

**REPORT TO EDUCATION AND CHILDREN'S SERVICES COMMITTEE
30 AUGUST 2018**

**CHILDREN'S RIGHTS REPORTING DUTIES AND ABERDEENSHIRE CHILDREN
AND YOUNG PEOPLE'S CHARTER**

1 Recommendations

The Committee is recommended to:

- 1.1 Note the statutory duty on Aberdeenshire Council as a public body and this Committee's role in promoting Children's Rights.**
- 1.2 Endorse Aberdeenshire's Children and Young People's Charter and support its launch at Full Council in recognition of Committee's role in championing children and young people's rights.**
- 1.3 Support scrutiny and audit of Council business that comes before Committee to ensure this is in line with Children's Rights reporting requirements and contributes to continued improvement in rights-based service planning and delivery for children and young people.**

2 Background / Discussion

- 2.1 The Children and Young People (Scotland) Act 2014 places strong emphasis on further embedding and strengthening children and young people's Rights by local authorities, health boards and partner agencies.
- 2.2 Section 1 Part 2 of the Act sets out duties of public authorities in relation to the United Nations Convention on the Rights of the Child (Appendix 1) with a requirement to publish at least every three years (in such manner as the authority considers appropriate) a report of what steps it has taken in that period to *secure better or give further effect* within its areas of responsibility to the UNCRC requirements. This may be done jointly with other relevant local authorities.
- 2.3 This section of the Act commenced on 1st April 2017 with the end of the initial three-year period as 31st March 2020.
- 2.4 In Aberdeenshire, it has been agreed through Children's Services Planning arrangements to provide an update report each year, as part of Aberdeenshire's wider Children's Services Plan annual reporting arrangements.
- 2.5 Aberdeenshire's Children's Services Planning Partnership has continued its commitment to actively seek out and listen to the voices of children and young people to ensure they influence future service development. Over 2017, this

has involved a range of Children's Rights action taken by partners individually, and working together, based on the fundamental philosophy of our Plan.

Children's Rights - Aims

- 1 To give further and better effect to Children's Rights in Aberdeenshire
- 2 To effectively utilise the GIRFEC governance arrangements in respect of specific responsibilities for Children's Rights

- 2.6 This report brings to Committee information on progress made over 2017/2018 in relation to Children's Rights and complements wider annual reporting on Children's Services Planning, as outlined in a separate paper presented today.
- 2.7 Five promises made in the Plan, have been used to support ways in which services will promote children and young people's Rights in Aberdeenshire, and helps identify how well we are meeting duties under Part 1 of *The Children and Young People (Scotland) Act 2014*. These promises set out how the Council as a lead partner for Aberdeenshire's Children's Services Plan should be guided in development and delivery of policy, practice, and services.
- Promise 1:** Take a Rights-Based approach to Children's Services Planning
Promise 2: Improve our use of multi-agency information on Children's Rights
Promise 3: Work collaboratively to create a Children & Young People's Charter
Promise 4: Give explicit consideration to UNCRC & Children's Rights in all Service Planning
Promise 5: Promote Children's Rights in all decision-making
- 2.8 Part 1 guidance outlines a range of considerations for public authorities in relation to preparing a Children's Rights Report. This includes consultation with children and young people in relation to their Rights and ensuring their active consultation and participation in Children's Rights reporting. It requires public authorities to promote wider understanding of UNCRC; and to raise awareness of this new reporting duty amongst the wider workforce, communities, parents/carers, and children and young people themselves.
- 2.9 The UNCRC framework of standards, principles and guidance pertains to basic Children's Rights (such as the right to education, play, recreation and adequate standards of living) is akin to the aspirations of the Getting it Right for Every Child Wellbeing Indicators for all children and young people. However these also references specific groups of children within the general population, who by virtue of their vulnerability, are in need of special protection or support.
- 2.10 The need for clear evidence of progress in respect of Children's Rights, is highlighted in the guidance, with the recommendation to adopt an integrated approach across services to the systematic collection of baseline information, monitoring of data, workforce and public information, and evidencing positive change. This requires individual services to consider how best to meaningfully reflect the views and experiences of children and young people in annual

reporting processes, and to gather information and evidence which demonstrates progress in Children's Rights. This should be an integrated part of service delivery rather than one-off consultation, ensuring an inclusive approach, in which the voices and experiences of children and young people are heard irrespective of age, disability, communication needs and specific circumstances.

