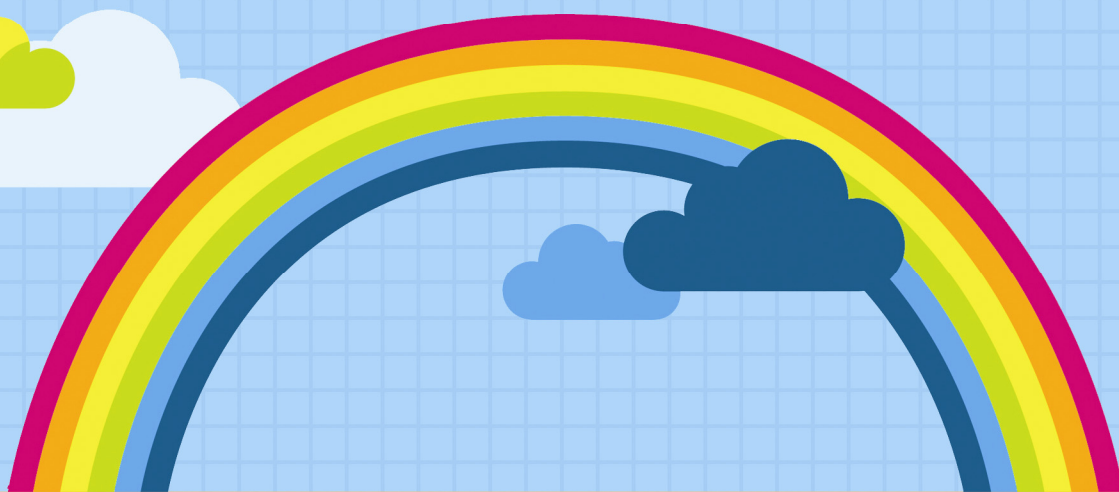
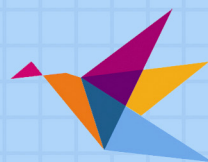


UNCRC: The foundation of
**GETTING IT RIGHT
FOR EVERY CHILD**



Scottish Government Foreword

Scottish Ministers have set an ambition for our country: that Scotland is the best place to grow up and bring up children. That is a high aspiration and one that will require all of us – politicians, parents, public services and the public – to play their part.

To achieve that we require a positive culture towards children. One where children are welcomed and nurtured. One where we all are alert to their needs and look out for them. Where they are listened to – whatever their age – and where their views are heard and their rights protected. They should be respected as people in their own right. Not as economic units for the future. But as members of Scottish society now with rights to a present day life that allows them to fulfil their potential.

Fundamental to achieving this is respecting the rights set out in the UNCRC. All Scotland's citizens of all ages have rights. Some are enshrined in international treaties to which we adhere. Some are embedded in the core ethos of our domestic law and respect for life and democratic freedoms. Scottish Ministers are committed to work to enhance these rights through leadership and legislation.

Whatever approach may be taken to complying with an international treaty, a litmus test is how the principles and aspirations in those treaties are applied in practice. For most children the love, care and attention of parents secures these rights from the moment of birth. Through the parenting strategy we seek to ensure that parents can access and obtain the support they need. Through other strategies such as the developing play strategy we will set out what needs to happen in order to ensure that a wide range of other rights can be made real for our children and young people.

For public services our aim is to work in the best possible way to improve outcomes for all our children and young people. And to do so in a way that respects rights and encourages early appropriate help – not once issues have become too acute. Scottish Ministers have been promoting the approach of Getting it right for every child which has equally high aspirations for all children and young people in Scotland.

The GIRFEC approach has been built up from the UNCRC. Accordingly, ensuring that the approach applies in the way public services operate will put the UNCRC into practice for each child.

To show how the GIRFEC approach and UNCRC relate to each other, the Scottish Government commissioned Professor Jane Aldgate to consider the approach and how it links to the Convention. Her findings are set out in the following paper.

Scottish Ministers are committed to promoting the GIRFEC approach and way of working. Legislation is proposed for introduction to parliament this year to ensure that the key elements of the approach have a statutory foundation. The attached paper has been produced with the aim of helping to understand better the relationship with UNCRC and how the application of GIRFEC will progress respect for the rights of each individual child and young person across Scotland.

We want children and young people to experience public services that place them at the centre of what they do. Scotland has a proud track record in promoting the welfare of children and young people. The establishment and development of the children's hearings system is a clear testimony to that. Extending the new way of working across all services and for all children and young people with a focus on improving wellbeing takes that commitment – and challenges – to a new level. Achieving such change will take time but we have taken some of the first big steps on the journey.

Scottish Government
March 2013

UNCRC: The foundation of Getting it right for every child

Introduction

The Scottish Government is committed to recognising, respecting and promoting children's rights as part of its wider commitment to improving life chances for all children and young people. The United Nations Convention on the Rights of the Child (UNCRC) lies at the heart of the Scottish Government's policy and practice.

The UNCRC was the first legally binding international instrument to incorporate the full range of human rights: civil, cultural, economic, political and social rights. The UNCRC was produced in 1989 specifically for children, recognising the special care and protection they need throughout childhood.

www.unicef.org/crc/

The Convention sets out these rights in 54 Articles and two Optional Protocols.

Children everywhere have the right:

- to survival
- to develop to the fullest
- to protection from harmful influences, abuse and exploitation
- to participate fully in family, cultural and social life

The four core principles of the Convention are:

- non-discrimination
- devotion to the best interests of the child
- the right to life, survival and development
- respect for the views of the child

The Convention protects children's rights by setting standards in health care, education and legal, civil and social services

(UNICEF 2011 – www.unicef.org/crc/)

Although it is easy to acknowledge the importance of children's rights, it is more difficult to make sure they are reflected in the practical approaches we adopt every day to support children and families.

This paper describes in detail the linkages between the Articles of UNCRC and the key elements of the Scottish Government's *Getting it right for every child* (GIRFEC) approach. Fundamentally, the approach promotes practitioners:

- to consider each child as an individual with their own needs, risks and rights
- to engage and involve the child as far as practical in discussions and decisions which affect his or her future
- to seek out and consider the voice of the child
- to plan and review activity to improve outcomes, based on well-being.

The paper links the rationale underpinning GIRFEC with UNCRC.

UNCRC Articles and *Getting it right for every child* values and principles

UNCRC states that every child is entitled to special care and assistance, supported by a positive family:

Childhood is entitled to special care and assistance...

The family ... should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community....

The child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding....

The child should be fully prepared to live an individual life in society, and be brought up in the spirit of the ideals proclaimed in the Charter of the United Nations (UNCRC, Geneva, 1989 p.1).

Getting it right for every child has 16 values and principles that endorse fully the UNCRC approach to the upbringing of children. *Getting it right for every child* is the methodology for ensuring that any practitioners helping children and their families work in a way that fully embraces UNCRC. This applies to both adult and children's services.

It is an approach that aims to improve outcomes for all children and young people, in line with the Scottish Government's policy aims for children. *Getting it right for every child* has been described as the golden thread that knits together the Scottish Government's policy objectives for children.

The *Getting it right for every child* values and principles stress the promotion of children's well-being by keeping them safe, promoting their development and respecting their views. Ensuring children have the best possible chances requires a whole child approach, building on strengths and promoting resilience, alongside encouraging opportunities and valuing diversity.

Getting it right for every child translates the UNCRC approach to special care and assistance by embedding UNCRC Articles within the GIRFEC values and principles. Most importantly, GIRFEC requires every practitioner to apply a UNCRC approach in day-to-day practice by **putting children at the centre**.

This means adopting the 10 core components and using the National practice model, both of which are described later. Children and their families should be provided with additional help that is appropriate, timely and proportionate. This help should be offered to support informed choice by working in partnership with families, respecting confidentiality and sharing information. The organisation and co-ordination of help emphasises shared values within working relationships.

Agencies should make the most of workers' expertise and develop a competent workforce (see *Guide to Getting it right for every child*, Scottish Government 2008, *The United Nations Convention on the Rights of the Child Explained*, Scottish Government 2008)

Children at the centre

Putting children at the centre endorses UNCRC in two ways. First, it means everyone concerned with children must place **Article 3** of UNCRC at the forefront of their thinking, planning and actions.

Article 3 states that the best interests of the child must be a primary concern in decisions that affect children. All adults should do what is best for children and should think about how decisions will affect children.

