

Assessment Details

ID 964

Name Strategic children and young people disability thematic review

Organization Care Inspectorate

Description

Approver Jacqui Duncan

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Under Review (Jacqui Duncan - Approved) ;

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Assessment Questions

1 General information

1.1 Work to be assessed

Response

New

Justification

None

1.2 Details of policy, process or initiative

Response

Strategic children and young people disability thematic review: Using a rights-based approach, we intend to explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. We will do this by developing a thematic review that starts from the lens of children's rights and what matters to disabled children. Core to our approach the United Nations Convention on the Rights of the Child (UNCRC) and United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and the principle of disabled children and young people fully enjoying their rights on an equal basis with non-disabled children and young people.

2 Further details

2.1 Please select the criteria which best relates to this work

Response

Service delivery/service design

Justification

None

2.2 Who will it affect?

Response

People who use care services

Care service providers

Children and young people for whom we have corporate parenting responsibilities

Justification

None

2.3 What is the aim?

Response

The aim is to provide a national overview of social work's contribution to how well disabled children and young people's needs are assessed, planned for, and met. This will include hearing from children about the things that are important to them, their experiences of participation and of receiving care and support.

2.4 Why is the change required?

Response

This review will support a better understanding of the national picture, building on the recommendations from the 2011 national review of services for disabled children where relevant to our scope.

2.5 What outcomes do you want to achieve?

Response

To deliver and report on a disabled children and young thematic review that answers to what extent:
Children and young people are actively heard, informed, and meaningfully involved in decisions about their lives; and
Children's and young people's wellbeing has been promoted through high quality child centred planning and bespoke support.

2.6 What barriers are there to achieving these outcomes?

Response

The scope is challenging given the breadth and diversity of disabled children and young people's experiences. In order to meaningfully address our review questions, we are focussing on those disabled children and young people in receipt of a social work service.
We will not be able to hear directly from all disabled children and young people and recognise the multiplicity of factors beyond service planning and delivery that impact outcomes.
In recent times, the Covid-19 pandemic has had a significant impact on scrutiny activity. There is technology in place to support remote access and mitigate the direct impact of any future restrictions, though this could lessen our ability to hear directly from children and young people.
Even where there are no further restrictions, the Covid-19 pandemic and current national financial position have already had a significant impact on local partnership's ability to deliver services. To mitigate for this, the methodology is being developed with a line of sight to ensuring that the review would not increase pressures to the extent that it affects local service delivery.

2.7 When is the change due to be implemented?

Response

📅 2023/05/31

2.8 What other Care Inspectorate policies or projects may be linked to or affected by changes to this work?

Response

- Corporate Parenting Plan
- Inspection/Scrutiny and Assurance Plan
- The Promise
- Improvement and Involvement Support Interim Strategy

Justification

None

3 Considering the available evidence

3.1 Considering the available evidence

The information you gather in this section will:

- help you to understand the importance of your policy for different equality groups
- provide justification and an audit trail behind your decisions.

The evidence base may include demographic information, academic research, service monitoring/inspection reports, service evaluation reports, user surveys, etc.

Look at what existing evidence tells you about the experiences of people who share relevant equality characteristics, and/or what it tells you about their views of the work in question. Identify any gaps in the evidence base and set out how you will address these.

The attached document provides suggestions for where you might look for relevant evidence and feedback. It also contains a template you may wish to use when gathering evidence, to structure the different information from different sources, and your analysis. You can also find this document by searching 'evidence gathering' on the Intranet.

3.2 Have you noticed any gaps in existing evidence/data? Did you want to gather evidence for something but the evidence was not there?

Response

Yes

Justification

It is likely that there are data gaps in relation to prevalence. The medical model (asking if a person "is disabled") could lead to prevalence being underestimated, possibly impacted by stigma and perception of the term (Loeb et al., 2018).

The extent of the other available evidence/ data is very limited, spread across a variety of sources, in different formats, contexts and within different timeframes. The evidence gathered is restricted to what has been publicly available. The output of the thematic review is intended to generally strengthen the evidence in relation to the experiences of disabled children.

3.3 Which equality characteristics have you gathered relevant evidence for?

Response

- Sex
- Age
- Sexual orientation
- Disability
- Gender reassignment
- Children's Rights (up to age 18 in line with the UNCRC)
- Race
- Children and young people we have corporate parenting responsibility for
- Religion or belief

Justification

None

3.4 Please include quantitative and qualitative evidence relating to age

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

Scotland:

- 32% of adults had a long-term limiting mental or physical health condition or disability in 2017
- In 2017, 34% of women were disabled and 29% of men were disabled

Around 8% of children were disabled over the past 10 years

- Between 2008 and 2017, the proportion of girls who were disabled increased from 6% to 10%
- Over the same period, the proportion of boys who were disabled increased from 7% to 11%

More disabled boys than girls

- 10% of children had a long-term limiting mental or physical health condition or disability in 2017
- In 2017, 10% of girls were disabled and 11% of boys were disabled

Source: <https://www.gov.scot/publications/scottish-health-survey-2021-volume-1-main-report/>

UK:

2018/19 - 2020/21

0-14YRS 10% of male population and 5% of female population were disabled

15 - 24YRS 13% of male population and 14% of female population.

Trend between 2010 and 2021 showed gradual increase in proportion of children recorded as disabled (approaching 10%).

Source: <https://www.gov.uk/government/statistics/family-resources-survey-financial-year-2020-to-2021/family-resources-survey-financial-year-2020-to-2021>

"the dominance of the medical model – for example, by asking if a person "is disabled" or "has a disability" – leads to significant underestimates of disability prevalence on account of the stigma of disability or participants only reporting visible disabilities "

Loeb, M et al (2018) The development and testing of a module on child functioning for identifying children with disabilities on surveys.

29/03/23 Care Inspectorate lived experience learning and development session: LUNA

Advice on the experiences of children and young people from disabled young people. Some key points:

Importance of language and communication - checking preferences with children and young people rather than making assumptions.

Importance of seeking their views and opinions- give options to participate and options not to.

Recognising that disabled children and young people likely to have a complex view of their disability but aren't the sum of their disability

Recognise that disabled children and young people are best placed to provide valuable insights about their needs and negotiating complex systems (they are likely to be good at adapting and finding solutions).

Don't underestimate the importance of friendships.

3.5 What does the evidence tell you about the experiences of people of different ages in relation to this work?

Response

The evidence highlights the recorded proportion of disabled children and young people. However, the evidence also indicates that recorded figures may be an underestimate of prevalence. The evidence is limited in relation to experiences based on age. The direct feedback from disabled young people indicates that adults may at times make assumptions about their thoughts, feelings, needs and wishes. Their feedback highlights the importance of communication to avoid these assumptions being made and provide a true reflection of their experiences of services. The review methodology has been developed to take account of the learning, in particular in relation to communication with disabled children and young people. The output of the thematic review is intended to generally strengthen the evidence in relation to the experiences of disabled children.

3.6 Please include quantitative and qualitative evidence relating to disability

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

- In 2019, adults with a long-term limiting physical/mental health condition were more likely to have experienced discrimination in the previous 12 months (12 per cent) compared to adults without any health conditions (6 per cent).
- Adults with a long-term limiting physical/mental health condition were also more likely to have experienced harassment (9 per cent) than adults without any health conditions (5 per cent).

