

## Midlothian Children's Rights Report



### Foreword

Within Midlothian, the Getting It Right for Every Child Board (GIRFEC) is made up of partners from across the Local Authority, Health, Police Scotland, Third Sector and Scottish Children's Reporter Administration (SCRA).

The Children & Young People (Scotland) Act 2014, Part 1 (section 2) highlights the duties on public authorities in relation to the UNCRC. Each Local Authority should publish a report on the steps it has taken over the past three years to ensure they are meeting their responsibility with regard to the UNCRC requirements. The report covers the period from 1 April 2017 to 31 March 2020, however, cognisance of the impact of the Covid-19 pandemic has resulted in the reporting timescales being extended until March 2022.

The report highlights the progress we have made whilst recognising areas for future improvement. We have used the template highlighted in the guidance and placed the evidence of work we have/are undertaking in each category.

Wellbeing indicator	Suggested links with articles of the UNCRC	How Midlothian are incorporating UNCRC:
<b>Safe</b>	(11) abduction and non-return of children (19) protection from violence, abuse and neglect (22) refugee children (32) child labour (33) drug abuse (34) sexual exploitation (35) abduction, sale and trafficking (36) other forms of exploitation (37) inhumane treatment and detention (38) war and armed conflicts	<ul style="list-style-type: none"> <li>• Continued face-to-face contact to ensure children are safe during COVID.</li> <li>• Maintained face-to-face support via hubs that considered the need to protect against COVID but also child protection, wellbeing and social concerns.</li> <li>• All of our staff are aware of Commercial Sexual Exploitation (CSE) with key staff trained in this. Key staff have shared their knowledge of CSE to support staff in delivering key core messages in 1-2-1's with young people to promote positive risk taking behaviour.</li> <li>• Our Missing Person Protocol facilitates the return discussion between young people and our staff to provide optimum opportunity to establish a relationship with a trusted adult to prevent further missing person episodes.</li> <li>• PMAP (Prevent Multi-Agency Panel) programme training. PMAP targets 'vulnerable people', i.e. children at risk of protection and susceptible to extremist influences. These children/young people usually have a whole range of complex needs.</li> <li>• Child Protection practice is framed and guided by agreed procedures between neighbouring local authorities and key partners, i.e. police, health, SCRA.</li> <li>• We have clear practice and processes targeted to Unaccompanied Asylum Seeking Children (UASC). This work is done in collaboration with key partner agencies such as Scottish Guardianship Service, police and health.</li> <li>• Midlothian Young People Advice Service (MYPAS) provides advice, information and direct work with young people around issues of substance and alcohol use, and sexual health.</li> <li>• Women's Aid provides space and voice to children affected by domestic abuse.</li> </ul>

Wellbeing indicator	Suggested links with articles of the UNCRC	How Midlothian are incorporating UNCRC:
		<ul style="list-style-type: none"> <li>Roll out of Equipped for Learning strategy has provided an electronic device to every pupil in Midlothian. Alongside this strategy, digital safety aspects are being taught with focus on the right to be safe and the right to access learning.</li> </ul>
<b>Healthy</b>	<p>(3) best interests of the child  (6) life, survival and development  (24) health and health services  (39) recovery and rehabilitation of child victims</p>	<p><u>Article 39</u></p> <ul style="list-style-type: none"> <li>We are a trauma informed service and support many children who have experienced significant childhood trauma. We have trained our staff team to understand the impact of trauma and we adopt a therapeutic approach in the care and support we deliver, to ensure the rights of our children are protected when they are dysregulated or emotionally vulnerable.</li> </ul> <p><u>Article 24</u></p> <ul style="list-style-type: none"> <li>Our young people have the opportunity to learn and understand their rights in relation to health during 1-2-1 sessions with their key teams and during direct outcome-focused work which is directly linked to the SHANARRI indicators. This includes rights in relation to physical, emotional/mental and sexual health including COVID vaccinations.</li> <li>The paramount consideration of the best interest of children when making decisions affecting them is well embedded in all practice across the service. This is well reflected in policy, guidance and practice standards.</li> <li>Children/young people are supported in their recovery from trauma by a wide range of therapeutic services working in collaboration with Midlothian, e.g. counselling at schools and MYPAS, CAMHS (psychologist, mental health workers, and sexual abuse service), play and art therapy services, animal care therapy, filial and family therapy, amongst others.</li> <li>The Looked After Children (LAC) attainment team support young people to attend their appointments when this is seen as a barrier to their education.</li> </ul>

