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HUMAN RIGHTS EDUCATION IN THE NEW CURRICULUM: POSITION PAPER OF THE CHILDREN'S COMMISSIONER FOR WALES

Overview

The Children's Commissioner for Wales welcomes Welsh Government's commitment to transforming the education system and to improving the lives of children and young people. While the current school curriculum includes some elements that reflect human rights values and principles, supporting children to learn about their rights is not mandatory. The process of curriculum reform presents Wales with a key opportunity to address this gap. Placing children's rights at the heart of the curriculum will create a starting point from where all our commitments to children and young people should flow; directly living out human rights values in our relationships with children and young people, in our practice and pedagogy and in the systems we put in place to support children to be the best they can be. Therefore, this paper sets out the Commissioner's position on why human rights should form the compulsory, underpinning basis of the new Curriculum and:

- Outlines the key benefits to children entailed by the inclusion of due regard to the United Nations Convention on the Rights of the Child on the face of the Curriculum and Assessment Bill;
- Provides a definition of human rights education;
- Identifies the benefits of human rights education;
- Maps current integration of children's rights across the new Curriculum's 4 Purposes and 6 Areas of Learning and Experience (AoLE).

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1. Introduction

The Children’s Commissioner for Wales welcomes Welsh Government’s efforts to reform and modernize the education system. Overhauling the National Curriculum, revising the Professional Teaching and Leadership Standards and transforming the Additional Learning Needs system all signal Wales’ commitment to improving the lives of children and young people.

While the current National Curriculum does include some elements that reflect human rights principles and values, supporting children to learn about their rights is not mandatory. This is in spite of calls made by the UN Committee on the Rights of the Child^{1 2} for human rights education to be incorporated into the compulsory curriculum. While some progress has been made by schools locally, the practice and teaching of rights remains patchy and inconsistent across Wales.

However, the National Curriculum is undergoing a significant period of transformation and a once-in-a-generation opportunity exists to tangibly underscore our education system with human rights values and principles. This aspirational period of change will move Wales away from a traditional model of education where children are encouraged to ‘learn about’ a subject matter to a new, more innovative model that supports them to develop and apply knowledge and skills in real-world contexts. Essentially, the reform programme aims to make learning relevant to children’s lives and helps them to develop higher order skills that will better prepare them for adulthood and the changing world of work.

If we are to maximise our efforts to secure the long-term economic, social, cultural and environmental well-being of Wales then we must recognise the significant role education will play in helping us to determine our own future. Education is the foundation of creating a more prosperous, resilient and inclusive Wales. It is through education that we generate new knowledge, invest in skills and pass our values of fairness, equality and respect on to future generations. Therefore, the new curriculum must give regard to the catalytic role that fulfilling human rights and human rights education plays in achieving sustainable development and improving well-being³.

Article 29 of the United Nations Convention on the Rights of the Child (UNCRC) sets out that the minimum offer of education should be designed to provide children with life skills, strengthen their capacity to enjoy the full range of human rights and promote a culture which respects, protects and promotes the value of human rights⁴. To that end, it is the Commissioner’s view that a rights-based education must be secured across Wales. This includes not only the content of the curriculum but also the educational processes, the pedagogical methods and the environment within which education takes place. Therefore, this document outlines the Commissioner’s position on why human rights and children’s rights education should form the underpinning basis of the new Curriculum and sets out how it can be embedded as a cross-cutting framework across its Purposes and its Areas of Learning and Experience (AoLEs).

¹ UN Committee on the Rights of the Child (2008) *Concluding Observations: United Kingdom of Great Britain and Northern Ireland*. [.pdf] Available online at: <http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC.C.GBR.CO.4.pdf> Accessed on: 16/01/2018

² UN Committee on the Rights of the Child (2016) *Concluding Observations: United Kingdom of Great Britain and Northern Ireland*. [.pdf] Available online at <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsKH0i6VpDS%2f%2fjgg2Jxb9gncnUyUgbnuttBweOlylfyYPkBbwffitW2JurgBRuMMxZqnGgerUdpxij3uZ0bjQBp0P1vdh%2bziU8EmP5PnGXSC> Accessed on: 16/01/2018

³ United Nations General Assembly (2016) *Human Rights Council: Panel discussion on the implementation of the United Nations Declaration on Human Rights Education and Training: good practices and challenges*. [.pdf] <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/35/6&Lang=E> Accessed on: 16/01/2018