- 2.11 The agreed annual Children's Services Planning reporting approach for Aberdeenshire includes provision of a full version report, alongside a summary version. This communicates key information in a manner accessible to practitioners, families, young people and the general public. Work alongside colleagues in individual services and through Aberdeenshire's Youth Participation Structure will help support provision of annual information on Children's Rights, including feedback mechanisms to children and young people.
- 2.12 The Child Rights and Wellbeing Impact Assessment (CRWIA) has been developed by Scottish Government. This links and interprets the interaction between clustered Articles of the UNCRC with Wellbeing Indicators to facilitate Children's Rights reporting and make children's rights visible in the daily business of public bodies. The CRWIA can be undertaken alongside existing joint impact assessments such as the Equality Impact Assessment, and is therefore designed to become a routine consideration in the execution of public service delivery, not just specific to Children's Services.
- 2.13 Work is currently underway as part of the review and development of Aberdeenshire's combined impact assessment, to explore how best to incorporate CRWIA within this. This will embed wider awareness, knowledge and proportionate consideration of Children's Rights and develop best practice across the Council.
- 2.14 Part 1 guidance outlines that public consultation should explore whether specific questions on Children's Rights can be incorporated within approaches. Advice has been provided to the Council's Corporate Policy steering group to ensure revision of Aberdeenshire's Engagement Policy and guidance explicitly reference duties under the Act in relation to Children's Rights, and signposts services to avenues of support through Aberdeenshire's Youth Participation Structure. (Appendix 2).
- 2.15 Awareness-raising of Children's Rights developments and key messages on youth participation have been communicated at all levels of the GIRFEC governance arrangements. This includes Chief Officers, The GIRFEC Strategic Group, Coordination and Support Hub, and information provided to Local GIRFEC Groups and other partnerships.
- 2.16 Workforce training needs have also been considered, with the development and introduction of a new *Children's Rights, Engagement and Participation* GIRFEC Module in 2017 to support practitioners to consider ways in which

they can evidence their promotion of children's rights, engagement and participation.

- 2.17 A range of activity promoting Children's Rights over Year 1 of Aberdeenshire's Children's Services Plan has provided opportunities to support children and young people's engagement and participation in service planning and decision-making. This has included co-produced Year of Young People events, the launch of Aberdeenshire Youth Bank, formation of Aberdeenshire Youth Shadow Management Team, and mapping of Aberdeenshire's Youth Participation Structure.
- 2.18 The GIRFEC Website has been expanded to include a [Year Of Young People 2018](#) section which enhances that existing information available for children and young people on *Getting it Right for Every Child*.
- 2.19 In Year 1 of Aberdeenshire's Children's Services Plan, Promise 3 on progressing Children's Rights has been delivered through co-production of Aberdeenshire's Children and Young People's Charter. (Appendix 3). The Charter has been created by Aberdeenshire's children and young people, for Aberdeenshire's children and young people, with the 7 statements representing what they told us was most important to them.
- 2.20 The Charter sets out the rightful expectations all children and young people can and should have, of organisations, services, politicians, communities, and individuals working in Aberdeenshire. Its endorsement reflects a commitment across Community Planning partners to uphold the values of the United Nations Convention of the Rights of the Child (UNCRC), and to work from a foundation of Children's Rights.
- 2.21 It was developed through a 6 stage process of engagement (Appendix 4). Interactive versions of the Charter were also co-developed, including recording of audio-version statements, and a Widget Symbol version for use by children and young people with communication difficulties (Appendix 5). A sign-language version is currently under development.
- 2.22 In celebration of North East culture and language, a Doric version of the Charter has been developed, support by Banff Academy staff, young people, and the North East Scots Language Board (Appendix 6).
- 2.23 Over 2018 it is intended to seek endorsement of Aberdeenshire Children & Young People's Charter at a range of key forums including, Full Council, Education & Children's Services Committee, and the Community Planning Partnership Board. The series of launches will culminate in a celebration of the Charter and Children's Rights at the final Year of Young People signature event in December.
- 2.24 In light of the information outlined in this report, Committee is respectfully requested to endorse the charter and its principles. And further, to support its wider promotion, to raise awareness and recognition of organisational duties under the Act. Adoption of the Charter will help embed best practice and innovation in promotion of children and young people's Rights, with their

