

# East Lothian

## Duties of Public Authorities in relation to the UNCRC of the Children and Young People (Scotland) Act 2014

### Children's Rights reporting 2017-20

#### Introduction

The Council is committed to making East Lothian the best place for children to grow up and where the rights of children and young people are respected, protected, enabled and fulfilled across our public services and society as a whole. We recognise that children's rights must be a primary consideration whenever decisions are being taken that will affect children and young people.

NHS Lothian adopted a Children's Rights Based approach to Children and Young People's policy, planning and service delivery in 2003 and reinvented its approach in 2009 and incorporated UNCRC awareness raising training as part of the GIRFEC implementation plan both of which are reflected in NHS Lothian's Children and Young People's Health and Wellbeing Strategy 2014-2020. This strategy was commended by the then Cabinet Secretary for Children and Young People and the Scotland Commissioner for Children and Young People at its public launch in November 2014.

This first report on our duty as a public authority is a retrospective summary as a result of the impact of COVID-19 on business continuity. The report provides examples of good practice in respect of the promotion of UNCRC and our commitment to developing the voice of children and young people at the heart of how we deliver services. It includes illustrations of work across a range of council services, aligned to the UNCRC clusters.

Within the current reporting period (2021-2023) we have been developing our knowledge and understanding of what we do well, where we need to improve and how we can demonstrate the impact of our work through establishing a framework for measurement.

## Cluster (i) General measures of implementation – structures and resources to implement the UNCRC

- We are committed to the implementation of UNCRC rights, through complying with rights provisions and duties within the 2014 Act and other relevant legislation and policy as identified (Article 4).
- We proactively consider children's rights in service planning, engaging with and undertaking consultation with relevant stakeholders (including children and young people and parents/carers) (Article 4).
- We ensure that the services we provide for children and young people conform to established national standards and provide high quality services and staffing (Article 4).
- We ensure that our visions and values promote the rights of the child and that these are reflected in all our public documents and statements (Article 4).

### Illustrations

#### People & Governance

One of the Licensing Objectives is Protecting Children from Harm and that is embodied within the Statement of Licensing Policy for alcohol licensing

The Data Protection Act gives rights to children over the age of 12 and those rights are incorporated into our practices and procedures

As part of the consultation process for developing the Statement of Licensing Policy the views of children and young people are specifically sought through schools and local community groups. We also encourage participation by young people in the Licensing Forum.

#### Legal Services

There are a number of legal processes that specifically require us to include children as recognised parties in legal action (as qualifying occupiers in eviction actions if 16 or over for example) or as the focus of actions (in adoption actions for example), or as interested parties in developments we are involved in (consultations in builds or changes to land or buildings for example).

#### Equality Outcomes Progress Report 2017-19



ELC Equality  
Outcomes Progress R

## Children's Services Planning arrangements

[Childrens Services Plan 2017 20.pdf](#)

Section 9.4 sets out the range of consultation and engagement methods used to gather the views of children and young people for our plan.

## Regulatory service inspection and scrutiny

Registered services for children and young people are routinely inspected by the Care Inspectorate to ensure we meet high standards of service provision and delivery. These include our early year's provisions; fostering and adoption services; residential care for young people.

[InspectionReport-303186.pdf](#)

## Integrated Impact Assessments



Joint\_East\_and\_Midlothian\_Impact\_Assessm

## Equalities within schools – Rights Respecting Schools progress

- We aim to have all ELC schools sign up to the RRS programme. Two silver and one gold award. There are plans to support schools further with a bank of resources being developed by the pedagogy team.
- GTCS standards/SSSC
- Professional learning – including learnpro. Time was allocated to staff training on UNCRC and children's rights in the WTA and training materials were sent out to all schools. Education Scotland offered training sessions for the central team and school leads.
- Engagement with partners – We have worked with LGBT Youth Scotland, Show Racism the Red Card and Respect Me (Scotland's leading Anti-Bullying charity).