⁴ UN Committee on the Rights of the Child (2001) *General Comment No. 1 – Article 29(1): The Aims of Education*. [.pdf] Available online at: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsiQal8gX5Zxh0cQqSRzx6Ze%2f9ZHeLgwBpr0TgNk7n2KwvLTyUpYzrr02%2f7DotFSXAJUShXkO3j7y04tA46d54m4kcgEa%2b5RtfThvOH2pDQf> Accessed on: 16/01/2018

2. Due regard to the United Nations Convention on the Rights of the Child.

To safeguard the long term needs of children throughout their educational experience, a clear commitment to their rights should be included in new legislation for curriculum and assessment. Due regard to the United Nations Convention on the Rights of the Child [UNCRC] should appear on the face of the Curriculum and Assessment Bill. Ensuring the principles and provisions of the convention through domestic law will demonstrate Welsh Government's commitment to ensuring the rights of all children in Wales.

There is legal precedent for this in Wales in both the Social Services and Wellbeing (Wales) Act 2014 and the Additional Learning Needs and Education Tribunal (Wales) Act 2018. The Curriculum and Assessment Bill will have the widest reaching legislative change in Wales in terms of the universality of its impact on children. It will also apply specifically and exclusively to the experiences of children and young people. Without the inclusion of a duty to the UNCRC in the Curriculum and Assessment Bill there will be a situation in which some children and young people have the provisions of the UNCRC in domestic legislation pertaining to their education but not others. Including a duty to the UNCRC avoids the creation of an incoherent legislative framework for children in Wales, and will ensure consistent principles and provisions apply across educational settings.

This also shows a robust response by Welsh Government to the most recent recommendations of the UN Committee on the Rights of the Child, which identified in its Concluding Observations that such steps are necessary to enable children and young people in the UK to realise their rights, recommending that the state should:

7 (a) Expedite bringing its domestic legislation, at the national and devolved levels as well as in the Overseas Territories and the Crown Dependencies, in line with the Convention in order to ensure that the principles and provisions of the Convention are directly applicable and justiciable under domestic law¹

Not only will the inclusion of this due regard duty enable coherence between different legislative frameworks, it will also ensure coherence between the Curriculum and Assessment Bill and the documents that inform and will guide the implementation of this legislation. Successful Futures refers to the UNCRC in the principles of curriculum design and highlights that stakeholder support for the principles enshrined in the UNCRC informed the development of the purposes of the curriculum.² This focus has been reflected in current drafts of the achievement outcomes of the new curriculum, in which there is an explicit focus on children's rights and the UNCRC in both the Humanities and Health and Wellbeing. In addition, and as shown in the appendices to this paper, children's rights are implicitly addressed within all four purposes and the six Areas of Learning and Experience.

The inclusion of children's rights within these documents does not however negate the need to include a duty to the UNCRC on the face of the bill. Supporting guidance will be more subject to change and will not have the same degree of scrutiny as primary legislation. To ensure a lasting commitment to children's rights a duty to the UNCRC must appear on primary legislation. This will also create a bill that is fit for the future as it will secure children's long-term needs by basing the curriculum in the rights of the child; rights that are applicable in different contexts and that endure

¹ Concluding observations on the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland 2016

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/GBR/CO/5&Lang=En

² Successful Futures Independent Review of Curriculum and Assessment Arrangements in Wales Professor Graham Donaldson 2015 <https://gov.wales/docs/dcells/publications/150225-successful-futures-en.pdf>

despite social change.

The Professional Standards for Teaching and Leadership also includes the rights of learners as one of the overarching values and dispositions of professionals, stating that ‘the needs and rights of learners will be central and take priority in the teacher’s approach to their job.’³ Rights in this context can be interpreted broadly but positioning this requirement in relation to a due regard duty within the curriculum would provide professionals with clarity around the provisions and principles of the rights the children.

Including a due regard duty would therefore give a coherence and clarity to expectations of frontline practice that are either already in place or currently proposed, and does not place requirements on professionals or bodies that would be extraneous to the expectations we have of education settings in Wales. Associated curriculum guidance would be strengthened by providing assurances that every child (Article 1) receiving the new curriculum will receive primary consideration to their best interests (Article 3) and will be treated with fairness, dignity and respect (Article 2).

