



Overview of the UNCRC

A professional practitioner's responsibilities are child-based, ensuring they observe, assess and plan based around the child's best interest, enabling, and providing children with a safe environment to learn and develop. The United Nations Convention on the Rights of the Child (UNCRC) was implemented in 1992, as specified by the Department of Education (2010).

UNICEF (no date) state that the UNCRC covers all aspects of a child's life and rights, of which every child is entitled to, as the aim is to certify that all children have certain rights, regardless of their background, sex, views, language, religion, or disability. Save the Children (no date) recognises that the UNCRC defines 54 articles, all of which set out children's rights and also how the Government and multi-agencies should work closely together to guarantee these rights are available to all children, this highlights the importance of the UNCRC.

Article 3

- All decisions should be in the best interests of the child.

UNICEF (no date) recognised that there are four main principles to the UNCRC, known as the 'general principles', one being best interest of the child. As this right, is known as a 'general principle' it emphasizes the importance of it, since it also acts as a base for the principles within the UNCRC. Children's and Young People's commissioner Scotland (no date) state that the interests of children and young people should be thought and carefully considered within society, and that their rights should be respected by people in power.

Strengthening this point, best interests is a statutory principle set out in section 4 of the Mental Capacity Act (2005) as it agrees, that those who are unable to make informed decisions for themselves, may have these decisions made for them, as long as they are being made in the best interest of the individual. Highlighting the importance of this article, suggesting that adults must always think about the best interests of the child or young person when making a decision, which will have an impact on them. This suggests that professional practitioners should fully know each child whom they are working with, as they may be making decisions on their behalf. Erikson's (1958) supports the statement, as he discusses the importance of a practitioner understanding the different developmental stages which occur through childhood, this links into this aspect, as it implies that a practitioner will have to understand how much a child knows and understands at different ages, which further highlights the importance of both this role of the practitioner and this article.

Within childcare settings, article 3 relates to practitioners making referrals, and working with multi-agencies where there is a potential concern, regarding safeguarding, for example. NSPCC (2021) states that safeguarding is the action taken to protect children from harm, whilst promoting the welfare of each individual. Supporting this view, Pacey (no date), refer to how in Wales, standard 20 of the National Minimum Standards relates to child protection. The outcome for this standard is that the *"children are protected from harm and abuse and parents are confident that all possible steps to protect children from abuse are taken."* This highlights the value of this article, as it relates to the significant impact a decision made by a practitioner could have on a child, which is why all decisions should be based upon the best interests of the child.

Article 29

- Goals of education

The UNCRN, as stated on UNICEF (no date), acknowledge that education must aid children in becoming themselves, helping develop each child's personality, talents, and abilities to the fullest potential. must develop every child's personality, talents, and abilities to the fullest potential. The education system should prepare children in becoming responsible members of society.

Article 29, continued.

In 2022, a new curriculum is being introduced in Wales, in hope to improve the education system for all those involved. Kirsty Williams, the education minister proposed that traditional boundaries between subjects will be abolished, with six new areas of learning replacing them as an alternative, to provide further flexibility in the classroom. The Welsh Government (2020) recognise that there are four purposes of the new curriculum, these are to aid children in becoming: ambitious capable learners, enterprising creative contributors, ethical informed citizens, and healthy confident individuals. This shows that within Wales, the education system is beginning to move away from a highly structured approach and is becoming more flexible and child centered.

Montessori agree with this movement, as it is a method which is based on the children and learning through hands on experiences, as stated by Montessori Northwest (no date). This suggests that a child-centered education system is important and effective when supporting children throughout their educational journey. Further supporting this view, Bruner (1961) supports, as he agrees that children are active learners, suggesting that putting children at the front of their learning is essential, as they will learn better through firsthand experiences.

Article 13

- Freedom of expression

UNICEF (2019) acknowledge that article 13 in the UNCRC relates to how every child must have the freedom to express their thoughts and opinions, in a way which is best suited to them. Equality and Human Rights (2020), agree that everyone, including children have the right to hold their own opinions and to express them confidently, without interference.

