

Update report			
Name of subgroup / associate group / consortium	Scottish Government	DATE	September 2021
		Author	Lindsay MacDougall
		Date of previous report	16 June 2021
Activity and progress from last report	<p>Introduction</p> <p>Outlined below is a summary of Scottish Government policy developments and relevant information regarding child protection. It covers developments that have taken place since the last update.</p> <p><i>The National Child Protection Leadership Group</i></p> <p>The National Child Protection Leadership Group last met on 15 June 2021. The meeting focussed on the revision of the National Guidance for Child Protection in Scotland. Members were content to approve the final version of the National Guidance and the plan for publication. Members also received an update on implementation planning and discussed some of the challenges and opportunities ahead.</p> <p>The next meeting of the National Child Protection Leadership Group will be on Wednesday 22 September 2021.</p> <p>Information about the role and remit of the Group, membership, and minutes of previous meetings can be found here: National Child Protection Leadership Group - gov.scot (www.gov.scot)</p> <p>If you would like to discuss further, please contact Fiona Marshall Fiona.Marshall@gov.scot</p> <p><i>Revision of the National Child Protection Guidance</i></p> <p>The National Guidance for Child Protection in Scotland 2021 was published on Thursday 2 September. The Guidance can be found here: National Guidance for Child Protection in Scotland 2021 (www.gov.scot). Published alongside the Guidance were a number of practice insights which will provide an additional, supporting resource connected to the core Guidance; the consultation report which will include the analysis report and the Scottish Government response; and a range of impact assessments. These documents can be found</p>		

here: [National Guidance for Child Protection in Scotland 2021 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/national-guidance-for-child-protection-in-scotland-2021/pages/1-introduction-and-implementation-planning.aspx).

An Implementation Group has been formed to undertake detailed implementation planning as local areas engage with the Guidance and a fuller picture of support needs for practitioners, managers and leaders emerges. The group will be Chaired by Joanna MacDonald, Deputy Chief Social Work Adviser, Scottish Government, and membership has been drawn from a range of statutory and third sector partners and national organisations. The group will first meet on Friday 10 September.

Covid-19 [Supplementary National Child Protection Guidance](#) was developed for Chief Officers, Chief Social Work Officers and Child Protection Committees. This was first published on 31 March 2020 and was last updated on 22 December 2020. The supplementary guidance will be updated further as necessary.

If you would like to discuss further, please contact Fiona Marshall Fiona.Marshall@gov.scot.

Improving Learning from reviews of Child Protection Cases

The National Guidance for Undertaking Learning Reviews was published on Thursday 2nd September 2021 alongside the National Guidance for Child protection in Scotland.

The Guidance can be found here: [National Guidance for Child Protection Committees Undertaking Learning Reviews Scotland 2021](https://www.gov.scot/publications/national-guidance-for-child-protection-in-scotland-2021/pages/1-introduction-and-implementation-planning.aspx)

Learning from cases where children have died or been significantly harmed is a vital part of an effective and improving child protection system. Reflecting on learning provides the opportunity to identify good practice in protecting children and make any necessary practice changes are made, not only in the area where the harm occurred, but throughout the country to better protect children in the future.

The new systems will replace Significant Case Reviews (SCRs) and Initial Case Reviews (ICRs) with a single Learning Review, supporting a more proportionate and timely approach to case reviews which fosters a learning culture and the implementation of findings for improvement.

Expert Group on Preventing Sexual Offending involving children and young people

The Scottish Government continues to progress action to address the proposals made by the Expert Group on Preventing Sexual Offending

involving Children and Young People and develop policy on harmful sexual behaviour (HSB) more generally.

A subgroup of the National Child Protection Leadership Group has been established to oversee delivery of the remaining proposals. The delivery group has met three times since March 2021, with cross-sectoral representation from education, social work, health, CPCScotland, Police Scotland, COPFS, COSLA, and the third sector. Two sub-groups of the delivery group have been established initially to progress work in relation to (i) support for education and (ii) assessment and intervention.

Research by the Children and Young People's Centre for Justice (CYCJ) to explore potential links between childhood experiences and harmful sexual behaviour, was published in May 2021: <http://www.cycj.org.uk/resource/harmful-sexual-behaviours/>.

The results of a survey, co-designed with young people, seeking the views of young people on online harmful sexual behaviour was published in June 2021: <https://youngscot.net/ysobservatory/harmful-sexual-behaviours-online-survey>.

For further information please contact Caroline.Lauder@gov.scot

Implementing the Children's aspects of the Human Trafficking and Exploitation (Scotland) Act 2015

The next quarterly Child Trafficking Strategy Group meeting will be held on Tuesday 21 September.