Importantly, including a due regard duty will mean that the principles and provisions of the UNCRC are applied consistently to all children experiencing the new curriculum and assessment arrangements. Education settings that have already developed expertise in the delivery of learning underpinned by children’s rights (which include many pioneer schools) will be well placed to share this expertise to ensure this is consistently experienced by all children and young people. This will provide a highly effective mechanism to support Welsh Government to meet its responsibility for requiring full compliance with the Convention, and will have a substantive positive impact on Article 4 (General Measures of Implementation) of the UNCRC. This is also an opportunity to demonstrate the exercise of the ministerial duty (under the Rights of Children and Young Persons (Wales) Measure 2011) to pay due regard to the UNCRC.

3. Human Rights Education

3.1 What is Human Rights Education?

Human rights are the basic freedoms and protections to which all people are entitled. They are rights that everyone has whatever their nationality, place of residence, sex, national or ethnic origin, colour, religion, language, sexual orientation or any other status. We are all equally entitled to our human rights without discrimination. These rights are all related to one another, dependent upon one another and indivisible from one another.⁵

Furthermore, the UNCRC sets out all the economic, social, developmental, cultural and civil rights for all children in the world. It pays particular attention to the specific vulnerabilities of children and young people and provides them with a special layer of protection and support. **It is important to recognize this Convention as an addition to (but not optional from) other human rights treaties and legislation.** Every adult, organisation and layer of government have legal and moral obligations to respect, protect and fulfil children’s rights when carrying out their functions and responsibilities⁶.

Human rights education can be used interchangeably with children’s rights education. It aims to build an understanding and appreciation for human rights through learning about rights and learning through rights⁷. Human rights education should form the underpinning basis of the new school curriculum and is inextricably linked with the pedagogy of teaching. It requires not just

³ Professional Standards for Teaching and Leadership, Welsh Government 2017
<http://learning.gov.wales/docs/learningwales/publications/170901-professional-standards-for-teaching-and-leadership-en.pdf>

imparting knowledge about human rights but also applying a rights-based pedagogy to ensure children and young people learn in a rights-respecting environment.

Article 2 of the UN Declaration on Human Rights Education and Training sets out three main elements of human rights education:

- **Learning *about* human rights:** The acquisition of knowledge and skills about human rights;
- **Learning *through* human rights:** The development of respectful values and attitudes and changed behaviour that reflects human rights values; and,
- **Learning *for* human rights:** The motivation of social action and empowerment of active citizenship to advance respect for the rights of all.⁸

3.2 Why is human rights and children's rights education in the National School Curriculum important?

Human rights education encourages children and young people to use rights as a frame of reference in their relationships with others. It encourages inquiry, forming arguments, deciding, cooperating, evaluating, sharing and living according to values⁹. Human rights education encourages children and young people to critically examine their own attitudes and behaviours and, ultimately, to transform them in order to advance respect for the rights of all¹⁰.

⁵ Universal Declaration of Human Rights, 1948 (at <http://www.un.org/en/documents/udhr/index.shtml>); International Covenant on Civil and Political Rights, 1966 (at <http://www2.ohchr.org/english/law/ceschr.htm>); International Covenant on Economic, Social and Cultural Rights, 1966 (at <http://www2.ohchr.org/english/law/ccpr.htm>)

⁶ UN Committee on the Rights of the Child (2013) *General Comment No. 14 on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1)*. [.pdf] Available online at: http://www2.ohchr.org/English/bodies/crc/docs/GC/CRC_C_GC_14_ENG.pdf Accessed on: 16/01/2018

⁷ McLeod, J. & Reynolds, R. (2010). *Peaceful pedagogy: teaching human rights through the curriculum*. Terrigal, N.S.W: David Barlow Publishing

⁸ UN General Assembly (2012) *United Nations Declaration of Human Rights Education and Training: Resolution 66/137 adopted by the General Assembly on 19 December 2011*. [.pdf] Available online at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N11/467/04/PDF/N1146704.pdf?OpenElement> Accessed on: 16/01/2018

⁹ Frantzi, K. (2004) 'Human Rights Education: The United Nations Endeavour and the Importance of Childhood and Intelligent Sympathy', *International Education Journal*, Vol 5(1): 1 – 8

¹⁰ McLeod, J. (2014) 'A peaceful pedagogy: Teaching human rights across the curriculum', *Procedia – Social and Behavioral Sciences*, 152: 1225 - 1232

3.3 Positive impact on students and the school environment

Children’s attitudes, ideas and personalities are formed at a young age and these are heavily influenced by their environment, including their school education. Human rights education in school is an effective means to assist children to incorporate human rights values into their attitudes and behaviours. Assisting young people to incorporate these values into their daily lives is a concrete way to prevent bullying and discrimination and to promote inclusion and respect for diversity. Human rights provide a valuable framework for good inter-personal relations and for making informed and proportionate decisions – from the playground to government and public policy, it starts with human rights education in schools.

