

Requested Feedback on the Scottish Budget 2025 to 2026: child rights and wellbeing impact assessment

March 2025

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Introduction

The Scottish Budget 2025-26 Child Rights and Wellbeing Impact Assessment (CRWIA) is intended to ensure that budget decisions align with children's rights and wellbeing. As Scotland moves toward embedding children's rights into financial decision-making, the CRWIA plays a crucial role in assessing whether public spending supports the government's obligations under the UN Convention on the Rights of the Child (UNCRC). However, to be effective, such an assessment must provide a transparent, evidence-based analysis that clearly identifies risks, gaps, and opportunities in the budget's impact on children.

This response examines several critical weaknesses in the CRWIA that undermine its ability to meaningfully assess the budget's effect on children's rights. A key concern is the minimisation of negative impacts, where the CRWIA suggests that budgetary decisions do not significantly harm children's rights, despite clear evidence to the contrary. The assessment also relies on a flawed pre-budget process, treating the Scottish Government's 3 September statement as a pre-budget statement, even though it does not meet the internationally accepted definition of one. This limits the CRWIA's ability to engage with spending decisions before they are finalised, reducing its effectiveness as a tool for rights-based budgeting.

Beyond these issues, the CRWIA lacks clear accountability mechanisms to track how budget allocations for children's services are used and whether they achieve their intended impact. Without independent monitoring, transparent reporting, and corrective mechanisms, there is no guarantee that financial commitments translate into real improvements for children. The process of child participation is also insufficient, with engagement limited to a small number of young people rather than a structured, inclusive approach that ensures the voices of the most marginalised children are heard.

This response will examine these key areas in detail, highlighting where the CRWIA falls short and how future assessments can be strengthened. The Scottish Government now has an opportunity to improve the CRWIA process, ensuring that budget assessments provide a rigorous and transparent evaluation of how financial decisions impact children's rights. For Scotland to fully realise its commitment to children's rights-based budgeting, reforms must go beyond procedural compliance and ensure that budget decisions genuinely protect and advance the rights of all children, particularly those most at risk.

The Minimisation of Negative Impacts

The Scottish Budget 2025-26 CRWIA asserts that there are no major negative human rights impacts on children. This claim is fundamentally flawed and inaccurate as evidenced within the Commission's 2025-26 budget scrutiny work.¹ While the document acknowledges some areas of concern, it minimises their significance by suggesting that existing measures sufficiently mitigate any adverse effects. A more thorough analysis of the budget, however, reveals that several critical areas put children's rights at significant risk due to spending decisions.

At its core, the CRWIA should be a transparent and comprehensive assessment of how budgetary allocations affect children. Instead, it downplays the reality of funding constraints, particularly in local government services, housing, mental health support, and fuel poverty—all of which have a profound impact on children's lives. These budget choices directly relate to Scotland's obligations under the UN Convention on the Rights of the Child (UNCRC), yet the CRWIA fails to properly reflect the true scale of the challenges created by the current financial settlement.

Cuts to Local Government Budgets and the Impact on Children's Services

The real-term cuts to local authority funding will have far-reaching consequences for children's rights. Local councils are being forced to make difficult choices about which services to prioritise, with many programmes directly affecting children facing cuts or reduced capacity. This budgetary approach directly affects rights outlined in UNCRC Articles 6 (right to life, survival, and development), 18 (parental responsibilities and state support), 19 (protection from harm), and 27 (adequate standard of living).

Services that support children's wellbeing—youth programmes, social care, and early intervention services—are all at risk. In remote, rural and island communities, where access to support is already fragile, these cuts will result in a further reduction in local service availability, reinforcing inequalities between remote, rural and urban areas.² The CRWIA's failure to recognise the severity of these risks presents an unrealistically optimistic view of how these cuts will play out in practice.

Another critical area overlooked by the CRWIA is homelessness prevention services. The housing crisis is worsening, yet funding for homelessness prevention is insufficient to meet growing demand.³ Children experiencing homelessness face severe disruptions to their education, emotional security, and overall wellbeing—a direct violation of their rights under UNCRC Article 27. The CRWIA, rather than

acknowledging this as a major concern, provides a simplified reassurance that existing policies will address it, despite evidence to the contrary.

Housing and the Right to an Adequate Standard of Living

The number of children in temporary accommodation is increasing, yet the budget does not sufficiently respond to Scotland's housing crisis. Safe and secure housing is fundamental to a child's wellbeing and development, as recognised in UNCRC Article 27.⁴ However, affordable housing supply is not meeting demand, leaving many families in unstable living situations. This is particularly concerning for low-income families and care-experienced young people, who are at significant risk of housing insecurity and homelessness.

