Equality, Fairer Scotland and Children’s Rights Impact Assessment

**NES Equality, Diversity and Inclusion strategy 2025-2029**

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# Introduction

NES directorate or department: Planning and Corporate Resources.

Equality, Fairer Scotland and Children’s Rights Impact Assessments help us to make good decisions and think about how we can:

* Take action to advance equality
* Eliminate unlawful discrimination, harassment and victimisation
* Foster good relations
* Develop better technology, education and learning and workforce planning solutions to contribute to Scotland’s health and care
* Support us to be a diverse and inclusive employer
* Demonstrate how we have considered equality and children’s rights in making our decisions.

Impact Assessment is a helps us to consider how our work will meet the Public Sector Equality Duty and it is an important way to mainstream equality into our work at NES.

# Purpose/objective of proposed work

Equality, diversity and inclusion are fundamental to supporting NES achieve its purpose and deliver its functions.

The NES Equality, Diversity and Inclusion strategy sets out

* The organisation’s commitment to progressing equality, diversity and inclusion
* Why change is needed
* How NES is meeting its Public Sector Equality Duty and The Fairer Scotland Duty
* NES’s approach to anti-racism
* How NES will support an inclusive workplace culture for our people and our learners
* How this strategy and plan will contribute to NES’s work to address population health inequalities in Scotland and take a human rights-based approach in our work.

# Evidence

The strategy has been informed by

* Evidence of inequalities such as the Equality and Human Rights Commission’s ‘How Fair is Scotland’ 2023 report.
* National staff surveys on experiences of discrimination and harassment in the workplace, including in health and social care.
* Progress with NES’s current Equality Outcomes and our ‘Mainstreaming Equality’ Report
* Staff engagement in the development of the strategy and action plan, including with trainee doctors.
* Responses to a consultation on our proposed equality outcomes. This has been published on our website alongside the strategy.

References to sources of evidence have been included in the strategy document.

#  4. Summary

The EQIA has informed the direction of the strategy. This report summarises our assessment.

We have considered how this work will impact on the Public Sector Equality Duty (See Annex A). This includes how it might affect people differently, taking account of protected characteristics and how these intersect, including with poverty and low income. This is important as a national NHS Board in our work to address health inequalities.

The intention of the strategy is to support NES to meet its Public Sector Equality Duty and to support the delivery of the organisation’s purpose:

* To be a collaborative, innovative and inclusive learning organisation that provides high quality education, training, workforce development, workforce data and technology for Scotland’s health and social care workforce.

The strategy therefore aims to progress equality, tackle discrimination and harassment and to promote good relations between different groups. It is intended to have positive impacts on groups with protected characteristics and those who experience poorer access and outcomes in health and employment.

It is recognised that well-intentioned strategies and policies, including equality, diversity and inclusion strategies, can have unintended consequences and it will be important to monitor the actions in the strategy. For example,

* there may be resistance if there are perceptions of unfairness in actions to address inequalities in some population groups
* the activities in the plan might not lead to the change in attitudes, behaviours and outcomes that we anticipate.

We have identified potential issues and actions from the impact assessment in Section 4.

The strategy sets out that NES will take a human rights-based approach in its work. This includes a specific focus on upholding children’s rights. Building capability in the public sector on human rights, including international treaties, has been recognised by the Scottish Government and in Scotland’s National Action Plan on human rights. We recognise that we will need to support the NES workforce with the relevant knowledge and skills and connections with equality legislation.

We will ensure that all decisions comply with human rights legal standards, including the UNCRC (Incorporation) Scotland Act. NES has developed a suite of resources to support the health and social care workforce, including NES staff, to understand what the UNCRC means.

The NES EDI strategy sets out that our work aims to support the UNCRC (Incorporation) (Scotland) Act 2024. Through this Act, children’s voices are prioritised in decisions affecting their health, fostering an inclusive environment that respects and champions the rights of every child in Scotland.

