

Scotland's  
Commissioner  
for Children and  
Young People

**Annual  
Report**

**2009.10**



# **Annual Report of Scotland's Commissioner for Children and Young People 2009/10**

**This report covers the period 1 April 2009 to 31 March 2010.**

Scotland's Commissioner for Children and Young People is Tam Baillie.

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# From The Commissioner

**This is my first annual report as Scotland's Commissioner for Children and Young People. I took up office in May 2009, following the five-year term of Kathleen Marshall, Scotland's first Commissioner. Throughout her term, Kathleen campaigned tirelessly to promote and safeguard the rights of children and young people and I am deeply indebted to the legacy she has left to build upon. As a consequence, I have continued some of the work initiated by Kathleen, while initiating new work as my office progresses through a period of change.**

In all, I have had an incredibly busy and invigorating time as Commissioner in my first year. In order to achieve the greatest impact to raise awareness of children's rights, I have placed emphasis on working through partnerships with other organisations working with children and young people. While I have an enormously knowledgeable and experienced staff group, the reality is I am one Commissioner with a limit of 14 full time staff to fulfil the statutory duties of the Office. As a result I will require to engage with a very wide range of external agencies to fulfil my statutory duties as Commissioner and the realisation of my Strategic Aims. I expect this to be developed throughout my time in Office.

I wish to initially comment on issues of such over-arching concern that I expect them to be themes that ribbon their way through much of the work of the Office, now and in the future.

## **Child Poverty and Inequality**

I believe there is a significant need to press for a reduction in the level of inequality in Scotland and the UK. This is not just about improving the position of poorer people in society, but it is about a genuine reduction in the differences between the 'haves' and the 'have-nots'. There is a strong body of evidence that children living in the poorest circumstances have the highest chances of experiencing poor education, health and life chances. There is now emerging evidence that demonstrates that in developed countries it is the level of income inequality that determines poor outcomes for our citizens in terms of relative international comparisons. It is poverty that remains the underlying issue that has a negative impact on children and there is a limit as to how far our services to children and young people can mitigate this. We need to place child poverty and inequality at the heart of the policy agenda to achieve the 2020 target of the elimination of child poverty.

## **Early Years Service Development**

Throughout the year I have expressed my concerns on the need to enhance our approach to early years service development for children. We only get one shot at nurturing our children through the precious years of early childhood and there is a growing body of evidence demonstrating how important the link is between parenting and all aspects of child growth, including cognitive, social and emotional development. We need to harness the messages from the research which tells us that the earliest years of a child's life are not only crucial in terms of neurological development, they are the most cost effective

in terms of the return from investment in all aspects of the future life chances for the child – the impact of which lasts into adult life. In Scotland we already have a recently published framework for improvement of services during the early years from pre-birth onwards, and this is commendable - in so far that it lays out aspirations for improved early years provision. We need to work harder to ensure that there are sufficient levers of change to realise the ambition of transformational change in our early years services.

### Economic Recession

I have publically expressed my fears about cuts to services for children and young people. We are witnessing local authorities announcing spending cuts that will have an impact on services for the most vulnerable in our society. Sacrificing support for children and young people is at best a false economy and at worst, a recipe for a generation blighted by lack of opportunity. The economic crisis of the 1980s will be remembered by many as being characterised by reduced public services and a steep rise in the level of child poverty. We must not make the same mistakes again. Many politicians and civil servants have the best of intentions when it comes to providing high quality services for children, and ensuring that the most vulnerable can access them. But the harsh reality is that politicians and local and national civil servants are currently driven, first and foremost, by the need to make savings now, rather than take the long view of beyond the immediate crisis.



Finola Forman from Contact a Family presents the Commissioner with one of her paintings.



Upholding children's rights must be at the centre of decision-making on legislation, policies, practice and expenditure. One tried and tested method of doing this is to carry out a Children's Rights Impact Assessment (CRIA) developed by the Commissioner's office in 2006. This allows meaningful consideration and informed decision making on matters that will impact on children and young people and their rights. CRIsAs have the dual advantage of ensuring children's rights are visible in this process as well as guaranteeing that children and young people and their rights, and the services they rely on, will not bear the brunt of difficult financial and political decisions to come.

*I recommend that the Scottish Government, Local Authorities and others, such as Health Boards use a CRIA on every decision which may affect children and young people in order to predict, monitor, and if necessary mitigate or avoid any negative consequences on the lives of children and young people.*

I very often describe myself as the most privileged person in Scotland to be fulfilling the role of Scotland's Commissioner for Children and Young People. I have had a wonderful year meeting some truly inspirational people – and some truly inspirational children and young people. It gives me hope for the future, even if we all know that we are about to go into some of the most troubled and difficult fiscal times in living memory. This year as I have met with people from a variety of settings and professions, I have been overwhelmed by the sense of goodwill and determination to improve children and young people's lives. The support and partnership given to my office has been amazing and I look forward to continuing to work together to support children and young people to understand, experience and exercise their rights.

