

EDUCATION ON RIGHTS BASED APPROACH

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INTRODUCTION

A rights-based approach to education emphasizes that education is a fundamental human right and that it is not a privilege. The perspective that I'm looking at ensures that all individuals regardless of their background or circumstances have access to quality education. This means that it places a legal and moral obligation on governments and other stakeholders to provide and protect this right and meaning that person is safer. Another thing this approach does is it also focuses on equity and inclusion, addressing discrimination and marginalization in educational settings. It will also promote the participation of students, parents, and communities in shaping educational policies and practices. By integrating human rights principles into education societies can help with things such as social justice, equality, and respect for human dignity. Ultimately, a rights-based approach aims to empower individuals to claim their right to education and to hold duty-bearers accountable for fulfilling their obligations. (Jones).

The Welsh government has enacted several key pieces of legislation, such as the Education Act 2002 and the Children Act 2004, which emphasize the well-being and rights of children and young people. These laws ensure that education policies and practices align with the principles of the United Nations Convention on the Rights of the Child (UNCRC). The Welsh government's policies also prioritize inclusive education, aiming to create a system that meets the diverse needs of all learners such as (ALN) learners. Initiatives like the Additional Learning Needs (ALN) system, established under the Additional Learning Needs and Education Tribunal (Wales) Act 2018, ensure that students with additional learning needs receive the support and resources necessary to succeed such as more attention if needed and the proper teaching methods to help them develop to their best. This framework reflects a broader commitment to social justice and equality, ensuring that every child in Wales has the opportunity to reach their full potential through education. Furthermore, the Welsh government actively promotes and protects the Welsh language through education policies, aiming to create a society where both languages thrive. This commitment is being done so that we are ensuring that students have the opportunity to learn and use Welsh which will then be contributing to the preservation of Welsh culture and identity. (Murphy et al.).

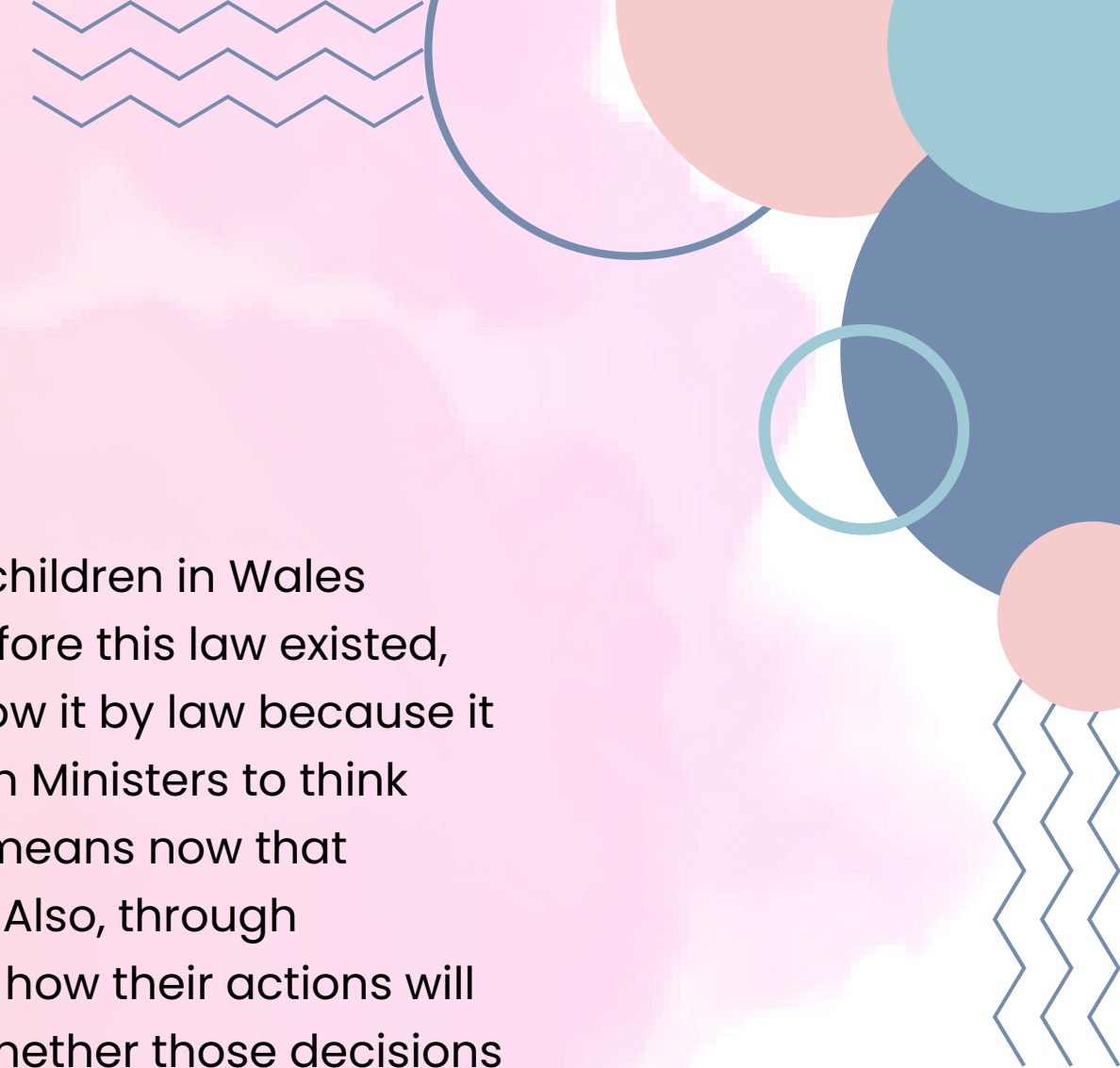
Lastly, I would like to talk about what are Children's rights. Children's rights are the fundamental human rights entitled to all individuals under the age of 18. These rights are used because of United Nations Convention on the Rights of the Child (UNCRC) and cover a wide range of areas, including the right to education, health, protection from violence and exploitation, and participation in decisions that affect their lives. Children's rights recognize that children are not merely miniature adults but individuals with specific needs and vulnerabilities that require special protection and consideration. A rights-based approach is a framework that integrates human rights principles into mostly policies. It emphasizes that all individuals are rights-holders and that governments and others have obligations to respect and protect all these rights. In the context of education, a rights-based approach means ensuring that every child has access to quality education without discrimination, promoting their active participation in the learning process, and holding duty-bearers accountable for upholding their right to education. This approach aims to empower individuals to claim their rights and create a more just and equitable society. (Jones).