NES has incorporated the UNCRC rights into its equality impact assessment approach to mainstream consideration of children’s rights into our work. We have also established a children’s rights cross-organisational group to progress work to uphold and protect children’s rights in our work. By actively promoting non-discrimination, respecting cultural diversity, and supporting rights-based child centred care, NES aims to contribute to a health and social care system that empowers children and babies, protects their well-being, and enables them to thrive.

We have also considered the Fairer Scotland Duty. The strategy sets out what our requirements are under the Fairer Scotland Duty and the links between socio-economic disadvantage and life expectancy, education, employment and being treated with dignity and respect. We have included consideration of socio-economic disadvantage in relation to health inequalities and employment in our equality impact assessment approach. There is an action in the plan to reflect a new programme of work to raise awareness within NES of the impact of health inequalities and embed a health inequalities approach in our education and training programmes.

The impact assessment has led us to conclude currently that there is no potential for unlawful discrimination, and we have built in actions to advance equality of opportunity and foster good relations.  This EQIA will be updated if there are any changes in legislation or national policy in relation to equality, inequalities and human rights.

# Making a difference

The impact assessment has informed the following:

| Issue or Risk identified  | Proposed changes/action | Timescale |
| --- | --- | --- |
| 1. Consideration of impact in NES’s strategies, policies and workstream on equality (protected characteristics, groups at higher risk of health inequalities), children’s rights and the Fairer Scotland Duty.
 | EQIA training sessions offered to staff and regular drop-ins to provide guidance and support.Examples of child rights impact assessment to increase knowledge.Performance management via Equality and Human Rights Steering Group.Governance in place via Committees and the Board. | Training available from March 2025.Regular EQIA drop-ins. |
| 1. The actions to deliver the strategy do not have the required positive outcomes that are intended.
 | Governance in place to monitor progress with the strategy.Engagement with staff and trainees on progress. | Annually. |
| 1. The strategy does not reflect any changes to legislation and policy in relation to inequalities and equality (employment and service provision)
 | E&D Team and HR team will keep up to date via networks and Central Legal Office guidance on any changes to legislation and policy and the EQIA and action plan for the strategy will be updated to reflect this. | Annually and if any changes come into force. |

# Monitoring

The impact assessment will be reviewed to understand the actual impacts of the work.

This will include:

* Annual review of the action plan to monitor progress.
* Staff and trainee engagement to identify the impacts of the strategy
* Review of the impact assessment and any potential actions based on the above.

