

What should you do if you feel you are not getting your Rights?

Contact the Children's Commissioner for Wales
Sally Holland

Children's Commissioner for Wales
Freepost RRGL XLYC BHGC
Swansea
SA7 9FS

Tel: 0808 801 1000 (Freephone) / 01792 765600

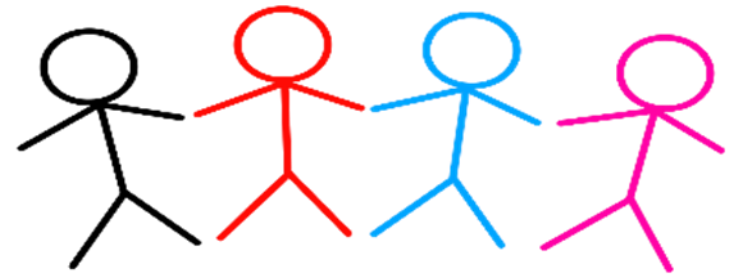
Email: advice@childcomwales.org.uk

Opening hours are 9am-5pm Monday to Friday, except bank holidays. (Welsh Government, n.d)

"Children's rights are entitlements; they are not optional."

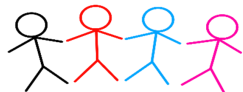
(Holland, 2017)

New Hedges Primary School

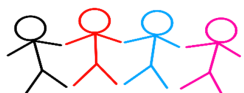


How are Children's Rights Implemented in School?

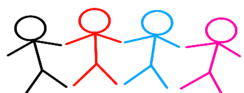
In Wales, Children's Rights are a priority. From Welsh Government to local schools, Children's Rights are at the forefront of every decision made.



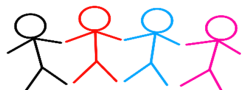
As a Rights Respecting School, New Hedges Primary aims to lead the way in promoting Children's Rights, not only for pupils, but for staff and the wider school community.



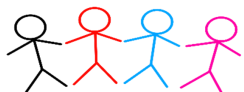
Our Rights Respecting School ethos means that the children and adults work together as equal partners.



This booklet provides information for parents and carers, detailing what we are doing to ensure Children's Rights remain embedded in our school values.



Hopefully, this will also encourage the school community to think about Children's Rights and as a result, have a positive effect on the lives of our children.



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Did you know that children have rights?



What are Children's Rights?

Children's Rights apply to children and young people under the age of 18 (*Article 1, NSPCC, n.d*) and are specific to the needs and protections of a child (Welsh Government, n.d). Although similar to **Human Rights**, Children's Rights are set out by the **United Nations Convention on the Rights of the Child (UNCRC)** in 1989. The **UNCRC** is an international agreement that the United Kingdom has been a part of since 1991 (Together Scotland, n.d), thus ensuring a specific consideration for children whilst promoting care and protection (Welsh Assembly Government, 2007).

The **UNCRC** details 42 main Articles (UNICEF, 2019) that cover all aspects of a child's life (Williams, 2017), an additional 12 outlining what the Government and other authorities need to do in order to emphasize and abide by the main 42 Articles (UNICEF, 2016).

Everyone has rights, these are outlined in the Human Rights Act 1998.

What are Human Rights?

Human Rights are freedoms and entitlements that all people have, regardless of race, age, sex, religion or ethnicity (United Nations, 1998). **The Human Rights Act 1998** puts into practice the rights set out by the European Convention on Human Rights (ECHR) which include protection, privacy, education and many more (United Nations, n.d).

What are the Welsh Government doing to ensure Children's Rights are considered?



Wales was the first country in the UK (BBC, 2014) to appoint a Children's commissioner, showing a major commitment to Children's Rights.

The current Children's commissioner is Sally Holland.

- The commissioner is responsible for speaking out for children and young people.
- Advising children and young people if they feel they have not been treated fairly
- Promoting Children's Rights and the **UNCRC**.

Sally Holland also monitors the Government to guarantee that legislation such as the **Rights of Children and Young Persons (Wales) Measure 2011** is taken into consideration with due regard (Children's Commissioner for Wales, n.d).



