Hi, I’m Tam, Scotland’s Commissioner for Children and Young People. Here’s my report on what I did from Apr 2011-Mar 2012...

#yourannualreport
Scotland’s Commissioner for Children and Young People is Tam Baillie

Employees (as of 31 March 2012)

Corporate Services
Heather Belmonte Administrator
Stephen Grounds Office Manager
Linda Macdonald Assistant to the Commissioner
Ezmie McCutcheon Communications Manager
Gillian Munro Information Officer
Chris Small Communications Manager (maternity cover)
Shelley Smith Digital Media Officer

Participation and Education
Cathy Begley Participation and Education Officer
Katie Brown Head of Participation and Education
Sarah-Louise Davies Participation and Engagement Officer

Policy
Sheila Hamilton Research Manager
Nico Juetten Parliamentary Officer
Pauline McIntyre Enquiries Officer
Maire McCormack Head of Policy
Stefan Stoyanov Policy Officer
If you would like to receive this report in another language or format (such as audio or Braille), please contact Scotland’s Commissioner for Children and Young People at:

Scotland’s Commissioner for Children and Young People
85 Holyrood Road
Edinburgh
EH8 8AU
\t: 0131 558 3733
\f: 0131 556 3378
\w: www.sccyp.org.uk
\t@RightsSCCYP
About the report
The activities described in the report relate to the Commissioner’s four Strategic Aims, as outlined in his Strategic Plan.

Children and Young People’s Annual Report
A version of the Annual Report for children and young people, taking the form of 12 ‘tweets’ summarising the Commissioner’s key messages, begins on the cover, continues on pages 3, 4, 5, 7, 8, 12, 14, 16, 17, 22 and concludes on page 23.

Illustrations
Examples of illustrations by children who took part in a RIGHT wee blether are on pages 8, 11, 12 and 22.

The Commissioner’s Yearly Progress Event
To ensure his accountability to children and young people, the Commissioner has made a commitment that he will report to them on his progress every year. Until 2016 this will happen on or around the anniversary of the adoption of the United Nations Convention on the Rights of the Child, the 20th November. The aim of this is to raise awareness of the significance of the date among Scotland’s children and young people, and the adults who work with and for them. It will also mark the anniversary of the Right Blether Vote. A flagship event will be held in the Scottish Parliament on Friday 23rd November 2012 to pilot this approach. A launch and celebration of the Children and Young People’s version of the 2011-12 Annual Report will be a key part of this event.
Statement from the Commissioner

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

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 Scotland’s Commissioner for Children and Young People is efficient, effective and fit for purpose

Accounts

The Coming Year

(CCYP/2012/02) Laid before the Scottish Parliament by the Commissioner for Children and Young People in pursuance of Section 10 (1) of the Commissioner for Children and Young People (Scotland) Act 2003 on 28/09/2012
I am delighted to report another busy year where we can identify progress towards a stronger profile for the rights of children and young people in Scotland.

Last year I called on the Scottish Government to embed the UN Convention on the Rights of the Child (UNCRC) in legislation and for the Scottish Parliament to adopt a children’s rights approach in all matters affecting children and young people. I am pleased to report that the Scottish Government has since consulted on proposals for a Rights of Children and Young People Bill.

This prompted an impressive 123 responses, most of which were either in favour of the proposals or encouraging the government to go further than they had proposed. I take this as a strong indicator of growing awareness and support for children’s rights in Scotland. I am particularly pleased with the positive tone of the consultation. For me, this is a significant turnaround. Three years previously there was a much more muted response to proposals that would have significantly reduced the role of the Commissioner and the place of children’s rights in Scotland. I await the next steps in the legislative process with eager anticipation.

I have previously reported on the importance I attach to safeguarding children’s services from cutbacks and the generational opportunity provided by the Early Years Framework. I have accepted invitations to be a member of the National Programme Board of Getting It Right for Every Child and the Early Years Taskforce. These groups have a national responsibility for driving change in children’s services. I have found that my membership has provided a valuable opportunity to influence the work of the groups and the Scottish Government approach to legislation. I believe my membership has given me insight into developments...
which have increased my capacity to make a positive contribution and to be a well-informed critic, should I require to take this approach.