There are other related Articles. **Article 4** places a responsibility on governments to make sure children's rights are respected, protected and fulfilled. This includes protecting them from discrimination (**Article 11**) and all sorts of harm (**Articles 19, 32-36, 39**) as well as providing appropriate services to promote their welfare at home or when they are looked after away from home (**Articles 20-31**).

Where children need action within a juvenile justice system, such as secure accommodation or supervision orders, the way these measures are put into practice should uphold children's rights (**Articles 37 and 40**).

Second, putting the child at the centre means that everyone concerned with children must comply with **Article 12**, which is about children being respected by having the right to form and express their views in matters that affect them. This should drive the way practitioners work with children.

Article 12 states that when adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account.

Article 12 is underpinned by **Article 5** and the approach is already firmly embedded in the Children (Scotland) Act 1995. The approach of UNCRC is designed to support families in making sure their children's rights are upheld.

Article 5, emphasises parental guidance on making sure children learn to use their rights properly, while **Article 18** endorses parental responsibility in the upbringing of children.

Article 42 requires that children and families should know about UNCRC and practitioners are clearly instrumental in making sure this happens.

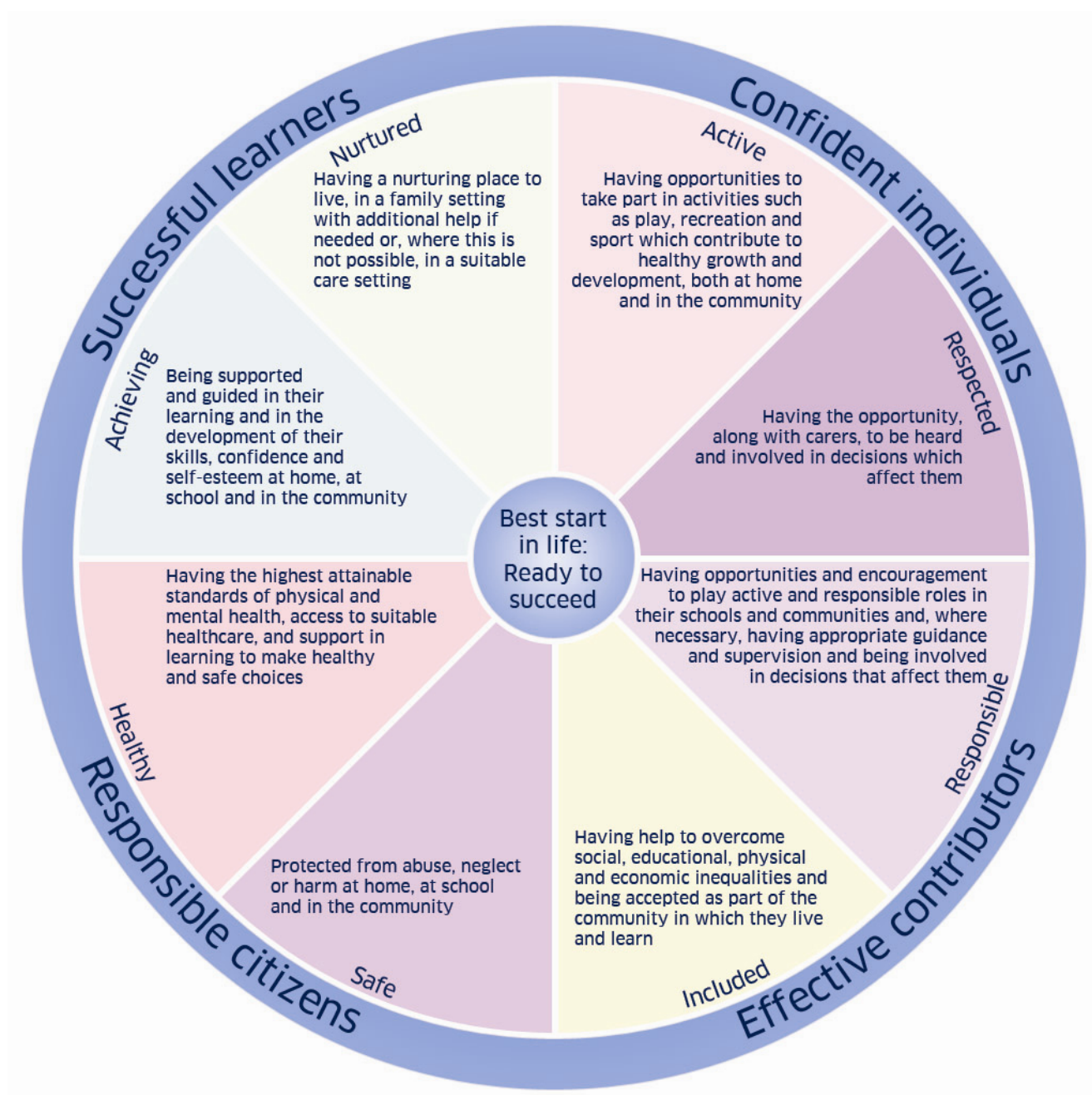
Getting it right for every child recognises that children's best interests, as described in UNCRC, are achieved by taking into account all the factors that shape their well-being.

UNCRC and well-being in *Getting it right for every child*

Well-being under the *Getting it right for every child* approach is defined around 8 *Well-being indicators*, which are described in the well-being wheel below.

The GIRFEC definition of well-being consists of key areas that contribute to children's optimal development. The indicators are informed by research and are consistent with dimensions of development found in the ecological approach to children's development (see Aldgate *et al. The Developing World of the Child*, Jessica Kingsley, 2006)

The 8 Well-being indicators

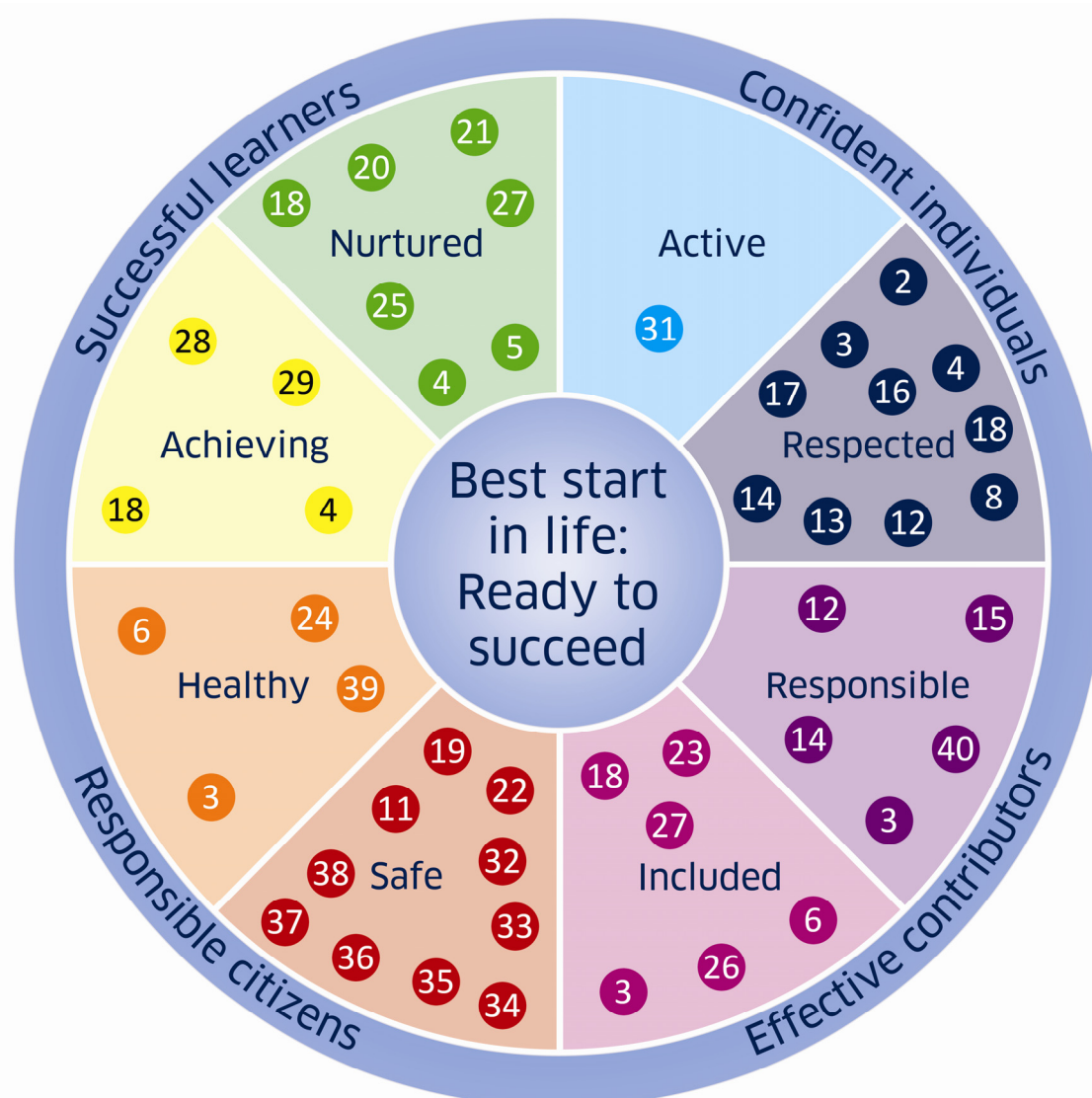


The *Well-being indicators* establish a framework for practitioners to use a common language to describe well-being. Within this framework, assessment, analysis and planning take place. When those plans are acted upon, the *Well-being indicators* provide a means by which children, families and practitioners can identify changes and improvements over time.