Source: <https://www.gov.scot/publications/scottish-household-survey-2019-annual-report/>

- Scotland: around 8% of children were disabled over the past 10 years
- Between 2008 and 2017, the proportion of girls who were disabled increased from 6% to 10%
- Over the same period, the proportion of boys who were disabled increased from 7% to 11%
- More disabled boys than girls
- 10% of children had a long-term limiting mental or physical health condition or disability in 2017
- In 2017, 10% of girls were disabled and 11% of boys were disabled

Source: <https://www.gov.scot/publications/scottish-health-survey-2021-volume-1-main-report/>

UK:

2018/19 - 2020/21

0-14YRS 10% of male population and 5% of female population were disabled

15 - 24YRS 13% of male population and 14% of female population.

Trend between 2010 and 2021 showed gradual increase in

proportion of children recorded as disabled (approaching 10%).

Source: <https://www.gov.uk/government/statistics/family-resources-survey-financial-year-2020-to-2021/family-resources-survey-financial-year-2020-to-2021>

School leavers with additional support needs in 2019/20, continued to have lower attainment, with 90.8 % of pupils with an additional support need achieving one or more passes at SCQF Level 4 or better compared to 98.5 % for those with no additional support needs.

Source: [Summary Statistics for Attainment and Initial Leaver Destinations, No.3: 2021 Edition](#) (Last updated: February 2021)

In 2019, 56% of children in Scotland (aged 2-15) with a limiting longstanding illness or condition completed an average of 60 minutes of moderate to vigorous physical activity per day over the course of a week, compared to 71% of children who had no limiting longstanding illness or condition.

Source: [Active Scotland Outcomes: Indicator Equality Analysis](#) (Published: November 2015)

- The Scottish Crime and Justice Survey estimates that 15.0% of disabled people were victims of at least one crime in 2019/20, compared to 11.0% of non-disabled people.
- Disabled people were less likely to feel safe walking alone in their neighbourhood after dark in 2019/20 (64% compared to 81% of those with no disability).

Source: <https://www.gov.scot/publications/scottish-crime-justice-survey-2019-20-main-findings/>

- Poverty rates remain higher for households in which somebody is disabled compared to those where no-one is disabled.
- The gap between the two groups has remained fairly steady over the last few years.

Source: [Poverty and Income Inequality in Scotland 2019-22](#) (Last updated: March 2023)

29/03/23 Care Inspectorate lived experience learning and development session:

LUNA- Advice on the experiences of children and young people from disabled young people. Some key points:

- Importance of language and communication - checking preferences
- with children and young people rather than making assumptions.
- Importance of seeking their views and opinions- give options to participate and options not to.
- Recognising that disabled children and young people likely to have a complex view of their disability but aren't the sum of their disability
- Recognise that disabled children and young people are best placed to provide valuable insights about their needs and negotiating complex systems (they are likely to be good at adapting and finding solutions).
- Don't underestimate the importance of friendships.

Research from the disabled children's partnership found that:

- 1 in 3 disabled children had the correct level of support from an education setting.
- 1 in 5 are experiencing delays with more than 10 health services
- Parents of disabled children said that 1 in 7 received the correct level of social care support

<https://disabledchildrenspartnership.org.uk/wp-content/uploads/2023/03/Failed-and-Forgotten-DCP-Summary.pdf>

Disability experiences ONS survey:

- Disabled people faced many different barriers, including: physical access, restrictive building layouts, inaccessible online services, poor information provision and inflexible design of customer services that do not consider accessibility for a broad range of needs.
- The experiences of online services was mixed among disabled people; for some experiencing digital exclusion, access and engagement was limited, and for others, online services facilitated access and helped mitigate some of the physical design barriers within day-to-day life.
- Extensive preparation and developing workarounds were some of the ways in which disabled people navigated interacting with difficult-to-access services, with some having to rely on family and friends for support.
- Extra effort in developing workarounds came at a physical, financial and emotional cost to disabled people.
- Disabled people with invisible impairments could face a conflict between needing support but not wanting to have to identify themselves as disabled to access it, because of perceived external judgement and negative stereotypes regarding disability; this contributed to a sense of vulnerability which people felt negatively impacted their wellbeing.
- The impact of coronavirus (COVID-19) caused negative experiences of isolation with limited access to support for some disabled people, which extended beyond coronavirus; however, others acknowledged the positive increase in online services, providing more opportunities to access, connect and communicate.
- Disabled people identified their priorities for future service provision, including: physical and online environments being appropriate for a wide range of impairments and offering flexibility in recognising and accommodating needs, involving disabled people in policy and service decisions that impact their lives, increasing awareness and empathy for people with a range of impairments, and providing meaningful, readily-available help for disabled people when accessing activities, goods and services.

<https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/bulletins/disabledpeoplesexperienceswithactivitiesgoodsandservicesuk/februarytomarch2022>

3.7 What does the evidence tell you about the experiences of disabled people in relation to this work?

Response

The evidence highlights the recorded proportion of disabled children and young people. However, the evidence also indicates that recorded figures may be an underestimate of prevalence.

The evidence indicates that disabled people are more likely to be a victim of crime, though it is unclear to what extent this affects disabled children and young people specifically.

The learning and development session with LUNA highlighted the experiences of disabled children and young people and made key recommendations for working with disabled children and young people- not making assumptions being a key feature.

The evidence highlights concerns in relation to disabled children and young people having the health, education and social care support necessary to meet their needs.

While there is limited evidence specifically relating to the experiences of disabled children and young people, the ONS survey of disabled people is likely to provide some insight albeit from an adult perspective. These experiences highlight the barriers disabled people experience.

The thematic review methodology has been informed by this learning and the output should strengthen the evidence in relation to understanding disabled children and young people's experiences of services.

3.8 Please include quantitative and qualitative evidence relating to race

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

Exploring the relationships between race, ethnicity, and school work outcomes among youth and young adults with disabilities: a scoping review (2021):

- Youth with disabilities often encounter barriers in finding meaningful employment and completing post-secondary education. Such challenges are often even more profound for youth who identify as an ethnic minority. The purpose of this study was to understand the relationships between race, ethnicity and school and work outcomes for youth with disabilities.
- Findings highlight the disparities that exist for young people with disabilities from ethnic minority backgrounds. It highlighted an urgent need for further research to understand their lived experiences to help address gaps in school and work outcomes.

<https://pubmed.ncbi.nlm.nih.gov/34783617/>

3.9 What does the evidence tell you about the experiences of people of different races in relation to this work?

Response

There is limited evidence in relation to the experiences of disabled children and race. However, one review that looks at education describes the challenges faced by disabled children as "even more profound" for ethnic minority disabled children and young people. This is similar to evidence for other protected characteristics reporting "double discrimination" when disabled children have another protected characteristic. The review methodology has been informed by this learning. The output of the thematic review is intended to generally strengthen the evidence in relation to the experiences of disabled children.

