
Health and Social Care Alliance Scotland (the ALLIANCE)

UNCRC Incorporation in Scotland -

policy updates, practical application and awareness raising



May 2022

Introduction

What does the **United Nations Convention on the Rights of the Child** (UNCRC) mean for people on a day-to-day basis? What are good examples of implementing the principles of the UNCRC in practice? These are some of the questions we explored in this members event, held online on 7th April 2022. This event was the first in the series “Making Children’s Rights Real: UNCRC, GIRFEC and The Promise,” developed in partnership with **Children’s Parliament**, the ALLIANCE, **Glasgow Council for the Voluntary Sector (GCVS)**, **Together (Scottish Alliance for Children’s Rights)**, **Children in Scotland (Supporting the Third Sector Project)** and the **Scottish Child Law Centre**.

The session was chaired by Lucy Mulvagh (the ALLIANCE, Scottish Human Rights Commission). The event began with presentations by representatives from **Together** and **Children in Scotland**, providing an overview of UNCRC policy developments in Scotland, and key lessons on using the UNCRC principles in practice. After hearing from our guest speakers and a Q&A, participants had the opportunity to take part in longer discussions in breakout room sessions.



“ **Children’s rights are integral to their day-to-day life, not an add on.**
- event participant

“ **UNCRC incorporation is welcomed in the third sector, however charities, particularly those that focus on service delivery, need practical tools to understand how it will impact their work.**
- event participant

“ **The event was well organised, interesting, and pitched at the right level for someone relatively new to this agenda.**
- event participant

UNCRC Incorporation in Scotland - policy updates

The event began with a presentation by Sarah McDermott, Development Manager at Together, who shared some of the key developments related to children's rights and the incorporation of the UNCRC in Scotland. Starting with the adoption of the UNCRC by the UN General Assembly in 1989, she provided an overview of progress on children's rights in Scotland, and children's involvement in campaigning for UNCRC incorporation:

- **2013 - 2014: Children and young people call for UNCRC incorporation through the Children and Young People (Scotland) Bill**
- **2016: Scottish Youth Parliament manifesto found that 76% of young people supported UNCRC incorporation**
- **2017 - 2018: Scottish Youth Parliament launches 'Right Here, Right Now' to campaign for incorporation**
- **2021: Unanimous passage of UNCRC Incorporation (Scotland) Bill through Parliament (2021)**

The presentation also addressed the U.K. Supreme Court judgment in October 2021 on the UNCRC incorporation Bill (Scotland), where the judges unanimously decided that four sections of the Bill go beyond the powers of the Scottish Parliament. Their decision focused solely on technical matters. They did not object to the intention behind the Bill or the Scottish Parliament's ability to incorporate the UNCRC. More information on the Supreme Court judgment can be found on Together's [website](#).

In addition to providing this context on the children's rights agenda in Scotland, the presentation also covered some of the key points from Together's [State of Children's Rights Report](#), published in March 2022. The report explores ways to embed children's rights for public authorities, the third sector, organisations, and individuals. It outlines the challenges children and organisations are facing currently, the steps being taken to overcome these, and practical tools, advice, and resources.



Children's rights are universal, unconditional and indivisible.

- Sarah McDermott, Development Manager, Together

Embedding the UNCRC across the third sector workforce

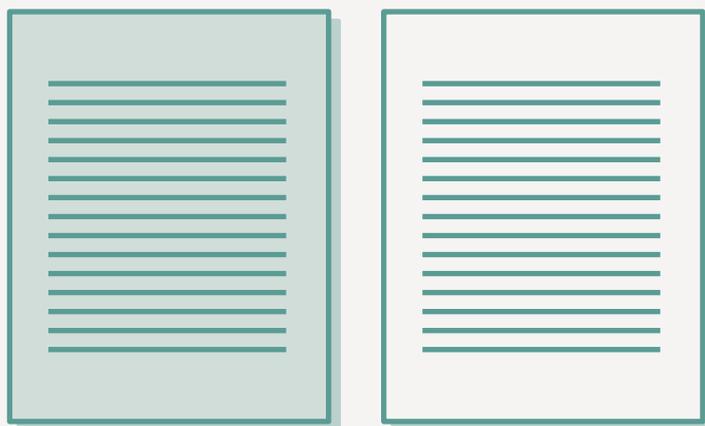
Following this overview of the policy landscape, and updates on the UNCRC Incorporation (Scotland) Bill, we heard from David Mackay, Policy and Projects Manager at Children in Scotland, and Andrea McKenna, Family Advice Specialist at [Salvesen Mindroom Centre](#).

David Mackay shared some of the steps that Children in Scotland have taken to train professionals across the third sector on the UNCRC and how to apply its principles. This included the development of an [UNCRC e-learning module](#), a webinar to consolidate learning, as well as follow-up sessions to discuss how the principles of the UNCRC link to the delivery of local children's services plans.

