

Equality Impact Assessment (EQIA) form

A. General Information

Name of proposal	United Nations Convention on the Rights of the Child, Children's Rights Report
Responsible department	Strategy and Performance

B. Aims of the proposal

What do you hope to achieve?	This report seeks to demonstrate the ways in which the SSSC has given effect to the rights of children, as outlined in the United Nations Convention on the Rights of the Child (UNCRC). The report highlights the actions we have taken as an organisation over the last three years which address or promote the rights of children in Scotland. The report also details the work that the SSSC is committed to carrying out over the next reporting period (2020-2023).
Why is the proposal needed?	The Children and Young People (Scotland) Act 2014, section 2, requires listed public authorities to publish a report at the end of each three year period in relation to the steps they have taken to "secure better or further effect" of the UNCRC within their area of responsibility. The SSSC is listed by the Children and Young People (Scotland) Act 2014, schedule 1, as a public authority to which the act applies. The SSSC, therefore, has a statutory obligation to publish this report.

	<p>The process of compiling the report gives the SSSC the opportunity to reflect on what we currently do to address children's rights, and to consider what more we can do to promote the rights of children to the care sector in Scotland.</p> <p>Therefore, while the publication of a children's rights report is a statutory requirement and is needed in order to meet a legal duty, the process of compiling it will also provide opportunities to improve service delivery across the sector in relation to children's rights.</p>
<p>How will the proposal contribute to the SSSC's strategic objectives and/or priorities?</p>	<p>The SSSC's strategic outcomes for 2020-23 are:</p> <ul style="list-style-type: none"> • People who use services are protected by ensuring the regulated workforce is fit to practise. • The SSSC supports and enhances the development of the regulated workforce to deliver high standards of practice and drive improvement. • Our workforce planning activities support employers, commissioners and proposal makers to deliver a sustainable, integrated and innovative workforce. <p>The publication of the UNCRC Children's rights report will contribute to the SSSC meeting all of our strategic objectives in that it highlights what we are currently doing in relation to each of them with regards the rights of children in Scotland. For example:</p> <ul style="list-style-type: none"> • The report contains a case study of the regulation department and the work they are currently undertaking to ensure that children are protected, not only by regulating the workforce, but also when they come to hearings or when they may be required to give evidence. • The report lists some of the outreach and educational work we undertake to ensure that the regulated workforce has access to information relating to children's rights.

	<ul style="list-style-type: none"> • The outreach and educational work detailed in the report also supports employers, etc. to deliver a sustainable workforce that is aware of the current requirements in relation to children's rights and that they are kept informed of developments as they arise.
How will the proposal address the SSSC's Equality duties?	<p>The SSSC is subject to the Public Sector Equality Duty (PSED). The PSED equality duties are as follows.</p> <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010. • Advance equality of opportunity between people who share a relevant protected characteristic and those who do not. • Foster good relations between people who share a protected characteristic and those who do not. <p>The process of compiling and publishing the UNCRC children's rights report gives us an opportunity to reflect on how the work we do helps to eliminate discrimination against children, in particular children that utilise social services care. The process of compiling and publishing this report has also allowed us to better understand our role in relation to advancing the equality of opportunity between young workers and older workers.</p> <p>The report will serve to foster good relations between children and young people and other individuals by highlighting issues pertinent to children and how these relate to wider issues addressed by the SSSC.</p>