As part of the Home Office National Referral Mechanism (NRM) Transformation Programme, the Home Office recently launched a pilot programme to devolve child decision-making within the National Referral Mechanism to 10 local authorities across the UK, including Glasgow City Council. The purpose of the Home Office pilot is to test whether determining if a child is a victim of trafficking within existing child protection structures is a more appropriate model for making trafficking decisions for children. All pilot sites are now live and the pilot will run until spring next year. More information can be found here: [Devolving child decision making pilot programme: general guidance \(accessible version\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/devolving-child-decision-making-pilot-programme-general-guidance-accessible-version).

For further information, please contact shoba.galloway@gov.scot

Unaccompanied Children in Scotland

As part of the New Scots Refugee Integration Delivery Project, which launched earlier this year, organisations and community groups

working to support refugees in Scotland will share £2.8 million through a new grant scheme. In total, 56 projects will receive funding to spread documented good practices and to support innovation in Scotland under the outcomes, objectives and beneficiaries of the New Scots Refugee Integration Strategy. The New Scots Refugee Integration Delivery Project is part funded by the EU Asylum, Migration and Integration Fund and is led by the Scottish Government in partnership with COSLA, Scottish Refugee Council and the UNESCO Chair at the University of Glasgow. More information about the projects being funded can be found here:

<https://www.gov.scot/publications/new-scots-refugee-integration-delivery-fund-guidance/pages/offer-of-grant/>.

For further information, please contact shoba.galloway@gov.scot

Online harms

The Scottish Government is working closely with the Department for Digital, Culture, Media and Sport and the Home Office on their draft online safety legislation to understand how it will impact on Scottish interests and better protect our children and young people. The [Communications and Digital Committee](#) are leading pre-legislation is currently undergoing pre-legislative scrutiny and the Bill is expected to be introduced in 2022.

The main purpose of the Bill is to empower Ofcom to better regulate internet services and in doing so making the internet a safer place for users, particularly children. Key proposals include duties of care on providers of internet services which allow users to upload and share user-generated content and on providers of search engines which enable users to search multiple websites and databases. Additional duties are also placed on providers in relation to content likely to be accessed by children, including a duty to undertake a children's risk assessment. More information is available at: [Draft Online Safety Bill - GOV.UK \(www.gov.uk\)](#).

For further information please contact Jennifer.Stenton@gov.scot

Bairns' Hoose

The Scottish Government will publish a Vision Paper in September stating that our overall visions of a Bairns' Hoose (Barnahus) in Scotland is that:

“All children in Scotland who have been victims or witnesses to abuse or violence, as well as children under the age of criminal responsibility whose behaviour has caused significant harm or abuse will have access to trauma informed recovery, support and justice”.

Healthcare Improvement Scotland (HIS) and the Care Inspectorate (CI) were commissioned by the Scottish Government to develop Scotland-specific standards for Barnahus based on the European PROMISE Quality Standards which are based on best practice from the Nordic countries. An evidence summary report building on the foundations for the development of Bairns' Hooses was published on 14th September 2021, with recommendations to help inform the development of Barnahus Standards. The Barnahus Standards Development Group will reconvene to draft standards to go out to consultation by September 2022. The final Standards will be published by the end of 2022.

We recognise the importance of remaining focussed at this stage on reaching a common child-centred vision for Barnahus across justice, child protection and health. It is crucial that the standards are in line with existing cross cutting policy and processes in Scotland and build on current good practice and improvements, aligned with GIRFEC, Joint Investigative Interviews (JIIs) and the United Nations Convention on the Rights of the Child (UNCRC) and delivery of the Promise.

For further information please contact Jack Murray-Dickson on 0131 244 6041 or Jack.murray-dickson@gov.scot

Joint Investigative Interviews

The Scottish Government continues to fund and work with justice and social work agencies to improve the quality and process for Joint Investigative Interviews (JIIs) with vulnerable child witnesses, including the updating of national guidance and improving technology and facilities. This includes a commitment from 1 April 2021 to provide a further £2m to fund the Police Scotland and Social Work Scotland implementation Team, including the implementation manager role within COSLA, as they push ahead with the national rollout programme over the next three years

Oversight of the delivery and continued evaluation of the national rollout is being undertaken through the COSLA/Police Scotland chaired National JII Governance Group.

April 2020 – April 2021, saw the second year of piloting activity in relation to the new model (the Scottish Child Interview Model) for joint investigative interviewing, which is both trauma informed and achieves best evidence through more robust planning and interview techniques. The first two pilot sites were launched in Lanarkshire (February 2020) and North Strathclyde (August 2020). Dumfries and

Galloway launched in May and Glasgow have completed the training and will launch in October.