For children to reach their full potential, they must individually reach the best outcome of each of the *Well-being indicators*, as appropriate to their age and stage of development.

The ANNEX to this paper describes each of the Well-being indicators in more detail and outlines how they relate to UNCRC articles. A fundamental concept of GIRFEC is that the *Indicators* should be applied to each child individually in order to capture what is happening in each child's life.

If additional help is needed, the Well-being indicators will guide those around children to identify what needs to change.



The *Well-being indicators* are aligned with the range of rights specified by UNCRC to enable all children and young people to grow and develop, and to reach their full potential. Each *Well-being indicator* is connected to policy and practice developments.

The Scottish Government's paper *Mapping policy, strategic and practice developments to the Getting it right for every child Well-being indicators* forms an important reference point for this paper: www.scotland.gov.uk/Topics/People/Young-People/gettingitright/publications/well-being-policy

The *Well-being indicators* are inter-connected. For, example, it is difficult to talk about a child **achieving** without relating this to **health**, **nurture** or how **active** they are.

Similarly, being **safe** will connect with children whose **nurture** is inadequate or who are affected negatively by their wider world.

Using the *Well-being indicators* in the National practice model is a practical way of respecting children's rights alongside achieving the best possible outcomes for them.

UNCRC and the core components of *Getting it right for every child*

Getting it right for every child is founded on 10 core components that can be applied in any setting and in any circumstance. They take UNCRC Articles into day-to-day practice and provide the benchmark from which practitioners may apply the UNCRC approach to helping children and families.

The over arching Articles that permeate all the core components are **Article 3** on the best interests of the child, **Article 4** on the responsibility of governments to protect children's rights by agreeing to assess and update their laws and services, and **Article 5** on the responsibility of governments to protect and assist families to nurture their children.

Over and above these foundation Articles, each core component can be traced back to several other UNCRC Articles.

Core component 1 – A focus on improving outcomes for children, young people and their families based on a shared understanding of well-being

This component emerges out of **Articles 3 and 4** of UNCRC about the best interests of the child being the primary concern of adults and the creation of an environment in which children can grow and reach their potential

(See Scottish Government, *Do the Right Thing* 2009 – www.scotland.gov.uk/Resource/Doc/282976/0085668.pdf)

The Scottish Government extends the UNCRC definition of a child to include a range from pre-birth up to age 25. This is in line with UNCRC **Article 41**, asserting that when countries have a higher standard than UNCRC, this should prevail.

Core component 2 – A common approach to gaining consent and to sharing information where possible

This emanates from UNCRC **Article 2** on treating all children fairly without discrimination. It respects children's views (**Article 12**) and children's right to get and share information (**Article 13**). It also has implications for the way information is shared so that children can express themselves in any way they choose, including through play and drawing.

Core component 3 – An integral role for children, young people and families in assessment, planning and intervention

This includes the right of children to have their views respected in decision-making (**Article 12**). Respect for the rights of their families to guide children and be given help in fulfilling their role as the nurturers of children (**Articles 5,13**) is also a core part of the way of working in *Getting it right for every child*.

Core component 4 – A co-ordinated and unified approach to identifying concerns, assessing needs, agreeing actions and outcomes, based on the Well-being indicators.

This core component connects to the 8 *Well-being indicators* and how they are used through the National practice model, reinforcing **Article 3** on the best interests of the child.

A large number of UNCRC articles reflect the diversity of developmental needs in different circumstances and identify those areas where adults can respond to children's needs.

These include Articles **28, 29** on the right to education; **Articles 6, 24** on the right to health; **Article 31** on the right to leisure, play and culture and **Article 30** on the right to the culture and language of a minority group.

Articles 19-27 concern children in vulnerable circumstances, including refugees (**Article 22**) and those deprived of a family environment (**Articles 20 and 21**) and children who are disabled (**Article 23**).

Children have a right to adequate standards of living (**Articles 26, 27**). There is the right to be protected from all forms of violence (**Article 19**), while **Articles 32-36, 38, 39** refer specifically to those involved in illegal child labour, use of drugs, human trafficking and other forms of exploitation.

Core component 5 – Streamlined planning, assessment and decision-making processes that lead to the right help at the right time

This core component represents an operational product of core component 4 and has been developed in direct response to children and families' views on what helps them. It reinforces **Article 12** on respect for the views of the child and **Article 13** on how children may express those views.

It also emphasises the importance of parental guidance and responsibility and the right of families to expect support to help them fulfil their responsibilities (**Articles 5 and 18**). Underpinning the provision of appropriate help is the responsibility of governments to attend to children's rights (**Article 4**).

Core component 6 – Consistent high standards of co-operation, joint working and communication where more than one agency needs to be involved, locally and across Scotland

This core component, like the previous one, is connected to core component 4. It derives from the UNCRC Articles that specify the role of governments and services to act in the best interests of children (**Articles 3, 4, 5**).

In Scotland, many of the legal standards are higher than those in UNCRC. For example, children have right to a level of education well beyond the primary years and a sophisticated health service. Children in Scotland have a right to expect that these superior standards will be applied in Scottish law and practice (**Article 41**).

Getting it right for every child supports agencies to work together to make sure children get the help they need.

Core component 7 – A Named Person and a Lead Professional to co-ordinate and monitor inter-agency activity where necessary

This core component demonstrates in practice the UNCRC Articles on promoting the best interests of children by offering inclusive and appropriate support (**Articles 3,4,5,12,13,18,23**) as well as protection from harm (**Articles 19-22 and 33-40**).

The role of the Named Person means that there can be early intervention to promote children's health (Article 24) respond to special needs (Article 23) and help children towards fulfilling their educational potential (Articles 28, 29).

www.scotland.gov.uk/Resource/Doc/1141/0109328.pdf (Named Person)

The Lead Professional supports the right of children in complex circumstances to have the protection and assistance they need (Articles 5, 18). See GIRFEC Practice Briefings, Scottish Government 2011.

www.scotland.gov.uk/Resource/Doc/1141/0109329.pdf (Lead Professional)

Core component 8 – Maximising the skilled workforce within universal services to address needs and risks at the earliest possible time

This core component follows on from components 6 and 7. It reiterates the importance of the Named Person role in contributing to the best interests of individual children (**Article 3**). It also provides the opportunity to minimise discrimination by picking up issues likely to affect children's well-being as soon as possible (**Article 2**).

Core component 9 – A confident and competent workforce across all services for children, young people and their families

This core component identifies the means by which all children and their families can ensure their rights are met.

In the spirit of UNCRC, the protection of those rights is best served by high standards of services. UNCRC puts forward minimum standards in the implementation of children's rights but urges governments to maintain and develop further superior standards in laws and services (**Article 41**).

Core component 10 – The capacity to share demographic, assessment and planning information electronically

This core component represents the technical realisation of how to harness and share the best in skills and services to protect the rights of children outlined in UNCRC. It acknowledges the need for government and practitioners to act responsibly in the best interests of children (**Article 4**).

The core component is counter balanced by remembering the central right of having respect for the views of the child (**Article 12**) and the need to allow children to share information in a way that is appropriate to their aptitudes and circumstances.

It presumes that everyone will exercise due care and attention when information is being shared, ensuring that it will enhance and not infringe children's rights.

Getting it right for every child promotes the need for skills sets across all branches of children's and adults' services in order to deliver on all of the above core components.