### Cluster (ii) General principles of the UNCRC

**Taking decisions in the best interests of children in order to maximise their development and enable them to have their say**

- **Children and young people are encouraged and supported to participate in all stages of planning, provision and delivery of our services (Article 12).**

- **We use a range of measures to seek children and young people's views about matters that affect them and always consider the child's views in determining what is in the child's best interests (Articles 3 and 12).**
- **We ensure that communication or learning difficulties are not considered an exception to the requirement to obtain and consider the views of the child or young person (Articles 2 and 12).**
- **Children and young people have access to independent advocacy where they find it more difficult to claim their rights or if their rights have been violated (Article 12).**
- **We signpost children and young people who want to make a complaint, and/or those acting on their behalf, to clear and transparent complaints processes (Article 3 and 12).**
- **We ask children and their parents/carers routinely about matters that affect them and provide feedback on how their views have been acted on (Article 12).**
- **We seek out and use examples of the best approaches to engaging with children and young people in order to support their right to have their voices heard (Article 12).**

## **Illustrations**

### **Connected Communities**

The Connected Communities Service puts children's rights at the heart of our work with communities. Respect for the rights of children and young people is embedded in the work of our professionally qualified CLD staff. Our staff facilitated and supported the nationally recognised (COSLA award nominated) exemplar 'Streets Ahead Tranent' project undertaken with the Children's Parliament and Recharge to promote the rights of the child by engaging local school children in the Tranent Town Centre community planning initiative, taking a Place based approach to learning about its heritage and shaping their future community. Supported by the Fa'side Area Partnership, this project included a life-changing trip for some of the children involved from the Tranent school cluster to visit Geneva to present to the UN. [StreetsAhead Tranent - Children's Parliament \(childrensparliament.org.uk\)](http://childrensparliament.org.uk). We provide ongoing support for the East Lothian members of the Scottish Youth Parliament via Caroline Davis who also facilitates the East Lothian Youth Council which is a forum for elected members to engage directly with school pupils and hear their view on key issues such as climate change. We work closely with the key national youth organisations such as Young Scot and DoE.

Many of our staff are already 'Unfearties'! [Unfearties - Children's Parliament \(childrensparliament.org.uk\)](http://childrensparliament.org.uk)

### **Good practice example**

[StreetsAhead Tranent - Children's Parliament \(childrensparliament.org.uk\)](http://childrensparliament.org.uk)

As part of the Year of Innovation, Architecture and Design 2016 and the Festival of Architecture, StreetsAhead Tranent explored children's views and experiences of their local community and built environment; examining how these factors impact on children's rights and wellbeing.

250 children from Elphinstone, Windygoul, St. Martin's RC, Ormiston and Sanderson's Wynd primaries participated in whole class workshops with a strong emphasis on creativity through an intergenerational and heritage theme. These workshops included inputs from local community members, urban designers, historians and wildlife rangers.

Following nine workshops, a small group of 16 children from across the five schools engaged in an intensive creative process that included visits to historical sites, including Prestongrange Museum, Seton Collegiate Church and the APOGI project, tours of Tranent High Street, and working with artists, drama facilitators and local professionals to create a mural reflecting the views of all 250 children who took part.

This project resulted in a 36' x 4' mural and a series of films that showcase the StreetsAhead journey, from classroom workshops through creation of the mural to a series of exhibitions and events that share StreetsAhead Tranent with community members and stakeholders.

Due to the energy and commitment from stakeholders, StreetsAhead Tranent was invited to the UNCRC Day of General Discussion in Geneva. Children's Parliament, the International Play Association and the Children and Young People's Commissioner for Scotland (CYPCS) worked with Terre des Hommes to develop Under the Same Sky [[www.childrensparliament.org.uk/under-the-same-sky](http://www.childrensparliament.org.uk/under-the-same-sky)], an international constellation of projects that shared children's views on the environments in which they are growing up. This comprised projects from six countries – Mozambique, Australia, Palestine, Zimbabwe, Brazil and Scotland.

Initially, through support from Scottish Government and CYPCS, Children's Parliament aimed to get the mural to Geneva and share a film from the project. However, East Lothian Council and the Fa'side Area Partnership viewed this as an opportunity for increased attainment and raised aspirations for the participating children and contributed funds to allow the children to travel to Geneva to share their work directly with the UN Committee on the Rights of the Child and other children and adults from around the world. This was a huge honour for Children's Parliament and we are so proud of the StreetsAhead children for all their hard work throughout this project.

