

Children's Rights Impact Assessment

1. Identify

Name of proposal

STRATEGY FOR LOOKED AFTER CHILDREN: IMPROVING CHILDREN'S LIVES

2. Map

Describing what is proposed, its consequences and goals

2.1. What is being proposed?

To develop a Strategy for Looked After Child to improve their outcomes and help them achieve their full potential in line with their peers, this Strategy describes the pledge to support children and young people in care. It applies to those who are on the 'edge' of care, that is:

- a. Living in families with intense needs and requiring intensive supports [*on the edge of coming into care*];
- b. Returning home from a period in care [*on the edge of a (short) period in care*];
- c. Leaving care to make the journey into adult life [*on the edge of aging out of care*]; and
- d. Also to those leaving care, that is:
Young people who have left care and are still in need of some support, including those who have been adopted; those who are living with family under a Private Law Order and those who *are* supported in independent living in early adulthood.

For the purposes of the Strategy, those young people are referred to as **care experienced**.

- Policy
- Programme
- Guidance
- Other
- Existing
- New

2.2. What is the aim, objective or purpose of the proposal?

Our pledge to children and young people in and on the edge of care and those leaving care. Empowered and mandated by the Children's Services Co-operation Act (NI) 2015, we will work in partnership to deliver improved well-being for children and young people pre-care, in-care and after-care by:

Pre-care

Supporting families at an early stage; providing targeted intensive support for children, young people and their families where the risk of entry into care is high; and ensuring that decisions about taking children into care are made without unnecessary delay and always in their best interests.

In-care

Securing earlier permanence and stability for children and young people in care and enabling them to build positive and supportive relationships; extending placement options; strengthening support for care givers; providing more effective regional specialist services; providing effective interventions to deal with particular challenges including: substance misuse, poor mental health and emotional well-being outcomes; criminalisation and poor educational outcomes.

After-care

Supporting children and young people returning home from care and their families; extending support for children and young people after-care, including care leavers, to help them make a successful transition into independent living as adults.

2.3. Who initiated the proposal?

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DoH and DE
2.4. Who will be responsible for implementing the proposal? DoH and DE
2.5. What is the legal, policy and practice context of the proposal? The care and protection of looked after children and care experienced young people is governed by legislation and convention, including: <ul style="list-style-type: none"> • Adoption (NI) Order 1987 and Regulations made under the Order; • The Children (NI) Order 1995 and Regulations made under the Order; • The Children (Leaving Care) Act (NI) 2002 (which amended the Children (NI) Order 1995); • Northern Ireland Act 1998, Section 75 • The Human Rights Act 1998. • The European Convention on Human Rights; • The Children’s Co-operation Act (NI) 2015 • The United Nations Convention on the Rights of the Child (UNCRC)¹ • United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)² • Education and Libraries (NI) Order 1986 • Special Educational Needs and Disability Act (Northern Ireland) 2016 In the Children (NI) Order 1995 and associated legislation the principle that the welfare of a child is paramount underpins all requirements.
2.6. Which articles of the UN Convention on the Rights of the Child (UNCRC) are relevant? <ul style="list-style-type: none"> • The right not to suffer discrimination (Article 2) • The right to have their best interests treated as the primary consideration (Article 3) • The right to life (Article 6) • The right to an identity (Article 8) • The right to an opinion and to be heard (Article 12)³ • The right to be brought up by your parents if possible (Article 18) • The right to be protected from being hurt or badly treated (Article 19) • The right to an education (Article 28) • Education must develop every child’s personality, talents and abilities to the full (Article 29) • The right to relax, play and take part in cultural and artistic activities (Article 31).
2.7. Has a UNCRC analysis been undertaken when developing the proposal? Yes
2.8. What are the resource implications of the proposal? This has yet to be identified through scoping of the Implementation Plan
3. Gather <i>Pulling together relevant information and evidence</i>
3.1. What relevant information or evidence is available internally? Relevant data has been referenced
3.2. What relevant information or evidence is available externally? Relevant research has been referenced
3.3. Is further information or evidence required? Outlined in Report Card
4. Consult <i>Asking children and young people and other stakeholders and experts for their views</i>
4.1. Have children and young people or any stakeholders been consulted in the development of the proposal?