International evidence and research from across the UK shows that where education around human rights values are embedded in the content and pedagogy of the classroom, there is improved student engagement, better learning outcomes, and enhanced social and emotional wellbeing^{11 12}. As a result of human rights education, schools have reported increased empathy, tolerance and respect, and increased student confidence to address bullying¹³. Anecdotally, schools already implementing human rights education in Wales are reporting a reduction in disciplinary measures, an increase in school attendance, and positive shifts in classroom and playground relationships as well as relationships at home. This has also been evidenced by Estyn, which has recognised the contribution of rights-based practice and learning in a number of very positive inspection reports.

3.4 Human Rights Education: Creating a human rights respecting culture in Wales

The Commissioner believes that creating a society where all human rights are respected and promoted must start with human rights education in school. A ‘human rights respecting culture’ seeks to embed respect and responsibility for the realisation of rights through all levels of society. Human rights education is about fostering a rights respecting culture – where human rights become integrated in society at many levels, both personal and institutional. It is also about embedding an understanding of human rights as a cornerstone of our social fabric and national ethos that informs all aspects of our nation as well as our attitudes and behaviours.

3.5 Fulfilling Wales’ national and international commitments to human rights education

The delivery of human rights education in schools also fulfils Wales’ international and domestic human rights commitments. At the international level these commitments are detailed in:

- Article 26 of the Universal Declaration of Human Rights;
- Articles 4, 29 and 42 of the UNCRC; and
- Article 13 of the International Covenant on Economic, Social and Cultural Rights.

At the national level:

- The Rights of Children and Young Persons (Wales) Measure 2011 partially incorporates the UNCRC into Welsh domestic law and makes provision for Welsh Government to give further effect to children’s rights in Wales:
 - Section 1 of the Measure places a duty on Welsh Ministers to pay due regard to the UNCRC when exercising their functions. Therefore, in reforming the National School Curriculum, Welsh Government is required to meaningfully consider how children’s rights can be given further effect inside this policy change;

¹¹ Education Services Australia (2010) *Giving Voice to the Impacts of Values Education: The Final Report of the Values in Action Schools Project*. http://www.curriculum.edu.au/verve/_resources/VASP_FINAL_REPORT_2010.pdf

¹² OHCHR (2009) Human Rights Education in the School Systems of Europe, Central Asia and North America: A Compendium of Good Practice. <http://www.ohchr.org/Documents/Publications/CompendiumHRE.pdf>

¹³ UNICEF (2016) *Rights Respecting Schools – Impact Report*. <https://www.unicef.org.uk/rights-respecting-schools/wp-content/uploads/sites/4/2017/01/RRSA-Impact-Report-2016.pdf>

- Section 5 of Measure places a duty on Welsh Ministers to take steps to promote knowledge and understanding amongst the public (including children) of the Convention;
- The Well-being of the Future Generations (Wales) Act 2015 places a duty on Welsh Government to take steps that maximise its contribution to meeting its national and international commitments to creating a globally responsible Wales.

Taken in isolation, these duties are enough for Welsh Government to actively work towards promoting human rights education in schools. Cumulatively and taken alongside the international evidence-base, the Commissioner sees no logical explanation as to why human rights education should not feature as a compulsory cross-cutting aspect of the new Curriculum – explicitly underpinning its 4 Purposes and being clearly articulated across its Areas of Learning and Experience.

4. Human Rights Education in the new Curriculum

4.1 How should human rights education be integrated into the Curriculum?

In response to the Commissioner’s Annual Report 2016/17¹⁴, Welsh Government made a commitment to work towards integrating the UNCRC into the new curriculum. This commitment is very welcome but there is scope for much more progress in terms of framing thinking around rights-based content, pedagogy and assessment. The Commissioner believes that human rights should be a highly visible and cross-cutting theme of the new Curriculum. Human rights need to be integrated in a meaningful and explicit way throughout the Curriculum and be understood as core and cross-cutting ideas which inform the whole education design and work towards embedding these values in learners’ skills and attitudes.

- **Developing children’s capacity on human rights across the new curriculum**

Access to education is a right in itself. However, the act and process of education should be regarded as a gateway right to other rights. Human rights should therefore feature as a visible and central priority of the 4 Purposes of the new Curriculum.