Children's Voices spheres of influence StreetsAhead Tranent demonstrates the possibilities for how children's voices can be included in local and global dialogue, if adults are willing to invest the time and resources needed to create appropriate and supportive opportunities for children to engage, to listen to and value their contributions. Children's voices should have a ripple effect, influencing life in those spheres closest to them as well as the wider discussions of national and global significance.

Between March 2018 and June 2019, Children's Parliament worked with experienced Members of Children's Parliament to design and deliver *Children as Human Rights Defenders*; the programme explored children's views on what rights they feel need to be defended in Scotland and what support is required from adults to ensure children can be both empowered and protected in their role as human rights defenders.

[Human-Rights-Defenders-toolkit.pdf \(childrensparliament.org.uk\)](#)

### **Youth council / participation structures in schools**

Schools have various ways in which they capture pupil voice and participation. Examples include:

- Ormiston has a number of pupil groups with specific purposes such as digital ninjas, pupil learning group. They have an umbrella leadership programme called 'Leader in me'
- Longniddry has long established practice in pupil involvement in school improvement planning
- More generic opportunities such as Eco-schools, RRS, pupil council, prefects, etc.
- We consulted with CYP and families during recent work on period poverty and are in the process of sending out a survey on issues connected with discrimination in schools. The Radical Redesign project is currently working alongside ELC schools to gather views on transition to high school and communication between home and school from CYP and families.

### **Routine consultation and engagement with CYP in schools and how it was used**

- SEE survey for P6, S2, S4
- HGIOURS – wee HGIOS – variable use across schools

- School Quality Improvement Activity including school focus groups, Quality Improvement visits/reviews/ELCC evaluative visits, Care Inspectorate, HMIE
- Consultation and engagement in planning and reviewing learning
- There are examples of schools consulting CYP on policy such as homework, school uniform, positive relationships.

## **Children's Social Work**

Children's social work has implemented the following formal ways of seeking the views of children and young people:

- Viewpoint – an online computer assisted animated interviewing technology that enables children and young people to share their views on their wellbeing to inform the assessment and plan.
- Independent advocacy for children and young people looked after away from home.
- East Lothian Champions Board enables the collective voice of care experienced young people to inform service improvements.

Views of children and young people are also gathered in more informal ways including:

- Talking mats that enable children and young people with communication difficulties to share their views.
- Signs of safety assessment and planning tools using art/words/pictures.

Feedback questionnaire when young people are no longer accessing support and cases are closed.

## **Who Cares Scotland – Advocacy for children and young people who are looked after away from home in East Lothian.**

Within this reporting period, formal advocacy support was provided to 360 children and young people who were looked after and accommodated.

The key advocacy tasks were

- a) Support to share views in formal processes,
- b) Support with complaints or requests
- c) Making and maintaining contact with YP in secure settings,
- d) Introduction and information about advocacy services,
- e) Family contact

## f) Preparation for transition

The service advocated for those unable to speak for themselves by using non instructed advocacy with CYP affected by disability.

### **Good practice example**

The advocacy worker arranged for some young people who had previously accessed the advocacy service to complete a small consultation around their views of the service. This was carried out by East Lothian Champions Board staff and shared with the worker. Here are some quotes from this consultation:

*"Sophie helps me with my lac reviews, hearings and meetings. The difference advocacy has is that everyone listens"*

*"Sophie supports me at LAC reviews, Children's panels, School, Issues with carers and when I am not getting on with social work"*

*"An advocate is someone that is on your side and someone who can speak my views for me"*

*"I feel like someone is listening"*

*"I believe everyone in care should have access to advocacy"*

*"Social workers should inform young people how they can access advocacy"*

*"Previously I felt I wasn't listen to, now I feel like my views are taken in by people"*

*"After years of accessing advocacy I now feel like I can stand up and speak for myself about my life and issues in it"*

- The worker has been providing a service to a young person who was accommodated within secure care. The worker and the young person had spent time building a relationship through visits and telephone calls and together planned and prepared for the hearing which was due to be held in East Lothian rather than video link. The young person had never attended a hearing in the East Lothian hearing centre either so was also anxious about the new setting. The young person had never spoken at a hearing herself before. In previous hearings the worker had spoken on behalf of the young person but felt with time dedicated to preparing and tailored support on the day being given, the young person was now capable and confidence to voice their views themselves. The young person shared that she felt that for the first time, she was able to walk away from the meeting proud and happy.
- In addition to providing the advocacy service the worker has been able to provide promotional support to East Lothian's Champions Board. Creating



links between these services has produced several new referrals for these groups, widening their reach and creating more opportunities for the care experienced population within East Lothian. The purpose of the Champions Board is to engage care experienced individuals to participate in identifying areas for improvement and supporting progress for change that is led by our young champions. The worker supported the champion's board residential this quarter.