Wellbeing indicator	Suggested links with articles of the UNCRC	How Midlothian are incorporating UNCRC:
		<ul style="list-style-type: none"> <li>• Centralised Healthy Respect Clinic and community C-card services available weekly within Midlothian.</li> <li>• GIRFEC Early Years group focus on best start for children with work with families.</li> <li>• Child Poverty Action group.</li> </ul>
<b>Achieving</b>	<p>(4) Governments must do all they can to make sure every child can enjoy their rights in systems that promote and protect these rights</p> <p>(18) parental responsibilities and state assistance</p> <p>(28) right to education</p> <p>(29) goals of education</p>	<ul style="list-style-type: none"> <li>• We have developed the Equity and Inclusion subgroup to improve equity and inclusion across the directorate. This focuses on all services and schools being nurturing and inclusive.</li> <li>• The Council is part of a South East Improvement Collaborative (SEIC) Education UNCRC Network who organised a training session in collaboration with Education Scotland, Communities, Lifelong Learning and Employability (CLLE), and Children’s Services staff across the five local authorities which was attended by 18 Midlothian local authority central team staff members. This further enables our teams to consider how to take a rights-based approach as part of current remits.</li> <li>• The Education Support Officer for Professional Learning and Development with Midlothian Council has offered bespoke professional learning to central teams within Midlothian Council. This helps provoke discussion about how service areas across directorates could take a rights-based approach to practice. By the end of March, 14 sessions will have been delivered across the directorate to groups of staff, including the Leadership Forum, the entirety of the CLLE team of 70 people and teams within Education and Children’s Services.</li> <li>• An action plan for moving forward with developing professional learning to support school staff understand the incorporation of the UNCRC and how to embed a rights-based approach (focusing on articles 12 &amp; 29) is currently in development.</li> </ul>

Wellbeing indicator	Suggested links with articles of the UNCRC	How Midlothian are incorporating UNCRC:
		<ul style="list-style-type: none"> <li>• Positive Destinations for ASN pupils has increased over the last year despite Covid. At 92.94% this is above the national and virtual comparator.</li> </ul> <p><u>Article 28 and 29</u></p> <ul style="list-style-type: none"> <li>• The majority of our care experienced young people are currently in fulltime education, one young person has successfully achieved National 4 qualifications this year.</li> <li>• We have three young people attending further education course at Edinburgh College and one young person accepted at Borders College for September 2022 start.</li> <li>• SCRA – advocacy for children to attend Hearings.</li> <li>• Who Cares Scotland – strong liaison and working relationship across children services, e.g. residential services, CHAMPS, etc.</li> <li>• Every professional working with a child/young person acts as an advocate for children; this includes foster carers.</li> <li>• S22 C(S)A 95 is largely used to support parents to exercise their responsibility to bring up their children.</li> <li>• Education for children is free and compulsory to ensure children’s rights to education. Parents are supported to ensure their children’s educational needs are fully met.</li> <li>• Unmet educational needs can form legal grounds for referral to SCRA.</li> <li>• The LAC attainment team continue to work alongside young people and act as their advocate when their school attendance has fallen below 50%. This level of advocacy ensures that the children and young people are encouraged to share their own view and what the barriers are to education. This person-centred work also encourages young people to be clear about what their aspirations are for the future and work towards it with the right support in place.</li> </ul>

