

APPENDIX 6: Child Protection, Children's Hearings and Care: Children's Rights Impact Assessment (CRIA)

Subject Focus: UN Committee Recommendation 6

Children and young people who may be at risk of neglect and abuse, subject to compulsory intervention in family life by the State, and living in alternative care separated from their parents. Note: Intentionally limited attention has been paid to the themes being considered by others commissioned, though, of course, each of those topics have key relevance to this topic.

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STAGE 1: SCOPING (Background and Rights Framework)

Question 1: Name each measure (including relevant sections of legislation and guidance) being assessed and describe the overall aim	
Measure	Overall aim of the particular, relevant aspects of the measure
Note: An overview of the Coronavirus Act 2020 and the Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 are included here as backdrop to the measures considered. For reasons of brevity and prioritisation of specificity, the other sections of this CRIA do not focus on assessment of these, rather additional guidance relating to their implementation.	
Coronavirus Act 2020	(25 March 2020). Enables the use of powers to respond in an emergency and to manage the effects of the COVID-19 pandemic. S.16 and S.17 allow for an easing of health and social care assessment, including for children's services in Scotland. For children in Scotland this changes assessment duties under S.23 and S.29 Children (Scotland) Act 1995, S.1 of the Social Care (Self-directed Support) (Scotland) Act 2013, and preparation of adult carer support plans/young carer statements under the Carers (Scotland) Act 2013. Duties on Local Authorities to safeguard and promote the welfare of children in need under S.22 and to provide aftercare services under S.29 of the 1995 Act remain the same. S.34 of the 2020 Act allows for temporary disapplication of disclosure offences: Scotland, and, if used, could enable an individual barred from undertaking regulated work with children to do so.