



# Barnardo's Scotland - In This Together

**COVID – 19 - Responding to the needs of children,  
young people and families**

**15<sup>TH</sup> June - Children's Rights and Advocacy**

**Believe in  
children**  
 **Barnardo's  
Scotland**

Barnardo's Registered Charity  
Nos. 216250 and SC037605

**Promoting and protecting the rights of children and young people is at the heart of our policy and practice across Barnardo's Scotland. This has never been more important, or as challenging, as during the current pandemic.**

Our specialist rights and advocacy support is delivered through our:

- Fife Children's Rights and Advocacy Service.
- Let's Talk ASN Scotland in partnership with Govan Law Centre.
- Hear 4 U Advocacy Service – Dumfries & Galloway, Inverclyde, North Ayrshire, Renfrewshire & South Ayrshire.
- Children's Rights & Advocacy Team.

Alongside our specialist rights and advocacy support, we have developed a range of activities and processes to enable us to access, monitor and report on the impact of Covid-19 on the rights of children and young people in Scotland.

Our previous ['In This Together'](#) reports outline a range of issues relating to children's rights across the breadth of our services in Scotland. This report will identify key children's rights themes, examples of our participative work with children and young people, how we have engaged staff in rights-based reporting and put a spotlight on the work of Hear 4 U Advocacy Service.

Our services have adapted in response to the crisis. This includes reintroduction of face-to-face advocacy via local education hubs, outdoor spaces and other appropriate venues. We have also contacted local partners to ensure digital contact with children and young people is co-ordinated and promotes the important role of advocacy in capturing their views.

**What is advocacy?  
'Advocacy is speaking, acting, and/or writing to promote and defend the rights, needs and interests of children and young people. Advocates do not give their own opinions or make choices for children. Instead they support children and young people to make their own choices'.**



## Emerging Rights Issues

Through the collective reporting from our services and staff teams we have identified a range of emerging themes impacting on the rights of children and young people as outlined within the United Nations Convention on the Rights of the Child (UNCRC) and relevant domestic legislation. These include....

<b>Article 28</b> Education	<ul style="list-style-type: none"> <li>• Closure of schools</li> <li>• Impact on transitions especially for children with Additional Support Needs</li> <li>• Impact digital inequalities on attainment</li> </ul>
<b>Articles 24, 26 and 27</b> Survival and Development	<ul style="list-style-type: none"> <li>• Child poverty</li> <li>• Access to food</li> <li>• Reduction in support and contact with children</li> </ul>
<b>Article 12</b> The views of the Child (Right to Participation)	<ul style="list-style-type: none"> <li>• Lack of involvement in decision making processes at a national level</li> <li>• Lack of involvement in decisions relating the child's own life</li> </ul>
<b>Article 24</b> Health Care	<ul style="list-style-type: none"> <li>• Impact of lockdown on mental health and wellbeing</li> <li>• Reduced support available from key services, especially face-to-face</li> </ul>
<b>Article 19</b> Protection from violence and abuse	<ul style="list-style-type: none"> <li>• Increased risk of sexual, criminal, online exploitation and domestic abuse</li> <li>• Lack of visibility to protective adults such as teachers to raise concerns</li> </ul>
<b>Article 17</b> Access to information	<ul style="list-style-type: none"> <li>• Lack of child friendly information</li> <li>• Digital inequalities</li> <li>• Overload of negative Covid-19 media stories</li> </ul>
<b>Articles 37 and 40</b> Justice and Legal Support	<ul style="list-style-type: none"> <li>• Impact of Covid-19 restrictions</li> <li>• Issuing of fixed penalty notices to 16/17-yr-olds and other vulnerable young people especially those with care-experience</li> </ul>
<b>Article 31</b> Access to play and leisure	<ul style="list-style-type: none"> <li>• Reduction in play opportunities and recreation spaces due to lockdown restrictions</li> </ul>

We continue to work across our services and policy and influencing teams to address these emerging issues.

## Spotlight: Hear 4 U Advocacy Service

As a result of the national guidance during the initial stages of Covid-19, the majority of our advocacy support has been provided remotely via a range of social media platforms, iPads, apps and weekly telephone calls for children and young people.

Avatars are still used to help children and young people express their views, alongside creating digital storyboards using photos and art work created by children and young people themselves. These can be remotely shared for discussion within meetings.

The service has been supporting care leavers to resolve a range of concerns including homelessness, financial difficulties, digital inequalities, loss of contact with friends and family, and mental health and wellbeing concerns.

The service has provided direct financial support through the Scottish Government Wellbeing Fund to help care leavers and families with the cost of food, electricity, gas as well as to purchase tablets and mobile phones to help children and young people engage with education and remotely-held meetings.

The service developed and distributed 78 wellbeing packs for children and young people as well as distributing packs created by other local partner agencies.

The service also developed a weekly reporting template for advocates to record the level and method of engagement with children and young people, key rights issues and concerns, and feedback from the children and young people themselves. These reports are used in discussions with service commissioners and local partners to bring about the required change for young people.



## Responding to Emerging Concerns

As a result of Covid-19, many important meetings for children and young people have been cancelled or remotely held. We are concerned that rights to participation are being breached because...

- Meetings are taking place without their involvement or views being represented;
- Advocates are not being routinely informed about meetings or on occasions not been given the opportunity to connect to meetings that do take place;
- Children and young people do not have the required technology or Wi-Fi or data connections;
- Decisions are being made without the most recent views of children and young people being taken into account;
- Children and young people may not have access to confidential spaces to meaningfully engage with remotely-held meetings; and,
- The process to engage children and young people in remotely-held meetings may not be age and stage appropriate or take into account additional support needs.

