



My Rights, My Say

My Rights, My Say
annual
achievement
report
2021-22

About us

Established in 2018, My Rights, My Say is an independent service that helps children aged 12-15 with additional support needs to have their say in decisions about their education.

We help young people to share their views across a wide range of issues. These include the level or the type of support they currently receive in school, moving from one school to another, queries about co-ordinated support plans, experience of bullying or requests for advice and support to resolve disputes or disagreements. We also represent young people at formal meetings including Additional Support Needs Tribunals and education appeals.

In addition to our direct work with young people, My Rights, My Say provides support to staff in schools and local authorities to help them reflect on their practice of listening to and involving children and young people with additional support needs. We produce guides and resources to support this work, including a short learning course on the Children in Scotland eLearning hub.

In the last year, the service has responded to 190 requests for support across 28 education authorities. As with the previous three years for the service, autism and mental health continue to be the most prevalent additional support needs with 63% of all requests for support received this year being for autistic young people.

Demand for the services we provide is increasing, our reach is expanding, and the issues we are listening to and responding to are becoming more complex. With the advent of UNCRC incorporation and a greater awareness amongst young people and families of children's rights, specifically Article 12 which supports the right of young people to be listened to and for their views to be taken seriously, we are living in times when the views and voices of our young people have never been louder.

During the pandemic we have changed the way we work to respond to the needs and preferences of our young people. When face-to-face meetings were not possible, we met online or over the phone.

We have learned a lot from new ways of working and we will take that learning with us as we move forward.

Our thanks to all the young people, families and professionals we've worked with in the last year and we look forward to celebrating five years of My Rights, My Say with you in 2023.

Best wishes, The My Rights, My Say team



The My Rights, My Say team (from bottom left to right): Catherine Bromley, Marie Harrison, Sarah Jane Crews, Billy Anderson, Iain Nisbet, Lucy Johnson, Pauline Cavanagh, Cat Thomson.