# Sign-Off

Director: Christina Bichan

Date: 08/04/2025

# Annex A: Impact on equality & socio-economic disadvantage

| Relevant group | Could your work result in unlawful discrimination?  | Could your work put people at a disadvantage/ make their lives worse? | Can your work advance equality of opportunity [reduce disadvantage, meet needs, increase participation] | Can your work foster good relations? [reduce prejudice + increase tolerance] |
| --- | --- | --- | --- | --- |
| People in different age groups | No | We have identified a specific outcome to increase younger people in the NES workforce. There is therefore a potential negative impact that older workers will feel excluded from the strategy.The shift to technology in healthcare could have the unintended impact of excluding those groups who are digitally excluded, such as older people, if this is not considered in the design and delivery of services. | Yes – The purpose of the strategy is to advance equality of opportunity where there is evidence of inequality in specific population groups and those with protected characteristics.NES has identified a specific equality outcome for the workforce to be more representative of younger people.The strategy recognises that people who are digitally excluded, which can include older people, experience worse access to services, education and health outcomes. The strategy aims to promote and uphold children’s rights through NES’s work. | Yes – The strategy aims to develop an inclusive workplace for NES’s people and learners and to contribute to addressing health inequalities in Scotland.The focus on bringing younger people into the workforce aims to promote good relations and reduce prejudice. |
| Disabled people | No | There could be an unintended negative impact in prejudicial attitudes towards disabled staff by raising awareness about the rights of staff e.g reasonable adjustmentsAn equality outcome about increasing the representation of disabled staff in the workplace could lead to stigma and prejudice for staff who are appointed or promoted with a visible or disclosed disability. | Yes - The purpose of the strategy is to advance equality of opportunity where there is evidence of inequality in specific population groups and those with protected characteristics.The strategy includes a specific equality outcome about increasing disabled people in the NES workforce. It also includes actions to work towards Disability Confident Leader Status. We also have an equality outcome in relation to increasing the knowledge and skills of the health and social care workforce on equality, diversity and inclusion. This will include specific learning resources on disability and neurodiversity.We will continue to support a staff network on Disability, Long-term conditions, mental health and neurodiversity. | Yes – we have actions to increase staff knowledge and skills in relation to disability, including on reasonable adjustments in the workplace, to address any stigma or prejudice.There could be potential negative impact if staff are not aware of what conditions are covered by the Equality Act and are not given appropriate support. |
| Trans and non-binary people | No | Potential unintended negative impacts if training to improve trans health is viewed as being at the expense of the rights of women and girls and leads to further prejudice, discrimination and harassment to the trans community. | Yes, we have an action to develop resources to support the Knowledge and Skills Framework on Trans health as part of one of NES’s equality outcomes.We have an LGBTQ+ staff network to provide peer support for transgender and non-binary people. | Yes – Through NES’s work to develop training resources to support knowledge and skills in the NHS workforce.We promote and participate in Pride events. |
| People who are pregnant or on maternity leave  | No | No | We have an action in our anti-racism action plan to increase awareness and the uptake of the NHS essential perinatal and infant mental health stigma module to address the impact of stigma and discrimination in the perinatal period.We will gather and analyse workforce equality data, including on staff on maternity leave. This is a specific element of participating in the ‘Equally Safe at Work’ employer accreditation scheme. | Yes, through ensuring all staff involved in recruitment are trained on inclusive recruitment. |
| People from different ethnic backgrounds | No | Potential unintended negative impacts if there is misunderstanding about institutional and systemic racism, lack of openness to learning about what actions to take to tackle prejudice, discrimination and promote good relations | We have a separate anti-racism action plan to identify areas where we can progress equality of opportunity for people from minority ethnic backgrounds. We have specific equality outcomes which relate to addressing areas of inequality in relation to different ethnic backgrounds e.g. in our workforce and in relation to the attainment gap in medicine and pharmacy.We have identified work to progress education and training on anti-racism for NES and for the wider health and social care workforce, collaborating with partners across the system.The strategy recognises the stigma, discrimination and racism that Gypsy, Roma and Traveller communities face and how that contributes to health inequalities. | Yes – we have identified a role in contributing to education on anti-racism in health and social care. This includes work to promote resources on allyship. |
| People with religious or protected beliefs | No | Potential negative impact on those with religious beliefs as there is not a staff network on this area.Potential negative impact if intersections with ethnicity, sex and other protected characteristics is not understood.Potential negative impact if there is not training and education to support staff to consider impact on people with religious or protected beliefs. | Yes - The purpose of the strategy is to advance equality of opportunity, address discrimination and harassment and to create an inclusive workplace for our staff and learners. This includes people with religious or protected beliefs under the Equality Act 2010. | Yes - We have identified an equality outcome which aims to contribute to workforce education and training on equality, diversity and inclusion. Opportunity to foster good relations between groups who hold different religious or protected beliefs, including none. |
