young people; a new national retraining scheme; and more funding to provide immediate assistance and advice if people are made redundant.

### [Young Person's Guarantee - Implementation Progress Report](#)

The Young Person's Guarantee aims to offer every person aged between 16-24 in Scotland the opportunity, depending on their circumstance, of a job, apprenticeship, further or higher education, training programme or volunteering. A [CRWIA](#) was completed for the Guarantee and published on the Scottish Government website in June 2021. Since it was officially launched in November 2020, we have invested an additional £130 million, which aims to provide at least 24,000 new and enhanced opportunities for young people.

### [Mentor Scheme to Improve the Life Chances of Young People](#)

In March 2021, the Scottish Government announced plans to support a mentoring and leadership programme to support young people to reach their full potential. MCR Pathways will roll out its successful Young Scottish Talent mentoring programme alongside an expansion of Columba 1400's values-based Leadership Academy for Young People to improve education outcomes, career opportunities and life chances. The programme will reach up to 15,000 young people. A network of volunteer mentors - drawn from business, civic society and the wider public - will offer tailored support to young people through schools as COVID-19 restrictions are further eased. Mentors will be trained to develop strong relationships that are at the heart of the programme and key to helping young people achieve their full potential. The programme will be delivered in partnership with local authorities that wish to participate and will be part of the Scottish Government's Young Person's Guarantee to provide long term support where it is needed most.

### [Job Start Payment](#)

In August 2020, a new benefit to support 16 to 24 year olds into work was opened for applications. Job Start Payment provides a £252.50 payment to help young people who have been unemployed for six months with the costs of starting a new job. The upper age limit rises to 25 years old for care leavers and the payment rises to £404 if the person has a child. An initial evaluation of the benefit has been commissioned and its findings are expected to be published in spring 2022.

## **Culture**

### [A Culture Strategy for Scotland](#)

The Culture Strategy, published in 2020, sets out a vision and priorities for the future development of culture in Scotland. The Strategy, which was supported by almost

£1.25 million funding, recognises the fundamental value of culture and its transformative and empowering potential, which everyone in Scotland, including children and young people, should have an equal opportunity to experience.

### [Arts Alive](#)

The Arts Alive programme was developed as part of A Culture Strategy for Scotland. The aim of the programme is to enable young people to engage in high quality cultural experiences who may not otherwise have the opportunity to do so. The programme is delivered by Scottish Book Trust who work with artists from Scotland's National Performing Companies. The programme is grassroots and self-directed, with the type of event and its creative content being determined by the organisations applying to meet their specific needs. In receiving funding, grantees are asked to consider steps that further promote and protect the rights of children and young people and that they are able to demonstrate how they are meeting UNCRC requirements.

### [National Partnership for Culture](#)

The establishment of a new National Partnership for Culture (NPC) was announced as part of A Culture Strategy for Scotland, which was launched in February 2020. The Partnership serves as a voice for culture in Scotland; helping position culture as a central policy consideration and making recommendations to Scottish Ministers on a range of issues affecting culture in Scotland, including the recovery of the sector following the pandemic and cultural renewal more generally. The NPC hosted a series of thematic workshops including: wellbeing (particularly mental health) and education (including skills). Each workshop had a focus on the impact of COVID-19 on children and young people's wellbeing and education, with discussions around the positive impacts the culture sector could have on these areas. The NPC will be making recommendations to Ministers in due course.

### [Youth Arts Emergency Fund \(2020-21\)](#)

The Youth Arts Emergency Fund was funded by the Scottish Government and delivered by Creative Scotland to ensure creative opportunities for children and young people continue to exist across Scotland despite the COVID-19 pandemic. This funding was targeted to young people from groups that have less access to cultural opportunities and/ or were particularly impacted by the pandemic.

### [Youth Music Initiative and Wider Youth Arts Funding](#)

The Scottish Government has continued to support the Youth Music Initiative, which ensures all children are offered a year's free music tuition before they leave primary school, as well as funding to widen out of school opportunities for music making for children and young people. We have also continued to support Sistema Scotland's Big Noise programmes. Creative Scotland continue to support the National Youth Arts Advisory Group and the Nurturing Talent Fund, a fund by young people for young people, which provides small grants to children and young people for creative and artistic projects.