Where our requests for support come from

Reason for request

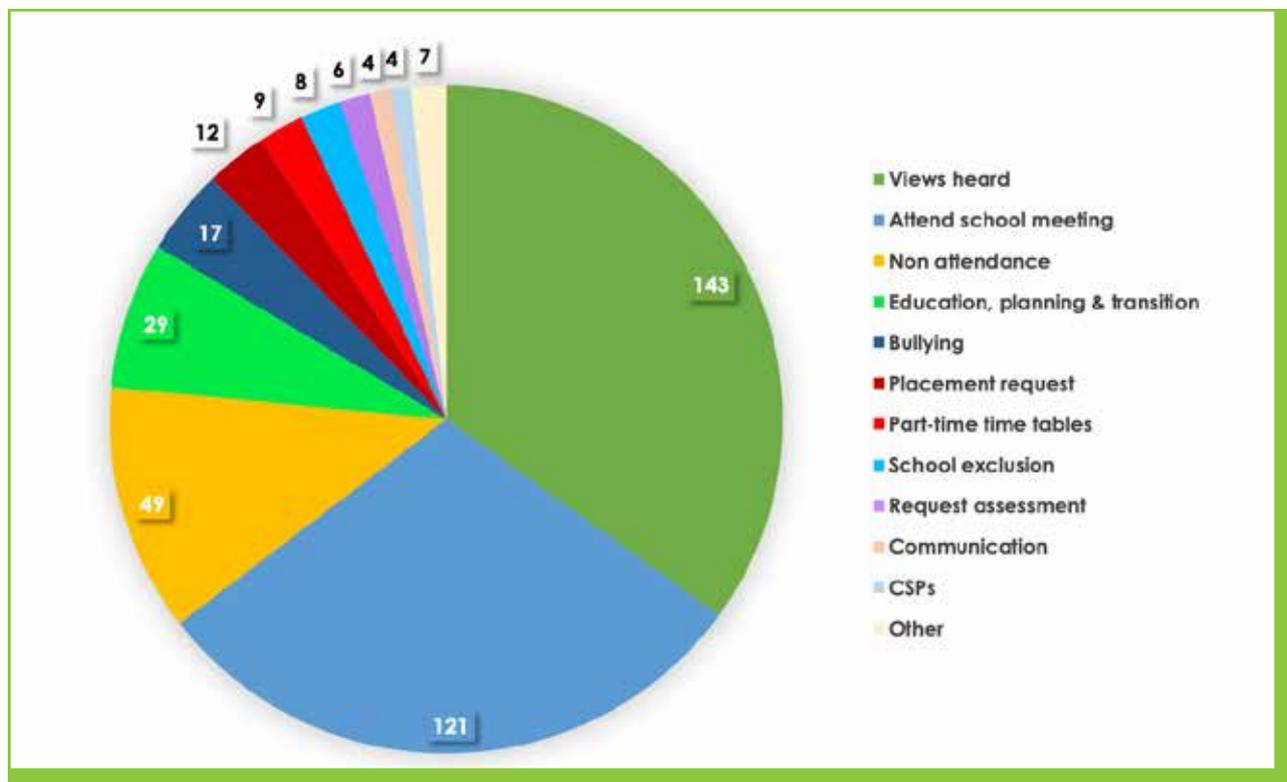


Chart 1: Reasons for requesting support 2021-22 (top 12 issues)

This year, as with the previous three years for the service, autism and mental health continue to be the most prevalent additional support need represented across the requests we receive.

During the Covid-19 pandemic we have seen a rise in complex cases where anxiety and other mental health issues have been accompanied by other additional support needs. This has meant that support has often been required for longer, to ensure time and space for the young person to get comfortable and familiar with the supporter assigned to them.

We have observed a wider spread than ever in additional support needs with referrals for bereavement, young carers, care experienced children and young people, dyspraxia, bullying and physical health issues. This may in part be to do with My Rights, My Say becoming more widely known and a general acceptance of "additional support needs" encompassing more than children with a diagnosis.