C. Data and evidence gathering

What evidence has been used to come to the decisions contained in this EqIA?	The SSSC's UNCRC Children's Rights Report was developed through extended consultation with our Operational Management Team (OMT), Executive Management Team (EMT), other SSSC colleagues and external stakeholders.
Has the proposal been the subject of relevant engagement and/or consultation?	<p>The SSSC's UNCRC Children's Rights Report has been subject to internal consultation which took place between August and November. This period of consultation informed the content of the UNCRC Children's Rights Report.</p> <p>Following the initial internal consultation, the draft UNCRC Children's Rights Report was shared with several external stakeholders for feedback. These stakeholders include the Scottish Government, the Care Inspectorate, COSLA, and Social Work Scotland.</p>
Has best judgement been used in place of data/research/evidence?	The evidence provided in the SSSC's UNCRC Children's Rights Report is comprised of both best judgement and data.
Have any gaps been found in the data?	<p>The SSSC holds a significant amount of data on the number of fitness to practise cases heard in relation to workers in the children's parts of the register as well as on how many, and what types of individuals, work in parts of the register relating to children.</p> <p>However, the SSSC does not hold data on the children that use services, therefore the impact of the actions, etc. in this report on the children that use services are based on best judgement.</p>

D. ASSESSING IMPACT AND IDENTIFYING OPPORTUNITIES TO PROMOTE EQUALITY

The main impact the SSSC's UNCRC Children's Rights Report will have on people with protected characteristics will be secondary as we don't primarily provide services to children. However, the outreach and educational work we do with the social services sector and workforce means that we have the potential to promote children's rights within this field. Some potential interactions between the SSSC's UNCRC Children's Rights Report are listed below.

Gender – The gender balance of children across Scotland is roughly equal, therefore within the wider social services workforce, the impact of this report is likely to be neutral as it should be applied to both male and female children on an equal basis. However, as of July 2018, roughly 55% of looked after children in Scotland were male. The UNCRC children's rights report does not focus on looked after children specifically as its remit is all children in Scotland. However, given that the majority of looked after children are male, there is potential that the actions outlined in this report will have a positive impact on female looked after children as the educational requirements detailed in our report should ensure that female looked after children are treated equally with male looked after children, despite being the minority.

Ethnicity – Most children in Scotland are of a white ethnicity. Therefore, this report has the potential to positively impact children of a non-white ethnicity by highlighting the importance of their cultural, civil and other rights. There has been an increase in the number of early learning and childcare registrations with a home language other than English since 2010. Ensuring that the workforce is educated about the UNCRC rights, and that the SSSC continues to assess the way we implement these rights, should ensure that there is no negative impact on children of different ethnic backgrounds as a result of this report.

Disability – As of 2017 10% of all children in Scotland are recognised as having a long-term limiting mental or physical health condition or disability. For children in care the percentage reported as having a long-term limiting mental or physical health condition or disability is 13%. Given the increased incidence of disability among children in the care sector, the actions detailed in this report such as ensuring the workforce is fit to practice and that it is well informed on children's rights, should result in a positive impact for children with disabilities.

Sexual orientation – Article 8 of the UNCRC secures the identity rights of children. Sexual orientation is not mentioned as forming part of a child's identity within the UNCRC, however, the broad principle of non-discrimination inherent to the UNRC should mean that, the activities we carry out in relation to children's rights and the UNCRC Children's Rights Report itself, should have a positive impact on promoting equality for children and young people of all sexual orientations.

Gender reassignment – Article 8 of the UNCRC ensures that the rights of children are respected in relation to preservation of identity. While gender reassignment is not specifically listed within the UNCRC, the general principle of non-discrimination should mean that there is no negative impact on children or young people based on gender reassignment as a result of the actions laid out in this report. However, the impact of this report will be monitored periodically and any future negative impact will be rectified.

Age – The SSSC's UNCRC Children's Rights Report recognises that children's rights apply across a broad range of ages. The rights typically apply to anyone from the age of 0 to 18 years old, however, given our role as a corporate parent, our duty extends to young people up to the age of 25. There is a risk that the focus of children's rights reporting could be on younger children and infants, this would negatively impact older children and those transitioning into adulthood. Our UNCRC Children's Rights Report seeks to evaluate out progress in relation to children of all ages but, there will be individuals who fall just outside the parameters of this report. However, as the primary focus of this report is the rights of children, therefore the impact in relation to age is deemed to be neutral.

