

ACTIONS AGREED AT THE CABINET MEETING WITH CHILDREN AND YOUNG PEOPLE

28 FEBRUARY 2017

PROGRESS REPORT



year of young people
bliadhna na h-òigridh
2018



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01. INTRODUCTION

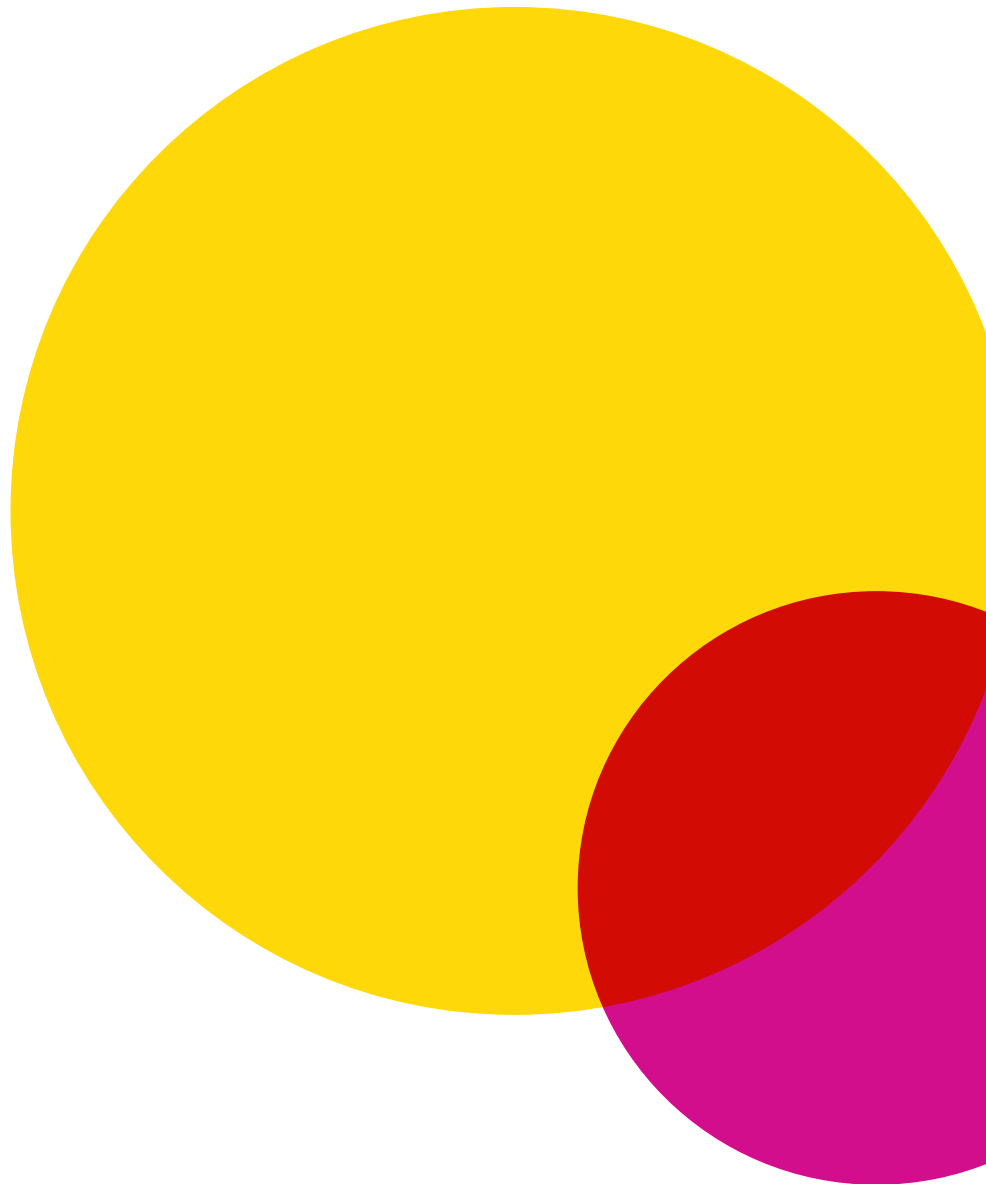
We held our first annual meeting of Cabinet members and children and young people, with representatives from the Children's Parliament and Scottish Youth Parliament, on 28 February 2017, at Bute House.