3.10 Please include quantitative and qualitative evidence relating to sex

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

Scotland: around 8% of children were disabled over the past 10 years

- Between 2008 and 2017, the proportion of girls who were disabled increased from 6% to 10%
- Over the same period, the proportion of boys who were disabled increased from 7% to 11%

More disabled boys than girls

- 10% of children had a long-term limiting mental or physical health condition or disability in 2017
- In 2017, 10% of girls were disabled and 11% of boys were disabled

Source: <https://www.gov.scot/publications/scottish-health-survey-2021-volume-1-main-report/>

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0-14YRS 10% of male population and 5% of female population were disabled

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Source: <https://www.gov.uk/government/statistics/family-resources-survey-financial-year-2020-to-2021/family-resources-survey-financial-year-2020-to-2021>

3.11 What does the evidence tell you about the experiences of people of different sexes in relation to this work?

Response

The evidence relates only to prevalence. A 2012 UNCRC discussion paper (reflected in the evidence in the CRWIA) does suggest that disabled girls could be more at risk than disabled boys. However, this information is world wide, over a decade old and it is difficult to determine to what extent this reflects the experiences of disabled girls in Scotland. The thematic review methodology has been informed by this learning and the output should generally strengthen the evidence in relation to understanding disabled children and young people's experiences of services.

3.12 Please include quantitative and qualitative evidence relating to gender reassignment

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

Experiences of transgender children and young people in healthcare settings in England (2020)- Results constitute the views of a small group of people, so cannot be generalized. However, they do illustrate some of the issues which may arise. Participants' experiences elicited five key themes: professionals' perceived lack of clinical and therapeutic knowledge; mental distress caused by excessive waiting lists; professionals' stereotyped gender assumptions; direct discrimination within healthcare settings; and a lack of attention to parent and child voice, especially in terms of school-based experiences and where a patient had a diagnosis of autism.
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7430470/>

Research has found that LGBTQ people with a learning disability face 'double discrimination' because of their sexuality or gender (Snell, 2018). For example, some LGBTQ people with a learning disability are bullied or harassed. In addition, their family members or service staff might not acknowledge their identities or relationships (Dinwoodie *et al.*, 2016; Toft *et al.*, 2019).
<https://www.mencap.org.uk/learning-disability-explained/research-and-statistics/sexuality-research-and-statistics>

Elevated rates of autism, other neurodevelopmental and psychiatric diagnoses, and autistic traits in transgender and gender-diverse individuals (2020)
<https://pubmed.ncbi.nlm.nih.gov/32770077/>

People who do not identify with the sex they were assigned at birth are three to six times as likely to be autistic as cisgender people are, according to the largest study yet to examine the connection. Gender-diverse people are also more likely to report autism traits and to suspect they have undiagnosed autism. (2020)
<https://www.spectrumnews.org/news/largest-study-to-date-confirms-overlap-between-autism-and-gender-diversity/>

3.13 What does the evidence tell you about the experiences of transgender people in relation to this work?

Response

The evidence doesn't tell us specifically about the experiences of transgender disabled children and young people. However, there is sufficient evidence to suggest that they could face "double discrimination".

The thematic review methodology has been informed by this learning and the output should generally strengthen the evidence in relation to understanding disabled children and young people's experiences of services.

3.14 Please include quantitative and qualitative evidence relating to sexual orientation

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

Research has found that LGBTQ people with a learning disability face 'double discrimination' because of their sexuality or gender (Snell, 2018). For example, some LGBTQ people with a learning disability are bullied or harassed. In addition, their family members or service staff might not acknowledge their identities or relationships (Dinwoodie *et al.*, 2016; Toft *et al.*, 2019).

Evidence suggests some LGBTQ people with a learning disability have concealed their sexuality to avoid expected negativity (Miller *et al.*, 2019; Bates 2020).
<https://www.mencap.org.uk/learning-disability-explained/research-and-statistics/sexuality-research-and-statistics>

3.15 What does the evidence tell you about the experiences of people of different sexual orientations in relation to this work?

Response

The evidence doesn't tell us specifically about the experiences of disabled children and young people in relation to their sexual orientation. However, there is sufficient evidence to suggest that they could face "double discrimination". The thematic review methodology has been informed by this learning and the output should strengthen the evidence in relation to understanding disabled children and young people's experiences of services.

3.16 Please include quantitative and qualitative evidence relating to religion or belief

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

Around the world, people with disabilities can be the most marginalised in society. (2021) Having a disability and being a member of a religious minority can exacerbate that marginalisation and social exclusion, including exclusion from financial support, leading to a cumulative impact on poverty and wellbeing.
<https://www.ids.ac.uk/events/double-discrimination-freedom-of-religious-belief-and-people-with-disabilities/>

3.17 What does the evidence tell you about the experiences of people of different religions or beliefs in relation to this work?

Response

The evidence doesn't tell us specifically about the experiences of disabled children and young people in relation to their religion or beliefs. However, there is sufficient evidence to suggest that they could face "double discrimination". The thematic review methodology has been informed by this learning and the output should generally strengthen the evidence in relation to understanding disabled children and young people's experiences of services.

3.22 Please include quantitative and qualitative evidence relating to children and young people we have a corporate parenting responsibility for
Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

- In 2020, an estimated 12.2 per cent of Scotland's 14,458 looked after children were recorded as having a disability. This is higher than the overall proportion of children with a disability (10 per cent) found in the [Scottish Health Survey 2017](#)

<https://www.gov.scot/publications/childrens-social-work-statistics-2019-20/>

Disabled Children and Young People who are Looked After. A Literature Review Northern Ireland (2012)

- Gaps in research about prevalence and experiences
- Issues about accuracy of reporting
- Unmet family support needs impact on ability to care for children at home
- Chances of achieving permanent alternative care less than that of non-disabled peers.
- Compounding of challenges during transition to adulthood
- Voice of disabled children and young people largely absent in evaluation of services and policy development

https://pureadmin.qub.ac.uk/ws/portalfiles/portal/10445548/Literature_Review_Disabled_Children_and_Young_People_who_are_Looked_After.pdf

Permanence and stability for disabled and looked after children (2011)

- Disabled children constitute a significant group in the looked after system. There is evidence that they are more likely to be looked after, remain in care for longer and have a higher risk of being placed inappropriately in comparison to non-disabled children.
- Whilst in care there may be particular barriers to achieving permanency and stability for disabled looked after children.
- To improve good practice in relation to disabled looked after children social services should establish monitoring systems to identify all disabled looked after children to establish numbers, where children are placed and how things are going, especially in relation to contacts and communication with disabled children.
- Disabled children are less likely to return home and those who do, return home later; to prevent delay the plan must be acted upon earlier and adequate support put in place.
- It can be difficult to find adopters for some disabled children. Those who are adopted tend to be older and adopted by their carers; services need to ensure fewer obstacles
- to foster carer adoption.
- Long term foster care offers a permanent base for many disabled looked after children but there remain issues over stability, particularly as children approach adulthood.