The overarching impact of child poverty continues to be the greatest single concern. This is both a Scottish and UK national issue. The combination of the government’s austerity approach and the passage of the Department of Work and Pension’s benefit reforms pose a threat to the well-being of all of our children and young people and as a consequence, the realisation of their rights. Along with the other Children’s Commissioners in the UK, in November 2011 we published a mid-term report on UK progress towards implementation of the UN Committee’s Concluding Observations 2008. The main message from the report focused on child poverty and the corrosive impact it has on the lives of children and young people. I expect this to be a continuing concern for myself and the other Commissioners for the foreseeable future.

My focus over the next year will be to make progress in the main work areas following on from my a RIGHT blether consultation, and to maximise the impact of legislative changes in respect of the rights of children and young people. I remain enthusiastic about the potential for improvement for children and young people in Scotland and look forward to playing my part alongside everyone who shares that ambition.
strategic aim


"I have spoken at more than 50 events involving more than 5000 adult participants"

Legislation
The Scottish Government published proposals on a Rights of Children and Young People Bill. The government has since announced that they intend to incorporate their approach to the rights of children and young people and proposals on children’s services into a consolidated Children and Young People’s Bill. I expect to continue to be closely involved in discussions about this Bill. I anticipate the proposed Bill will provide a strong focus on children’s rights and the legal standing and position of the office to be strengthened as a result of the proposals.

Stakeholder Engagement
I have previously reported on establishing and building relationships with a very wide range of stakeholders in the lives of children and young people. I have continued this through reporting back to local and national audiences the main messages from a RIGHT blether and the areas of work I intend to progress. This has involved visits to all local authority areas (many for the third time) and most Health Boards. My intention is to complete the Health Board visits by late summer 2012.
Public Engagement

It has been an unusually busy year for public speaking. I have spoken at more than 50 events involving more than 5000 adult participants. I have complemented my engagements with visits to local schools, youth provision, and social care settings, speaking directly to children and young people. As a result of the work undertaken through a RIGHT wee blether, the ‘creative conversation’ I held in autumn 2011 with children aged between two and five, I have visited several nurseries over the year and I expect this to continue. In the period March 2011-April 2012, I spoke directly or through the national schools’ intranet, GLOW, to over 6000 children and young people.

My main proactive activity has been initiating the implementation of work resulting from a RIGHT blether in the areas of: children and young people living with domestic abuse; improving educational attainment and wider achievement; campaigning to promote respect and challenge prejudice against children and young people; and promoting inclusion for children and young people with disabilities. Further details are contained in this report. I have also had the delightful task of reporting back on the results of a RIGHT wee blether, more of which you can also read in the report.
strategic aim

To influence and promote the effective and sustainable involvement and widespread participation of children and young people.

**a RIGHT wee blether**

Building on my 2010 national consultation with school-age children, *a RIGHT blether*, I wanted to give younger children an opportunity to have their own ‘creative conversation’. *A RIGHT wee blether* ran from September 2011 to December 2011 and involved all local authorities in Scotland.

Research shows that experiences in the earliest years of a child’s life have a significant impact on development. Children who have good experiences in their early years are more likely to grow up to be well-adjusted young people and adults. Increasing awareness of the UNCRC in children, young people and the adults who care for them, enables further steps to be taken towards creating environments and interactions that are respectful of rights.

Through *a RIGHT wee blether* children had the opportunity to tell me about the things that made them smile, the people and relationships that were important to them, and the things they would like to change or make better – whether in nursery, playgroup, at a childminder’s, or at home.

Every child taking part received materials to make *A Wee Book About Me*. Adults working with or caring for the children who took part were supported with guidelines and dedicated online content. The adults were asked to collate responses from the *Wee Books About Me* into *Our Wee Story Book*, which was then returned to my office. Children were able to keep their *Wee Books About Me*. 
A **RIGHT wee blether** was guided throughout by a range of experts from early years, education, creative, communication and academic backgrounds. This steering group worked closely with the Participation and Education team, advising on every aspect of the project. Key contacts in local authorities across Scotland helped publicise the project and distribute materials.