Appendix A identifies where the rights set out in the UNCRC can be integrated across the 4 Purposes of Curriculum.

Embedding human rights across the new Curriculum should build children’s capacity and general capability to:

- Develop an awareness, knowledge and understanding of their rights; and
- Develop attitudes and apply behaviours consistent with human rights principles and values.

Overtly embedding human rights and children’s rights across the 4 Purposes will provide children and young people with the opportunity to unpack human rights in whole range of different learning contexts and will support them to integrate the values of respect, acceptance, tolerance and inclusion into their daily lives. A cross-curriculum priority on human rights will ensure all children and young people understand the historical and contemporary importance of human rights in Wales – from our legal and political systems to our national culture, ethos and values.

¹⁴Welsh Government (2017) *The Welsh Government Response to the Annual Report of the Children’s Commissioner for Wales 2016-17*. [pdf] Available online at: <http://gov.wales/docs/dsijl/publications/cyp/171130-response-to-annual-report-16-17v2-en.pdf>
Accessed on: 16/01/2018

- **The inclusion of relevant human rights issues and examples in each of the Areas of Learning and Experience (AoLEs)**

In addition to including a general capability of human rights, thought should also be given to how human rights can be overtly articulated across each of the AoLEs in order to focus contextual thinking and uphold the new Curriculum's 4 Purposes. While some AoLEs may lend themselves more favourably to the implicit inclusion of human rights (for example, Health and Well-being or Humanities), this alone is insufficient to impart an understanding of human rights as a cornerstone of Welsh civil society. It is important that the relevance of human rights to each of the AoLEs is overtly integrated across the new curriculum – from using mathematics as a lens to address questions around equity and fairness, to using the Expressive Arts to encourage an appreciation of the diversity of cultures across Wales and the rest of the world.

Appendix B identifies where rights set out by the UNCRC can be overtly articulated and integrated across the 6 Areas of Learning and Experience.

- **Developing a rights-informed workforce**

Article 42 of the UNCRC clearly sets out Government's responsibilities to promote knowledge, awareness and understanding of children's rights. This includes developing a comprehensive training programme for the promotion of rights among the children's workforce¹⁵. Enabling all education professionals to learn about human rights and children's rights will enable them to interact with these in contexts of their own disciplines and give life to human rights values in their pedagogical approach and the wider learning environment. In light of ongoing developments to Initial Teacher Education, there is a clear opportunity for training and leadership standards to be underpinned by human rights.

4.2 What would children's general capability in human rights look like?

Children and young people in receipt of human rights education should be able to develop the knowledge, skills, attitudes and behaviours that are consistent with human rights principles and values. They should be able to understand, uphold and apply the values of human dignity, equality, non-discrimination, universality, respect and participation across all areas of their lives.

Human rights education should enable children and young people to:

- Understand and respect the equal value of all people regardless of differences;
- Understand how to ensure that all people are included and not discriminated against because of differences;
- Recognise and address human rights concerns; and
- Generate a desire and capacity to ensure human rights values and principles are upheld throughout society.

Human rights education supports children and young people to gradually build, articulate and apply human rights principles as they develop their own self-awareness, understanding of their relationship with others, society, the world, knowledge of social issues locally, nationally and globally and their cognitive capacities.

In understanding these principles, children and young people should be able to articulate the values of:

¹⁵ UN Committee on the Rights of the Child (2003) *General Comment No. 5: General measures of implementation of the Convention on the Rights of the Child (arts. 4, 42 and 44, para. 6)*. [html] Available online at: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrCAqhKb7yhsiQql8gX5Zxh0cQqSRzx6Zd2%2FQRsDnCTcaruSeZhPr2vUevjbn6t6GSi1fheVp%2Bj5HTLU2Ub%2FPZZtQWn0jExFVnWuhiBbqgAj0dWBofGbk0c> Accessed on: 16/01/2018

