



SCCYP

Scotland's Commissioner
for Children & Young People

Annual Report 2010.11

Promoting and safeguarding children
and young people's rights in Scotland

Annual Report of Scotland's Commissioner for Children and Young People 2010/11

This report covers the period 1 April 2010 to 31 March 2011.

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

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From the Commissioner



My second year in office has been driven by a high level of exciting engagement and participation as I embarked on an intensive consultation programme with Scotland's children and young people.

It has also been dominated by planning and preparing for the future – a future which I am immensely looking forward to since I have been confirmed in Office until May 2017.

The planning for my Strategic Plan which I intend to lay before Parliament has primarily been influenced through my consultation with children and young people and a formal consultation with professionals and organisations working with, or on behalf of children and young people.

The consultation with children and young people was called a *RIGHT blether* and involved 74,059 young children and young people voting on what they think are the issues that need to change. The number of responses makes a *RIGHT blether* the largest consultation undertaken in Scotland. More detail on the results of the consultation and my response to them is under Strategic Aim 2 of this report.

I have continued to maintain activity pressing for changes in policy and improvements in service delivery for our most vulnerable children and young people. This has been through a combination of the publication of reports, involvement in policy developments and pressing for changes in legislation through engagement with parliamentary processes. There is more detail on this work provided under Strategic Aim 3 of this report.

I expect this combination of activity with wide numbers of children and young people coupled with a focus on specific groups who are vulnerable will characterise the future activity of my time in Office.

I reported in my previous annual report my view of the three overarching issues that have the greatest impact on children and young people's rights. These were: child poverty and inequality; early years service development; and the economic recession. This remains the case.

In terms of child poverty, the figures have shown marginal improvement, but insufficient progress to remove this as the most corrosive influence for children and young people affected. At least one in five children in Scotland will experience living in poverty, negatively affecting their life chances and negatively affecting their enjoyment of their rights.

In terms of early years service development, there have been some improvements, but as my publication, *The Early Years, scoping its impact (2010)* demonstrates, there is a need for a step change in implementation if we are to achieve the ambition of transformational change laid out in the Scottish Government's Early Years Framework.

In terms of the economic recession, this has created monumental challenges which will continue to impact on services across the board. This needs to be rigorously monitored if we are to avoid children and young people being disproportionately affected by a series of cutbacks which have a very significant cumulative impact.

Despite all of this, I remain optimistic about what can be achieved in the future for children and young people in Scotland. I say this because I believe we have the potential to put them at the centre of everything we do. I have an ambition that I believe is shared by many people in Scotland, that we can and should place greater value on our children and young people throughout their childhood. My proposal to achieve this is that we should look beyond merely adopting the United Nations Convention on the Rights of the Child (UNCRC) as the metre by which we measure how well we are doing by our children and young people. We should make the UNCRC meaningful within our legislation. In order to do so, we should embed the commitments we give through the UNCRC into Scots Law to strengthen our resolve that children's rights will become a reality for all of our children and young people.

The Scottish Government's commitment to introduce new children's legislation provides an opportunity to realise this potential and to act more forcibly than previously in adopting a rights based approach to our children and young people. In my view the time is right for Scotland to lead the way in endorsing the commitments to our children and young people through strengthening the law in respect of children's rights generally and the UNCRC in particular. There is an opportunity to grasp the nettle on this and make a generational change in our approach to children and young people. It will require careful stewardship and strong leadership - and I believe we have the capacity for both to make our ambitions come true.

Tam Raithe

I recommend that Scottish Government introduces legislation that embeds United Nations Convention on the Rights of the Child into Scots Law and that Scottish Parliament adopts this children's rights based approach for children and young people in Scotland in all matters affecting them.



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 the 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 been 'looked after' by a local authority or in care.

Strategic Aim 1

To increase the awareness, understanding and implementation of the UNCRC in all sectors of Scotland's society

One of the aims of the consultation, a *RIGHT blether* was to raise awareness and understanding of children's rights and the United Nations Convention on the Rights of the Child (UNCRC) with children, young people, and adults - both professionals and parents/ carers.