Andrea McKenna followed this discussion by sharing her team's experience of attending one of Children in Scotland's UNCRC sessions, explaining the capacity building workshop helped increase staff confidence, awareness, and familiarity with the UNCRC. As a result, Salvesen Mindroom has produced two documents, one to help professionals reflect on how their practice can support the implementation of the UNCRC principles, and one to help children and young people to understand how the organisation's work promotes their rights. Both can be found on the Salvesen Mindroom website:

- [Respecting and Promoting Children's Rights - for professionals](#)
- [Respecting and Promoting Children's Rights - for children and young people](#)

“ **Developing and enforcing UNCRC is a continuous and ongoing process which must continue to be upheld.**
- event participant



Breakout room discussions

After the speakers' interventions, participants were invited into breakout room discussions to reflect on the key points shared during the presentations, and the following two questions:

- **What would a good awareness-raising campaign on the UNCRC incorporation in Scotland look like?**
 - **How can we get children, young people, and parents involved?**
- **Moving forward, what do you think are some of the key priorities the statutory and third sectors should focus on in relation to the UNCRC Incorporation Bill in Scotland?**

Awareness-raising

On what a good awareness-raising campaign would look like, these were some of the key points that participants said should be considered:

- **Awareness-raising about the UNCRC should go hand-in-hand with discussions about GIRFEC**
- **All communications and materials should be accessible and inclusive**
 - **This does not only mean making accessible versions of documents, but also addressing the difficulties and disproportionate disadvantage faced by children and young people with speech, language, and communication support needs**
- **For children and young people, it is important that very simple tools and processes are made available for them to know what to do when their rights are not being upheld**
 - **Questions around visibility of UNCRC in the Curriculum for Excellence - is it being taught in schools? What about the young people who are less present at school?**
- **A two-pronged approach with regards to raising awareness of UNCRC can be adopted: from both smaller scale organisations and at larger national levels**
- **A multi agency approach involving various organisations from education, social care, justice etc., should be adopted**

- **For practitioners and professionals, it would be helpful to support them in recognising that many are already implementing good practice but lack the language of children's rights, or vice-versa**
 - **A joined up approach to publicising what is available is needed, as different things will work for different people/organisation: "We need to ask, what does the UNCRC mean to each of us in our roles - that's where specific training needs are created"**
- **Children's voices should be at the heart of all discussions about children's rights and the UNCRC: "We shouldn't do it [UNCRC incorporation] because it's law but because children have great ideas and can help adults in their jobs!"**



There is a need to develop a shared responsibility - fulfilling children's rights is not the responsibility of the Children's Rights Officer, it's everybody's.

- event participant

Key priorities for the statutory and third sectors

Participants ended the breakout room discussions by exploring what next steps are needed to move towards a successful implementation of the UNCRC as we move closer towards incorporation:

- **Alignment between the three policies - UNCRC, The Promise, and GIRFEC - is important**
 - **The communications between Scottish Directorate/Departments to support cohesive implementation is equally crucial**
- **Education on the UNCRC should be embedded to the school curriculum**
- **UNCRC incorporation needs to go hand in hand with an implementation plan to be effective**
 - **Addressing training need among practitioners and professionals is key**
- **Participation of rights holders in producing legislation needs to be at the fore - not just for UNCRC incorporation but also across the board**

- **A more pragmatic framework could be further developed to support implementation**
 - **Despite so many positive changes being implemented and developed, it can be overwhelming to keep up with large scale policy developments and updates**
 - **There is a need for a Scotland-wide approach, and to not work in silos**
- **It would be useful to create a shared, centralised data base of projects on the UNCRC in Scotland (e.g. something like the Knowledge Hub for Local Councils)**
 - **Good practice examples of activities happening across sectors would be useful for practitioners and professionals**
- **At a strategic level, it is important to also ask what impact assessments will look like once the UNCRC incorporation is finalised**
 - **Streamlining all impact assessment processes (e.g. having an integrated impact assessment approach) would be helpful**
- **Some resources can be confusing for young people to understand and utilise; materials should translate to young people in a way which makes them more accessible to them**
 - **All communications and materials should be fully accessible and inclusive, including for those children and young people with complex and multiple communication support needs**
- **It is crucial to ensure that everyone, including public bodies, are enforcing children's rights, and importantly, that children and young people know what to do/where to go when their rights are not being upheld**
- **A shared understanding of children's rights and rights based approach needs to be embedded throughout sectors**
- **We need to move beyond "lip service", to truly demonstrate good practice examples and amplify them across the country**

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If every organisation made sure they took a humans rights approach to everything they do then it'll be at the core of what we deliver, and understood by all. Every organisation needs to take a fresh look at their policies and processes to make sure that the UNCRC is reflected throughout.

- event participant

About the ALLIANCE

The Health and Social Care Alliance Scotland (the ALLIANCE) is the national third sector intermediary for a range of health and social care organisations. We have a growing membership of over 3,000 national and local third sector organisations, associates in the statutory and private sectors, disabled people, people living with long term conditions and unpaid carers. Many NHS Boards, Health and Social Care Partnerships, Medical Practices, Third Sector Interfaces, Libraries and Access Panels are also members.

The ALLIANCE is a strategic partner of the Scottish Government and has close working relationships, several of which are underpinned by Memorandum of Understanding, with many national NHS Boards, academic institutions and key organisations spanning health, social care, housing and digital technology.

Our vision is for a Scotland where people of all ages who are disabled or living with long term conditions, and unpaid carers, have a strong voice and enjoy their right to live well, as equal and active citizens, free from discrimination, with support and services that put them at the centre.

The ALLIANCE has three core aims. We seek to:

- Ensure people are at the centre, that their voices, expertise and rights drive policy and sit at the heart of design, delivery and improvement of support and services.
- Support transformational change, towards approaches that work with individual and community assets, helping people to stay well, supporting human rights, self management, co-production and independent living.
- Champion and support the third sector as a vital strategic and delivery partner and foster better cross-sector understanding and partnership.



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people at the centre