At this meeting children and young people raised issues that were important to them.

A short film, co-produced by the children, highlighted school and teachers, feeling safe in the community, bullying, and what children need as areas to be discussed.

On the young people's agenda were "Lead the Way" (Scottish Youth Parliament manifesto), children and young people's rights, "Speak Your Mind" campaign (on mental health), and the future of Scotland's relationship with Europe.

At the end of the meeting, Cabinet members and children and young people collectively agreed actions for the year ahead. These actions have been taken forward by relevant Scottish Government policy teams. This report sets out the progress on these actions over the past year.



02. PROGRESS ON AGREED ACTIONS

LISTENING TO CHILDREN AND YOUNG PEOPLE'S VOICES

1. The meeting between Cabinet Ministers and children and young people will become an annual event.

1.1. The next Cabinet event with children and young people will take place on Tuesday 6 March 2018 in the Purple Room at St. Andrew's House, due to the current refurbishment of Bute House. This event will now take place every year.


2. There will be on-going dialogue throughout the year to support the engagement of children and young people in policy making, particularly given the pace of change and the need to involve children and young people in that change. The importance of respecting and listening to children and young people was recognised.

2.1. We welcome the increased interest from officials across the Scottish Government on how best to engage with children and young people during policy and Bill development. We have linked interested policy officials with our key stakeholders (Scottish Youth Parliament, Children's Parliament, Young Scot and Children in Scotland). Interested policy areas

included Wild Animals in Travelling Circuses (Scotland) Bill, Climate Change Bill, Hate Crime Legislation Review and Seat Belts on School Transport (Scotland) Bill.

2.2. We recognise the need to raise awareness across the Scottish Government of the importance of engaging with children and young people during policy and Bill development. We held a seminar for Scottish Government officials in November 2017 on "Consulting with Children and Young People". Officials attended from across government, including those involved in the legislative programme for 2017-18 and the Children and Young People Community of Interest (see action point 2.10 for more detail). Our key stakeholders (Young Scot, Scottish Youth Parliament, Children's Parliament and Children in Scotland) ran the seminar jointly. We will consider the event's evaluation and look at how we can build on the growing momentum around engaging with children and young people in 2018. We also developed a short paper on consulting with children and young people, aimed at Scottish Government officials, with practical advice around consulting with children and young people during policy and Bill development.






2.3. The Year of Young People 2018 (YoYP2018) participation theme working group met in March, September and December 2017. Representatives from key organisations working with children and young people, including more vulnerable groups (e.g. disabled, LGBTI+, black and ethnic minority, Gypsy/Traveller, care experienced), sit on this group. Young people are also represented through the Communic18 participation leads (from September 2017) and the Chair of the Scottish Youth Parliament is also invited to attend. This group focuses on the planning of activities for the participation theme; links with the other themes; communications and evaluation. All information is shared on Basecamp (a project planning tool) for those in the group and others who have expressed an interest in the theme. The involvement of children and young people in the co-design of planned activities has been key to group discussions. Young Scot, Children in Scotland and the Scottish Youth Parliament have developed a [co-design blueprint](#), which sets out the benefits of co-design and ways that young people can be involved in the planning of YoYP activities. A supporters' toolkit has also been developed.

2.4. We commissioned two pieces of survey research to inform the participation strand of YoYP2018. The first is the Young People in Scotland Survey (YPiSS), which surveyed a representative sample of 1781 secondary school pupils in Scotland, to understand different aspects of young people's

involvement in decision making. The second is an online survey of young people aged 8 to 26 on their participation in out of school activities. The survey was distributed by stakeholder organisations working with young people. Respondents were self-selected and 348 responses were received. Publication of both research findings are due in February 2018.

