

Perth and Kinross Council

16 December 2015

Making Human Rights a Reality in Perth & Kinross

Report by Senior Depute Chief Executive, ECS (Equality, Community Planning & Public Service Reform)

PURPOSE

This report describes the background and approach to the 'Making Human Rights a Reality in Perth & Kinross' Innovation Forum events, the emerging outputs from the events, and asks the Council to approve a Human Rights Statement of Intent for Perth & Kinross.

1. BACKGROUND

- 1.1 Launched in December 2013, Scotland's National Action Plan for Human Rights (SNAP) <http://scottishhumanrights.com/application/resources/documents/SNAP/SNAP.pdfWeb.pdf> brings together public bodies, voluntary organisations and other civil society partners in a collective effort to realise human rights for everyone in Scotland.
- 1.2 One of the central aims of SNAP is to build a better human rights culture in Scotland. This means working across Scotland to help people become empowered to understand and affirm their rights. Progress to date includes:
 - The Scottish Government is investing in a campaign to raise awareness of human rights. This will help people understand their human rights, particularly in the context of the public services they use;
 - Acknowledging the centrality of human rights to public service delivery and to public policy, work is taking place to link human rights to the National Performance Framework and the Scottish Government's wider social justice agenda;
 - SNAP partners are working on specific initiatives to advance people's understanding and organisations' delivery of human rights in specific areas such as health and social care services, in justice and safety settings and when it comes to improving living standards and tackling poverty in Scotland.
- 1.3 As public bodies with statutory duties to protect, respect and fulfil human rights, local authorities have a crucial role to play in helping achieve SNAP's overall vision of a Scotland where everyone can live with human dignity. The Scottish Human Rights Commission (SHRC) also recognises the expertise, knowledge and opportunities for innovation that exist at a local rather than a national level.
- 1.4 In March 2015 the SHRC and Scottish Government invited all Scottish local authorities to express an interest in taking part in a pilot initiative to explore what a better human rights culture would look like in a local authority area and what steps can be taken to achieve this.

1.5 Perth & Kinross Council was successful in being chosen as the area to pilot an Innovation Forum to help inform the next steps for building a better human rights culture. Run as three related but distinct events, the Forum set out to:-

- Inspire and encourage the testing out of innovative methods of putting human rights into practice;
- Pilot and test an approach to securing agreement on action areas and buy-in from those with responsibilities for protecting people’s rights;
- Make the case for how to deliver a human rights culture in practice in Scotland, using one local area as a model for others and for communities of interest at a national level.

1.6 The intended outputs from the Forum were:-

- An action plan for improving human rights culture within Perth and Kinross which has been shaped by a diverse range of local people and that contains commitments to act from those with responsibilities for protecting people’s rights;
- A process and model for developing such an action plan that can be rolled out and replicated in other local areas and at a national level.

1.7 The series of linked events took place as follows:-

Event 1	Preparation session attended by 50 rights holders (people whose rights are affected in daily life at a local level)	19 August 2015
Event 2	Preparation session attended by 30 duty bearers (people working in public sector bodies)	2 September 2015
Event 3	Action planning session for rights holders and duty bearers	17 September 2015

2. INNOVATION FORUM APPROACH

2.1 The approach taken across all three Innovation Forum events proved effective in promoting support, enthusiasm, commitment and common purpose across all participants.

2.2 By bringing the **rights holders** together initially in a supportive environment without **duty bearers** present meant that discussions about perspectives of human rights in Perth & Kinross were held inclusively and individuals’ opinions and realities were expressed openly. People were asked to be candid about what was stopping human rights being a reality and asked for ideas about how to make things better.

2.3 The second event with **duty bearers** was attended by many senior representatives from across our Community Planning Partnership and followed the same format as the first event, with participants being asked to honestly assess the existing human rights culture in Perth & Kinross.

