

Observatory of Children's Human Rights Scotland

Terms of Reference (as of November 17 2021)

The Observatory of Children's Human Rights Scotland is a collaborative of Scottish organisations working to drive implementation of children's human rights in Scotland, with local impact and global learning.

Vision:

That children's human rights are fully implemented in all areas of children and young people's lives in Scotland, in line with the United Nations Convention on the Rights of the Child (UNCRC) and broader international human rights treaties. This will help to ensure that children's human dignity is respected and all children are supported to thrive and reach their full potential.

Purpose:

- To change locally and learn globally to achieve our vision.

Objectives:

- Strategically advance opportunities for fully realising children's human rights in practice, policy and legislation
- Bring together lived experiences, academic, inter-disciplinary and cross-sector contributions, to exchange and amplify ideas, evidence and expertise, in order to accelerate progress in implementing children's human rights
- Identify gaps in implementing children's human rights, in terms of particular areas, practice and systems, and how to address these
- Grapple with the contentious, problematic and complex challenges inherent to implementing children's human rights in legislation, policy and practice

Scope:

The Observatory seeks to 'add value', rigour, support and capacity to further children's human rights implementation in Scotland.

In particular, the Observatory can provide: critical viewpoints, spaces and reviews; evidence, concepts and approaches; and horizon scanning.

Founder members:

The founder members of the Observatory came together in 2019 through: their mutual prioritisation of children's human rights; their engagement, influence and experience in implementing children's human rights and expertise in implementation; and their Scotland-wide reach:

- CELCIS
- Childhood and Youth Studies, Moray House School of Education and Sport, University of Edinburgh
- Children and Young People's Commissioner Scotland
- Children's Parliament
- Inspiring Children's Futures, University of Strathclyde
- Scottish Youth Parliament
- Together (Scottish Alliance for Children's Rights)

Core Action Group:

Core Action Group members are drawn from the founder members of the Observatory. The Core Action Group members provide a balance of expertise and experience across academia, policy and children's participation.

The Core Action Group members as of November 2021 are:

- Jennifer Davidson
- Juliet Harris
- Máire McCormack
- Cathy McCulloch
- Heather Ottoway
- Kay Tisdall

Responsibilities of Core Action Group:

- Provide leadership
- Commit to taking forward agreed objectives as individuals
- Commit to regular attendance at meetings and contribute agenda items to the Secretariat in advance
- Ensure a strategic work programme for the Observatory is identified and carried out
- Take an active role in the work of the Observatory by contributing in meetings and undertaking specific tasks as agreed
- Identify potential Associate Members to contribute expertise to discussion items
- Be committed to promoting the rights of all children in Scotland in their day to day role

Independent Advisor:

The Children and Young People's Commissioner Scotland ('the Commissioner') supported the Core Action Group in the founding vision, purpose and objectives of the Observatory. The Commissioner and representatives from their office will support the work of the Observatory on an advisory basis. In recognition of their independent status the Commissioner and their representatives will not take part in the governance, management or strategic decision-making of the Core Action Group of the Observatory. They will commit to regular attendance at meetings (as guests of the Core Action Group), contribute agenda items to the Secretariat in advance, take an active role by contributing to discussions in meetings, and undertake specific tasks as agreed.

Associate Members:

Associate Members are individuals or organisations that share the vision and purpose of the Observatory and are committed to supporting the implementation of its objectives. Associate Members are invited to participate in Core Action Group meetings as appropriate to contribute specific expertise to meet an Observatory objective. Associate Members are not part of the decision-making process.

Core Action Group members are responsible for identifying and responding to requests to become Associate Members. Associate Members will be admitted with the agreement of the Core Action Group. Suitability for Associate Membership will be assessed against the extent to which the candidate is able to support delivery of the Observatory's objectives. It is expected that the Core Action Group members will prioritise an inclusive approach to considering requests for Associate Membership. Associate Membership will be reviewed every 12 months or as the particular project's timeline suggests.

Associate Members as of November 2021 include:

- Kasey McCall Smith
- Laura Wright
- Scottish Youth Parliament

Governance:

- The Core Action Group will meet at least 6 times a year
- Chairing will be shared between Core Action Group members, with a person typically chairing for 3 meetings consecutively
- Action notes from the meetings will be shared with all Core Action Group and Associate Members
- Currently, Observatory agrees a lead organisation and person for commissioned tasks. The lead organisation takes responsibility for financial and contractual arrangements, ensuring due consideration of other contributing organisations and people. The Observatory is not a legally constituted body and thus does not hold finances in its own name. As the Observatory grows and evolves, we will continue to review financial management on an ongoing basis and we commit to be transparent with our decision-making.

Decision-making:

Outputs and publications

Any outputs and publications in the name of the Observatory (e.g. funding application, press release, position statements and including, training and marketing materials) should be tabled at a Core Action Group meeting or circulated as agreed. To provide fast turnaround, agreements and decisions will require to have 4 Core Action Group members to be quorate. Any Core Action Group member should raise any concerns that must be addressed before publication

Outputs and publications in the name of the Observatory must clearly state that they may not represent views of all Core Action Group or Associate Members. The Observatory logo will be used in all outputs and publications, with core action group/associate members named listed as appropriate.

Joint initiatives

With the agreement of the Core Action Group, the Observatory may be involved in joint activities with other organisations and individuals. Proposals for involvement in initiatives should be discussed at Core Action Group and agreed and will require to have 4 Core Action Group members to be quorate.

Observatory-only activities

With agreement of the Core Action Group, certain activities can be undertaken as Observatory-only ones. In such cases, the expectation would be that the individual or a nominated lead person from the organisation would be an Associate Member.

The Core Action Group can decide to delegate to a sub-group specific tasks. This sub-group can make decisions in taking forward its remit.

Secretariat:

The secretariat to the Observatory will be Childhood and Youth Studies (MHSES) at the University of Edinburgh. This will be subject to review. The secretariat will arrange the group meetings, agree agendas with other standing members, issue invitations and share minutes and actions arising from the meetings.

Childhood and Youth Studies at the University of Edinburgh will be responsible for updating and maintenance of the Observatory web-pages on the University website in order to continue to build provenance and reputation of the Observatory and its resources online.

Review:

This Terms of Reference has been developed for the Observatory's first phase of work. By the start of 2023, we will commit to reviewing the Terms of Reference for further development.

The Terms of Reference and in particular where the secretariat is held, the Core Action Group and Associate Membership will be reviewed by the Core Action Group on an annual basis.

Should an individual or organisation not be acting in congruence with the vision, objectives of the Observatory or expectations in this Terms of Reference, who is an Associate Member or Core Action Group member, this will be raised and discussed with a view to resolution. Should the remaining members of the Core Action Group determine that a satisfactory resolution is not achieved, they can unanimously decide that the individual or organisation ceases to be a member.