

Children's Participation and Rights Strategy

Respect, Inclusion, Empowerment and Accountability

Foreword

Written by Beth-Anne McDowall

The last few years have been a whirlwind. Incredible strides have been made to advance children's rights and participation in Scotland.

We have made bold and brave statements of intent. Scotland, but more specifically, Children's Hearings Scotland (CHS) wants to be an organisation where children are treated as children. Where they are respected, included, where they feel empowered and where we, as custodians of the system are held accountable.

Is this strategy bold and brave? Yes.

Is it enactments of fundamental human rights? Absolutely.

Language is something so incredibly powerful and the four aims have been carefully selected.

This is more than a statement of intent.



Beth-Anne McDowall
Board Member

This is a strategy owned by the hearings experienced community FOR the hearings experienced community.

This strategy emphasises the commitment made by CHS to listen bravely and act with empathy, respect and compassion. It highlights our leadership intent in this area and acts as a mandate to ensure that we, at CHS, do all we can to protect, promote and uphold your rights.

I am grateful to colleagues across the organisation for the development of this strategy.

I am humbled and inspired, as ever to those hearings experienced people who contributed to this strategy.

Onwards now, to enacting and implementing our vision of a redesigned children's hearing system - it won't be easy. But, together we will ensure that you, and your voice is firmly at the heart of not only your hearing, but the work of CHS going forward - we got this!

Contents

Strategy Aims 4

What will the strategy do?

Methodology 5

How did we write the strategy?

Delivering The Aims 6

How are we going to do this?

Respect

Inclusion

Empowerment

Accountability

Background 11

Why have we written the strategy?

Children's Rights Vision 12

Why are children's rights important to our work at CHS?

Participation Vision 14

Why is the voice of lived experience important to our work at CHS?

What drives us?..... 16

How do we do this?

Implementation Plan 17

How do we know we have done this?

Strategy Aims

What will the strategy do?

During 2023 as part of the expansion of Children's Hearings Scotland (CHS) a strategic participation review was carried out. This presented an opportunity to take stock. We put in place steps on how to better involve infants, children and young people with lived experience of the Children's Hearings System (thereafter known as those with lived experience) to co-design and work with us to refocus, invest in and improve the way in which we involve those with lived experience in the work of CHS.

This Strategy reinforces our purpose at CHS to ensure our hearings make child-centred decisions which respect and protect children's rights and support them to thrive. The strategy sits in the CHS strategic theme to Deliver Positive Outcomes and will ensure: **Respect, Inclusion, Empowerment** and **Accountability** in a redesigned Children's Hearings System:

- **Respect** - Promote the vision and values at CHS, by actively listening, empathising, and valuing the perspectives and feelings of those with lived experience.
- **Inclusion** - Ensure CHS's approach to participation stays fluid and in the best interest of those with lived experience. This will include listening and responding to those with lived experience and embedding their views in all aspects of work at CHS.

- **Empowerment** - Provide a platform for those with lived experience to create and influence lasting change.
- **Accountability** - Demonstrate our investment in this area of work by being bold, ambitious and taking full responsibility for making sure that we fulfil the commitments we are making to those with lived experience.



Methodology

How did we write the strategy?

Using a variety of approaches, including working with young people already involved in the work of CHS we were keen to meet and engage with those with lived experience where they felt most safe to share their ideas. By carefully considering the spaces that those with lived experience feel comfortable and by building relationships with the adults who support them, we were able to arrange to meet with external groups, including Today Not tomorrow (TNT) Champs Board, the Good Shepherd Centre and Our Hearings Our Voice (OHOV) to run co-design sessions with children and young people with lived experience.

During these co-design sessions we used the key focus areas (as mapped out in the strategic participation review) as a conversation starting point to enable those with lived experience to design ideas on how the work should be taken forward.