- 2.4 This approach, where different stakeholders meet separately to discuss their own perspectives then come together to discuss areas of agreement and clarify differences, has been particularly valuable and welcomed by participants. It is suggested that the approach should be replicated for future relevant community and partnership engagement activity.
- 2.5 The outputs from both initial sessions demonstrated common themes and shared aspirations across both the **rights holders** and **duty bearers**. These themes were as follows:
- **Involving people** in making decisions
 - Making human rights **easier to understand**
 - **Leadership** in organisations
 - **Being open** about decisions
 - Taking **responsibility together** for rights

3. OUPUTS FROM THE EVENTS

- 3.1 At the Action Planning session on 17 September 2015, the **rights holders** and **duty bearers** worked together in different discussion groups, based on each of the common themes to develop ideas for future activity to embed a better human rights culture in Perth & Kinross. All participants were then asked to 'vote' for the ideas they supported the most.
- 3.2 The most popular ideas were as follows:
- Produce an easy to understand human rights Statement of Intent and embed it in public organisations' strategies;
 - Hold Perth & Kinross Human Rights events (series of events allowing wider range of people to take part – in libraries, schools, community centres, sports and leisure facilities – coordinated with Community Planning Partnership / Community Equalities Advisory Group);
 - A fun app for phones / tablets that links human rights to everyday experiences and helps people understand them;
 - Better signposting to support agencies, such as advocacy organisations, CAB, law centres and specialist voluntary organisations;
 - Human Rights Impact Assessment to be carried out when changes are being made within services;
 - Young people should learn more about human rights at school;
 - Keep reiterating the language of human rights across organisations.
- 3.3 The most popular idea was for a Human Rights Statement of Intent to be developed which includes a number of pledges for action in relation to human rights. The Statement of Intent would be signed up to by the Council, Community Planning Partners, Scottish Government, Scottish Human Rights Commission and local Perth & Kinross community organisations. The Statement would include a number of key actions to be taken forward over the coming year.

- 3.4 At the last meeting of the Perth & Kinross Community Equality Advisory Group (CEAG) held on 29 October 2015, those rights holders from the community who attended the Human Rights Forum events were invited to attend, and along with the other CEAG members, took part in a facilitated session to discuss the outputs from the Forum events. The Group were then asked to give their views on what should be included within the proposed Statement of Intent.

4. STATEMENT OF INTENT

- 4.1 Throughout all Innovation Forum events and Community Equality Advisory Group (CEAG) discussions, the most frequent request made across both rights holders and duty bearers was for more easily understood information to be made available about what are human rights and how people find out more about them. Therefore, it is suggested that the main objective running through the proposed Statement of Intent is to promote awareness, engagement and assurance in terms of human rights within Perth & Kinross.
- 4.2 It is suggested the following Statement of Intent be approved by the Council and taken forward with support from the Scottish Human Rights Commission and the Perth & Kinross Community Planning Partnership Board.

Perth & Kinross Human Rights Statement of Intent

Perth & Kinross Council is committed to working with the people of Perth & Kinross and our Community Planning partners to promote a better human rights culture in our area.

Our ambition is to create a groundswell in awareness and understanding of what human rights are, why they exist, who they are for and how a claim can be made if a breach has taken place.

We will do this by:-

- *Increasing awareness and understanding across Perth & Kinross of human rights by working with the Scottish Human Rights Commission to provide information about human rights in easily understood formats;*
- *Leading and promoting ongoing engagement by working with the Perth & Kinross Community Equality Advisory Group (CEAG) to establish and support a 'Join the Conversation about human rights' engagement process;*
- *Working to embed best practice in assessing the impact of Council policies and service delivery on people's human rights;*
- *Embedding assurance in relation to better human rights into Council and Community Planning Partners self-evaluation processes.*

- 4.3 Promoting a better human rights culture is not a one off task fulfilled through the agreement of a Statement of Intent. An ongoing conversation with our Community Planning partners, our communities, individuals and families will be necessary to better promote and embed an understanding of human rights and how human rights can be protected and embedded in practice and service delivery across Perth & Kinross. This will also enable the Council to build on

existing human rights work in certain areas including schools which have achieved 'Rights Respecting Schools Status' and in care group strategies.

4.4 The Universal Declaration of Human Rights comprises of 30 Articles detailing basic rights and freedoms (Appendix I). These articles were discussed at the Human Rights Innovation Forum events.

4.5 The articles below were of particular interest across Human Rights Forum events and will be the subject of further discussion at the proposed *Join the Conversation* about Human Rights engagement.

- Freedom from Discrimination
- Right to Equality before the Law
- Right to Adequate Living Standard
- Right to Education
- Right to Participate in the Cultural Life of Community

5. NEXT STEPS

5.1 Both the Scottish Human Rights Commission and Scottish Government have remarked upon the excellent support and enthusiasm for the Innovation Forum process from Perth & Kinross Council, and have particularly valued the involvement and commitment from Senior Council Executive Officers and Elected Members.