The Hear 4 U service has played an important role in recording and reporting these issues as communicated to us by young people. In response to these emerging concerns, the service has evolved in order to...

- Support the development of guidance for children and young people on engaging with remotely held children's hearings created by Children's Hearings Scotland and Scottish Children's Reporters Administration;
- Purchase equipment for children and young people to use to engage with remotely-held hearings and advocacy sessions;
- Maintain regular contact with partner agency staff who schedule meetings for children;
- Submit detailed reports of the views, experiences and emotions of children and young people;
- Represent the views of children and young people in a range of remotely held meetings using video conferencing and other platforms; and,
- Ensure that the voice of children and young people remains at the centre of the meetings involving advocacy workers.



## Listening to the Views of Young People

As well as supporting children and young people to take part in national consultations, we have developed a range of opportunities for the young people we work with to have their views heard within Barnardo's Scotland.

A snapshot survey was developed to assess the impact of Covid-19 on Barnardo's advocacy provision with a focus on the methods of engagement during Covid-19.

**80% preferred face-to-face advocacy support**

**64% had used video platforms to speak with their advocate**

**92% had spoken to their advocate via telephone since the start of lockdown**

The children and young people that we work with have also shared their views on the positive impact our advocacy teams have been able to make during what have been difficult times for many.

*"This has been helping a lot as I feel less alone in this situation and I feel like there are people looking out for me. Without Barnardo's I would feel very isolated and helpless."*

*"It is good with the same staff but I do get angry at times not been allowed out to meet my friends but staff and my social worker know me well and help me deal with these feelings"*

*"Yes definitely; it's helped me a lot to cope better during a very difficult time. I feel down quite a lot and having a chat with you lets me get my feelings out, helps build up my confidence, allows me to get any advice I need and refocus"*

## Rights-based Reporting

During Covid-19 we have developed a range of opportunities for Barnardo's Scotland staff to highlight and discuss the rights issues emerging from their work with children and young people. This has involved...

- Regular theme/service specific group discussions;
- A fortnightly children's rights 'live chat' using Zoom;
- Children's Rights and Advocacy Workplace Group; and,
- Advice and support from the Children's Rights and Advocacy Team

## Spotlight: Fixed Penalty Notices

After the Coronavirus (Scotland) Act 2020 was passed a number of 16/17-year-olds were being issued with Fixed Penalty Notices (FPNs) for breaches to the lockdown restrictions. Scottish 16/17-year-olds were excluded from protections that apply to their peers in other parts of the UK and effectively being punished as though they were adults, conflicting with the UNCRC definition that a child is anyone under 18.

Working alongside the Children and Young People's Commissioner for Scotland we successfully campaigned for an amendment to the legislation to close this loophole.

We are now supporting a call for all FPNs issued to 16/17-year-olds to be annulled, with a commitment that no one will be criminalised as a result. We have also supported the development of guidance for Police Scotland in relation to engaging with children and young people during Covid-19 restrictions.



**Scott Oetegenn, Assistant Service Manager, Moorehouse Care and Education, told us...**

"I utilised your services for one of our young people as they required an advocate towards voicing their viewpoints and opinions within a LAAC review. Due to current lockdown restrictions the young person was unable to attend so a worker from Hear 4 U was able to contact me and the young person to attain views for their future, both short- and long-term, and compile a report based on the individuals' views. This service provided was positive and highly productive for the young person and the organisation that I work for. I would highly recommend your services."

**A Barnardo's Scotland worker describes their experience of advocacy work during Covid-19...**

"Throughout the COVID-19 restrictions, I have felt a continuous concern and frustration that young people are unable to participate in the very process of which they should be at the centre. Initially this was due to all agencies dealing with such unprecedented and challenging circumstances while having to continue safeguarding our young people legally and safely. As we reach week 12/13 of the restrictions, we are still seeing many examples of young people who have been unable to participate in their meetings or indeed have their views represented digitally by advocacy support due to poor planning by decision makers.

I would like to highlight the work social workers and other key support agencies have carried out during the lockdown. Whether we are in the midst of a pandemic or not, these workers still have to ensure the safety and wellbeing of young people which they have strived to do. The views of the young people I have supported have reflected this."

**A foster carer, Gail, told us of the positive impact our team has had...**

"There has been regular quality contact with the Barnardo's Scotland worker during lockdown. Our young person looks forward to the weekly calls and is happy to chat to her on the phone and tell her how he is and what he has been doing. There has been great communication with myself to arrange days and times to suit us all. The service has been great and I think especially during lockdown for our young person to have someone else to voice his views and feelings to have been very positive. He said: "I like [my worker] phoning me she is nice. I tell [her] what I want and what I like and that I'm happy here."



Selwyn McCausland is the National Children's Rights & Advocacy Manager for Barnardo's Scotland. For more information about Hear 4 U visit [www.barnardos.org.uk/hear4u](http://www.barnardos.org.uk/hear4u).

**Barnardo's Scotland** works with more than 16,300 children and young people in over 140 specialised community-based services across Scotland, and 95 shops across the country directly supporting the services. Our work includes: fostering and adoption services and support; helping children break free from sexual exploitation; supporting young carers; helping young people in to employment and helping children living in poverty.

Visit [www.barnardos.org.uk/scotland](http://www.barnardos.org.uk/scotland) to find out how you can get involved and show you believe in children. **Twitter:** [@BarnardosScot](https://twitter.com/BarnardosScot) **Facebook:** [Barnardo's Scotland](https://www.facebook.com/Barnardo'sScotland)