**In total, 612 Our Wee Story Books were returned, with responses from 12,771 children. Through conversation, creative arts, stories, games and play, children told me that:**

- Their most important relationships were with their families. (98% of children said that their families were special to them and 88% said that their families made them smile)
- Friends were important to them too. (61% of children said that friends were special to them and 38% said that playing with friends made them smile)
- They were very busy playing – indoors and out, with toys, with pets, in the park and on bikes
- Most (80%) of them were happy.

They also told me that there were some things that they would like to change. 47% said they would like to change an aspect of their home and 21% talked about changes they would like to see in their families.
The overall aim of a RIGHT wee blether was for me to demonstrate the capacity for very young children to express their views and for these views to be valued. I intend to continue to press the case for children’s views to be considered important from the time they are born and throughout their lives.

I’ve travelled across Scotland to let people know about the a RIGHT blether results. My work has focused on key areas identified by you. I will incorporate the main messages from a RIGHT wee blether in my public speaking engagements throughout the coming year and use them to contribute to aspirations for cultural change in the parenting of our children in Scotland.
Young Carers
I attended the Young Carers event in August 2011, which will form the basis of a separate report detailing their experiences. My office will be working with MSPs in the coming year to highlight the reality of young carers’ lives.

Rights Respecting Schools
My office continues to work closely with UNICEF to support Rights Respecting Schools. The Participation and Education team contribute at a national level to the external working group chaired by UNICEF and to the Strategic Leads group in Scotland. I regularly attend events in schools to present Rights Respecting Schools Awards.

Rights Resources
A new workshop was added to my office’s existing Rights Resource Pack. This gives schools and informal learning settings a chance to review their work on the UNCRC and to remind the children and young people they work with about my office and role. The workshop also provides information on the results of a RIGHT blether and activities to extend questioning techniques to help prepare children and young people for a visit from the Commissioner.

GLOW
The Participation and Education team continues to use Scotland’s intranet for schools – GLOW – to communicate with children and young people. This year the team, in partnership with Education Scotland, ran four GLOW meets in early years settings. The office also has a dedicated national GLOW group, which will be an important focal point for communication in the coming year.

"The office has a dedicated national GLOW group, which will be an important focal point for communication in the coming year"
Children and Young People’s Participation

In 2012 I commissioned Dr Gregory Mannion from Stirling University to undertake a scoping study, *Children and Young People’s Participation in Scotland: Frameworks, standards and principles for practice*. The intention of the scoping study was to increase our knowledge of current participation practice in Scotland and to provide us with a baseline on current participation principles, standards and frameworks being used. The report will be published in August 2012.

Consultation Workshops with Children and Young People

Alongside the scoping study, the Participation and Education team held a series of fun and interactive workshops with 74 children and young people. The children who took part were aged between five and 18, and came from Shetland, the Scottish Borders, Fife and North Lanarkshire. The main purpose was to explore, from the children’s viewpoint, what are the key elements that make participative experiences successful, as well as the barriers that may prevent this from happening.

The information in the children’s report and the scoping study will help to inform the viability of developing National Quality Standards and a Framework for Participation for Scotland; or provide consideration of an alternative way forward to improve participation of children and young people in Scotland.

Evaluation of a RIGHT blether

An external evaluation of a RIGHT blether, undertaken by York Consulting, was published in September 2011. It provided a thorough report into processes and outcomes of the national consultation from the perspective of the participants and an assessment of the impact across Scotland.

This report is available on the website: [www.sccyp.org.uk](http://www.sccyp.org.uk)
**Strategic aim 3.**

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

"I commissioned an investigation... that will help identify where changing assessment policies may be affecting disabled children and young people and their families."

**Priority work areas**

This year, the Policy team set up two advisory groups to advise on my office’s ongoing work on disability and domestic abuse. These were identified as priority work areas for my office over the next few years, in part as a result of my 2010 consultation with children and young people, a RIGHT blether. Following further analysis of the results by focus groups, our Enquiries Service and discussion across the team, a decision was taken to focus on disability and domestic abuse as priority areas of work.