Stakeholder engagement

I played an active role in the promotion of a *RIGHT blether*, which was developed throughout the year. By July 2010, I had completed an initial tour of all local authority areas in Scotland, speaking to various combinations of Directors of Education, Directors of Social Work, and Chief Executives. This approach has been welcomed by all local areas I visited. I have since followed this up with another tour focussed on contact with children and young people. I am privileged to be able to speak directly to children and young people in a wide variety of settings and this engagement has provided some of the most delightful and inspirational moments during my time in Office so far.

I have continued to adopt a personal approach to the promotion of my role by engaging with key professional contacts at both national and local levels. This is a significant way in which I can promote children's rights and the work of the office. I continue to be encouraged by the extremely positive relationships I have established and maintained at all levels of influence. This includes; Cabinet Secretaries and Ministers; senior government civil servants; chief executives and senior officers in local government; and a very wide range of partner organisations.

Public Engagement

The consultation a *RIGHT blether* created a large amount of local press coverage which is helpful to promote children's rights and the work of the Office. The coverage has ranged from a photo-opportunity on a visit to a local school to radio and press interviews as a result of attendance at local events involving children, young people and local senior officers and politicians. On one occasion, BBC Children's Newsround followed the tour to the Shetland Islands and broadcast a UK network-wide item on children's active involvement in a *RIGHT blether*.

In terms of national media coverage, I have continued to provide regular comment on matters relevant to children and young people that have a clear children's rights dimension. Overall I am satisfied with the external communications that generally reflects a positive promotion of the work of the Office and children's rights.

My website will continue to be one of the tools with which children and young people can engage with my work and contact me directly. This year my office has also created a YouTube channel to show films that we produce, and I continue to use my Twitter presence as another key method of engagement.

Engagement with children and young people is discussed in more detail under Strategic Aim 2.

Strategic Aim

2

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

The new approach to participation as outlined in my previous annual report has been strengthened and developed as a result of a *RIGHT blether*, the national consultation with children and young people aged between five and 18 (21 if they have ever been looked after or in care).

I said that I would widen the range of positive engagement with children and young people in influencing the work of the office and we have achieved this, both through face to face meetings with children and young people across the country, through the use of new technologies like Glow (Scotland's national intranet for schools) and through our wide range of stakeholders, partners and networks.

A *RIGHT blether*

The consultation was an important step towards raising awareness of children's rights, of my role as Commissioner and of the nature of the work undertaken by my office. I look forward to working on the commitments generated by what the children and young people who voted for me told me.

The primary aim of the national consultation was to make sure that my work priorities for the next four years were informed by as many children and young people as possible from across Scotland.

aRIGHT blether
What's important to you?

How did we do this?

- **Partipate**

Across Scotland children and young people took part in workshops using the specially designed resources to help them better understand their rights. These workshops were facilitated by teachers, youth workers, peer educators and pupil councils.

- **Meet**

I met thousands of children and young people during the summer and autumn of 2010 in youth clubs, at play days, at festivals and in schools to talk about the work of my office and to encourage them to get ready to vote in November.

- **Create**

Many children and young people told me about their hopes, dreams and the things that were already good in their lives and where they thought that their rights were being met in a *RIGHT brilliant thing*. Children wrote letters, drew pictures, sent photographs, songs or poems, made banners and more all to illustrate what their *RIGHT brilliant thing* was.

- **Celebrate**

There were celebrations of the 21st anniversary of the United Nations Convention on the Rights of the Child in, classrooms, clubs and community centres, and offices.

- **Vote**

In November 74,059 children and young people voted. They voted online or in voting centres in schools, local organisations and some national centres such as the Scottish Parliament. The votes cast reflected issues which children and young people thought were important to them in four categories, My Home, Where I Live, My Community, The Country I Live In, Scotland.

The full results are available on the website at www.sccyp.org.uk



74,059 children and young people across Scotland voted to tell the Commissioner...

• **My Home**

To make children and young people's lives better in the home, I think Tam should **help us be safe and secure in our homes.**

My response to this is to commit to promoting early intervention and prevention of child abuse and neglect and this has been refined to focus on the issue of children and young people living with domestic abuse.