Once ideas from all sessions had been gathered, they were thematically reviewed, and key themes were identified. After drafting we went back and held review sessions with the same co-design groups of children and young people to gather feedback on the proposed next steps based on their ideas. As part of this feedback loop changes could be made based on the feedback from the review sessions prior to this final draft.

Some of the valuable insight provided during these co-design

sessions have been included as quotes throughout this strategy. This provides a true representation of the co-design partners views and amplifies their voices, which highlights what they want us at CHS to do next. We also consulted with our full CHS staff team to develop ideas for us to work more meaningfully with those with lived experience. It is important to emphasise that as duty bearers, adults must show leadership and accountability for involving children and young people in a meaningful way.

After feedback from young people the 'Delivering the Aims' section of the strategy has been written using plain language by adopting the four Language Leaders Principles: Personalised, Balanced, Non-stigmatising and Involved.

We also received feedback on the co-design process from the young people and the adults supporting them, a few quotes are included below:

'The young people were very pleased that they have been taken seriously and that their views are being heard and acted on. They liked the statements by the other young people and staff, and particularly liked how we responded to each quote as this made him feel they had been listened to.' (Good Shepherd Centre)

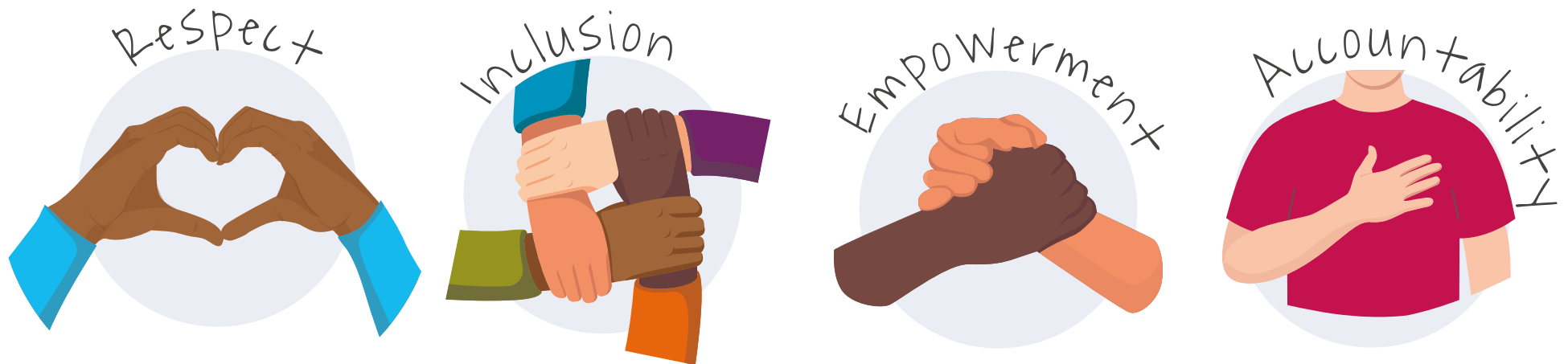
'I love how the quotes from different young people are clearly informing the strategy!' (OHOV)

Delivering The Aims

How are we going to do this?

The four aims of this strategy are: **Respect, Inclusion, Empowerment and Accountability.**

CHS will put the views of those with lived experience front and centre when structuring our work.



Respect

To ensure we continue to Respect those with lived experience, we will:

"know our rights and respect us accordingly" – Ash (OHOV Board Member)

- Fully resource the participation team. We will do this by hiring a Lived Experience Advisor to make sure that any participation work is driven by lived experience.

"Help me understand what is said in my hearing and what is written in my hearing papers, so that I don't need to use a dictionary" – Z (Good Shepherd Centre)

- Work in partnership with Language Leaders on ways to change culture on the use of language in the hearing room. This will also include regularly reviewing the Hearing Room Language Pack which was developed to support Panel Members.

"Advocacy services, social work, CHS, SCRA and voluntary organisations, like CHAMPS Boards, they are important to us" – R (TNT).