**Domestic Abuse**

The Domestic Abuse Advisory Group was first convened in September 2011 and meets on a quarterly basis. Group members have a wide range of policy and practice experience with representatives at national and local levels. The group identified safe contact as an issue requiring further exploration. I have commissioned an initial scoping study examining how the views and best interests of children and young people affected by domestic abuse are factored into decisions about contact. The research is due for publication in autumn 2012.
Disability

The Disability Advisory Group met for the first time in autumn 2011. It is comprised of representatives from third sector organisations, disabled young people and parents. Members of the group give my office insight and feedback on our projects and activities; some of our activities are the result of discussions that have taken place within the group. As a result of their recommendation, I have commissioned a critical review of contemporary research and policy relating to disabled children and young people in Scotland, due to be published in April 2012.

Disability also ties in with the work of the four UK-wide Children’s Commissioners, who focused on ‘children with disabilities’ as one of the five priority areas in our mid-term report on UK implementation of the United Nations Convention on the Rights of the Child (UNCRC).

I have also commissioned an investigation into the use of eligibility criteria and assessment tools in the provision of services for disabled children and young people and their families across all Scottish local authorities. This will help identify how changing assessment policies and processes may be affecting disabled children and young people and their families. The report is due to be published in September 2012.

Members of the Policy team participated in Stage 1 of the Doran Review (National Need Group). This group was tasked to identify the need for nationally commissioned services for children with complex needs.
Child Trafficking

My office organised a major conference on child trafficking, held in Edinburgh on 7 June 2011. Delegates heard from national and international experts on the subject. The conference followed publication of my report *Scotland: A Safe Place for Child Traffickers? The Nature and Extent of Child Trafficking in Scotland*. Feedback from the conference was extremely positive. There are plans to set up a cross-party group to provide continual monitoring of progress on this issue.

Asylum

My Policy team continue to be members of the advisory group on the Guardianship Project of the Scottish Refugee Council (SRC) and are involved in work on the SRC’s development of age assessment guidance. Discussions have taken place about data sharing protocol on age assessment between the UK Border Agency and local authorities. As part of these discussions, Policy staff analysed the protocol from a children’s rights perspective.
Rights and status of children of prisoners
In June 2011 I published and laid before parliament a review of the report, ‘Not Seen, Not Heard, Not Guilty’, which highlighted the need for progress in ensuring adequate and timely support for children affected by parental imprisonment. The updated report found that while some progress had been made against the original recommendations, significant culture change within the criminal justice system is still required. Nineteen substantive follow-up recommendations were made and the report was received very positively by the Scottish Government and the Scottish Prison Service.

UNCRC
The UK Commissioners’ midterm report to the UK State Party on the UN Convention on the Rights of the Child was published in November 2011 and the Scottish Government responded to it in their progress report Do the Right Thing. The Scottish Child Rights Implementation Monitoring Group (SCRIMG) has continued to meet and scrutinise the Scottish Government’s implementation of their commitment to the UN Convention on the Rights of the Child.

Members of my Policy team developed terms of reference for a UNCRC Incorporation Group, which met three times over the year. A seminar on the subject was held in November, with representatives from the children’s sector, the Welsh Children’s Commissioner’s office and the Scottish Government attending.

Consultation Responses
Consultations my office responded to included:
• Consultation Response to the Proposed Rights of Children and Young People (Scotland) Bill, December 2011
• Policy briefing on the Proposed Rights of Children and Young People (Scotland) Bill, November 2011
• A Consultation on the Common Core of Skills, Knowledge & Understanding and Values for the Children’s Workforce in Scotland, June 2011
• Forced Marriage Statutory Guidance, June 2011
• Equality Act 2010: Ending Age Discrimination in Services, Public Functions and Associations – a consultation, May 2011
• Education and Culture Committee’s Inquiry into the Educational Attainment of Looked After Children (Oct 2011)
• Mental Health Strategy (Feb 2012).
CASE Studentship
My office’s collaboration with the Centre for Research on Families and Relationships (CRFR) through the CASE studentship scheme will be completed in autumn 2012 when PhD student Emma Davidson submits her thesis on “Anti-social behaviour and children, their spaces, relationships and interactions with formal policy.”

Enquiries Service
My office offers a dedicated Enquiries Service to assist anyone with a query about children’s rights.

The team routinely responds to requests from parents, grandparents, social workers, GPs, solicitors, MSPs, advocacy workers and children’s rights officers, on behalf of children and young people. The Enquiries Service dealt with a total of 423 enquiries and information requests in 2011-12.

