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PROGRAMING	For this assessment, you can use Generative AI to create and check code.	Yes ☐ No ☒
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Respecting Children and Young People's Rights in Wales

The NSPCC (2025) defined a child as anybody under the age of 18. Welsh Government (2021) considers anybody between the ages of 16 and 24 to be a young person and continue to provide some forms of additional support which those over the age of 24 may not receive. This essay aims to explore a rights-based approach to education in Wales, taking into consideration the legal legislation and frameworks to support this, as well as potential barriers which may occur. It will also consider any relevant case studies which link to the implementation of Children's Rights, and the effectiveness of these within practice. Educational theorists will also be linked to children's rights, and the impact on learners in Wales.

There are several legal documents and policies which are put in place to govern and promote the rights of children living and receiving education in Wales. One of these are Children's Rights (United Nations, 2025). Human rights are the universal rights that we hold as a human being (United Nations, 2025). These rights remain regardless of our age, gender, ethnicity and religion (United Nations, 2025). Unlike Adult rights the United Nations Convention on the rights of the child (UNCRC) apply to children specifically and take into consideration the added vulnerability of being a child (United Nations, 2025). Children are educated on their rights in school and are further able to understand and promote the importance as they develop and progress (Welsh Government, No Date). These Children's rights are shared across Wales and apply to children in pre 18 educational settings (United Nations, 2025). There are also specific schools which identify as rights respecting school, these emphasise the importance of children's rights in everyday lives and demonstrate to all pupils how these can be respected (Unicef, No Date).

The UNCRC provide training, guidance and assessment to all rights respecting schools to ensure teaching and learning quality is of a good standard (UNICEF, No Date). This can have

significant positive impact on the understanding that children have regarding the importance of how they are treated, despite being under the age of 18 (Croke et al, 2021). A case study showed that by promoting children's rights in education in Wales, instigated a positive impact involving the child in the decision-making process (Croke et al, 2021). This study also suggested that by using youth forums, school councils and child-led research, Wales are better able to make long-lasting sustainable change regarding the way that children are being educated about their rights (Croke et al, 2021). To further support this, Estyn's inspection report on a special needs school in Bridgend, noted the commitment put in to educating and teaching children about their personal rights (Estyn, 2023). They highlight the rights-based approach being taken by teachers and believed that this helps to develop life-long skills, aligning with the UNCRC (Estyn, 2023).

Although evidence suggests that rights respecting schools have a positive impact on a child's understanding and development, there are barriers which prevent all Welsh schools from implementing this attitude towards education (Murphy and Conn, 2022). A lack of training may for example act as a barrier for schools becoming rights respecting (United Kingdom UNICEF, No Date). Training can take anywhere from hours to days and should be completed by all staff who plan on promoting these principles. Staff also need to be aware and willing to complete any updates in the training requirements (United Kingdom UNICEF, No Date). Another barrier to becoming a rights respecting school is a lack of knowledge and understanding (Unicef Rights Respecting Schools, No Date). If staff are unaware of the principles and its aims, they may not recognise the positive outcomes and behaviours it could promote (Unicef Rights Respecting Schools, No Date). It may in turn suggest that this could impact on the implementation of rights respecting schools into the Welsh education system. From these reports, and consideration of potential barriers, it would be reasonable to imply that by using the UNCRC training, direction and guidance in education in Wales, it can have a positive impact on a child's personal understanding both in the present and the future, however if school staff are not willing to complete adequate training, this could put children in Wales at a disadvantage.

The Social Services and Well-Being (Wales) Act 2014 imposed a duty on local authorities and health boards to protect and support those with care needs, alongside those who may be caring for somebody (Welsh Government, 2014). The 5 key principles of the act were, Well-Being, Voice and Control, Prevention and Early Intervention, Multi-Agency Working and Co-Production (Llewellyn et al, 2023). Although this act is not directly linked to the education setting, the use of multi-agency working and co-production helps honour the rights of a child and considered protection of pupils in schools against harm, encouraging effective measures to achieve happy and safe pupils (Legislation.gov, 2014). According to Social Care Wales (2025), safeguarding concerns the protection of children and adults from abuse or neglect, educating those around them to recognise signs of danger. In Wales school teachers and staff are trained in safeguarding to further protect the rights of the child in education settings (Estyn, 2024). To further assess the quality of the safeguarding within schools, Estyn inspect the Designated Safeguarding People (DSP) approximately once every six years to ensure the child's safety is priority within schools (Estyn, 2024).

