

**Children's Rights Report 2020-2023****Report by Executive Director Children, Young People and Partnerships****Report for Decision****1 Recommendations**

Council is asked to approve the Midlothian Children's Rights Report 2020-2023 and note the steps taken to give further or better effect to children's rights.

**2 Purpose of Report/Executive Summary**

The Children and Young People (Scotland) Act 2014 places a duty on a range of public authorities to report, 'as soon as practicable' after the end of each three-year period, the steps they have taken to secure better or further effect the requirements of the United Nations Convention on the Rights of the Child (UNCRC). This report highlights the actions we have taken during the 2020-2023 reporting period to support children and young people in Midlothian to realise their rights. The report also sets out our next steps in supporting children and young people to realise their rights.

**Date:** 10 August 2023

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### 3 Background

- 3.1** The Children and Young People (Scotland) Act 2014 is a key part of the Scottish Government's strategy for making Scotland the best place to grow up. Underpinned by the Scottish Government's commitment to the United Nations Convention on the Rights of the Child 1989 (UNCRC), and the national children's services improvement programme, Getting It Right For Every Child, the Act also establishes a legal framework within which services are to work together in support of children, young people and families.
- 3.2** Part 1 (section 2) of the Children and Young People (Scotland) Act 2014 places a duty on a range of public authorities (including all local authorities and health boards) to report, "as soon as practicable" after the end of each 3 year period, on the steps they have taken to secure better or further effect of the requirements of the UNCRC.
- 3.3** Part 3 (Children's Services Planning) of the Children and Young People (Scotland) Act 2014 sets out duties for local authorities and health boards to publish an annual children's services report. Children's services planning already puts children's rights at the heart of the planning and delivery of children's services. [Midlothian's Integrated Children's Services Plan 2023-2026](#) sets out the steps to be taken to secure better or further effect of children's rights and how this will be achieved. However, it is important to recognise the role and contribution of other Council Services to the implementation of UNCRC rights and how they are proactively considering these rights in service planning and delivery.
- 3.4** We seek to consider the rights of children throughout the scope of our services to ensure that the children and young people of Midlothian grow up with access to the best opportunities available to support the future generation of adults who will make Midlothian a 'great green place to grow' ([Single Midlothian Plan 2023-2027](#)).
- 3.5** The UNCRC is one of the core international human rights treaties and the 54 Articles of the Convention cover all aspects of a child's life. To make reporting on children's rights simpler, the UN recommends using clusters. We have adopted this approach for this report. These eight clusters group the rights and protocols under themes:
- general measures of implementation
  - general principles of the UNCRC
  - civil rights and freedoms
  - violence against children
  - family environment and alternative care
  - basic health and welfare
  - education, leisure, and culture
  - special protection measures

## Next Steps

- 3.6 This 2020-2023 Children's Rights report has addressed progress made over the last three-year period to advance the incorporation of the UNCRC in how we work internally as a council and with our partners to realise children's rights. There is no requirement to submit the report to Scottish Ministers. However, every 3 years Scottish Ministers must lay before the Scottish Parliament a report detailing what steps they have taken to secure better, or give further effect to, the UNCRC requirements in Scotland, and their plans for the next 3 years. To inform this process Scottish Ministers may use the Children's Rights Reports of public bodies. Section 2(1) of the Act requires authorities to publish their reports.

A Strategic Children's Rights Group will be established to promote and uphold the rights of children and young people in Midlothian by:

- Raising awareness among professionals, agencies and services about the UN Convention on the Rights of the Child and how it applies in the UK and Scotland;
- Working with staff within all services within the Council and in partner agencies to ensure that children and young people's rights are promoted and upheld in policy, strategy and service delivery;
- Providing information and advice to children and young people and to professionals about children's rights;
- Supporting children and young people to take part in activities that enable them to influence policy and practice and to express their views to service providers;
- Being the local strategic lead for the UNICEF Rights Respecting Schools Award and supporting schools and pupils to implement rights into the ethos of all schools in Midlothian from early years to secondary schools

## 4 Report Implications (Resource, Digital and Risk)

### 4.1 Resource

Internal staff time will be required to deliver the planned actions to ensure the Council meets its statutory duties in relation to the United Nations Convention on the Rights of the Child. A Children's Rights and Information Officer could be appointed as part of an Equalities team to ensure these duties are met.

### 4.2 Digital

None

### 4.3 Risk

The Council will not meet its statutory duty if it fails to publish a Children's Rights report 2020-2023.

#### **4.4 Ensuring Equalities (if required a separate IIA must be completed)**

This report does not recommend any change to policy or practice and therefore does not require an Equalities Impact Assessment. We will update our Equality Impact Assessment procedures and templates to include an area for consideration of children's rights as a distinct group of rights, separate from the protected characteristic. Our updated guidance will direct staff to consider the impact of new policies on the rights of children and to link their impact assessments to the UNCRC rights. The revised policy means staff will need to consider the potential impact their work will have on children's rights as they make decisions and carry out their roles.

#### **4.4 Additional Report Implications**

See Appendix A

### **Appendices**

**Appendix A – Additional Report Implications**

**Appendix B – Background information/Links**

## APPENDIX A – Report Implications

### A.1 Key Priorities within the Single Midlothian Plan

Individuals and communities have improved health and skills for learning, life and work  
No child or household living in poverty

### A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern
- Sustainable
- Transformational
- Preventative
- Asset-based
- Continuous Improvement
- One size fits one
- None of the above

### A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you
- Preventative and Sustainable
- Efficient and Modern
- Innovative and Ambitious
- None of the above

### A.4 Delivering Best Value

The report does not directly impact on Delivering Best Value

### A.5 Involving Communities and Other Stakeholders

Children and young people attending our learner conference October 2023 will be actively involved in reviewing and influencing our planned next steps to ensure we are delivering services to meet their needs and acting upon what is important to them.

### A.6 Impact on Performance and Outcomes

The report does not directly impact on Midlothian Council's performance and outcomes

### A.7 Adopting a Preventative Approach

Providing information and advice to staff and our partners on children's rights will contribute to how we improve outcomes for our children and young people.

**A.8 Supporting Sustainable Development**

Not applicable

**APPENDIX B**

Midlothian's Children's Rights Report 2020-2023 (in Member's Library)

Children and Young People (Scotland) Act 2014 Part 1 (link)  
[Guidance on Part 1, Section 2 \(Duties of Public Authorities in relation to the UNCRC\) of the Children and Young People \(Scotland\) Act 2014 - gov.scot \(www.gov.scot\)](#)