Tom Saitta

## The Role Of The Commissioner

The functions are defined through the Commissioner for Children and Young People Act (Scotland) 2003. There is a general function to promote and safeguard the rights of children and young people, and in particular, to—

- (a) promote awareness and understanding of the rights of children and young people;
- (b) keep under review the law, policy and practice relating to the rights of children and young people with a view to assessing the adequacy and effectiveness of such law, policy and practice;
- (c) promote best practice by service providers; and
- (d) promote, commission, undertake and publish research on matters relating to the rights of children and young people.

This must be fulfilled by having regard for the United Nations Convention on the Rights of the Child, which is an international law which was passed by the UN in 1989, and which the UK government ratified in 1991.

The Commissioner must also encourage the involvement of children and young people in the work of his office, and consult children and young people and the organisations working for and with children and young people on the work undertaken, whilst paying particular attention to groups of children and young people who may have difficulty in making their views known.

Although the Commissioner does not have the power to investigate individual cases, there is a power of investigation on matters that raise an issue of particular significance to children and young people generally or to particular groups of children and young people.

The Commissioner's responsibilities are for all children and young people in Scotland up to the age of 18, or up to 21 if they have ever been 'looked after' by a local authority or in care.

# Strategic Approach

This year, I have promoted ambitious aims for the improvement of children and young people's lives in Scotland and emphasised the shared responsibility across all individuals and organisations working with children and young people for the implementation of children's rights. As a result I have placed emphasis on working through partnerships with other organisations working with children and young people, such as schools, youth work provision, social work and social care providers.

Throughout the year I have developed my strategic approach under the four key Strategic Aims:

## Strategic Aim 1:

To maximise the impact of the United Nations Convention on the Rights of the Child (UNCRC) in Scotland

## Strategic Aim 2:

To influence and promote the effective and sustainable involvement and widespread participation of children and young people in Scotland's civic society

## Strategic Aim 3:

To promote and safeguard the rights of children and young people across Scotland

## Strategic Aim 4:

To ensure that the office of the Commissioner is efficient, effective and fit for purpose

Each of these Strategic Aims has been further developed through objectives, which will be consulted upon, leading to the production of my Strategic Plan for 2011-2015. In terms of this report I intend to report on the basis of the Strategic Aims which form the framework for all of the activity of my office.



To maximise the impact of the United Nations Convention on the Rights of the Child (UNCRC) in Scotland

# Strategic Aim 1:

**I have been aware of the importance of the public figurehead role of the Commissioner and that I am new in the Office. I have made it a priority to promote an awareness and understanding of the fundamental importance of the United Nations Convention on the Rights of the Child (UNCRC) and my strategic approach as the Commissioner.**

As a result, I have spent much of my time introducing myself to key figures responsible for the formation and implementation of policies and practices affecting children and young people. This has included: Cabinet Secretaries and Ministers; MSPs; senior civil servants and civic leaders at national and local levels; and a range of voluntary organisations.

Since the autumn of 2009, I have visited 21 local authorities as part of my aim to visit every local authority in Scotland, meeting with education, leisure and social work managers and visiting local schools and youth facilities. The purpose of this is to explain my role, strategic aims and objectives and lay the ground for the implementation of ongoing consultation with children and young people. This is on course to be completed by July 2010.

I have visited and spoken to children in 27 schools and met young people in numerous other youth and social care settings, and I have initiated links with the Scottish Parliament Education Services to speak to children and young people while visiting the parliament. This is going well and I am hopeful of it becoming a permanent arrangement.

I have reviewed the Communications function and I have developed a Communication Strategy which is in the process of implementation. In terms of communication to the professional and wider public, I have been very busy because a new Commissioner attracts a lot of interest. As a result, I have responded to a lot of conference speech invitations and have spoken at 36 conferences on a wide range of topics.

My office has been planning a significant national consultation, which will help frame work objectives directly from children and young people, but will also raise awareness of the UNCRC with them and with professionals, parents and the wider public. Two sets of 'Rights Resource Packs' have been produced for 11 and under and 12 and over age groups. They are an opportunity to explore children's rights, and the UNCRC through workshops and creative activities. More detail on the national consultation, entitled 'A Right Blether' is given on the following pages.

Raising awareness and understanding of the UNCRC is a vital step in maximising its impact, and my activities throughout the year have received national and regional coverage which I believe to be helpful in getting children's rights messages across to the wider public.





## Strategic Aim 2:

To influence and promote the effective and sustainable involvement and widespread participation of children and young people in Scotland's civic society

**I have reviewed my office's Participation Strategy which has resulted in the development of a new approach in line with the aim of engaging with as many partners as possible.**

The new strategy seeks to widen the range of positive engagement of children and young people in influencing the work of my office. To achieve this will require working closely with partners including schools, children's and youth organisations and the statutory sector at local, regional and national level.

To enable this shift of emphasis, the Participation Strategy has five key elements:

- To promote effective and meaningful participation practice with children and young people throughout Scotland
- To work with a wide range of stakeholders to develop an effective network that enables the Commissioner's office to reach out to as many children and young people as possible, adopting universal good practice in participation work
- To use innovative ways to communicate with children and young people using a range of methods and resources
- To work directly with the education sector to raise awareness and understanding of the United Nations Convention on the Rights of the Child (UNCRC) and the work of the Commissioner amongst children and young people placed within educational establishments
- To ensure the children and young people have a direct influence in relation to developing the Commissioner's policy priorities

Initially, the main delivery for this will be through a national consultation with children and young people called 'A Right Blether'.