¹ UNCRC was ratified by the UK Government in 1991

² [UNCRPD](#)

³ [UNCRC General Comment No 12 \(2009\) on the Right of the Child to be Heard](#)

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<p>Yes – facilitated discussions through VOYPIC and Include Youth with children and young people. In addition discussions were held with Fostering Network, Foster Carers, Social Workers, and Community Planning Officers. CYP versions of the Strategy are being developed for consultation</p>	
<p>4.2. Is consultation necessary or appropriate? Yes – statutory requirement</p>	
<p>4.3. If yes to above, who should be consulted? All relevant stakeholders</p>	
<p>4.4. Should we consult particular groups of children and young people for their views? Yes – Looked after children and care experienced have been and will be consulted</p>	
<p>4.5. What format should the consultation take? Pre consultation has already been completed with a number of stakeholders, including children and young people. Formal public consultation will be open to anyone to comment. Special events will be held specifically for children and young people.</p>	
<p>4.6. What questions should be asked? To be confirmed</p>	
<p>Consultation Action Officer: Click here to enter text.</p>	<p>Date consultation to be completed by: TBC</p>
<p>5. Analyse <i>Assessing the proposal for its impact on children and young people's rights</i></p>	
<p>5.1. What impact will or might the proposal have on the rights of children and young people? The Strategy will positively impact children and young people in care to improve their outcomes and help them achieve their full potential in line with their peers</p>	
<p>5.2. Will the rights of one group of children in particular be affected? The Strategy will positively impact children and young people in care to improve their outcomes and help them achieve their full potential in line with their peers</p>	
<p>5.3. Are there competing interests between the groups of children, or between children and other groups? No</p>	
<p>5.4. How does the proposal relate to, promote, or inhibit the provisions of the UNCRC, other relevant international treaties and standards, or domestic law? The Strategy aims to encompass all the relevant legislation surrounding this group of children</p>	
<p>5.5. How does the proposal contribute to the achievement of regional goals for children and young people? Programme for Government (PFG) 2017-2021 identifies 12 outcomes which the Executive aims to deliver. Outcomes are expressed in terms of indicators, one (PfG Indicator 10) of which commits the Executive to improve support for looked after children. PfG Indicator 11 commits to Improving Educational Outcomes; PfG Indicator 12 to reduce educational inequality and PfG Indicator 14 to improve the skills profile of the population through delivery plans, which points to this Strategy as a key PfG delivery mechanism.</p>	
<p>5.6. Is there disagreement as to the likely impact of the proposal on the rights of children and young people? No</p>	
<p>5.7. Is the proposal the best way of achieving its aims, taking into account children's rights? Yes</p>	
<p>5.8. Has the do-nothing option been considered? Status Quo is to continue with current Strategy – Care Matters - which is now 11 years old. The OECD report - Improving educational outcomes for Looked After Children in Northern Ireland (July 2016) recommendations ratified the need for change and as a result do nothing is not a realistic option.</p>	
<p>5.9. Can alternatives to the proposal be suggested?</p>	

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All options have been considered	
5.10. What compensatory measures may be needed to avoid/mitigate a negative impact? None – there will be no negative impact on Looked After Children	
5.11. What overall impact will the proposal entail other policy areas or agendas, or other professionals or groups in their work with children? Links drawn between OGDs, PFG, IDPs and Community Planning Partnerships	
6. Recommend <i>Drawing together conclusions and making recommendations</i>	
6.1. What overall conclusions have been reached? To consult on draft Strategy and Implementation Plan	
6.2. What recommendations should be made? As outlined on Implementation Plan	
6.3. Who should be informed of the recommendations? Consultation with Stakeholders	
6.4. Does the assessment have any gaps in information, data collection or expertise? As outlined in Report Cards	
6.5. Is further research or consultation required? Further research on-going	
6.6. Are there any other relevant issues? None	
7. Publicise <i>Making the results of the impact assessment known</i>	
7.1. Should the assessment be made available publicly? If not, why not? Not required in NI at present	
7.2. If yes, in what formats? Click here to enter text.	
7.3. Should particular individuals or groups be made aware of the assessment? On request	
7.4. Has the assessment and additional feedback been provided to those consulted during the assessment process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Monitor <i>Monitoring and evaluating impact of the proposal</i>	
8.1. Is follow-up evaluation/monitoring of the proposal and its implementation required? Report Cards will outline outcomes	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8.2. Have the recommendations made as a result of the impact assessment been considered or acted upon? Proposals to be subject of formal consultation	
8.3. Should the progress of the proposal be monitored? Monitoring will be completed through regular Report Cards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8.4. Should the implementation of the proposal be monitored? Implementation will be monitored through the Report Cards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8.5. Is research required to assess the proposal's impact on children once implemented? This information obtained from the Report Card will inform on the impact of the Strategy	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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8.6. As a result of monitoring of the proposal, are further recommendations required? Flexibility to roll forward or review Implementation Plan	
8.7. Who should be informed of the recommendations? Click here to enter text.	
Children's Rights Impact Assessment by: Click here to enter text.	Date of CRIA: Click here to enter text.
Reviewed by: Click here to enter text.	Date of review: Click here to enter text.