• **Where I Learn**

To make children and young people's lives better where we learn, I think Tam should **help us have the same chances, no matter how much money we have.**

My response to this is to commit to campaign for more equitable access to opportunities for learning in formal and informal settings, particularly children and young people living in poverty with low educational attainment.

• **My Community**

To make children and young people's lives better in the community, I think Tam should **help us feel safe and respected.**

My response to this is to commit to promoting respect and to challenge prejudice and negative perceptions of children and young people in society.

• **The Country I live in, Scotland**

To make children and young people's lives better in Scotland, I think Tam should **help us include each other, no matter how different we all are.**

My response to this could potentially include all young people so the initial response to commit to working to ensure that children and young people with disabilities have equal chances in all aspects of their lives.

The results from a *RIGHT blether* indicate that 24% of children and young people are aware of the Commissioner and 44% have heard of UNCRC. These are useful measures of where we need to make progress in the future.

Voting

Every local authority in Scotland

participated in

the vote in 460 voting centres. The results of the vote have been published on my website giving details of the national result and 32 separate reports providing details of the results in each of the local authority areas. The national and individual reports for each local authority provide a breakdown of votes by age group and format of vote. The majority of votes were cast in voting centres with 7% cast online.



Tour Stops

There were a total of 117 tour stops between June – December 2010 undertaken to promote and disseminate information about a *RIGHT Blether* and children's rights. The

tour covered all local authority areas in

Scotland and included a very wide range of centres – schools (nursery, primary, secondary and special), youth club centres and social care settings as well as a number of specially arranged events organised on a local authority basis. A total of 20,286 children and young people and adults working with them, attended the tour stops. The age breakdown for this is shown here:

| | |
|----------------------------|---------------|
| Children aged 11 and under | 9680 |
| Young people aged 12-17 | 6945 |
| Young people aged 18-21 | 490 |
| Adults | 3171 |
| Total | 20,286 |

Glow Meets

I am immensely grateful for the support provided through Learning and Teaching Scotland who facilitated online communication with children and young people in school settings through the Scottish schools intranet set-up known as Glow. A total of 3,500 registered to attend six Glow meets during the consultation period.

A RIGHT BIG blether

In March 2011, key policy and decision makers, adults who work with, and

for children and young people, representatives from youth groups and schools came together in Stirling to hear the results and to celebrate the achievements of a *RIGHT blether*. Key partner organisations supported this event and a total of around 350 adults and pupils attended. We were also joined by over 40 schools who linked up with one event via Glow (Scotland's national intranet for schools). Delegates were also able to visit an exhibition of some of the *RIGHT brilliant things* which had been received by my office.

RIGHT Brilliant Things

Children and young people were invited to submit creative expressions of things which made them feel good, that they valued or that they thought should be shared with other children and young people. We called these *RIGHT brilliant things*. A total of 1,885 *RIGHT brilliant things* were submitted and these complemented the information coming through the voting process.

Evaluation

To ensure that my office learns from the experience of a *RIGHT blether* I have commissioned an external evaluation of the consultation. This will help us identify those things that went well over the period of engagement of a *RIGHT blether* and those areas where we could have done better. It will help inform future work including my 'creative conversation' with two to five year olds called a *RIGHT wee blether* which takes place between September and October 2011. There is more information on this in The Coming Year section.

The consultation was also independently evaluated as it progressed by a group of children and young people working with Media Education. The monitoring films can be viewed on the office YouTube channel www.youtube.com/user/RightsSCCYP



Strategic Aim 3

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

Early Years

I commissioned Emeritus Professor Aline-Wendy Dunlop, Faculty of Humanities and Social Sciences, University of Strathclyde to undertake a scoping study in summer 2010 into how local authorities are responding to the implementation of the Early Years Framework.



The summary report, *The Early Years Framework: Scoping its Impact (2010)* was published in October 2010. This study allowed some wider conclusions to be drawn about the picture across Scotland and highlighted the need for a much stronger approach at a national level to achieve the ambitions set out in the Early Years Framework, to break the cycle of poverty, inequality and poor outcomes through the early years. The study reinforces children having the right to a promising future: children's rights must underpin all policy affecting children and young people

To enhance the knowledge base in the office and my interest in early years issues, I also commissioned a desk top review of evidence-based practice in participation with young children. This will help to inform the work in the coming year on the participation exercise for children between two and five years old called a *RIGHT wee blether*.