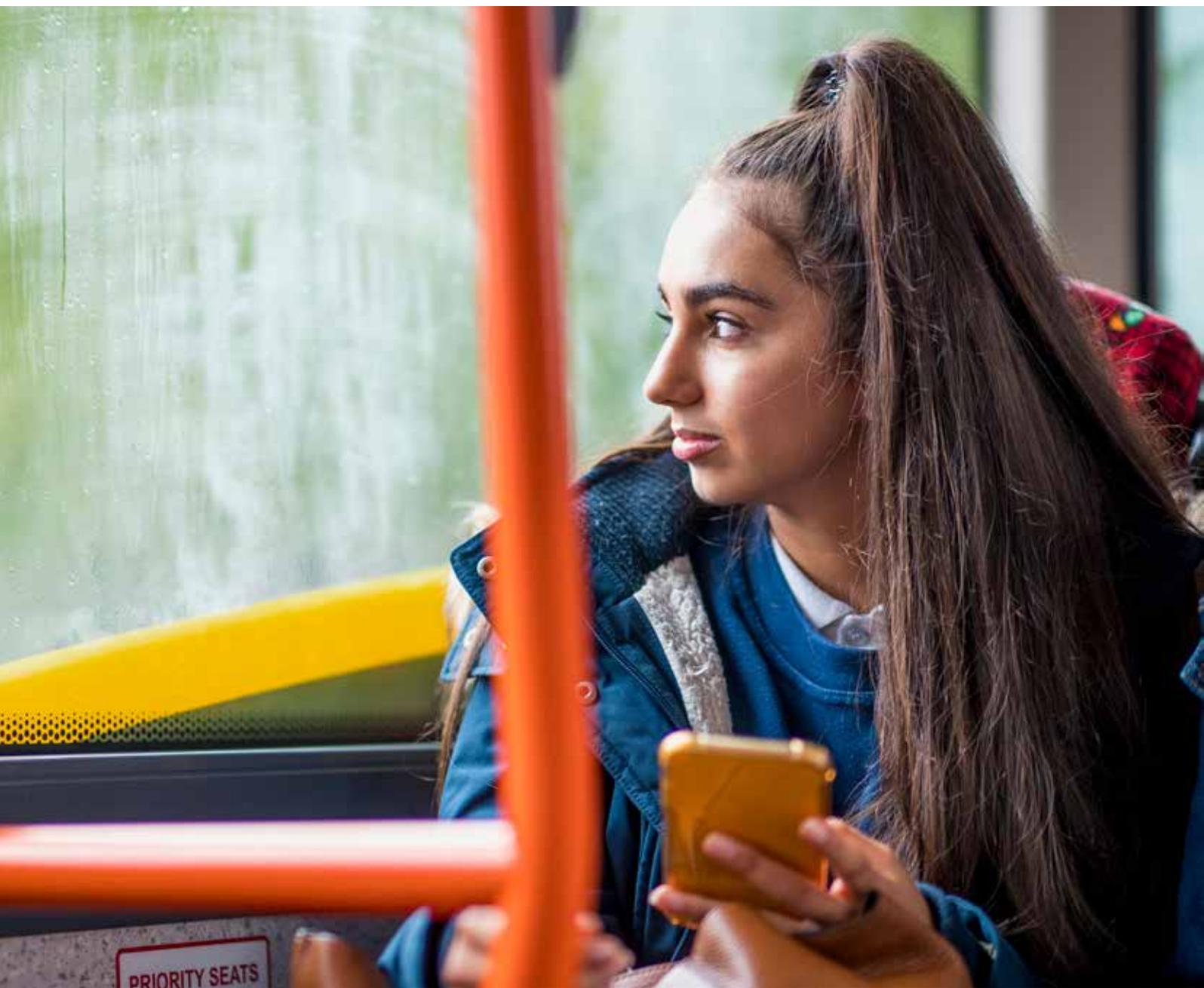
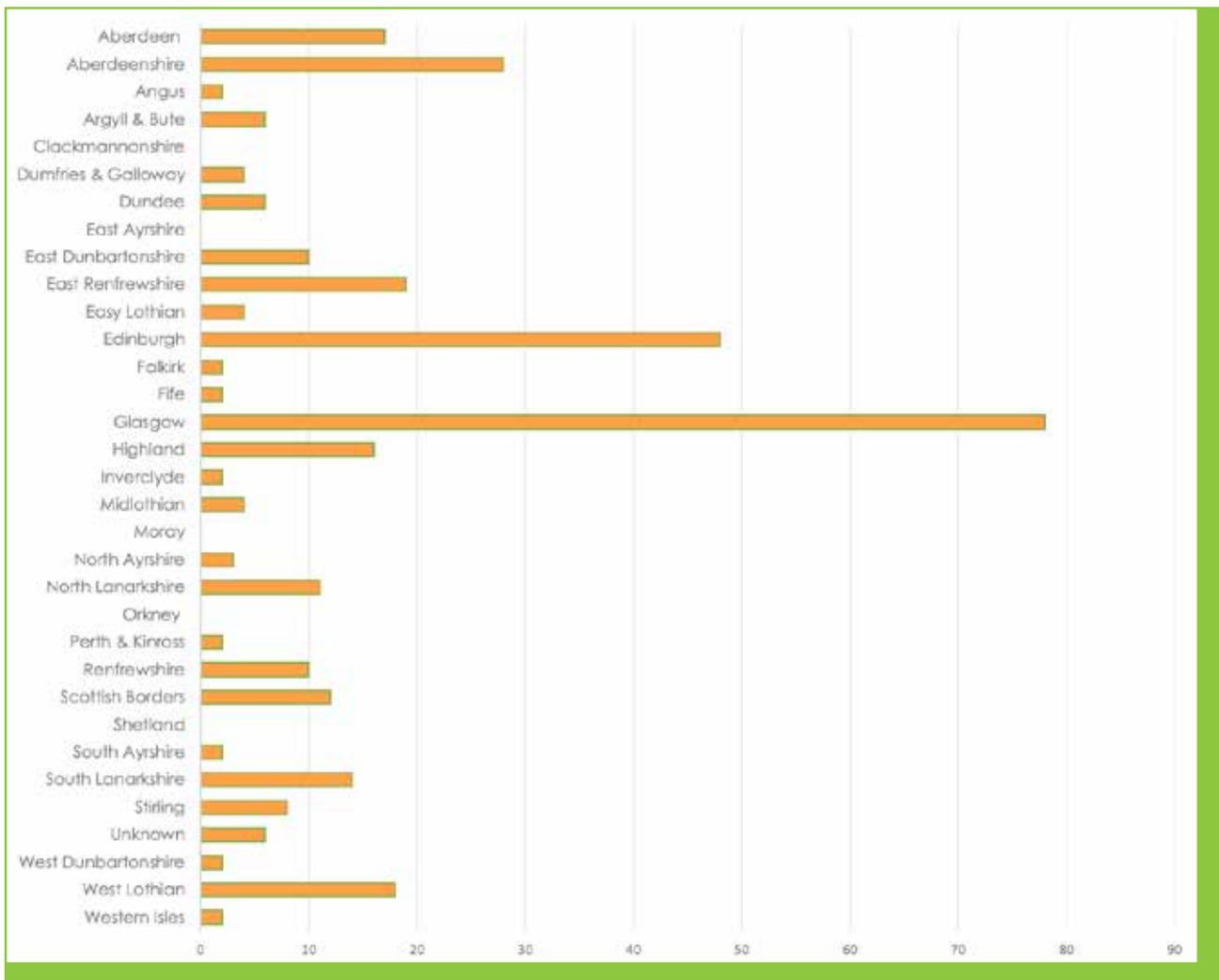


