

Child Rights and Wellbeing Impact  
Assessment (CRWIA) for  
Scottish Young Carers Festival 2022

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## Introduction

As set out in Part 1 of the Children and Young People (Scotland) Act 2014, Scottish Ministers must keep under consideration whether there are any steps which they could take which would or might secure better or further effect in Scotland of the UNCRC requirements, and if they consider it appropriate to do so, take any of the steps identified by that consideration. Undertaking a CRWIA helps Ministers to fulfil this duty.

There are two key considerations when undertaking a CRWIA:

**Participation:** The United Nations Convention on the Right of the Child (UNCRC) sets out that children have the right to participate in decisions which affect them. When assessing the impacts of the policy/measure, you are recommended to consult with children and young people. You can do this directly, through organisations that represent children and young people or through using existing evidence on the views and experiences of children where relevant. Participation of children and young people should be meaningful and accessible.

**Evidence:** You are recommended to gather evidence when assessing the impact of the policy/measure on children's rights and also for measuring and evaluating the policy/measure. If you identify any gaps in the evidence base, you can discuss how you will address these with analytical colleagues.

## 1. Which articles of the UNCRC does this policy/measure impact on?

List all relevant Articles of the UNCRC and Optional Protocols. While all articles of the UNCRC are given equal weight and are seen as complementing each other, the four general principles of the UNCRC (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) underpin all other rights in the Convention, and should always be considered in your assessment. Please refer to [Annex 1](#) for UNCRC Article set out in Clusters and [Annex 2](#) for General Comments on the Articles.

**Article 12: Respect for the views of the child**

**Article 13: Freedom of expression**

**Article 31: Right to leisure, play and participation in cultural and artistic activities**

## 2. What impact will your policy/measure have on children's rights?

**Positive**

**The policy/measure complies with UNCRC requirements**

### 3. 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?

**Young carers are the main group of children affected by the policy/measure. The Scottish Young Carers Festival is organised for young carers to attend therefore there will be a greater impact on children and young people who are young carers compared to those who are not. Young carers are a group made up of individuals. The individual Young Carers may have different needs, priorities, experiences and perspectives and so the benefits from the SYCF may be experienced in different ways by different young carers. Overall, we intend a net benefit from the Festival.**

**In addition, it is important to note that only a small proportion of Young Carers in Scotland will benefit from the SCYF. Only those who are registered with their local young carers' service and are able to attend (factors such as caring responsibilities, disability, ill health may influence this). This means that some Young Carers will miss out on the opportunity. We are partially mitigating this by holding an online element to the Festival.**

**Although young carers will be directly impacted, cared-for children and young people will be indirectly positively impacted as well.**

### 4. If a negative impact is assessed for any area of rights or any group of children and young people, can you explain why this is necessary and proportionate? What options have you considered to modify the proposal, or mitigate the impact?

If options to modify the policy/measure are included here, include associated resource implications where relevant.

**No negative impact assessed.**

### 5. How will the policy/measure 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.

**The Scottish Young Carers Festival, which is Scottish Government funded, gives better or further effect to the implementation of the UNCRC in Scotland as it provides a platform for children’s voices to be heard and listened to by decision and policy makers, which provides them with the opportunity to consider the needs of young carers when decisions and policies are made that impacts on these children and young people’s lives. The Festival is organised and planned alongside young carers so that the event can be as much of an enjoyable and impactful experience for them.**

**The Scottish Young Carers Festival is an environment where young carers can gain respite from their caring roles. These children and young people can have fun through activities and entertainment and just spend some time being a child, for which in their daily lives they may not have the time nor the motivation due to their additional responsibilities as a young carer.**

## **6. How have you consulted with relevant stakeholders, including involving children and young people in the development of the policy/measure?**

This would include public or targeted consultations with children and young people, their parents/carers and the children’s workforce. To make an informed assessment of the impact, the views of the children and young people who will be affected by the policy/measure should be considered fully. If the policy/measure has changed as a result of consultation with stakeholders, please set this out.