2.5. We commissioned Children in Scotland to carry out research on the impact of children and young people's participation on policy making at national and local levels. This research focussed on six qualitative case studies, illustrating a range of participation and engagement across Scotland. The conclusions and recommendations will help to support the engagement of children and young people in future policy making. The [final report](#) was published in February 2018.

2.6. Edinburgh Children's Partnership carried out a pilot exploring children and young people's participation in the development of children's services plans in spring 2017, with support from the Children and Young People's Commissioner Scotland, the Scottish Human Rights Commission and Children's Parliament. Following the same approach as Scotland's National Action Plan for Human Rights (SNAP), participants (children, young people and planners) shared their views on how children and young people should be involved



in the local planning process. The report [“A model of engagement with children, young people and planners in the development of children’s services plans”](#) was published in November 2017 and widely disseminated to local authorities, NHS health boards, Community Planning Partnerships and the third sector. This work supplements the [Part 3 guidance on children’s services planning](#), published in December 2016.


2.7. We continue to support Scottish Government policy officials to carry out a Child Rights and Wellbeing Impact Assessment (CRWIA) to ensure children’s rights are considered in the development of new policies and legislation. For example, CRWIAs on the Organ and Tissue Donation (Scotland) Bill, Age of Criminal Responsibility (Scotland) Bill and the Education (Scotland) Bill are currently being developed.

2.8. We are in the final stages of developing a “Supporting Disabled Children, Young People and their Families Framework”. The Framework will be rights-based and, through a process of co-production, seek to set out reasonable expectations for service provision and support. We hosted a young person’s focus group event in April 2017 to ask disabled and deaf young people how they would like to be involved in policy development. The response was that an opportunity to come together nationally in a Forum and share voices and experiences would be highly valued by disabled young people. We are therefore funding the Young Disabled People’s Forum which will seek the group’s views when developing policies.

The proposed Forum will meet up to four times per year to discuss various themes and topics (which could be submitted by policy areas but to be selected by the young people themselves). Our aim is for the Forum to be led by young people and their organisations. The first Forum will take place on 13 February 2018, with satellite groups dialling in - for those who cannot travel to attend the Forum in person.

2.9. There have been initial discussions about a participation framework, which is being developed in the context of the Participation Commitment in the **Scottish Open Government Partnership Action Plan**. A key element in developing the framework will be to ensure that it reflects the needs of children and young people themselves. We held a workshop in 2017 to help develop the participation framework. Additionally, The Open Government Network, a partnership between Government and Civil Society, are building on this commitment as we co-produce the 2018-20 Scottish Action Plan.

2.10. Three meetings of the plenary group of the Scottish Government’s Children and Young People Community of Interest have taken place. Its aim is to join up work across the Scottish Government to ensure we deliver ambitious, coordinated policy for children and young people across Scotland. Participation of children and young people and a rights-based approach were discussed at the second meeting and the child rights-based approach to policy making was discussed at the third meeting.



3. Provide the opportunity for children and young people to access the relevant Minister to discuss topical issues. This should be reciprocated so that Ministers can also directly engage with children and young people when they want to hear their views on specific issues.

3.1. We routinely offer advice to ensure that the relevant Cabinet Secretary or Minister is engaged with children and young people on topical issues. Since March 2017 our key stakeholders have been involved in different policy areas across government, ensuring that children and young people's views are fed into policy and Bill development. Examples include: the Children's Parliament was involved in the Child Poverty Bill, Age of Criminal Responsibility (Scotland) Bill, National Outcomes Review and the independent review of Scottish student support services; the Scottish Youth Parliament was involved in Anticipatory Care Planning (see action point 8.2 for more detail), Diet and Obesity Strategy, Age of Criminal Responsibility (Scotland) Bill, Equally Safe and Hate Crime; Young Scot was involved in the Diet and Obesity Strategy, Education Governance, post 15 learner journey, STEM strategy, 5Rights, Police Scotland project, Fairer Future for Race Equality, Smart Tech promoting physical activity and the Mental Health Youth Commission; and Children in Scotland was involved in the STEM strategy and piloted the GIRFEC resource.