- Create a network of partner organisations who are important to those with lived experience. These partnerships will create chances for people who have lived experience to develop new skills and influence our work.

"I feel more valued when I get paid for my time and ideas" – F (Good Shepherd Centre)

- Use the Scottish Government guidance to set pay. This will inform the pay for those with lived experience who work with us on projects. CHS values people with lived experience; we will value their time by paying them fairly.

"It would be great to know what OHOV are focused on and how we can collaborate on what's important to them" – (CHS staff)

- When working with Our Hearings Our Voice, we will respect their 40 calls to action. We will collaborate with them as an equal partner.



Inclusion

To ensure Inclusion of those with lived experience, we will:

"Just actively listen and find a route for the individual young person to be heard and make a difference. Help us find our voice" – R (TNT)

- Give maximum support to our national and regional teams so they can build relationships with people who have lived experience across Scotland. To achieve this, we will make sure that all CHS staff continue to work in a way that is trauma informed. We will also introduce a mentoring scheme for those with lived experience, to allow them to be supported to learn new skills. We will also consider those with a quieter voice through an equality lens to ensure they felt able to participate.

"A lot of young people have experience of the system and should be included as they can ask the right questions" – J (TNT)

- We will co-design recruitment guidance with those with lived experience. This will ensure that when recruiting, CHS are asking the questions important to those with lived experience.



"Would also be good for CHS to share projects they are working on with us and any ideas that are generated from the Ideas Clinic. Let young people decide if they need to be involved as adults may not think they need our ideas but maybe we think they do" – Andrew (OHOV Board Member)

- Spread participation opportunities across CHS. We will do this by setting up a strategic group to coordinate our work with those with lived experience. We will also create an 'Ideas Clinic' to share ideas and good practice. This way, we will streamline our communication.

We will improve it within our organisation and with external partners who support those with lived experience.

"We would tell someone we trust and have a close relationship with about our Hearing, that's who CHS need to speak to" – Andrew (OHOV Board Member)

- Create connections between the CHS participation team and feedback and complaints team. We will build relationships with those who have lived experience and with the adults supporting them. CHS will find ways for those attending hearings to give feedback in a way that suits them. We will find ways for those with lived experience to shape this work. They will be involved in improving our complaints and feedback.

Empowerment

To ensure Empowerment for those with lived experience, we will:

"Ask the young person their opinion, give the young person a nice safe space. Give the young person at panels a wider voice" – L (TNT)

- Recruit an 'Expert by Experience' group. The group will be led by the participation team. It will provide a safe space for those with lived experience to feel empowered. The group will drive the importance of lived experience voice within CHS and wider. This includes creating a younger voice group for children of all ages, including babies and infants, to influence decision making.

"The Children's Hearings (Scotland) Act changed how Panels ask the views of children. We need to work out how CHS and SCRA can get children's views in the way children want" – (CHS staff)

- Work in partnership with the Scottish Children's Reporter Administration (SCRA). We will also build relationships with groups that help young people. The goal is to find ways for those with lived experience to have their voice heard at their Hearing in a way that works for them.



"We deserve a spotlight, would be good for us to be able to let everyone know what matters to us" – Dylan (OHOV Board Member)

- Create space for those with lived experience, including groups such as OHOV, to be more involved in shaping our work. We must ensure that everyone at CHS experiences firsthand the power of the voice of those with lived experience. This will highlight our duty as corporate parents. We must keep the lives of infants, children, young people, and families at the heart of all we do.

"Don't challenge children, challenge opinion" – G (TNT)

- Continue to follow our influencing strategy. We will empower those with lived experience to use their voice for positive change. This will include responding to the Hearings for Children Report Recommendations and relevant Scottish Government consultations. We will also create a platform for those with lived experience to speak up so they can influence decision makers about what matters to them.

Accountability

How will children and young people know we have done what we said we would?

During the co-design sessions, one strong theme came from those with lived experience. It was accountability.