Workforce development plays a key part in achieving the best outcomes for children and is a central part of the policy for children and families in Scotland. The ongoing work by the Scottish Government to develop a Common Core of Skills, Knowledge and Values for all those working in children's services is being heavily informed by both the *Getting it right for every child* approach and UNCRC.

The 10 core components and the 5 key priorities

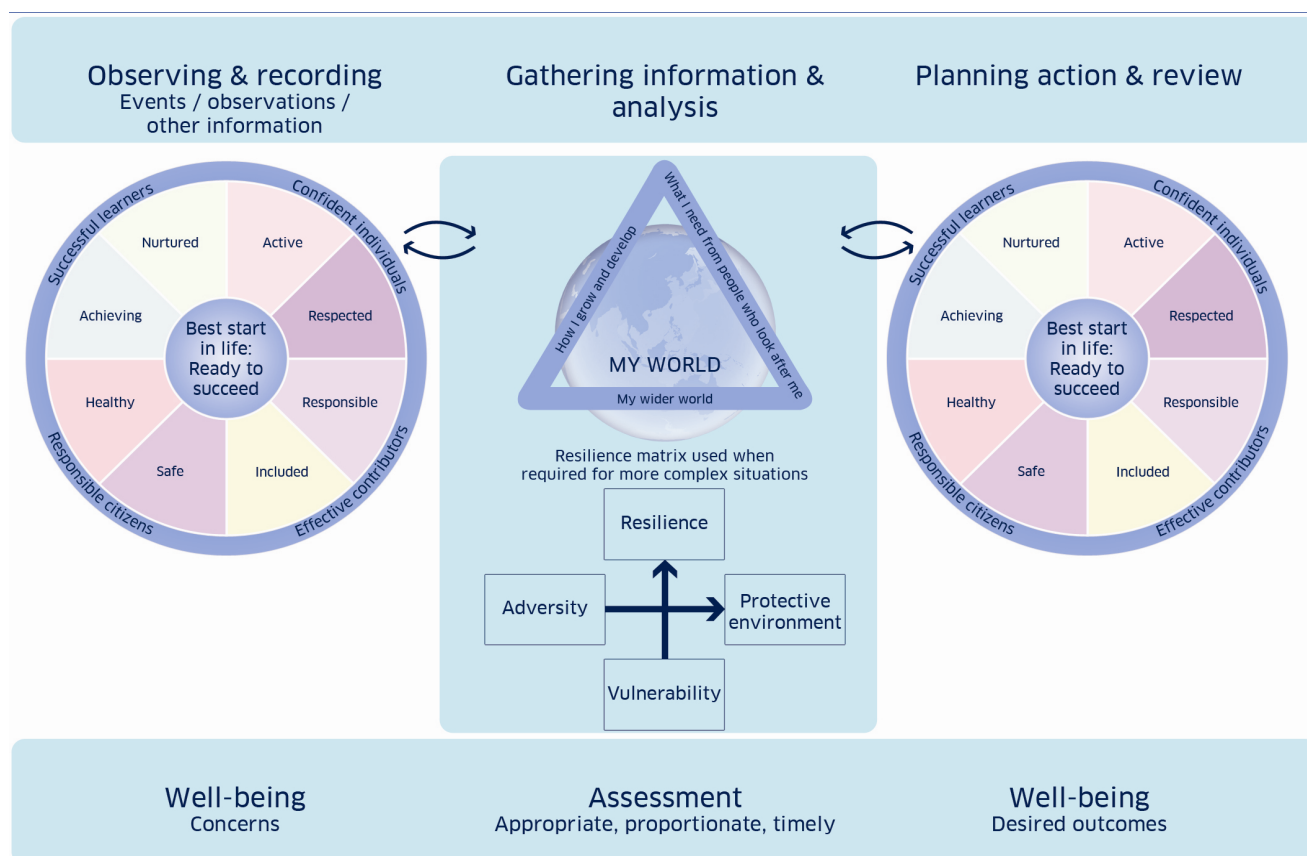
To deliver the 10 core components, the Scottish Government and the GIRFEC Programme Board have identified 5 key priorities which, once in place, will ensure that the main elements of the UNCRC Articles, along with the GIRFEC values and principles are applied in practice to every child in Scotland. The 5 key priorities are:

- A Named Person in universal services
- Local Community Planning Partnership agreement on the procedures for appointing and supporting a Lead Professional
- A single planning process to support a child's plan
- Use of the National practice model to share and record information
- Evidence that the child is at the centre of planning and decision-making

The 5 key priorities are implemented and applied through the National practice model. The manner in which the National practice model is used is guided by the *Getting it right for every child* values and principles and core components, which are themselves underpinned by UNCRC, as described earlier.

UNCRC **Article 41** points out that when countries have a higher standard than the minimum demanded by UNCRC, that higher standard should always prevail. The Scottish Government's continuing refinement of policy for children and families, including the 5 key priorities and *Getting it right for every child* totally supports **Article 41**.

Putting UNCRC into practice through the GIRFEC National practice model



The GIRFEC National practice model takes the UNCRC rights approach into everyday practice across all agencies concerned with the well-being of children and their families. It expects children and families to be fully included in decision-making, as required by UNCRC **Article 12**.

It endorses **Article 3** by assisting practitioners to promote children's well-being. It reflects the spirit of **Article 4** in expecting agencies to work together and bring their expertise and resources to identify concerns, assess a child's situation and translate that assessment into a plan for action to bring about the best possible outcomes for a child.

When every agency applies the *Getting it right for every child* approach through the National practice model, children will be placed at the centre (**Articles 3 and 12**).

The National practice model builds on the universal services of health and education, emphasising the importance of the early years, as well as more targeted approaches for children who need additional help, including compulsory help and adults' services where children are involved.

GIRFEC requires a multi-agency approach where necessary, with a team around the child, to promote different aspects of children's development and well-being, using a common language.

Key roles of the Named Person in the universal services of health and education and the Lead Professional to co-ordinate multi-agency services are instrumental in making sure that practitioners act in the best interests of the child and that children's rights are upheld (**Articles 3 and 4**).

The National practice model has several main interlinked parts:

- The 8 Well-being indicators used at several stages: to identify, record and share concerns; to make plans for a child and take appropriate action; to review those plans and record outcomes of action
- The *My world triangle* used to identify strengths and pressures on the child and family, and along with specialist assessments, gather information about children's needs
- The *Resilience Matrix* used to help organise and analyse information gathered
- A single agency plan or multi-agency *Child's Plan*, which has a common format, using the *Well-being indicators*. The plan builds in a review and records outcomes achieved.
www.scotland.gov.uk/Topics/People/Young-People/gettingitright/

Details of the different parts of the National practice model and the connection of each part to UNCRC is detailed in the following ANNEX.

In applying the National practice model, practitioners will be giving practical effect to the Articles of UNCRC, putting the child at the centre, as UNCRC demands.

Using the National practice model will also endorse the important part which families play in fostering their children's rights and well-being. Above all, they will see how policy, legislation and appropriate unified support from practitioners can make sure children's rights are upheld and their well-being fully promoted.

This approach is consistent with striving to achieve the best possible outcomes for all children in Scotland.

ANNEX

UNCRC and links to key elements of the *Getting it right for every child* National practice model

UNCRC and the Well-being indicators

Each of the *Getting it right for every child* Well-being indicators can be mapped against UNCRC.

Safe

Articles 11,19,22,32,33,34,35,36,37,38

Getting it right for every child is about safety beyond immediate child protection; it is about safety in sustained caring relationships as a fundamental precondition for healthy growth and development.

There are several UNCRC articles that relate to the safety of children. All of them link with *Getting it right for every child* and the *Well-being indicator* Safe:

UNCRC and Well-being indicator Safe

Article 38

Children have a right to be protected from joining the armed forces before they are 18.

Article 37

Children have a right to appropriate detention and imprisonment

Article 11

Children have a right to be protected from abductions by parents or others.

Article 22

Children are entitled to special protection and help if they are refugees.

Article 19

Children have a right to be protected from all forms of violence, including the right to be protected from being hurt and mistreated, physically or mentally. Other articles refer to specific circumstances of harm.

Articles 33 to 36

Protection of children from drug abuse, sexual exploitation, abduction sale and trafficking and other forms of exploitation.

Safe

Policy links

Important policy links underpin the *Getting it right for every child* approach to being Safe.

These include policies on protecting children affected by parental substance misuse, domestic abuse, children who pose a risk to themselves, children who are homeless and children who are at direct risk of harm or exploitation.