## aRIGHT blether

### 'A Right Blether' – The first steps to delivering a refreshed Participation Strategy

To ensure that my work priorities for 2011/15 are robustly informed by the views of a wide range of Scotland's children and young people, a national consultation has been planned and developed from September 2009.

The national consultation aims to capture and utilise the views, ideas and advice offered by children and young people to inform a section of my workplan 2011 – 2015 and will be achieved through the partnership and support of professionals across all local authorities in Scotland. The age range of consultation is primary age to 18 (or 21 if the young person has ever been looked after or in care). A consultation of younger pre-school aged children is in the planning process.

The national consultation will culminate in a discussion between children and young people and Scotland's key policy and decision makers about how best to take account of and create improvement, action and change from the identified priorities articulated through 'A Right Blether'. This will include an identification of priority areas of work for my office across its functions for 2011-2015.

The national consultation has also taken the approach to raise wider public and professional awareness and understanding of the United Nations Convention on the Rights of the Child (UNCRC).

It also seeks to broaden the understanding of the role and function of my office among children and young people and those who work with them. It is also the starting point in the building of new, wide and sustainable participation partnerships and networks, to allow ongoing engagement with widest range of children and young people, and to identify, promote and celebrate good participation practice and high quality standards of engagement across Scotland.

More specifically the outcomes of the consultation will inform a new Participation Strategy framework, as it is developed in the coming years.

The national consultation will also:-

- Raise awareness and understanding of Children's Rights – and specifically the UNCRC, in particular Article 12, with children, young people and adults across all sectors of Scotland's civic society
- Raise awareness and understanding of the purpose and role of Scotland's Commissioner for Children and Young People with children, young people and adults across all sectors of Scotland's civic society
- Be a model of national good practice in the delivery of highest quality participative practices with children and young people in Scotland, particularly with vulnerable groups
- Highlight, celebrate and share the good practice of national and local organisations and services in their implementation of the articles within the UNCRC and in particular Article 12
- Ensure that a wide range of effective professional partnerships are strengthened and developed to ensure the Commissioner's Office has ongoing direct engagement with as wide a range of children and young people from across Scotland for the period 2011 – 2015

The consultation has five elements:

#### 1. Participate

My office has developed a set of five workshops with ten creative extras to help children and young people understand more about their rights. There are two 'Rights Resource Packs', one for children up to the age of 11 and another which is more appropriate for children 12 and over. Over 3700 packs have been distributed to every school in Scotland and youth work settings in every local authority area. There

is a mixture of drama, role play and games as well as more formal activities based around Curriculum for Excellence. Facilitators can pick and choose which to do depending on their setting and some children and young people may want to have a go at facilitating a session themselves. A DVD was created with children and young people to inform about children's rights, the development of the United Nations Convention on the Rights of the Child (UNCRC) and to encourage participation in the national consultation.

The website ([arightblether.co.uk](http://arightblether.co.uk)) dedicated to the consultation was developed and went live in March 2010 to enable easy access to resources, information and sign up to the consultation.

## 2. Meet

I will visit every local authority from in Scotland to meet with children and young people to find about their experiences and lives and to encourage them to exercise their vote in November 2010.

## 3. Create

What children and young people value is as important as part of the consultation as the issues they would like my office to take action which will be articulated through the vote. Therefore, children and young people are being asked 'What's your RIGHT brilliant thing? This can be anything from an activity, a service in the community or at school; something that is important to them and makes Scotland a great place to grow up in. Right brilliant things can be as creative as possible using words, photography, art, drama, poetry, film. This will enable us all to celebrate what is going well in Scotland and where children's rights are being respected.

## 4. Vote

Throughout November 2010, children and young people up to the age of 18 (or up to 21 if they have ever been looked after or in care) can vote on issues that most affect them both online or in voting



A team of young people are filming and evaluating the Commissioner's office's national consultation

centres that my office is supporting and encouraging schools, and other youth settings to set up. Children and young people will be casting one vote in each of the following sections: Where I live, Where I learn and develop, My Community or Neighbourhood, and The Country I live in, Scotland.

### 5. Celebrate

The United Nations Convention on the Rights of the Child (UNCRC) is 21 years old on 20th November 2010. This gives the opportunity as part of the consultation's voting month to also celebrate this historic event and the commitment to children's rights that the UK and Scottish governments have given. I am encouraging adults and children and young people to host a local party to celebrate children's rights and the UNCRC.

### Regional receptions


I held a series of six regional receptions across the country in order to engage with key adults and professionals from education, social work, youth work, health, and other settings to get their support to aid the widest possible participation of children and young people. This direct approach was a success, with over 400 attending and so far, 350 sign-ups and offers of support, which is continuing to build and grow. Support for the consultation was evident with Ministers and local elected officials attending in every area.

