

# Scottish Children's Rights Implementation and Monitoring Group

Friday 19<sup>th</sup> December 2014

Scottish Government, Victoria Quay, Edinburgh

2:00-4:00pm

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## Attended:

Colin Armstrong (CA) – Policy Officer, Children and Families, Scottish Government

Tam Baillie (TB) – Commissioner, SCCYP

Katie Brown (KB) – Head of Participation and Education, SCCYP

Emma Grindulis (EG) – Policy and Communications Officer, Together (*Secretary*)

Juliet Harris (JH) – Director, Together

Fiona Jones (FJ) – Chair, Together (*Chair*)

Agnes Rennick (AR) – Children's Rights and Wellbeing, Scottish Government

Gita Sharkey (GS) – Rights & Participation Team Leader, Scottish Government

Chloe Swift (CS) – Policy Officer, SCCYP

## 1. Apologies and thanks

There were apologies from Phil Raines (Scottish Government) and Máire McCormack (SCCYP).

## 2. Review of actions in minutes of 2<sup>nd</sup> September 2014.

**Action: EG will send GS a one-page update of the current meeting to be circulated in Scottish Government emails and uploaded to the Together website.**

- A link to the SCRIMG one-page update has not yet been included in Scottish Government email bulletins and GS agreed to follow up on this.

**Action: GS to update the group on evaluation of Education Scotland resources at the next meeting.**

- GS informed attendees that Education Scotland is in the process of gathering case studies to evaluate their realising rights resources.

## 3. Matters arising

### Terms of Reference and revision of SCRIMG structure

- JH summarised the updated Terms of Reference document which was circulated to attendees in advance of the meeting. JH highlighted that re-thinking the Terms of Reference of SCRIMG provides an opportunity to be more strategic in monitoring implementation of

the UNCRC, through holding the government to account and widening accountability to public bodies.

- JH outlined the proposal to establish a SCRIMG coordination group which would have broader representation and work alongside the existing monitoring group. JH highlighted that with wider responsibility to implement children's rights under the Children and Young People (Scotland) Act (CYP Act), it is important that representation on a coordination group is broad, to involve and engage services beyond solely children's services.
- Attendees agreed to explore establishing a Ministerial Advisory Group on Children's Rights. TB emphasised that Ministerial presence on such a group would elevate importance of the monitoring group across government and increase ownership of duties under the CYP Act. TB further suggested that a Ministerial group would help to support the Scottish Government children's rights team. Attendees agreed that the group could use Part 1 of the Act as a platform.
- JH and TB stressed that with the upcoming commencement of Part 1 duties in the CYP Act and NGO reporting to the UN Committee, updating the Terms of Reference must be done as a matter of priority.

**Action: Together and SCCYP agreed to amend the Terms of Reference to reflect the suggested changes in status – for Scottish Government to consider with respect to existing Advisory Groups and Ministerial preferences, before any approach is made to the Minister's Office re: the possibility of Ministerial presence at SCRIMG.**

#### Children and Young People (Scotland) Act guidance

- Gita informed the Group that internal comments on the GIRFEC guidance are being gathered and external consultation is likely to take place in February 2015.

**Action: GS to determine whether Together would be able to see a draft copy of the GIRFEC guidance.**

A table outlining CYP Act guidance, secondary legislation, working groups and enactment was circulated with papers for the meeting. There were some gaps where information is unknown.

**Action: GS agreed to arrange for completion of gaps within the CYP Act table for circulation to attendees.**

The Group agreed that this table could be circulated to the children's sector (removing any confidential information).

CS raised that February/March will be busy months as multiple sets of guidance for the CYP Act are being released in close succession. This means that providing feedback for each becomes problematic and spacing them out more strategically to allow more time would be welcomed.

**Action: GS agreed to feedback concern and problems associated with the timing of the consultation on guidance for the CYP Act.**

AR confirmed that the contract to develop a Scottish Government Child Impact Assessment model has been awarded and that there will be 8 weeks allocated to its development and trial. Further trialling would take place before being rolled out across SG. JH and CS stated that the new Child Rights Impact Assessment model should be used on all the guidance for the CYP Act.