Human dignity:	<p>Human dignity affirms that all people deserve to be respected simply because they are human beings.</p> <p>Regardless of age, culture, religion, ethnic origin, colour, sex, sexual orientation, language, ability, social status, civil status or political convictions, all individuals deserve respect.</p>
Universality	<p>Human rights are fundamental rights that belong to every person simply because they are a human being. Human rights are based on the principle that every human being is born equal in dignity and rights. All human rights are equally important and they should not be taken away under any circumstances.</p>
Equality and non-discrimination	<p>Equality affirms that all human beings are born free and equal. Equality presupposes that all individuals have the same rights and deserve the same level of respect. All people have the right to be treated equally. Sometimes it may be necessary to treat people different to achieve equality. This is because differences between people may make it difficult for them to enjoy their rights without support. For example, everyone may have the right to employment but without accessible transport and facilities for people with physical disabilities they may not be able to enjoy this right.</p> <p>Non-discrimination is an integral part of the principle of equality. It ensures that one is not denied their rights because of factors such as age, ethnic origin, sex, etc. The failure to account for difference between people with a view to ensuring that everyone is able to enjoy their rights may also be discriminatory.</p>
Respect	<p>Human rights entail both rights and obligations.</p> <p>Respect is recognising that every person is important and must be treated with dignity. In the context of human rights, respect does not need to be earned; it is the right of every person in all circumstances. It includes recognising and appreciating differences between people.</p> <p>Responsibility means that we need to also respect the human rights of others. All people have human rights and we all have a responsibility to respect the rights of others.</p>
Accountability	<p>The government is accountable to all people in Wales as well as the international community through the United Nations human rights system, for ensuring that everyone in Wales is able to enjoy their human rights.</p>
Participation	<p>Everybody has the right to participate fully and on an equal basis with others in all areas of life. Full and equal participation enables everyone to reach their full potential.</p>

5. Conclusion

While work on developing the new curriculum for Wales is to be welcomed, much more is needed to locate this progress inside a rights-based framework as set out by the United Nations and Welsh Government's own domestic commitments to children's rights set out in law. The Purposes of the Curriculum should be clearly underpinned by children's rights principles and these obligations should be clearly articulated as a cross-cutting theme across the 6 Areas of Learning and Experience. These should make an express commitment to delivering education about rights, through rights and for rights – highlighting existing progress and addressing the gaps needed to

secure a rights-based education system. This should be supported by a comprehensive and long-term vision to secure a rights-informed, rights-aware and rights-based education workforce for children and young people in Wales.

APPENDIX A: MAPPING CHILDREN’S RIGHTS AND THE PURPOSES OF THE NEW CURRICULUM FOR WALES

Purpose	The UNCRC
Healthy, confident individuals who are ready to lead fulfilling lives as valued members of society	
<ul style="list-style-type: none"> • have secure values and are establishing their spiritual and ethical beliefs 	<ul style="list-style-type: none"> • Article 2: Non-discrimination • Article 7: Registration, name, nationality, care • Article 8: Preservation of identity • Article 13: Freedom of expression and access to information • Article 14: Freedom of thought, conscience and religion • Article 29: Aims of education • Article 30: Children of minorities/indigenous groups
<ul style="list-style-type: none"> • are building their mental and emotional well-being by developing confidence, resilience and empathy 	<ul style="list-style-type: none"> • Article 6: Survival and development • Article 24: Health and access to health services • Article 29: Aims of education
<ul style="list-style-type: none"> • apply knowledge about the impact of diet and exercise on physical and mental health in their daily lives 	<ul style="list-style-type: none"> • Article 6: Survival and development • Article 24: Health and access to health services • Article 27: Good standard of living • Article 31: Leisure, play and culture
<ul style="list-style-type: none"> • know how to find the information and support to keep safe and well 	<ul style="list-style-type: none"> • Article 13: Freedom of expression and access to information • Article 16: Right to privacy • Article 17: Access of information – mass media • Article 19: Protection from all forms of violence • Article 32: Protection from dangerous work • Article 33: Protection from substance misuse • Article 34: Protection from sexual exploitation • Article 36: Protection from exploitation • Article 39: Rehabilitation and support
<ul style="list-style-type: none"> • take part in physical activity 	<ul style="list-style-type: none"> • Article 24: Health and access to health services • Article 31: Leisure, play and culture
<ul style="list-style-type: none"> • take measured decisions about lifestyle and manage risk 	<ul style="list-style-type: none"> • Article 12: Right to be heard in decision-making • Article 13: Freedom of expression and access to information • Article 24: Health and access to health services • Article 28: Access to education • Article 29: Aims of education • Article 33: Protection from substance misuse
<ul style="list-style-type: none"> • have the confidence to participate in performance 	<ul style="list-style-type: none"> • Article 29: Aims of education