KEY LEGISLATIVE MILESTONES

Wales has made several important changes to strengthen children's rights. Firstly in 2004, the Welsh Government decided that all policies for children should be based on the UN Convention on the Rights of the Child (UNCRC). This was a big step because it meant children's rights had to be considered in everything the government planned. Then, the Children and Families (Wales) Measure 2010 was introduced, which focused on reducing child poverty in lots of areas that needed it, improving play opportunities for all children, and supporting families by helping with stuff like cash assistance, education and healthcare and also long term resettlement. The most important milestone came with the Rights of Children and Young Persons (Wales) Measure 2011, which made it a legal duty for Welsh Ministers to think about children's rights whenever they make decisions. This made Wales the first part of the UK to put children's rights into law in such a strong way. Together, these laws show Wales' commitment to protecting children and making sure their voices are heard which is important because it cuts through complexity as most children speak without political agenda and their unique perspective confronts the immediate human cost of their decisions. ("Children's Rights in Wales | Policy and Law Reform")

RIGHTS OF CHILDREN AND YOUNG PERSONS 2011

The Rights of Children and Young Persons (Wales) Measure 2011 for me is one of the most important laws for children in Wales because it makes sure that children's rights are taken seriously by the Welsh Government. Back in the day before this law existed, the government supported the UN Convention on the Rights of the Child (UNCRC), but they didn't have to follow it by law because it was more of a promise than a requirement. The 2011 Measure changed this by making it a legal duty for Welsh Ministers to think about children's rights whenever they make decisions or create new policies and change existing ones. This means now that children's rights must be considered at the very start of the decision-making process, not as an afterthought. Also, through research I found that the law uses the phrase "due regard", which means Ministers must properly think about how their actions will affect children and young people. They cannot ignore children's rights or make decisions without checking whether those decisions support or harm the children themselves. Again, they must show evidence that they have thought about the UNCRC and explain how they have taken children's rights into account. This makes the government more responsible and careful when planning anything that affects children. Another important part of the Measure is that it requires the Welsh Government to publish a Children's Rights Scheme where this document explains how Ministers will make sure they follow the law and how they will keep children's rights at the centre of their work. They also must report regularly on what they have done, which helps the public, especially schools and organisations should also check whether the government is doing what it promised. This then creates transparency and accountability, meaning the government must show its work and cannot hide decisions that might harm children. This was all introduced in stages as in 2012, it applied to new laws and policies. In 2014, it was expanded to cover all ministerial functions, meaning every decision made by Welsh Ministers must now consider children's rights. This made Wales the first part of the UK to embed the UNCRC so strongly into its legal system. Overall, the Rights of Children and Young Persons (Wales) Measure 2011 strengthens children's rights by turning them into a legal requirement, making sure the government always thinks about children by listens to their needs and protects their wellbeing in everything it does. It helps create a culture where children are seen as important, valued, and deserving of respect in all areas of Welsh life. (Welsh Government)