<https://www.iriss.org.uk/resources/insights/permanence-stability-disabled-looked-after-children>

A undergraduate literature review (University of Liverpool student in conjunction with National Youth Advocacy service) published in 2022 highlighted the following:

- In a study of disabled children in care, data found that disabled children have "patterns of care which would never be tolerated for non-disabled children" (Hill, Baker, Kelly, and Dowling, 2015:288). Such patterns can be seen in research which shows that disabled looked-after children are more likely to be in care, stay in care for longer and are at higher risk of being placed inappropriately compared to non-disabled children (Baker, 2011).
- A study that conducted a large-scale examination of the English care system found that disabled children were more likely to display a high level of challenging behaviour; this evidence suggests emotional and behavioural problems have a strong association with placement breakdowns (Baker, 2011). Statistics also show SEN (Special Educational Needs) children are four times more likely to be in care than their peers and looked-after children are also 10 times more likely to have an education, health, and care plan (Parsons et al., 2018 Cited in Department for Education, 2017)

[https://nyas.s3.eu-west-1.amazonaws.com/WhoWeAre/Research/Harriet%20Gledhill-Baker%20-%20Disability%20\(1\).pdf](https://nyas.s3.eu-west-1.amazonaws.com/WhoWeAre/Research/Harriet%20Gledhill-Baker%20-%20Disability%20(1).pdf)

3.23 What does the evidence tell you about the experiences of children and young people we have a corporate parenting responsibility for in relation to this work?

Response

There are gaps in the evidence and so we do not have a clear understanding of the experiences of looked after disabled children and young people. However, what evidence there is suggests that disabled children and young people are more likely to become looked after away from home and to remain looked after for longer than non disabled children and young people. There is also evidence to suggest that looked after disabled children and young people are more likely to be placed in inappropriate care settings/ have higher risk of placement breakdown. The thematic review methodology has been informed by this learning and the output should generally strengthen the evidence in relation to understanding disabled children and young people's experiences of services.

3.24 Please include quantitative and qualitative evidence relating to children's wellbeing and rights under the UNCRC

Name the source(s) used, and either provide a link (if external) or attach below (if internal).

Response

World Health Organisation, 2012. Early Childhood Development and Disability: A discussion paper. Malta: World Health Organisation

- Two articles make specific reference to children with disabilities: Article 2 outlines the principle of non-discrimination and includes disability as grounds for protection from discrimination; Article 23 highlights the special efforts States Parties must make to realize these rights (6).
- In addition General Comment 7 (12) and General Comment 9 (11) of the CRC specifically highlight that children with disabilities: are entitled to active participation in all aspects of family and community life; require equal opportunities in order to fulfil their rights; and should be treated with dignity at all times. Furthermore, they state that children with disabilities "are best cared for and nurtured within their own family environment" (11) and they "should never be institutionalized solely on the grounds of disability" (12).
- States Parties must protect children with disabilities from discrimination and provide access to a range of services and supports which are specifically designed to help them achieve their full potential. This was reinforced in the 2010 UN General Assembly Resolution A/65/452 (13).
- Similarly, the more recent CRPD includes an article dedicated to addressing the rights of children with disabilities. Article 7 outlines States Parties obligations to take measures to ensure that children with disabilities are able to enjoy the same human rights and fundamental freedoms as other children, to consider their best interests, and to ensure that they are able to express their view. Article 23 of the CRPD establishes the right to family life and Article 24 promotes the right to education (7).
- Children who experience disability early in life can be disproportionately exposed to risk factors such as poverty; stigma and discrimination; poor caregiver interaction; institutionalization; violence, abuse and neglect; and limited access to programmes and services, all of which can have a significant effect on their survival and development.
- There is also evidence to suggest that children with disabilities and their families are more likely to experience economic and social disadvantage than those without disability
- Girls with disabilities can be particularly at risk of being discriminated against (32) as well as children from poorer households and those from minority ethnic groups (10).
- Children with disabilities are more vulnerable to physical, sexual and psychological abuse and exploitation than non-disabled children
- Children with disabilities are at an increased risk of violence for a number of reasons including cultural prejudices and the increased demands that disability may place on their families (32,43)

https://apps.who.int/iris/bitstream/handle/10665/75355/9789241504065_eng.pdf?sequence=1&isAllowed=y

3.25 What does the evidence tell you about the experiences of children (in terms of their rights under the UNCRC) in relation to this work?

Response

The UNCRC evidence, in conjunction with evidence gathered for purposes of EQIA, suggests that there disabled children and young people can experience additional barriers to fulfilling their rights. The thematic review methodology has been informed by this learning and the output should generally strengthen the evidence in relation to understanding disabled children and young people's experiences of services.

4 Stakeholder engagement & consultation

4.1 Have you engaged and consulted with relevant groups?

Response

Yes

Justification

None

4.2 Please state who was engaged/consulted with

Response

To ensure we fulfil our commitment to upholding children's rights we have developed a flexible approach with stakeholders. We are engaging with organisations who work directly with those children on whose behalf we are conducting this review. We are keen this review benefits from their knowledge and experience. Throughout the development phase we will consult with a range of professional stakeholders on our tools and aspects on our methodology. This will allow for those directly involved in the provision of services to shape our approach. A stakeholder workshop will take place to support this work.

In addition, a connection has been established between the Care Inspectorate and the LUNA Project. [LUNA](#) is a group of young people who work together to raise awareness of the experiences of young people with disabilities and long term health conditions. The group has provided a workshop session for Care Inspectorate staff about the lived experiences of disabled young people in relation to their particular needs. The contents of the workshop has informed the development of the methodology and the considerations within the EQIA and CRWIA.

The review methodology includes surveys and focus groups of support services as well as surveys and meetings with children, young people and their parents and carers. Any learning regarding our methodology will be reflected in a methodology learning log which will act as a prompt to consider the need to review the conclusions of the impact assessments.

4.4 How was the engagement/consultation carried out?

If other, please specify below

Response

Direct discussions

Justification

None

4.5 Has the proposal been reviewed/changed because of the engagement/consultation?

Response

No

Justification

None

4.6 What did you learn from the engagement/consultation?

Response

Discussions have taken place with services providers to ensure that our proposed methodology elicits the information that we are seeking eg- that the survey for service providers is clear and supports them to gather relevant information in relation to the experiences of disabled children and young people. A session has taken place with LUNA, an organisation led by young people to raise awareness of the experiences of disabled young people and young people with long term conditions. The learning from this session will inform the engagement phase of the review.

We will continue to engage with key stakeholders in the development phase of the review to ensure that their views continue to inform the approach.

4.7 Have the results been shared with the people you engaged/consulted with?

Response

Yes

Justification

None

4.8 Is further engagement/consultation recommended?

Response

Yes

Justification

None

5 Potential impacts - Age

5.1 Do you think the work impacts on people of different ages differently?

Response

Yes

Justification

None

5.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment and victimisation of people based on their age?

Please include a justification for your answer. You may select both positive and negative if you identify both kinds of impact.

Response

None

Positive

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact. Where our review identifies any systemic unlawful discrimination, harassment or victimisation based on age, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvement necessary. Where the review identifies any individual incidences of unlawful discrimination, harassment or victimisation based on age this will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

5.3 What kind of impact is there in terms of advancing equality of opportunity between people of different ages?

Please include a justification for your answer. You may select both positive and negative if you identify both kinds of impact.

Response

None Positive

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact. Where the review identifies any inequalities of opportunity between people of different ages, either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

We are mindful that in shining a lens on particular aspects of practice, in this instance support for disabled children and young people, there is the potential that we encourage local partnerships to shift investment at the expense of other support (for example improving access to education for people under the age of 18 years at the expense of employment training support for those aged over 18 years). To mitigate for this, we will ensure that any review findings are balanced and set in the overall context of the national provision. Where any improvement activity is required or recommended, we will be able to monitor local implementation through our existing strategic link inspector arrangements. This will help to ensure that there aren't any unintended consequences as a direct impact of the review.