### [Forward: Scotland's Public Libraries Strategy 2021-2025](#)

Scotland's second National Strategy for Public Libraries articulates a national vision for public libraries and sets out how this can be achieved, building on the work of 'Ambition and Opportunity' and the ambitions of the Culture Strategy for Scotland.

Forward was co-designed with Young Scot to ensure young people's views were represented. The strategy is underpinned by three key themes: people, place, and partnerships. The strategy notes that access to libraries supports several articles of the UNCRC and commits to libraries working with schools, school libraries and partners to foster a reading culture within and beyond the school gates.

## **Special Protections**

### [Justice in Scotland: Vision and Priorities](#)

The Vision and Priorities document, agreed jointly by the Scottish Government and key justice organisations, set out collective priorities to ensure a just, safe and resilient Scotland, with established priorities for 2017 to 2020. The document focuses specifically on prevention and early intervention. The Justice Vision and Priorities is accompanied by a [Delivery Plan](#) that sets out actions to help progress the priorities. The [Justice Vision and Priorities Delivery Report](#) was published in March 2021. The Report highlights key achievements in justice since the publication of Justice in Scotland: Vision and Priorities in 2017. It also outlines the unprecedented impact of COVID 19 on the justice system.

### [Children's Hearings](#)

#### [Better Hearings Partnership](#)

The Better Hearings Partnership is an initiative resulting from 2016 research on what makes a hearing work well from the perspective of those involved. It involves multi-agency partnership working in all areas of Scotland to identify points for improvement, plan actions and deliver change at a local level. In the first year of implementation, local areas have undertaken baseline assessments against agreed standards, which has helped them to identify priority areas for improvement. A [progress report](#) on the first year of implementation was published by the Children's Hearings Improvement Partnership in late 2019 however, during the COVID-19 pandemic, the continuity and recovery of the hearings system has been prioritised.

#### [Review of Children's Hearings System](#)

The Scottish Government has made a Programme for Government Commitment that we will undertake a comprehensive review of the Children's Hearings System, to rethink the structures, processes and legislation that underpin it, and ensure courts can facilitate child-friendly justice that upholds children's rights. The Promise announced on 15 August 2021 that former Sheriff David Mackie had been appointed as the independent chair of The Hearings System Working Group. This Group will facilitate a redesign of the Children's Hearings System with representatives from The Promise, Children's Hearings Scotland, Scottish Children's Reporter Administration and young people with recent experience of Children's Hearings and care services. The Scottish Government are also members of the group. The Promise asks for a rethink of the structure, processes and legislation in relation to the children's hearings system, ensuring that children and families continue to be at the heart of decision making. The review will aim to ensure that children's hearings fully align with the planned incorporation of the UNCRC.

### [Children's Hearings \(Scotland\) Act 2011: section 122 children's advocacy services](#)

The Scottish Government commenced this section of legislation on 21 November 2020, which activated the new duties on the Children's Hearings chairs to inform children about advocacy services and made provision to ensure access to children's advocacy services for children and young people referred to Children's Hearings by the Principal Reporter of the Scottish Children's Reporter Administration. The role of children's advocacy services is to make sure children's rights are respected and their views and wishes are fully considered within the decision making within their Children's Hearing. A Children's Hearings Advocacy Expert Reference group continues to support the design, delivery and implementation of the service. The national Children's Hearings advocacy scheme, is demand-led and was backed initially by £1.5 million, and increased to £1.8 million in 2021-22. The funding supports the training and provision of advocacy workers.

#### [Advocacy in the Children's Hearings System: National Practice Model: Guidance](#)

The Scottish Government worked with sector partners to test various models of advocacy to consider the best ways of delivering a sustainable, supportive advocacy service. Published in March 2020, the National Practice Model outlines the role of advocacy workers within the Children's Hearings System, including their independent status, to ensure consistent excellence of practice across Scotland. Since March 2020, the Scottish Government has established grant arrangements with a portfolio of ten advocacy organisations to bring Scotland-wide coverage for children and young people. More information about children's advocacy for Children's Hearings is available on the dedicated [website](#).