Child Trafficking in Scotland

I commissioned the Centre for Rural Childhood, Perth College UHI, led by Professor Rebecca Wallace to complete a scoping study into the issue of child trafficking.

The report – *Scotland: a safe place for child traffickers? A scoping study into the nature and extent of child trafficking in Scotland (2010)* was laid before Parliament in March 2010.

As part of the research, the views and experiences of 850 relevant professionals – from health workers, social workers and teachers to the police, voluntary organisations and the UKBA in Scotland were sought. The research revealed that awareness of child trafficking is low in Scotland and this lack of awareness may have led to a significant number of cases remaining unidentified, with vulnerable children not being referred to relevant agencies.

Based on the findings of the report, I made a series of recommendations for the UK Government, Scottish Government, local authorities, police forces and the UK Border Agency in Scotland. My office will plan a conference to raise awareness amongst practitioners for June 2011, speakers to include Joy Ngozi Ezeilo, United Nations Special Rapporteur on Trafficking in Persons especially women and children and Myria Vassiladou, EU Anti Trafficking Co-ordinator.



Children in Care: Outdoor activities

In collaboration with the Scottish Institute for Residential Child Care (now called the New Centre: Scotland's New Centre for Excellence for Looked After Children) and the Scottish Government, we launched *Go Outdoors! Guidance and Good Practice on Encouraging Outdoor Activities in Residential Child Care (2010)*, in June 2010. This report follows on from the previous Commissioner's report *Playing it Safe? (2007)* where there was the clear message that practitioners and managers would benefit from guidelines designed to encourage and promote the rights of children and young people to participate in outdoor activities.

Children of Prisoners

My predecessor's 2008 report *Not Seen. Not Heard. Not Guilty. The Rights and Status of the Children of Prisoners in Scotland*, highlighted the significant challenges faced by this sizeable group of children and called for action to be taken by those supporting children and by the criminal justice system. This year saw my office undertake a review of the action taken by the addressees of the 2008 report's recommendations.

My office collected evidence and spoke to stakeholders in the criminal justice system, the Scottish Prison Service, central government and local authorities, the Judiciary and the voluntary sector to establish what tangible progress had been made in the three years since publication. A review report which charts that progress and makes follow-up recommendations for further action will be laid before Parliament in June 2011.



Enquiries Service

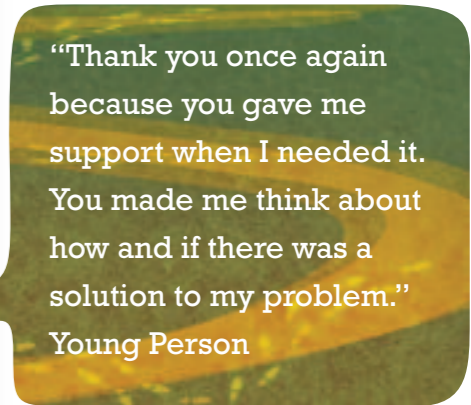
Most enquirers who contact my office have high expectations, whether they are looking for an expert source of information on children and young

people's rights, or feel powerless in the face of an intractable situation. Some people are looking for help with personal problems while others want to bring an issue to my attention, looking for help to influence policy or legislation.

In the past year there have been 330 enquiries; 36 of these directly from children and young people. They have come from 29 of Scotland's 32 local authority areas, as well as from England, Wales, Northern Ireland, the USA, Norway, Nicaragua and Ghana.

A common theme that emerges from the wide range of enquiries we receive it is that children's voices are still going unheard, their best interests relegated—often as a consequence of widespread budget cuts.

The enquiries service is the 'hotline' to the Commissioner and while I cannot intervene in individual cases, the issues raised by those who get in touch, inform the work of the office.



CASE Studentship

My office continues its collaboration with the Centre for Research on Families and Relationships (CRFR) at the University of Edinburgh to support a CASE Studentship.

This is focussed on the research topic on "Anti social behaviour and children: their spaces, relationships and interactions with formal policy" to be completed in December 2011.