Further exploration of the links between *Getting it right for every child* and these policy areas are available at:

www.scotland.gov.uk/Topics/People/Young-People/gettingitright/publications/well-being-policy/safe

There is also important, recent policy guidance on protecting children: see *National Guidance for Child Protection in Scotland 2010*,

www.scotland.gov.uk/Publications/2010/12/09134441/0

Healthy

Articles 3, 6, 24, 39

The Well-being indicator of Healthy covers all aspects of children's health. *Getting it right for every child* reinforces the importance of early intervention in health by having a Named Person from a health setting for every young child. The Named Person can be activated when concerns are raised about children's well-being.

www.scotland.gov.uk/Topics/People/Young-People/gettingitright/publications/practice-briefings

There are several UNCRC Articles that relate to children's health:

UNCRC and *Well-being indicator* Healthy

Article 3

Promotion of children's health is a core part of their well-being.

Article 39

Special help to be given to the restoration of health for children who have been abused, neglected or exploited.

Article 24

Children have a right to good quality health care, including nutritious food and clean water. The article also stresses pre- and post natal care for mothers and preventive health care, including guidance for parents and access to knowledge of child health and nutrition.

Article 6

Children have a right to live and be healthy.



Healthy

Policy links

Scotland's health policy for children is advanced and well above the basic expectations of UNCRC. Health embraces both physical and mental health and recognises the impact of factors such as deprivation and poverty on children's life chances, as the Scottish Government's Child Poverty Strategy has indicated www.scotland.gov.uk/Publications/2011/03/14094421/4

Getting it right for every child supports a consistent approach to inter-agency support within the broad remit of health. In this respect, health within *GIRFEC* cannot be seen without reference to other *Well-being indicators*, such as Nurtured, Active and Achieving.

Key linked policies which *Getting it right for every child* supports are the programme of screening health surveillance and health promotion in *Health for all children* (Hall 4).

The *My world triangle* is now included in the maternal hand held record, the 'red book' given to parents to chart children's developmental progress.

Better Health, Better Care and *Equally Well* emphasis the need for better access to health care and the impact of poor circumstances of children's well-being.

Above all, the identification of early concerns about health are closely tied in with the *Early Years Framework* and *Equally Well* and *Achieving our Potential* policy frameworks www.scotland.gov.uk/Topics/People/Young-People/gettingitright/publications/well-being-policy/healthy

Achieving

Articles 4, 18, 28, 29

The *Getting it right for every child* definition of Achieving goes beyond educational attainment and is closely tied to the concept of resilience. Achieving is also linked to health and nurture.

Achieving is underpinned by several UNCRC Articles:

UNCRC and Well-being indicator Achieving

Article 18

The parental role of guiding children and on the duty of governments to support parents in this task.

Article 29

Education should develop a child's personality, talents and abilities to the fullest.

Article 4

General right of children to have an environment where they can grow and reach their potential. Families play a significant role in helping children achieve this potential.

Article 28

The role of formal education in helping children achieve their potential, includes an approach to learning that respects the dignity of children

Achieving

Policy links

The UNCRC approach is supported by the Early Years Framework to achieve the National Outcomes 5 and 6 'best start in life/ready to succeed' and 'longer, healthier lives'. *Curriculum for Excellence* provides the policy to support a broad approach to learning.

Getting it right for every child reinforces this policy through assessment and action that takes a whole child approach. The principle elements of *Additional Support for Learning* and *Getting it right for every child* reinforce each other.

There are other policy initiatives that address transitional points for young people, such as *More Choice, More Chances*. There are also a raft of policies that aim to support children and young people in the community to build confidence and self-esteem, such as *Active Learning*.

The Scottish Government supports national youth work activity that contributes to this outcome and helps young people to achieve the skills they need to allow them to succeed in later life. All these link closely with the *Well-being indicator Achieving*.

Further information between *Getting it right for every child* and education policies is available at:

www.scotland.gov.uk/Topics/People/Young-People/gettingitright/publications/well-being-policy/achieving

Within *Getting it right for every child*, a Named Person is available for every child and young person in education. This role can be activated to make sure children are given the best possible opportunity to access help to support their achieving, at the earliest possible indication of any concerns.

Nurtured

Articles 4, 5, 18, 20,21,25,27

The inter-disciplinary approach of *Getting it right for every child* enables different agencies to work together to ensure children are properly nurtured. The role of the Named Person is key to early identification of issues concerning nurture. The role of the Lead Professional strongly supports a rights approach by co-ordinating an inter-disciplinary team around the child to act in their best interests.

UNCRC has several Articles that endorse the provision of a nurturing environment in which children can flourish:

UNCRC and Well-being indicator Nurtured

Article 18

Parents should have support when needed, especially if both parents work outside the home.

Article 5

Parents and carers play a fundamental part in nurturing children.

Articles 20 and 21

Children who cannot be with their own family have a right to be looked after properly.

Article 25

Children who are being nurtured in public care have the right to regular review of their circumstances. Care and treatment should be based on the best interests of the child.

Article 27

Standards of living should be good enough to meet all children's physical and mental needs.

Article 4

Governments should take all available measures to make sure children's rights are respected, protected and fulfilled. Includes appropriate levels of health, education and social services, as well as helping families protect children's rights.

Nurtured

Policy links

There are strong connections between the right to be nurtured and the right to be protected, included and have adequate material support, health care and education and access to play and recreation.

Hall 4 and the *Early Years Framework* are key programmes to reinforce *Getting it right for every child*.

The nurturing of children looked after away from their families is addressed in the Adoption and Children (Scotland) Act 2007 and the Looked after Children (Scotland) Regulations 2009.

Specialist public nurses for looked after children have been appointed across the country. For more details of links with policy relating to nurture, see:

www.scotland.gov.uk/Topics/People/Young-People/gettingitright/publications/well-being-policy/nurtured

Local authorities have been encouraged to adopt the *Getting it right for every child* National practice model to provide a common language in assessment and planning for children looked after and to make sure children and their families are fully included in the process.

The Children's Hearings system also uses the GIRFEC *Well-being indicators* in weighing evidence of grounds for referral to children's hearings and in planning and reviewing children's progress within the Hearings system.