5.2 The Scottish Human Rights Commission and the Scottish Government intend to share the learning and approaches taken in Perth & Kinross across Scotland over the coming year to help shape and embed a better human rights culture across the country.

5.3 It is intended to bring together all those who participated in the Human Rights Forum events again to review initial progress. This should take place in autumn 2016.

6. CONCLUSION / RECOMMENDATIONS

6.1 It is recommended that the Council:-

- i. Approve the Human Rights Statement of Intent outlined at paragraph 4.2.
- ii. Request a report on progress be made to the Council at its meeting in October 2016.

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	Yes
Workforce	Yes
Asset Management (land, property, IST)	Yes
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	N/A
Sustainability (community, economic, environmental)	N/A
Legal and Governance	Yes
Risk	Yes
Consultation	
Internal	Yes
External	N/A
Communication	
Communications Plan	Yes

1. Strategic Implications

Community Plan / Single Outcome Agreement

1.1 This report supports all outcomes in the Community Plan:

- (i) Giving every child the best start in life
- (ii) Developing educated, responsible and informed citizens
- (iii) Promoting a prosperous, inclusive and sustainable economy
- (iv) Supporting people to lead independent, healthy and active lives
- (v) Creating a safe and sustainable place for future generations

Corporate Plan

1.2 This report supports all outcomes in the Corporate Plan:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

2. Resource Implications

Financial

2.1 There are no additional financial implications arising directly as a result of this report at this time.

Workforce

2.2 There are no additional workforce implications arising directly as a result of this report at this time. Ongoing work is managed within existing officer workloads.

Asset Management (land, property, IT)

2.3 There are no additional Asset Management implications arising as a result of this report at this time. Any new proposed developments which arise in the future will be subject to the relevant approval process at that time.

3. Assessments

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

This section should reflect that the proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- (i) Assessed as **relevant** and the following positive outcomes expected following implementation:
 - A full EQIA will be undertaken if there are any implications arising at the conclusion of this work.

Strategic Environmental Assessment

- 3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

The proposal recommended in this paper has been considered under the Act and the pre-screening has identified that the proposal will have no environmental effects, it is therefore exempt. The reason for concluding this is that the recommendation in this report will have no direct environmental effects.

Sustainability

- 3.3 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.

No steps are required to be taken in this area.

Legal and Governance

- 3.4 The Head of Legal Services will be consulted as appropriate.

Risk

- 3.5 Any risks associated will be addressed within individual project monitoring.

4. Consultation

Internal

- 4.1 All services have been involved in the workshop exercise and ongoing consultation.

External

- 4.2 A number of external partner organisations have been involved throughout this project along with service user participants.

5. Communication

- 5.1 See consultation.

2. BACKGROUND PAPERS

Scotland's National Action Plan for Human Rights is referred to within this report.

3. APPENDICES

The Universal Declaration of Human Rights Articles is included in Appendix 1.

Universal Declaration of Human Rights Articles

- Article 1 Right to Equality
- Article 2 Freedom from Discrimination
- Article 3 Right to Life, Liberty, Personal Security
- Article 4 Freedom from Slavery
- Article 5 Freedom from Torture and Degrading Treatment
- Article 6 Right to Recognition as a Person before the Law
- Article 7 Right to Equality before the Law
- Article 8 Right to Remedy by Competent Tribunal
- Article 9 Freedom from Arbitrary Arrest and Exile
- Article 10 Right to Fair Public Hearing
- Article 11 Right to be Considered Innocent until Proven Guilty
- Article 12 Freedom from Interference with Privacy, Family, Home and Correspondence
- Article 13 Right to Free Movement in and out of the Country
- Article 14 Right to Asylum in other Countries from Persecution
- Article 15 Right to a Nationality and the Freedom to Change It
- Article 16 Right to Marriage and Family
- Article 17 Right to Own Property
- Article 18 Freedom of Belief and Religion
- Article 19 Freedom of Opinion and Information
- Article 20 Right of Peaceful Assembly and Association
- Article 21 Right to Participate in Government and in Free Elections
- Article 22 Right to Social Security
- Article 23 Right to Desirable Work and to Join Trade Unions
- Article 24 Right to Rest and Leisure
- Article 25 Right to Adequate Living Standard
- Article 26 Right to Education
- Article 27 Right to Participate in the Cultural Life of Community
- Article 28 Right to a Social Order that Articulates this Document
- Article 29 Community Duties Essential to Free and Full Development
- Article 30 Freedom from State or Personal Interference in the above Rights