Image: iStock

Requests for support by local authority

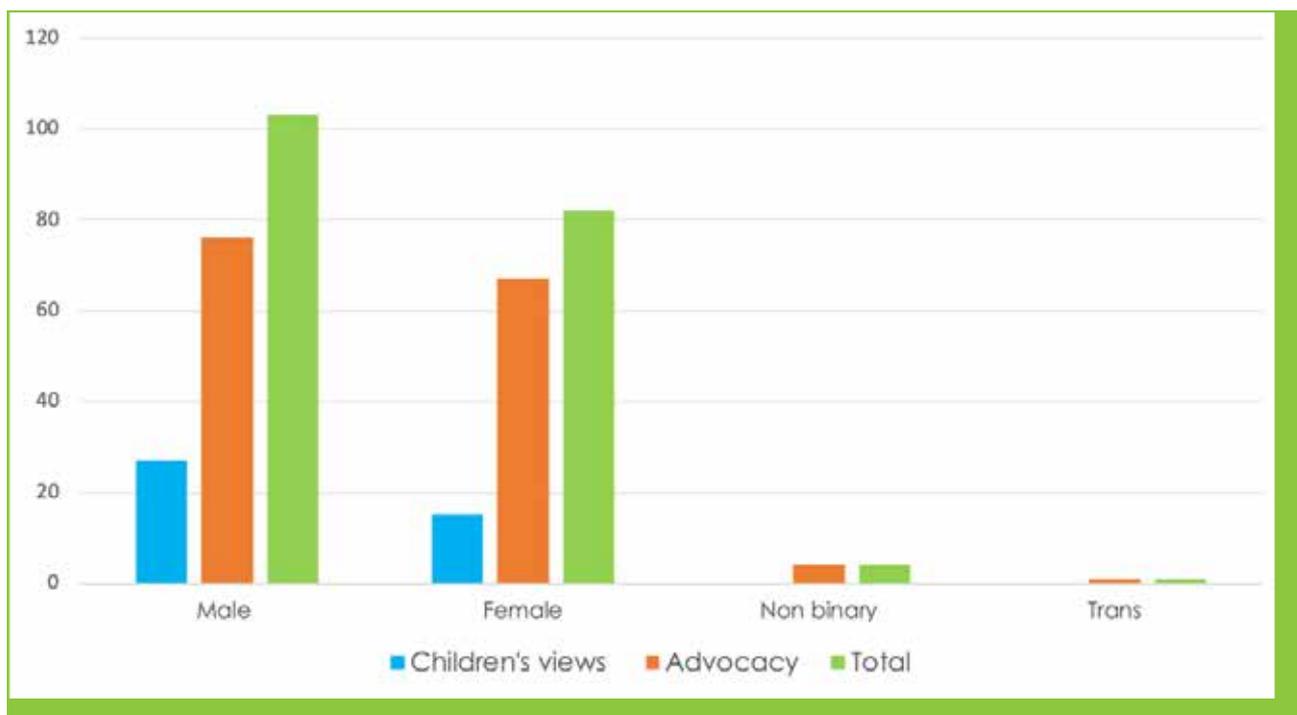


Graph 1: Requests for support by local authority 2021-22

When My Rights, My Say started as a service in 2018, our cases came predominantly from high density local authorities in the central belt. We have made it a priority to ensure that children across Scotland are able to access the service, whether they live centrally or in rural areas, so we're delighted to have worked with 31 of a total of 32 local authority areas across Scotland in our four years so far.

In the last financial year, we worked with 28 local education authorities. We are proud of the widespread reach of our work and we're particularly proud of our partnership work with Orkney Islands Council's Pupil Support Team which you can find out more about on page 12.