### **Play provision:**

When our Play Squad is due to install a new play area / play equipment the children in the nearest local primary school always choose the design of new play equipment that they want to see installed in their local play park. Amenity Services ask 3 play provider companies to produce designs for the site, then these 3 design drawings are passed to the local primary school and the children vote on their preferred design (e.g. by sticking coloured sticky dots on the design of their choice), and the school then provides the outcome of the vote to Amenity Services who then progress the installation of the design chosen by majority of local children.

### **Incorporating the views of children and young people in Amenities strategies:**

The results of a Climate Change survey for children and young people undertaken in 2019 highlighted that, out of 10 options for what we can do in East Lothian to tackle climate change, the second most popular choice was "Plant more trees and have more green spaces for nature", and the 5<sup>th</sup> most popular choice was "Look after our wild places and nature, like woodlands and wildflower meadows". The importance of trees, nature and green spaces to children and young people is being reflected in strategies currently under development in Amenity Services, and the views of young people will continue to be reflected and incorporated in our strategies moving forward.

### **Tree planting and wildflower growing:**

In relation to the above, Amenity Service's Tree Officer and Forestry Squad support tree planting in our school grounds, in which school pupils participate, and support community groups with planting days in which children and young people participate. For example, a tree planting project at the Lodge Grounds in North Berwick which was driven by the school; our Forestry Squad facilitated the actual planting and showed the children how to plant the trees themselves.

Amenity Services staff provide demonstrations to children in our schools of wildflower meadow planting etc., to enable and involve children in improving their local environment for people and nature.

### **Climate Change Strategy:**

The views of children and young people on Climate Change were gathered during the development of ELC's Climate Change Strategy, to influence the key priority areas of the strategy.

During the public consultation on the Draft Climate Change Strategy in 2019, a specific survey aimed at children and young people was included, which asked them: "Helping to tackle Climate Change: What should we do here in East Lothian?" The responses from young people influenced the focus and key outcomes of the final strategy.

Young people's views on Climate Change were also gathered at East Lothian Youth Council meetings, which included workshops where young people gave their views on what we should prioritise in East Lothian to tackle climate change (recorded in writing on post-it notes and compiled during the workshops).

### **Cluster (iii) Civil rights and freedoms**

**Do we promote the freedom of association and expression, protect privacy, ensure appropriate access to information and protect from inhumane treatment?**

#### **People & Governance**

One of the Licensing Objectives is Protecting Children from Harm and that is embodied within the Statement of Licensing Policy for alcohol licensing

The Data Protection Act gives rights to children over the age of 12 and those rights are incorporated into our practices and procedures

#### **Education services**

Approach to bullying / protecting CYP from discrimination and prejudice

- The *Respect for All: A Positive Approach to Preventing Bullying* was updated in January 2022. This complemented the school Anti-Bullying competition which gathered the views of children and young people about what makes them feel safe and included in school. Anti-Bullying Week was celebrated in November 2021 across all schools and their work celebrated on Twitter.
- Increased access to CLPL. Show Racism the Red Card training was offered to all school staff in 2021. Secondary schools and the central team signed up to the LGBTQ charter and started the training with a view to a celebration of work to coincide with Anti-Bullying Week 2022.
- RSHP programme is in all schools

## Cluster (iv) Violence against children

- **We provide support to promote children and young people's recovery from their experience of violence including abuse and neglect, maltreatment and exploitation (Article 39).**
- **We seek and take account of children and young people's views prior to making decisions in child protection and other processes (Article 12).**
- **Approaches to managing behaviour and discipline in school and in other settings such as residential care and foster care are appropriate and positively support children and young people (Article 28 (2)).**
- **We take measures to ensure that no form of cruel, inhuman or degrading treatment to children is tolerated in our services (Article 37 (a)).**

### Illustrations

#### Education services

*Included, Engaged, Involved* was a suite of policy documents developed and implemented within the timeframe of this report to ensure equitable allocation of resources for children with additional support needs, preventing and managing school exclusions and managing distressed and challenging behaviours.