The Social Services and Well-Being (Wales) Act 2014, and the use of safeguarding both promote a rights-based approach within education. A comprehensive school in Caerphilly was able to implement an effective safeguarding policy into their practice (Directorate of Lifelong Education and Learning, 2024). The policy emphasises the vulnerability of pupils in the care system (Directorate of Lifelong Education and Learning, 2024). This highlighted the importance of clear communication, so they can offer support and advice when required, whilst the children develop at their own pace, creating a sense of independence, providing them with an opportunity to actively participate in decision making (Directorate of Lifelong Education and Learning, 2024). It also noted making other services available, post comprehensive school to support transition from a child to a young person (Directorate of Lifelong Education and Learning, 2024). The importance of active participation is also supported by Lewis et al (2017) who's research showed that children of a comprehensive age feel more in control of their rights when participating in decision making. This represents how children rights are supported within education settings and links with the principles of the United Nation Convention on Rights of a Child (UNCRC) (Save the Children, 2019).

Although safeguarding and child protection training is a legal requirement in all education settings across Wales, there are still barriers which effect the implementation and quality of safeguarding procedures in schools (Sharley, 2023). One barrier to receiving poor quality safeguarding is due to a lack of awareness (Sharley, 2023). If staff are not trained, they may not recognise the common signs of abuse or neglect that a child may be demonstrating (Walsh et al, 2023). Due to this a child's needs and rights may not be met, and issues which they may need protecting against could continue to worsen or go unnoticed (Walsh et al, 2023). Estyn assess all education practitioners' child protection training status when inspecting schools, approximately every 6 years (Estyn, 2025). This could help to avoid any issues with appropriate safeguarding procedures within Welsh education settings (Estyn, 2025). This lack of safeguarding knowledge goes against numerous UNCRC Articles, including Article 19: Protection from violence, abuse and neglect (Unicef, 2019). Fear of repercussion and being incorrect can also act as another barrier when reporting safeguarding concerns within schools. Espelage et al (2022) highlights the importance of reporting issues despite the opinion, views or fears that it may impact others in any way. The report refers to the term 'snitching-culture' as a way of describing the stigma built around reporting safeguarding issues with other staff members and potential home-life concerns (Espelage et al, 2022). The Keeping Learners Safe document further emphasises the importance of reporting and sharing of issues with the DSP within schools, despite potential effects on others, with the child being the absolute priority (Welsh Government, 2021). With the appropriate use of safeguarding procedure, children's safety and well-being are protected to a higher standard, reducing the risk of harm.

Section 28 of The Children Act 2004, was a vital piece of legislation which aimed to protect the safety and well-being of children (legislation.gov, 2004). It put emphasis on the duty of care held by members of local authorities and services (including teachers, police, medical professionals and governors) to safeguard and promote the welfare of children and young people (legislation.gov, 2004). This act supported professionals who worked closely with children, making them aware of their vulnerability within an evolving society (legislation.gov, 2004). Their role also highlights the importance of participation regarding choice in decisions

involving themselves (legislation.gov, 2004). The values of this act link with the role of the Children's Commissioner for Wales and the actions which they advocate (Children's Commissioner for Wales, 2025).

The role of the Children's Commissioner for Wales is to focus on promoting and safeguarding children's rights, ensuring that their voices, opinions and views are heard, and then influence policies and frameworks which impact on their lives (Children's Commissioner for Wales, 2025). They consider how they can embed the principles of the UNCRC into children's everyday lives and practices (Children's Commissioner for Wales, 2025). The role requires them becoming involved within communities, and holding discussions with children to identify what change may be needed (Children's Commissioner for Wales, 2025). The Children's Commissioner also works alongside organisations including councils and health trusts to see what action they are taking to promote and protect children's rights (Citizen's advice, 2025). They also provide advice and support in how to implement children's rights for those who contact their team with questions or queries (Citizen's advice, 2025).