Requests for support by gender



Graph 2: Requests for support by gender 2021-22

The My Rights, My Say service responds to all children and it is testament to the skill of our staff to engage with them and gather their views using a children's rights-based approach, irrespective of individual gender identification. Our teams are engaged with a full programme of professional development (including Talking Mats, active listening, awareness of hidden minority of autistic girls) that allows us to respond to the wide variety of additional support needs referred to the service.

Reflections from our partners

My Rights, My Say is funded by Scottish Government and is provided by four partners – Cairn Legal, Children in Scotland (Children's Views), Enquire and Partners in Advocacy. Here we share reflections from each of the partners on the challenges and successes of the last financial year.

Cairn Legal

The legal representation of My Rights, My Say has supported four children to take cases relating to Co-ordinated Support Plans to the Additional Support for Learning Tribunal and secured positive outcomes in all cases. The legal representation service has provided detailed feedback on the use by children of the Tribunals, including facilitating feedback from My Rights, My Say clients aged 12-15 who have used the Tribunal themselves. This feedback led directly to the publication of Presidential Guidance "The Child, the Young Person and the Tribunal" (published in 2021).

Children's Views

It has been the busiest year for Children's Views since the service began. We have had the pleasure of engaging with fantastic children, families and professionals who place their trust in us to amplify their voices and build confidence in sharing their views. We have continued to evolve in our methods, skills and approaches as the year has progressed and we are so proud to work alongside our partners to ensure that in collaboration, children's rights are exercised and upheld across Scotland.

Enquire

Promoting the specific rights of children aged 12–15 and the support that My Rights, My Say offers is embedded in all our work including our helpline advice, outreach information sessions, publications and raising awareness activities. This year, we focused our awareness raising work on two priority groups - care experienced children and young carers.

Sharing real stories about the difference for children of feeling listened to and involved in decisions remains our strongest promotional tool as it highlights the impact My Rights, My Say can have on children's experience of school.

We use the stories gathered through My Rights, My Say work to create advice that can help other children who may be experiencing similar difficulties and share it widely through our Reach website for children and young people. [Click here to visit the Reach website.](#)

Partners in Advocacy

It has been a very productive year for the advocacy part of the My Rights, My Say service also our busiest year to date. We have increased our capacity by recruiting a full-time and a part-time worker to our team, and we have continued to grow and develop the service with our My Rights, My Say partners.

We have seen an increase in requests to the service for children with more complex additional support needs over the past year, and our staff have undertaken training in neurodiversity and digital Talking Mats to improve their communication skills to support these children. We tailor our service to provide independent advocacy that is shaped by the needs, views and wishes of the children, delivering our service virtually during the pandemic, and easing back to face-to-face support as required.

Children supported by My Rights, My say have had their voices heard and rights respected in education, many of them achieving more as a result of having the appropriate support put in place in school.

What young people, parents and professionals say about us

Feedback on Direct Views:

"I felt like I could share any thoughts, feelings and opinions and all of them were taken into account in a way which made me feel like I'd properly been heard and like I truly mattered." (Feedback from a young person)

"It has been a real pleasure working with you, thank you so much for everything you have done. I can't tell you how much I've appreciated having someone there for my son, not only to be his voice, but who also understands and who just "gets it." (Feedback from a parent)

Feedback on Capacity Building:

"My confidence in talking about children's rights, in particular their rights regarding Article 12 has increased exponentially and with a little practice, I will feel ready to introduce schools to these concepts and tools." (Feedback from a professional)

"The sessions have been very helpful in framing how I might approach my engagement with staff in schools around planning with young people and families. They have encouraged self-reflection on engaging with staff in a manner that is enabling and appreciative of where they are at." (Feedback from a professional)

Feedback on Advocacy:

“My Rights, My Say supported me over two years, when I wasn't able to go to school. They were my voice and helped me move forward with getting my education in a way that was right for me. They helped me share my views and gave me the support I needed to get a move to a more suitable school. They made sure my views were fully listened to when decisions were being made.”
(Feedback from a young person)

“I have found working with My Rights, My Say to have been an extremely positive experience. Any suggestions to improvements in our own practice have been presented in a very respectful way with the clear aim of improving the circumstances of their young person and ensuring they are heard and understood.” *(Feedback from a professional)*

“From the outset, the My Rights, My Say advocacy worker has been open, warm and friendly. He's worked hard to support my child and the support and encouragement to know her rights has been empowering for her. They have always let her know that they're there to pass on her thoughts to school and they always check in to ensure accuracy of what she wishes to share. She trusts her advocacy worker to attend meetings and share her views, which is nothing short of incredible as she usually insists I as her mum do this.”*(Feedback from a parent)*