Compounding the issue is the fact that cuts to local authority budgets further restrict the ability of councils to provide adequate housing support. The Scottish Government has a legal and moral obligation to prevent child homelessness, yet budgetary decisions continue to fall short of delivering the scale of intervention needed.

The CRWIA does not properly assess the link between housing insecurity and the broader impact on children's rights. Instead, it assumes that current mitigation measures are sufficient, when in reality, the budget does not provide the necessary level of investment to address the problem at scale.

Underfunding of Mental Health Services for Children

The right to the highest attainable standard of health is enshrined in UNCRC Article 24, yet the budget continues to underfund children's mental health services. While there are incremental increases in funding, they do not keep pace with the rising demand for mental health support.

Waiting times for child and adolescent mental health services (CAMHS) remain unacceptably long.⁵ This leaves young people in distress without adequate support, often leading to crises that could have been prevented with early intervention. The CRWIA fails to acknowledge this systemic problem, instead presenting an oversimplified assurance that investment in mental health services will meet demand, despite clear evidence that existing provisions are already insufficient.

Rising Energy and Fuel Poverty

Another area where the budget fails to adequately protect children's rights is in its response to fuel poverty. Access to adequate living conditions, including energy

security, is essential for children’s health, education, and overall wellbeing (UNCRC Articles 24 and 27).

Despite this, low-income families continue to struggle with soaring energy costs, and the budget does not go far enough to alleviate this burden.⁶ While some funding exists for energy efficiency programmes, it is insufficient to meet the scale of demand, leaving many families unable to adequately heat their homes. Children living in fuel poverty face significant health risks, including respiratory illnesses, poor nutrition, and increased stress—factors that all contribute to poorer educational and developmental outcomes.

Once again, rather than properly analysing these risks, the CRWIA downplays them and assumes that existing measures are sufficient to prevent harm, when evidence suggests otherwise.

The Mischaracterisation of the Pre-Budget Fiscal Statement

The CRWIA makes reference the September 3rd Fiscal publication as the Scottish Government’s “Pre-Budget Fiscal Statement.” While the document was presented as part of the Scottish Government’s financial planning, it did not function as a true pre-budget statement in any meaningful sense. International best practice, as outlined in the [Open Budget Survey](#), defines a pre-budget statement as a forward-looking document that provides a clear outline of the government’s fiscal priorities, expected revenues, and proposed expenditure plans before the budget is finalised.⁷ It is designed to facilitate meaningful scrutiny, public engagement, and parliamentary debate, ensuring that financial decisions align with policy objectives and legal obligations, including human rights commitments.

However, the document released by the Scottish Government on 3 September 2024 did not meet these essential criteria. Rather than setting out a proactive fiscal strategy for the year ahead, it was instead a retrospective justification of spending reductions that had already been made to balance the 2024-25 budget. This is a fundamentally different exercise from what a pre-budget statement should be. Instead of providing an opportunity for stakeholders to engage with and shape spending priorities, the statement merely outlined decisions that had already been taken, rendering it largely ineffective in terms of transparency and accountability.

The absence of a true pre-budget statement has significant consequences, particularly in the context of children’s rights-based budgeting. A genuine pre-budget statement would have enabled a full rights-based impact assessment of the budget before final allocations were made. It would have provided an opportunity for

children's rights advocates, service providers, and affected communities to assess whether spending plans adequately reflected the government's commitments under the UN Convention on the Rights of the Child (UNCRC). Without this early-stage scrutiny, budgetary decisions that negatively impact children's wellbeing—such as cuts to local government services, underfunding of mental health support, and insufficient investment in housing—were finalised without proper consideration of their human rights implications.

This failure is not merely a technical oversight—it reflects an apparent gap in the Scottish Government's commitment to transparency and accountability, which is concerning. Budget impact assessments should be part of financial planning from the outset, not used as post-hoc justifications for decisions that have already been made. Without a real pre-budget statement, the opportunity to shape spending in a way that fully protects children's rights is lost.

To address this deficiency, the Scottish Government must commit to publishing a genuine pre-budget statement in future years—one that allows for meaningful engagement with Parliament, civil society, and children's rights experts before financial decisions are set in stone. This is something that the Commission has repeatedly called for in its pre-budget scrutiny evidence and is considered international best practice.⁸

Failure in Rights-Based Budgeting: The Absence of Accountability and Transparency

A rights-based approach to budgeting should be rooted in transparency, accountability, and evidence-driven decision-making. The budget should clearly demonstrate where public spending will have the greatest impact on children, how financial decisions align with Scotland's human rights obligations, and what mechanisms are in place to track their effectiveness. Instead, the Scottish Government's CRWIA, fails to acknowledge that budgetary constraints will exacerbate inequalities, weaken service provision, and place many children at greater risk.