### Evaluation

The consultation has a team of young people working with Media Education who are filming and evaluating the consultation at key stages in order to independently evaluate the process.



Minister for Children and Early Years, Adam Ingram ▲ joins the Commissioner to support 'A Right Blether'.



To promote and safeguard the rights of children and young people across Scotland

## Strategic Aim 3:

I have continued to build on much of the previous work of the Commissioner's office and areas of work conducted through my Policy Team continue to drive much of this Strategic Aim.

### Children of Prisoners

The impact of parental imprisonment on children and young people was highlighted in an earlier report from the Commissioner's office (Not Seen. Not Heard. Not Guilty. 2008). My office organised a lecture on the issue which was given by the eminent Justice Albie Sachs from the Constitutional Court of South Africa. Justice Sachs is a world renowned advocate for human rights and he spoke about his landmark judgment *S v M* (2007) in which he held that the best interests of the child should be taken into account in sentencing decisions involving primary caregivers. This resonates with the recommendations of Not Seen. Not Heard. Not Guilty.

As a follow up, the organisation Families Outside was commissioned to conduct a small study comprising an international literature review and interviews with children and their carers to look more closely at the experiences of children and young people who have had a family member sent to prison.

The report, *Perspectives of Children and Young People with a Parent in Prison* (2010) by Tania Loureiro of Families Outside, revealed the traumatic and damaging impact that parental imprisonment can have on children, including post-traumatic stress, developmental and mental health problems, and a higher likelihood to display aggressive or disruptive behaviour and to offend themselves.

A year and a half on from the publication of Not Seen. Not Heard. Not Guilty, we know that many of its recommendations have been considered by relevant agencies (chiefly the Scottish Prison Service and the Scottish Government), and a number have been implemented in full. My office is undertaking a review of the implementation of the report's recommendations which will be completed in early 2011.

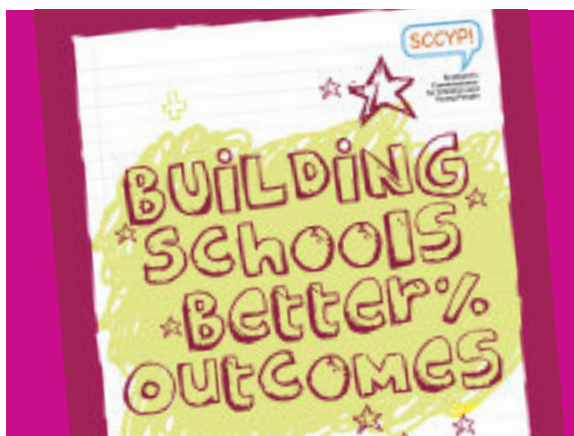
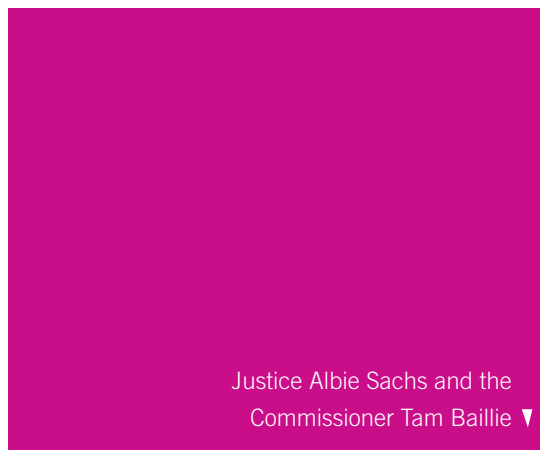
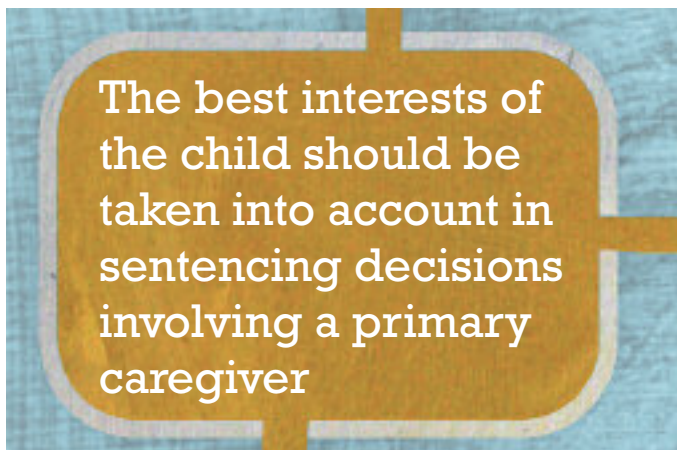
### Hoists and Slings

Previous work carried out by the Commissioner's office into the moving and handling of children and young people with disabilities was reported in *Handle with Care: The Moving and Handling of Children and Young People with Disabilities* in 2008. It highlighted amongst other things a number of issues around the incompatibility of equipment for young people and their carers.