First ever Children's
Commissioner in the world



Special educational needs

Article 23 (Save the Children, n.d) states that disabled children have a Right to participate and have an enjoyable full life (Nutbrown, 1996). All children should have equal opportunities and should not have to experience discrimination (Article 2, Save the children, n.d). Due to a lack of staff, funding and time, children with special educational needs are not being given the necessary support and opportunity for participation, thus impacting their education and mental well-being (Garner, 2014).

Bullying

Bullying can have a major impact on a child's access to their own Rights. It was reported in Wales Online (2016) that over 2000 children in Wales called ChildLine about bullying. Not only does this give the children being bullied a disadvantage when trying to access their education but it also affects their mental health and wellbeing.

Where you live

Around the world, millions of children are denied a fair chance because of where they live. Whether due to poverty, violence or conflict, around 175 million children are not enrolled in school (United Nations, n.d).

Finally, lack of knowledge (Williams, 2017). Unfortunately, although there is a major commitment from Government and Local Authorities, a lot of people are still unaware of Children's Rights.

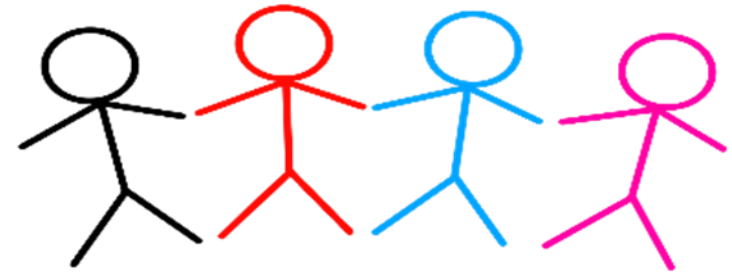
Barriers to Children's Rights

According to a study completed by Lyle (2014), the most common barriers to a child or young person's rights are immaturity, narratives of childhood and power relations. Lyle (2014) details teacher's feeling that children do not always know what is best for them and are sometimes too young to have a rounded opinion. In general, the teacher's saw themselves as deliverers of information set by curriculum and therefore having a feeling of superiority. Finally, the impact on the many different teaching styles, teachers should no longer be authoritarians but rather gain the interests and respect of their pupils in ways that are inclusive of Children's Rights (Lyle, 2014).

Other barriers to Children's Rights might include:

Adult attitude

Although the UNCRC is the most widely ratified international treaty (Alderson, 2000), the practice of implementing the Articles may present problematic. 'Depending on how politically and socially acceptable it is to the adult population' (Lyle, 2014) meaning unless adults see children as full and equal citizens, they could be a barrier to a child receiving their full Rights.

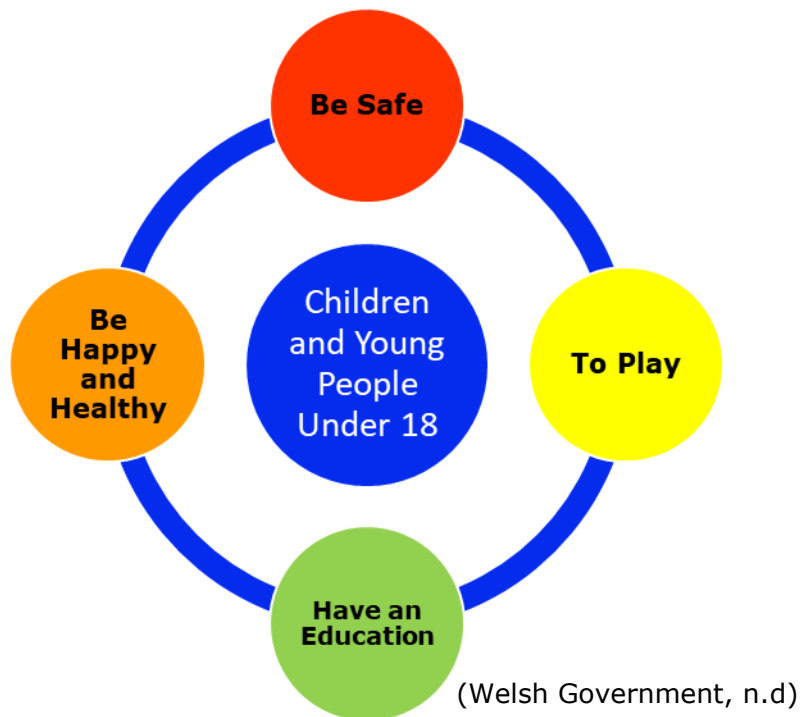


Since 2004, the Welsh Government have used the **United Nations Convention on the Rights of the Child** (UNCRC) articles to influence and form a basis for all policies and legislation that relate to children (Welsh Government, n.d).