| Men and women[This may include carers, because many are women.] | No | Potential negative impact as we do not have a women’s staff network. | We have specific actions to progress gender equality in the workplace by participating in the Equally Safe at Work programme.We gather and publish data on equal pay and the strategy includes a refreshed Equal Pay Statement.We have staff networks to support parents and carers (which can be disproportionately women) and a menopause meet up to provide peer support.NES aims to support issues relevant to men’s health through the Wellbeing Hub.Commitment to address health inequalities by consideration of men and women’s different health needs, access to services and to the social determinants of health. Young adult men have been identified as experiencing worsening health outcomes. | Yes – we have identified an equality outcome which aims to contribute to workforce education and training on equality, diversity and inclusion. This includes promoting existing training and resources on sexual harassment in the workplace and allyship.We will aim to protect women’s rights as an employer and through our role in education and training.The strategy aims to be inclusive of everyone and for everyone to feel that it is relevant to them.  |
| People who are heterosexual, lesbian, gay or bisexual  |  | No | Support to staff through an LGBTQ+ staff network.Recognition of health inequalities experienced by lesbian, gay and bisexual communities.  | Promotion of Pride events, the NHS Scotland pride badge and LGBT+ History Month.We have identified an equality outcome which aims to contribute to workforce education and training on equality, diversity and inclusion. |
| People who are married or in a civil partnership |  | No | Yes – NES will comply with employment law in relation to marriage and civil partnership. | Yes |
| Care experienced people | NOTE - there is no legal protection from discrimination on basis of care experience. | No | Yes. We have work to support The Promise and to uphold children’s rights.NES hosts the Who Care’s Scotland e-learning module on Turas Learn. | Yes. Through our work on The Promise, we can tackle prejudicial attitudes towards care experienced people and improve outcomes, contributing to the ambitions in the Promise and linking to an overall rights-based approach. |
| People living in remote, rural and island communities | NOTE - there is no legal protection from discrimination on basis of living in a remote, rural or island community. | Potential unintended impacts if consideration is not given to different experiences, access to services and employment that people living in remote, rural and island communities have. For example, in the NES work to involve people with lived experience in our educational resources. | Yes. The strategy recognises that geography can have an impact on health inequalities. NES aims to improve remote and rural healthcare research, education, practice, recruitment and retention. | N/A |
| People experiencing health inequalities caused by socio-economic disadvantage [This may include people living in different or difficult circumstances such as people experiencing homelessness, who are in prison or are ex-offenders, people with addictions and people involved with prostitution. Note – links between socio-economic factors and education.] | NOTE - there is no legal protection from discrimination on basis of socio-economic disadvantage. | There is the potential unintended impact that health inequalities could be widened if the workforce is not informed on actions to reduce inequalities caused by socio-economic disadvantages and intersections with protected characteristics.As this is an overarching strategy, the action plan does not contain specific work programmes that NES is doing on population groups (apart from those related to our equality outcomes) but it does recognise inclusion health groups and the poorer health outcomes experienced.Potential unintended impacts if there is more resource invested in increasing education and training on health inequalities in some parts of the workforce, which could lead to a disproportionate impact on people accessing health and social care services. | Yes. The strategy seeks to support NES meet the Fairer Scotland Duty and to contribute to population health inequalities.The strategy recognises the causes of health inequalities and the legal duty on NES to consider how to reduce inequalities of outcomes caused by socio-economic disadvantage. | Yes. The intention of the strategy is to create an inclusive workplace for staff and learners. There is an action to increase understanding in the workforce on the causes of health inequalities and the potential stigma experienced by people living in poverty, areas of deprivation. |
| People experiencing employment inequalities caused by socio-economic disadvantage[This may include people living in different or difficult circumstances, such as people experiencing homelessness, who are in prison or ex-offenders, people with addictions, ex-service personnel/veterans and people involved with prostitution. | NOTE - there is no legal protection from discrimination in employment on basis of socio-economic disadvantage. | Potential unintended impact if there is more investment or opportunity to access education and training for some parts of the workforce. This could lead to less opportunities for progression and increasing income e.g. consideration of part-time workers, people with long-term conditions or a disability. | Yes.The strategy seeks to support NES meet the Fairer Scotland Duty and to contribute to population health inequalities.NES aims to be an inclusive employer, and the action plan includes actions to look at our workforce data across the employment journey. The JobTrain system now includes questions about socio-economic circumstances, care experience, caring experience as well as protected characteristics.Links to Fair Work.We undertake an inclusion survey to measure perceptions of inclusion in NES biannually.Work towards Equally Safe at Work accreditation includes focus groups with lower paid female workforce. This will inform actions we can take to address gender inequality in the workplace and wider efforts to address the gender pay gap. | Yes. The intention of the strategy is to create an inclusive workplace for staff and learners.  |
| Carers  | NOTE - there is no legal protection from discrimination on basis of caring responsibilities. Women continue to have the majority of caring responsibilities and can be put at a particular disadvantage in connection with this. This may be unlawful indirect sex discrimination. | No | Yes. The strategy makes a commitment to the Carer Positive Award and to a parent and carers staff network.NES also has a work programme to support carers. |  |