	<ul style="list-style-type: none"> • Article 31: Leisure, play and culture
<ul style="list-style-type: none"> • form positive relationships based upon trust and mutual respect 	<ul style="list-style-type: none"> • Article 3: Best interest of the child • Article 15: Freedom of association
<ul style="list-style-type: none"> • face and overcome challenge 	<ul style="list-style-type: none"> • Article 6: Survival and development • Article 13: Freedom of expression and access to information • Article 29: Aims of education
<ul style="list-style-type: none"> • have the skills and knowledge to manage everyday life as independently as they can 	<ul style="list-style-type: none"> • Article 4: General Measures of Implementation • Article 29: Aims of education • Article 42: Promote knowledge and understanding of the Convention

Ambitious, capable learners who are ready to learn throughout their lives	
<ul style="list-style-type: none"> • set themselves high standards and seek and enjoy challenge 	<ul style="list-style-type: none"> • Article 2: Non-discrimination • Article 29: Aims of education
<ul style="list-style-type: none"> • are building up a body of knowledge and have the skills to connect and apply that knowledge in different contexts 	<ul style="list-style-type: none"> • Article 29: Aims of education
<ul style="list-style-type: none"> • are questioning and enjoy solving problems 	<ul style="list-style-type: none"> • Article 29: Aims of education
<ul style="list-style-type: none"> • can communicate effectively in different forms and settings, using both Welsh and English 	<ul style="list-style-type: none"> • Article 30: Children of minorities/indigenous groups
<ul style="list-style-type: none"> • can explain the ideas and concepts they are learning about 	<ul style="list-style-type: none"> • Article 29: Aims of education
<ul style="list-style-type: none"> • can use number effectively in different contexts 	<ul style="list-style-type: none"> • Article 29: Aims of education
<ul style="list-style-type: none"> • understand how to interpret data and apply mathematical concepts 	<ul style="list-style-type: none"> • Article 29: Aims of education
<ul style="list-style-type: none"> • use digital technologies creatively to communicate, find and analyse information 	<ul style="list-style-type: none"> • Article 13: Freedom of expression and access to information • Article 14: Freedom of thought, conscience and religion • Article 16: Right to privacy • Article 17: Access to information – mass media
<ul style="list-style-type: none"> • undertake research and evaluate critically what they find 	<ul style="list-style-type: none"> • Article 29: Aims of education

Ethical, informed citizens who are ready to be citizens of Wales and the world	
<ul style="list-style-type: none"> • find, evaluate and use evidence in forming views 	<ul style="list-style-type: none"> • Article 2: Non-discrimination • Article 12: Right to be involved in decision-making • Article 13: Freedom of expression and access to information • Article 14: Freedom of thought, conscience and religion • Article 17: Access to information – mass media • Article 28: Access to education • Article 29: Aims of education

<ul style="list-style-type: none"> engage with contemporary issues based upon their knowledge and values 	<ul style="list-style-type: none"> Article 1: Application of the Convention Article 2: Non-discrimination Article 29: Aims of education
<ul style="list-style-type: none"> understand and exercise their human and democratic responsibilities and rights 	<ul style="list-style-type: none"> Article 1: Application of the Convention Article 2: Non-discrimination Article 4: General Measures of Implementation Article 42: Promote knowledge and understanding of the Convention
<ul style="list-style-type: none"> understand and consider the impact of their actions when making choices and acting 	<ul style="list-style-type: none"> Article 12: Right to be involved in decision-making Article 29: Aims of education
<ul style="list-style-type: none"> are knowledgeable about their culture, community, society and the world, now and in the past 	<ul style="list-style-type: none"> Article 1: Application of the Convention Article 2: Non-discrimination Article 8: Preservation of identity Article 29: Aims of education Article 30: Children of minorities/indigenous groups
<ul style="list-style-type: none"> respect the needs and rights of others, as a member of a diverse society 	<ul style="list-style-type: none"> Article 1: Application of the Convention Article 2: Non-discrimination Article 3: Best interests of children Article 4: General Measures of Implementation Article 8: Preservation of identity
<ul style="list-style-type: none"> show their commitment to the sustainability of the planet 	<ul style="list-style-type: none"> Article 6: Survival and development Article 24: Health and access to health services Article 27: Adequate standard of living

Enterprising, creative contributors who are ready to play a full part in life and work