When we asked **“What do you think CHS need to do in the future to include those with lived experience in our work and protect their rights?”**

They replied:

“We just want adults to make a difference, be active and do what they say they are going to do” – R (TNT)

“For a young person to be able to come into a Hearing feeling that all the people are there for them, make them feel supported and cared for. From the receptionist to the Chair of the panel, the young people should feel they can talk to them and that they have their best interests at heart. They need to feel that it's not a place they are going to go into and everyone is going to judge them and their family” – Achilles (OHOV Board Member)

“It doesn't really matter who implements things – it's more important that it's been done, and young people know about it” – Amy (OHOV staff)

It became clear what matters to those with lived experience. They want adults to listen and do what they say they will. Then, they want to be told about it.

Accountability is important to CHS. We are accountable for our approach to participation and for

upholding children's rights. We will regularly report our progress on this strategy to the CHS Board. We will also take part in an evaluation of this strategy from an external organisation.

At CHS we have committed to an ambitious program of participation work. It involves people with lived experience of the Hearings system. They will drive improvements in our practices and standards. We will also include their voices across all areas of our work.

We will provide a clear feedback loop for those with lived experience to regularly tell us what they think. We will collaborate closely with partners. Internally, we will ensure the Expert by Experience group has a voice and influence across all CHS areas.



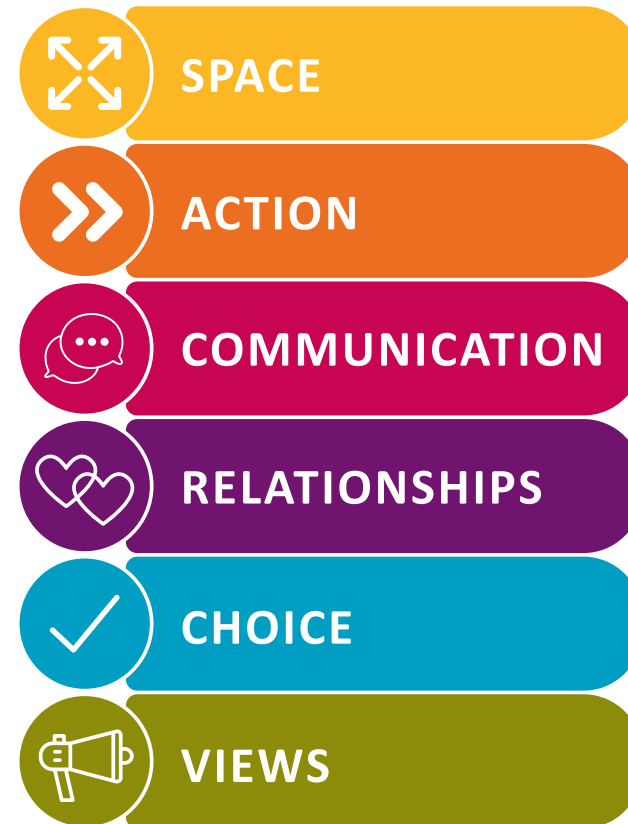
Background

Why have we written the strategy?

To emphasise the commitment to participation at CHS, one of our key strategic priorities is to publish this Children’s Participation and Rights Strategy as an update to the Children’s Rights and Inclusion Strategy, published in 2020. By co-designing this strategy with those with lived experience it cements our commitment to ensuring that those with lived experience are meaningfully engaged with and remain at the heart of everything CHS do.

This strategy reinforces how engaging with those with lived experience will ensure that CHS maximises our commitment of being ‘well informed and influential’ as well as building on the five foundations of The Promise and ensures that children and young people are meaningfully listened to and properly responded to. As outlined in the CHS influencing strategy, it is the experience of those with lived experience that provides the most credible voice to make change in a system that is going through significant improvements and reform.

There has never been a more exciting time to refresh our approach to participation and children’s rights than now. The parliamentary approval of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 provides added momentum to involving children in the work of CHS. This strategy builds on this moment of change to make sure that CHS is at the forefront of this landmark Act.