5.4 What kind of impact is there in terms of fostering good relations among and between different age groups?

Please justify your answer. You may select both positive and negative if you identify both kinds of impact.

Response

None Positive

Justification

The strategic children and young people disability thematic review is unlikely to have any direct impact in terms of relations among and between different age groups. There may be some limited modelling of positive relations amongst different age groups in relation to the delivery of the review.

5.5 If you answered 'negative' to any of the questions above, please outline how you will mitigate this.

Response

N/A

6 Potential impacts - Disability

6.1 Do you think this work affects disabled people differently to non-disabled people?

Disability: a physical or mental impairment that has a substantial and long-term negative effect on your ability to do normal daily activities.

Response

Yes

Justification

None

6.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of disabled people?

Please justify your answer. You may select both positive and negative if you identify both kinds of impact.

Response

Positive None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact. A key focus of the review will be how local partnerships plan, commission and deliver support for disabled children and young people and the experiences and outcomes for those children and young people.

Where the review identifies any unlawful discrimination, victimisation or harassment of disabled children and young people either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

6.3 What kind of impact is there in terms of advancing equality of opportunity between people with and without a disability?

Please justify your answer. You may select both positive and negative if you identify both kinds of impact.

Response

None Positive

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact. Where the review identifies any inequalities of opportunity between people with and without a disability, either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

We are mindful that in shining a lens on particular aspects of practice, in this instance support for disabled children and young people, there is the potential that we encourage local partnerships to shift investment at the expense of other support (for example improving specific support for disabled children and reducing universal children's support to do this). To mitigate for this, we will ensure that any review findings are balanced and set in the overall context of the national provision. Where any improvement activity is required or recommended, we will be able to monitor local implementation through our existing strategic link inspector arrangements. This will help to ensure that there aren't any unintended consequences as a direct impact of the review.

6.4 What kind of impact is there in terms of fostering good relations among & between disabled and non-disabled people?

Please justify your answer. You may select both positive and negative if you identify both kinds of impact.

Response

Positive None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on those aged over 18 years, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For those under 18 years old, the review is likely to have a positive impact on relations among and between disabled and non-disabled children and young people. We would expect to be able to highlight how local partnerships are valuing and actively promoting the contributions of disabled children and young people through positive imaging and provision of social and educational opportunities. Where this isn't the case, we would expect the review findings to contribute to improvements.

6.5 If you answered 'negative' to any of the questions above, please outline how you will mitigate this.

Response

N/A

7 Potential impacts - Sex

7.1 Do you think this work affects people of different sexes in different ways?

Response

No

Justification

None

7.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of people based on their sex?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None Positive

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact. A key focus of the review will be how local partnerships plan, commission and deliver support for disabled children and young people and the experiences and outcomes for those children and young people.

The evidence indicates that for the younger age group, slightly more boys are disabled than girls. As children age, the reverse is true, with slightly more disabled girls than boys reported. However, the prevalence data is likely to be an underestimate. There is also some UNCRC information (contained within the CRWIA evidence section) which suggests that disabled girls could be more at risk than disabled boys- though we are unable to qualify to what extent this would reflect the experiences in Scotland. Regardless, it is important that we are aware of prevalence and risk data in the work of the review.

Where the review identifies any unlawful discrimination, victimisation or harassment of children and young people based on their sex either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

7.3 What kind of impact is there in terms of advancing equality of opportunity between people of different sexes?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

Positive None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on those aged over 18 years, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For those under 18 years old, the review is likely to have a positive impact. Where the review identifies any inequalities of opportunity between people of different sexes either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers (DETAILS OF MEETING POINTS TBA) in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

We are mindful that in shining a lens on particular aspects of practice, in this instance support for disabled children and young people, there is the potential that we encourage local partnerships to shift investment at the expense of other support (for example if prevalence data in our findings was erroneously used by a partnership to justify more services for boys than girls etc rather than looking at local needs). To mitigate for this, we will ensure that any review findings are balanced and set in the overall context of the national provision. Where any improvement activity is required or recommended, we will be able to monitor local implementation through our existing strategic link inspector arrangements. This will help to ensure that there aren't any unintended consequences as a direct impact of the review.

7.4 What kind of impact is there in terms of fostering good relations among & between people of different sexes?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

The review is unlikely to have any impact on relationships among and between people of different sexes.

7.5 If you answered 'negative' to any of the questions above, please give details on how you will mitigate this.

Response

N/A

8.1 Do you think this work impacts on people who are pregnant or have given birth in the past 26 weeks differently to others?

Response

Yes

Justification

None

8.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of people who are pregnant or gave birth in the past 26 weeks?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

Positive None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, a key focus of the review will be how local partnerships plan, commission and deliver support for disabled children and young people and the experiences and outcomes for those children and young people. While the review won't specifically focus on pregnancy, early help and support for infant disabled children may feature and could have a positive indirect impact on people who have given birth in the past 26 weeks and where their child is disabled.

Where the review identifies any unlawful discrimination, victimisation or harassment of children and young people based who are pregnant or gave birth in the last 26 weeks either in terms of strategic planning and commissioning or in the treatment of and direct provision of support, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

8.3 What kind of impact is there in terms of advancing equality of opportunity between people who are pregnant or have given birth in the past 26 weeks, and those who are/have not?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

Positive None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on those aged over 18 years, where they have given birth in the last 26 weeks and their child is disabled.

For those under 18 years old, the review is likely to have a positive impact. Where the review identifies any inequalities of opportunity between people who are pregnant or have given birth in the last 26 weeks and those who are not/ have not either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

We are mindful that in shining a lens on particular aspects of practice, in this instance support for disabled children and young people, there is the potential that we encourage local partnerships to shift investment at the expense of other support (for example if enhanced investment in early years care for disabled children meant reductions in other services). To mitigate for this, we will ensure that any review findings are balanced and set in the overall context of the national provision. Where any improvement activity is required or recommended, we will be able to monitor local implementation through our existing strategic link inspector arrangements. This will help to ensure that there aren't any unintended consequences as a direct impact of the review.

8.4 What kind of impact is there in terms of fostering good relations between people who are pregnant or have given birth in the past 26 weeks, and those who are/have not?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

The review is unlikely to have any impact on relationships among and between people who are pregnant or who have given birth in the last 26 weeks and those who are not/ have not.

8.5 If you answered 'negative' to any of the above questions, please outline how you will mitigate this.

Response

N/A

9 Potential impacts - Gender reassignment

9.1 Do you think this work impacts non-binary people, or transgender people/ people with a trans history differently to people whose gender identity and expression matches their biological sex?

A decision to undertake gender reassignment is made when an individual feels that their gender at birth does not match their gender identity. This is called 'gender dysphoria' and is a recognised medical condition.

Gender reassignment refers to individuals, who either:

- *Have undergone, intend to undergo or are currently undergoing gender reassignment (medical and surgical treatment to alter the body).*
- *Do not intend to undergo medical treatment but wish to live permanently in a different gender from their gender at birth.*

Non-binary identity is also a protected characteristic under the Equality Act.