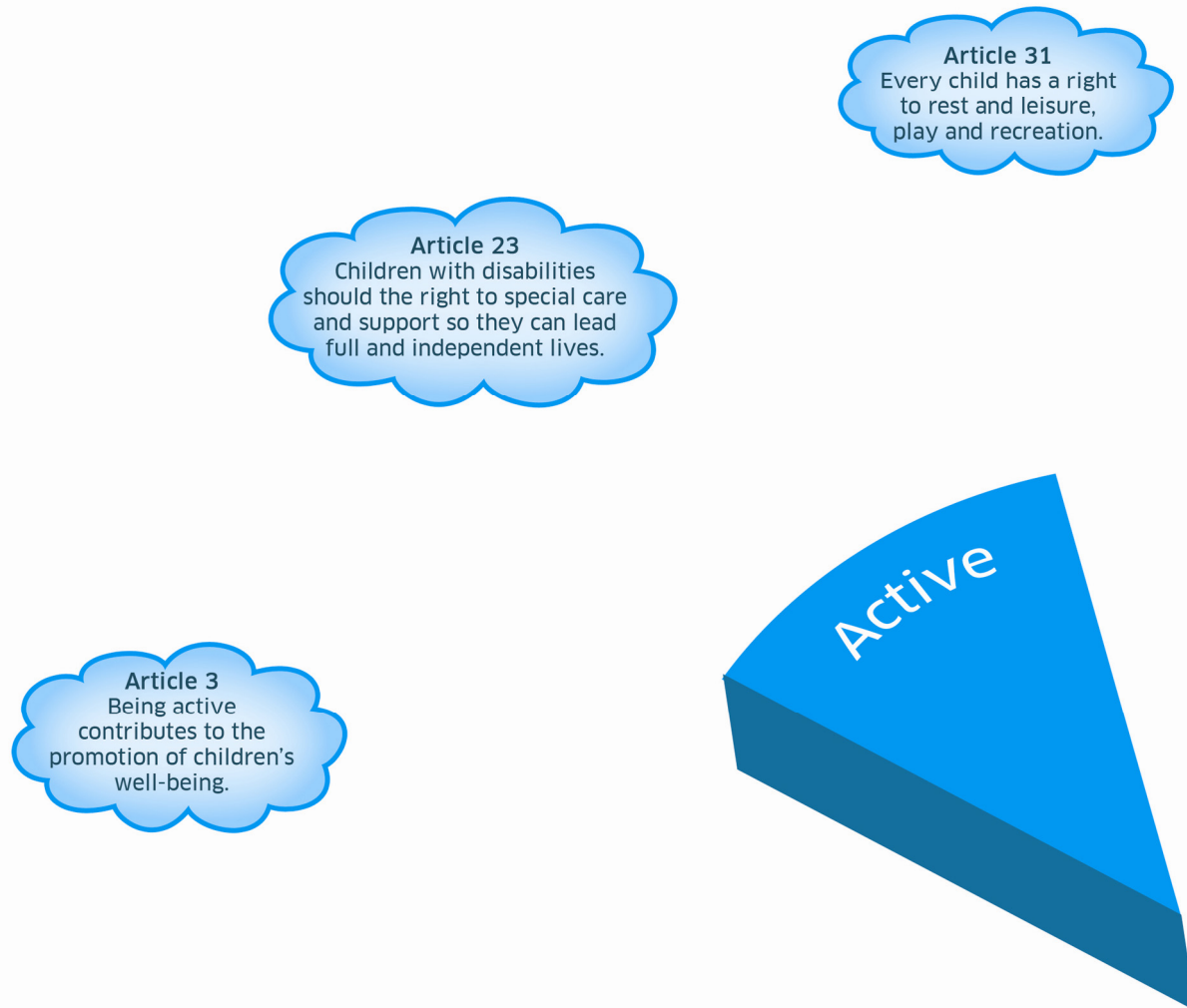
Active

Articles 31,23,3

The *Getting it right for every child* approach connects activity with a more general rounded view of well-being. Activity is strongly connected to physical health, development and to building resilience, through giving children supportive relationships at home and in the community, giving them positive encouragement and involving them actively in decision-making. Self-esteem can be enhanced through participation in valued activities. Having opportunities to take part in activities depends on a child's whole circumstances. If children are excluded from opportunities because of their material or physical circumstances, or because of a disability, this is likely to affect broad areas of their well-being.

There are three main UNCRC Articles that relate to the *Well-being indicator* Active specifically:

UNCRC and Well-being indicator Active



Policy links

There are many policy areas that support the UNCRC and *Getting it right for every child* definitions of activity. These include strategies to improve general health, increasing access of disabled children and young people to activities, the Active Schools Network and parenting support programmes to promote access to creative play opportunities, as well as children's participation in the arts and leisure activities in their area.

The importance of play is emphasised in the *Go Play Outcome and Evaluation Framework 2011*. See

www.scotland.gov.uk/Topics/People/Young-People/gettingitright/publications/well-being-policy/active

Respected

Articles 12,13,14, 2,3,4,5,8,16,17,18

The *Getting it right for every child* approach brings a children's rights application to the real world of planning and delivery of children's services.

The values and principles and the core components emphasise the right of children to be heard and heeded (as well as the right to privacy and confidentiality).

The *Getting it right for every child* approach expects that practitioners will use appropriate means of communication to listen to children and make sure they understand what is happening at each point where help is offered. The inclusive attitude to parents means they will be given appropriate support to carry out their responsibilities.

The *Getting it right for every child* approach extends respect to parents and carers by ensuring they too are part of the common language of GIRFEC and have a shared understanding of the processes of help.

Techniques like Family Group Conferencing are also a vehicle to respect and include the views of families in decision-making.

Apart from the general intention of UNCRC to respect children by attending to their well-being, respect for children is specifically enshrined in several UNCRC Articles. One side of respect is making sure children have the opportunity to express their views in matters that affect them and that adults give due weight to those views; the other side of respect for children is making sure adults act in children's best interests.

There are many Articles that relate to the *Well-being indicator* Respected:

UNCRC and *Well-being indicator* Respected

Article 17

Children have the right to get information that is important to their health and well-being and to be protected from materials that could harm them.

Article 4

Respect is put into practice by demanding appropriate actions from governments on behalf of children.

Article 2

No child should be treated unfairly on any basis.

Article 18

Appropriate assistance should be given to help parents and carers carry out their child-rearing responsibilities.

Article 3

Respects children by confirming that adults act in the best interests of children

Article 8

Children have a fundamental right to a name, nationality and family ties.

Article 12

States should ensure that 'the child who is capable of forming his or her own views has the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child'.

Article 16

Children have a right to privacy and protection from attacks against their good name, their families and their homes.

Article 5

Children respected by families helping them to use their rights properly

Articles 13 and 14

Children respected by giving them the right to freedom of expression, and the freedom to think and believe what they want, although this goes alongside the responsibility of children to respect the freedoms of others.

Respected

Policy links

The Scottish Government has produced publications accessible to children to explain their rights under UNCRC. For example: www.scotland.gov.uk/Resource/Doc/216011/0057744.pdf

Scotland has a Children's Commissioner whose major role is to support children and young people to understand and exercise their rights, with an emphasis on children's right to participate in decisions that affect them. www.sccyp.org.uk/

Scottish Government has signalled its intention to introduce legislation to define well-being in legislation as part of the Children and Young People (Scotland) Bill www.scotland.gov.uk/Topics/People/Young-People/legislation

The common language of GIRFEC and the shared understanding of roles, tasks, processes and responsibilities between practitioners from different agencies reinforces respect for children. GIRFEC, with its links to UNCRC is supported by the Scottish Government's *Valuing Young People* principles. www.scotland.gov.uk/Publications/2009/04/21153700/4

Respecting children by making sure they are listened to in formal settings where decisions are being made is included in the Children (Scotland) Act 1995 and is an important clause in the Children's Hearings (Scotland) Act 2011. Respect for children has been strengthened further in the Children's Hearings (Scotland) Act 2011 by allowing children to have a supporter in the hearing. In constructing evidence for a children's hearing, the system allows and encourages active participation by the child. It gives children the right to see relevant papers and a limited right to privacy in their discussion with panel members. The *Well-being indicators* in the GIRFEC National practice model are used to prepare evidence for the Reporter and in constructing a child's plan (see below).

For more details about links with policy areas, see: www.scotland.gov.uk/Topics/People/Young-People/gettingitright/publications/well-being-policy/respected

Responsible

Articles 3, 12,14,15,40

As children grow and develop, they become able to act responsibly in relation to others. Children will develop the ability to identify matters of conscience or express religious thoughts. They may wish to gather in groups to express their ideas.

A UNCRC approach argues that this is acceptable providing actions do not interfere with the rights of others. When *Getting it right for every child* was being developed, it was recognised that there was a close association between the *Well-being indicators* Respected and Responsible but, within the broad definition of children growing to be responsible, there was also a need for a distinct emphasis on children's responsible behaviour where children were placing themselves at risk by committing offences.

Scotland's Children's Hearing system has just been reformed under the Children's Hearings (Scotland) Act 2011. The Children's Hearings is a welfare based system that endorses the promotion of children's rights and well-being.

It deals with children who are at risk either because they are at risk of harm or because they have committed offences. The two types of risk are dealt with within the same system. The Children's Hearings system respects children's rights by giving them the opportunity to be consulted and there is a presumption that children over 12 are sufficiently mature to be able to form a view in decision-making.

The *Getting it right for every child* National practice model is increasingly used by practitioners preparing evidence for Reporters to inform their decisions about whether there are grounds to call a Children's Hearing. The multi-agency Child's Plan, based on the *Well-being indicators*, is also used to identify what needs to be done to improve children's well-being after the Hearing.

There are a number of UNCRC Articles that inform the *Well-being indicator* Responsible:

UNCRC and *Well-being indicator* Responsible

Article 3
Best interest of children must be the primary concern of adults. All adults should do what is best for children.

Article 40
Accepting children have a right to a justice system that respects their rights.

Article 12
Accepting children can be responsible by giving them the right to say what they think should happen and have their opinions taken into account.

Article 14
Giving children the right to freedom of thought about conscience and religion, providing this does not stop others from enjoying their rights, guided by adults who will respect their views.

Article 15
Giving children the right to meet together and join groups and organisations so long as this does not interfere with the rights of others.