From April 2021, the National JII Project began a national rollout plan, aiming to introduce the Scottish Child Interview Model for joint investigative interviewing in every area of Scotland over the next three years. The National JII Team has worked with Scottish Government to publish an Interim Evaluation Report of the pilot phase of the Model. This can be accessed here: <https://bit.ly/34w4HsM>

For further information please contact Jack Murray-Dickson on 0131 244 6041 or Jack.murray-dickson@gov.scot

National Care Service consultation

On 9th August, the Scottish Government launched the National Care Service consultation. It is seeking the public's views ahead of the creation of a National Care Service, which will ensure everyone who needs it can expect the same standards of care, wherever they live in Scotland.

The consultation sets out some of the options for delivering social care in a way which changes the system from one that supports people to survive to one that empowers them to thrive. It recognises that this will involve significant cultural and system change that will need to be supported by new laws, and new ways of working.

At a minimum the new National Care Service will cover adult social care services. However, the consultation document also recognises that if we want to build a comprehensive community health and social care system, we should consider extending its scope to other groups such as children and young people, community justice, alcohol and drug services, and social work.

For further information please contact Caroline.Johnston@gov.scot

Age of Criminal Responsibility (Scotland) Act 2019

The policy intention of the [Age of Criminal Responsibility \(Scotland\) Act 2019](#) ("the Act") is to protect children from the harmful effects of early criminalisation, whilst ensuring that the child and their family receive the right support. When the Act is fully implemented, children under the age of 12 will no longer be dealt with as criminal suspects, whilst ensuring that harmful behaviour of children under 12 can continue to be investigated and that authorities respect and respond to the needs of victims.

Implementation of the Act has been phased, with measures that would have the most significant effect on children's lives being prioritised. Since end-November 2019, it has not been possible to refer a child under 12 to a children's hearing on the ground that they

have committed an offence, nor has it been possible for children under 12 to obtain new criminal convictions since that date.

Disclosure provisions in the Act were fully commenced at end-November 2020. Any conduct by a child below the age of 12 that would previously have been recorded as a conviction will no longer be recorded as such. Any non-conviction information relating to harmful behaviour that occurred when a child was under 12 cannot automatically be disclosed by the State. Whilst such information may be disclosed as “Other Relevant Information” on two specific types of disclosure, this can only take place following determination by an independent review.

Scottish Ministers are looking to fully implement the legislation in October 2021.

Work is progressing in particular with stakeholders in relation to finalising Ministerial guidance, establishing a register of child interview rights practitioners, and developing a list of places of safety for the purposes of the Act.

Work is ongoing with Social Work Scotland, Police Scotland and COSLA to develop operational guidance for investigative interviews. Sharon Glasgow is working with local social work leads and partners to support local implementation plans.

If you would like to discuss further, please contact Kenzy Thomson (Kenzy.Thomson@gov.scot)

Children (Equal Protection from Assault) (Scotland) Act 2019

This Act removed the common law defence of “reasonable chastisement” from the law of Scotland, making all physical punishment of children unlawful on 7 November 2020.

The Act also requires the Scottish Ministers to take steps to promote public understanding and awareness about the removal of the reasonable chastisement defence. This obligation came into force on 8 November 2019.

The Scottish Government has published details about the Act, its background and where support can be obtained on a dedicated [webpage](#).

The Scottish Government formed an Implementation Group which has worked on what is required to implement this legislation. Information about the work of this group can be found on the Scottish Government’s [website](#). The Group is continuing to meet so as to consider anything further required on implementation.

As part of its implementation work, the Scottish Government issued a [letter](#) and [framework document](#) on the Act to statutory bodies.

For further information about this Act, or if you have any questions, please contact simon.stockwell@gov.scot

Children's Hearings System:

The first face to face children's hearing since lockdown began took place on 15 July 2020. Work is progressing on schedule to facilitate face to face hearings in every hearings centre nationwide, with modifications required in some centres to ensure the safety of attendees. Thanks to the extraordinary efforts from the responsible agencies, this marks a significant step on the road to system recovery.

The resumption of 'Face-to-face' children's hearings - where safe to do so - was included in Phase 1 announced on 21 May 2020. Safety remains paramount, and no child, family member, volunteer, staff or professional will be called to physically attend a hearing unless the responsible agencies are satisfied that it is safe. Virtual and hybrid hearings have been in place across the whole country from 4 May last year, ensuring that the service has continued to operate to the fullest extent possible.

The children's hearings system is vital to determining the rights and life chances of Scotland's most vulnerable children. But service recovery is not straightforward. Remedial plans are in place to respond to the demands of Covid suppression.

The intrinsic informality of the hearings system and layout of hearings centres bring their own complexities to recovery planning. It was felt vital to move at pace to set in hand preparations for the resumption of face to face hearings at the earliest possible point.

We introduced extraordinary flexibility measures to support the system in last April's emergency Coronavirus (Scotland) Act 2020. Every 2 months Scottish Government has provided a report to Scottish Parliament on the use of the powers with the 8th report published in August. All of the provisions will be repealed from 30 September 2021 – transitional requirements are in place for those powers used prior to end of September.