#### Child protection and safeguarding

Local authorities, NHS Boards and Police Scotland are responsible together for the protection of children and adults at risk in their area, and for the assessment and management of risk of harm posed by offenders. Chief executives and divisional police commanders ensure the discharge of these responsibilities through a variety of multi-agency arrangements, typically Child Protection Committees, Violence Against Women Partnerships, Adult Protection Committees and Offender Management Committees, which report to local Chief Officer Groups (known in some areas as Critical Services Oversight Groups). On behalf of these chief officers, the Edinburgh, Lothians and Scottish Borders Strategic Oversight Group provides strategic leadership and vision across all areas of public protection. The five councils, two health boards and Police Scotland divisions covering the Edinburgh, Lothian and Borders area, work together wherever possible, demonstrating improved

efficiency and shared resources. This provides opportunities for synergy and best value. In public protection this approach applies to: - multi-agency training - development and review of multi-agency procedures, protocols and guidance - sharing best practice - raising awareness about public protection issues; and - exerting greater influence over national legislation, policy and guidance. The Inter-agency Child Protection Procedures for Edinburgh and the Lothians are evidence of our commitment to deliver high quality services for our children and young people, and to maintain good professional standards in doing so.

### **Children's Services - Inspections of regulated care services**

In 2017, 2018 and 2019, the council's care home for children and young people was inspected by the Care Inspectorate and awarded grades of "excellent" for the care and support provided and for staffing.

In 2017 and 2019 the council's fostering service was inspected by the Care Inspectorate and evaluated as "very good" for the care and support provided to children living in foster care, for the management and leadership of the service and for staffing.

## **Cluster (v) Family environment and alternative care**

- **We take into account children's evolving capacities, making sure that all younger children are able to access their rights (Article 5).**
- **We seek and take account of children and young people's views prior to making decisions that affect them (Article 12).**
- **Children and young people who are looked after have access to the services they need and have a say in decisions about where they live (Article 9).**
- **Young people who are moving onto independence but continue to require our services, have access to the support they need (e.g. care leavers or disabled young people) (Article 5).**
- **We provide support and services to parents/carers in order that they can care for their children (Article 18).**
- **We provide support to children and young people who experience complex family circumstances (e.g. young carers; children with experience of domestic abuse; children who have a parent in prison) (Article 18).**
- **Our management team is informed of their duties and fulfils their responsibilities as corporate parents (Article 18).**

- **All placements of children and young people who are looked after are subject to regular review (Article 25)**

## Children's Services

### Good Practice example

## ViewPOINT

### Viewpoint in East Lothian

Viewpoint is a communication tool to help children and young people share their views, wishes and feelings, and inform their individual plan. Practitioners working with children and young people have a key role in ensuring that they are supported and encouraged to use Viewpoint and in following up responses to inform their individual plan and ongoing work.

In the period 2017 to 2020 Viewpoint was available for use with a wide range of young people aged 5 years and above.

- Looked After Children and child protection from 2006 to 2019 (with revisions)
- All children with a wellbeing need (including Looked After and child protection) from September 2019
- Between 2015 and 2018 a module consulting children when they left care about their care experience was in use.
- Life Skills for Throughcare and Aftercare from 2017
- Young Carers to request a service and create a Statement from 2018
- Care Inspection of Children's Services 2018
- a module has been available for young people involved with youth justice service to enable them to contribute to their individual plans since 2019
- Picture Supported Questionnaire for children with communication difficulties from January 2020

### Summary

Viewpoint has been used in East Lothian since 2006, beginning with children **Looked After** aged 5 years and above. Modules for young people subject **child protection plans** were introduced in 2008. The questionnaires used have been revised during this period, with the current versions being introduced in 2019 and being available to **all children and young people with a wellbeing need receiving a service from the department.**

Easy Read modules using symbols for **children with a communication disability** were introduced in 2016 and updated in 2019 in collaboration with Talking Mats speech and language therapists at Stirling University using pictures.