Building on the CHS six ‘pillars of inclusion’, the strategic participation review mapped out key focus areas that were taken forward into co-design sessions with those with lived experience to allow us to really understand what our next steps should be. The focus being on what those with lived experience are telling us and what we need to do to ensure their views are elevated and influence decision making across CHS and the wider sector.

Children's Rights Vision

Why are children's rights important to our work at CHS?

Our vision is for all infants, children, young people and their families to be safe, loved, and supported to realise their full potential.

To achieve this, we recognise the invaluable and unique contribution that those with lived experience can bring when considering how children's rights affect policy, practice and decisions about how CHS best uses its resources.

The evolving ambition set out in the Children's Hearings (Scotland) Act 2011, which has the promotion of children's rights as an underpinning principle, is further reinforced in the National Standards for the Children's Panel (2012) and the United Nations Convention on the Rights of the Child (Incorporation) (Act) 2024. This presents an opportunity for CHS to reflect on ways we could do more to ensure children's rights are at the forefront of everything we do.

By continuing to implement the four general principles of the UNCRC, CHS will continue to realise children's rights and exceed any legal requirements to do so. It is the most important part of our organisation's culture and the reason why people choose to work and volunteer with us.

UNCRC General Principles



CHS believes that:

- The duty to respect the rights of children should be fully incorporated within Scotland.
- Children must be made aware of their rights.
- There must be accountability for any breaches of these rights with appropriate routes to remedy.

Our Children’s Participation and Rights Strategy will empower those with lived experience to have their voice heard and we will ensure their views are respected and included in work of the Children’s Hearings Redesign Board and the future reforms.

Listening to and acting on the views of those with lived experience and ensuring those with duties under this new Act are held to account is key to making these positive steps a reality. The vision of CHS is reflected in the ‘Hearings for Children: Hearing System Working Group’s Redesign Report’ which makes it clear that “the most crucial aspect” of a redesigned Children’s Hearings System is the voice of people with lived experience.



Participation Vision

Why is the voice of lived experience important to our work at CHS?

Who better to shape the work of CHS and to make changes than those with lived experience who have experienced the hearings system first hand.

Those with lived experience are experts in their own lives and can act as agents of change, and central to the ambition at CHS is the role of participation as a way of improving outcomes with them.

At CHS, we know that those with lived experience of the hearings system have a strong desire to be heard and have their voice influence the systems that have had a direct impact on their lives. People that have been in the care system have insights about what went well, what must be better, and how to bring about lasting change.

Building on previous work at CHS, the voice of lived experience will support an ambitious programme of participatory work involving those with lived experience of the hearings system to drive forward improvements in practices and standards across the organisation.

The four 'General Principles' of the UNCRC, and specifically Article 12, will direct our approach to participation. It states:

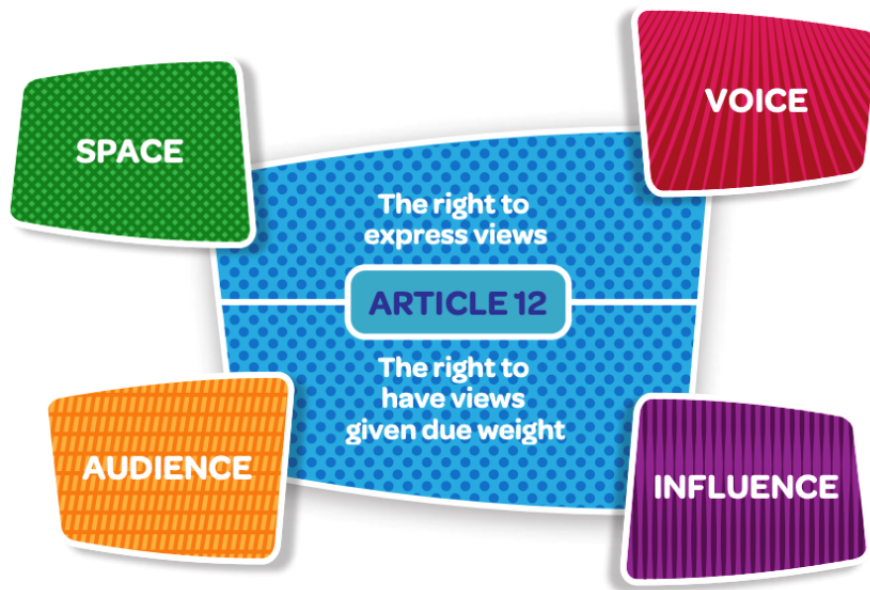
12:1 Countries bound by the Convention shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