As it stands the CRWIA lacks an accountability framework for tracking how budget allocations affect children's rights. While the document claims that government portfolios will monitor spending impacts, it fails to provide any clear mechanisms for how this will be done in practice. There is no transparent system for tracking whether funds allocated for children's services are reaching the intended beneficiaries, nor is there any commitment to independent oversight that would ensure spending decisions are aligned with human rights obligations. Without these safeguards, it is

impossible to determine whether resources are being effectively used or if key services are being underfunded or mismanaged.

Best practice in rights-based budgeting requires regular, impartial assessments of public spending, ensuring that budget decisions are not only well-intentioned but also effective in delivering tangible improvements for children. The CRWIA provides no independent evaluation process to measure whether funding is actually making a difference, raising concerns that the Scottish Government is avoiding meaningful scrutiny of its financial decisions. Equally concerning is the absence of enforcement mechanisms—there is no corrective framework in place to ensure that, if budgetary shortfalls are identified, they are addressed promptly. This means that even if spending gaps harm children’s access to education, housing, healthcare, or social services, there is no formal structure for rectifying the situation.

If the Scottish Government is serious about embedding children’s rights into its financial decision-making, it must fundamentally strengthen the accountability mechanisms within the CRWIA process. This requires the establishment of an independent monitoring system that publicly tracks how funds for children’s services are allocated and spent. Additionally, the government must commit to annual public reporting on the impact of budget allocations on children’s rights, ensuring that spending decisions remain transparent and subject to scrutiny. Most critically, a corrective action mechanism must be introduced, allowing for budget adjustments if it becomes clear that funding levels are insufficient to meet children’s needs. Without these changes, the CRWIA will remain a superficial exercise in budget justification rather than a meaningful tool for rights-based decision-making.

Limited and Non-Inclusive Consultation with Children

A fundamental shortcoming of the CRWIA is the narrow and selective approach to child participation in budgetary decision-making. The Scottish Government highlights its engagement with the Scottish Youth Parliament (SYP) and the Children’s Parliament as evidence of meaningful consultation. However, while these organisations play an important role in representing young people’s voices, there should be a wider range of stakeholders engaged to ensure wider consultation on financial decisions.

The UN Convention on the Rights of the Child (UNCRC), particularly Article 12, affirms that all children have the right to express their views and have them taken seriously in decisions that affect them. However, the government’s current approach

to consultation excludes many of the most marginalised children, undermining the principle of meaningful participation.

The Children's Parliament and SYP, by their nature, represent a limited pool of young people, many of whom are already engaged in structured youth participation mechanisms. The voices of disabled children, children living in poverty, asylum-seeking and refugee children, care-experienced young people, young carers, and children from remote, rural and island communities are often underrepresented or absent altogether in these forums. The CRWIA provides no evidence that these groups were systematically included in budget discussions or considerations. Without their input, the assessment lacks the depth and diversity needed to reflect the full range of children's lived experiences and the budget's uneven impact on different groups.

Another major flaw is the one-off nature of consultation. A single engagement exercise before the budget is finalised is not sufficient to uphold the government's UNCRC obligations. True child participation in budgeting should be continuous and structured throughout the budget cycle, ensuring that children's views are incorporated before, during, and after spending decisions are made. Instead, the CRWIA treats consultation as a procedural exercise rather than an integral part of rights-based financial planning.

A more inclusive and structured participation framework must be urgently developed to ensure that children's voices meaningfully shape budget decisions. The Scottish Government should expand participation mechanisms beyond the SYP and Children's Parliament, actively engaging schools, youth services, and community organisations to ensure a broader and more representative range of children's voices. Consultation methods must also be adapted to different age groups and abilities, using creative and accessible approaches such as play-based engagement, storytelling, and digital tools to ensure that even young children and those with communication barriers can participate.

Most importantly, the government should consider establishing a Children's Budget Panel—a permanent advisory body composed of a diverse group of children from different backgrounds and lived experiences. This panel would provide ongoing input into budget decisions, ensuring that children's perspectives are embedded into financial planning at all stages, not just as a one-off engagement exercise.

Scotland has an opportunity to be a global leader in children's rights-based budgeting, but this will only be possible if consultation processes are truly inclusive, continuous, and reflective of the diverse experiences of all children living in Scotland. Without these changes, the CRWIA fails to meet the standard set by UNCRC Article

12, and the government risks making financial decisions that do not fully account for the voices of those most affected.