Wellbeing indicator	Suggested links with articles of the UNCRC	How Midlothian are incorporating UNCRC:
		<ul style="list-style-type: none"> <li>• All young people from P6 have access to free informal education.</li> <li>• Transitional and Employability support for all young people from the last six months of education.</li> <li>• One-to-one personalised educational timetables for young people who required it when they require it.</li> <li>• Young Carers support and statement offered, with dedicated support in group and one to one settings.</li> <li>• The primary school curriculum encompasses learning about sustainability and other world cultures. Many of our primary schools are ECO schools and have achieved Green flag status.</li> <li>• An attendance strategy is in place to ensure all our schools have a focus on very good attendance for all pupils.</li> <li>• Restorative practices and positive behaviour policies are in place across our schools.</li> <li>• Schools use a variety of communication tools to share information and guidance on education and the right to learn.</li> <li>• Pupil Equity funding across our schools ensures equity of opportunity for all learners.</li> </ul>
<b>Nurtured</b>	<p>(4) Governments must do all they can to make sure every child can enjoy their rights in systems that promote and protect these rights</p> <p>(5) parental guidance and a child's evolving capacities</p>	<ul style="list-style-type: none"> <li>• The Educational Psychology Service nurturing strategy implemented across partnership.</li> <li>• Hawthorn Family Learning Centre (HFLC) focuses on teaching children about their emotions and supporting expression of emotions using a story of the month. The book was sent home with all children to ensure they would be supported at home to continue this learning.</li> </ul>

Wellbeing indicator	Suggested links with articles of the UNCRC	How Midlothian are incorporating UNCRC:
	<p>(18) parental responsibilities and state assistance</p> <p>(20) children deprived of a family</p> <p>(21) adoption</p> <p>(25) review of treatment in care</p> <p>(27) adequate standard of living</p>	<ul style="list-style-type: none"> <li>• Sessions for parents and carers around the UNCRC have been offered as part of the Equal Midlothian Week 2022 programme.</li> <li>• Lady Brae have recently been responsible for promoting and protecting the rights of a child with a diagnosis of Autism and ASN. This was done successfully by: <ul style="list-style-type: none"> <li>○ Allowing her an opportunity to express her views through adapted communication tools</li> <li>○ Ensuring she has choice in relation to day to day decisions</li> <li>○ Child Centred Planning</li> <li>○ Advice and training sought to further understand her rights</li> <li>○ Her disabilities were not seen as a barrier to living a safe and happy life at Lady Brae.</li> <li>○ All young people have regular reviews of their care and their views are taken into consideration in any care planning</li> </ul> </li> <li>• Through parenting support work, parents are encouraged to nurture and promote their children's evolving capacity to make their own decisions as they grow up.</li> <li>• Children/young people are supported to be brought up with their parents. Parents are supported financially as well as practically and emotionally to address issues which may impact on parenting capacity. This includes ensuring adequate standards of living. Growing up with parents is the preferred plan for all children/young people.</li> <li>• Children/young people who can not remain at home with their parents or with extended family in kinship care (also supported by the service) are provided with accommodation. Their care by approved foster carers and their safety and protection is ensured throughout their childhood should a return home not be possible or safe.</li> <li>• Adoption may be the preferred plan for some children who can not grow up with their families. Family Placement Team focuses on work around fostering and adoption.</li> </ul>

Wellbeing indicator	Suggested links with articles of the UNCRC	How Midlothian are incorporating UNCRC:
		<ul style="list-style-type: none"> <li>• The Independent Reviewing Team ensures the plans for all looked after children are regularly reviewed, in line with statutory guidance. The primary aim is to ensure the child/young person's plan meets and will continue to meet their current and long term/ future needs.</li> <li>• All schools took part in nurture audit and this is a priority action in all schools' improvement plans.</li> </ul>
<b>Active</b>	(3) best interests of the child (23) children with disabilities (31) leisure, play and culture	<ul style="list-style-type: none"> <li>• HFLC has increased outdoor play and learning. Developing outdoor spaces during Covid and introducing nature nurture groups for children to explore local green spaces.</li> <li>• Woodburn Court are currently supporting two young people to ensure that their disabilities do not get in the way of pursuing their hobbies and interests and enjoying play within the local community. So far, they have enjoyed: <ul style="list-style-type: none"> <li>○ Placement at Lasswade riding school</li> <li>○ Placement at Solitaire Gymnastics</li> <li>○ Glam Candy Make-Up studio</li> </ul> </li> <li>• The primary aim is to ensure the child/young person's plan meets and will continue to meet their current and long term/ future needs.</li> <li>• All young people have a free youth work offer from P6.</li> <li>• All young people have a free Duke of Edinburgh offer.</li> <li>• Midlothian Early Years team worked with a cross sectoral group to create a Play Strategy.</li> <li>• Play Midlothian work with several of our Midlothian primary schools.</li> <li>• All schools plan for a range of artistic and cultural activities over a school session.</li> </ul>