SCRA sent recovery proposals to Health Protection Scotland in mid-June and received detailed feedback. The risk assessment work was

resubmitted and updated in light of the new variant, and therefore remains current.

The Scottish Government is in regular dialogue with the children's services sector and children's hearings partners to monitor the impact of the pandemic on service provision and the protections afforded to children. We want to quickly apply the learning from how the system has coped in this crisis. We will want to hold on to good innovations. The 'new normal' must enable children's hearings partners to 'keep the promise' we made to children and young people and the Independent Care Review.

The Scottish Government has made more than £2m available to support the swiftest possible system recovery and renewal. Recovery plans are in place for hearings to return to a steady state by autumn 2021.

£0.5m has been allocated to key early 2021 priorities by multi—agency Children's Hearings Improvement Partnership.

Opportunity to participate in Children's Hearings

[The Children's Hearings \(Scotland\) Act 2011 \(Rules of Procedure in Children's Hearings\) Amendment Rules 2021 \(legislation.gov.uk\)](#)

have been amended and came into force from 26 July 2021 – these regulations in the main have now provided rights for brothers and sisters and those with a sibling like relationship to have a voice in decision making in relation to contact. Participation rights include:

- the right to be notified of the hearing,
- the right to provide a report or other document to the hearing,
- the right to be provided with documents specified in the rules,
- authorisation to attend the hearing,
- the right to be represented at the hearing, and
- the right to seek a review of a compulsory supervision order

The new regulations also set out new provisions on

Electronic signatures - electronic signatures does represent a time and cost saving with no discernible adverse impacts for children, families or system participants.

Exclusions - The Scottish Government considered it necessary to broaden this power to include situations where there is a similar impact on other relevant persons. This broader power is to apply to the exclusion of relevant persons, their representatives, and journalists.

Virtual attendance - created a more open and flexible approach by allowing the child, relevant persons, and other attendees to request to attend by other methods.

Sharing of reports - ensuring all practitioners in a hearing provided with all of the relevant reports.

Hearing Review Working Group

A partnership - chaired by former Judge David Mackie - between [Children's Hearings Scotland \(CHS\)](#), the [Scottish Children's Reporter Administration \(SCRA\)](#) and [The Promise Scotland](#) - announced on 15 August - will facilitate a redesign of the Children's Hearings System with the needs of children and families with lived experience at its heart. Scottish Government will have an observatory role. The Promise announcement at <https://thepromise.scot/news/2021/08/15/redesign-will-put-the-needs-of-children-and-families-at-heart-of-the-children%E2%80%99s-hearings-system/>

For further information, please contact Iain Fitheridge
iain.fitheridge@gov.scot

16/17 year olds within the Children's Hearings System

The Scottish Government recently consulted on raising the age a young person can be referred to a children's hearing to protect them or address their behaviour.

We sought views on whether this should be increased to include all under 18s at risk of exploitation, abuse or harm due to their own behaviour or that of others. We also asked about structural, resourcing, service design and practice implications of the proposed changes; and whether additional protections and support are necessary for victims of crime.

The consultation ran from June to October and an [independent analysis](#) was published on 7 December 2020.

There was overwhelming support to raise the maximum age of referral to 18 for care, protection and offence cases, allowing equal opportunities for young people to get the right support at the right time.

We are now working with partners to explore the practical implications of this proposed change and develop responses to the issues raised (reflecting the Government's commitment to UNCRC incorporation and the recommendations of The Promise).

For further information, please contact Alison Melville
Alison.melville@gov.scot.

National Review of Care Allowances

The National Review of Care Allowances reported in September 2018 and published 12 recommendations for improvement. The report can be read here:

<https://www.gov.scot/publications/final-report-recommendations-national-review-care-allowances-9781787812109/>

The Scottish Government remains committed to working with COSLA to agree how best to take forward the recommendations of the Review, with a view to implementing improvements as soon as possible. Discussions have resumed to find a way forward on the introduction of a national minimum allowance, they were previously halted by COSLA due to COVID. This will improve consistency and transparency for looked-after children, their families and their carers across Scotland.

If you would like to discuss further please contact Louisa Brown at louisa.brown@gov.scot

The Promise

The Scottish Government remains fully committed to deliver on its pledge to care experienced people in Scotland by accepting and responding to the care review conclusions. Keeping the Promise requires both immediate action to improve experiences and outcomes for children, young people and their families who are currently in or on the edge of care and also requires action over the longer term to improve the level of support for families from birth through to adulthood to significantly reduce the numbers of families coming into the care system. Our approach to Keeping the Promise will drive our work to recovering and renewing children's services after Covid. The work to implement the Promise will be underpinned by the incorporation into Scots Law of the UNCRC

The 2020/21 Programme for Government illustrates our unwavering commitment to delivering The Promise.