Children and young people can contact the Commissioner’s office directly. This accounts for almost 10% of the enquiries received and these have included:

- A young person concerned about proposals to build a waste incinerator near his home. He wanted to know what his rights were and how he could protest against this
- A looked after and accommodated person who had been told he was going to have to move from a residential placement he had been settled in for over three years to be closer to his siblings. He didn’t want to move and felt no-one was listening to him
- Two primary school pupils wanting to know why adults had the right to safe and clean toilet facilities, whilst they did not
- A young gymnast, forced to leave her sports club after she complained about bullying – wanting to know what her rights to be reinstated were.

As my remit currently prevents me from intervening in cases involving individual children, the Enquiries Service seeks to provide in-depth information and sign-posting to enable enquirers to progress their queries independently.
Where a child or young person brings a query to me directly, we may choose to offer further support to them – for example, putting them in touch with a local advocacy worker to help them resolve an issue at a local level.

**Some of the issues raised on behalf of children and young people this year have included:**

- A mentor working with a young person who had recently left care and moved to live with his grandmother. The mentor was concerned that both were attempting (unsuccessfully) to survive on the grandmother’s pension. He wanted to know what other help they should be entitled to.
- A query about the circumstances in which a young person in secure accommodation could be refused a family visit.
- A parent writing on behalf of their autistic three-year-old child, who had been told that the child could no longer attend nursery due to his behaviour.
- An advocacy worker trying to help a young boy engage a solicitor as the boy no longer wished to have contact with his father, who he was scared of.

If you have a children’s rights issue you would like to highlight with the Commissioner, you can contact the Enquiries Service:

**E-mail:** inbox@sccyp.org.uk
**Phone:** 0131 558 3733
**Young People’s Freephone:** 0800 019 1179
**Web:** www.sccyp.org.uk

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Primary school pupils wanted to know why adults had the right to safe and clean toilet facilities, whilst they did not.
strategic aim  
To ensure that the office of Scotland’s Commissioner for Children and Young People is efficient, effective and fit for purpose.

Operational Plan
A new Operational Plan was completed and is now in use.

Budget
The office is on course to make 15% reductions in funding by 2013-14. Monthly reports of expenditure against budget continue to be published on the website.

FOI Requests 2011-12
Freedom of Information legislation requires that all Scottish public authorities, including Scotland’s Commissioner for Children and Young People, respond to information requests.

In 2011-2012 there were 17 requests for information and one request for a review, compared to 33 requests in 2010-2011. The requests covered a wide range of issues, often seeking information in relation to the governance and finance of the office.

During 2010-2011 71% of requests were fulfilled in full. 29% were fulfilled in part and in all these instances this was due to some of the information requested not being held by the Commissioner’s office.
accounts

The Financial Position

The Commissioner’s expenditure on operating activities for the year ended 31 March 2012 totalled £1,247,000 (2011 £1,317,000). This was on staffing costs £725,000 (2011 £719,000), other operating expenditure £487,000 (2011 £561,000) and depreciation £35,000 (2011 £37,000). Income for the year was £0 (2011 £0).

A further £5,000 (2011 £17,000) was spent on capital additions during the financial year giving total expenditure of £1,252,000. Excluding non-cash items (depreciation £35,000) total expenditure was £1,217,000. This compares to a budget of £1,249,000, representing an underspend of £32,000.

The underspend of £32,000 represents less than 2.6% of the total annual budget of £1,249,000 and demonstrates that high level controls are in place in the monitoring of expenditure against budget. The main reason for this underspend is due to planned research work not going ahead and a reduction in the budget required for work related to the national consultation, a RIGHT blether.

Net Expenditure 2011-12

Source: SCCYP Accounts 2011-12

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
<th>Percentage</th>
</tr>
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<tbody>
<tr>
<td>Staffing Costs</td>
<td>£725,000</td>
<td>58%</td>
</tr>
<tr>
<td>Capital Expenditure</td>
<td>£5,000</td>
<td>1%</td>
</tr>
<tr>
<td>Operating Costs</td>
<td>£487,000</td>
<td>39%</td>
</tr>
<tr>
<td>Depreciation</td>
<td>£35,000</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>£1,252,000.00</td>
<td>100%</td>
</tr>
</tbody>
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The chart above illustrates the cost of operating activities by category of expenditure.