CS commented that the SCCYP impact assessment model should be used as an interim model to assess guidance being developed until the Scottish Government model is complete.

With regards to forthcoming guidance on information sharing for the CYP Act, JH highlighted that completing a Child Rights Impact Assessment early on may save time in the future. JH noted this area as being a particular area of priority.

JH asked what the Scottish Government is doing to prepare for the commencement of the Part 1 duty for Ministers to raise awareness and understanding of children's rights. GS responded that there were a number of possible avenues that would be explored in this respect. The Children's Rights and Participation team are keen to help develop capacity on the ground to ensure children and young people have the opportunity to participate in local and national policy development and decision making.

JH stressed the importance of ensuring that any work undertaken to consult with children and young people is strategically focussed on meeting the SG's commitment under the CYP Act and on addressing the gaps identified in the Scottish Government's *'Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child'* report as part of the reporting to the UN Committee. KB commented that the report shows that vulnerable groups continue to have their rights under Article 12 of the UNCRC violated. Attendees agreed that existing structures need to be built upon and sustainable mechanisms created to ensure vulnerable groups also enjoy meaningful participation.

### Part 2 of the CYP Act

TB confirmed that the SPCB has held back resourcing for Part 2 subject to a mapping exercise which SCCYP is currently in the process of conducting. TB confirmed that SCCYP would be reporting to the Scottish Parliament by the end of March 2015.

JH confirmed that Together is keen to see the extension of powers for SCCYP and for these to be sufficiently resourced, and can offer support to the office as required.

### Children's involvement in UNCRC reporting

JH referred to the *'Children and young people's experiences of, and views on, issues relating to the implementation of the United Nations Convention on the Rights of the Child'* report and encouraged the Scottish Government to use it to identify gaps in participation and where efforts are needed. KB suggested that more NGOs could be supported to gather children's voices and submit a report to the UN Committee. This would need resourcing, and JH highlighted that it would not necessarily need to come from the children's rights budget and could instead be cross-departmental (such as early years and disabilities).

GS commented on possibilities linked to the proposed Children's Summit and other work programmes in relation to children's rights/ gaps in knowledge. While the pre-summit scoping event had been targeted at young people SG was alert to the need to consider involving younger children. It was confirmed that Children's Parliament had approached Ministers to attend their first sitting involving a large number of children and young people in March 2015. However, this has not been set up specifically to address the gaps identified in the Scottish Government's report.

**Action: GS to arrange a meeting in late January with Together and SCCYP re: participation and UNCRC reporting.**

**Action: GS, dependent on the outcome of the discussion above, to consider contacting other departments within the Scottish Government to determine whether they could contribute financial resources to support the participation of children in UNCRC reporting.**

SCCYP confirmed that there will be a joint UK Commissioners report to the UN Committee and that the key issues focused on in the report will include: child poverty, general measures (Commissioners offices, voice of the child and austerity), access to justice, special protection (safeguarding and child sexual exploitation) and CAMHS.

Early Years Collaborative (EYC)

**Action: Phil Raines to circulate an update of the work of the EYC.**

Gypsy/Traveller Strategy and Action Plan

GS has had a conversation with the Equalities Unit regarding the Gypsy/Traveller Strategy and Action Plan and mentioned Jackie Walder as a key contact. GS offered to timetable a meeting to discuss the Strategy and Action Plan. GS suggested that the Strategy and Action Plan are likely to be published in summer 2015.

The Gypsy/Traveller Strategy working group met on 3<sup>rd</sup> November 2014 regarding the communications strategy for the Strategy and Action Plan – GS committed to circulating membership of the working group to attendees. GS mentioned data releases from the census relating to gypsy/ travellers and that she would circulate this to attendees too.