We are committed to creating a structure that can facilitate the re-design of whole system approaches to care and support. This begins with embedding the commitments that have already been made to care experienced people into policy and delivery, with significant and intensive work across the entirety of government policy;

An Oversight Board was established in January 2021 with Fiona Duncan as Chair and half of members with care experience. The Board will be a key component in the work of change and will 'hold

Scotland to account' nationally and locally, ensuring that there are governance relationships across the care system so that the work to Keep the Promise has a sufficiently expansive perspective. The Board has met three times as of 20 May 2021.

We have supported the establishment of a non-statutory company - The Promise Scotland Their purpose is to support and have oversight to enable the full implementation of the Care Review's conclusions. Fiona Duncan has been appointed as ex-officio Chair of The Promise Scotland alongside her role as Chair of the Oversight board.

The Promise Scotland published The [Plan 21-24](#) on 31 March, the first of three, 3 year plans. Collectively these plans will lay out Scotland's route-map to implement all of the Independent Care Review by 2030, and #KeepThePromise. The Promise Scotland engaged with over 100 key stakeholders in the development of The Plan 21-24. The response for change has been well received and stakeholders are committed to the implementation of The Promise.

The £4m Promise Partnership Fund launched on 1 February 2021. This fund is being administered by the CORRA Foundation on behalf of the Scottish Government. The Promise Scotland helped to shape the process and the Decision Makers Panel were a group with lived experience of Scotland's care system.

The aim of the fund is to help organisations with early intervention and to deliver changes to better support children, young people and families in or on the edges of care. A further £4m is committed for 21/22 and baselined for future investment.

If you would like to discuss further please contact Susan Fountain susan.fountain@gov.scot

Children (Scotland) Act 2020

The Children (Scotland) Act 2020 (the 2020 Act) gained Royal Assent on 1 October 2020.

The 2020 Act was informed by the outcome of a consultation on the Review of Part 1 of the Children (Scotland) Act 1995 (the 1995 Act). Part 1 of the 1995 Act covers parental responsibilities and rights and contact and residence cases relating to children when parents are no longer together.

The key policy aims of the 2020 Act are to:

- Ensure that the child's best interests are at the centre of any contact and residence case or Children's Hearing;

- Ensure that the views of the child are heard;
- Ensure further compliance with the principles of the United Nations Convention on the Rights of the Child; and
- Further protect victims of domestic abuse and their children in family court proceedings.

The 2020 Act covers a range of areas including:

- Establishing a register of Child Welfare Reporters and curators ad litem;
- Regulating child contact centres;
- Encouraging the views of younger children to be heard by decision makers;
- Protecting victims of domestic abuse by prohibiting personal contact of a case in certain circumstances and authorising special measures to be used in family court cases; and
- Promoting of contact between looked after children and siblings.

We recognise that primary legislation is only part of the action necessary to improve the operation of family justice. A Family Justice Modernisation Strategy was published on 3 September 2019. This sets out work that is ongoing by Scottish Government and others; work that can be done via secondary legislation or by improved guidance; areas covered by the Act; and areas that are for longer term work. It includes the previous PFG commitment to keep siblings together where it is in their best interests.

The 2020 Act will take time to implement as a number of the provisions require secondary legislation, changes to court rules or significant further consideration.

The following sections of the 2020 Act came into force on 17 Jan 2021:

section 15 (clarification of order-making power),

section 23 (funding for alternative dispute resolution),

section 24 (pilot scheme for mandatory alternative dispute resolution meetings).

The following sections of the 2020 Act came into force on 26 July 2021:

section 13 (promotion of contact between looked after children and siblings),

section 14 (duty to consider contact when making etc. compulsory supervision order),

section 25 (opportunity to participate in hearing),

section 26 (appeal against relevant person decision).

We launched consultations on the register of child welfare reporters, curator's ad litem and solicitors appointed where a person has been prohibited from personally conducting a case themselves and the regulation of child contact centres on 22 March 2021. These consultations shut on 12 July 2021.

We published *Staying Together and Connected: Getting it right for sisters and brothers* National Practice Guidance on 26 July 2021. This publication involved key stakeholders in its development and an implementation group is currently planned to meet in the autumn.

The Looked After Children (Scotland) Amendment Regulations 2021 amend the 2009 Regulations relating to two matters. The need for local authorities to have regard to the welfare of each child in relation to sibling placements and an exemption to the foster placement limit for emergency placements in exceptional circumstances for a specific child. [The Looked After Children \(Scotland\) Amendment Regulations 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk). Guidance on placement limits, forming Part 3 of *Staying Together and Connected* will be published in September 2021.

