

UNCRC Implementation

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Scottish Government**

**Improving Outcomes
for Children and
Young People in Scotland**

Scottish Government's Approach to Children's Rights and UNCRC

What is your favourite film, tv show or book

Imagine the UNCRC and its journey in Scotland as a film, a TV show or a book

What chapter or episode do you think we're in now?

Do you remember the beginning, have there been any dramatic turning points, or a cliff-hangers?

Are there holes in the plot lines – where are the gaps?



Children's Rights Unit

- Embedding Children's Rights in Public Services Team – supports public authorities to embed a children's human rights approach
- Empowered Children and Young People Team – supports our aim of ensuring children and young people are heard and that we raise awareness of children's rights
- Rights Reporting and Monitoring Team – ensures we are abiding by our UNCRC obligations



Five Principles to Embed a Childs Rights Approach



Embedding
Equality and Non-Discrimination
Empowerment
Participation
Accountability



Five principles

Embedding

Putting children's rights at the core of decision making, working practice, planning, reporting, and the delivery of services that affect children and young people.

Equality and non-discrimination

Ensuring that every child and young person has what they need so that they have equal opportunity to fulfil their potential.

Empowerment

Building the agency and capacity of children and young people as rights-holders to claim their rights.



Five principles

Participation

Listening to children and young people and taking their views seriously, as covered by article 12 of the UNCRC.

Accountability

Delivering a proactive culture of everyday responsibility for children's rights across services, including in decision making. Taking steps to monitor children's rights standards and provide remedies where there is failure to meet these standards.



UNCRC Act

The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act commenced on 16 July 2024.

The Act introduced a compatibility duty that makes it unlawful for public authorities or those delivering public services to act incompatibly with the UNCRC requirements.



The Act and statutory guidance are clear that the UNCRC Act applies to all public authorities delivering “functions of a public nature”, in particular those receiving public money.

This seeks to capture the private, voluntary and independent sectors as well as the public sector.

What does it mean for you?

Statutory guidance pertaining to the Computability Duty is the most relevant guidance document for your functions.

It will support you in ensuring you are taking a children's human rights approach.



What does the UNCRC Act mean?

Children, young people and their representatives can use the courts to enforce their rights.

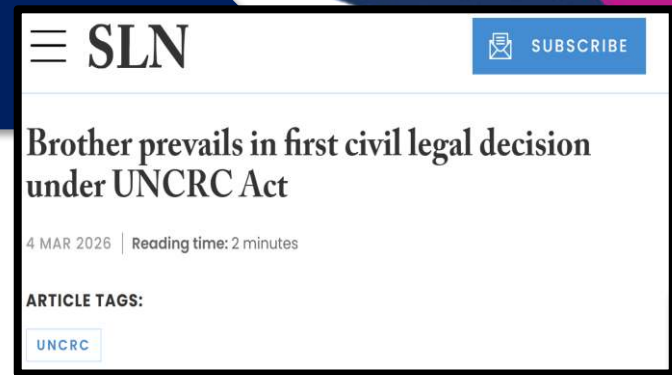
Requires that, so far as possible, legislation is interpreted and given effect to in a way that is compatible with UNCRC requirements, and gives courts the power to make strike-down or incompatibility declarators in respect of incompatible legislation of the Scottish Parliament.

Requires listed public authorities to report.



Any questions?





1st Civil Legal Decision Under UNCRC Act

The Issue: A brother was denied input into a children's hearing regarding his sister, despite the decision heavily affecting his ability to see her.

The Ruling: The court of session ruled that the children's hearing system violated the UNCRC (Incorporation) (Scotland) Act 2024 by failing to consider the best interests of the sibling (Article 3 UNCRC), which must be a primary consideration.

Case Study – Article 12

Annual Cabinet Meeting with Children and Young People



[Children's Parliament at the Annual Cabinet Meeting with Children and Young People 2025 - Children's Parliament](#)

[Young Voices Drive Change at 2025 Cabinet Takeover - Scottish Youth Parliament](#)



UNCRC Resources and Training

- [Children's Rights e-Learning](#)
- Statutory guidance on [Part 2](#) (Computability Duty) and [Part 3](#) (Reporting Duty) of the Act.
- [Child rights Skills and Knowledge Framework](#) - a single point to easily access new and existing resources and training about children's rights.



More UNCRC resources

- The [UNCRC Implementation Framework](#)
- [Advice and guidance on enabling children and young people's participation in decision-making](#)
- [Children's rights knowledge hub](#) (please note you need to sign up)



Skills and Knowledge Framework – further information

- Launched on 12 March 2025
- Easy access to resources and training on children's rights and on taking a children's human rights approach.
- Flexible and adaptable resource
- Developed for the Scottish public authority workforce, including those undertaking public functions and can be used to support all workers in Scotland with responsibilities for upholding children's rights

Framework and Training Plan

Gives users access to resources and training on children's rights and taking a children's human rights approach

Will help public authority and other workers to assess the level of skills and knowledge they need for their role, and access suitable resources

Supports the planning and delivery of training



Case study – Highland Council – recycling policy

Highland Council planned major changes to its waste and recycling system in 2023/24 to align with national policy and the Household Recycling Charter. As part of this work, the project team piloted a new Integrated Impact Assessment tool, including a Children's Rights and Wellbeing Impact Assessment (CRWIA).

This process helped identify how the proposed reduction in general waste bin size might negatively affect families with young children, large families, and families of children with disabilities who generate more waste (e.g., nappies, medical waste).



Case study – Highland Council – recycling policy

- Through the CRWIA, the project team and children’s rights specialist identified the need for mitigation. As a result, the council updated its Waste and Recycling Policy to allow eligible households to request additional waste or recycling bins from the outset, ensuring no child or family is disadvantaged. Criteria include large households, families with two children in nappies, and families with medical-related waste needs.
- Educational initiatives were also developed—teaching materials and planned school trips to recycling facilities—to support learning around sustainability and children’s rights.
- These actions aimed to ensure the changes were in the best interests of children, protect children with disabilities, support health and dignity, and prevent discrimination. Although children and young people were not directly involved in planning due to timing, the CRWIA process still shaped meaningful mitigations for affected families.



Case study - PLUS (Forth Valley) Limited: Listening to children's voices in recruitment and service design

PLUS (Forth Valley) Limited is a third sector organisation that provides social opportunities, support, and connection for children and young people with disabilities and their families.

They promote inclusion, friendship, confidence, and independence

They invited a young person with lived experience of disability to participate in the recruitment of a Family Support Coordinator and to help reflect on the UNCRC articles used in our Child Rights and Wellbeing Impact Assessment



Awareness Raising of UNCRC

Resources discussed during the Forum meeting

a) **Trusted Adults**

This illustrated story resource aims to support trusted adults to understand their role in supporting children and young people who have concerns about their rights, and where to go for further information and guidance.

[Pathways -Trusted Adult Illustrated Story resource](#)

Follow link to : 4) Pathways Resources

b) **Parents, Carers and Families**

In March 2025, Scottish Government launched a unique Children's Rights section on [the Parent Club website](#), with a [bespoke booklet](#), case studies and other useful links and resources, including where to get [help and support](#) and [Talking To Your Child about Their Rights](#).