**Young carers were consulted during the planning stages. In February 2022 a young carers survey was conducted which helped inform the plans for the Festival. This survey found that the majority (91%) of respondents wanted to attend an in-person Festival in 2022. They were also asked about which kinds activities they would like and what they were most looking forward to at the Scottish Young Carers Festival, the highest response being ‘new friends’. At previous Scottish Young Carer Festivals attendees have completed evaluation forms. Feedback, suggestions and comments from these have been used in the planning and organisation of this Festival as well.**

**Additionally, we have consulted 19 young carer services, of which the large majority were supportive of participating in an in-person Festival.**

## 7. What evidence have you used to inform your assessment?

The evidence base may include demographic information, academic research, service monitoring/inspection reports, service evaluation reports, user surveys, etc. In particular, look at what existing evidence tells you about children and young people's views and experiences of the relevant service(s); and/or what it tells you about children and young people's views of the policy proposal. Identify any gaps in the evidence base, and set out how you will address these.

**Previous surveys conducted with young carers demonstrated their need for respite, to have fun and opportunities to make friends.**

**Young Carers Action Day 2022 survey highlighted issues of isolation that young carers in Scotland face. The 2020 VISION: HEAR ME, SEE ME, SUPPORT ME AND DON'T FORGET ME research explored the impact of Coronavirus on young and young adult carers in Scotland, and what actions they wanted to see progressed for improved young carer support. Young carers also highlighted issues of isolation and the need for respite:**

***"It's made it harder. I don't get any respite, no time away or family support"***

***Young carer, 12***

***"No seeing my friends has been hard as was a good way to switch off"***

***Young carer, 13***

**In the survey conducted of young carers during the planning stages of the Festival. We received 47 responses from young carers aged 12 – 16.**

**The 19 young carer services that were also consulted were from a diverse range of locations from rural areas and islands to central belt areas.**

**In terms of gaps in the evidence base, we have planned for the Festival to be an inclusive event in order to include seldom heard groups of young carers. This has involved creating a Rural and Islands Engagement Plan, including online content for those young carers who are unable to attend and have equality and diversity monitoring**

## 8. How will the impact of the policy/measure be monitored?

As part of the normal decision making process, the implementation of the policy/measure should be monitored. Please set out plans for measuring the impact of your policy/measure, including how it will support public bodies in Scotland to meet their duties to safeguard, support and promote the wellbeing of children in their area. Wellbeing is defined by eight wellbeing indicators: Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, and Included.

**Safe – Adults at the event will all be PVG checked and there will be health and safety checks and first aiders to ensure the children are in a safe environment.**

**Healthy – There will be plenty of opportunities for exercise through activities. There will also be considerations to mental health with a ‘Wellbeing Space’ including mindfulness, sessions with See Me Scotland, positive thinking activities, pet therapy. Additionally, there will be a ‘marketplace’ to share information on support available.**

**Achieving – There will be opportunities for young carers to develop skills from sports to art.**

**Nurtured – The Festival will be a supportive environment, encouraging young carers to seek any support if required through young carer workers, volunteers etc.**

**Active – There will be plenty of opportunities for exercise and activities encouraging play, recreation, and sport such as hula hooping, bouncy castles and crate stacking.**

**Respected – There will be opportunities to be heard including at the ‘Consultation Spaces’ where they can meet and talk to decision makers about the issues impacting their lives and what improved support they would like to see progressed.**

**Responsible – Young Carers will have responsibilities at the Festival. Including. being responsible for their tents, looking after themselves, ensuring they get ready in the morning, signing up to activities if they would like to etc. with appropriate guidance and supervision and being involved in decisions that affect them.**

**Included – The Festival is an inclusive environment, attendees will be encouraged to connect with others and partake in activities and be supported to have their voices heard about decisions that are being made about them.**

**Following the Festival attendees will complete an evaluation form, the feedback from these will be shared with key stakeholders. Overall, the event is planned to have a positive impact on the young carers’ wellbeing and development as children and young people.**

## **9. How will you communicate to children and young people the impact of the policy/measure on their rights?**

Providing information to children and young people on how their rights will be impacted helps to ensure that policy making is transparent. Are you publishing a child-friendly or accessible CRWIA?