If you would like to discuss this further please contact Wendy.Georgeson@gov.scot.

If you would like to discuss the work relating to maintaining children's relationships, including siblings, please contact Fiona.Clements@gov.scot.

Children's Rights and UNCRC Implementation Programme

In March this year, the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill (the "Bill") was unanimously passed by the Scottish Parliament, signalling a revolution in children's rights in Scotland. This is landmark legislation that will empower our children and young people to claim their rights and help to make Scotland the best place in the world to grow up. The Bill will ensure that there is a proactive culture of everyday accountability for children's rights across public services in Scotland. This will mean that children, young people and their families will experience public

bodies consistently acting to uphold the rights of all children in Scotland.

The Attorney General and Advocate General referred the Bill to the Supreme Court. The reference was heard before the Court on 28 and 29 June. The Scottish Government's position is that the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill is within legislative competence. The Scottish Government remains committed to the incorporation of the UNCRC to the maximum extent of the Parliament's powers and to commencement of the Bill as soon as possible. Whilst the reference means that the Bill cannot receive Royal Assent at this stage, the majority of work in relation to implementation can and is continuing, consistent with the fact that the case is before the UK Supreme Court.

The Scottish Government is committed to a three year implementation programme in collaboration with public authorities and children and young people. Between now and March 2024 we will continue our work to implement the UNCRC and the provisions in the Bill, subject to the outcome of the Court case, by investing £4 million over three years to deliver a fundamental shift in the way children's rights are respected, protected and fulfilled in Scotland. The UNCRC Strategic Implementation Board is meeting monthly to provide strategic vision and oversight of a comprehensive and joined-up implementation programme. The board held its inaugural meeting on 1 July 2021. The experiences, ideas and feedback of children, young people and their families will inform decision making across all levels of governance through a programme of meaningful and inclusive participation.

On 20th November 2020 we published our progress report on our Action Plan on Progressing the Human Rights of Children in Scotland 2018-21. The Report provides an update on the progress made in taking forward the strategic actions within the Action Plan since November 2019.

The 31 March 2020 marked the end of the initial reporting period for the duties placed on public authorities under Part 1 (section 2) of the Children and Young People (Scotland) Act 2014. The duty states that those public authorities, listed under Schedule 1, should report, "as soon as practicable" after the end of each 3 year period, on the steps they have taken to secure better or further effect within its areas of responsibility of the United Nations Convention on the Rights of the Child (UNCRC) requirements.

We are clear that promoting, protecting and fulfilling the rights of children has never been as important as it is now, in what will be

worrying and confusing times for many. We also realise that Covid-19 will be placing a significant burden on colleagues working in public authorities at this time in terms of both planning and delivery of public services and individual personal circumstances.

In light of this, Part 3 (duties in respect of reports and other documents), paragraph 8, of Schedule 6 (Functioning of Public Bodies) of the Coronavirus (Scotland) Act 2020, allows for Scottish Public Authorities to postpone publishing reports or laying reports before the Scottish Parliament if they are of the view that doing so is likely to impede their ability to take effective action to prevent, protect against, delay or otherwise control the incidence or transmission of coronavirus. These provisions were originally due to expire on 30 September 2020, however these have been extended by Parliament, for the final time, and will expire at the end of September 2021.

As of 30 August, we are aware of 10 public authorities who have, or are in the process of, publishing their report, a number of which produced a joint report, and 2 who are delaying publication as a result of COVID-19.

There are widespread concerns about the impact of Covid-19 and the response to it on the rights of children and young people, including by the UN Committee on the Rights of the Child who published 11 recommendations for governments. The Scottish Government has produced four reports for Together (Scottish Alliance for Children's Rights) on the action being taken in relation to these recommendations and have committed to providing further updates.

Because children's rights and wellbeing matter now more than ever, Scottish Government are embedding children's rights into our response to Covid-19. Ministers have a clear expectation that Child Rights and Wellbeing Impact Assessments (CRWIAs) will be undertaken on all new policies and legislation. A CRWIA was prepared and published for the Coronavirus (Scotland) Act, and we were commended for doing so. A CRWIA has also been prepared and published for the Coronavirus (Scotland) (No. 2) Act and Scottish General Election (Coronavirus) Bill. We have prepared and published a number of CRWIAs where decisions have had a direct impact on children and young people. These include: the closure and reopening of schools, the Education (Miscellaneous Amendments) (Coronavirus) (Scotland) Regulations 2020, the re-opening of childcare, the Coronavirus restrictions on children and young people (including 2 further updates), Coronavirus (Scotland) Act 2020 – Children's provisions (update in relation to children's hearings), the temporary closure of child contact centres at level 4 for in person contact and the teacher and lecturer estimates - 2020 results. CRWIAs are a practical

tool enabling us to assess the likely impacts of intended actions on children's rights and wellbeing and to put mitigations in place.