# Annex B: Impact on UNCRC rights

**We all have a legal responsibility to ensure the work we do does not adversely affect children’s rights, both directly and indirectly. Children’s rights are now enshrined in Scottish law through the UNCRC (Incorporation) (Scotland) Act 2024, which places a legal duty on public authorities not to act incompatibly with the UNCRC requirements. If you do not consider that your work affects children and young people under 18 do not complete this section. You should state that you have made this decision in the summary of your impact assessment (See Section 4 above).**

If your proposal affects children and young people, use the evidence you have collected to explain how your proposal could impact children’s rights. Not all UNCRC rights may apply to your proposal. If this is the case, simply say ‘Not relevant’ or ‘no known relevance’. You can access this summary of the UNCRC articles for more information [UNCRC\_summary-1\_1.pdf (unicef.org.uk)](https://www.unicef.org.uk/wp-content/uploads/2019/10/UNCRC_summary-1_1.pdf)

You can find out more about children’s rights at [Childrens Rights (UNCRC) | Turas | Learn (nhs.scot)](https://learn.nes.nhs.scot/75250)

| UNCRC right | How will your work limit or restrict this right? | How will your work progress this right? | Are any groups of children particularly impacted |
| --- | --- | --- | --- |
| 3 – best interests of the child  | The EDI strategy is not expected to restrict this right. | The NES EDI strategy sets out that our work aims to support the UNCRC (Incorporation) (Scotland) Act 2024. Through this Act, children’s voices are prioritised in decisions affecting their health, fostering an inclusive environment that respects and champions the rights of every child in Scotland.By actively promoting non-discrimination, respecting cultural diversity, and providing accessible, child-centred care, NES aims to contribute to a health and social care system that empowers children, protects their well-being, and enables them to thrive.  | All children but groups such as children in care, disabled children, and those experiencing poverty may be particularly impacted as their best interests are often overlooked. |
| 4. making rights real | The EDI strategy is not expected to restrict this right. | By integrating the UNCRC into NES’s equality impact assessment, as set out in our EDI strategy and through our work on supporting children’s rights through NES’s work, it aims to make rights real by embedding children’s rights into policies, procedures, and everyday interactions | All children. There may need to be explicit consideration in highlighting the needs of children with disabilities, children from socio-economically disadvantaged backgrounds, care experienced children, refugee and asylum-seeking children. Contributing to addressing health inequalities by considering particular groups is reflected in the strategy. |
|  5 – family guidance as children develop | The EDI strategy is not expected to restrict this right. | The NES EDI strategy sets out that our work aims to support the UNCRC (Incorporation) (Scotland) Act 2024. This includes considering how we can respect the rights of parents and carers to provide guidance for the child’s development. | All children. There may need to be explicit consideration of babies and young children, children with disabilities, care experienced children, children from culturally diverse backgrounds, refugee children. |
| 6 – life, survival and development | The EDI strategy is not expected to restrict this right. | By supporting rights-based practices, the EDI strategy aims to support NES to promote equitable access to services that support survival and holistic development. | All children are impacted by this work. There may need to be explicit consideration of children with complex health needs, premature babies, and those living in remote and rural or areas of deprivation. |
| 7 – name and nationality | The EDI strategy is not expected to restrict this right. | The NES EDI strategy sets out that our work aims to support the UNCRC (Incorporation) (Scotland) Act 2024. NES has developed learning resources for NHS Scotland to contribute to awareness-raising about children’s rights and to contribute to a culture that upholds children's rights holistically, reinforcing their protection, participation, and wellbeing in all aspects of their lives. | All children are impacted by this work. There may need to be explicit consideration of refugee and asylum-seeking children, unaccompanied children, stateless children, care experienced children, children from diverse cultural backgrounds. |