3.2. We have started to carry out awareness raising amongst Scottish Government policy officials on the importance of consulting with children and young people during policy and Bill development (see action point 2.2). In addition, the Director for Children and Families addressed the Directors' Network on children's rights and participation in December 2017, with an agreement for Directors to discuss children's rights at a later date.

4. Ministers will respond to John Finnie MSP's Member's Bill as part of the legislative process. Mr Swinney will consider the views of children and young people prior to a response being made.

4.1. As set out in the PfG, we will support John Finnie MSP's legislative proposals to remove the existing defence for parents and outlaw all forms of physical punishment and prepare for implementation of the change in the law, including raising public awareness.

4.2. Mr Finnie carried out a public consultation on his proposals. Some children and young people responded and most seemed in favour of the proposals. A number of bodies working for children and young people also responded and again seemed to be generally supportive of the proposals.

5. Engage with young people in relation to the Child Poverty Bill.

5.1. The Scottish Government commissioned the Children's Parliament to carry out a consultation with groups of children at several high schools throughout Scotland in December 2017 to seek views on the challenges of living in poverty and what the government and others could do to eradicate child poverty. They will provide a report of outputs from the consultation events at the end of January 2018.

5.2. In terms of engaging with young people, the Prince's Trust have convened a group of their young people, who face particular disadvantages, to discuss key issues and concerns. The key points from this have been fed back to the Scottish Government. We are in discussion with Young Scot about co-producing engagement activity with young people. Finally, we are in discussion with Scottish Women's Aid about convening a group of young people they engage with and also with Fife Gingerbread about convening a group of their young parents.





SCHOOLS AND TEACHERS

6. Deputy First Minister will consider the involvement of children in initial teacher education. It was suggested that before qualifying as a teacher, children could speak to students giving their views on the role and qualities of a teacher (e.g. firm and fun) - so learning about children as well as how to be an educator.

6.1. The Deputy First Minister published a paper on the “Education Governance: Next Steps” on 15 June 2017. This paper included a commitment to ensuring initial teacher education prepares students to enter the profession with well-developed skills to teach key areas, such as literacy, numeracy and health and wellbeing. As part of this work, we will discuss how the voice of pupils can be reflected in teacher education courses with universities. The General Teaching Council for Scotland are undertaking research with Children in Scotland to ensure the pupil voice is considered in the review of the suite of Professional Standards. This will involve surveying pupils and direct consultation with five schools.

CHILDREN AND YOUNG PEOPLE’S RIGHTS IN SCOTLAND

7. Protect young people’s rights and aspirations. Children and young people should have the opportunity to give their input into the consideration of human rights and international obligations. MSYPs also called for the United Nations Convention on the Rights of the Child (UNCRC) to be incorporated into Scots law.

Programme for Government (PfG) 2017-18


- The PfG 2017-18 highlighted the Year of Young People (YoYP) 2018 as a major opportunity to strengthen the voices of children and young people. This Year will aim to inspire Scotland through its young people, celebrating their achievements, valuing their contribution to our communities and creating new opportunities for them to shine locally, nationally and globally.
- The participation theme of the YoYP has the ambition that young people should significantly influence public services and decisions which affect their lives. Participation connects all the themes in the YoYP, providing the opportunity to further embed children’s rights in the fabric of Scottish society and make sure that their voices are heard, valued and taken into consideration when decisions are being made on issues that affect them. This was discussed as part of the rights-based approach set out in the recent PfG and the UN Committee on the Rights of the Child’s Concluding Observations for the UK State Party.