Marital and civil partnership – Article 2 of the UNCRC states that children's rights must be applied without discrimination of any kind, including the status or protected characteristics of their parents. While the children's rights report does not specifically look at the protected characteristic of marriage and civil partnership, it is not anticipated that the report or any of the actions in it will have an impact that discriminates against children or their parents based on marital or any other status.

Pregnancy & maternity – The UNCRC Children's Rights Report highlights some of the work we do to support our own staff who are going through pregnancy and also those who have children themselves. The measures the SSSC takes to support our staff through pregnancy and maternity, as highlighted by the UNCRC Children's Rights Report, should have a positive impact.

Religion/belief/non-belief – Article 14 of the UNCRC states that children have the right to freedom of thought, conscience and religion. The work carried out by the SSSC in relation to promoting children's rights to the wider sector will have a positive impact on how the religious beliefs or non-beliefs of children are respected by the social services sector. The lessons learned in relation to children's rights of religion may be carried over into other areas of work, however, this cannot be stated with certainty. Therefore, the impact of this report on the protected characteristic of religion is neutral.

E. CHALLENGES AND OPPORTUNITIES FOR GROUPS LIVING IN AN ISLAND COMMUNITY

This section considers the impact or effect of the proposal on island communities and whether this could be significantly different from its effect on other communities.

The publication of the SSSC's UNCRC Children's Rights Report comes as a result of the requirement set out in the Children and Young People (Scotland) Act 2014 which obliges us as a listed public authority to report on the steps we have taken to give effect to the UNCRC rights. Given that the UNCRC Children's Rights Report highlights many different initiatives carried out and planned by the SSSC, there is the potential that one or several of these initiatives may have a disproportionately negative effect on people living in an island community. However, our assessment is that at present no such disproportionately adverse effect has been identified. We will continue to monitor the impact of the publication of this report, and the actions contained within it to assess whether any such negative effect arises.

F. CHILD RIGHTS AND WELLBEING

This section considers the impact of the proposal on children and young people, or specific groups of children and young people, in Scotland.

The SSSC's Children's Rights Report takes the UNCRC clusters of rights as its structure. The report looks at the actions the SSSC has taken over the last three years to give effect to the rights of children in relation to each of the clusters. The report also details what the SSSC will do in the next three years. Some examples of the work carried out in relation to each cluster are:

- Civil rights and freedoms
 - Ensuring that SSSC learning resources are accessible to children and young people where relevant, and also that we promote examples of good practice in relation to children and young people in the sector.
 - Respecting and protecting children and young people's right to privacy.
- Violence against children
 - Ensuring Scotland has a social services workforce that is well regulated and fit to practice.

- Family environment and alternative care
 - Contributing to the National Guidance for Child Protection, the Independent Care Review, and the development of Foster Standards.
- Disability, basic health and welfare
 - Working with NES to develop the Promoting Excellence Framework.
 - Supporting all our staff with flexible working to support childcare needs.
- Education, Leisure and Cultural activities
 - Promoting careers opportunities in social care
 - Providing education to the social services workforce to ensure familiarity with children's rights across the sector.
- Special Protection measures
 - Providing support and opportunities for care experienced young people.

The SSSC's UNCRC Children's Rights Report highlights the actions the SSSC will take over the next three years, these include:

- Raising staff awareness of children's rights issues
- Implementing our involving people plan
- Promoting EqlAs
- Delivering the actions from the Independent Care Review
- Revision of the SSSC Codes of Practice
- Evaluate our first staff mentoring programme
- Work with carer organisations to develop COVID-19 resources
- Implement the Family Firm
- Increased training on how to work effectively with vulnerable witnesses.

Although the publication of the SSSC's UNCRC Children's Rights Report in itself has limited capacity to impact any of the rights contained in the UNCRC, it has allowed us to assess the positive steps we have taken over the past three years, and has allowed us to identify our priorities in relation to promoting and protecting children's rights for the next three years. Therefore, it is assessed that the SSSC's UNCRC Children's Rights Report will have a positive impact in relation to children's rights and wellbeing.