Feedback on Legal Representation:

“Thank you for all the help you gave me, and the kindness shown to me.”
(Feedback from a young person who was represented in the Tribunal process, who also rated the legal service as “excellent”, “knowledgeable” and “friendly”)

Case Study from Children's Views: developing a capacity building model to support children's views on Orkney

The Children's Views Service responded in late 2020 to a request from a Pupil Support Officer in Orkney regarding an identified need to focus on pupil voice for all age groups, particularly around consulting with children before Child's Planning meetings. The Support Officer, working as part of a small pupil support team, had identified a need to build capacity in Orkney's schools to consult with young people about the decisions made about them in line with the Additional Support Needs Act.

The pupil support team wanted to see if we could work together in a collaborative way. The main reasons for contacting the Children's Views part of the My Rights, My Say service were:

- Seeking support to develop an improved methodology on listening to young people and improving the quality of planning and therefore hopefully outcomes.
- A recent inspection of how all agencies worked together (including support for learning, social work, schools etc) identified an improvement area in terms of listening to young people.
- The team felt that participation with children and young people with additional support needs was not being consistently implemented across the local authority.

Approach

The Children's Views team proposed working directly with the Orkney Pupil Support team to design a package of support to guide, inform and develop good practice in terms of communicating with 12–15-year-old children who have an additional support need but acknowledging that any support produced would also be beneficial for a wider group of children and young people.

This package of support would be delivered to key members of the pupil support team in a “train the trainer” style approach. The pupil support team would then disseminate the package in schools (using trials at first in targeted schools) and take ownership of the resource and its development.

Delivery

Following a period of development, threaded through with active listening and informed by Children in Scotland's Principles and Guidelines for the Meaningful Participation and Engagement of Children and Young People, a delivery method was drawn up which was based on a series of development modules on the three key stages of supporting children's views: (i) planning for support (ii) delivery and (iii) reporting, evaluation and next steps.

The idea was to design and develop learning and reflection modules which addressed each of these three key stages from a local perspective and also from a good practice perspective.

The first three modules would support reflection on how participation and engagement is viewed, where are the barriers and what people can do to start moving forward. To ensure that the material used met the identified needs, we requested the Care Inspectorate report. This allowed us to target content at the areas identified for improvement in the report and also provide the Orkney team with a rationale when encouraging engagement at a local level.

To inform the remaining three modules, the Orkney team was asked to gather views from local children on their experience of planning in schools. This was to tease out the main points of concern from a pupil's perspective and ensure that the next three modules directly addressed these (as well as the areas for improvement listed in the inspection report). The local documentation being used in schools in relation to planning was used as a reference, this was essential in the design of the next modules if we were to create a support package that was recognisable and useful on the ground.



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Co-design

Throughout the process, co-design with the Orkney team was vital to make sure that the questions designed to support young people to share their views sat well with them. The questions settled on were as follows:

- Do you feel comfortable sharing your views?... if yes/no, why is this?
- Do you have a good relationship with staff?... if yes/no, why is this?
- Was there time for you to share your views?
- Does your plan reflect what support that you think that you need? ... if yes/no, why is this?
- Did someone explain planning to you?
- Did someone help you to understand your plan? ... if yes/no, can you tell us how this made you feel?
- Do you think that your plan works for you? ... if yes/no, why is this?
- What could people do differently that would help get your views across?
- What works well with planning?
- Are you aware of your rights? ... if yes, how do you know? ... if no, are you aware of how?

The Communication Support Officer from the Orkney team decided that using Talking Mats would be the best approach to asking the questions and called a meeting with the wider team to practice the approach. What we learned from this part of the process was:

- A willingness by children to participate in planning
- A general emphasis on trusting relationships with staff
- A lack of connection with the plan itself.

The proposed next step before Orkney is the delivery of the modules to school staff.

Our thanks to Orkney for working with us to develop an exciting new model for capacity building to support children's views and we are keen to hear from pupil support teams in local authority areas across Scotland who might want to hear more and work with us to develop resources specific to their needs.