Response

No

Justification

None

9.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of transgender people?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Positive

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact. A key focus of the review will be how local partnerships plan, commission and deliver support for disabled children and young people and the experiences and outcomes for those children and young people. The limited evidence suggests that transgender disabled people may face "double discrimination" or have unmet needs. While not conclusive in relation to the experiences of children and young people, this knowledge will contribute to balanced conclusions in the review.

Where the review identifies any unlawful discrimination, victimisation or harassment of transgender children and young people based either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

9.3 What kind of impact is there in terms of advancing equality of opportunity between transgender/ people with a trans history and people whose gender identity and expression matches the biological sex?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

Positive

None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact. Where the review identifies any inequalities of opportunity between transgender children and young people/ people with a trans history and people whose gender identity and expression matches their biological sex either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

We are mindful that in shining a lens on particular aspects of practice, in this instance support for disabled children and young people, there is the potential that we encourage local partnerships to shift investment at the expense of other support. To mitigate for this, we will ensure that any review findings are balanced and set in the overall context of the national provision. Where any improvement activity is required or recommended, we will be able to monitor local implementation through our existing strategic link inspector arrangements. This will help to ensure that there aren't any unintended consequences as a direct impact of the review.

9.4 What kind of impact is there in terms of fostering good relations between transgender/ people with a trans history and people whose gender identity and expression matches the biological sex?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

The review is unlikely to have any impact on relationships between transgender/ people with a trans history and people whose gender identity and expression matches the biological sex.

9.5 If you answered 'negative' to any of the above questions, please outline how you will mitigate this.

Response

N/A

10 Potential impacts - Sexual orientation

10.1 Do you think this work impacts people of different sexual orientations differently?

Response

No

Justification

None

10.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of people of different sexual orientations?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Positive

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact. A key focus of the review will be how local partnerships plan, commission and deliver support for disabled children and young people and the experiences and outcomes for those children and young people. The limited evidence suggests that disabled people may face "double discrimination" in relation to their sexual orientation. While not conclusive in relation to the experiences of children and young people, this knowledge will contribute to balanced conclusions in the review.

Where the review identifies any unlawful discrimination, victimisation or harassment of children and young people based on their sexual orientation either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

10.3 What kind of impact is there in terms of advancing equality of opportunity between people of different sexual orientations?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

Positive None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact.

Where the review identifies any inequalities of opportunity between people of different sexual orientation either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

We are mindful that in shining a lens on particular aspects of practice, in this instance support for disabled children and young people, there is the potential that we encourage local partnerships to shift investment at the expense of other support. To mitigate for this, we will ensure that any review findings are balanced and set in the overall context of the national provision. Where any improvement activity is required or recommended, we will be able to monitor local implementation through our existing strategic link inspector arrangements. This will help to ensure that there aren't any unintended consequences as a direct impact of the review.

10.4 What kind of impact is there in terms of fostering good relations between people of different sexual orientations?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

The review is unlikely to have any impact on relationships between people of different sexual orientation.

10.5 If you answered 'negative' to any of the above questions, please outline how you will mitigate this.

Response

N/A

11 Potential impacts - Race

11.1 Do you think this work impacts people of different races differently?

Race applies to national or ethnic origin, nationality, colour, Gypsy, Roma and Traveller community membership.

Response

No

Justification

None

11.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of people of different races?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None Positive

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children, have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact. A key focus of the review will be how local partnerships plan, commission and deliver support for disabled children and young people and the experiences and outcomes for those children and young people. The limited evidence suggests that while disabled young people face barriers in their lives, these could be more profound for youth who identify as an ethnic minority. This knowledge will contribute to balanced conclusions in the review.

Where the review identifies any unlawful discrimination, victimisation or harassment of children and young people based on their race either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

11.3 What kind of impact is there in terms of advancing equality of opportunity between people of different races?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

Positive None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on those aged over 18 years, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For those under 18 years old, the review is likely to have a positive impact. Where the review identifies any inequalities of opportunity between people of different races either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers (**DETAILS OF MEETING POINTS TBA**) in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

We are mindful that in shining a lens on particular aspects of practice, in this instance support for disabled children and young people, there is the potential that we encourage local partnerships to shift investment at the expense of other support. To mitigate for this, we will ensure that any review findings are balanced and set in the overall context of the national provision. Where any improvement activity is required or recommended, we will be able to monitor local implementation through our existing strategic link inspector arrangements. This will help to ensure that there aren't any unintended consequences as a direct impact of the review.

11.4 What kind of impact is there in terms of fostering good relations between people of different races?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

The review is unlikely to have any impact on relationships between people of different races.

11.5 If you answered 'negative' to any of the above questions, please outline how you will mitigate this.

Response

N/A

12.1 Do you think this work impacts on people of different religions or beliefs differently?

This includes people with no religion or belief, and environmentalism.

Response

No

Justification

None

12.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of people of different religions or beliefs?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None Positive

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children, have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact. A key focus of the review will be how local partnerships plan, commission and deliver support for disabled children and young people and the experiences and outcomes for those children and young people. The limited evidence suggests that being disabled and a member of a religious minority can exacerbate discrimination. This knowledge will contribute to balanced conclusions in the review.

Where the review identifies any unlawful discrimination, victimisation or harassment of children and young people based on their religion or beliefs either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

12.3 What kind of impact is there in terms of advancing equality of opportunity between people of different religions or beliefs?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None Positive

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact. Where the review identifies any inequalities of opportunity between people of different religions or beliefs either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

12.4 What kind of impact is there in terms of fostering good relations between people with different religions and beliefs?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected.

The review is unlikely to have any impact on relationships between people of different religions or beliefs.

12.5 If you answered 'negative' to any of the above questions, please outline how you will mitigate this.

Response

N/A

13.1 Do you think this impacts employees who are married or in a civil partnership differently to those who are not?

This refers specifically to Care Inspectorate employees, not service users who are married or in a civil partnership.

Only the first part of the Public Sector Equality Duty (eliminate unlawful discrimination, harassment and victimisation) apply to marriage and civil partnership.

Response

No

Justification

None

13.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of employees based on their marriage/civil partnership status?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children, have their needs met and their rights promoted and protected. On this basis, the review is unlikely to have any impact on Care Inspectorate employees as a result of their marriage/ civil partnership status.

13.3 If you answered 'negative' to any of the above questions, please outline how you will mitigate this.

Response

N/A

14 Potential impacts - Children and young people for whom we have corporate parenting responsibilities

14.1 Do you think this work impacts children and young people who we have a corporate parenting responsibility for differently to others?

We have corporate parenting responsibility for every child who is looked after by a local authority, and every young person under the age of 26 who was looked after on their 16th birthday.

Response

Yes

Justification

None

14.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of children and young people we have a corporate parenting responsibility for?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None Positive

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children, have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

For disabled children and young people under 18 years old, the review is likely to have a positive impact. A key focus of the review will be how local partnerships plan, commission and deliver support for disabled children and young people and the experiences and outcomes for those children and young people. The prevalence evidence suggests that more disabled children and young are looked after in comparison to the overall proportion of children and young people who are looked after. While there are limitations to the prevalence data, this knowledge will contribute to balanced conclusions in the review.

Where the review identifies any unlawful discrimination, victimisation or harassment of children and young people we have a corporate parenting responsibility for either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

- 14.3 What kind of impact is there in terms of advancing equality of opportunity between children and young people we do and do not have a corporate parenting responsibility for?
Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None Positive

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. As part of this, some children and young people's records will be reviewed and we will hear directly from some children and young people about what is important to them, their experiences of participation and of receiving care and support.