12:2 For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

This approach will reinforce our ongoing commitment as outlined in Standard 1 of the National Standards for the Children's Panel to make sure that everything we do is in the best interests of children and young people.

An equality lens will be adopted in the planning and delivery of any participation work to ensure that everyone with lived experience can be included in our work. This will also make sure that those with a quieter voice can be heard.

By adopting the four principles of the Lundy Model of Participation, CHS will provide space for children's views, enable their voice, and ensure they have both an audience and influence.



This model is a way of conceptualising Article 12 of the UNCRC. The four elements have a rational chronological order:

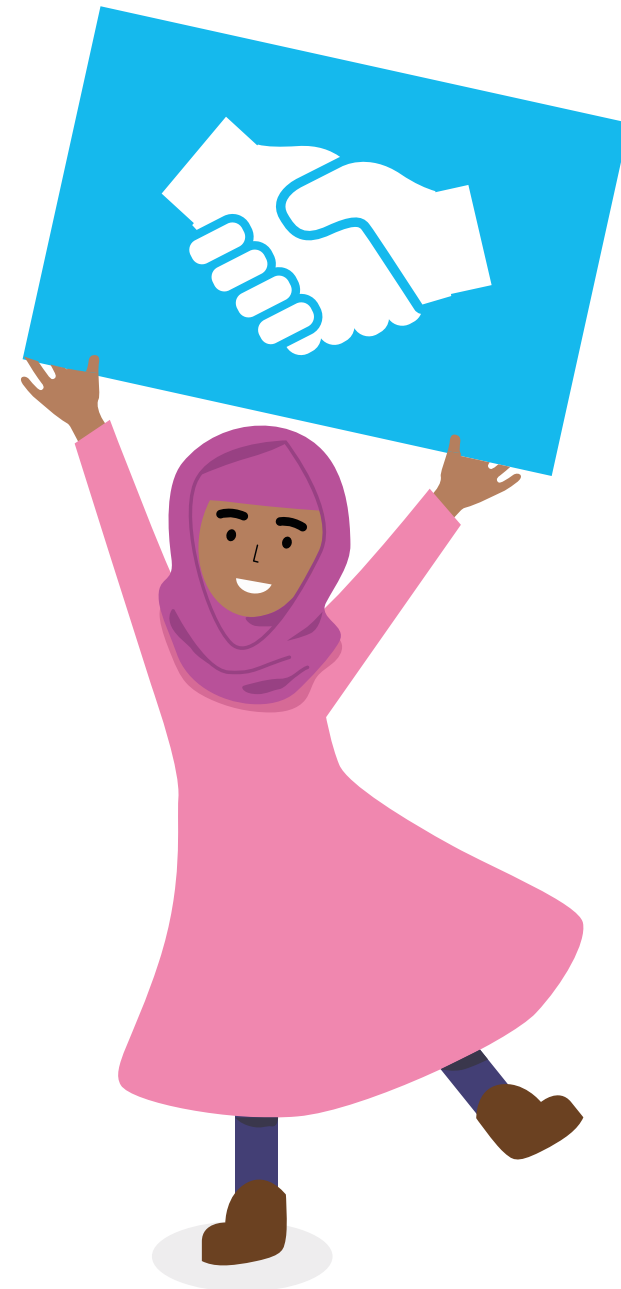
Space: Children must be given safe, inclusive opportunities to form and express their view.