HOLISTIC DEVELOPMENT OF LEARNERS AND PROMOTING THEIR RIGHTS

Like I have said earlier on the Curriculum for Wales is designed around the idea that every child is a rights-holder, and this is shown clearly in the way the curriculum focuses on the whole child and not just academic results. One important factor is that it supports the UN Convention on the Rights of the Child (UNCRC) by recognising that children have the right to be listened to and to be involved in decisions and to learn in ways that meet their needs. The curriculum encourages schools to create learning environments where children feel valued, respected, and able to express their views. This means learners are not just passive receivers of information, but they are also active participants in shaping their own learning experiences and that can also lead them to develop what they like to learn and then Mold them into what type of things they would like to do as a job in the future. A key part of this rights-based approach is the emphasis on holistic development. The Curriculum for Wales aims to help children grow in all areas of life for example academically, socially, emotionally, physically, and creatively. This supports children's rights to education as well as wellbeing, play, and personal development. The four purposes of the curriculum are helping learners become capable and informed and are directly linked to children's rights to be supported and protected so that they are prepared for their futures. The curriculum also promotes children's right to participate in decisions that affect them. Schools are encouraged to involve learners in choosing activities and giving feedback on their learning. This reflects Article 12 of the UNCRC, which states that children have the right to express their views and have them taken seriously. By giving learners, a voice in their education, the curriculum helps them develop confidence, independence, and a sense of ownership over their learning. (Children's Commissioner for Wales)



EDUCATION REFORM PROGRAMME IN WALES

The Education Reform Programme in Wales is designed to transform the education system so that it supports not only strong academic achievement but also the wellbeing voice and rights of every learner. This programme is closely linked to the UN Convention on the Rights of the Child (UNCRC), which Wales has committed to embedding across all areas of government, including education. A key part of the reform is actually the Curriculum for Wales, which encourages schools to focus on the whole child. This means helping learners grow academically, socially, emotionally, and physically. By doing this, the programme supports children's rights to education, health, play, and personal development. Again, with the curriculum's Four Purposes helping learners become capable, healthy and confident reflects the idea that children have the right to be supported in all areas of life, and again not just in exams. The Education Reform Programme also promotes children's right to participate in decisions that affect them. By building learner voice into the curriculum and school culture, the programme helps children feel respected and included and might even get along with other children. Another important part of the reform is its focus on wellbeing. The programme recognises that children learn best when they feel safely supported and emotionally healthy. This is why wellbeing is built into the curriculum, teaching, assessment, and school environment. It supports children's rights to protection, care, and a positive learning experience. Also, wellbeing is essential in a school curriculum because a student's emotional and mental state directly impacts their ability to learn and when the students feel supported, they can develop the resilience to handle setbacks and engage more deeply in class and are also better prepared for life after they finish school. (Dauncey and Morgan)