**We will aim to close the feedback loop and get back to young carers and young carer services on what changes/outcomes have been as a result of the Festival.**

**The Final Festival Report will be shared with young carer services and we will work with members from the Young Carer and Young Adult Carer Advisory Group to distribute the results.**

## 10. Sign & Date

Policy Lead Signature & Date of Sign Off:

Deputy Director Signature & Date of Sign Off:

Paul Traynor, Head of External Affairs, Carers Trust Scotland

26 July 2022.

A handwritten signature in black ink that reads "Paul Traynor". The signature is written in a cursive style with a large initial 'P' and a long, sweeping tail.

**Once signed off, please send to [CRWIA@gov.scot](mailto:CRWIA@gov.scot) and publish on gov.scot website.**

## Annex 1 – UNCRC Article Clusters

### [CRC Clusters \(unicef-irc.org\)](https://www.unicef-irc.org/)

#### I General measures of implementation

[Article 4](#) implementation obligations

[Article 41](#) respect for existing standards

[Article 42](#) making Convention widely known

[Article 44\(6\)](#) making reports widely available

#### II Definition of a child

[Article 1](#)

#### III General principles

[Article 2](#) non-discrimination

[Article 3\(1\)](#) best interest to be a primary consideration

[Article 3\(2\)](#) State's obligations to ensure necessary care and protection

[Article 3\(3\)](#) standards for institutions services and facilities

[Article 6](#) the right to life, survival and development (see also: [VI Basic health and welfare](#) )

[Article 12](#) respect for the views of the child

#### IV Civil rights and freedoms

[Article 7](#) right to name, nationality and to know and be cared for by parents

[Article 8](#) preservation of child's identity

[Article 13](#) freedom of expression

[Article 14](#) freedom of thought, conscience and religion

[Article 15](#) freedom of association and peaceful assembly

[Article 16](#) protection of privacy

[Article 17](#) child's access to information, and role of mass media

[Article 37\(a\) right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment](#)

#### V Family environment and alternative care

[Article 5](#) parental guidance and child's evolving capacities  
[Article 18\(1\) and \(2\)](#) parental responsibilities and State's assistance  
[Article 9](#) separation from parents  
[Article 10](#) family reunification  
[Article 11](#) illicit transfer and non-return  
[Article 27\(4\)](#) recovery of maintenance for the child  
[Article 20](#) [children deprived of their family environment](#)  
[Article 21](#) [adoption](#)  
[Article 25](#) periodic review of placement and treatment  
[Article 19](#) protection from all forms of violence  
[Article 39](#) rehabilitation and reintegration of victims of violence (see also: [VIII - Special protection measures](#) )

#### VI Basic health and welfare

[Article 6](#) right to life, survival and development (see also: [III - General principles](#) )  
[Article 18\(3\)](#) support for working parents  
[Article 23](#) rights of disabled children  
[Article 24](#) right to health and health services  
[Article 26](#) right to social security  
[Article 27\(1\)-\(3\)](#) right to adequate standard of living

#### VII Education, leisure and cultural activities

[Article 28](#) right to education  
[Article 29](#) aims of education  
[Article 31](#) right to leisure, play and participation in cultural and artistic activities

#### VIII Special protection measures

##### **A - Children in situations of emergency**

[Article 22](#) refugee children  
[Article 38](#) children and armed conflict  
[Article 39](#) rehabilitation of child victims (see also: [V Family environment and alternative care](#) )

