

charter of rights

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The Charter of Rights

Welcome to the Who Cares? Scotland Charter of Rights for young people in care. It was approved in 1986 and was accepted (in principle) by almost every local authority in Scotland.

While there has been some progress, many young people still feel that their rights are not clear, or that they are denied them. This new Charter brings the 1986 document up to date. It has been written by young people in care from all over Scotland. It is a clear statement of the rights that all children and young people in care now have.

Some of these rights already exist in law. Other rights come from the UN Convention, which is a document that the UK Government signed in 1991. Even more specific rights are taken from published reports, such as the Skinner Report, and relate to the quality of life in care. The Children (Scotland) Act 1995 is a new piece of legislation which clearly spells out rights for young people who are 'looked after' (in Care) by local authorities.

Of course, the Charter cannot cover every situation faced by young people, and there may be a few extreme situations where some of these rights may not apply. In every other circumstance, these are the rights you have in foster and residential care.

'Who Cares? Scotland ' will strongly promote these rights for all young people including those who may otherwise experience discrimination because of colour, gender, sexuality, disability or other reasons.

All rights include 'the right not to'. Because we can do something does not mean we have to. We are individuals, and have the right to individual opinions.

A right is something to which you are entitled. Your rights should be supported wherever you are placed in care. They do not change because of where you live, or which staff are on duty. A right is not a privilege. Privileges may be withdrawn; rights should never be!

Good Basic Care

you have the right:

- \* to care of a high standard
- \* to be involved in decisions about what happens in the place where you stay
- \* to be looked after by trained or properly prepared carers
- \* to good, healthy food
- \* to have your choice of food, taking account of special diets
- \* to a comfortable environment
- \* to a nationally agreed rate of pocket money
- \* not to be hit
- \* to an individual clothing allowance, and also choice and involvement in how it is spent
- \* to birthday and christmas presents
- \* to have holiday and recreational activities
- \* to encouragement and financial support in pursuing hobbies and special interests
- \* to buy your own toiletries, including sanitary protection

Individuality & Development

you have the right:

to be treated as an individual

- \* to be treated with respect and dignity
- \* to useful counselling
- \* to practice your own religion
- \* to experience and enjoy you own culture and language
- \* to send and receive personal mail
- \* to make and receive telephone calls in private, where others cannot listen
- \* to a choice about substitute family care
- \* to be able to have personal time with the adults who care for you
- \* to have a room of your own that you can lock, or to a lockable place for your belongings
- \* to have carers and others respect the personal space of your room
- \* to choose your friends, and have support to keep in contact with them
- \* to have your friends visit you where you live
- \* to be able to keep in touch with foster parents and social work staff after leaving care
- \* to move on from care only when you are ready
- \* to a through care plan that includes agreed levels of support from social work and other agencies
- \* to a proper choice of accommodation when moving on from care
- \* to emotional support after care
- \* to a realistic level of financial support after care

### Empowerment and Participation

you have the right:

- \* to information or a handbook about your placement in care
- \* to receive a statement of rights and responsibilities when coming into care, written in a straightforward way
- \* to information about Who Cares? Scotland
- \* to a copy of the Who Cares? Scotland Charter of Rights
- \* to support in being involved with Who Cares? Scotland
- \* to be involved in all decisions affecting you, and
- \* to have your opinions respected
- \* to be involved in a written care plan
- \* to regular contact with your social worker
- \* to ask for a change of social worker or key worker at any time
- \* to attend your reviews for the whole time
- \* to have reviews held in a way that you understand
- \* to have a say about, and know, who will attend reviews - and have the minimum of people necessary present
- \* to see reports for reviews and panels
- \* to support in preparing your own report for reviews and panels
- \* to take someone along to reviews and panels to support you
- \* to receive a copy of review minutes
- \* to support in appealing against review and panel decisions
- \* to know what files exist about you
- \* to access files, and support to understand them
- \* to have your file kept up to date and accurate
- \* to add your own views to your files
- \* to have a say in who reads your file
- \* to an easily understood complaints procedure and appeal process
- \* to be able, and to have help to make complaints
- \* to have complaints taken seriously and dealt with quickly, and if need be by someone independent
- \* to be informed about the progress and outcome of a complaint
- \* to access individual advice and advocacy

### Education & Employment

you have the right:

- \* to support in achieving your potential
- \* to receive education appropriate to your needs and wishes
- \* to space, privacy and encouragement for home work
- \* to remain in the same school during your time in care, or to have a say in any changes
- \* to support in moving on to further education
- \* not to be discriminated against in education or employment

- \* to proper careers guidance
- \* to support in making your own choice of career

#### Feeling Safe

you have the right:

- \* to feel safe in care
- \* to a safe environment
- \* to enjoy safe leisure activities
- \* to protection from bullying
- \* to protection from abuse and violence
- \* not to be locked up as a punishment
- \* to compensation for loss or injury

#### Health

you have the right:

- \* to a smoke-free atmosphere, and for rules on smoking to apply equally to adults and young people
- \* to a clean and healthy environment
- \* to stay registered with your family Doctor
- \* to consult a Doctor in confidence
- \* to say whether you wish to have medical examinations and treatment
- \* to health and sex education
- \* to information about health and lifestyle choices

#### Family

you have the right:

- \* to proper facilities for your family to visit you
- \* not to have home-leave withdrawn as a punishment
- \* not to move placement if you become pregnant unless you wish and agree to
- \* to have contact maintained with the people you regard as your family
- \* to support and advice about seeing your natural family
- \* for brothers and sisters not to be unnecessarily separated where possible, and to have their views about separation taken into account

If there is something you are not happy about in the care system, take responsibility for speaking about it.

you can:

- \* speak to your foster parent or residential worker
- \* speak to your social worker
- \* contact your local Children's Rights Worker
- \* use your local Complaints Procedure
- \* contact the Quality Insurance or Inspection Unit

Who Cares? Scotland would like to thank all the young people for their continuing support in enabling us to be the national voice for young people in care in Scotland

- \* contact Who Cares? Scotland