



**Title** - Children and Young People (Scotland) Act 2014 Revised Draft Statutory Guidance for Part 18 (Section 96)

## RESPONDENT INFORMATION FORM

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Are you responding as an individual or an organisation?

- Individual  
 Organisation

Full name or organisation's name

Scottish Children's Reporter Administration

Phone number

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- Publish response with name  
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Yes

No

**Please read the draft guidance, then let us know your views by answering the following questions.**

**1) How clear and easy is the guidance to understand?**

Completely  **Mostly**  Somewhat  A little  Not at all

**2) With regard to the assessment of wellbeing, within the overall GIRFEC approach, does the guidance make practitioners' roles and responsibilities clear?**

Completely  Mostly  Somewhat  A little  **Not at all**

**3) Are the definitions provided for the wellbeing indicators (section 6.1) clear and easy to understand?**

Completely  **Mostly**  Somewhat  A little  Not at all

**4) To what extent do you think that the guidance will help practitioners understand how to embed the United Nations Convention on the Rights of the Child, and to protect, respect and uphold children's rights within the assessment of wellbeing?**

Completely  Mostly  **Somewhat**  A little  Not at all

**5) Can you outline anything specific that would be helpful to add to this guidance to assist the assessment of wellbeing?**

The guidance sits within other complicated / lengthy processes and it might be more effective to reference them and provide more detail in an appendix – rather than provide the hyperlink to the National Child Protection Guidance 2021 (for example). The Child Protection Guidance is massive and would not be a 'quick read' for any practitioner.

**Section 6** - could perhaps benefit from an introductory sentence to explain assessment of wellbeing more broadly, before beginning the detailed definitions (perhaps paragraph 6.3 could be moved to form part of the introduction?). The format / style of a wellbeing assessment could be referenced and the differences

between the part 6, 9, 11 and 12 assessment is unclear. An indication of whether wellbeing assessment under more than one part is also appropriate would be helpful. We think the last sentence of 6.4 could be re-phrased:

*Communication or learning impairment should not be seen as a barrier to seeking views.*

To

**The article 12 right of everychild to give a view is not affected by the barriers that can be created by a communication or learning impairment.**

Section 6.8 – the guidance on referral to the Reporter document is a children’s hearing improvement partnership publication (so multi agency rather than single agency / SCRA).

Section 6.9 we wonder if the discussion of a wellbeing assessment which determines a child is at risk of significant harm and emergency intervention in the form of a child protection order under [section 37](#) of the 2011 Act may be better placed before paragraph 6.7?

We think section 8 should / could also reference contextual safeguarding – as the developments in this field can all relate to the wider wellbeing of groups of children. It might also be helpful to reference extra familial harm in relation to the experience of individuals and how a collective overview of that within contextual safeguarding can focus on interventions which are not related to individuals but to other things which can improve safety etc.

**6) Are there any areas where the further development of resources or guidance would be helpful in supporting the assessment of wellbeing?**

A resource / guidance with a focus on UNCRC and wellbeing for multi agency children’s services partnerships would be really helpful. We answered ‘somewhat’ to Q4 above – whilst we understand the theoretical links between GIRFEC and UNCRC we do not clearly see how this guidance helps the theory become a practical reality.

We also think that some central government support around setting Corporate parenting objectives and evaluating success across children’s services and the public sector more widely would be really helpful. Under section 151 of the Children and Young People (Scotland) Act 2014 it is clear that there should be collaboration amongst corporate parents, a support framework might embed such collaboration resulting in more effective corporate parenting.

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## Assessment of Wellbeing (GIRFEC)

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