| 8 – identity | The EDI strategy is not expected to restrict this right. | The NES EDI strategy sets out that our work aims to support the UNCRC (Incorporation) (Scotland) Act 2024. NES has developed learning resources for NHS Scotland to contribute to awareness-raising about children’s rights and to contribute to a culture that upholds children's rights holistically, reinforcing their protection, participation, and wellbeing in all aspects of their lives. | All children are impacted by this work. There may need to be explicit consideration of care experienced children, trans and non-binary children, children from ethnic and religious minorities, refugee and asylum-seeking children, unaccompanied children, stateless children. |
| 9 – keeping families together | The EDI strategy is not expected to restrict this right. | The NES EDI strategy sets out that our work aims to support the UNCRC (Incorporation) (Scotland) Act 2024. NES has developed learning resources for NHS Scotland to contribute to awareness-raising about children’s rights and to contribute to a culture that upholds children's rights holistically, reinforcing their protection, participation, and wellbeing in all aspects of their lives. | All children are impacted by this work. There may need to be explicit consideration of children in hospital or long-term medical care, care experienced children, children at risk of removal from their families, children of parents in hospital or care, refugee and asylum-seeking children, unaccompanied children. |
| 10 - contact with parents across countries | The EDI strategy is not expected to restrict this right. | The NES EDI strategy sets out that our work aims to support the UNCRC (Incorporation) (Scotland) Act 2024. NES has developed learning resources for NHS Scotland to contribute to awareness-raising about children’s rights and to contribute to a culture that upholds children's rights holistically, reinforcing their protection, participation, and wellbeing in all aspects of their lives. | All children. There may need to be explicit consideration of refugee and asylum-seeking children, unaccompanied children, children of migrant workers, international students (under 18). |
| 11 – protection from kidnapping | The EDI strategy is not expected to restrict this right. | The NES EDI strategy sets out that our work aims to support the UNCRC (Incorporation) (Scotland) Act 2024.  | All children. There may need to be explicit consideration of children in families affected by domestic abuse, refugee and asylum-seeking children, care experienced children, children of separated or divorced parents. |
| 12 – respect for children’s views  | The EDI strategy is not expected to restrict this right. | NES recognises the importance of children’s voices in our work and this is being progressed through our work to uphold the UNCRC. | All children. There may need to be explicit consideration of babies and young children, disabled children, children from diverse cultural backgrounds, non-verbal children. |
| 13 – sharing thoughts freely | The EDI strategy is not expected to restrict this right. | NES is considering how to develop child friendly complaints process and guidance for children on NES’s role. | All children. There may need to be explicit consideration of babies and young children, disabled children, children from diverse cultural backgrounds, non-verbal children. |
| 14 – freedom of thought and religion | The EDI strategy is not expected to restrict this right. | NES has developed awareness raising resources for NHS Scotland on the UNCRC and this has been promoted across NES. This promotes the need for the workforce to understand and respect the religious and cultural needs of children receiving care and within healthcare settings. | All children are impacted by this work. There may need to be explicit consideration of children from ethnic and religious minorities, children from diverse cultural backgrounds. |
| 15 –freedom of association and peaceful assembly | The EDI strategy is not expected to restrict this right. | Not directly relevant to the EDI strategy. |  |
| 16 – protection of privacy | The EDI strategy is not expected to restrict this right. | Learning resources and awareness-raising contribute to a culture that upholds children's rights holistically, reinforcing their protection, participation, and wellbeing in all aspects of their lives. | All children. There may need to be explicit consideration of babies and young children, disabled children, children from diverse cultural backgrounds where there is a need to provide information in languages that all children can understand. |
| 17 – access to information | The EDI strategy is not expected to restrict this right. | Communicating information in child-friendly ways is an important way to empower children to make informed decisions. Considering the need for child-friendly and accessible versions of reports and information are integral to upholding children's rights. The EDI strategy is not currently in a child friendly format. | All children. There may need to be explicit consideration of babies and young children, disabled children, children from diverse cultural backgrounds where there is a need to provide information in languages that all children can understand. |