Policy links

The Children's Commissioner has played a major role in fostering forums in which children and young people can take responsibility for discussing child-centred issues.

www.sccyp.org.uk/

Recognition of the responsible part which children can play in shaping matters that affect them is exemplified by the 'Children's Charter', developed by children in 2004 to give their perspective on how they can best be protected from harm.

www.scotland.gov.uk/library5/education/ccel-00.asp

The Scottish Youth Parliament, which consists of young people elected by their communities, is also an excellent example of children taking responsibility for shaping policies on issues that are important to them.

www.syp.org.uk/

Information on the reform of the Children's Hearings can be found at:

www.scotland.gov.uk/Topics/People/Young-People/c-h-bill

For more links with policy in relation to responsible, see:

www.scotland.gov.uk/Topics/People/Young-People/gettingitright/publications/well-being-policy/responsible

Included

Articles 3,6,18,23,26,27

Getting it right for every child is the 'how' by which agencies can work together to make sure policies to improve inclusion are achieved and the UNCRC rights relevant to inclusion are upheld. Inclusion can include a broad range of issues.

Getting it right for every child includes social, educational, physical and economic inequalities as well as children being accepted in their communities. It aims to improve working across the boundaries of education, social work, health, police and the voluntary sector.

The National practice model, and especially the roles of Named Person and Lead Professional, aim to ensure a co-ordinated approach to help for children and families whose circumstances are in danger of excluding children from reaching their potential.

The explicit aim of positively including children and families in any decision-making, as well as being a mark of respecting rights, is in itself an act of inclusion.

There are several Articles that underpin the *Well-being indicator* Included:

UNCRC and Well-being indicator Included

Policy links

Inclusion is linked to several key policies aimed at reducing poverty and deprivation, *The Early Years Framework* states a universal ambition to give every child the same opportunity to succeed and achieve. It emphasises the importance of helping families and communities to develop their own solutions.

The *Early Years Framework* is connected to *Equally Well* and *Achieving our Potential*, all aimed at breaking the inter-generational cycles of poverty, poor health and lack of educational opportunity.

See more discussion of the links with inclusion policies at:
www.scotland.gov.uk/Topics/People/Young-People/gettingitright/publications/well-being-policy/included

Articles 26

Children and their families have a right to help from governments if they are poor or in need.

Article 4

The responsibility of governments to meet minimum standards of every child's rights

Article 3

Places responsibility on adults to act in the best interests of the child.

Articles 28 and 29

Children have a right to education that will develop their abilities to the fullest.

Article 27

Children have a right to a standard of living that is good enough to meet their physical and mental needs.

Article 23

Children with disabilities have a right to special care and support so they can live full and independent lives.

Article 2

Aims to protect children against all forms of discrimination.

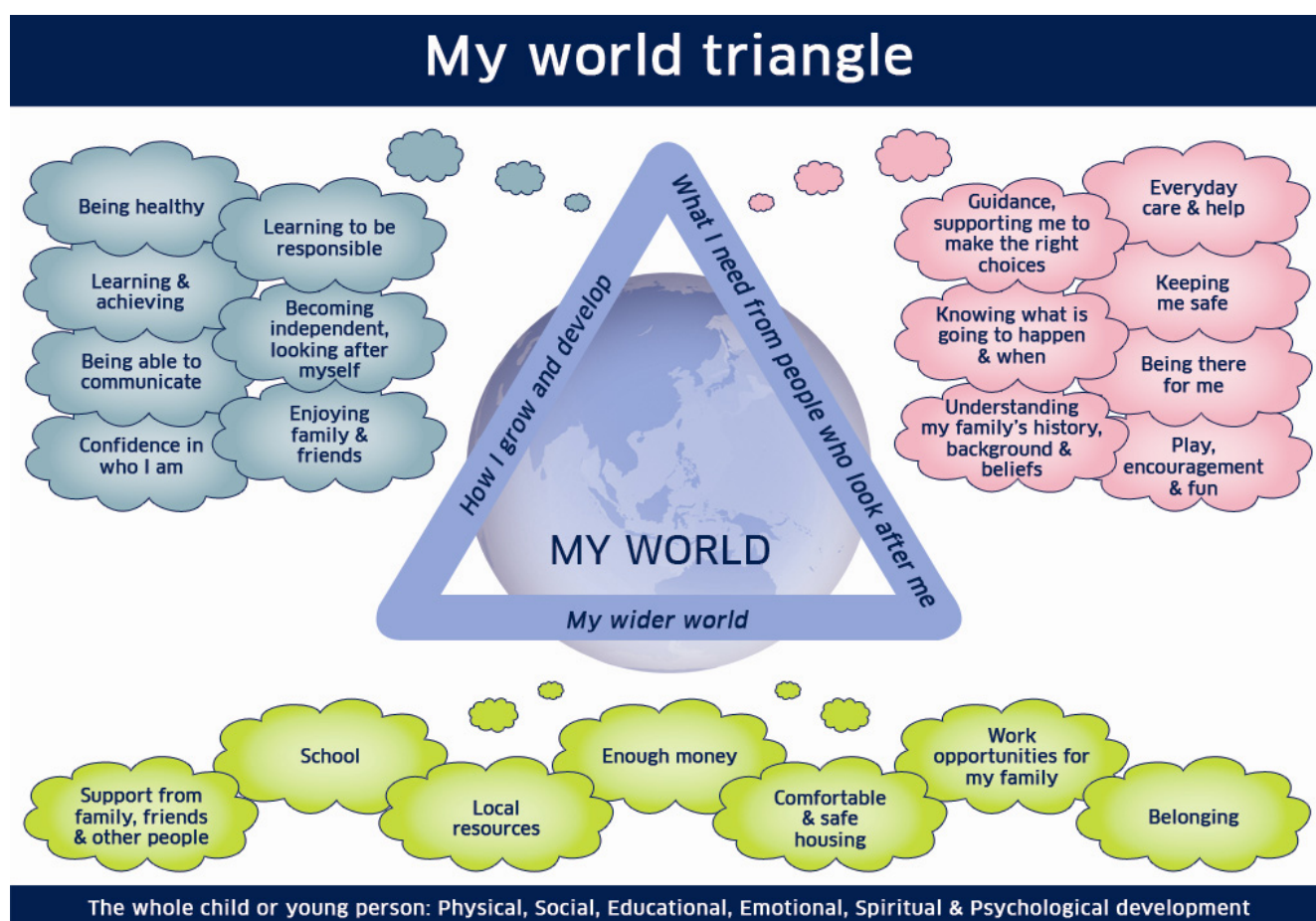
Article 18

Governments have a responsibility to provide support services to parents, especially if they work outside the home.

Article 6

Children have right to survive and develop healthily.

Included



The *My world triangle* is the part of the National practice model. It gives practitioners the opportunity to look in detail at the issues that may be getting in the way of children's well-being. It provides a detailed, systematic mental map of the whole child's development and allows practitioners, alongside children and families, to carry out more searching assessments of children's strengths, needs and risks.

The content of the *My world triangle* is designed to promote UNCRC **Article 3**, by identifying the factors that contribute to children's well-being and **Article 5**, which places on governments the responsibility of assisting and supporting parents as nurturers of their children.

The different sides of the Triangle represent the unique but interlinked inputs that will influence a child's well-being. Because these inputs from family, professionals and community are interlinked, the Triangle also requires that agencies work together to contribute to a Child's Plan that is in the best interests of the child.

The *My world triangle* was designed to translate the UNCRC rights approach into practice. The whole concept of the Triangle, looking at a child's world from a child's perspective, reflects **Article 12** of UNCRC. Its construction is child-friendly to allow a child to take part in the assessment process, including identifying the strengths and pressures in their world. The Triangle is also written in a manner families can understand and therefore helps them to recognise the importance of their contribution to the child's upbringing and identify what assistance they may need, as spelt out in **Article 18**.