engagement and participation at the heart of service development and delivery in Aberdeenshire's communities.

- 2.25 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are incorporated within the report and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

3 Scheme of Governance

- 3.1 The Committee is able to take a decision on this item in terms of in terms of E.2.1.f of the Scheme of Governance, as the committee have responsibility for the functions of the Council in relation to children and young people under Part 3 of the Children and Young People (Scotland) Act 2014.

4 Implications and Risk

- 4.1 An equality impact assessment is not required because this report is highlighting a statutory duty and requesting endorsement and support of the charter.
- 4.2 There are no staffing and financial implications related to this report.
- 4.3 No risks have been identified as relevant to this matter on a Corporate or Directorate level.
- 4.4 A Town Centre First Impact Assessment is not required as this report is to inform committee on progress of the Children Services Plan and does not have a differential impact on any of the 12 key town centres.

Laurence Findlay
Director of Education & Children's Services

Report prepared by Bryony Revell, Service Transformation Manager (GIRFEC)
Date 30 July 2018



Appendix 1 Articles of the UNCRC/Wellbeing Indicators

SAFE

- (11) abduction and non-return of children
- (19) protection from violence, abuse and neglect
- (22) refugee children
- (32) child labour
- (33) drug abuse
- (34) sexual exploitation
- (35) abduction, sale and trafficking
- (36) other forms of exploitation
- (37) inhumane treatment and detention
- (38) war and armed conflicts

HEALTHY

- (3) best interests of the child
- (6) life, survival and development
- (24) health and health services
- (39) recovery and rehabilitation of child victims

ACHIEVING

- (4) Governments must do all they can to make sure every child can enjoy their rights in systems that promote and protect these rights
- (18) parental responsibilities and state assistance
- (28) right to education
- (29) goals of education

NURTURED

- (5) parental guidance and a child's evolving capacities
- (18) parental responsibilities and state assistance
- (20) children deprived of a family
- (21) adoption
- (25) review of treatment in care
- (27) adequate standard of living

ACTIVE

- (3) best interests of the child
- (23) children with disabilities
- (31) leisure, play and culture

RESPECTED

- (2) non-discrimination
- (3) best interests of the child
- (4) Governments must do all they can to make sure every child can enjoy their rights in systems that promote and protect those rights.
- (5) parental guidance and a child's evolving capacities
- (8) protection and preservation of identity
- (12) respect for the views of the child
- (13) freedom of expression
- (14) freedom of thought, belief and religion
- (16) right to privacy
- (17) access to information; mass media
- (18) parental responsibilities and state assistance

INCLUDED

- (3) best interests of the child
- (6) life, survival and development
- (18) parental responsibilities and state assistance
- (23) children with disabilities
- (26) social security
- (27) adequate standard of living

RESPONSIBLE

- (3) best interests of the child
- (12) respect for the views of the child
- (14) freedom of thought, conscience and religion
- (15) freedom of association
- (40) juvenile justice



Appendix 1
Articles of the UNCRC/Wellbeing Indicators

(30) the right to learn and use the language, customs and religion of their family