Detention of asylum seeking children

I worked with other UK Children's Commissioners to respond to the UK Border Agency review of the UK's family detention policy. Regular discussions with the UK Border Agency in Scotland and a meeting with the Immigration

Minister, Damian Green, took place regarding the end of the use of detention for families with children and to discuss a new family returns process that does not involve detention of families with children, whose asylum claim has been declined.

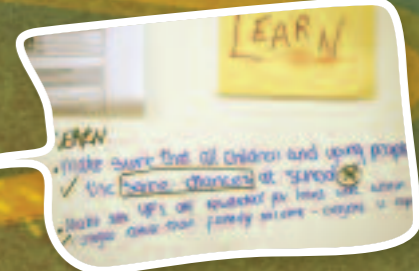
My office will continue to work with the UK Border Agency in Scotland to ensure that children are informed and involved with the rest of the family in their asylum application and in all discussions about the prospect of returning the family.

Moving and handling of children and young people with disabilities

In response to the recommendations in the report *Handle with Care (2008)*, my office jointly with the Scottish Government convened a working group with four sub-groups tasked with

producing guidelines that would be based on the report recommendations. The aim of the guidelines is to set out an effective approach to a range of moving and handling issues. The members of the groups include parents and young people, moving and handling professionals.

The four sub-groups are focusing on training, accountability and problem-solving, consistency and communication and engagement. The draft guidance will be discussed with children and young people before its expected publication in 2012.



Criminal Justice and Licensing (Scotland) Act 2010

criminal responsibility, (2) DNA retention, (3) the imprisonment of children aged 14-15, and (4) the interests of children of prisoners in sentencing of a parent. The Bill was passed by MSPs in June 2010, and parts of it have been commenced throughout the remainder of 2010-11.

The Scottish Government should be commended for rendering any prosecution of children under 12 incompetent by introducing a 'minimum age for prosecution'. However, this does not fulfil the requirements of the United Nations Convention on the Rights of the Child (UNCRC) in terms of the age of criminal responsibility as Scotland continues to have one of the lowest ages of criminal responsibility in Europe, set at eight years old. This leaves hundreds of children open to criminalisation through the children's hearings system.

I commend the Scottish Government for banning the imprisonment of 14-15 year-olds at Young Offenders Institutions and adult prisons by abolishing the so-called 'unruly certificates', and I was delighted that there was consensus about this across the whole Parliament.

I was disappointed that measures relating to DNA retention remained in the Act and that we missed an opportunity to strengthen measures for the rights of children to be taken into account in the sentencing of parents/carers.

My office's work on this wide-ranging legislation focused on four main issues; (1) the routine criminalisation of children who offend and the age of

Children's Hearings (Scotland) Act 2011

My office has been involved with the legislation from the early stages and on a range of issues, but has sought to focus on three main areas for change: (1) ending the routine criminalisation of children as young as eight who go through the children's hearings system on the offence ground, (2) strengthening the voice of children and young people in the system, and (3) improving implementation of hearings decisions by local authorities and others.

I have already noted my disappointment in relation to the retention of eight years as the age of criminal responsibility under the Criminal Justice and Licensing (Scotland) Act 2010.

The Act strengthens the legal provisions relating to children's participation, and enables the Scottish Government to ensure the provision of appropriate advocacy services to children and young people involved in the system. As further work progresses on this, and on advocacy more widely, I will urge the Scottish Government to ensure that high-quality advocacy services will be available for every child who wishes to benefit from it, wherever in Scotland they are.

It is hoped that power of the National Convener to collect and share information, which has become known as 'feedback loop' will be a key step in working towards the development of outcome measures for the children's hearings system and to improve decision-making and the effectiveness of its interventions.