Embedding Children's Rights into Budgeting

The Scottish Budget 2025-26 Child Rights and Wellbeing Impact Assessment (CRWIA) presents a flawed and overly optimistic evaluation of how budget decisions affect children's rights. Rather than offering a rigorous, evidence-based assessment, the document minimises or ignores the very real consequences of financial allocations on critical areas such as housing, social care, mental health, and local government funding. By failing to fully account for these risks, the Scottish Government undermines the credibility of the CRWIA and raises serious concerns about its commitment to rights-based budgeting.

A fundamental shift in approach is needed to ensure that Scotland genuinely integrates children's rights into financial decision-making. The downplaying of negative impacts must stop and be replaced with a transparent, evidence-driven methodology that honestly reflects how budgetary decisions affect children's wellbeing. Financial scrutiny must begin before allocations are finalised, not as a post-hoc justification. This means the publication of a true pre-budget statement, one that allows for meaningful public engagement and parliamentary oversight before financial decisions are set in stone.

Beyond budget transparency, accountability mechanisms must also be substantially strengthened to track how financial commitments translate into real outcomes for children. Without clear structures to monitor spending, there is no way to ensure that investments in education, social care, and health services are progressive, sufficient, and equitable. The status quo cannot continue, where funding decisions are made without a clear framework for measuring their impact or making corrections when they fail to meet children's needs. A structured human rights budgeting approach must be adopted—one that guarantees all financial decisions align with Scotland's legal obligations under the UN Convention on the Rights of the Child (UNCRC).

Equally important is the process of engagement with children and families in budget decisions. Tokenistic or one-off consultation is not enough. The voices of those most affected—children in poverty, care-experienced young people, disabled children, and those in rural or island communities—must be directly incorporated into the budget process. Currently, financial decisions are filtered through structured youth organisations, which, while valuable, do not capture the full diversity of children's experiences. A more inclusive and participatory process is needed, ensuring that the lived realities of all children shape financial priorities.

If the Scottish Government is genuinely committed to embedding children's rights into its financial planning, it must move beyond aspirational language and commit to real, structural reform. The budget is one of the most powerful tools available to protect and advance children's rights—but it will only be effective if it is used transparently, equitably, and in full alignment with human rights principles. Without these changes, Scotland risks failing the very children it has pledged to protect, leaving critical gaps in services that will have lasting consequences for their wellbeing, development, and future opportunities.

To ensure that the budget process aligns with a genuine commitment to children's rights, the Scottish Government must take decisive action in several key areas:

First, it must explicitly acknowledge the real negative impacts of budget decisions rather than minimising them within assessments. A more rigorous, evidence-based methodology should be applied to budget analysis, ensuring that policy assumptions reflect the lived realities of children and families. The government must also engage meaningfully with affected communities, service providers, and child rights experts to gain a fuller understanding of how financial decisions impact those who rely on public services the most.

Additionally, any mitigation measures must be adequately funded and directly targeted to address the risks identified. Vague assurances that funding is "sufficient" are not enough—there must be concrete commitments to closing service gaps where budget shortfalls threaten children's wellbeing.

Failing to implement these reforms will mean that Scotland falls short of its UNCRC obligations and undermines its ambition to be a leader in children's rights-based budgeting. The Scottish Government must ensure that its financial planning is not only legally compliant but also meaningfully improves the lives of all children in Scotland.

Endnotes

¹ See for example: [Briefing: Review of Scottish Budget 2025-26](#)

² See [Report: Economic, Social and Cultural Rights in the Highlands and Islands](#)

³ See [Report: Economic, Social and Cultural Rights in the Highlands and Islands, Report: ICESCR 2025 \(PDF\)](#)

⁴ On the 30th March 2024 there were 16,330 households living in temporary accommodation, the highest level ever recorded. This included 10,110 children (a 5 per cent increase from the previous year) Scottish Government (2024) [Homelessness in Scotland: 2023-24](#)

⁵ See [Public Health Scotland \(2024\) Child and Adolescent Mental Health Services \(CAMHS\) waiting times - Quarter ending June 2024 - Child and Adolescent Mental Health Services \(CAMHS\) waiting times](#)

⁶ See [Report: Economic, Social and Cultural Rights in the Highlands and Islands, Report: ICESCR 2025 \(PDF\)](#)

⁷ See also our assessment of [Scotland's Open Budget Survey 2023](#)

⁸ See [Scotland's Open Budget Survey 2023](#); [Briefing for Parliamentary Committees: Pre-Budget Scrutiny](#). See also the Commission's forthcoming submission to the Finance and Public Administration Committee Inquiry into the Scottish Budget Process in practice.