**Action: GS to circulate a list of members of the Gypsy/Traveller Strategy working group and a link to census relating to Gypsy/Travellers. GS to timetable a meeting with Together, SCCYP and relevant officials to discuss the Strategy and Action Plan.**

#### **4. Key themes:**

Together State of Children's Rights report 2014 – key themes

Juliet outlined three key themes of the 2014 report: access to justice, awareness and understanding of children's rights and children's participation in matters affecting them. GS confirmed that the report is being circulated in the Scottish Government to specific policy areas.

JH commented that the meeting with justice officials arranged by GS was very helpful and that this would be a useful way to progress the recommendations in the report for access to justice also.

## **5. Standing items**

### Reporting to the UN Committee

JH reported that Together is working with organisations across the UK to submit an NGO Great Britain report; Northern Ireland will be submitting a separate report to the Committee to reflect its specific post-conflict environment. Together will form a small advisory group and organise seminars across Scotland to gather evidence for the report, which will help to address gaps in the State of Children's Rights report 2014 and highlight areas where there is little data. A Scotland report will be produced by Together during May 2015 and this report will then inform the GB report to be submitted to the Committee in July.

**Action: JH will inform the Scottish Government of the key themes likely to be in the Great Britain NGO report to the UN Committee when possible.**

SCCYP reported that there will be a UK Commissioners submission ready by April 2015 and that it is likely to be 30 pages. Together and SCCYP will be working together to ensure that information and data is shared and particular organisations are not over-questioned.

Attendees noted the publication of new UNCRC participation guidelines.

**Action: JH to send new UNCRC participation guidelines to GS.**

### OP3 to the UNCRC update

There was currently no movement on this issue.

**Action: Together and SCCYP to send a joint letter to the Scottish Government (Michael Matheson MSP) on the importance of ratifying Optional Protocol 3 to the UNCRC**

## **6. AOB**

JH referred to the Scottish Government SCRIMG update and asked whether there were any plans to evaluate the UNICEF children's rights launchpad. CA commented that there has been limited publicity and that improvements still need to be made to the resource. JH suggested that the Launchpad could be discussed at the meeting on UNCRC reporting and participation in January.

TB referred to the 'Austerity Bites' resource which has had lots of publicity and great feedback. It is hoped that the exhibition will be rolled out on a wider scale but this will require funding.

Summary of actions	Responsibility
<b>Action: Together and SCCYP agreed to amend the Terms of Reference to reflect the suggested changes in status – for Scottish Government to consider with respect to existing Advisory Groups and Ministerial preferences, before any approach is made to the Minister’s Office re: the possibility of Ministerial presence at SCRIMG.</b>	JH, TB and GS
<b>Action: GS to determine whether Together would be able to see a draft copy of the GIRFEC guidance.</b>	GS
<b>Action: GS agreed to arrange for completion of gaps within the CYP Act table and for circulation to attendees.</b>	GS
<b>Action: GS agreed to feedback concerns and problems associated with the timing of the consultation on guidance for the CYP Act.</b>	GS
<b>Action: GS to arrange a meeting in late January with Together and SCCYP re: participation and UNCRC reporting.</b>	GS
<b>Action: GS, dependent on the outcome of the planned discussion with Together and SCCYP, to consider contacting other departments within the Scottish Government to determine whether they could contribute financial resources to support the participation of children in UNCRC reporting.</b>	GS
<b>Action: Phil Raines to circulate an update of the work of the EYC.</b>	PR
<b>Action: GS to circulate a list of members of the Gypsy/Traveller Strategy working group and a link to census relating to Gypsy/Travellers. GS to timetable a meeting with Together, SCCYP and relevant officials to discuss the Strategy and Action Plan.</b>	GS
<b>Action: JH will inform the Scottish Government of the key themes likely to be in the Great Britain NGO report to the UN Committee when possible.</b>	JH
<b>Action: JH to send new UNCRC participation guidelines to GS.</b>	JH
<b>Action: Together and SCCYP to send a joint letter to the Scottish Government (Michael Matheson MSP) on the importance of ratifying Optional Protocol 3 to the UNCRC</b>	Together & SCCYP