Voice: Children must be facilitated to express their view.

Audience: The view must be listened to.

Influence: The view must be acted upon, as appropriate.

There is a strong and well-established leadership commitment to participation at CHS. Amid the Promise reform agenda alongside changes to the structure of CHS, now is an exciting time to further embed the voice of lived experience in all areas of our work.



What drives us?

How do we do this?

This Strategy has been co-designed with groups of young people with lived experience, who gave their time, commitment, perspective and ambition to improve the way in which we involve those with lived experience in the work of CHS.

Groups who took part in the co-design of this strategy are:

- Members of the previous CHS Participation Group
- Our Hearings Our Voice
- The Good Shepherd Centre
- Today not Tomorrow Champs Board

This strategy has also been developed in response to key priorities within CHS and wider legislative changes that impact on children's hearings:

Children's Hearings Scotland Strategic Outlook 2024-2027 and Children's Hearings Scotland Business and Corporate Parenting Plan 2024-2025

- We will ensure our Children's Participation and Rights Strategy upholds the rights of children and young people and will create opportunities for the voice of lived experience to be respected, included, and acted on.

Hearings for Children report: recommendations

- Our Children's Participation and Rights Strategy will empower those with lived experience to have their voice heard and we will ensure their views are respected and included in work of the Children's Hearings Redesign Board.

The Promise

- The Children's Participation and Rights Strategy will build on the five foundations of The Promise and ensure that children and young people are meaningfully listened to and properly responded to.

United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024

- The Act makes it a legal duty to protect the rights of all children, and provides new powers so that children can directly challenge public bodies if their rights are not being upheld.

Children (Care and Justice) (Scotland) Act

- The Act introduces new protection for children, and increases the age of new referrals for 16 & 17-year-olds to be supported by the children's hearings system.



Implementation Plan

How do we know we have done this?

Our Children's Participation and Rights Strategy sets out the strategic direction for working with those with lived experience.

For the implementation plan to be effective, participation work must remain fluid to ensure that those people with lived experience can continue to shape and adapt the work as it evolves. We must also be mindful of the time it takes to build relationships with those with lived experience and the organisations supporting them. Regular points of reflection will be included to ensure we can refocus if required.

CHS is committed to being accountable for children's rights and participation, therefore, progress on this strategy including reflections and input from those with lived experience will be reported to the CHS Board. All work will be regularly reviewed, with input from the Expert by Experience Group, to see what we are doing well, and what could be even better. This review will take place after 12 months.

Furthermore, to make sure we deliver on the implementation plan we will undertake an independent evaluation of this work, designed, informed, and influenced by the children and young people that CHS work with. The strategy will be revised in three years time in line with the CHS Strategic Outlook.



How do we know we have done this?



- Embed Language Leaders principles
- Build relationships with organisations and adults who support young people
- Strengthen internal and external partnerships
- Work in ways that respect those with lived experience (Lundy Model)
- Value time by paying fairly



- Appoint Lived Experience Advisor
- Recruit and support Lived Experience Recruiters
- Establish Internal Strategic Group
- Support regional teams to build relationships with young people in their region



- Work with OHOV as an equal partner
- Establish and support the Expert by Experience Group
- Establish and support Younger Voices Group
- Focus on voice of babies and infants
- Explore feedback loops that work for those with lived experience
- Develop a full Internal and External Comms Plan



- Create an evidence-based approach for respecting rights
- Ensure continuous reflection, review and feedback to make sure we stay on the right track
- Commit to an external evaluation



3rd Floor Thistle House | 91 Haymarket Terrace | Edinburgh | EH12 5HE
t: 0131 244 4743 | www.chscotland.gov.uk



This publication has not been printed to save paper. However, if you require a printed copy or a copy in an alternative format and/or language, please contact us to discuss your needs.