

The Children's Rights and
Independent Advocacy
Services



Rights and Responsibilities



promoting children's human **rights**

The Children's Rights and Independent Advocacy Services

For children and young people being looked after
by Dundee City Council

or

who have a disability

or

who have been looked after in the past



Looked After

Being looked after by *Dundee City Council* can mean that you are living away from home at the moment. You might be living in:

A Young People's Unit


Foster or "Mainstay" Family

A residential school

A secure unit

Or it can also mean being helped at home while under an order from the *Children's Panel*.

While being looked after either at home or away from home, you have important rights under a law called "**The Children (Scotland) Act 1995**". These rights must be respected provided they are in your best interests and are more able to be achieved.

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- A decorative graphic in the top-left corner consisting of a light grey circle partially overlapping a dark grey circle, with a light green brushstroke-like shape extending from the bottom of the dark grey circle towards the center of the page.
- Your welfare is the most important thing to be safeguarded wherever you are living.
 - You must have a say in matters affecting your life.
 - You are entitled to help to keep in touch with your family provided this is best for you.
 - You have a right to extra help if you are affected by disability.
 - *The Council* when organising help for you have to pay heed to your race, religion and culture.
 - No order (legal decision) should be made about you unless it's better than making no order at all.
 - You must have help to prepare to leave care and help after you have left care, if you need it.

Other Important Rights

- You have a right to be protected from harm and to feel safe.
 - You have the right to be respected as an individual.
- You and your parents should know what rights you have.
- You have a right to complain confidentially. This should not be difficult and you should get help if you need it.
- You have a right to good basic care.
- You have a right to be included in any plans that are made for you and have your opinions respected.
- You should be encouraged and helped to make good use of your educational and career chances.
- You should get help and encouragement to avoid health risks and to lead a healthy life.

Who Cares? Scotland also have made a list of the rights you have when looked after. *The Children's Rights Officer* has more information about the "**Who Cares? Charter of Rights**" and local *Who Cares?* meetings.

Your rights are written into government reports and Laws like the **Children (Scotland) Act 1995** and the **Human Rights Act 1998**. Another important document where your rights are clearly written down is the **UN Convention on the Rights of the Child**.





The UN Convention

Dundee City Council has promised to use the **United Nations Convention on the Rights of the Child** when providing services for children and young people.

The convention sets out in a number of statements (called articles), the rights which all children and young people up to the age of 18 should have. These rights apply to young people everywhere, wherever they live. The convention says that children have three main rights which must be considered whenever any decision is being made about them, or any action taken which affects them.

Non Discrimination

All the rights in the convention apply to all children equally, whatever their race, sex, religion, language, disability, opinion, or family background (*Article 2*).



Best Interests

When adults or organisations make decisions which affect children and young people must always think first about what would be best for the child or young person (*Article 3*).

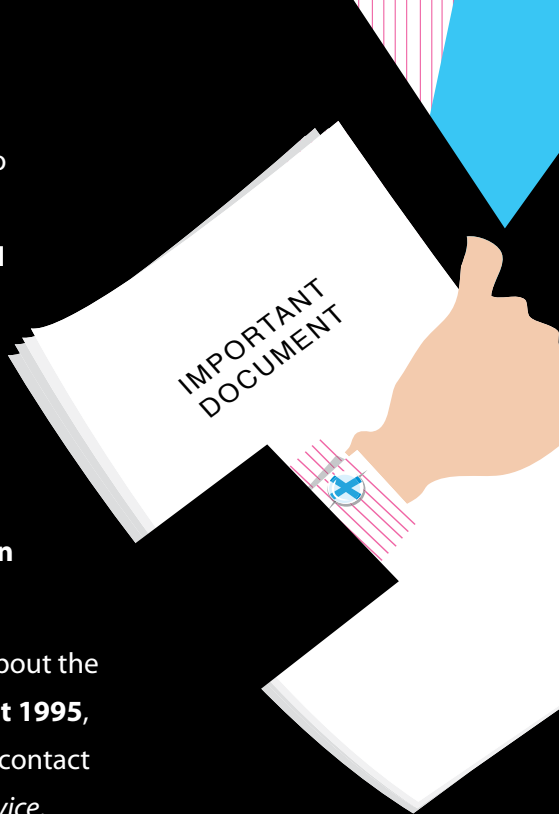
The Child's Views

Children and young people have the right to say what they think about anything which affects them. What they say must be listened to carefully. When *Courts, Children's Panels*, or other official bodies are making decisions, which affect children, they must listen to what the children want and feel (*Article 12*).

*The government has also promised to stick to the terms of most of the **UN Convention** and pass laws, which take the convention into account.*

Your rights are also protected in The **Human Rights Act**.

For more information about the **Children (Scotland) Act 1995**, or the **UN Convention**, contact *The Children's Rights Service*.