Montessori settings incorporate different ideas into the environment which allow children to express themselves. Ledendecker (2019) agrees that children should be able to express their views, as well as their emotions. They recognise that emotions are a large concept to deal with, and therefore children should be encouraged to talk and express their emotions, as this will help build their self-esteem and problem-solving skills.



Article 12

- Respect for the views of the child

The UNCRC, highlight article 12, as the importance of children expressing their views and opinions, and having their views heard and respected, this should always apply, for example, during house decisions. This article also relates to article 3, to make the best-informed decision for a child, their views and opinions will need to be heard and respected, as much as possible. Isaacs (2013), suggest that no-one is able to solve a child's problem but them, agreeing that children need the opportunity express their views to those around them. However, as the UNCRC state it is important to take into consideration the age, and maturity of the child when allowing them to make their own decision – although all views or opinions should be respected and heard.

Ledendecker (2019), recognise that the Montessori approach is centred around respecting the views of each child, as through the Montessori approach children are encouraged to make their own decisions, whilst taking risks in a controlled environment. Montessori suggest that a child should guide their own learning and decisions, and practitioners and family members should follow this. This relates to article 12, as it highlights how allowing a child to express their own views and listening to these can have a positive impact on the individual. Strengthening this point, Clark (2014) agrees that adults should listen to children, as it helps the children feel respected, which then raises their self-esteem, aiding them in become confident, individuals, which is an outcome outlined in the New Curriculum (2015).

The Children's Commissioner for Wales is an independent children's rights institution established in 2001, the aim is to safeguard and promote children's rights under the Care Standards Act 2000, according to Towler (2013). Wales became the first place in the UK to appoint a children's commissioner, this contributes to helping children's views to be heard, and has helped give children a sense of freedom when making their own decisions and expressing their views, relating back to article 12.



Reference list:

Briefing paper

Children's and Young People's commissioner Scotland (no date) *UNCRC Simplified Articles*. Available at: <https://cypcs.org.uk/rights/uncrc/articles/article-3/> (Accessed: 2nd May 2021).

Clark, A. (2014) *Listening as a way of life*. Available at: https://exeter.anglican.org/wp-content/uploads/2014/11/Listening-to-children-leaflet_NCB.pdf (Accessed: 3rd May 2021).

Clipart Library (no date) *Collection of voice clipart's*. Available at: <http://clipart-library.com/voice-cliparts.html> (Accessed: 6th May 2021).

Clipart Library (no date) *Speech and Language*. Available at: <http://clipart-library.com/clipart/1091606.htm> (Accessed: 27th April 2021).

Department of Education (2010) *The United Nations Convention on the Rights of the Child: How legislation underpins implementation in England*. Available at: <https://www.gov.uk/government/publications/united-nations-convention-on-the-rights-of-the-child-uncrc-how-legislation-underpins-implementation-in-england#:~:text=The%20UK%20signed%20the%20convention,force%20on%2015%20January%201992>. (Accessed: 26th April 2021).

Equality and Human Rights Commission (2020) *Article 10: Freedom of expression*. Available at: <https://www.equalityhumanrights.com/en/human-rights-act/article-10-freedom-expression> (Accessed: 2nd May 2021)

Glow Blogs (no date) *Little people big voices picture*. Available at: <https://blogs.glowscotland.org.uk/sa/allowaypsandeyc/little-people-big-voices/> (Accessed: 6th May 2021).

Isaacs, S. (2013) *The Educational Value of the Nursery School*. London: The British Association for Early Childhood Education.

Ledendecker, M. (2019) *The Montessori school*. Available at: <https://www.berkshiremontessori.org/montessori-basics-respecting-the-child-as-an-autonomous-person> (Accessed: 5th May 2021).

Ledendecker, M. (2019) *The Montessori School*. Available at: <https://www.berkshiremontessori.org/guide-your-child-through-their-emotions> (Accessed: 3rd May 2021)

McLeod, S. (2018) *Simply Psychology*. Available at: <https://www.simplypsychology.org/Erik-Erikson.html> (Accessed: 3rd May 2021).