**Care Leavers** have had the opportunity to use Viewpoint for their Pathway Plan since 2009. The resources developed by the Scottish Throughcare and Aftercare Forum were available using Viewpoint. This included separate questionnaires relating to Health and Wellbeing, Where I live, Lifestyle' Family and Friends, Learning and Work, Money, Rights and Legal Issues and Hopes for the Future. Since 2016 these have been replaced by a Life Skills module.

In 2018 the use of Viewpoint was extended to **young carers** to enable them to create their Statement electronically and have ongoing access to this.

In 2018 Viewpoint was used to enable young people 8 years and above to contribute to the **Care Inspection of children's services**. An app was developed, including videos from young people to provide information and to provide access to Inspectorate questionnaire.

Since 2019 a module has been available for young people involved with **youth justice service** to enable them to contribute to their individual plans.

### **Pilot with Care Inspectorate**

In 2018, East Lothian agreed to pilot a joint approach with the Care Inspectorate to test the use of Viewpoint as a means of consulting with children and young people as part of the new inspection methodology. East Lothian used this feedback to inform decisions about service development, and the structure of children's services within the council.



Care Inspection  
presentation.pdf

## **Illustrations**

### **Children's Services –**

#### **Inspections of regulated care services**

In 2019, the throughcare and aftercare team that provides statutory support to care leavers to help them make a successful transition to adulthood was inspected by the Care Inspectorate and was evaluated as providing “very good” care and support and staffing.

#### **Reviews for children who are looked after**

All children and young people who are looked after have their care plans reviewed within statutory timescales and these reviews are chaired by

reviewing officers who are independent to the management and oversight of the case.

## Cluster (vi) Basic health and welfare

- **We provide early learning and childcare services which benefit both children and their parents/carers (Article 18).**
- **We actively promote the right of disabled children to have access to a range of services and have choice and control over the services they receive e.g. education, health care, play and leisure services etc (Article 6 and 23).**
- **We provide resources and support for children and young people in order to meet their mental health needs (Article 24).**
- **We provide support to children and families, where this is within our authority responsibilities, to meet children's essential needs in relation to food, clothing and housing (Article 27)**

### Illustrations

#### NHS Lothian

NHS Lothian provides person-centred approaches in line with UNCRC supporting children, young people and families with their health and wellbeing from conception to adult hood. Services include early intervention and prevention to acute care. NHS Lothian supports a continuity of care with additional tailored support for vulnerable families and families with complex health needs. Examples of provision include: respite support from Sunndach & Calareigh, support for children with complex health needs to reduce the need for hospital admissions and consultation with the family unit to ensure appropriate levels of care are in place.

Strategically NHS Lothian have implemented various pathways and strategies including: NHS Lothian Strategy for Children and Young People, Getting it Right for Every Child, Best Start: maternity and neonatal care plan, the Health Visiting Pathway, the Family Nurse Partnership and the School Nursing Framework.

Approaches across the pathways include the development of programmes that support the UNCRC, such as Baby Friendly accreditation (a holistic, child-rights based pathway for improving care). Immunisation programmes are delivered from birth and support for young people's mental health includes: Let's Introduce Anxiety Management (LIAM) delivered by School Nurses. In partnership with local authorities, NHS Lothian carries out Integrated Impact Assessments when developing policy, strategies or new services. This helps to ensure that when something new is being developed or a major change is happening those involved in the process consider children, young people and their rights.

In the community, NHS Lothian delivers many programmes often in partnership with others, ranging from midwives, health visitors, school nursing, family nurse partnership, Childsmile, education and training, Welfare Advice Services and health improvement programmes – that focus on family attachment and mental health and wellbeing.

The school nurse (SN) role for example, is a significant support for children's rights as it is a universally accessible service provided to children and young people, aged 5–19 years and their families. The Scottish Government committed to redefine the SN role to focus on delivering consistent and more efficient services across Scotland in order to deliver safe, effective and personcentred care based on the principles of Getting It Right for Every Child (GIRFEC) National Practice Model.