Our age range is up to 18 years old. For people older than 18, the review is unlikely to have any direct impact. However, any improved service provision as a result of the review could have a positive indirect impact on disabled children and young people aged over 18 years and previously looked after and in receipt of social work support, with the likelihood of any impact diminishing at age 26 when children's social work support ceases for all groups of young people.

The review output may impact differently on looked after children as the evidence suggests that disabled children and young people are more likely to become looked after and for longer periods. Evidence also suggests that care experiences may be poorer for disabled children and young people.

For those under 18 years old, the review is likely to have a positive impact. Where the review identifies any inequalities of opportunity between children and young people we do and do not have a corporate parenting responsibility for either in terms of strategic planning and commissioning or in the treatment of and direct provision of support for children and young people, this will be addressed through our formal professional meetings with local partnership senior leaders and chief officers in relation to our emerging findings and any improvements necessary. Individual concerns will be addressed through our formal escalation procedure. This requires the local partnership to demonstrate that the matter has been appropriately addressed, including any further reporting as necessary.

We are mindful that in shining a lens on particular aspects of practice, in this instance support for disabled children and young people, there is the potential that we encourage local partnerships to shift investment at the expense of other support. To mitigate for this, we will ensure that any review findings are balanced and set in the overall context of the national provision. Where any improvement activity is required or recommended, we will be able to monitor local implementation through our existing strategic link inspector arrangements. This will help to ensure that there aren't any unintended consequences as a direct impact of the review.

- 14.4 What kind of impact is there in terms of fostering good relations between children and young people we do and do not have a corporate parenting responsibility for?
Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected.

The review is unlikely to have any impact on relationships between children and young people we do and do not have a corporate parenting responsibility for.

- 14.5 If you answered 'negative' to any of the above questions, please outline how you will mitigate this.

Response

N/A

15 Potential impacts - Care Inspectorate employees who have caring responsibilities

- 15.1 Do you think this work impacts Care Inspectorate employees who have caring responsibilities differently to those who do not?

Response

No

Justification

None

- 15.2 What kind of impact is there in terms of eliminating unlawful discrimination, harassment & victimisation of employees who have caring responsibilities?
Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children, have their needs met and their rights promoted and protected. On this basis, the review is unlikely to have any impact on Care Inspectorate employees as a result of their caring responsibilities.

15.3 What kind of impact is there in terms of advancing equality of opportunity between employees who do and do not have caring responsibilities?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children, have their needs met and their rights promoted and protected. On this basis, the review is unlikely to have any impact on Care Inspectorate employees as a result of their caring responsibilities.

15.4 What kind of impact is there in terms of fostering good relations between employees who do and do not have caring responsibilities?

Please justify your answer below. You may select both positive and negative if you identify both kinds of impact.

Response

None

Justification

The strategic children and young people disability thematic review will explore how well local authorities are applying GIRFEC principles to ensure that disabled children, have their needs met and their rights promoted and protected. On this basis, the review is unlikely to have any impact on Care Inspectorate employees as a result of their caring responsibilities.

15.5 If you answered 'negative' to any of the above questions, please outline how you will mitigate this.

Response

N/A

16 Child Rights and Wellbeing Impact Assessment

16.1 Please note this section only needs to be completed if the work involves/impacts on children in any way. This is likely to be most relevant to colleagues within Scrutiny & Assurance.

Please write n/a in the questions below if this section is not applicable to your work.

16.2 Which UNCRC Articles are relevant?

List all relevant Articles of the UNCRC and Optional Protocols, and outline their relevance to your work in a couple of sentences.

All UNCRC rights are underpinned by the four general principles: non-discrimination; the best interests of the child; the right to life, survival and development; and the child's right to have their views given due weight.

Response

We will provide a national overview of social work's contribution to how well disabled children and young people's needs are assessed, planned for, and met. This will include hearing from children about the things that are important to them, their experiences of participation and of receiving care and support. We have structured our review under the following two high level statements:

Children and young people are actively heard, informed, and meaningfully involved in decisions about their lives.

Children's and young people's wellbeing has been promoted through high quality child centred planning and bespoke support.

Using a rights-based approach, we will explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. We will do this by developing a thematic review that starts from the lens of children's rights and what matters to disabled children. Core to our approach the UNCRC and UNCRPD and the principle of disabled children and young people fully enjoying their rights on an equal basis with non-disabled children and young people. We recognise and are committed to upholding all human rights and for the purposes of this review will be explicitly focusing on the following:

Article 3 Best interests of the child
Article 7 Birth registration, name, nationality, care
Article 12 Respect for the views of the child
Article 18 Parental responsibilities and state assistance
Article 20 Children unable to live with their family
Article 23 Children with a disability
Article 25 Review of treatment in care
Article 31 Leisure, play and culture

We note that Article 23 in particular is important for our review as it highlights the special efforts States Parties must make to realize these rights.

16.3 What impact will this work have on children's rights?

Response

Positive

Justification

The vision for all children and young people in Scotland is that they grow up in an atmosphere of happiness, love and understanding. Their life chances are enhanced through early years provision and by supporting families when they need it. This aligns with The Promise that Scotland's children and young people will grow up loved, safe and respected.

Using a rights-based approach, we intend to explore how well local authorities are applying GIRFEC principles to ensure that disabled children have their needs met and their rights promoted and protected. We will do this by developing a thematic review that starts from the lens of children's rights and what matters to disabled children.

The aim is to provide a national overview of social work's contribution to how well disabled children and young people's needs are assessed, planned for, and met. This will include hearing from children about the things that are important to them, their experiences of participation and of receiving care and support. To do this we will structure our review under the following two high level statements:

- Children and young people are actively heard, informed, and meaningfully involved in decisions about their lives.
- Children's and young people's wellbeing has been promoted through high quality child centred planning and bespoke support.

The work is underpinned by our existing quality framework. A workshop delivered by LUNA, an organisation led by young people to raise awareness of the experiences of disabled young people has supported the review team's understanding of issues. A Care Inspectorate strategic team development session took place on 31/05/23 to reinforce the connections between the framework and the UNCRC articles.

The work is likely to have a positive impact on raising the awareness of and upholding the rights of disabled children and young people. A public overview report will be produced and is intended to contribute to a national improvement agenda. Additionally, as part of the review, we will work with four local authority areas to develop a deeper understanding of how well disabled children and young people's needs are assessed, planned for, and met within the local area. The findings of this work will be provided to the local partnership to inform and support their local improvement planning.

16.4 Will there be different impacts on different groups of children and young people?

Which groups of children will be affected by the policy/measure? Are there competing interests between different groups of children and young people, or between children and young people and other groups?

Response

Disabled children and young people will be directly impacted by the thematic review, which focusses on how well their needs are being met. There are intersections with looked after and looked after and accommodated children and young people as well as children and young people subject to child protection process where they are also disabled.