McLeod, S. (2019) *Bruner – Learning theory in education*. Available at: [https://www.simplypsychology.org/bruner.html#:~:text=For%20Bruner%20\(1961\)%2C%20the,to%20a%20range%20of%20situations.&text=The%20main%20premise%20of%20Bruner%27s,who%20construct%20their%20own%20knowledge](https://www.simplypsychology.org/bruner.html#:~:text=For%20Bruner%20(1961)%2C%20the,to%20a%20range%20of%20situations.&text=The%20main%20premise%20of%20Bruner%27s,who%20construct%20their%20own%20knowledge). (Accessed: 2nd May 2021).

Montessori Northwest (no date) *About Montessori Education*. Available at: <https://montessori-nw.org/about-montessori-education#:~:text=Montessori%20is%20a%20method%20of,activities%20to%20guide%20the%20process>. (Accessed: 3rd May 2021).

NHS (2021) *Mental Capacity Act*. Available at: <https://www.nhs.uk/conditions/social-care-and-support-guide/making-decisions-for-someone-else/mental-capacity-act/> (Accessed: 27th April 2021).

NSPCC Learning (2021) *Safeguarding children and child protection*. Available at: <https://learning.nspcc.org.uk/safeguarding-child-protection#:~:text=Safeguarding%20is%20the%20action%20that,children%20from%20abuse%20and%20maltreatment&text=taking%20action%20to%20enable%20all,to%20have%20the%20best%20outcomes>. (Accessed: 30th April 2021).

Pacey (no date) *Safeguarding*. Available at: <https://www.pacey.org.uk/working-in-childcare/spotlight-on/safeguarding/> (Accessed: 4th May 2021).

Save the Children (no date) *UN Convention on the Rights of a Child (UNCRC)*. Available at: <https://www.savethechildren.org.uk/what-we-do/childrens-rights/united-nations-convention-of-the-rights-of-the-child> (Accessed: 27th April 2021).

Towler, K. (2013) *Children's Commissioner for Wales*. Available at: <https://business.senedd.wales/documents/s16637/> (Accessed: 2nd May 2021).

UNICEF (2019) *A summary of the UN Convention on the Rights of the Child*. Available at: [https://downloads.unicef.org.uk/wp-content/uploads/2019/10/UNCRC_summary-](https://downloads.unicef.org.uk/wp-content/uploads/2019/10/UNCRC_summary-1_1.pdf?_adal_sd=www.unicef.org.uk.1620057584536&_adal_ca=so%3DGoogle%26me%3Dorganic%26ca%3D(not%2520set)%26co%3D(not%2520set)%26ke%3D(not%2520set).1620057584536&_adal_cw=1619723907308.1620057584536&_adal_id=5dfb2881-0d39-4301-99de-b1421e91c2c8.1619723907.3.1620057557.1619723932.03a405dc-2f1b-446b-8095-a749643ae910.1620057584536&_ga=2.257536780.621588540.1620057557-2045059393.1619723907)

[1_1.pdf?_adal_sd=www.unicef.org.uk.1620057584536&_adal_ca=so%3DGoogle%26me%3Dorganic%26ca%3D\(not%2520set\)%26co%3D\(not%2520set\)%26ke%3D\(not%2520set\).1620057584536&_adal_cw=1619723907308.1620057584536&_adal_id=5dfb2881-0d39-4301-99de-b1421e91c2c8.1619723907.3.1620057557.1619723932.03a405dc-2f1b-446b-8095-a749643ae910.1620057584536&_ga=2.257536780.621588540.1620057557-2045059393.1619723907](https://downloads.unicef.org.uk/wp-content/uploads/2019/10/UNCRC_summary-1_1.pdf?_adal_sd=www.unicef.org.uk.1620057584536&_adal_ca=so%3DGoogle%26me%3Dorganic%26ca%3D(not%2520set)%26co%3D(not%2520set)%26ke%3D(not%2520set).1620057584536&_adal_cw=1619723907308.1620057584536&_adal_id=5dfb2881-0d39-4301-99de-b1421e91c2c8.1619723907.3.1620057557.1619723932.03a405dc-2f1b-446b-8095-a749643ae910.1620057584536&_ga=2.257536780.621588540.1620057557-2045059393.1619723907) (Accessed: 2nd May 2021).