##### **B - Children involved with the system of administration of juvenile justice**

[Article 40](#) [administration of juvenile justice](#)  
[Article 37\(a\)](#) [prohibition of capital punishment and life imprisonment](#)  
[Article 37\(b\)-\(d\)](#) [restriction of liberty](#)  
[Article 39](#) rehabilitation and reintegration of child victims (see also: [V Family environment and alternative care](#) )

##### **C - Children in situations of exploitation**

[Article 32](#) child labour  
[Article 33](#) drug abuse  
[Article 34](#) sexual exploitation  
[Article 35](#) sale, trafficking and abduction  
[Article 36](#) other forms of exploitation

##### **D - Children belonging to a minority or an indigenous group**

[Article 30](#)

[Optional Protocol to the UNCRC on the Involvement of Children in Armed Conflict Governments](#) should ensure that children under 18 who are members of the armed forces do not take a part in combat. Any recruitment of children under 18 must be voluntary and carried out with the full consent of the child's parents/carers. The UK Government has entered interpretive Declarations to this Optional Protocol. The UK would not exclude the deployment of under 18s who are members of the armed forces in direct combat if there is a genuine military need; it is not practicable to withdraw them before deployment; or doing so would undermine the operational effectiveness of their unit. The minimum age at which children may join the UK armed forces is 16 years, with parental consent required.

[Optional Protocol to the UNCRC on the Sale of Children, Child Prostitution and Child Pornography Governments](#) must prohibit the sale of children, child prostitution and child pornography, and recognise the vulnerability of child victims, protect their privacy, provide appropriate support services and ensure their safety.

## Annex 2 – General Comments

General Comments are non-legally binding interpretive aids issued by the UN Committee on the Rights of the Child to provide State parties with assistance regarding the interpretation of an article or issue relating to the UNCRC, and what actions governments should take to ensure its implementation. New General Comments appear at irregular intervals.

[Treaty bodies Search \(ohchr.org\)](#)

1. [The aims of education \(2001\)](#)
2. [The role of independent National Human Rights Institutions in the protection and promotion of the rights of the child \(2002\)](#)
3. [HIV/AIDS and the rights of children \(2003\)](#)
4. [Adolescent health and development in the context of the Convention on the Rights of the Child \(2003\)](#)
5. [General measures of implementation on the Convention on the Rights of the Child \(2003\)](#)
6. [Treatment of unaccompanied and separated children outside their country of origin \(2005\)](#)
7. [Implementing child rights in early childhood \(2005\)](#)
8. [The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment \(2006\)](#)
9. [The rights of children with disabilities \(2006\)](#)
10. [Children's rights in juvenile justice \(2007\)](#)
11. [Indigenous children and their rights under the Convention \(2009\)](#)
12. [The right of the child to be heard \(2009\)](#)

13. [The right of the child to freedom from all forms of violence \(2011\)](#)
14. [On the right of the child to have his or her best interests taken as a primary consideration \(2013\)](#)
15. [On the right of the child to enjoyment of the highest attainable standard of health \(2013\)](#)
16. [State obligations regarding the impact of the business sector on children's rights \(2013\)](#)
17. [On the right of the child to rest, leisure, play, recreational activities, cultural life and the arts \(2013\)](#)
18. [On harmful practices \(Joint General Comment with the Committee on the Elimination of Discrimination against Women\) \(2019\)](#)
19. [Public budgeting for the realisation of children's rights \(2016\)](#)
20. [Implementation of the rights of the child during adolescence \(2016\)](#)
21. [Children in street situations \(2017\)](#)
22. General principles regarding the human rights of children in the context of international migration [\(Joint General Comment with the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families\) \(2017\)](#)
23. State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return [\(Joint General Comment with the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families\) \(2017\)](#)
24. [General comment No. 24 \(2019\)](#) on children's rights in the child justice system
25. [General comment 25 \(2021\)](#) Children's Rights in relation to the digital environment.