Bills

Criminal Justice and Licensing (Scotland) Act 2010 (stage 2 amendments & briefings at stages 2 & 3 – 3 themes)

Children's Hearings (Scotland) Act 2011 (stages 1 oral evidence and amendments & briefings at stages 2 and 3 – CHRIWG & Sub – 3 themes)

Scottish Parliamentary Commissions and Commissioners etc Act 2010 (stages 2 & 3 only – stage 1 was RSSB Committee Inquiry)



Parliamentary Evidence

Written Evidence

PE 1362 Post-Legislative Scrutiny of the Family Law (Scotland) Act 2006, Public Petitions Committee, November 2010 & February 2011

PE1369 Having regard to young people when considering changes to leisure and cultural facilities, Public Petitions Committee, January 2011

PE1367 Ban Mosquito Devices Now, Public Petitions Committee, November 2010

PE 1356 Quarriers Charter for Young Homeless People, October 2010

PE1319 Youth Football, Public Petitions Committee, May 2010

PE1317 Protecting the Rights of School-Aged Workers, Public Petitions Committee, April 2010

Oral Evidence

PE1319 Youth Football, Public Petitions Committee, 11 January 2011

Scotland's Commissioner for Children and Young People's Annual Report 2009-10 and Strategic Plan 2011-15, Education, Lifelong Learning & Culture Committee, 24 November 2010

Children's Hearings (Scotland) Bill, Education, Lifelong Learning & Culture Committee, 14 April 2010

Consultation Responses

Scottish Government, Tackling Child Poverty in Scotland: A Discussion Paper, January 2011

UK Border Agency, Alternatives to the detention of children for immigration purposes: Joint Response by the Four UK Children's Commissioners, December 2010

Scottish Government, Consultation on Public Sector Equality Duty Draft Regulations and Order, November 2010

Scottish Government, Draft National Guidance for Child Protection in Scotland, September 2010

Home Office, Policing in the 21st Century - Reconnecting Police and the People: Joint Response by the Four UK Children's Commissioners, September 2010

European Commission, Consultation Document: Communication on the Rights of the Child 2011-14, August 2010

Scottish Government, Under-age sexual activity – meeting the needs of children and young people and identifying child protection concerns, August 2010

Scottish Government, Review of Teacher Education in Scotland, June 2010

Scottish Government, Eviction of Tenants in the Social Rented Sector: Protection of Tenants with Rent Arrears – Consultation, May 2010

Independent Budget Review, April 2010

• make sure all yr feel safe and secure in their home



Keep making opportunities for THINGS TO DO + PLACES TO GO.



To ensure that the office of Scotland's Commissioner for Children and Young People is efficient, effective and fit for purpose

Budget

During the last year, I deleted the Chief Officer post from the staff structure. This has enabled me to make considerable savings towards the cash reduction of 9.1% (£122,655) on my 2010-11 budget by 2014 as required by the Scottish Parliament Corporate Body (SPCB). This has necessitated a reallocation of tasks and responsibilities and I am currently in the process of revising my staff structure to meet this requirement.

In line with the property lease, a rental review was concluded in 2009 and agreement reached that there would be no uplift in the current rent (£50,000 p.a) until the next review due in November 2014.

Monthly reports of expenditure against budget are now published on our website www.sccyp.org.uk along with Freedom of Information (FOI) Requests and responses.

Employee Handbook and Survey

A new Employee Handbook has been produced following consultation with all employees and with input from a PCS Union representative and this will be reviewed regularly. The Scheme of Delegation has been revised following the deletion of the Chief Officer post and the Risk Register is updated as necessary at the monthly Management Team Meeting.

An Employee Staff Survey was undertaken in 2010 and an action plan developed to progress recommendations.

FOI Requests to the Commissioner 2009 – 2011

Freedom of Information requires that all Scottish public authorities, including Scotland's Commissioner for Children and Young People, respond to the information requests they receive. In 2009-10 there were a total of 12 FOI requests, whereas in 2010 there was a marked increase to 33 information requests. The requests covered a wide range of issues, often seeking information in relation to the governance and finance of the office.

In one case the office did not hold the information sought. For 67% of requests the information sought in full was provided. For 24% of requests the information sought was partially sought, and in all these instances this was due to some of the information sought not being held by the office.

Performance Management System

I have developed a new Performance Management system with the assistance of the Scottish Public Services Ombudsman (SPSO) and my Senior Management Team has undergone training in using the revised documentation.

Procurement

A procurement policy has been approved containing guidance for all employees and work is continuing to develop standard templates for tender process and contracts.