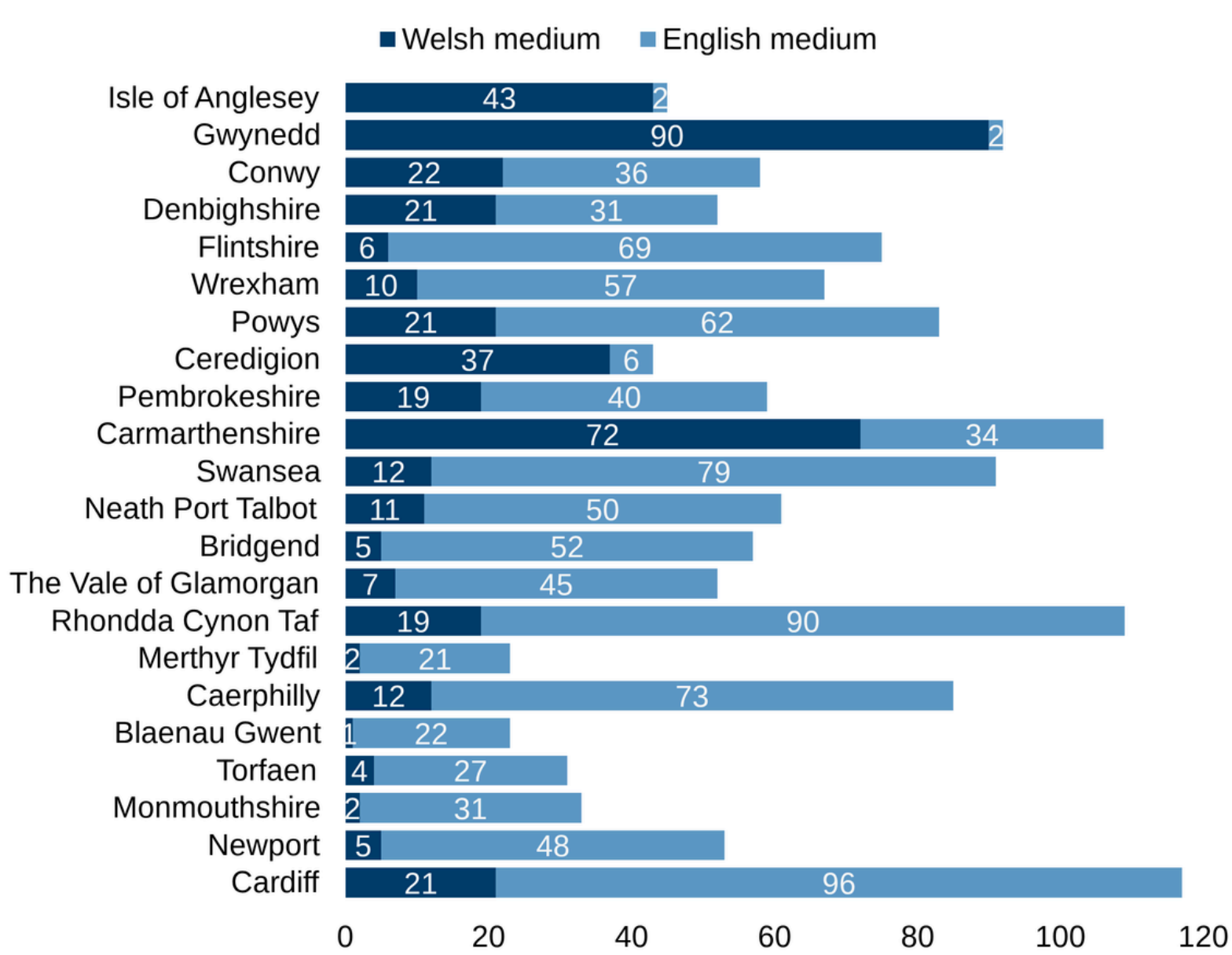


SAFEGUARD THE RIGHTS OF CHILDREN

To promote and safeguard the rights of children and young people throughout their educational journey in Wales, it's essential to ensure that everyone involved and especially the children or the educators and of course the parents, and they should be well-informed about children's rights under the UNCRC and Welsh law, integrating rights-based education into the curriculum and teaching children about their rights and responsibilities. This includes developing inclusive education policies that cater to the diverse needs of all learners, providing fair access to resources and opportunities, and creating platforms for children to participate in decision-making through student councils and consultations, ensuring their voices are heard and incorporated into school policies. Furthermore, fostering a safe and supportive learning environment is critical, where children feel valued and protected from bullying, discrimination, and violence, with lots of anti-bullying policies and counselling services alongside training staff to recognize and respond to safeguarding concerns. Finally, establishing accountability and monitoring mechanisms through regular audits and data collection ensures that schools and education authorities are held responsible for upholding their obligations to children, ultimately empowering them to reach their full potential and become active, engaged people. Also safeguarding in schools is critical because it ensures every child is protected from harm or things like abuse and neglect and exploitation. While wellbeing focuses on helping students thrive safeguarding creates the fundamental foundation of safety they need to exist and learn. (NSPCC)