The **Rights of Children and Young Persons (Wales) Measure 2011** (*Rights of Children and Young Persons (Wales) Measure 2011*) has put this practice into Law (Legislation.gov.uk, 2011). This means that Welsh Government ministers must consider the **UNCRC** when amending existing policy, reviewing past policy or when creating new policy (NSPCC Learning, n.d).

In order to do this, Ministers must comply with "The Children's Scheme". This Scheme must be put before The Assembly and must include involvement from Children and young people as well as the Children's commissioner (Legislation.gov.uk, 2011).

The Welsh Government also use a Children's Rights Impact Assessment (CRIA) for every law or policy that is put forward, this information is available to the public. Since 2010, there have been over 260 CRIA's from across Wales, some of these have been put forward from Local Authorities for initiatives in the community (Payne, 2017).



What does a Children's Rights approach mean?

- **Prioritising Children's Rights in the workplace to improve the life of children and their families**
- **Children are supported with their talents and given opportunity to fulfil their potential**
- **Providing access to resources for children to gain an awareness of their rights and how to use them**
- **Promoting opportunities to influence decisions about their own lives**
- **Accountability from governments and authorities to the children when making decisions that may affect their lives**

(Holland, 2017).

Provision:

Giving children the opportunity to access resources (Article 17) and services for example an education, food and healthcare (Holland, 2017). Although basic needs, these are required for children to survive and develop (Article 6Alderson, 2000).

The UNCRC includes several Rights that state children should have access to basic needs such as:

- Healthcare (Article 24)
 - Social Security (Article 26)
 - Education (Articles 28 & 29)
 - Identity (Article 8)
 - Privacy (Article 16)
 - Adequate standard of living (Article 27)
- (Save the Children, n.d)

These rights should all ensure children have a decent standard of living and are given the best possible chance at life.



<https://www.childcomwales.org.uk/wp-content/uploads/2017/05/UNCRC-WEB.jpg>

Protection:

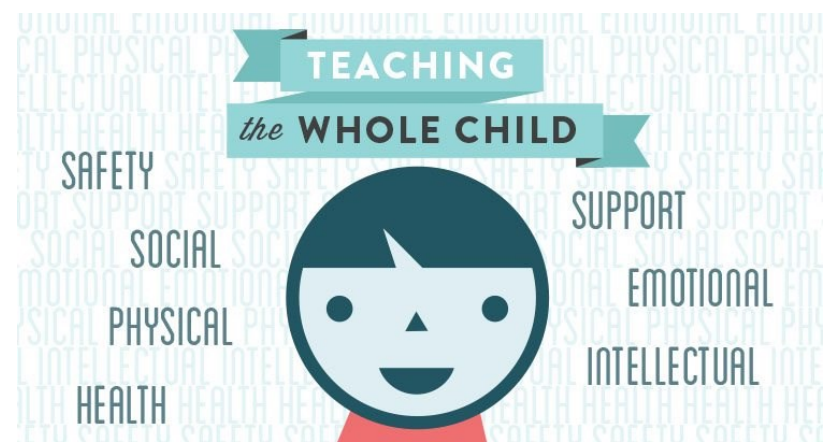
Children's Rights are non-discriminatory (Article 2, UNICEF n.d), they apply to anyone under the age of 18 (Article 1, n.d). Protection Rights aim to safeguard children against neglect, abuse and exploitation (Article 19, UNICEF, n.d, Alderson, 2000). The All Wales Child Protection Policy and Procedures 2008 (Socialcare.wales, n.d) and the Social Services and Well-being (Wales) Act 2014 (Welsh Government, 2019) are just two policies in place to safeguard children. Any external involvement with a child or family must always keep the best interests of the child (Article 3, UNICEF, n.d) as the key principle (Lindon, 2012). "Professionals are expected to work together in a spirit of inter-agency cooperation and to work in a cooperative way with parents" (Lindon, 2012, p.5).