| 18 – responsibility of parents | The EDI strategy is not expected to restrict this right. | Learning resources and awareness-raising contribute to a culture that upholds children's rights holistically, reinforcing their protection, participation, and wellbeing in all aspects of their lives. | All children. There may need to be explicit consideration of children in single parent families, children experiencing poverty, disabled children, children with complex health needs. |
| 19 – protection from violence | The EDI strategy is not expected to restrict this right. | Learning resources and awareness-raising contribute to a culture that upholds children's rights holistically, reinforcing their protection, participation, and wellbeing in all aspects of their lives. | All children are impacted by this work. There may need to be explicit consideration of children with care experience, children with disabilities, children living in households where they are experiencing abuse or are at risk of harm. |
| 20 – children without families | The EDI strategy is not expected to restrict this right. | The EDI Strategy makes the links between The Promise and Corporate Parenting legislation.NES hosts the Who Care’s Scotland e-learning module on Turas Learn. | Children currently in care or at risk of care. |
| 21 – children who are adopted | The EDI strategy is not expected to restrict this right. | The EDI Strategy makes the links between The Promise and Corporate Parenting legislation. | Children who are adopted. |
| 22 – refugee children | The EDI strategy is not expected to restrict this right. | By implementation of the UNCRC Act by promoting a rights-based approach across NES, the strategy aims to promote the rights of refugee children and that unique barriers that require consideration. | Refugee and asylum-seeing children, especially those who are unaccompanied, stateless or have experienced trauma. |
| 23 – disabled children | The EDI strategy is not expected to restrict this right. | By implementation of the UNCRC Act and the Equality Act 2010 by promoting a rights-based approach across NES, the strategy aims to promote the rights of disabled children and that unique barriers that require consideration. | Disabled children. |
| 24 – enjoyment of the highest attainable standard of health  | The EDI strategy is not expected to restrict this right. | The strategy sets out the links with the UNCRC, the Equality Act, the right to the highest attainable standard of health and addressing health inequalities. The strategy makes specific reference to upholding children’s rights in taking a human rights-based approach.  | All children. There may need to be explicit consideration of children at risk of health inequalities e.g. living in areas of deprivation, disabled children, children with complex health needs. |
| 25 – review of a child’s placement | The EDI strategy is not expected to restrict this right. | Recognition of links with the Promise and NES’s corporate parenting responsibilities. NES hosts the Who Care’s Scotland e-learning module on Turas Learn. | Children currently in care. |
| 26 – social and economic help | The EDI strategy is not expected to restrict this right. | The strategy recognises the social determinants of health and the links with addressing health inequalities and taking a rights-based approach, including upholding children’s rights. | All children are impacted by this work. There may need to be explicit consideration of children living in poverty, care experienced children, children with disabilities, refugee and asylum-seeking children, children with complex health needs. |
| 27 – food, clothing and safe home | The EDI strategy is not expected to restrict this right. | As above | All children are impacted by this work. There may need to be explicit consideration of children living in poverty, care experienced children, children with disabilities, refugee and asylum-seeking children, children with complex health needs. |
| 28 – access to education | The EDI strategy is not expected to restrict this right. | Links with the social determinants of health.NES has developed learning resources for NHS Scotland to contribute to awareness-raising about children’s rights and to contribute to a culture that upholds children's rights holistically, reinforcing their protection, participation, and wellbeing in all aspects of their lives. | All children are impacted by this work. There may need to be explicit consideration of disabled children, children with health conditions requiring frequent appointments or hospital stays, children not attending school, children who are home-schooled, children with health and social care complexities which affect their access to education. |