We have made available collated lists of all published Child Rights and Wellbeing Impact Assessments (CRWIA), covering December 2015 to January 2021. These can be found on the Scottish Government website.

Equally Safe

Last year, we invested an additional £5.75m to rapid redesign of services and ensure continued support for victims and survivors during Covid-19.

Our aim is that no change to the level of support, response, or help available is felt by victims of domestic abuse because of the Covid-19 crisis; but that it is adapted to fill their needs within the current climate. Last year, we invested an additional £5.7m for the rapid redesign of services and ensure continued support for victims and survivors during Covid-19.

A total of £61,771 was awarded to the Encompass Network under the Scottish Government's Immediate Priorities Fund. The [Encompass Network](#) is a network of Scottish agencies working with people who are currently involved in and/or planning to exit prostitution.

We have now published the Equally Safe Year Three Report which was produced jointly with COSLA and the Improvement Service.

The Equally Safe Joint Strategic Board is co-chaired by the Minister for Older People and Equalities and COSLA Community Wellbeing Spokesperson, Cllr Kelly Parry. The most recent meeting of the Board was held virtually on 25 February 2021 and offered our key stakeholders and partners the opportunity to discuss what things we have done well and where we could do better within the current Equally Safe delivery plan. This comes as the current Equally Safe Delivery Plan comes to an end this year and we look to consult with stakeholders about the next iteration it will take.

Membership of the Equally Safe K-Hub group has grown steadily, and we continue to use the space to share resources and papers. Those with an interest are encouraged to join and share within your networks.

<https://khub.net/group/equally-safe>

If you would like to discuss further, please contact Kirstin McPhee on 0131 244 9783 or Kirstin.Mcphee@gov.scot.

Child Protection in Domestic Abuse Settings

In response to deeply concerning data showing an increase in child protection referrals to services in which domestic abuse has been a significant factor during the pandemic, the Covid-19 Children and Families Collective Leadership Group has established a subgroup to bring focus to this area of concern. Bringing together expertise from Police Scotland, CPC Scotland, CCPS, COSLA and Social Work Scotland, the remit of the group will be to find ways of identifying in providing effective interventions.

For further information please contact Jack Murray-Dickson on 0131 244 6041 or Jack.murray-dickson@gov.scot

Female Genital Mutilation (FGM)

The Female Genital Mutilation (Protection and Guidance) Act was passed unanimously by the Scottish Parliament on 19 March 2020 and received Royal Assent in April.

Due to the pressing nature of some of the issues arising out of the Covid-19 pandemic and subsequent lockdown, this work was paused for several months. However, it is now resuming and officials are in the process of developing plans on what this will look like in the Covid-19 context.

The National Action Plan to Prevent and Eradicate FGM was launched in 2016 and expired last year. Our Equally Safe Delivery Plan is due to run until the end of this year, so we are beginning to consider what Equally Safe might look like in the future; this will include our approach to FGM and other forms of honour based violence moving forward. We will be taking forward engagement on this over the course of this year. If you would like to discuss further, please contact Nadia Abu-Hussain on 0131 244 6950 or Nadia.Abu-Hussain@gov.scot

Support to Disabled Children and Young People

The Support to Disabled Children and Young People Team currently has a particular focus on improving planning and support for young people who require additional support to make the transition from school to young adult life.

We understand that disabled children, young people and their families continue to be uniquely or disproportionately impacted by COVID-19.

We continue to work across key policy areas to promote a coordinated response to the challenges facing disabled children and their families, and to build on opportunities to increase and improve support to these families.

We recognise that there are additional costs associated with raising a disabled child or young person, and that Covid-19 has disproportionately affected this group of young people and their families. In response, we committed £3,854,000 to the Family Fund Scotland grant scheme in 2020/21, which included additional funds of £880,000 to meet the increased demand for support seen by the Family Fund since the onset of the pandemic.

This year, Scottish Government has made a further commitment of nearly £3m of support to the Family Fund for 2021/22. In addition to this, Family Fund received a further £200,000 through their role as part of a coalition of national partners supporting Scottish Government's Get Into Summer programme.

The Get Into Summer programme took a targeted approach to support children and young people who were most affected by Covid. The Programme aim was to support children and young people's mental health, improve wellbeing, encourage play and help young people to reconnect.

As part of our commitment to improving transitions for young people, the Support to Disabled Children and Young People Team continue to work in partnership with ARC (Association for Real Change) Scotland to develop and deliver the 'Principles into Practice' Trial Programme. This is an improvement programme which aims help embed the seven 'Principles of Good Transitions' into policy, planning and practice, and to measure the difference they are making.

This trial aims to improve the lived experiences of young people (14 to 25 years) who require additional support to make the transition to young adult life.