Murphy et al (2024) conducted research into the implementation of rights-based approaches into Welsh primary schools. The results showed the Welsh government and the children's commissioner for Wales had attempted to promote a greater awareness and education around children's rights and the UNCRC within education. However, there is no evidence to suggest that any education curricular or practice has been improved or amended (Murphy et al, 2024). Despite the lack of legal and policy change, research suggested that primary school age children are becoming more aware of their rights, but not necessarily to the level they expected (Murphy et al, 2024). They suggest a requirement to train and educate teachers and learning facilitators, to scaffold children in their knowledge development of the UNCRC (Murphy et al, 2024). This information seems to suggest that although the Children's Commissioner for Wales efforts are not unnoticed, a larger step needs to be taken in the direction of legal education policy and framework. Estyn (2017) reviewed a comprehensive school in Swansea and noted a demonstration of an inclusive ethos, which maintained a caring and considerate environment, with an excellent attitude

towards learning and knowledge development. It highlighted that the children appeared to have great understanding of morality and noted respect for both staff and peers in the school (Estyn, 2017). To support this Estyn report, this school also received a gold reward from the Unicef, suggesting that these positive qualities also transfer to an understanding of their rights, and the rights of the people around them (Unicef, No Date).

Although the Children's Commissioner for Wales is a critical role in promoting and advocating for the rights of children, there are barriers which they may face which prevent them from doing their job to the highest standard (Children's Commissioner for Wales, 2022). Funding is one issue which is extremely prevalent within this role (Children's Commissioner for Wales, 2024). For 2023-2024 the Children's Commissioner for Wales received £1,720 million to fund their activities (Children's Commissioner for Wales, 2024). Although initially appeared to be a substantial amount, there were issues raised regarding children who have additional learning needs or social care needs (Children's Commissioner for Wales, 2022). Reports have shown a delay in receiving support and funding being difficult to access (Children's Commissioner for Wales, 2022). This report also highlights that children and families will quite often never receive the support or funding which they deserve due to services disagreement on who is responsible (Children's Commissioner for Wales, 2022). This acts as a barrier to quality care and education, potentially impacting the well-being of the individual being affected (Lemke and Zhu, 2018). The commissioner suggests that clear frameworks need to be implemented to easily distinguish the responsibilities of different services (Children's Commissioner for Wales, 2022). From this it seems reasonable to conclude that if a child is not able to access these services, this could have detrimental impact on overall well-being and be a barrier in receiving and understanding their rights, and what they are entitled to.

The Equality Act 2010 aims to extend circumstances which a person is protected against discrimination, harassment or victimisation because of any protected characteristic (Welsh Government, 2011). There are nine protected characteristics which including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion

or belief, sex or sexual orientation (Welsh Government, 2011). This act takes a rights-based approach as it embeds principles of equality and non-discriminatory practice into laws (WJEC, 2019). This is applicable to both adults and children, protecting them from discrimination, harassment and victimisation (Welsh Government, 2011). This is relevant and taken into consideration with the education setting, particularly when teaching about children's rights, and deciding on an appropriate school ethos (Department of Education, 2014). It also applies to protecting children who attend school and who are also a part of a protected characteristics category (Department of Education, 2014). Schools implement this within bullying prevention and anti-bullying policies (NSPCC, 2025). Examples of this being taught in schools include the celebration of Anti-Bullying Week, Cyber-Bullying Awareness and Specific Workshops (NSPCC, 2025). Children attending Welsh schools are also often introduced to the seriousness of bullying in Personal, Social, Health and Economic (PSHE) lessons (NSPCC, 2025).