Wellbeing Indicators with UNCRC Articles



Further information can be found here:

Guidance on Part 1:

https://consult.scotland.gov.uk/childrens-rights-and-participation-team/childrens-rights-reporting/user_uploads/422079_p2.pdf



Appendix 1
Articles of the UNCRC/Wellbeing Indicators

UNCRC: The foundation of Getting it right for every child:
<http://www.gov.scot/Resource/0041/00417256.pdf>

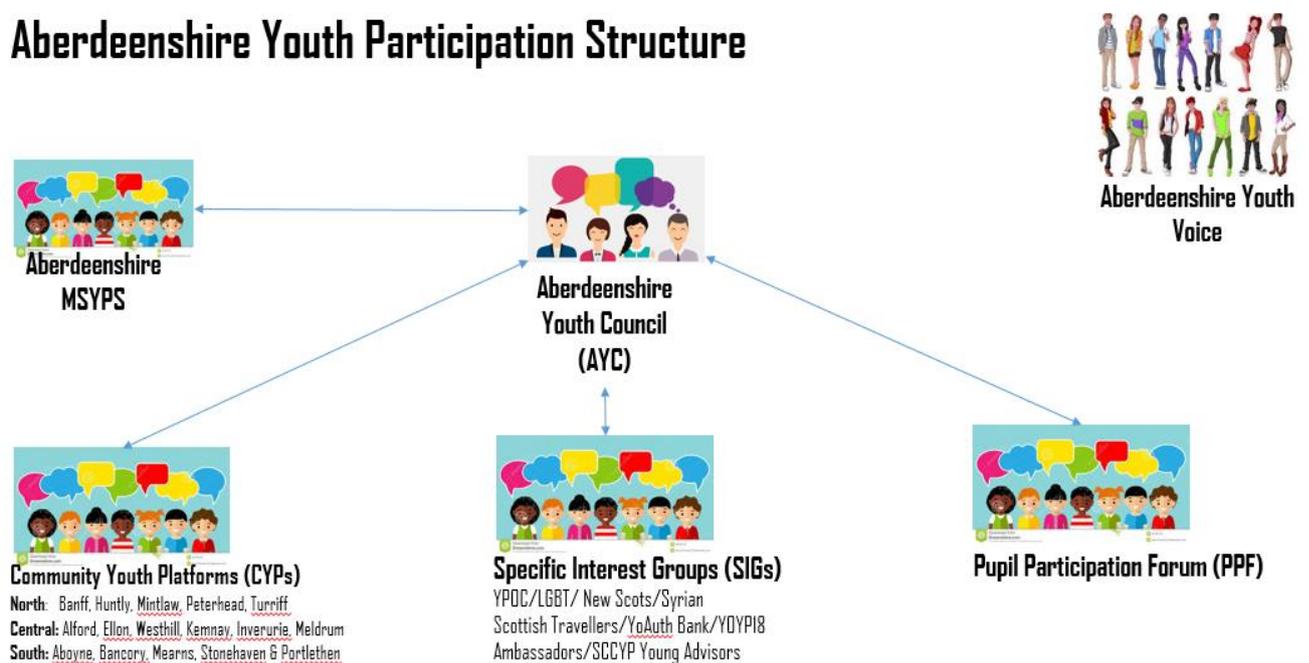
Appendix 2 Aberdeenshire Youth Participation Structure

Youth participation in Aberdeenshire, is about putting children and young people in the centre of policy and practice. We do this by creating opportunities, and supporting the ways in which children and young people can get involved in decision-making, at the individual, community, local authority, and national level.

Aberdeenshire's Youth Participation Structure includes the different groups listed below, with this information made publically available via Aberdeenshire's GIRFEC Website.