The Children's Rights Service

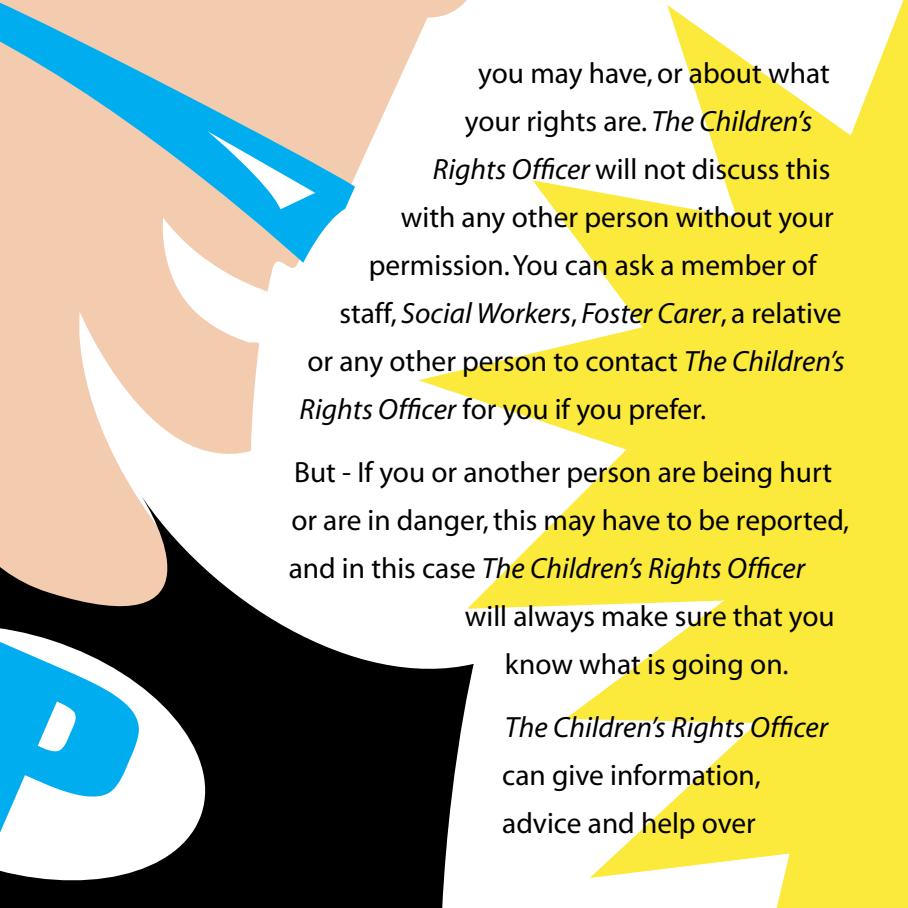
The Children's Rights Officer is there to help you understand better your rights and responsibilities when being looked after by *Dundee City Council*.

This person can also tell the adults responsible for you about what rights you have and how they can be respected.

The Children's Rights Officer is independent from *Social Workers, Residential Workers, Foster Carers* and all other adults concerned with your care.

This officer is responsible to the *Director of Social Work* for matters concerning children and young people's rights and responsibilities.

The Children's Rights Officer is there to work for you and with you. You can ask *The Children's Rights Officer* about any concern or problem that



you may have, or about what your rights are. *The Children's Rights Officer* will not discuss this with any other person without your permission. You can ask a member of staff, *Social Workers, Foster Carer*, a relative or any other person to contact *The Children's Rights Officer* for you if you prefer.

But - If you or another person are being hurt or are in danger, this may have to be reported, and in this case *The Children's Rights Officer*

will always make sure that you know what is going on.

The Children's Rights Officer can give information, advice and help over



the telephone or by writing to you, or arranging to visit you in a place, you find suitable. You can have someone of your choice there to help you if you want.

If you live in a *Young Person's Unit, Residential School* or a *Secure Unit* you will be able to meet *The Children's Rights Officer* when regular visits are made.

You should never be stopped from contacting *The Children's Rights Officer*, it is your service and you have a right to use it.

Social Workers, Residential Workers and *Foster Carers* should know about *The*

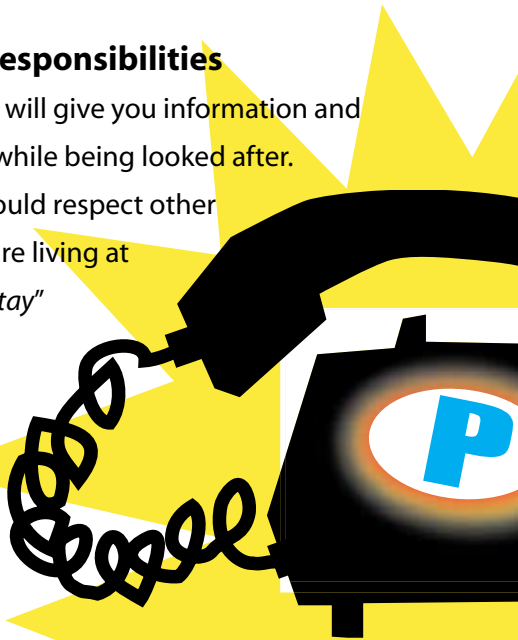
Children's Rights Service and encourage you to use it.

You should never get into trouble for contacting *The Children's Right Officer*.

Rights, Respect and Responsibilities

The Children's Rights Service will give you information and support about your rights while being looked after.

But remember, you also should respect other people's rights. When you are living at home or in foster or "*Mainstay*" care, or in a young people's unit, or in residential school, it is best to learn how to get along with others and try to fit in with one another.



This is not always easy and there can be disagreements as well as friendships. Whatever the disagreements, it is best to respect other people's rights, and certain ways of behaving are not acceptable. For example, it is not acceptable for people to be violent to one another, to insult or degrade one another, or to steal or damage property. These rules apply to adults, children and young people alike.

You should respect other people's rights. If you do this, then your rights are more likely to be respected.

Everyone has to live by rules and it is important that you know that if you break these rules you can expect some kind of sanction (or penalty). Ask your carer what sanctions might be used. Remember, these sanctions should be fair, and should not be humiliating. All sanctions should have the aim of helping you understand your responsibilities.

Contacting *The Children's Rights Service*

Telephone: **FREEPHONE** **0800 163538**

An answering machine is switched on when *The Children's Rights Officer* is out, but if you leave a message giving your name and how you can be contacted, *The Children's Rights Officer* will get in touch with you quickly.

Only *The Children's Rights Officer* will listen to your message.

Or write to:

The Children's Rights Officer,

11 Castle Street, Dundee DD1 3AA

Letters will be treated confidentially.



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