According to Gov.uk (No Date) bullying is the repeated behaviour with the intent to hurt somebody either physically or emotionally. The Welsh Government (2011) further build upon this highlighting the significance that the 9 characteristics can have as reasons for the behaviour. Anti-bullying policies and procedures take discriminative behaviours and children's rights in consideration within schools and other education environments. A case study showed that in comparison to other countries, Wales and their education sector appeared to have an extremely progressive and mature outlook on bullying and robust procedures to prevent it (Wang, 2018). Welsh government encourage schools in taking a proactive approach and preventative measures to ensure children are receiving the best quality of education and feel safe within Welsh schools (Wang, 2018). This case study also highlights the anti-bullying policies, meaning that Welsh schools are required and to develop appropriate anti-bullying policies with regular reviews, further emphasising the importance of safeguarding (Wange, 2018). The research also notes that policies usually include some form of incident monitoring and awareness of situations (Wang, 2018). To surmise, the preventions and interventions put in place across schools in Wales, implement a rights-based approach, ensuring children are safe, putting in place policies to help the management of bullying. Although this information suggests that Wales is seemingly

progressive in the prevention of bullying, Estyn's (2014) still believes that bullying is still common within primary and secondary settings and highlighted the long-lasting effects that it could have on an individual's emotional, social and mental development and well-being.

One barrier to the prevention of bullying within schools across Wales, is understanding what constitutes as a 'reportable issue' (Estyn, 2014). Types of bullying are vast and can be hard to identify, especially without a clear definition and appropriate training (Estyn, 2014). School staff should be unaware of the protected characteristics and the importance of these regarding the children's rights and how awareness of these impacts both education and well-being overall (Estyn, 2014). To overcome this barrier school practitioners can receive bullying and cyber awareness training, this would better equip them in identification and handling of situations which could indicate bullying (Children's Commissioner for Wales, 2019). Another barrier is resource limitation (Welsh Government, 2019). If schools do not have access to suitable funding, anti-bullying strategies cannot be put into place, meaning children may not understand the concept of bullying and the effects it could have on an individual (Welsh Government, 2019). This seemingly removes availability of the concept of teaching a rights-based approach to education as pupils, failing to provide best quality education and teaching.

There are several theoretical frameworks which underpin children's and young people's rights, putting emphasis of their development, improving their quality of education and their general well-being (Bueren, 2021). One of these theories is Maslow's Hierarchy of needs lifespan (Pichere, 2015). His theory suggests that a child needs to feel safe, comfortable and secure to achieve self-actualisation within their lifespan (Pichere, 2015). Education settings generally strive to provide nurturing and respectful environments where pupils' needs can be met, and where they feel safe (Firmin, 2017). According to Firmin (2017), safeguarding is the approach taken to identify, understand and respond to young people's experiences of significant harm. This emphasises the need for a safe environment, and takes into consideration holistic needs of the child, therefore not just an educational approach (Firmin, 2017). From this information it seems reasonable to suggest that if a child is comfortable

within their environment, they are better able to understand and build knowledge regarding their rights.

Bowlby's attachment theory also links to the understanding of children's and young people's rights (McLeod, 2025). Although Attachment theory doesn't necessary link directly to the learning of rights, it is vital for children to build nurturing relationships within their educational environments (McLeod, 2025). Children learn to build new types of relationships with both friends and teachers (Keddell, 2016). When children feel comfortable and nurtured, they are better able to act independently, whilst feeling comfortable to do so (McLeod, 2025). This means they understand their rights and can link this and implemented it into their everyday school life (Garbarino and Briggs, 2014). This seems to imply that because of this they should be better able to express their thoughts and opinions if they felt their rights were not being met.

To conclude, the application of children's rights in education can have positive impact on the well-being of individuals (United Nations, 2025). There are many frameworks and policies which help schools implement children's rights and the UNCRC into everyday teaching and practice (United Nations, 2025). Estyn Reports and case studies can help us understand most effective strategies, which include Rights Respecting schools, the use of the commissioner for Wales and Anti-bullying policies (Estyn, 2025; Children's Commissioner for Wales, 2022; NSPCC, 2025). Although these appear to educate children regarding the rights they are entitled to, there are also barriers which education practitioners face when practically finding ways to implement these. Wales has appeared to progress in the education of rights; however, research shows there is still a long way to go to ensure that children are educated and aware of their rights (Estyn, 2014).

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