A survey of Scottish Local Authorities was conducted in early summer 2009 with more than half of local authorities responding. The report, *Hoists and Slings: Purchasing and Provision for the Moving and Handling of Children and Young People with Disabilities*, was published in August 2009. The report highlights good practice but also reveals several key issues, including: that there is a lack of clear structural responsibility for the moving and handling of children within many local authorities; that the

majority of staff appear to lack the knowledge and training necessary to ensure a procurement process fit for practice, and that equipment from different manufacturers is often incompatible.

Dissemination of this report was through a workshop in January 2010 and Scottish Government has since initiated a number of working groups to implement the recommendations of the report.



### Education Estate

Previous work carried out by the Commissioner's office identified a gap in the involvement of children and young people in the re-designing of the school estate in Scotland. This prompted work carried out by a wide range of the agencies with an interest in promoting best practice in this area, culminating in the publication of Building Schools, Better Outcomes, launched in September 2009.

### Single Outcome Agreements

My office and colleagues in the Children's Voluntary Sector Policy Officers' Network (CPON) conducted a comprehensive review of the 32 SOAs response to children and family issues, which was published in January 2010. The review found that generally children and families receive considerable attention, with many agreements focusing on national frameworks such as Getting it Right for Every Child and the Curriculum for Excellence. However, disappointingly other national priorities such as play, children with disabilities and children's rights continue to receive little attention.

## Being Young in Scotland 2009

My office took part in the Being Young in Scotland survey in 2005 and 2007, and the 2009 survey provided an opportunity to review any change in knowledge and understanding of children's rights, the United Nations Convention on the Rights of the Child (UNCRC) and the role of Commissioner. The survey also provides baseline indicators of children and young people's interest and experience of rights, which my office can measure again in future years to come.

The key findings were: over a third of children and young people had not heard of the UNCRC although there was an increase in knowledge that the UNCRC is international for all children of the world and not just the UK; there was a heightened awareness of 'rights' in general with 11-16 year olds; children and young people wanted to learn about their rights mainly via television, workshops at school, talking to parents and friends and through a website.

## CASE Studentship

My office continues collaboration with the University of Edinburgh to fund an Economic Social Research Council Case Studentship with the research being focussed on exploring how children and young people define and understand the concept of 'antisocial behaviour'

The study is now coming to the end of the second year the findings expected to be available in December 2011.

## Parliamentary Activities

It was a busy parliamentary year for my office and the Bills listed took a significant element of time and energy in engaging with and influencing the parliamentary process

### Review of Scottish Parliamentary Corporate Body Supported Bodies (RSSB)

The RSSB Committee reported on its inquiry in May 2009, and recommended that the Office of Scotland's Commissioner for Children and Young People should continue as a separate, independent office. The inquiry report made a number of recommendations that will affect the Commissioner's office, and these are now being implemented by way of a Committee Bill which is expected to receive Royal Assent in the summer 2010.

### Public Services Reform (Scotland) Bill

The Public Services Reform (Scotland) Act 2010, introduced by the Scottish Government in May 2009 and passed by the Parliament in March 2010, gives Scottish Ministers a new power which enables them to merge or abolish any public body listed in the Act.

The Scottish Government put forward amendments proposed by the Scottish Parliamentary Corporate Body (SPCB), which would qualify the ministerial power in relation to SPCB-supported bodies.

These can now only be exercised at the request of the SPCB and the parliamentary process was strengthened significantly.

### Sexual Offences (Scotland) Act 2009

The Bill was passed in June 2009, and the Sexual Offences (Scotland) Act 2009 received Royal Assent in July. I have been raising concerns about the interaction between the 2009 Act and the age of criminal responsibility, and the new minimum age for prosecution at 12, which is proposed in the Criminal Justice and Licensing (Scotland) Bill (see below). This is most notably an issue where children aged 12 can be prosecuted for behaviour which they are themselves deemed incapable of consenting to.

### Schools (Consultation) (Scotland) Act 2010

The Schools (Consultation) (Scotland) Act 2010 was supported by my office through its parliamentary stages. As a result of my involvement with the Bill, I was asked by the then Cabinet Secretary for Education and Lifelong Learning, Fiona Hyslop MSP to advise the Scottish Government on how to best consult with children and young people, as required by the Bill. I commissioned Children in Scotland to produce a guide for schools and local authorities on consulting with children and young people on school closures and other major changes to the running of schools. The report *Participants, not Pawns: Guidance on consulting with children and young people on school closures (and other significant changes)* was published in March 2010 and complements the Scottish Government's statutory guidance on the 2010 Act.

### Criminal Justice and Licensing (Scotland) Bill

The Criminal Justice and Licensing (Scotland) Bill is an opportunity to address the issue of the age for criminal responsibility which currently stands at eight, shamefully one of the lowest in the world. The Bill introduces a minimum age for prosecution at age 12, leaving the age of criminal responsibility untouched. While the statutory ban on prosecutions of children under 12 is welcome, many more children aged 8-11 receive a criminal record after the acceptance or finding of offence grounds of referral to the Reporter. This remains a matter of concern.





My office has been engaging with Scottish Government officials and MSPs to raise concerns about the provision to allow retention of DNA from children's hearings cases, where the child has been referred for one of a list of violent or sexual offences.