At New Hedges Primary School, we take child protection and safeguarding extremely seriously. We have a responsibility, detailed in the Children Act, 1989 and 2004 to report any concerns about a child's welfare (Socialcare.wales, n.d). We are also responsible for ensuring the school itself is a suitable environment for our pupils.

To keep our children as safe as possible, our staff are fully trained in child protection, safeguarding and first aid. Details of our Safeguarding, Health and Safety and many other policies, please look at the policies tab on our website (Tenby Primary, 2019).

As an education setting and a Rights Respecting School, we make a conscious effort to follow The Right Way Guide, compiled by the Children's commissioner, Sally Holland (2017).

We teach the children in line with the current curriculum, but they also learn about their Rights and also their responsibilities to others through our school ethos.



<https://www.learningliftoff.com/wp-content/uploads/2014/05/TWC1.jpg>

" A Right's Respecting School is somewhere you feel safe and where everybody can belong. It's nice to know that in school they really listen to us and make sure we are happy" (Year 5 pupil, New Hedges Primary School).

What does a Rights Respecting School look like?

According to research from UNICEF (n. d) Rights Respecting Schools have an impact on the whole community.

Being a Rights Respecting School is not only about what the children in school do, but the adults too.

UNICEF (n.d) noted the four key principles that make up a Rights Respecting School as:

Wellbeing:

- Children are happier and healthier. They are less likely to suffer from stress as their self-esteem is enhanced.
- Children gain an understanding of their own rights and are therefore more likely to treat others with respect.

Safety:

- Children are taught an awareness of their rights, giving them more confidence in making decisions in matters that affect them.
- Empowering children to challenge injustice.

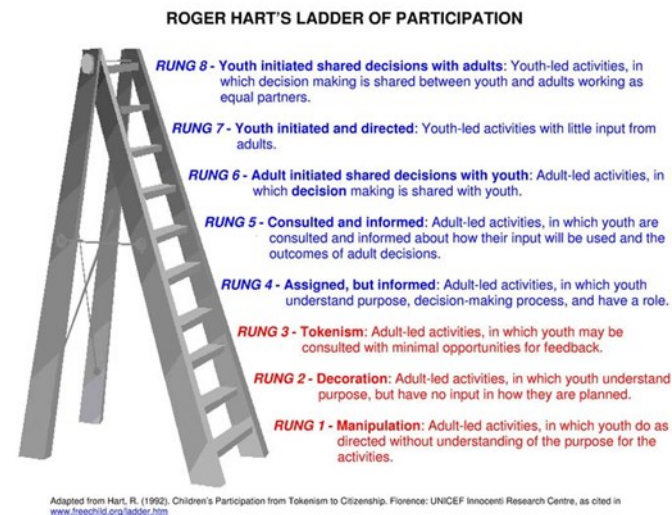
Relationships:

- Mutual respect amongst children and staff.
- Children are involved in consultation and participation when obtaining the award for Rights Respecting School.

Active Citizens:

- Creates a moral foundation that can grow with the child.
- Awareness of social justice, both in school and in the community.

- Lessons are planned in a way that gives pupils the chance to participate, leading to engagements in the subject and allowing development of agency.



- Regular school surveys and in class surveys where children are given the opportunity to voice their opinion. The feedback from the surveys is given in practice or via assemblies, where appropriate.
- Idea box: Children can use their imagination about how something can improve.
- Worry Box: Sometimes children do not feel comfortable speaking about things. With the worry box, children can write down what is worrying them or if something has made them upset. It can be anonymous, or they can leave their name and class. The head teacher will investigate the issue.
- Happy Box: This box is for children to describe something that has made them happy. Whether a friendly act or a topic they are enjoying. Children often use this box to say thank you for something kind that they have witnessed, either personally or in a school day.

"The 3 P's"

Participation:

(Welsh Government, n.d)

By encouraging our children to participate, we are building their confidence and aiding in their development. Children who learn through participation, feel more respected and become more active contributors to society.

How do we promote Participation?

According to Skeat (1983) 'Consulting means to sit with' (cited in Alderson, 2000, p. 72).

As a school, we use the school council as our main way to consult with the children. The children involved meet with staff members once a month who provide feedback and discuss any issues that have arisen since the last meeting. The next topic is decided, and school council members take it away to consult with their class, they are also responsible for any feedback to their class. This evolves from consultation to participation.