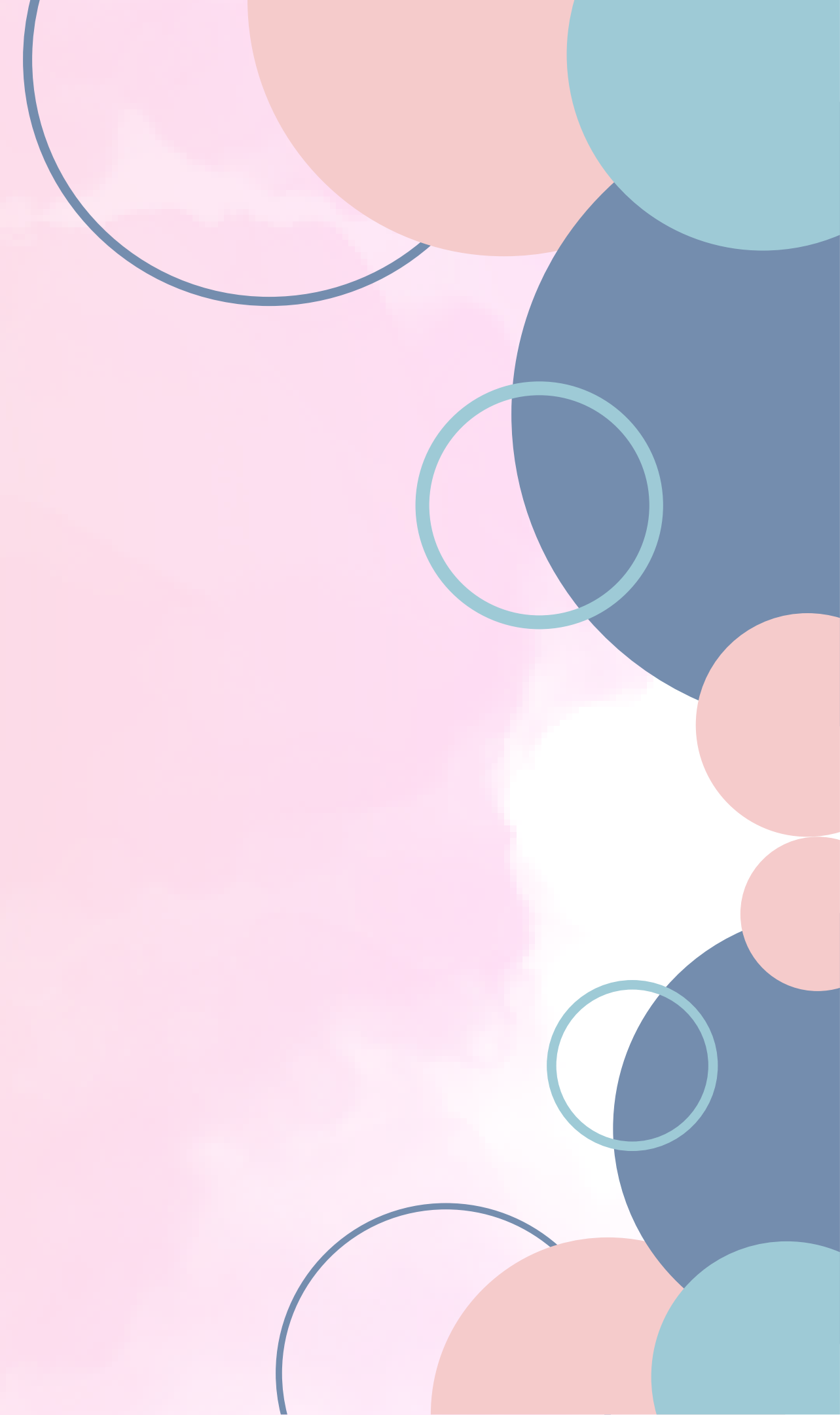
RESOURCE ALLOCATION IN SCHOOLS

One of the biggest challenges in fully promoting and safeguarding children’s rights in Wales is resource allocation. Even though Wales has strong laws and policies that support children’s rights such as the Rights of Children and Young Persons (Wales) Measure 2011 and the Curriculum for Wales schools still need enough funding, staff, and time to put these rights into practice and make their environment safe and useful. When funding is limited, it becomes harder for schools to provide the support and opportunities that children are entitled to. Limited resources can affect many areas. For example, schools may struggle to offer enough wellbeing support, such as counsellors, staff, or mental-health programmes. This can make it harder to protect children’s rights to safety, emotional support, and good mental health and with this the child's trust is with the school more and they feel safe everyday which is what's needed. Similarly, when budgets are tight, schools may not have enough staff to give children individual attention while listen to their views or involve them in decisions about their learning something that is essential for them to take in. Competing priorities also create pressure. Schools must balance academic expectations, additional learning needs (ALN) support, safeguarding duties, and wellbeing work. When resources are stretched, rights-based initiatives such as learner voice groups or participation projects and rights-respecting training may be seen as extras rather than essentials. This can limit how effectively children’s rights are embedded in everyday school life. Despite these challenges, many schools in Wales work hard to protect children’s rights by using creative approaches, building strong relationships and making the most of the resources they have. However, without sufficient funding and support it becomes difficult to fully deliver the rights-based vision set out in Welsh legislation and the Curriculum for Wales. To conclude school funding is critical because it directly dictates the quality of resources, staff levels and learning environments available to students. Without financial investments to the schools, they cannot effectively deliver important things like wellbeing programmes or maintain safeguarding standards. (Welsh Government, “Schools’ Census Results: January 2024 [HTML] | GOV.WALES”)



POLICY IMPLEMENTATION IN WELSH SCHOOLS

Turning national legislation into everyday routines, teaching approaches, and school culture requires time, resources, and clear guidance. One major challenge is that schools across Wales are very diverse. They vary in size, funding, staffing levels, community needs, and levels of experience with rights-based practice. Because of this, ensuring consistent implementation across all settings can be difficult. Some schools may have well-established systems for learner voice, wellbeing, and rights-respecting practice, while others may struggle due to limited capacity or competing priorities. To implement rights-based policies effectively, schools need clear guidance from the Welsh Government and local authorities. Without clear expectations and practical examples, staff may be unsure how to apply legislation in their daily work. Schools also need training