- 7.1. The PfG commits to undertaking a comprehensive audit on the most effective and practical way to further embed the principles of the UNCRC into policy and legislation, including the option of full incorporation into domestic law. The audit will look across the full range of legislative and delivery issues relevant to children's rights and the principles underpinning the UNCRC. The exact timescale for the audit will depend on the issues identified.
- 7.2. We have also committed to commence a three-year programme to raise awareness of children's rights, including among children and young people themselves as part of the YoYP.
- 7.3. Alongside these children and young people specific initiatives, we have established the First Minister's Advisory Group on Human Rights Leadership to make recommendations on how Scotland can continue to lead by example in human rights, including economic, social, cultural and environmental rights. The group is chaired by Professor Alan Miller, former Chair of the Scottish Human Rights Commission. Its work will include leading a participatory process which engages with wider civil society (including children and young people). Amongst the issues it addresses will be the potential effects of incorporating international human rights treaties into domestic law. We expect that element of its work to be closely aligned to the UNCRC audit.

United Nations Human Rights Treaties

- 7.4. The UK is party to seven core United Nations human rights treaties. The Scottish Government actively contributes to the UK's regular reporting activity under each treaty and the Universal Periodic Review (UPR) process. The Scottish Government holds meetings with stakeholders at key points in reporting cycles, to discuss human rights issues in Scotland, how best to respond to UN recommendations, and optimising civil society engagement in international human rights monitoring mechanisms. The Children's Parliament and the Scottish Youth Parliament are invited to participate in these meetings.





7.5. Stakeholder meetings were held on 25 April 2017, in advance of the UPR interactive dialogue in Geneva, and on 12 June 2017 to discuss the themes raised during the dialogue. The Scottish Youth Parliament and Children's Parliament were represented at these meetings, as well as the Children and Young People's Commissioner Scotland, Together (Scottish Alliance for Children's Rights) and LGBT Youth Scotland. A stakeholder meeting to discuss the Scottish Government [response](#) to the UPR recommendations will be arranged for spring 2018.

Part 1 of the Children and Young People (Scotland) Act 2014

7.6. Part 1 places a duty on Ministers to: keep under consideration steps which would or might secure better or further effect in Scotland of the UNCRC; raise awareness of children's rights and report to the Scottish Parliament every three years on relevant progress and plans for the next three years. The first report, due in autumn 2018, will include specific actions in response to the UN Committee on the Rights of the Child's Concluding Observations, where we consider these to be appropriate. The Scottish Youth Parliament and Children's Parliament are facilitating our engagement with children and young people in the development of this report.

7.7. The Act also places a duty on a number of public authorities to report every three years on steps taken in that period to secure better or further effect of the UNCRC requirements. The first reports are due in 2020.

7.8. Provisions in Part 2 of the 2014 Act, which were commenced in August 2017, provide the Children's Commissioner with new powers to investigate whether service providers have regard to the rights, interests and views of individual children and young people in making decisions or taking actions that affect them. This extends to the existing investigatory powers of the Commissioner with respect to the rights of groups of children to individual children. More information on these new powers is available on the Children's Commissioner's website at <https://www.cypcs.org.uk/advice>.

Brexit

7.9. As part of the work around Brexit, we are committed to the participation of children and young people in Scottish Government negotiations with UK government during Brexit discussions, ensuring that their voices are heard during these negotiations and that their rights are taken very seriously. We believe that any proposed Brexit "deal" and indeed any UK proposals require to be impact assessed for children's rights (see action point 11.4).






HEALTH

8. Focus specifically on a strategy for young people's mental health aged 16-25 years. It was felt that this age group should be treated sympathetically due to the transitional phase in their lives and the move from child to adult health services.

