

Integration Joint Board

Date of Meeting: 29 May 2024

Title of Report: Children's Rights Report: 2020-2023 Review

Presented by: David Gibson, Head of Children, Families and Justice/CSWO

The IJB is asked to:

Note the content of the report

1. EXECUTIVE SUMMARY

This report is the second Argyll and Bute Children's Rights Report and is a review of the first report completed in November 2020 but also looks at plan going forward. A child friendly, graphic "Plan on a Page" version of this plan is going to be produced in co-production with groups of children and young people.

In Scotland, Government Ministers have a duty to promote public awareness and understanding of the rights of children under Part 1 of the Children and Young People (Scotland) Act 2014 82(h)6(i)12481otlany68 n6(t)8(l)12(a)16(n)16(y68 n6(t)8(l)12(a)16(n)

Argyll and Bute's has committed as a partnership to children's rights, equalities and achieving the best possible outcomes for our communities this is reflected in the following supporting plans including:

- Argyll and Bute Child Poverty Action Plan Review 2022-2023;
- Argyll and Bute HSCP Joint Strategic Plan 2022 – 2025;
- Argyll and Bute Children and Young People's Service Plan 2023 – 2026;
- Argyll and Bute Outcome Improvement Plan 2013 – 2023;
- Argyll and Bute Community Justice Plan 2017 – 2022;
- Argyll and Bute Corporate Parenting Plan 2021 – 2024;
- Argyll and Bute Employability Partnership Delivery Plan, 2022-25;
- Argyll and Bute Education Strategic Plan 2022 – 2024.

The report summarises the key area of the new Act that relate to local authorities:

- Public authorities will not be allowed to act in a way, which is incompatible with the UNCRC requirements.
- Children, young people, and their representatives will have the power to go to court to enforce their rights.
- Courts will have powers to decide if legislation is compatible with the UNCRC requirements.
- Existing legislation will have to be read in a way, which is compatible with the UNCRC requirements wherever possible.
- The Children and Young People's Commissioner Scotland and Scottish Human Rights Commission will have powers to take legal action to protect children's rights.
- Local authorities and others listed in the Bill will have to report every three years on what they are doing to meet the UNCRC requirements.

It goes on to say that a Framework has been provided by the Scottish Government and Improvement Service to assist Local authorities and other public bodies in meeting these obligations. These are:

1. Leadership;
2. Participation of Children and Young People;
3. Empowerment of Children and Young People;

- Bring children and staff together to talk about how best to embed UNCRC. To learn what children and young people think will work and how they want to be involved
- Create and deliver an awards scheme, in coproduction with children and young people that will encourage and recognize the progress of teams working to change the way their staff and departments function so that the rights of children and young people are respected and they are included in decision making.
- The awards scheme directly contributes to the effective implementation of

Trauma-Informed workforce (We have committed to further embedding our trauma-responsive children's services and children's workforce as a key strategic priority.);

Tackling Domestic Violence (Children's rights are recognised as key to the work of the Violence Against Women and Girls Partnership as they are harmed by domestic violence and other forms of gender based violence.);

Working with Refugees in Argyll and Bute (To make children, young people and their families aware of their rights the Motivation and Wellbeing Profile has been translated.);

^{3/4} **Employability** (To maximise the role that employability plays in delivering national and local aims of tackling poverty, promoting inclusion and social justice and creating a fair and prosperous Scotland.);

Young Carers (Listening to feedback from Young Carers, we are currently reviewing the Young Carers Statement to ensure it continues to meet the needs of Young Carers.);

Bute Advice Centre;

Council's Welfare Rights Service;

My Tribe, Free Period Products.

4. RELEVANT DATA AND INDICATORS

Partner data and narrative is collated for final reporting.

5. CONTRIBUTION TO STRATEGIC PRIORITIES

As noted in the report this is aligned to current strategies.

6. GOVERNANCE IMPLICATIONS

6.1 Financial Impact

It should be noted that there will be some financial implications in terms of embedding the UNCRC into the way in which the Council and HSCP operates. For example, with regards to training staff. However this has so far been provided in a cost effective manner, for example in e-learning modules on LEON and TURAS and the provision of learning material on writing child friendly versions of information and documents. Also much is already being done in a rights respecting way; for example with seeking the views of children and young people and engaging them in coproduction; in considering the needs of children when setting budgets and commissioning policy and when producing written material that needs to be accessible.

6.2 Staff Governance

Note the training requirement for staff

6.3 Clinical and Care Govq0.00lvqen

8. EQUALITY & DIVERSITY IMPLICATIONS

We are required by the Fairer Scotland Duty (which forms part of the Equality Act 2010) to actively consider ('pay due regard' to) how to reduce inequalities of outcome. This current report as it outlines how we currently, and will, work to forward children's rights and listen to their views, fulfils this duty.

This report is about rights respecting approaches, activity and planning. Equalities are respected by this, for example "Article 23-If you are disabled, either mentally or physically, you have the right to special care and education to help you develop and lead a full life."

Socio-economic issues are integral to children's rights and the importance the needs of the child being considered in all of our decision making.

The challenges of affording children and young people across Argyll and Bute, equal access to resources / rights entitlement, are noted in this report.

Climate change is not directly referred to in this report but any actions that impact negatively on the environment might be seen as a children's rights issue. Children and young people should be consulted environment / climate change issues.

8. GENERAL DATA PROTECTION PRINCIPLES COMPLIANCE

Not specific to this report

9. RISK ASSESSMENT

There are legal obligations for public bodies in relation to the implementation of The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, one of those is fulfilled by the publication of this current report; others are set out within this current report.

If a Children's Rights Report were not to be published at this point, the Council and health Board would be failing to meet the duty laid out in the Children and Young People (Scotland) Act 2014 to publish one every 3 years.

A commitment has been made to carry out a wide range of engagement with children and young people across Argyll and Bute in 2024, telling them about their rights and gaining their views on ways in which the Council can meet them. Funds have been given by the UNCRC Innovations Fund for this purpose. Failure to deliver would might be seen as a failure to include children and young people.

All of the work outlined in the report contributes to meeting the needs of children and young people and respecting their rights. Any circumstancesdT60

11. CONCLUSIONS

This current report sets out what changes have occurred since the last report in terms of legislation and obligations placed on public bodies.

It asserts Argyll and Bute's commitment as public bodies to delivering on these obligations and working with children and young people to ensure that their voice is heard and their needs and wishes are considered in every part of its functioning.

The report also talks to plans for engagement with children and young people throughout 2024 how it is hoped this process will ensure that children and young people feel that they understand their rights and are being listened and respected to in Argyll and Bute. In addition this report looks at key areas (child protection, Employability, Health, Tackling Child Poverty, Housing, Youth Justice etc.), what is happening and plans and commitment going forward.

A children and young people friendly version of this plan will be created in co-