The purpose of the trials over the next 2 years is to:

- Support the improvement of transitions support available to young people and their parents and carers in the participating trial areas.
- Test and bring the draft of Principles into Practice and associated resources to completion to support its implementation more widely across Scotland.

A universal trial is being run in 8 Local Authority areas who expressed an interest in trialling the framework independently in their local area with some guidance from ARC Scotland. These are: Aberdeen City; City of Edinburgh; Midlothian; Inverclyde; North Lanarkshire; Shetland; Perth and Kinross; and Scottish Borders.

Two Local Authorities were selected to run the enhanced trial programme; Falkirk and Dundee. The enhanced trial will take on additional tasks to enable the Principles into Practice resources to be tested, adapted if necessary, completed and shared across all Local Authorities.

For further information, please contact Kayleigh.Miller-Lambie@gov.scot

Getting it right for every child Update

The Scottish Government is updating Policy and Practice Guidance on Getting it right for every child (GIRFEC) to promote and support GIRFEC good practice. This will provide organisations and practitioners with confidence, clarity and practical support to deliver GIRFEC, underpinned by necessary, relevant and proportionate information sharing. We will also develop information and guidance for children, young people, and parents.

Initial drafting of the seven refreshed GIRFEC guidance documents were completed in July 2021. The documents were then widely shared with relevant policy areas for input. The documents will go out for consultation during September.

The Statutory Guidance on the Assessment of Wellbeing will be issued for public consultation for a period of 12 weeks on the Scottish Government consultation portal.

The remaining six guidance documents will be issued directly to a range of identified organisations and stakeholders, for external consultation for a period of 6 weeks.

For further information, please contact the GIRFEC mailbox, GIRFEC@gov.scot

Scottish Child Abuse Inquiry

The Inquiry published a number of case study findings to date including on Daughters of Charity (October 2018) and Sisters of Nazareth (May 2019), Quarriers, Aberlour and Barnardos (January 2020) and Christian Brothers (February 2021). On 11 August the Inquiry published Lady Smith's findings into residential care

institutions run by the Benedictine monks of Fort Augustus Abbey between 1948 and 1991.

On 3 December 2019 Phase 4 of hearing began into the Child Migration case study and it concluded in October 2020 following a pause in hearings due to the pandemic. This phase related to investigations into the abuse of children whose departure from Scotland to countries such as Canada, Australia and New Zealand was part of the child migration programmes.

On 17 November 2020 the Inquiry began hearings examining the actions of Scottish Government in relation to issues arising out of non-recent abuse of children in institutional care.

A case study investigating abuse at residential boarding schools throughout Scotland was paused in late January 2021 however phase 2 of public hearings resumed on 4 May 2021. This case study includes children who were boarded out as well as children who were placed in foster care. The Inquiry is recovering evidence from all 32 Scottish local authorities and is gathering evidence from applicants whose care was arranged by any Scottish authority. The case study is expected to begin in 2021.

On 4 May the Chair announced that the leases for the current Inquiry premises in Rosebery House are due to expire later this year and whilst every effort was made to extend them, that was not possible because the landlords are planning to redevelop the site necessitating the Inquiry's relocation.

Public hearings will require to be paused as work on decommissioning Rosebery House and preparing our new premises is progressed. They should be able to recommence in the autumn.

For queries relating directly to the Inquiry, please contact: information@childabuseinquiry.scot.

Serious Organised Crime

Child criminal exploitation takes a variety of different forms. It can include children being forced to work in cannabis factories, being coerced into moving drugs or money across the country, forced to shoplift or pickpocket, or to threaten other young people. They can also be enticed or coerced into transporting drugs from one part of the country to another as part of a "County Line".

The latest [National Referral Mechanism](#) statistics reported 28 children and young people as victims of exploitation in Scotland from April 2021 until June 2021.

	<p>Given the cross-cutting nature of this policy area, links are being made at a policy level by Child Protection, Youth Justice and Serious Organised Crime Unit.</p> <p>We are committed to tackling any form of child exploitation, as set out in our National Action Plan to Prevent and Tackle Child Sexual Exploitation; our Trafficking and Exploitation Strategy; Serious Organised Crime Strategy; Youth Justice Strategy and our National Action Plan on Internet Safety for Children and Young People.</p> <p>Work on criminal exploitation is currently being taken forward by the Divert Strand of the Serious Organised Crime Taskforce. In all cases where it is suspected that a child may be a victim of exploitation or trafficking, the child's safety is paramount and child protection procedures must be activated immediately.</p>
Work planned for next period	N/A
Decisions/Actions required from CPCScotland	N/A
Contact details	<p>Please see individual sections for relevant policy lead contacts and for general child protection enquiries please contact: child_protection@gov.scot.</p>