

CHILDREN AND YOUNG PEOPLE'S OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 42

Brighton & Hove City Council

Subject: *Children's Rights Convention and CYPT Equalities Arrangements*

Date of Meeting: 20 January 2010

Report of: Director of Children's Services

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Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The purpose of this paper is to provide this committee with assurance that that CYPT has structures and processes in place to ensure compliance with Local authority equalities requirements.
- 1.2 National Policy; The UK ratified the Convention on the rights of the Child on 16 December 1992. This means that the UK government now has to make sure that every child has the rights which are outlined in the treaty, except those where the government has entered a specific reservation. This means that the Local Authority should have an understanding of how children's rights are included and impact on the provision of CYPT services.
- 1.3 BHCC Equalities and Inclusion: Important aspects of children's rights are ensuring equalities and inclusion is embedded in the delivery of care and services. The Equalities Standard for Local Government has been replaced by a new Equalities Framework which has a greater focus on measurable outcomes and a stronger alignment to the Comprehensive Area Assessment. This paper provides a summary of CYPT Services connections to Brighton and Hove City Council (BHCC) Equality and Inclusion team and arrangements.

2. RECOMMENDATIONS:

- 2.1 The Committee is asked to comment on the approach to children's rights and their inclusion in the delivery of CYPT services.
- 2.2 The Committee is asked to comment on CYPT connections to BHCC Equalities and Inclusion arrangements.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

Children's Rights

- 3.1 The United Nations Convention of the Rights of Children applies to all children and young people aged 17 years and under. Some children and young people, for example, those living away from home and young disabled people have additional rights to make sure they are treated fairly and their needs are met.
- 3.2 A convention is an agreement between countries to obey the same law. When the UK ratified the convention it agreed to obey the rules set out in that convention. Which include:
- The right to life, survival and development
 - The right to have their views respected and to have their best interests considered at all times
 - The right to a name and nationality, freedom of expression and access to information concerning them
 - The right to live in a family environment or alternative care and to have contact with both parents wherever possible
 - Health and welfare rights, including rights for disabled children, the right to health and health care and social security
 - The right to education, leisure, culture and the arts
 - Special protection for refugee children, children in the juvenile justice system, children deprived of their liberty and children suffering economic, sexual or other forms of exploitation
- 3.3 These rules are embedded in UK law and mean the committee should consider the rights of children in all aspects of their scrutiny of council services including the provision of health care, social care and education and the commissioning of services.

Local Context

- 3.4 BHCC Equalities and Inclusion Team undertake a 'needs assessment' with departments across the council which is used to inform BHCC equalities and inclusion planning. The CYPT contribute to the needs assessment process.
- 3.5 The rights of the child are included and incorporated into CYPT operational and clinical policies and procedures. These documents are used to inform practice and delivery of health care, social care and education services.
- 3.6 Local child protection and safeguarding procedures explicitly remind workers to consider the wishes and feelings of children during assessment, provision of care and/or services, and/or interventions.
- 3.7 Child protection and safeguarding training includes development of this aspect of worker understanding and practice. Encouraging reflection on undertaking assessment, inclusion of the child, young person, parents and/or carers in decisions, planning and review of care/services as appropriate depending on the individual circumstances of each child or young person.
- 3.8 The CYPT and its services also pro-actively obtain information on the experiences of those who receive those services via:

- Young people advocacy services, young people participation services, children in care independent home visiting,
 - A range of forums and groups (parents forum, youth council, schools council, children’s disability partnership, CYPT Board representation, etc)
 - User surveys and staff surveys
 - Complaints and plaudits reports
 - Incident reporting systems and case reviews
 - The management of allegations against staff
 - Providing information for the public on websites and via services information leaflets and letters
 - Enabling and supporting access to records
 - Through the use of consultation
- 3.9 The CYPT supports and encourages children, young people, parents and/or carers to express their views via external independent systems or routes, such as Amaze.

Equalities and Inclusion arrangements

- 3.10 Addressing inequalities and ensuring inclusion for all children and young people in the city is a key objective of the CYP Plan, it is high on the agenda for all services delivering care to children and young people.
- 3.11 The CYPT is connected to Brighton and Hove City Council (BHCC) Equalities and Inclusion arrangements. The CYPT is represented on the BHCC Equalities Steering group by the chair of the CYPT Equalities group. The CYPT Equalities group service representatives debate equalities issues, review services Equality Impact Assessments (EIA) and contribute to BHCC equality needs assessments and reviews. The group is supported by a member of the BHCC Equalities team.
- 3.12 The CYPT Equalities group is also part of the CYPT governance structure and works to embed the equalities agenda and requirements of services and workers into the integrated management structure.
- 3.13 The CYPT has a three year EIA rolling programme covering all CYPT services. An annual Equalities report is taken for review to the CYPT Departmental Management team. The CYPT Performance Improvement Report has a section on equalities. Issues which are captured via Equality Impact Assessments and reports are included in each service areas’ Business Plan to inform service development and planning.
- 3.14 The CYPT is responsible for promoting awareness of children and young people views, interests and other rights which have been guaranteed in the convention referred to above and these are included as part of the equalities agenda.

4. CONSULTATION

- 4.1 This report was completed in consultation with the CYPT Equalities Group.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

Any requirements arising from the Children's Rights Convention and Equalities will be met from within existing resources

Finance Officer Consulted: Louise Hoten *Date:* 11.1.2010

5.2 Legal Implications:

The Equalities Framework was introduced in April 2009 as a tool to enable Local Authorities to maintain disability, race and gender equality under council policy and practice. This report sets out the structures and processes that the CYPT have out in place to ensure compliance with the equalities requirements. There are no other legal implications arising from this report.

Lawyer Consulted: Serena Kynaston Date: 11.1.2010

5.3 Equalities Implications:

An Equality Impact Assessment has not been undertaken for this report. There is an Equality Impact Assessments (EIA) Timetable for all services provided by CYPT. An EIA has been undertaken for the Children and Young People Plan which informs CYPT priorities.

5.4 Sustainability Implications:

Any sustainability requirements are addressed as part of CYPT service provision.

5.5 Crime & Disorder Implications:

Any prevention of crime and disorder requirements are addressed as part of CYPT Service provision.

5.6 Risk and Opportunity Management Implications:

Requirements arising from the Children's Rights Convention and Equalities are met within existing resources.

5.7 Corporate / Citywide Implications:

All council services should hold in mind children's rights, child protection and safeguarding requirements as an integral aspect of service provision. Council Equalities requirements are led by the BHCC Equalities and Inclusion Team.

SUPPORTING DOCUMENTATION

Appendices:

1. CYPT Equalities structure chart
2. CYPT Equalities group Terms of Reference

Documents In Members' Rooms

1. None

Background Documents

1. None