Wellbeing indicator	Suggested links with articles of the UNCRC	How Midlothian are incorporating UNCRC:
		<ul style="list-style-type: none"> <li>Skills Development Scotland</li> </ul>
<b>Respected</b>	<p>(2) non-discrimination  (3) best interests of the child  (4) Governments must do all they can to make sure every child can enjoy their rights in systems that promote and protect those rights.  parental guidance and a child's evolving capacities  (8) protection and preservation of identity  (12) respect for the views of the child  (13) freedom of expression  (14) freedom of thought, belief and religion  (16) right to privacy  (17) access to information; mass media  (18) parental responsibilities and state assistance  (30) the right to learn and use the language, customs and religion of their family.</p>	<ul style="list-style-type: none"> <li>Work is currently being undertaken with Secondary School Pupil Support Deputes around decision-making to promote inclusive practice, which involves taking a rights-based approach (focussing on articles 2, 3 &amp; 12) to decision-making in secondary school settings, to support transgender pupils across all the secondary schools in Midlothian.</li> </ul> <p><u>Article 2 and Article 8</u></p> <ul style="list-style-type: none"> <li>Every child has the right to express their views, feelings and wishes in all matters affecting them and to have their views considered and taken seriously. This right applies at all times.</li> <li>Woodburn Court have two young people diagnosed with a learning disability and autism. Special materials have been provided to be able to support them to express and communicate. Noise reduction ear phones have been purchased as one of the young people is sensitive to noise to allow them to participate in daily life in the house.</li> <li>Every child has the right to express their views, feelings and wishes in all matters affecting them and to have their views considered and taken seriously. This right applies at all times.</li> <li>Mind of My Own app, multi-agency meetings, core group meetings, individual work with children and young people through therapeutic services/support, CHAMPS, Children's Hearings, looked after children's reviews and child protection case conferences are examples of well-established ways to ensure children and young people are provided with opportunities to have their views heard. Children's views will be taken into account when making decisions affecting their lives.</li> <li>Non-discrimination ethos and principles are well embedded in practice across the service. Additional support is provided to children and their families when this is needed, e.g. interpretation services to be able to communicate and participate in meetings, etc.</li> </ul>

Wellbeing indicator	Suggested links with articles of the UNCRC	How Midlothian are incorporating UNCRC:
		<ul style="list-style-type: none"> <li>• Freedom and right to belief and religion are respected in all contexts when we work with children and their families, e.g. when placed in foster care, when they attend school, etc.</li> <li>• Children’s right to privacy is ensured by legislation on data protection and also by guidance and policy around confidentiality. The principle of sharing only relevant information, in a proportionate and timely manner, i.e. only when needed, how much is needed and to whom needs to know, is well embedded in practice.</li> <li>• Children/young people have a right to access information about them and this is available at any time. Children over 12 will routinely be sent reports for meetings in advance and invited to participate and give their views in their chosen way. A written record of discussion once the meeting has taken place is also provided to them.</li> <li>• Children/young people are supported mainly at school to learn and use English language when this is not their primary means of communication. Customs, culture, beliefs and religious persuasion is nurtured, promoted and supported across the service.</li> <li>• Many schools ensure the views of children and young people are heard through participation in school leadership activities and groups e.g. Pupil Councils and Pupil Forums and committees.</li> <li>• How Good is OUR School is used by many schools to gather pupil voice in the self-evaluation process.</li> </ul>
<b>Responsible</b>	(3) best interests of the child (12) respect for the views of the child (14) freedom of thought, conscience and religion (15) freedom of association (40) juvenile justice	<ul style="list-style-type: none"> <li>• Advocacy support “Who Cares Scotland”</li> <li>• Support with staff</li> <li>• Young people having a voice in their own plans</li> <li>• Young people can access Mind of My Own to relay their views to professionals</li> <li>• Young people supported to manage positive risk taking</li> </ul>