"Participation means that it is my right to be involved in making decisions, planning and reviewing an action that might affect me. Having a voice, having a choice" (Welsh Government, 2010).

There are so many positives to active participation within our school. Children are given the opportunity to work with adults as partners whilst gaining personal skills, such as communication and organisational skills. Participation in a variety of activities allows children with different learning styles to be involved, making it accessible for all pupils (Morgan, 2014).

"97% of headteachers at Rights Respecting Schools said the award had improved children's respect for themselves and each other" (UNICEF, n.d).

"93% of headteachers at Rights Respecting Schools said the award had helped children to embrace diversity and overcome prejudices" (UNICEF, n.d).

"76% of headteachers at Rights Respecting Schools say the award has helped to reduce bullying and exclusions" (UNICEF n.d).

"98% of headteachers at Rights Respecting Schools said the award had improved relationships and behavior" (UNICEF, n.d).

"93% of headteachers at Rights Respecting Schools said the award contributed to children and young people being more engaged in their learning" (UNICEF, n.d).



SCHOOL COUNCIL

CHILDREN CAN VOLUNTEER OR VOTE FOR A MEMBER OF THEIR CLASS TO REPRESENT THEM.

REPRESENTATIVES FROM EACH CLASS MEET WITH TEACHERS AND STAFF TO ADDRESS ISSUES (MORGAN, 2014).

CLASS CHARTER

CHILDREN AND TEACHERS WORK TOGETHER TO CREATE A CLASS CHARTER FOR THE SCHOOL YEAR.

THIS RESULTS IN AN AGREEMENT AND GIVES THE CHILDREN OPPORTUNITY TO HAVE A SAY IN THEIR LEARNING EXPERIENCE (ESTYN, 2018).

NO SHOUTING POLICIES

TEACHERS COME UP WITH OTHER METHODS OF GETTING A CHILD'S ATTENTION (ESTYN, 2018).

CHILDREN'S RIGHTS AMBASSADOR

CLASS REPRESENTATIVES FROM YEARS 2-6.

THE MAIN AIM BEING TO PROMOTE CHILDREN'S RIGHTS, WHETHER IN ASSEMBLIES, CLASS OR IN THE SCHOOL COUNCIL (PEMBROKE DOCK COMMUNITY SCHOOL, N.D).

CIRCLE TIME (TALKING TEDDY)

GIVES CHILDREN THE FREEDOM TO SPEAK AND BE LISTENED TO, NOT ONLY BY THE STAFF BUT BY THEIR PEERS TOO (FOUNDATION PHASE)
(CHILDRENCOMMISSIONWALES.COM, N.D).

Life, survival and development (Article 6, UNICEF, n.d): this highlights the role of the local authority or government and considers what is required to aid children in obtaining their potential.

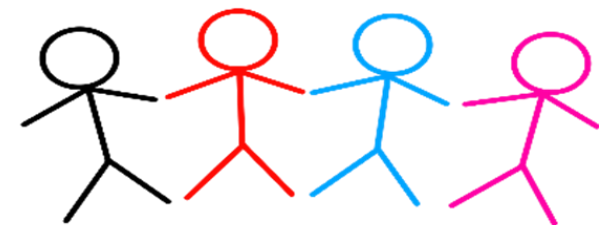
The Children Act (1989 and 2004) and the Social Services and Wellbeing (Wales) Act 2014 (Social Care Wales, n.d) emphasize the importance of Article 6 (UNICEF, n.d). They promote local authority intervention if a child is at risk and detail necessary safeguarding procedures ensuring the welfare of the child.

This Article could include education, healthcare, water and nutrition (Alderson, 2000).

To be heard (Article 12, UNICEF, n.d): giving children the opportunity to voice their opinion in matters that affect them, and their opinion being considered.

By having the first Children's Commissioner, Wales has shown commitment in ensuring children have an advocate if they do not feel they are being listened to or taken seriously (Children's commissioner for Wales, n.d).

These rights are considered to be the basis for all of the other rights.