The Coming Year



In the year ahead my office will work on my operational plan 2011/12 which includes taking forward the outcomes from the national consultation, a *RIGHT blether*.

Strategic Plan

I intend to lay my Strategic Plan for 2012 – 2016 before Parliament. This will be the foundation and driving force for my office's work and an operational plan for each year will be devised and available on the website. The Strategic Plan incorporates the feedback and responses from a *RIGHT blether* as well as taking account of the feedback from the consultation with professional groups.

A *RIGHT wee blether*

Building on the national consultation a *RIGHT blether*, I plan to involve young children aged between two and five years old in a 'creative conversation' using their own forms of expression. The United Nations Convention of the Rights of the Child (UNCRC) explains that Article 12 imposes no 'minimum age' on the right of the child to express his or her views and that the child is able to form views from the youngest age even when he or she may be unable to express them verbally.

A *RIGHT wee blether* will create a space for those who work within early years contexts, parents, and carers to have a conversation with their children or the children that they work with by facilitating their creation of 'A Wee Book About Me'. To capture as much information as possible, adults are also sent 'Our Wee Story Book'. This is where adults working with children or parents and carers can record more detail about the conversations that took place whilst the children were working on their *Wee Book About Me*, and this book will be returned to my office.

A *RIGHT wee blether* is a chance for young children to inform my work, to celebrate the variety and diversity of the ways in which children might choose to participate and to encourage their active engagement and involvement.

Evaluation of a *RIGHT blether*

I have commissioned an external evaluation of a *RIGHT blether* by York Consulting to provide an in-depth report into the processes and outcomes of the national consultation from the perspective of the participants who engaged with it and an assessment of the impact across Scotland. This report is due in September 2011.

Commissioning research

My team will take forward work on domestic abuse through building a knowledge base and undertaking a scoping study which will allow us to learn from the experiences of children and young people and to identify specific children's rights issues. We will also look at how issues such as budget cuts affect the rights and experiences of children and young people with disabilities.

Accounts

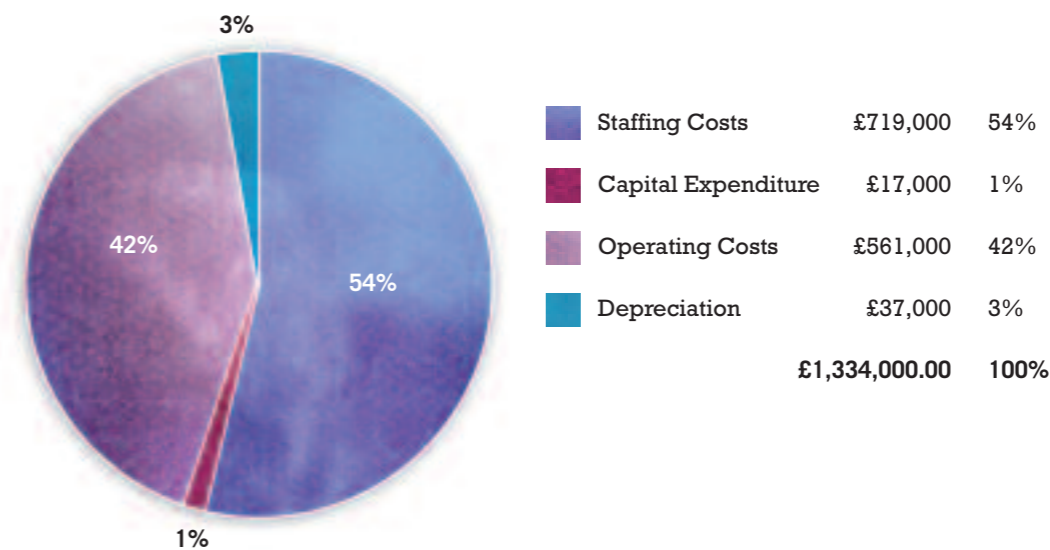
The Financial Position

The Commissioner's expenditure on operating activities for the year ended 31 March 2011 totalled £1,317,000 (2010 £1,353,000). This was on staffing costs £719,000 (2010 £663,000), other operating expenditure £561,000 (2010 £646,000) and depreciation £37,000 (2010 £44,000). Income for the year was £0 (2010 £0).