Wellbeing indicator	Suggested links with articles of the UNCRC	How Midlothian are incorporating UNCRC:
		<ul style="list-style-type: none"> <li>• Children/young people are encouraged and supported to develop socially and within their communities, and to form and maintain positive relationship with peers and others.</li> <li>• Experienced practitioners work with young people who are either involved or likely to be involved with the justice system. This is recognised as an important area of practice to best support our most vulnerable young people throughout their transition into adulthood.</li> <li>• We are about to pilot a feedback form with Lasswade High School to gather feedback from young people following any youth offences. This will allow us to capture their voice about the process and ensure they have a clearer understanding of risks and consequences. This is linked to the Midlothian Youth Justice Strategy Action Plan.</li> </ul>
<b>Included</b>	<p>(3) best interests of the child  (6) life, survival and development  (18) parental responsibilities and state assistance  (23) children with disabilities  (26) social security  (27) adequate standard of living</p>	<ul style="list-style-type: none"> <li>• Family Group Decision Making (FGDM) work to ensure children remain with family or remain connected to family if they are accommodated.</li> <li>• We have regular young people’s meetings they participate with: <ul style="list-style-type: none"> <li>○ Menu planning</li> <li>○ Shopping</li> <li>○ Activity planning</li> <li>○ Personalising own bedrooms</li> <li>○ Continuing Care/collaborative working with National Housing Project.</li> </ul> </li> <li>• We ensure that, when appropriate, parents and carers contribute to the care planning and daily care of their child.</li> <li>• The majority of young people have their own bank accounts which their pocket money is paid into.</li> </ul>

Wellbeing indicator	Suggested links with articles of the UNCRC	How Midlothian are incorporating UNCRC:
		<ul style="list-style-type: none"> <li>• There are well-established working relationships with key agencies such as police and health to ensure the life, survival and healthy development of unborn babies. This is especially evidenced in our robust child protection process and system (Inter-agency Child Protection procedures Edinburgh and the Lothians).</li> <li>• A very important underlying principle which impregnates the practice across the service is that all children and young people will be supported to develop and achieve their own individual potential.</li> <li>• The appointment of a Parent and Learning Liaison Officer ensures we hear the voices of our learners which is at the centre of policy and decision making.</li> <li>• The LAC Attainment staff listen and respond to the child and young person's views on what they think are the barriers to their learning. This relationship based practice ensures the child's voice is heard throughout all planning meetings. This leads to the young people feeding back that because they felt listened to they could share their views better and their own opinion was taken into account at points of decision making about them.</li> </ul>

## **Summary**

The 2020-2021 Single Midlothian plan sets out the Community Planning Partnership's commitment to realising the children's rights approach to all of our work and making sure that we embed the principles of the UNCRC. It is also important to note that the three year outcomes for 2020-23 and priorities for action in 2020-21 were directly informed by the views of over 500 children and young people. It is important that UNCRC is not viewed solely as a piece of legislation that affects Education and Children's Services. The Council as a whole has to exercise all of its powers and duties in a way that is compatible with UNCRC.

Whilst we are able to evidence a substantial amount of work that has been undertaken over the past few years, there is a need to ensure that UNCRC is fully embedded in all our work. A more joined up approach to training and evidencing the impact is required going forward.

The next iteration of the Integrated Children's Services Plan (2023-26) will offer a fully inclusive approach to highlighting the key principles of UNCRC and how the principles are embedded into our everyday work.