UNICEF (no date) *How we protect children's rights*. Available at: <https://www.unicef.org.uk/what-we-do/un-convention-child-rights/> (Accessed: 27th April 2021).

Welsh Government (2015) *Children's Commissioner for Wales*. Available at: <https://cymru-wales.tal.net/vx/mobile-0/appcentre-3/brand-2/candidate/so/pm/1/pl/8/opp/200-Children-s-Commissioner-for-Wales/en-GB> (Accessed: 29th April 2021).

Welsh Government (2015) *The 4 purposes of the curriculum in Wales*. Cardiff: WAG.

Welsh Government (2020) *Developing a vision for curriculum design*. Available at: <https://hwb.gov.wales/curriculum-for-wales/designing-your-curriculum/developing-a-vision-for-curriculum-design/#curriculum-design-and-the-four-purposes> (Accessed: 2nd May 2021).

Presentation reference list

Early Education (no date) *Working in partnerships*. Available at: <https://www.early-education.org.uk/working-partnership> (Accessed: 9th May 2021).

Evans, O. (2020) *Bronfenbrenner's Ecological Systems Theory*. Available at: <https://www.simplypsychology.org/Bronfenbrenner.html> (Accessed 7th May 2021).

Martinelli, K (no date) *How can we help kids with transitions*. Available at: <https://childmind.org/article/how-can-we-help-kids-with-transitions/> (Accessed: 7th May 2021).

McLeod, S. (2020) *Lev Vygotsky's Sociocultural Theory*. Available at: <https://www.simplypsychology.org/vygotsky.html> (Accessed: 10th May 2021).

Mentally Healthy Schools (no date) *Transitions*. Available at: <https://www.mentallyhealthyschools.org.uk/risks-and-protective-factors/school-based-risk-factors/transitions/> (Accessed: 6th May 2021).

Morin, A. (no date) *The Importance of Showing Empathy to Kids Who Learn and Think Differently*. Available at: <https://www.understood.org/en/learning-thinking-differences/understanding-childrens-challenges/talking-with-your-child/the-importance-of-showing-empathy-to-kids-with-learning-and-thinking-differences> (Accessed: 7th May 2021).

NHS trust (no date) *The Key Workers*. Available at: <https://childrens.nchc.nhs.uk/key-worker-service/the-key-workers/> (Accessed: 9th May 2021).

Pacey (2016) *Child observations and assessments*. Available at: [https://www.pacey.org.uk/Pacey/media/Website-files/PACEY%20member%20practice%20guides%20\(PDFs\)/PG05-Child-observations-learning-journeys.pdf](https://www.pacey.org.uk/Pacey/media/Website-files/PACEY%20member%20practice%20guides%20(PDFs)/PG05-Child-observations-learning-journeys.pdf). (Accessed: 4th May 2021).

Pacey (no date) *Role of the Key Person*. Available at: <https://www.pacey.org.uk/membership/pacey-membership-benefits/a-taste-of-membership/role-of-the-key->

[person/#:~:text=The%20key%20person%20is%20an,relate%20to%20and%20rely%20on.&text=The%20key%20person%20observes%20the,or%20need%20for%20extra%20support](#). (Accessed: 10th May 2021).

Pacey (no date) *Working in partnerships with parents*. Available at: <https://www.pacey.org.uk/working-in-childcare/spotlight-on/partnerships-with-parents/> (Accessed: 9th May 2021).

Royal College of Speech and Language Therapists (no date) *Speech and Language Therapy*. Available at: <https://www.rcslt.org/speech-and-language-therapy/#section-1> (Accessed: 10th May 2021).

Tickell, D. (2011) *The Early Years: Foundations for life, health, and learning*. Available at: <http://www.educationengland.org.uk/documents/pdfs/2011-tickell-report-eyfs.pdf> (Accessed: 9th May 2021).

UNICEF (no date) *How we protect children's rights*. Available at: <https://www.unicef.org.uk/what-we-do/un-convention-child-rights/> (Accessed: 3rd May 2021).

Welsh Government (2008) *Learning and Teaching Pedagogy*. Cardiff: WAG.

Welsh Government (2008) *Observing Children*. Cardiff: WAG.