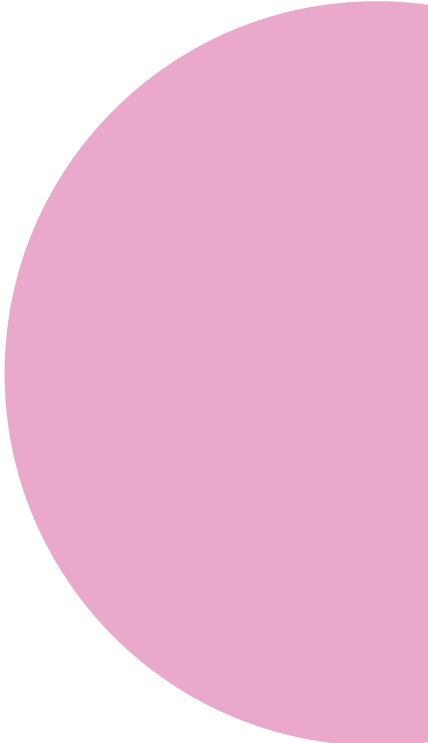
- 8.1. The recent PfG has committed to exploring potential flexibility for those aged 18-25 to continue their care and treatment with Child and Adolescent Mental Health Services (CAMHS). Work to explore the expansion of CAMHS to age 25 is under development, and will form part of the remit of a Youth Commission led by Young Scot, which we announced on 6 December 2017. The young people involved in the Commission will do their own research, identify issues that are important to them, and speak to experts, policymakers and service providers to look at areas for improvement. Finally, they will present recommendations to Ministers.
- 8.2. Our vision to improve young people's mental health services is contained within the overall Mental Health Strategy, with several specific actions. Action 21 of the Strategy is to 'improve quality of anticipatory care planning (ACP) approaches for children and young people leaving the mental health system entirely, and for children and young people transitioning from CAMHS to adult mental health services'. The Scottish Government has agreed to fund the Scottish Youth Parliament to explore how young people can support and feed into the development of the ACP approach. A series of working groups will meet regularly over the coming months, culminating in a larger discussion day event, to take place in March 2018.
- 8.3. Another specific action in the Mental Health Strategy is action 18, to commission an audit of CAMHS rejected referrals, and act upon its findings. On 23 October 2017 we announced that Scottish Association for Mental Health (SAMH) would be leading on this audit, in partnership with the NHS's Information Services Division (ISD). SAMH will gather evidence from young people, their families and carers across the country to inform the approach to mental health services, and will make recommendations for improving the experience for children and young people who are referred to CAMHS. This work will also be informed by a statistical audit of CAMHS data to complete the picture of the current system, which will be taken forward by ISD.
- 8.4. A Child and Adolescent Health and Wellbeing Action Plan is currently being developed. This Action Plan represents a ten year commitment and will consider emotional, physical and mental health from preconception to young adult. A Framework is also currently being drafted, which will set out the ethos and direction, strongly focused around rights, Adverse Childhood Experiences (ACEs), relationships and transitions. The aim is to launch the Action Plan and Framework during the YoYP2018. The Scottish Youth Parliament are represented on one of the advisory groups which are developing the Action Plan and have been approached to assist in engaging directly with young people to co-produce the Plan.



9. Engage further with young people to ensure that NHS services are youth friendly.

- 9.1. We contacted NHS Health Scotland children and young people leads to find out whether they were aware of any relevant engagement with young people around ensuring that NHS services were youth friendly.
- 9.2. Action 3.7 of the “Pregnancy and Parenthood in Young People” strategy, published in 2016: *“A guide for midwives, doctors, maternity support workers and receptionists will be developed in collaboration with the NHS and young parents based on the Public Health England guide ‘Getting maternity services right for pregnant teenagers and young fathers’”* has been prioritised for delivery. The Guide will reflect the services provided in NHS Scotland and the voices of Scotland’s young parents and professionals. It will provide advice for professionals on how to support young parents as they go through their antenatal and post-natal journey, describing approaches that will help young people to feel more comfortable and confident within services and with professionals, putting parents and the child at the centre of service planning and delivery. This work will also include development of resources (produced by Young Scot) for young people so that they understand their rights in relation to high quality maternity care. This

will, in line with recommendations of “The Best Start”, help to ensure that young people are aware of the choices they are entitled to and that they are well informed in order that they are able to make their own decisions about their treatment and care. Current plans are to publish the guide by the end of the 2017/18 financial year. Young Scot are aiming to launch their digital resource, designed by young parents and key stakeholders who work with young parents (including the Family Nurse Partnership), in 2018.