A further £17,000 (2010 £26,000) was spent on capital additions during the financial year giving total expenditure of £1,334,000. Excluding non cash items (Depreciation £37,000) total expenditure was £1,297,000. This compares to a budget of £1,350,000 representing an underspend of £53,000.

The underspend of £53,000 represents 3.9% 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 with three employees leaving in the year, two of whom were replaced by agency staff on fixed term contracts on lower salaries. As in previous years, costs of the Commissioner's salary were also estimated to include a percentage increase but this was eventually subject to a pay freeze in 2010-11.

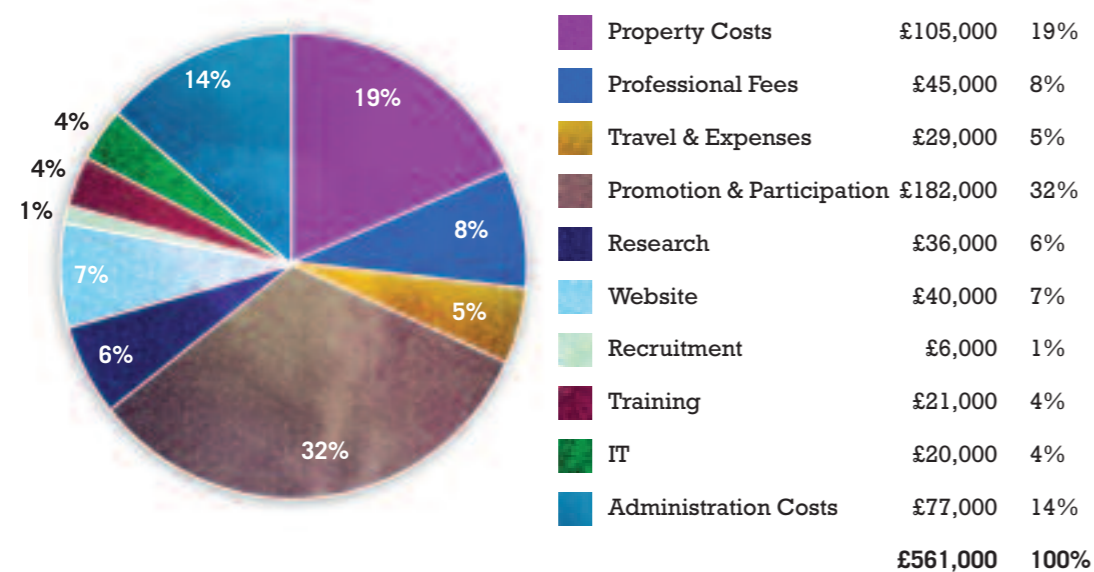
Scotland's Commissioner for Children and Young People Net Expenditure 2010-11: Total £1,334,000



Source: Scotland's Commissioner for Children and Young People Accounts 2010-11

The chart below illustrates the cost of operating activities by category of expenditure. Excluding staffing costs of £719,000 and depreciation of £37,000, other operating expenditure amounted to £561,000, of which Property (19%) 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 and Training (4%) includes investment in both the individual and staff teams. Travel and expenses (5%) includes costs incurred both by the Commissioner and the staff team. Promotion and Participation (32%) includes all activities, undertaken in 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 (6%) includes a number of projects related to the National Consultation exercise entitled a *RIGHT blether*. IT (4%) includes the cost of support and maintenance for the office and the Complaints Handling and Support (CHAS) servers. Website development and maintenance (7%) includes continued development of the website as a major interactive tool for communicating with children and young people. Professional fees (8%) include the costs of payroll support, legal and audit accountancy.

Scotland's Commissioner for Children and Young People Operating Activities 2010–11: Total £1,317,000



Source: Scotland's Commissioner for Children and Young People Accounts 2010-11

A full copy of the Annual Accounts 2010-11 can be obtained on request
and can be downloaded in full at www.sccyp.org.uk/publications/adults/annualaccounts

The Commissioner's children and young people's annual report 2010/ 11 can be watched on prezi at www.sccyp.org.uk

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