and professional development so that teachers and support staff understand children's rights, know how to embed them in the curriculum, and feel confident promoting participation and well being. Another important factor is monitoring and support. For policies to be applied consistently, schools need ongoing feedback, evaluation, and encouragement. This helps identify gaps, share good practice, and ensure that children's rights are being upheld in every classroom not just in schools that already have strong systems in place. Overall, while Wales has strong legislation that protects children's rights, effective implementation depends on clear guidance, proper training, and consistent monitoring. Without these, it becomes difficult to ensure that every child in every school experience their rights fully throughout their educational journey. (Power and Taylor)



CONCLUSION

To conclude Wales has built a strong rights-based foundation for its education system by combining legislation, national policy, and curriculum reform. Together, these elements ensure that children's rights are not only recognised in theory but actively supported in everyday school life. Things like the Rights of Children and Young Persons (Wales) Measure 2011 is central to this approach because it places a legal duty on Welsh Ministers to consider the UNCRC in all decisions relating to children. This means that every new education policy, reform, or initiative must be designed with children's rights in mind, helping to safeguard their wellbeing, participation and protection at a national level. This legal commitment is carried into practice through the Education Reform Programme, which aims to create an education system that supports both academic achievement and the wider rights of learners. By focusing on wellbeing, inclusion, and equal opportunities the programme ensures that children's rights to safety and fair treatment are embedded across all schools. The Curriculum for Wales further strengthens this rights-based approach by placing the learner at the centre of education. Its focus on holistic development, wellbeing, and active participation reflects key UNCRC principles. Children are encouraged to contribute to their learning, share their opinions, and take part in shaping their school experience. This supports their rights to education, personal development and participation. The curriculum also promotes positive relationships, respect, and inclusion, helping to create safe and supportive environments where children's rights are upheld daily. However, Wales recognises that strong legislation and policy alone are not enough. Effective implementation requires clear guidance, staff training, and ongoing monitoring to ensure consistency across diverse school settings. There are also challenges such as limited funding and competing priorities can make it harder for schools to fully deliver rights-based practice, but the national framework provides a strong foundation for progress. Overall, Wales incorporates a rights-based approach by aligning law, policy, and curriculum to create an enabling environment where children's rights are respected in decision-making, protected through supportive systems, and fulfilled through everyday educational experiences.

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