We do not anticipate that there will be competing interests between different groups of children and young people, or between children and young people and other groups. However, we are mindful that in shining a lens on particular aspects of practice, in this instance support for disabled children and young people, there is the potential that we encourage local partnerships to shift investment at the expense of other support (for example improving access to education for people under the age of 18 years at the expense of employment training support for those aged over 18 years). To mitigate for this, we will ensure that any review findings are balanced and set in the overall context of the national provision. Where any improvement activity is required or recommended, we will be able to monitor local implementation through our existing strategic link inspector arrangements. This will help to ensure that there aren't any unintended consequences as a direct impact of the review.

16.5 How will the work contribute to the wellbeing of children and young people in Scotland?

Outline how the implementation of the policy/measure will support public bodies in Scotland to meet their duties to safeguard, support and promote the wellbeing of children in their area, with wellbeing defined by eight wellbeing indicators. The indicators are: Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, and Included.

Response

Safe

The thematic review is likely to have a positive impact. Review findings will likely result in improvement activity for the children's services in the areas inspected. The publication of the report may also generate or contribute to national improvement activity and improve the experiences of services for disabled children and young people.

Healthy

The thematic review is likely to have a positive impact. The learning from the review will support local partnership areas to improve services for disabled children and young people, contributing to overall health and wellbeing.

Achieving

The thematic review is likely to have an indirect positive impact. As a result of any recommendations for improvement activity, it is likely that children and young people's experiences of services will improve, including access to appropriate support when this is required. This is likely to better create the conditions which might make it more likely for children and young people to participate and achieve in learning opportunities.

Nurtured

The thematic review is likely to have a positive impact. The findings of the review is likely to contribute to better support for families, making it more likely that children experience positive nurturing relationships. For those disabled children and young people who are looked after away from home, the findings of the review are likely to contribute to better experiences of care overall.

Active

The thematic review likely to have a positive indirect impact. Any improvement actions which prompt better support for families may result in greater participation of disabled children and young people in school and community activities.

Respected

The thematic review is likely to have a positive impact. The explicit inspection questions in relation to children's views being heard and considered is likely to produce improvements in the support for engagement and participation of disabled children and young people in the processes and decisions which affect them.

Responsible

The thematic review is likely to have an indirect positive impact. The strengthened focus on ensuring that children and young people's views are heard and considered is likely to prompt improvements in services which better guide and support children and young people's involvement in decisions that affect them and encourage their self directed care.

Included

The thematic review is likely to have a positive impact. Improvements in services for children and young people at risk of harm may better address inequalities and promote social, educational and financial inclusion. The explicit focus on ensuring that children and young people's views are heard and considered is likely to prompt better engagement and participation of disabled children and young people in the processes, service planning and delivery that affect them.

16.6 How will the work give better or further effect to the implementation of the UNCRC in Scotland?

This will inform Scottish Ministers' duty to report to Parliament on children's rights under the Children and Young People (Scotland) Act 2014

Response

The thematic review is being undertaken with the agreement of Scottish Ministers. The review will provide a national overview of social work's contribution to how well disabled children and young people's needs are assessed, planned for, and met. As the work will take a rights based approach, the review will provide Scottish Ministers with a clearer understanding as to how well Article 23 in particular is being implemented.

16.7 Have you involved children and young people in the development of this work?

Is there enough information on the views of the children and young people who will be affected by the policy/measure that enables you to make an informed assessment of impact?

Response

To ensure we fulfil our commitment to upholding children's rights we have developed a flexible approach with stakeholders. We are engaging with organisations who work directly with those children on whose behalf we are conducting this review. We are keen this review benefits from their knowledge and experience. Throughout the development phase we will consult with a range of professional stakeholders on our tools and aspects on our methodology. This will allow for those directly involved in the provision of services to shape our approach. A stakeholder workshop is taking place as part of this work.

We are working alongside the care inspectorate's Promise Lead to maximise existing relationships and to develop new ones and are informed by the Lundy principles in our direct engagement.

A key example of this has been the establishment of a connection between the Care Inspectorate and the LUNA Project. [LUNA](#) is a group of young people who work together to raise awareness of the lived experiences of young people with disabilities and long term health conditions. The group has provided a workshop session for Care Inspectorate staff about the experiences of disabled young people in relation to their particular needs. The contents of the workshop has informed the development of the methodology and the considerations within the EQIA and CRWIA.

LUNA are supporting the development of the thematic review communication and awareness raising to support the engagement of disabled children and young people.

17.1 Please read the following four statements:

1) No major change required. Your assessment demonstrates that the work is robust. The evidence shows no potential for unlawful discrimination and that you have taken all opportunities to advance equality of opportunity and foster good relations, subject to continuing monitoring and review.

2) The work must be adjusted to reduce impact on protected characteristic groups. You need to take proportionate steps to remove any barriers, to better advance equality of to foster good relations. You have set actions to address this and have clear ways of monitoring the impact of the work when implemented.

3) Continue with the work but it is not possible to remove all the risk to protected characteristic groups. The work will continue despite the potential for adverse impact. You have justified this with this assessment and shown how this decision is compatible with our obligations under the public sector equality duty. When you believe any discrimination can be objectively justified you must record in this assessment what this is and how the decision was reached.

4) Stop the work as this is potentially in breach of equality legislation. The work will not be implemented due to adverse effects that are not justified and cannot be mitigated.

17.2 Which of the four statements best matches your assessment?

Response

Option 1

Justification

None

17.3 Option 2

If you select this option you must submit an action plan to make arrangements to monitor any potential adverse impacts.

18 Monitoring and review

18.1 How will you monitor the implementation of this work?

Response

We will continue to engage with stakeholders during the thematic review. A methodology learning log is in place to capture any learning from the process of the review - where relevant this will prompt a review of the EQIA/CRWIA. A review team member holds the designated responsibility for ensuring that impact assessments are kept under review.

18.2 How will you use the results of the monitoring to develop the work?

Response

The review has been designed to be iterative in approach. A review team member holds the designated responsibility for ensuring that impact assessments are kept under review. Impact assessment considerations is a specific agenda item for internal review team meetings - where the methodology learning log has identified learning related to impact, this will prompt a review of the EQIA/CRWIA.

18.3 When and how will you review this work? Please also give details of who is responsible.

Response

We will keep this work under review for the duration of the thematic review. A review team member holds the designated responsibility for ensuring that impact assessments are kept under review and flagging any issues in internal review team meetings.

18.4 Please give details of how you will monitor any adverse impact over time, and how you will consider the monitoring information gathered in relation to equality. This ensures that you understand the actual impact of the policy, process or initiative once implemented.

Response

The review has been designed to be iterative in approach and a methodology learning log is in place. A review team member holds the designated responsibility for ensuring that impact assessments are kept under review. Impact assessment considerations is a specific agenda item for internal review team meetings - where the methodology learning log has identified learning related to impact, this will prompt a review of the EQIA/CRWIA.

19 Sign off and approval

19.1 Approved by (senior manager or Executive Director)

Please state full name and job title

Response

Chris Lumb, service manager

19.2 Date Approved

Response

 2024/05/24

19.3 Review Date

Response

 2024/05/31

19.4 Person responsible for reviewing?

Response

Strategic Inspector, Childrens Team

20 Conclusion

20.1 The full Equality Impact Assessment Form is now complete.

Thank you for your time in helping the Care Inspectorate and your Information Asset Owner understand equality impact associated with your activity.

20.2 Do you wish to discuss any aspect of this form with the Equalities Team?

Response

No

Justification

None

Assessment Notes