The Scottish Government should be rightly commended for abolishing 'unruly certificates' through the Bill as it will ban the detention of children under the age of 16 in Young Offenders Institutions and adult Prisons.

## **Children's Hearings (Scotland) Bill**

In June 2009, the Scottish Government published the Draft Children's Hearings (Scotland) Bill. I was represented on a number of topical working groups that looked at different aspects of the Bill and made proposals for changes. The revised Bill was introduced in Parliament in February 2010, and I have since submitted written evidence on the Bill to the Education Committee, focused on three main issues: the participation of children and young people in the system, the implementation of hearings decisions by local authorities, and the criminalisation of children and young people as young as eight as a result of a children's hearing. My office is working with a range of organisations with an interest in the system, with a view to make progress for some of Scotland's most vulnerable children and young people.

## **Submissions to the Parliament and the Government**

### **Written Evidence to Scottish Parliament**

Children's Hearings (Scotland) Bill, March 2010

Alcohol etc (Scotland) Bill, January 2010

Public Services Reform (Scotland) Bill – Education Committee, August 2009

Public Services Reform (Scotland) Bill – Finance Committee, August 2009

Criminal Justice and Licensing (Scotland) Bill, April 2009

Schools (Consultation) (Scotland) Bill, April 2009

PE1278 National Youth Volunteering Policy, December 2009

PE1257 Solicitors Acting as Court Reporters, September 2009

### **Oral Evidence to Parliamentary Committees**

Public Services Reform (Scotland) Bill – Education Committee, September 2009

Public Services Reform (Scotland) Bill – Finance Committee, September 2009

Priorities of the Children's Commissioner – Education Committee, June 2009

PE1169 Display of Sexually Graphic Materials – Public Petitions Committee, June 2009

### **Written Responses to Scottish Government**

Consultation on the National Anti-Bullying Steering Group, February 2010

Submission to the Scottish Government on the Draft Children's Hearings (Scotland) Bill, August 2009 (unpublished)

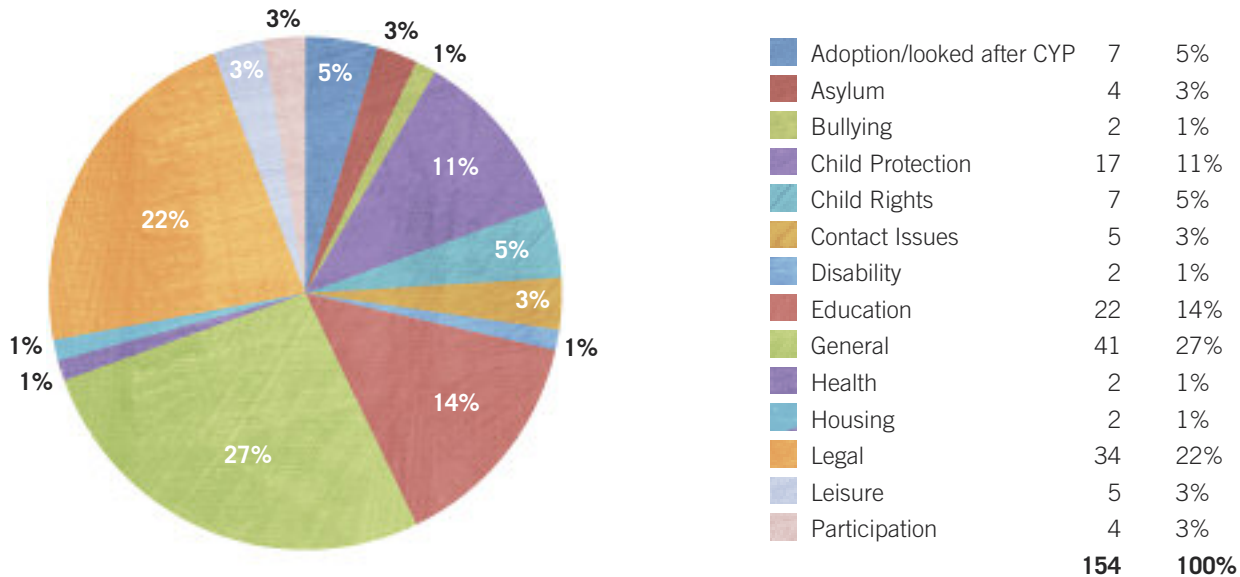
### Enquiries Service

I cannot intervene in individual cases, although I do have an Enquiries service which offers a signposting service to a wide range of resources for information and advice.

The total number of enquiries for the year was 154. Enquiries come from a wide geographical area, covering 22 of the 32 local authority areas in Scotland, as well as enquiries from England and on occasion outside the UK. Enquiries cover a wide range of subjects, with the main areas being: general (mainly information about the work of my office): education; legal matters; and child protection. Many enquiries are complex in nature, often encompassing issues under several subject headings: for example, bullying, mental health and additional support for learning; or asylum, health and housing needs.

The current restrictions on funding are playing an increasing part in recent enquiries. For instance, there is a growing pattern of difficulties experienced by young people in transition, both for looked after children and those with additional support needs.

