

# COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE (SCOTLAND) ACT 2003

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### *Section 6: Involving children and young people*

32. Subsection (1) places a general duty on the Commissioner to encourage the involvement of children and young people in all of his or her work. This will ensure that the Commissioner's work is informed by the views of children and young people.
33. Subsection (2) details the manner in which the Commissioner is to encourage the involvement of children and young people in his or her work by listing a number of duties which the Commissioner must take reasonable steps to fulfil.
34. Subsection (2)(a) requires the Commissioner to take reasonable steps to ensure children and young people are made aware of the existence of the Commissioner through awareness of the Commissioner's functions, how to communicate with the Commissioner and what responses may be given by the Commissioner to issues raised.
35. Subsection (2)(b) requires the Commissioner to take reasonable steps to consult children and young people on the work to be undertaken by him or her. It would be for the Commissioner to determine how, who, what, why and when he or she consults. For example, "reasonable steps" in relation to some issues might mean consulting a particular group of children while, in relation to others, a wider general consultation may be appropriate.
36. Subsection (3) requires the Commissioner to give some priority to those children and young people who are not within the remit of other agencies or who do not have adequate means to make their views known for other reasons. This allows the Commissioner to focus on particularly vulnerable groups of children and young people who need extra support in making their views known.
37. Subsection (4) requires the Commissioner to prepare and maintain a strategy on the continued involvement of children and young people in his or her work under this section. The strategy will, as a consequence of section 10(2)(d) (see paragraph 58 below) require to be updated at least annually.