## **Youth Offending**

#### [Whole System Approach](#)

The Whole System Approach (WSA) is our programme for addressing the needs of young people involved in offending. It takes a strong focus on early and effective intervention, diversion and appropriate support to address offending behaviour by young people. This is done in a timely and effective way through a whole system approach to offending behaviour, based on multi-agency partnerships. Based on the principles of Getting it right for every child, the approach aims to prevent the use of custody and secure accommodation wherever possible. It ensures that young people get the right support at the right time, providing better outcomes for young people, victims and communities. Extending the Whole System Approach to those beyond the age of 18 years old, and providing access to support up to the age of 26 years old, where possible and appropriate, is one of the priorities of the new vision for youth justice, published in June 2021.

#### [Justice for Children and Young People - a Rights Respecting Approach: Vision and Priorities](#)

This vision builds on the work of the previous youth justice [Strategy](#) 'Preventing Offending: Getting it Right for Children and Young People', which concluded in 2020. A final progress [report](#) of the previous strategy was published in June 2021. This vision is based on the Promise, planned incorporation of the UNCRC into domestic law and other influential documents, along with views from key stakeholders, partners and, most importantly, children and young people. It represents a shared foundation between the Scottish Government and partners to continue to support the

agenda to keep children out of the criminal justice system and promote the use of the Whole System Approach.

#### [Standards for Those Working with Children in Conflict with the Law](#)

The standards, published in June 2021, replace those published in 2012 and outline minimum expectations for all strategic and operational services delivering youth justice in the community, secure care and Young Offenders Institutions. New standards around children's rights and participation are included. The standards are intended to guide both strategic and operational services' understanding of what is expected at each stage of a child's journey through the justice system.

#### [Age of Criminal Responsibility \(Scotland\) Act 2019](#)

The Age of Criminal Responsibility (Scotland) Act 2019 will raise the age of criminal responsibility in Scotland from 8 to 12 years. Implementation of the Act is being phased, to ensure children benefit from the legislation as quickly as possible. The offence ground for referring children under 12 to a children's hearing was removed on 29 November 2019, resulting in no new convictions or criminal records for children under 12. Disclosure provisions were commenced at end November 2020. Since then, automatic disclosure of pre-12 behaviour has not taken place. This is another key reform from the Act: ensuring that a person's behaviour as a child does not automatically follow them through later life, impacting on their life outcomes.

#### [Age of Criminal Responsibility \(Scotland\) Act 2019 - Part 4 - Police Investigatory and Other Powers: Statutory Guidance on Investigative Interviews](#)

Statutory guidance published in accordance with the Age of Criminal Responsibility (Scotland) Act 2019 was published in September 2021. This guidance contains information to support police, local authorities and others with functions related to investigative interviews involving children under the age of 12 years old, and to support the police to exercise the power to take a child to a place of safety. More generally, the Scottish Government is working closely with Police Scotland and other delivery partners on the implementation of the police investigatory and other powers aspect of this Act to ensure that operational readiness is delivered in a way that respects the rights of children and any other relevant parties.

#### [Consultation: Raising the Age of Referral to the Principal Reporter](#)

The 2019-20 Programme for Government made a commitment to consult on 'enabling joint reporting to the Crown Office and Procurator Fiscal Service and the Principal Reporter of all 16 and 17 year olds' offence cases'. Scottish Ministers agreed to widen the consultation to seek views on increasing the age at which children can be referred to the Reporter on care, protection and offence grounds. This includes young people at risk of exploitation, abuse or harm due to their own behaviour or the behaviour of others. The proposed changes would enable agencies to provide child-centred support for all under 18 year olds. The Consultation took place from 17 June to 7 October 2020. The [independent analysis](#) of the responses received was published on 7 December 2020 and showed overwhelming support for change. We are working with partners to explore the practical implications and develop responses to the issues raised before legislative decisions are made.

