

Respecting the voice of the child and the rights of the child.

The United Nation Convention on the Rights of the Child (UNCRC) came into being in 1989 with the aim of affording children certain rights, regardless of their background, religion, sex, views, language or (dis)ability. It consists of 54 separate articles, the first 42 outline what rights children have, often referred to as the 3 Ps; provision, protection and participation. Articles 43-54 explain how Governments and other organisations work to ensure that children do actually benefit from these rights. 194 countries have signed up to the UNCRC and are now bound by international law to adhere to it, with only Somalia and the USA left to ratify (Unicef, 2019).

In 2001, Wales became the first UK country to appoint a Children's Commissioner. A new curriculum for Wales will be introduced in 2022 and "The UNCRC underpins each Area of Learning and Experience and each of the Four Purposes of the curriculum." (Children's Commissioner for Wales, 2019). This is in addition to the Rights of Children and Young Persons (Wales) Measure 2011, which saw Wales become the first UK country to make the UNCRC part of domestic law.

Article 3 All decisions should be in the best interests of the child.

This is one of the "General Principles" of the UNCRC, meaning that it has an underpinning role in all of the other articles. The principle is that all adults must make decisions based on what will provide the best outcomes for the child. "This particularly applies to budgetary authorities, policy makers and legislators." (UK Parliament, 2015).

Within settings, Article 3 relates to making referrals where there is a concern, either regarding safeguarding or identifying a need, educationally, developmentally or within their household. Team Around the Family (TAF) can provide advice and support in accessing appropriate help for families who need help to improve their health, happiness and/or wellbeing (Ceredigion County Council, 2019). Safeguarding is the responsibility of everyone, and where there is immediate concern for safety the police should be contacted on 999, anyone can contact their local social services department to report a concern and they are available 24 hours a day to investigate (Ceredigion County Council, 2019).

An inquiry by Lord Laming (2003) following the death of Victoria Climbié led to a report containing 108 recommendations, and in particular emphasised the need for better inter-agency working. This changed policy and practice around sharing information and working together considerably. Every Child Matters (DfES, 2003) followed as a programme which has made the work of welfare and education services more integrated, putting schools and their staff at the centre of such an approach (Jones and Walker, 2011). Welsh Government launched their flagship Flying Start programme in 2007, it provides health services, childcare, support for parents and early language support, usually in integrated centres, though this service is only offered in certain postcode areas, where a need has been identified (Thomas, 2018).

Curriculum for Wales 2022 has been developed with the UNCRC at its core and Article 3 features heavily as an influence for the teaching about, through and for human rights. In particular, it is referenced in the area of citizenship, respecting the rights and needs of others and in encouraging positive relationships which are based on mutual trust and respect in the development of healthy and confident members of society (Children's Commissioner for Wales,

Article 12 Respect for children's views.

This ties in with Article 3, in that one of the best ways to ensure that decisions are in the best interest of the child is to consult with the child. A child's views should always be listened to, taken into account and seriously considered by adults (Unicef, 2019).

In 2001 Wales became the first nation in the UK to appoint a Children's Commissioner. Their role is to promote the rights of children, ensure that children's rights are respected by Government and other organisations and to enable children by making them aware of what their rights are (Children's Commissioner for Wales, 2019).

Reggio Emilia focuses on children as being competent members of society, and as such, having rights rather than needs. The children are heavily involved in directing their own learning and following their own interests. The approach in Sweden emphasises the development of knowledge and skills, where following the child's interests fosters a lifelong love of learning. (Nutbrown, 2012).

Article 12 continued:

It is acknowledged that respecting the voice of the child and doing what is in the best interests of the child can be seen to contradict each other and all the evidence must be carefully considered before decisions are made. The Children Act 1989 and the Children Act 2004 can be seen as aiming to strike the right balance between the two (Maynard and Powell, 2014). The Social Services and Well-being (Wales) Act 2014 provided a legal framework for service provision in Wales and as such, led to the creation of regional safeguarding boards which coordinate the work of the local authority, the police service, the health board and NHS trust and probation services (NSPCC, 2019).

Article 28 Every child has the right to access an education.

“Children and young people have the right to receive a quality education. This means that children and young people should be able to attend school (or another place of learning), learn, and be treated well when they are being educated.” (Children’s Rights Wales, 2016).

To ensure the quality of education provision and to make sure that current regulations are being followed, education settings in Wales are inspected and regulated by Estyn, which receives funding from the Welsh Government but is independent of it. (Estyn, No date). Care providers are regulated and inspected by Care Inspectorate Wales (CIW), and in some settings where both care and education are provided, such as the Welsh pre-school “Cylchoedd Meithrin”, there is a programme to roll out joint inspections (Care Inspectorate Wales, 2019).

Mudiad Meithrin is an umbrella organisation for Welsh medium settings, funded by the Welsh Government to deliver 10 hours of funded Foundation Phase education to children aged 3 and 4. They advocate learning through play, in line with the ethos of the Early Years Foundation Phase and immersion in the Welsh language (Mudiad Meithrin, No date).

In addition to the right to an education, the Education Act 1996 means that parents/guardians are legally bound to ensure that children of compulsory school age (5-16) attend full time education in Wales and England (Library of Congress, 2015).

Article 29 The aims of education.

Wales will introduce a new curriculum in 2022, with the aim of nurturing learners who in the words of Kirsty Williams AM, are “inspired, motivated and supported” (Welsh Government 2019). It has 4 main overarching principles, to ensure that children and young people will be:

- Ambitious, capable learners.
- Enterprising, creative contributors.
- Ethical, informed citizens.
- Healthy, confident individuals.

(Welsh Government, 2019)

In Wales, education is largely a devolved area, with Welsh Government ministers being responsible for regulating the curriculum and the workforce. This regulation and guidance places certain responsibilities with local authorities, such as ensuring sufficient school places and appropriate provision for those with additional learning needs (Welsh Government, 2016).

The innovative Te Whariki approach to education found in New Zealand takes a holistic approach, thus supporting all areas of a child’s development, including social, emotional, physical and spiritual as well as the cognitive aspect. The name literally translates from Maori as “woven mat” and acknowledges the different ways and pace of learning, the importance of responsible citizenship and the role of the community and family for a developing child to feel empowered (Nutbrown, 2012).

In Montessori settings, well planned, interesting environments are used to provide opportunities for children to explore their own methods of learning. Practitioners take on an observational role, and will give presentations to demonstrate how materials can be used, rather than giving lessons. The aim is to not disrupt or distract a child from their work and to encourage independence by not interrupting a child when they are completing a task independently (Feez, 2010).

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