[\(http://www.girfec-aberdeenshire.org/home/children-and-young-people/get-involved-youth-participation-and-engagement-in-aberdeenshire/\)](http://www.girfec-aberdeenshire.org/home/children-and-young-people/get-involved-youth-participation-and-engagement-in-aberdeenshire/)

Aberdeenshire Youth Participation Structure



Aberdeenshire Youth Council (AYC)

Aberdeenshire Youth Council consists of democratically elected representatives from all youth participation groups in Aberdeenshire, including the Pupil Participation Forum, Community Youth Platforms, and Specific Interest groups

Aberdeenshire Members of Scottish Youth Parliament (MSYPs)

There are seven Aberdeenshire MSYPs, who are democratically elected for a two-year term and represent: Banffshire and Buchan Coast, Aberdeenshire East, Aberdeenshire West, North Angus & Mearns. The MSYPs role is to represent young people from Aberdeenshire and they actively campaign on youth issues, such as championing young people's Rights through the *Right Here, Right Now* national campaign. They seek to build links with local councillors and MSPs to benefit young people, and an MSYP representative also sits on Aberdeenshire's Youth Shadow Management Team.

Aberdeenshire Youth Shadow Management Team (AYSMT)

Aberdeenshire Youth Shadow Management Team consists of Youth Council Executive Members, who have been elected to take on an office bearer role or are members interested in particular issues. They meet with Aberdeenshire Council's Strategic Leadership Team, which consists of the Directors for Education & Children's Services, Infrastructure, Health and Social Care, Business Services and the Chief Executive.

17 Community Youth Platforms (CYPs)

There are 17 community youth platforms across North, Central and South Aberdeenshire. These were established across Aberdeenshire in 2017 and aim to provide young people with opportunities to discuss the issues which matter to them, in their local community.

North: Banff, Huntly, Mintlaw, Peterhead, Turriff

Central: Alford, Ellon, Westhill, Kemnay, Inverurie, Meldrum

South: Aboyne, Banchory, Mearns, Stonehaven & Portlethen

Pupil Participation Forum (PPF)

Aberdeenshire's Pupil Participation Forum is a youth-led group of 68 young people, consisting of ambassadors from seventeen secondary schools across Aberdeenshire. They are regularly called on to consult on matters related to their education, have created a guide for schools on how to improve pupil participation, and are currently working on events and resources to support Year of Young People #YOYP2018.

Specific Interest Groups (SIGs)

Specific Interest Groups meet over shared experiences, identities, or a particular area of interest and these groups will therefore develop and change over time. Current groups in Aberdeenshire include Looked After children and young people in our LAC Factor, and Young People's Organising and Campaigning Group (YPOC), LGBT Rights, New Syrian Scots, Scottish Gypsy/Travellers, Aberdeenshire Youth Bank, #YOYP2018 Ambassadors, and our Scotland's Commissioner for Children and Young People (SCCYP) Young Advisors, with a group for Young Carers also being explored.



Aberdeenshire Children & Young People's Charter

1. **Include us in any decisions made about our lives** and explain what's happening. Don't guess, ask us what we think, and if something can't happen tell us why.
2. **Give us opportunities.** Let us show you what we can achieve when you give us a chance to try.
3. **Make sure our voices are heard.** Show us you are listening by taking action.
4. **Don't judge us, and try to understand our experiences.** Realise we all make mistakes, and give us information to help us make good choices.
5. **Celebrate Diversity and take steps to stop bullying and discrimination.** Encourage us to be confident and to express ourselves as individuals. Find ways which help us all feel we belong.
6. **Respect us and take our worries seriously.** Make sure we get help from the right people, when we need it.
7. **Treat our information with care.** If personal information needs to be shared, let us know who needs it, and explain why.

Charter Design: Thanks to the young people from Inverurie ICON Group

Appendix 4 - Developing Aberdeenshire's Children and Young People's Charter

Stage 1: Feedback from 345 primary and secondary children and young people was collated around the Wellbeing Indicators from consultation on Aberdeenshire's Children's Services Plan 2017-2020. This informed ten draft Charter Statements.