#### [Secure Care Pathway and Standards Scotland](#)

The Pathway and Standards were published on 5 October 2020. They set out what all children in or on the edges of secure care in Scotland should expect across the continuum of intensive supports and services. They provide a framework for ensuring the rights of children and young people are respected and improve experiences and outcomes. When fully implemented, the new Standards will deliver a consistent, unified approach to caring for this vulnerable group in all council areas. Children and young people in care and with experience of care were fully involved in developing the Standards along with secure care staff, local government and the Children and Young People's Centre for Justice.

The Standards are supported by the [Secure Care Standards website](#) which was fully co-designed using materials supplied by STARR, young people and staff in secure care. The website provides information on why these Standards matter to children and young people, includes links to guidance, legislation, the Health and Social Care Standards and How Good is Our School? The Scottish Government is working closely with stakeholders to monitor progress and ensure the Standards are implemented.

#### [Scottish Prison Service Family Strategy](#)

The Scottish Prison Service (SPS) launched a Family Strategy in 2017 that set a clear direction for the improved delivery and alignment of family engagement and activities for people in custody and a focus on how SPS can play its part in avoiding the intergenerational impact of parental imprisonment. This includes actions for SPS establishments to have a Family Strategy Group and an improvement plan in place to support this. The prison service will progress a review of their Family Strategy over the course of 2022.

#### [National Performance Framework for Prison Visitors' Centres in Scotland](#)

The National Performance Framework for Prison Visitors' Centres in Scotland was developed by the National Prison Visitor Centre Steering Group in collaboration with the Scottish Government and the Scottish Prison Service. Organisations who run Prison Visitor Centres report on their progress towards achieving the outcomes detailed within the framework in applications for Scottish Government grant funding. The Programme for Government 2021-22 contained a commitment to maintaining funding for Prison Visitor Centres, which support, advise and advocate for families with loved ones in prison.

## **Victims and Witnesses**

#### [Vulnerable Witnesses \(Criminal Evidence\) \(Scotland\) Act 2019 \(Commencement No. 1 and Transitional Provision\) Regulations 2019](#)

The Regulations, which came into force on 20 January 2020, ensure that any child witness under the age of 18 giving evidence in the most serious cases in the High Court, will be allowed to have it pre-recorded, sparing them the trauma of giving evidence during a trial. The exception to this is if it is shown that this would significantly prejudice the interests of justice in the individual case. The Regulations have a practical effect to all relevant cases in the High Court from Autumn 2020. Going forward, it remains essential that future commencement and roll-out of the provisions of the Act continue to be undertaken in a managed and effective way, to

ensure that the intended benefits are delivered to those involved in these most serious cases.

### [Bairns' Hoose - Scottish Barnahus: Vision, Values and Approach](#)

We have committed in our Programme for Government 2021-22 that “all children in Scotland who have been victims or witnesses of abuse or violence, as well as children under the minimum age of criminal responsibility whose behaviour has caused significant harm, will have access to a ‘Bairns’ Hoose’ by 2025”.

The Scottish Government Bairns' Hoose - Scottish Barnahus: Vision, Values and Approach sets out our vision of how the Barnahus model should be implemented in Scotland, the values which should underpin the model and our approach to its practical implementation. In addition, Healthcare Improvement Scotland and Care Inspectorate [The Foundations for Bairns’ Hoose \(Scottish Barnahus\)](#) report outlines the developments in national policy, practice and research which form the foundations of the development of a national Bairns’ Hoose model in Scotland.

### [Joint Investigative Interviews](#)

The new Scottish Child Interview Model will deliver an interview process that secures the child’s best evidence at the earliest opportunity and minimise the risk of further re-traumatisation.

On 30th September 2021, we announced £2 million of funding for the national rollout of the Scottish Child Interview Model for Joint Investigative Interviews. A key aim of the new Scottish Child Interview Model – which has been developed and assessed by Social Work Scotland, local authorities and Police Scotland in a series of pilot projects - is to protect children and reduce stress when recounting their experiences. Continuous improvement in the quality and professionalism of these interviews can lead to their increased use as a child’s evidence in chief in criminal proceedings.