### Enquiries (April 2009- March 2010)



#### The following is one example of the type of enquiries received this year

**Concern was raised** by three separate enquirers about proposed local government boundary changes and the possible impact on provision of additional support for learning to children with complex needs. I contacted the Local Government Boundary Commission, which carried out a Children's Rights Impact Assessment as part of their decision-making process. The final decision of the Commission was to amend the proposed Boundary changes.

“Many thanks for your input! I now have an advocacy worker who is supporting me in exploring options...” Parent

## Strategic Aim 4!

To ensure that the office of the Commissioner is efficient, effective and fit for purpose

I have made some organisational changes, resulting in an office structure of: Policy, Participation and Education, Communications and Corporate Services.

There has been some staff turnover which has meant that a number of staff members have been recruited this year, all with children or young people as a key part of the interview process. This has been facilitated in partnership with Children's Parliament.

Following an information audit, my office has developed policies and procedures in relation to best practice in Information Management. The guidelines will assist staff in the storage and retrieval of all electronic and paper information.

All Health and Safety documentation has been reviewed by an external consultant and recommendations are being implemented.

Work has also progressed on the development of new policies and procedures relating to Procurement and the Staff Handbook, Risk Register and Scheme of Governance are all in the process of being reviewed and updated. This will continue in line with aim of continuous improvement for the work of my office

A Business Continuity Plan has also been developed to provide guidance on the procedures to be followed should the Commissioner's office become inoperable following major upheaval, for instance a flood or fire.

# The Coming Year

My overall main priority as Commissioner is improve the lives of children and young people in Scotland and to ensure that they can freely enjoy their rights under the United Nations Convention on the Right of the Child (UNCRC). I will continue to do this through:

- Increasing awareness and understanding of the UNCRC in all sectors including promoting the use of the UNCRC in the school curriculum and other organisations working directly with children and young people
- Continuing to monitor and influence the implementation of the UNCRC in Scotland in line with the 2008 UN Monitoring Committee Concluding Observations and promote the use of children's rights impact assessments across government at local and national levels
- Developing a range of sustainable communication links between my office and children and young people using a variety of approaches using digital technology and working in partnership with a range of professional contacts to ensure that the innovative and inclusive methods of consultation take place between my office and children and young people, particularly vulnerable groups
- Encouraging the promotion of high quality participation practices with children and young people in Scotland by inspiring practitioners and policy makers to engage directly with children and young people using good quality approaches in participation and engagement
- Keeping under review and influencing relevant policy, practice and legislation in relation to the rights of children and young people to ensure that UNCRC and the children's rights perspective are embedded in legislation and policy that affects children and young people in Scotland
- Commissioning research; scoping research into how local authorities are responding to the implementation of the Early Years Framework, and into the nature and extent of child trafficking into and within Scotland will present findings in my next reporting year
- Maintaining a continuous improvement programme to ensure that the Commissioner's office remains fit for purpose to ensure that appropriate administrative, financial and human resource policy and practices are in place.

I have a busy and ambitious year planned to continue the work currently undertaken and to inform my Strategic Plan for 2011-2015. The main aspect of this will be consultation with stakeholders on my policy priorities and a large scale engagement with children and young people through 'A Right Blether'. This is in keeping with my statutory duties to involve organisations and children and young people in my work and I particularly look forward to exploring the issues that children and young people themselves believe most affect their lives, as well as celebrating what they value.



# Accounts

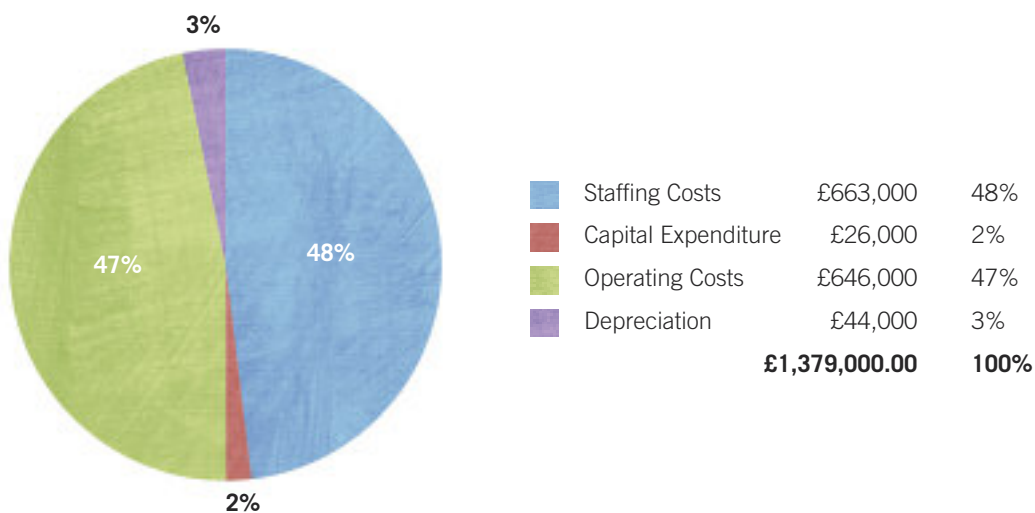
## The Financial Position

The Commissioner's expenditure on operating activities for the year ended 31 March 2010 totalled £1,353,000 (2009 £1,330,000). This was on staffing costs £663,000 (2009 £693,000), other operating expenditure £646,000 (2009 £581,000) and depreciation £44,000 (2009 £56,000). Income for the year was £0 (2009 £22,000).