Stage 2: 130 young people exercised their democratic right to vote, voting on draft Charter Statements during Aberdeenshire's #ABZYAP event at Thainstone Exchange on 29th August 2107. Votes were counted on the day and the statements re-ordered by popularity (overleaf).





- 1. Involve us in decisions about our own lives...don't assume, or decide things for us, ask us! Explain decisions, and if something we want can't happen, let us know the reason why. (92 votes)**
- 2. Give us opportunities: Don't assume we can't do things, and let us show you what we can do when given the chance to try. (88 votes)**
- 3. Make sure our voices are heard: Think about different ways you can help us feel valued and listened to. (77 votes)**
- 4. Don't judge us: Try to understand our experiences and what it's like to walk in our shoes. Understand we make mistakes: Give us information to help**

us make good decisions but let us know you'll be there to support us if things go wrong. (62 votes)

5. Celebrate Diversity: Support us to express and be proud of our individuality, and take steps to tackle discrimination, bullying or prejudice. (58 votes)

6. Don't dismiss our worries, we need to know you take us seriously and respect us: Give us confidence the right people will help us when we need it. (52 votes)

7. Respect our privacy: Treat information about us carefully, and if information has to be shared, as far as possible, let us know why, and with who. (51 votes)

8. Show us you believe in us, and encourage us to achieve: Even small steps can lead to us climbing mountains. (47 votes)

9. Recognise when we make progress, we need to know you notice, and to hear 'well done' (43 votes)

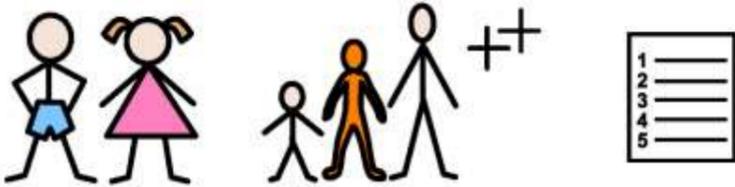
10. Help us feel we belong: Support us to be involved and included, at home, in our schools, with friends, by services, and in our communities. (24 votes)

Stage 3: Feedback from an engagement session with Aberdeenshire's Pupil Participation Forum in September 2017, reduced the number of charter statements to 7, and reworded them. (40 young people representing all school clusters)

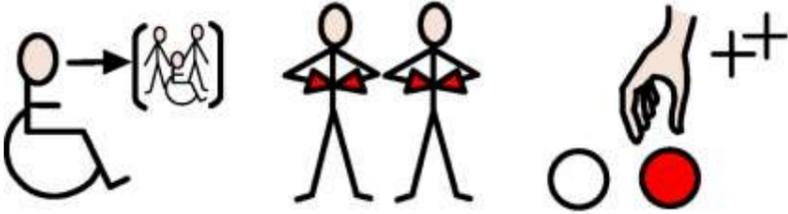
Stage 4: Following wider consultation feedback between December 2017 and February 2018 (17 Youth Forums, Aberdeenshire Youth Council, Primary School Focus Groups and SurveyMonkey), the final statement wording was agreed.

Stage 5: February 2018 - Young People from Inverurie I-Con Group created the official Charter Design which has been used as the border.

Stage 6: March 2017 - Charter available on the [GIRFEC Website](#) with a range of alternative formats in development to make sure the charter is accessible to as wide a range of children and young people as possible.