Case Study from Cairn Legal: representing a young person at the Tribunal

H was a 13-year-old boy with ASD and dyslexia. He struggled at school, but often masked his difficulties. Attendance and late-coming had become issues for him, and his family was receiving social work support. Advocacy services helped H to make an application for a Co-ordinated Support Plan, so that everyone was working together to help him to be supported. Ultimately, the education authority refused H's request for a CSP, and he was referred to Cairn Legal who brought the case to the Tribunal.

H was not keen to appear before a Tribunal hearing (even online) and so he was supported by his advocacy worker to prepare a statement of his views, which the Tribunal described as "clear, compelling and consistent".

Cairn Legal provided experienced legal representation for H in a Tribunal case determined following written submissions, successfully persuading the Tribunal that H did meet the criteria for a Co-ordinated Support Plan, and that the education authority were therefore required to prepare a plan for him.

The education authority argued that while there was some social work support required, it was not necessary for that to be closely co-ordinated with education. The Tribunal disagreed, noting that support provided by social work at home could have an important role in ensuring that H would benefit from school education, not least in terms of homework, attendance and time-keeping.

The intervention of My Rights, My Say was important in securing H the plan he needed. It also acts as a reminder that social work (including voluntary sector supports commissioned by social work) and education should act collectively in supporting children, not separately.

As the Tribunal said in a letter to H, which came alongside the decision: “You felt you need a co-ordinated support plan (a CSP) so that you would know what support you would get for your education and so that changes would not take place in school without giving you time to understand them. You told me that you feel sad about school and how this makes you feel when you are at home... I have decided that you do need a CSP. This is because I think your school and social work are both giving you support and this support is really important to help you to get the best out of your school education.”

Case Study from Partners in Advocacy: supporting mental health

'Tyler' was 14 years old and was referred to My Rights My Say as he was suffering from anxiety caused by bullying at school and the impact of the school environment.

Tyler had moved school as a result of a parental Placing Request following repeated instances of bullying in his previous school. Despite the Placing Request being granted, Tyler still felt unable to attend school and felt that he was not getting enough support in his learning at home. He experienced panic attacks in school and he found that the school building was like 'an assault on [his] senses'. This left him feeling overwhelmed and unsure of who to ask for help.

Tyler's advocacy worker told him how she could help him by making sure that his views were heard by his school, and told him about his rights. Over the course of the next few weeks, the advocacy worker and Tyler communicated via phone call and text messages. Tyler agreed that advocacy was something that would be useful to him and asked for help to tell his school what he wanted to happen.

Tyler's advocacy worker built a trusting advocacy partnership with him, talking to him by phone and text and then meeting face-to-face in a café. As his confidence grew, Tyler began to take the lead during subsequent conversations, sharing his views with the advocacy worker and exploring with her the additional support that he felt would help. Together, Tyler and his advocacy worker compiled a statement of his views about school, and he gave permission for his worker to share these with his school.

Tyler did not want to be part of the initial conversation with school and preferred that the advocacy worker reached out to school to share views on his behalf. He chose the pastoral care teacher as the main contact for the advocacy worker and the advocacy worker contacted the school. Tyler wanted the advocacy worker to share his views both verbally and in writing. School was very supportive of Tyler's views and keen to explore some options which they believed would help.



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Outcomes of advocacy intervention

- Tyler's school offered use of the school counselling service to help with his anxiety. He had not been aware of this service before and was happy to give this a try.
- The school was keen to put in a request for additional support from Educational Psychology, which they did. The advocacy worker had previously informed Tyler that he could exercise his rights to request this, but he wanted to see what school would offer before deciding if he wanted to put in a request. He was happy that the school suggested this following a meeting to discuss his additional support needs.
- The school was happy to support Tyler to work from home in the short term, with a view to supporting a transition plan back to the building once further supports had been put in place. Tyler agreed to work with the school around the timeframe for this, and the school reassured him that he would only return to school when he felt ready, and a phased return would be arranged.
- The school offered the services of a befriender to help Tyler with his social anxiety and reduce isolation, and he agreed to this.

Tyler was really happy with the support suggested and was happy for the advocacy worker to monitor the situation for a few weeks to make sure that the school put the additional support in place. The advocacy worker stayed in contact with Tyler to make sure he was still happy with how things were going and to allow him to share any additional views during this period. Tyler reported a real improvement in his situation, and decided that he no longer required advocacy support. Both Tyler and his mum thanked the advocacy worker for their support.



For more information about My Rights, My Say and all the support we can offer to young people, parents and carers and professionals, please visit the website: www.myrightsmysay.scot