Excluding staffing costs of £725,000 and depreciation of £35,000, other operating expenditure amounted to £487,000, of which:

- **Property (20%)** includes all rent, rates, energy costs, property insurance, repairs, maintenance and cleaning.
- **Administration (14%)** includes all normal office running costs, for example, stationery, postage, telephones, photocopying, printing, equipment, maintenance etc.
- **Recruitment (1%)** includes costs for advertising and venue hire.
- **Training (2%)** includes investment in both individuals and staff teams.
**Travel and expenses (5%)** includes costs incurred both by the Commissioner and the SCCYP staff team.

**Promotion and Participation (29%)** includes all activities (for example, publicity, promotion and participation) undertaken in fulfilment of the general function of the Commissioner.

**Research (8%)** includes a number of projects related to the National Consultation exercise entitled *a RIGHT wee blether*.

**IT (8%)** includes the cost of support and maintenance for the office and the complaints handling and support (CHAS) servers.

**Website development and maintenance (3%)** includes continued development of the SCCYP website as a major interactive tool for communicating with children and young people.

**Professional fees (10%)** include the costs of payroll support, legal and audit accountancy, along with the engagement of a consultant, to deliver child protection training.

A full copy of the Annual Accounts 2011–12 can be obtained on request from Scotland’s Commissioner for Children and Young People and printed in full on [www.sccyp.org.uk](http://www.sccyp.org.uk)

The accounts are subject to approval by external auditors.
As well as this, we will be working on the following projects:

RIGHT now – a vision for Scotland by children and young people

We had a RIGHT blether to help us find out what Scotland’s children and young people think are the most important things we should be working on.

You told us:

- In our homes we should be Safe and Secure
- Where we learn we should be Treated Fairly... no matter how much money our families have
- In our communities we should be Safe and Respected
- In Scotland, we should all be Included... no matter how different we all are.

I will soon be launching RIGHT now, which will feed back the outcome of the vote through a range of materials, including posters, postcards and leaflets. As part of this communication, my team will be making two short films. The first will provide a background to children’s rights and the UNCRC, my role as Commissioner, the RIGHT blether vote outcomes and our actions as a result of this. The second film will explain the Curriculum for Excellence within the context of the articles of the UNCRC.
**Promoting Respect**

A priority for my office until 2016 will be a strand of work called ‘Respected in my Community’. The campaign will focus on challenging age discrimination against, and negative portrayal of, children and young people in Scotland.

The choice of campaign issues and the timetable are being considered at the time of writing. Potential issues on which the campaign may focus include: transport and places to go; public spaces; media images of children and young people; and school toilets.

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**a RIGHT wee blether**

A report summarising all the information from Our Wee Story Books will be published on the website in autumn 2012.

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**Children of prisoners**

My team will work with Families Outside, Together, and other organisations in the Cross-Party Group on Children and Young People to ensure that tangible results come from the Universal Periodic Review on the rights of children of prisoners.

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**Children’s Comm Scot @RightsSCCYP**

You said you want to live in a Scotland where you’re: Safe and Secure, Treated Fairly, Respected, and Included – RIGHT now

#yourannualreport
Upcoming reports
I will publish an overview of policy and research related to the rights of disabled children, with a focus on their inclusion in society. The report will inform the disability strand of my work through the duration of the current strategic plan.

I have commissioned a report exploring the link between poverty and educational attainment. This will provide information to help shape my response to the result from a RIGHT blether where children and young people said they want to have the same chances no matter how much money their families have.

I also plan to publish a report examining what criteria local authorities use to determine whether to provide a service to a disabled young person or their family.

The Policy team will conduct desk-top research and publish a related report into the administration of medicine in schools. The research is the result of a number of enquiries from children, parents and professionals about practice in this area.

Reporting to the UN Committee on the Rights of the Child
The four UK Commissioners have begun the process of considering the report which will follow the UK reporting requirement for 2014. UK officials are confident they will meet the proposed reporting deadline. Planning is underway to ensure that the Commissioners’ report to the UN will be ready for 2015, as this is the anticipated timescale for the report.