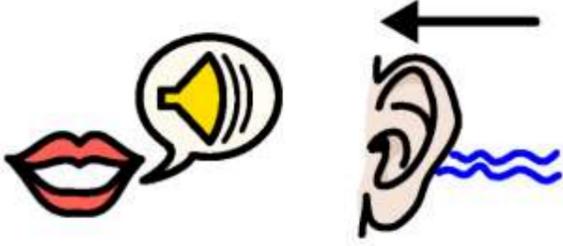
Aberdeenshire Children & Young People's Charter



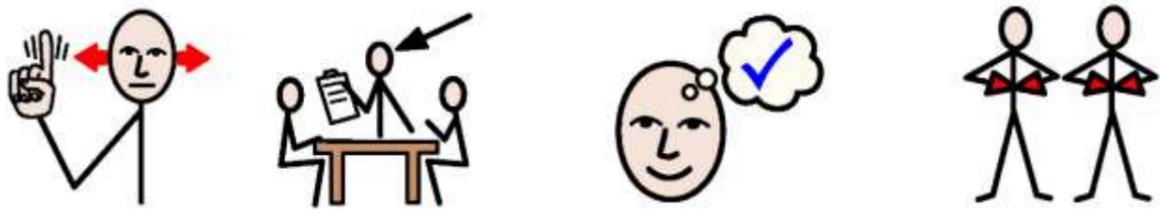
1. Include us in any decisions made about our lives.



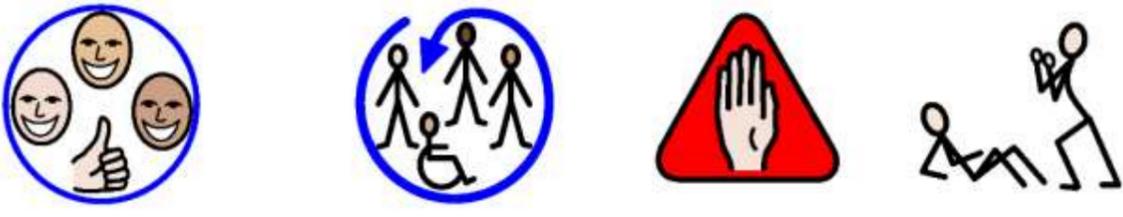
2. Give us opportunities.



3. Make sure our voices are heard.



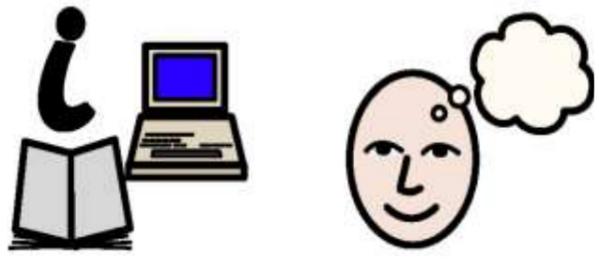
4. Don't judge us, and try to understand our experiences.



5. Celebrate Diversity, and take steps to stop bullying and discrimination.



6. Respect us, and take our worries seriously.



7. Treat our information with care.



Aiberdeenshire Bairn's an Young Fowk's Chairter

1. **Mak sure we're pairt o ony decisions taen about oor ain lives,** an lat us ken fit's gaan on. Dinna jaloose it, spier at us fit wi think, an if somethin canna be deen, lat us ken fit wye nae.
2. **Gie us chances.** Lat us shaw ye fit wi can dee and fit we're aa aboot fan ye gie us a chance.
3. **Tak tent o fit wir tellin ye.** We'll ken yer listenin tae fit yer bein telt fan ye dee somethin aboot it.
4. **Ca canny judgin fowk. Thole us. Unnerstan far we're comin fae an fit we hae experienced.** Realise that wi aa mak mistakes, an mak sure an gie us the information wi need tae gar us mak gweed choices.
5. **Mak the maist o us nae bein aa the same an tak steps tae cut oot bullyin an discrimination.** Encourage us tae be confident in fa wi are as weel as foo wi express oorsels. Etle tae mak us feel wi aa belang.
6. **Gie us respeck an fan we're sair made, tak oor concerns seriously.** Mak sure it's the richt fowk at gie's the help we need, fan we need it.
7. **Tak gweed care an look aifter oor information.** If ye maun spreid oor information aroon ither fowk, lat us ken yer daein it, fa needs it, an fit wye it's bein socht.