G. HEALTH AND WELLBEING AND HEALTH INEQUALITIES

This section considers the impact of the proposal on physical and mental health and wellbeing; this includes for example, participation, creativity and developing potential.

The publication of the SSSC's UNCRC Children's Rights Report comes as a result of the requirement set out in the Children and Young People (Scotland) Act 2014 which obliges us as a listed public authority to report on the steps we have taken to give effect to the UNCRC rights. The UNCRC rights are grouped into related clusters of rights, one of which is health and welfare rights.

The UNCRC Children's Rights Report lists several initiatives we have in place to promote health and wellbeing to our staff, including young members of staff and those with caring responsibilities or families. These initiatives are promoted widely throughout the organisation and should have a positive impact on the accessibility of health and wellbeing services among our staff and their families.

The UNCRC Children's Rights Report also highlights some of the work we do to promote an understanding of children and young peoples' health and wellbeing rights among the wider workforce, eg through our work with NES.

The publication of the SSSC's UNCRC Children's Rights Report, in itself, is not likely to have an impact on health and wellbeing inequalities, however, it does serve to highlight the work we do internally and across the sector to reduce inequalities in health in Scotland.

H. ECONOMIC AND SOCIAL SUSTAINABILITY

This section is concerned with the impact of the proposal on pay and employment opportunities as well as valuing and supporting voluntary work.

The SSSC's UNCRC Children's Rights Report does not in itself have an impact on economic and social sustainability in Scotland. However, the report serves to highlight the work the SSSC to address issues relating to pay and employment opportunities in the course of our work. The UNCRC Children's Rights Report highlights the work we do to promote careers in the care sector and to support our young employees transition into their careers. While the report itself is likely to have a neutral impact on economic and social sustainability, many of the initiatives highlighted by the report will have positive impacts.

I. Care experienced children, young people and adults

This section concerns our duties to put Scotland's care experienced children, young people and adults at the heart of what we do.

The SSSC's UNCRC Children's Rights Report is designed to complement our care experienced young people plan which goes into greater detail about issues pertaining specifically to those with care experience. However, the Children's Rights Report does address how we will incorporate the voices of children and young people, including those with care experience, at the heart of what we do. The discussions that formed the basis of the report and the actions that have arisen from the report have highlighted to staff the role we have in securing children's rights in Scotland, including care experienced children and young people. This report, then, should have a positive impact on promoting the interests and well-being of care experienced young people, and help to ensure that we continue working to provide opportunities for this group in the SSSC and the wider sector.

J. DECISION MAKING

Which of the following statements best describes the action that should be taken following the EqIA in relation to your proposal?

No major change	<input type="checkbox"/>
Adjust the policy	<input type="checkbox"/>
Continue with Policy	<input checked="" type="checkbox"/>
Stop and remove the policy	<input type="checkbox"/>

Outline the reasons why you've selected this option

The publication of the SSSC's UNCRC Children's Rights Report will enable us to meet our statutory duty as enshrined in the Children and Young People (Scotland) Act 2014 and will have a positive impact across several areas of children's rights. This impact will be either through highlighting the work the SSSC has accomplished over the last three years, committing the SSSC to actions over the next three years, or through ensuring that staff at the SSSC have children's rights at the forefront of their thinking when carrying out their roles.

K. MONITORING AND REVIEWING

How will the implementation of the policy/proposal be monitored? How and when will the impact of the proposal be reviewed? Outline the actions that will be taken, the timescale for these and who will be responsible for carrying out these actions.

Action	Timescale	Person Responsible
Review of EqlA	Annually until 2023 when the next Children's Rights Report is due	Performance and Improvement – Policy Analyst
Ensuring EqlAs are carried out for actions in UNCRC Children's Rights Report	As each policy is developed	Performance and Improvement – Policy Analyst

L. SIGN OFF

Name: Mhairi Law

Title: Head of Performance and Improvement

Date Approved: 16 November 2020