A further £26,000 (2009 £2,000) was spent on capital additions during the financial year as detailed in note 7 to the Accounts giving total expenditure of £1,379,000. Excluding non cash items (Depreciation £44,000 and cost of Capital £5,000) total expenditure was £1,330,000. This compares to a budget of £1,350,000 representing an underspend of £20,000.

The underspend of £20,000 represents less than 1.5% of the total annual budget of £1,350,000 and demonstrates that high level controls are in place in the monitoring of expenditure against budget. The main reason for this underspend is in relation to staff costs which reduced from 52% of total budget in the previous year to 48% for 2009 -10. This reflects that four members of staff left and were replaced with new members of staff on lower starting salaries. Similarly, the appointment of a new Commissioner on a lower starting salary decreased expected costs by £10,000.

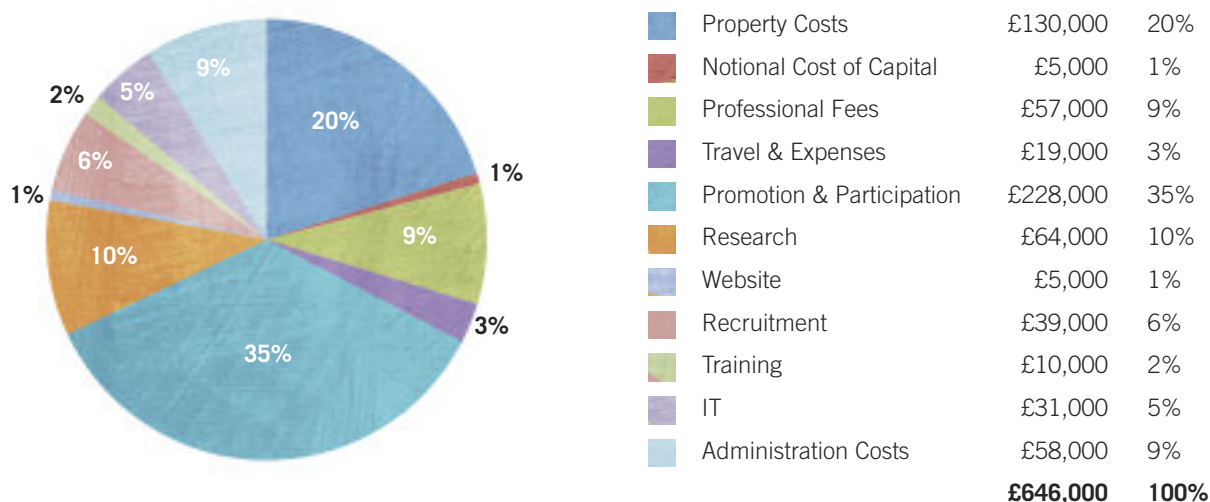
## Net Expenditure 2009-10: Total £1,379,000



Source: Scotland's Commissioner for Children and Young People Accounts 2009-10

The chart below illustrates the cost of operating activities by category of expenditure. Excluding staffing costs of £663,000 and depreciation of £44,000, other operating expenditure amounted to £646,000, of which Property (20%) includes all rent, rates, energy costs, property insurance, repairs, maintenance and cleaning. Administration (9%) includes all normal office running costs, for example, stationery, postage, telephones, photocopying, printing, equipment maintenance etc. Recruitment (6%) includes costs for advertising and venue hire and Training (2%) includes investment in both the individual and staff teams. Travel and expenses (3%) includes costs incurred both by the Commissioner and the staff team. Promotion and Participation (35%) which includes the national consultation ‘A Right Blether’ and all other activities which undertake fulfilment of the general function of the Commissioner, which is to promote and safeguard the rights of children and young people, and is expanded elsewhere in the Annual Report. Research (10%) includes a number of projects related to the national consultation exercise entitled ‘A Right Blether’. IT (5%) includes the cost of support and maintenance for the Office and the Complaints Handling and Support (CHAS) servers. Website development and maintenance (1%) includes continued development of the Commissioner’s website as a major interactive tool for communicating with children and young people. Professional fees (9%) include the costs of payroll support, legal and audit accountancy, along with the engagement of a consultant, to deliver child protection training. Notional cost of capital accounts for 1%

**Operating Activities 2009–10: Total £1,353,000**



Source: Scotland’s Commissioner for Children and Young People Accounts 2009-10

A full copy of the Annual Accounts 2009–10 can be obtained on request at the Commissioner’s Office and are printed in full on [sccyp.org.uk](http://sccyp.org.uk)

“I particularly look forward to exploring the issues that children and young people themselves believe most affect their lives, as well as celebrating what they value.”

**Tam Baillie,**  
**Scotland's Commissioner for**  
**Children and Young People**