Key Articles of the UNCRC

**Article 2:
Non-
discrimination**

**Article 3:
Best interests
of the child**

**Article 6:
Life, survival
and
development**

**Article 12:
To be heard**

(Jones & Walker, 2011)

Non-Discrimination (Article 2, UNICEF, n.d): a child will still be fully represented and entitled to their rights, regardless of gender, ethnicity, religion, race, social or any other status.

This Article is closely linked to the Equality Act (2010) which also protects people of any age against discrimination (Gov.uk, n.d).

Best interests of the child (Article 3, UNICEF, n.d): ensuring every decision keeps the child as the primary concern.

The Rights of the Children and Young Persons (Wales) Measure (2011) ensures children are considered in any new legislation or review of current policy (Children's Commissioner for Wales, n.d).



Here are just a few ways that we promote Children's Rights throughout our school at New Hedges Primary.

ACTIVE LISTENER POLICIES

ALL OF OUR TEACHERS ACTIVELY LISTEN TO OUR PUPILS, ENCOURAGING IN FULL PARTICIPATION.

BREAKFAST CLUB

FREE BREAKFAST CLUB ACROSS WALES ENSURES ALL CHILDREN HAVE THE OPPORTUNITY TO HAVE THEIR FIRST MEAL OF THE DAY, AIMING TO GIVE AN EQUAL START (HOPKINS 2012).

INFORMATION BOARDS

WE HAVE CHILDREN'S RIGHTS INFORMATION BOARDS ON DISPLAY IN BOTH THE FOUNDATION PHASE AND IN THE KEY STAGE 2 PARTS OF THE SCHOOL.

SPECIAL EDUCATIONAL NEEDS POLICY

WE ENSURE ALL CHILDREN ARE INCLUDED AND HAVE ACCESS TO TAKE PART

FREE PLAY (ARTICLE 31, UNICEF, N.D)

BY ALLOCATING TIME FOR FREE PLAY, WE ARE ENCOURAGING CHILDREN TO EXPRESS THEMSELVES AND REGAIN EMOTIONAL BALANCE (SANTER, GRIFFITHS AND GOODHALL, 2007)

All education settings in Wales have a responsibility to ensure children have an awareness and an understanding of their rights (Article 42, UNICEF, n.d).

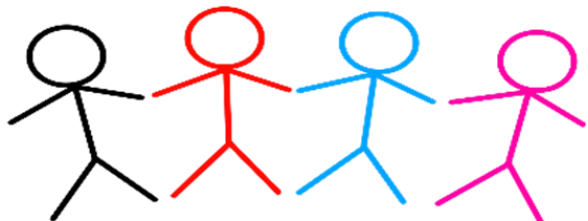
Children have a Right to Education (Article 28, UNICEF, n.d). In New Hedges Primary School, we ensure our children have regular chances to link their education to their Rights (Article 29, UNICEF, n.d).

In the current curriculum (2008) Children's Rights are considered and promoted. However, the new Welsh curriculum that will come into force in 2022, further highlights and supports Children's Rights by interlinking the Articles with the learning aims (Children's Commissioner for Wales, 2019).

'Curriculum for Wales 2022 has an important role in understanding and promoting respect for human rights and the rights of the child' (Children's Commissioner for Wales, 2019).

The new curriculum, 2022, takes into consideration the whole child. Not only enhancing their academic ability but also by creating the opportunity for pupils to become happy, healthy and confident students, who turn in turn become active citizens in their community (Children's Commissioner for Wales, 2019).

At New Hedges Primary School, we offer a range of learning experiences and resources for all children (Article 17, UNICEF, n.d). This includes promoting Rights through our values, which include, respect, kindness, friendship and social justice.



What is Social Justice in education?

Social Justice is demonstrating fairness and equality. It is a commitment to children and young people that they will have equal access to opportunities and resources (Jones & Walker, 2011).

We have a mutual responsibility, as a school and community to promote social justice. By teaching our children fairness and that we are all responsible for one another, we are giving more chance for the equal opportunity to succeed.



Freidmann, L & Covell, K. 2014)

Although there are many factors in the social justice arena, our current focus is bullying. At New Hedges Primary, we have strict rules about this, and it does not go unpunished, (please see our Bullying Policy online). It was reported in Wales Online (2016) that over 2000 children in Wales called ChildLine about bullying. Not only does this give the children being bullied a disadvantage when trying to access their education but it also affects their mental health and wellbeing.