## Cluster (vii) Education, leisure and culture

- **We aim to ensure that all children do not experience any form of discrimination in their education, regardless of their circumstances (Article 28).**
- **We ensure that all children and young people access their right to an education that develops their abilities to their fullest potential (Article 29).**
- **We ensure that early learning and childcare and school environments support children and young people's participation in all aspects of the Curriculum for Excellence (Article 28).**
- **We provide children and young people with access to play and leisure opportunities and address barriers to inclusive play and leisure. There are sufficient high quality outdoor play and recreation places for children and young people to access including spaces suitable for disabled children and young people (Article 31).**



- **Children and young people have access to and can participate in a range of arts and cultural opportunities (Article 31).**

## Illustrations

### Education services

- *Respect for All: Anti- Bullying Policy was implemented in June 2017. This policy was reviewed and re-released in January 2021 and lays out ELC's commitment to preventing discrimination in schools. Updated guidelines for reporting incidents of bullying and discrimination via SEEMiS and Sphera were also sent to all schools.*
- PEF has been allocated to schools targeted at closing the poverty-related attainment gap.
- Bespoke support mental health youth work, art and music therapy and occupational therapy is allocated to pupils needing support to access their education because of their mental health.
- There are measures in place to support pupils to be able to attend school including mental health support and the Early Intervention Outreach Team.
- Home education protocols have recently been refreshed supporting parents with their right to educate at home.
- There are contracts in place with providers to support schools in providing play and leisure opportunities that are accessible to all.

### Cluster (viii) Special protection measures

- **We assess the numbers and situation of children and young people and their families who are asylum seeking and are migrants in order to provide them with services and support (Article 22).**
- **We ensure that children and young people at risk of sexual exploitation or drug use have access to the child protection and specialist support and services they require (Articles 33 and 34).**

- **We provide support to children and young people in response to their needs so that they do not enter the criminal justice system, as far as possible (Articles 37 and 40).**
- **We ensure that children and young people who enter the criminal justice system have the right to legal representation and fair treatment (Article 40).**

## **Illustrations**

### **Children's services – support for unaccompanied asylum seeking children and young people**

Within the reporting timeframe, five young people presented as spontaneous arrivals within East Lothian. All were considered to have looked after status and were accommodated. Staff from the throughcare and aftercare team led the support arrangements to safeguard and help the young people integrate into our communities.

### **Older young people at risk of harm**

Our child protection procedures ensure we take a consistent, multi-agency approach to identifying, assessing and managing the risks of sexual exploitation.

### **Future steps**

As acknowledged at the beginning of this report, we recognise the need to develop measures that can evidence and demonstrate not only what we are doing but what difference the promotion of children's rights is making to the services we deliver and to the lives of the children and young people of East Lothian.

East Lothian Council has established a UNCRC working group and we have opportunities with the new Council plan to ensure that children's rights are at the heart of how we do our business. The alignment with becoming trauma informed, how we keep the Promise and how we strengthen equalities for children is essential. The children's strategic partnership will be developing its new plan for April 2023 and this will take into account the learning from the CRIA and our work with the Children's Parliament and the Children's Commissioner and Together.

NHSL has an established core team of Senior Managers working in each of the 4 Lothian Children's Community Planning Partnerships who will lead reinvigoration of UNCRC and associated policy and legislative changes once these are agreed. Awareness raising across all staff groups including Adult

Services is required and this work has started and will continue. Sessions have recently been delivered to the CAMHS Senior Management Team and the NHSL GP sub-committee. NES are working with Education Scotland and other partners in relation to training needs analysis and reviewing existing competency frameworks.

Reporting on the progress in reinvigorating UNCRC and implementing the revised Bill requirements will be monitored by the NHSL Children and Young People Programme Board that is chaired by The Director of Public Health and Health Policy.

NHSL are currently working on a refreshed Children and Young People's Health & Wellbeing Strategy that will be UNCRC and Child Rights focussed - as was the 2014-20 strategy - and as such will engage with the Scotland Children's Parliament and Youth Parliament and wider communities as part of this work while taking account of future legislative requirements. The Draft strategy will be subject to a CRWIA.

**Judith Tait**

**Chair of East Lothian's Children's Strategic Partnership**

**June 2022**