## **Child Safety**

### [Building Safer Communities](#)

Building Safer Communities (BSC) is a collaborative approach which seeks to help national and local partners and communities work together to make Scotland safer and stronger, and is focussed on building capacity within our communities. In looking to drive a co-ordinated approach to Unintentional Harm and Injury, we continue working in partnership with stakeholders, including the Royal Society for the Prevention of Accidents and the Scottish Community Safety Network, to implement the key findings from Scotland’s national strategic assessment of unintentional harm and injury. The key findings from this work were being progressed by an Executive Working Group, chaired by Scottish Fire and Rescue Service, with a clear action plan to drive forward progress. The Executive Group meetings paused during the height of the COVID-19 pandemic. The Group reconvened in August 2021 and this work is now being led by the Scottish Community Safety Network.

### [Cashback for Communities](#)

The CashBack for Communities Programme is a unique Scottish Government initiative, which takes funds recovered through the Proceeds of Crime Act 2002 and invests them back into communities. The Programme is designed to focus on

positive outcomes for young people aged between 10 and 24 years old, and their communities. Since 2008, £110 million seized from criminal activity has been committed to community initiatives to improve the quality of life for young people right across Scotland. Phase 5 of the Programme runs from 1 April 2020 to 31 March 2023, with a commitment of £19 million to support projects for disadvantaged young people. The evaluation report on Phase 4 of the CashBack for Communities Programme was published in December 2020.

### [Fireworks Action Plan - Promoting the Safe and Appropriate Use of Fireworks in Scotland](#)

The Fireworks Action Plan, published in October 2019, sets out how the Scottish Government would address the concerns expressed through the [consultation on fireworks](#), which was undertaken during February-May 2019. It sets out activities that would be taken forward immediately, as well as longer term actions that would collectively support a change in how fireworks are used in Scotland. The Action Plan committed to establishing a Firework Review Group, chaired by Alasdair Hay CBE QFSM (Queen's Fire Service Medal), to provide clear recommendations on tightening devolved legislation on fireworks in Scotland. The Group considered all available options and a series of evidence-based recommendations was made to Scottish Ministers in the [Firework Review Group's Final Report](#) published in November 2020.

Subsequently, the Scottish Government legislated in 2021 to introduce new restrictions on the sale and use of fireworks for the general public and also committed to introducing additional legislation in the near future. A Fireworks and Pyrotechnics Bill is due to be introduced to the Scottish Parliament in Year One of this Parliamentary term to implement the remaining recommendations from the Review Group.

The Scottish Government recognises that legislation in and of itself is not enough to tackle the issue of fireworks misuse. The Action Plan also sets out the range of non-legislative actions that have been progressing, including greater awareness raising, education and preventative activity in communities across Scotland.

## **Refugee and Asylum Seeking Children**

### [New Scots Refugee Integration Strategy 2018-2022](#)

The New Scots Refugee Integration Strategy, published in 2018, sets out Scotland's approach to support the vision of a welcoming Scotland. Children and young people can arrive with their families through the asylum dispersal process or through refugee resettlement programmes, or they may arrive unaccompanied. Some of these children will have had traumatic experiences in their formative years. They may also have missed significant amounts of education, which can be challenging, particularly if they are having to learn a new language. The Strategy recognises that children and young people may require additional support to access the services they need and opportunities to participate in society. The New Scots Strategy is led in partnership by the Scottish Government, COSLA and the Scottish Refugee Council.

The [New Scots Refugee Integration Strategy 2018-2022: First Year Progress Report](#), published in April 2019, provided a summary of progress made during the first year of the New Scots Refugee Integration Strategy. A report of progress made during the second year of the Strategy has been delayed, due to the COVID-19 pandemic.

#### [New Scots Refugee Integration Delivery Project](#)

The New Scots Refugee Integration Delivery Project is providing small, medium or large grants up to a total of £2.8 million, to organisations to either widen existing work, or to start new initiatives which assist those who have had to flee their own country to escape war and terror. [Applicants were notified of grant offers, subject to due diligence, in August 2021.](#) This is part of the New Scots Refugee Integration Strategy (2018-22) which aims to ensure refugees live in safe and welcoming communities that enable them to rebuild their lives from the day they arrive in Scotland. The project is led by the Scottish Government in partnership with COSLA, the Scottish Refugee Council and the UNESCO Chair at the University of Glasgow, and will promote employability, education, health and social and cultural connections for refugees.



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