- 9.3. Young people are also directly involved in the production of a young person-friendly Anticipatory Care Plan approach for mental health (see action point 8.2).
 - 9.4. NHS Lothian have been involved in a number of pieces of work. For example, they worked with children and young people up to the age of 14 about what matters to them in terms of health services and developed a [poster showing their top ten messages about their health and wellbeing and accessing health services](#).
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10. Look at the connections between young people with learning disabilities and mental health as well as the importance of links between the Mental Health Strategy and Autism Strategy.


10.1. Work to develop an inpatient facility for children and young people with mental health conditions and moderate to severe learning difficulties and autism is ongoing. We published a report on the need for an inpatient service on 10 November 2017. We were happy to accept, in principle, the report's main recommendation that a national Learning Disability (LD) CAMHS inpatient unit for Scotland should be established. This is a hugely significant step forward in ensuring that children and young people with learning disabilities are able to access appropriate highly specialist inpatient support in Scotland. We are working closely with NHS National Services Scotland on developing the proposal further.

10.2. In May 2017, REACH for Autism, a Lanarkshire Autism Charity, presented autism training to the Cabinet. The youth group delivered training on autism through drama, showcasing issues around sensory overload and stress coping mechanisms, in particular around education and criminal justice issues. Feedback from this training has informed our refresh of the next priorities for the final phase of the Autism Strategy. In this final phase, which will be published in March 2018, there are better connections with the Mental Health Strategy. We involved MSYPs in a "National Transitions" project during the development of the Autism Strategy. The MSYPs helped inform questionnaires and the final report.

10.3. ENABLE Scotland's #BetheChange is supporting people who have a learning disability. Their 'Change Champions' will deliver workshops across Scotland throughout 2018. #BetheChange gives people who have a learning disability a platform to share their personal stories and raise awareness of unacceptable behaviour and practices.

10.4. As part of the campaign, ENABLE Scotland are collaborating with the University of Strathclyde and the University of Glasgow, to roll out a series of lesson plans for S1 and S2 pupils to educate school children about the experiences of people who have a learning disability. ENABLE Scotland's Included in the Main?! Campaign surveyed young people, parents and teaching professionals about the reality of educational experiences for young people in Scotland who have a learning disability. As a result from the 800 responses provided and subsequent report published in 2017, the Scottish Government will publish guidance on inclusive education.





10.5. The autism and learning disability policies have many examples of people with lived experience being involved in informing policy at national level but much of that good practice is with adults with learning disabilities or autism. We will consider every opportunity for young people to be involved in informing policy in the future.

THE FUTURE OF SCOTLAND'S RELATIONSHIP WITH EUROPE

11. Full participation of young people in decision making around Brexit.

11.1. The Scottish Government have met with young people and young people representatives, such as the Children and Young People's Commissioner Scotland, to take young people's views into consideration during Brexit negotiations. We are also producing research using Young Scot's co-design process to understand further views on Europe and Brexit. Participants have identified issues of importance to young people to further shape ideas, solutions and recommendations for the Scottish Government, and to ensure that young people's views are taken into consideration during the negotiations. A report taking account of young people's views will be prepared in early 2018 and young people's views will be included in a wider piece of work to look at what is at stake for individuals and families in the negotiations.

11.2. Young Scot's report on "[The Future of Europe](#)" was published in October 2017, which highlights the views of young people who attended an event to discuss the future of Europe in March 2017. It also shows the results of a collaborative session to co-design ideas for the future of Europe. Mr Russell met with young people to launch the report with Young Scot and held a live question and answer session with them (the video was viewed over 5.2k times), as well as hearing from Young Scot's Chief Executive.

11.3. In addition, officials are continuing to generate opportunities for the Minister for UK Negotiations on Scotland's Place in Europe to meet stakeholders to ensure that children and young people's voices are heard during Brexit discussions. This will ensure that the Scottish Government can hear people's concerns, provide them with information, and give them the Scottish Government position on the negotiations.

11.4. We are also working across the Scottish Government to ensure that all portfolios engage with children and young people as part of their preparation and legislative work on Brexit and give due consideration to appropriate assessment of the impact of proposals for children's rights.



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