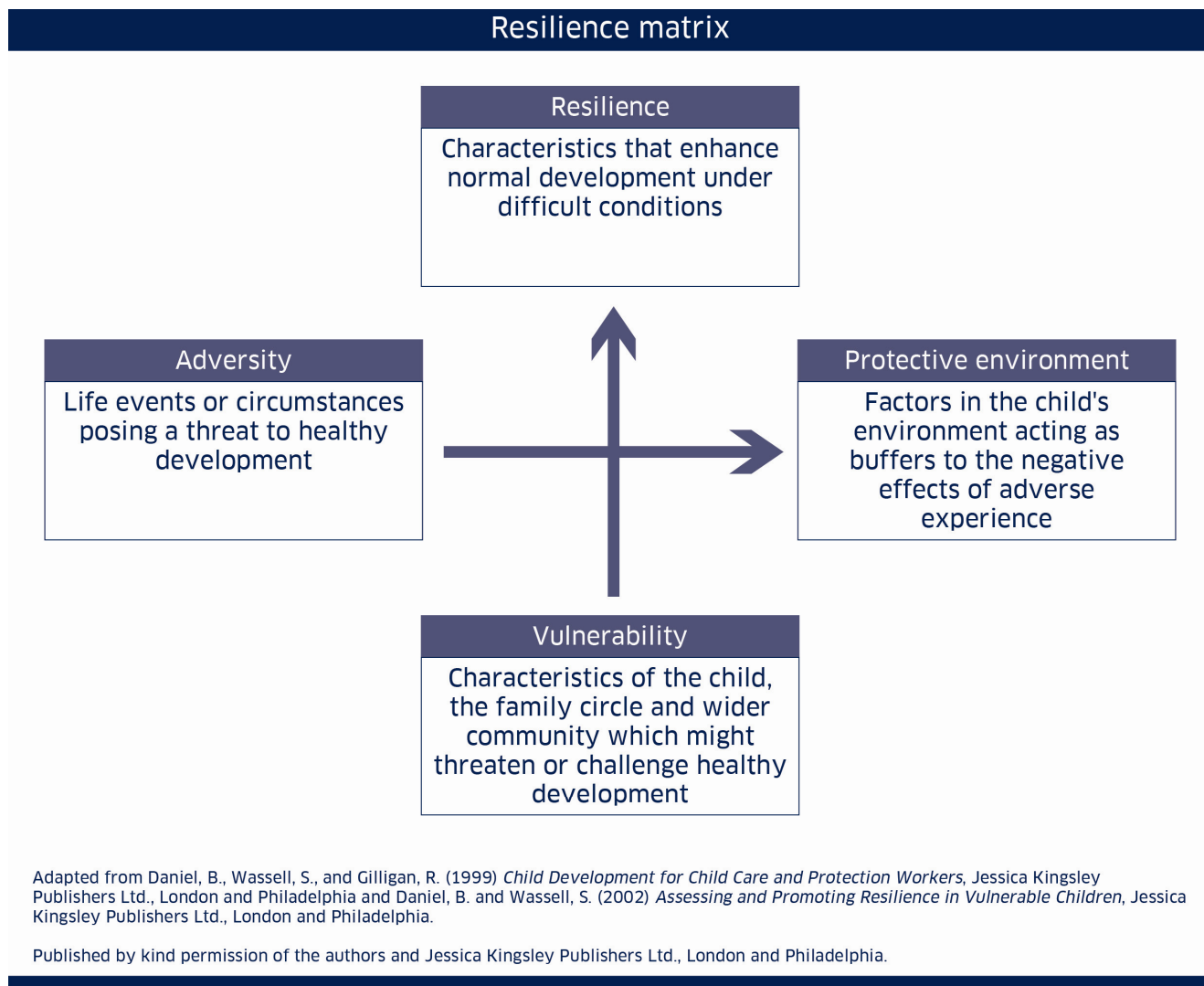
The roles of the Named Person and the Lead Professional provide a practical way through which the best possible help can be systematically identified and co-ordinated. (**Article 3**).

As with the *Well-being indicators*, the different domains of the Triangle can be connected to the UNCRC Articles. The following table spells out those connections:

UNCRC and the My world triangle

Domain UNCRC Article(s)		
How I learn to grow and develop	What I need from people who look after me	My wider world
Being healthy – 3,6,24 Learning and Achieving – 4,18,28,29 Confidence in who I am – 2, 3 Being able to communicate – 5, 12 Learning to be responsible – 5, 29 Becoming independent, looking after myself – 12,29,2 Enjoying friends and family – 15	Everyday care and help – 4,5,20,21,25,27 Keeping me safe – 4,11,19,22,32,33,34,35,36 Being there for me – 5 Play, encouragement and fun – 31 Guidance, supporting me to make the right choices – 5 Knowing what is going to happen and when – 5 Understanding my family's background and beliefs – 2, 8	School – 28, 29 Support from family, friends and other people – 5, Enough money – 26, 27 Comfortable and safe housing – 27 Work opportunities for my family – 27 Belonging – 2,8,18 Local resources – 27

The Resilience Matrix



Building resilience is fundamental to the well-being of children and young people and is a well known concept in child development. It can enhance their development under difficult circumstances. It fosters in children characteristics that can enhance optimal development under difficult conditions. (see Daniel, B and Wassell, S. *Promoting Resilience, Workbooks 1, 2 and 3*, British Agencies for Adoption and Fostering, 2008).

Within the *Getting it right for every child* National practice model, the *Resilience Matrix* is used to help practitioners make sense of the strengths and pressures from the *My world triangle* and use that analysis to construct a plan to provide the best possible help for a child and their family.

For more details, see *Getting it right for every child, Practice Briefing 5: Resilience Matrix*, Scottish Government, 2011.

www.scotland.gov.uk/Topics/People/Young-People/gettingitright/publications/practice-briefings/resilience-matrix

The building of resilience is a further practical way of using UNCRC to strengthen children's well-being. Building resilience is in the best interests of the child (UNCRC **Article 3**), as resilience can help protect children against vulnerability and adversity both in childhood and beyond.

By identifying factors in the child's environment that can act as buffers to the negative effects of adverse experience, the *Resilience Matrix* links with particular UNCRC rights.

One example is the opportunity for children to achieve and build problem-solving skills in a protective environment through a 'whole learning' education (**Articles 28 and 29**). Such skills and confidence

can also come also from access to play and leisure (**Article 31**). Protecting children from neglect or abuse, or any other type of harm, such exposure to drug misuse, as detailed in **Articles 11, 19, 22, 32, 33, 34, 35,36** are also important actions to reduce the adverse environment.

Giving parents the support they need (**Article 5**) and making sure parents have enough material support (**Articles 26 and 27**) are fundamental to building resilience in children. Children who are separated from their families, including refugee children (**Articles 20, 21, 22**) will need special attention to make sure they are not living in an adverse environment.

There are also factors within children or the care they are receiving that may make them individually vulnerable. This will include the impact on children's sense of trust and worth of being separated from their families, (**Articles 20, 21, 22**).

A child with a disability will need special care and attention so they can build resilience to live full and independent lives (**Article 23**). Protecting a child from racial or religious discrimination(**Article 2**), will be important to their resilience, as well as promoting a firm sense of identity (**Article 8**).

Supporting parents who are, for whatever reason, unable to meet a child's needs, will help counteract a child's vulnerability (**Articles 4, 18**). This could include, for example, where children feel frightened and uncertain of receiving consistent care because of their parents' substance misuse.

As part of building resilience in a more general sense, giving children the opportunity to express their views (**Articles 12, 13, 14**) and to make friends and join groups (**Article 15**) will all contribute to their sense of competence and achievement.

UNCRC and the child's plan

The making of a single or multi-agency plan based on the *Well-being indicators* is the final part of the National practice model. Built into the plan will be a review of progress. The plan is constructed with the child and family, using all the available expertise and resources needed to improve a child's well-being. For more details, see:

www.scotland.gov.uk/Topics/People/Young-People/gettingitright/

This part of the National practice model fully endorses UNCRC **Article 3**. The planning process confirms the individual child's right to have assistance that will promote their best interests. The Child's Plan requires that both child and family are fully involved in identifying the issues and constructing the plan.

The manner in which the planning is done should fully support **Article 12**. Children have the right to be afforded respect by being allowed to say what they think should happen. In the *Getting it right for every child* planning, children themselves are fully integrated into contributing to solutions to improve their well-being.

Practitioners engaged in constructing the Child's Plan need to be skilled communicators with children. In recognition of the significance of families for children (**Article 18**), making a plan for the child will entail full and responsive communication with the child's family.

At the same time, *Getting it right for every child* strives to put into practice **Article 5**, co-ordinating the expertise of different services and practitioners to protect and assist families in the upbringing of their children. This multi-agency approach upholds the right of children to have the best possible assistance, especially in complex situations where change may be needed simultaneously in several of areas of well-being.

In the planning process, the *Well-being indicators* are used as a template against which issues to be addressed are identified and desired outcomes outlined. The same *Indicators* are used to chart progress and record the extent to which changes have been accomplished.

As shown earlier, these *Well-being indicators* are aligned with UNCRC Articles, thus ensuring that children's rights are upheld at every stage of the helping process. The *GIRFEC* planning process is accountable to children and families.

The way the planning process is carried out, by fully involving children and families, respects both their need for the best possible assistance and, above all, promotes their rights.

This paper was prepared for the Scottish Government *Getting it right for every child* team by Professor Jane Aldgate OBE.

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