| 29 – aims of education | The EDI strategy is not expected to restrict this right. | NES has developed learning resources for NHS Scotland to contribute to awareness-raising about children’s rights and to contribute to a culture that upholds children's rights holistically, reinforcing their protection, participation, and wellbeing in all aspects of their lives. | Every child has a right to education. |
| 30 – minority culture, language and religion | The EDI strategy is not expected to restrict this right. | The strategy incorporates the NES anti-racism action plan which has a focus on racialised health inequalities. There are specific actions on perinatal mental health. The strategy aims to foster inclusivity recognising cultural and religious diversity. | There may need to be explicit consideration of children diverse cultural, language and religious backgrounds or who follow less widely recognised cultural practices |
|  31 – rest, play, culture, arts | The EDI strategy is not expected to restrict this right. | NES has developed learning resources for NHS Scotland to contribute to awareness-raising about children’s rights and to contribute to a culture that upholds children's rights holistically, reinforcing their protection, participation, and wellbeing in all aspects of their lives. | All children. There may need to be explicit consideration of young carers, disabled children, children living in poverty, children in hospital settings, undergoing long-term treatments or those whose parents are undergoing long-term treatment or are in hospital settings. |
| 32 – protection from harmful work | The EDI strategy is not expected to restrict this right. | Not directly relevant to the EDI strategy but it sets out that our work aims to support the UNCRC (Incorporation) (Scotland) Act 2024.  |  |
| 33 – protection from harmful drugs | The EDI strategy is not expected to restrict this right. | There are not specific actions in the plan in relation to this right. NES undertakes work to support trauma-informed practice in Scotland’s workforce. Raising awareness in NES of the UNCRC will help to make links with NES’s purpose and how to embed a children’s rights approach through our work programmes. For example, it is part of our approach to equality impact assessment. |  |
| 34 – protection from sexual abuse | The EDI strategy is not expected to restrict this right. | There are not specific actions in the plan in relation to this right. NES undertakes work to support trauma-informed practice in Scotland’s workforce. Raising awareness in NES of the UNCRC will help to make links with NES’s purpose and how to embed a children’s rights approach through our work programmes. For example, it is part of our approach to equality impact assessment. |  |
| 35 – prevention of sale and trafficking | The EDI strategy is not expected to restrict this right. | There are not specific actions in the plan in relation to this right. NES undertakes work to support trauma-informed practice in Scotland’s workforce. Raising awareness in NES of the UNCRC will help to make links with NES’s purpose and how to embed a children’s rights approach through our work programmes. For example, it is part of our approach to equality impact assessment. |  |
| 36 – protection from exploitation  | The EDI strategy is not expected to restrict this right. | There are not specific actions in the plan in relation to this right. NES undertakes work to support trauma-informed practice in Scotland’s workforce. Raising awareness in NES of the UNCRC will help to make links with NES’s purpose and how to embed a children’s rights approach through our work programmes. For example, it is part of our approach to equality impact assessment. |  |
| 37 – children in detention | The EDI strategy is not expected to restrict this right. | Not applicable |  |
| 38 – protection in war | The EDI strategy is not expected to restrict this right. | Not applicable |  |
| 39 – recovery and reintegration | The EDI strategy is not expected to restrict this right. | There are not specific actions in the plan in relation to this right. NES undertakes work to support trauma-informed practice in Scotland’s workforce. Raising awareness in NES of the UNCRC will help to make links with NES’s purpose and how to embed a children’s rights approach through our work programmes. For example, it is part of our approach to equality impact assessment. |  |
| 40 – juvenile justice | The EDI strategy is not expected to restrict this right. | There are not specific actions in the plan in relation to children in the justice system. |  |
| 41 – best law for children | The EDI strategy is not expected to restrict this right. | NES will raise awareness of alignment to relevant laws where possible in the delivery of our strategy.  |  |
| 42 – knowledge of rights | The EDI strategy is not expected to restrict this right. | NES’s EDI strategy sets out our commitment to upholding rights, including children’s rights and our role in supporting knowledge of rights in the workforce. |  |