<ul style="list-style-type: none"> Enterprising, creative contributors who are ready to play a full part in life and work 	<ul style="list-style-type: none"> Article 29: Aims of education
<ul style="list-style-type: none"> think creatively to reframe and solve problems 	<ul style="list-style-type: none"> Article 29: Aims of education
<ul style="list-style-type: none"> identify and grasp opportunities 	<ul style="list-style-type: none"> Article 1: Applying the Convention Article 2: Non-discrimination Article 4: General Measures of Implementation Article 27: Adequate standard of living Article 28: Access of education Article 29: Aims of education
<ul style="list-style-type: none"> take measured risks 	<ul style="list-style-type: none"> Article 13: Freedom of expression and access to information Article 29: Aims of education
<ul style="list-style-type: none"> lead and play different roles in teams effectively and responsibly 	<ul style="list-style-type: none"> Article 15: Freedom of association

	<ul style="list-style-type: none"> • Article 29: Aims of education
<ul style="list-style-type: none"> • express ideas and emotions through different media 	<ul style="list-style-type: none"> • Article 12: Right to be involved in decision-making • Article 13: Freedom of expression and access to information • Article 14: Freedom of thought, conscience and religion • Article 16: Right to privacy • Article 17: Access to information – mass media
<ul style="list-style-type: none"> • give of their energy and skills so that other people will benefit 	<ul style="list-style-type: none"> • Article 1: Application of the Convention • Article 2: Non-discrimination • Article 3: Best interest of the child • Article 4: General Measures of Implementation • Article 29: Aims of education

APPENDIX B: ARTICULATING THE UNCRC ACROSS THE AREAS OF LEARNING AND EXPERIENCE

This appendix draws out the rights of the child under the UNCRC that are already implicit within the submission papers from each of the AoLE working groups (version used is post CAG revision 18th December 2017).

Mathematics and Numeracy

The UNCRC gives a sound basis to the overarching statement developed by this AoLE group to link the key concepts to the four purposes. This statement, 'through problem solving and reasoning, mathematics and numeracy provides a framework for making logical, informed and justifiable decisions' has clear links to the rights of children to participate through being able to access information and make decisions relating to their lives (Articles 12, 13, 17). Implicit in this statement is that a child's right to develop their skills (Article 29) as a gateway right, through which they will experience their other rights. This theme emerges as key throughout the submission paper, which outlines the impact of learning in this AoLE on a child's wider experience of their rights related to survival, wellbeing and provision (Articles 6, 24, 27) and also on the child's ability to make decisions and form opinions (Articles 12, 13, 17). The submission paper develops this position particularly in strands 1, 2, and 5 of the AoLE.

Health and Wellbeing

The statement positioning the four purposes in this AoLE explicitly refers to the need for young people to 'have an understanding of their rights and have respect for the rights of others' (Article 42). Uniquely of all the AoLEs the text of the narrative and strands within this AoLE shows strong links to several protection rights, in particular Articles 19, 33, 34, 36. There are also clear links with rights to survival and provision (Articles 6, 24, 27) and to non-discrimination (Article 2). The rights to decision making and freedom of expression (Articles 12 and 13) underpin Strand 3 and several strands are founded in children's rights to cultural participation and religion (Articles 14, 15 and 31), with Article 31 of particular relevance to Strand 1. Under Strand 5 the narrative around relationships also implicitly links participation rights with the right to privacy (Article 16), particularly in the discussion around technology. There is an opportunity here (though this does not yet form the narrative) to expand on the rights of the child within the family, in particular Articles 5, 9, 10, 18 and 20.

Languages, Literacy and Communication

The submission paper around this AoLE outlines strands as underpinned by rights relating to cultural participation (particularly Articles 14, 15, 30 and 31) and also participatory rights around freedom of expression, understanding information and decision making (Articles 12, 13 and 17). This submission uses the language of rights in the narrative of these strands without specific reference to the UNCRC, for example '[Language, Literacy and Communication] teaches them to appreciate and respect the needs and rights of others', which relates to Article 2. Referencing the UNCRC explicitly would base the critical rationale for this and other statements in international law and statutory duties in Wales.

Science and Technology

The narrative underlying each strand is missing from the submission paper pending revision but strands in this AoLE strongly relate to rights around survival, provision and protection (Articles 6, 24, 27, 33) and rights around participation, freedom of expression and decision making, (in particular Articles 12, 13 and 17, and also Article 16, the right to privacy). Strands 2, 6 and 7 all encompass ethical considerations around the development and application of science and technology and an articulation of human rights within these strands would provide a coherent framework and shared language through which to interrogate these implications.

Humanities

Implicitly the submission paper refers to survival rights (particularly Articles 6, 24); rights around participation and freedom of expression (Articles 12, 13, 15, 17); the right to non-discrimination (Article 2) and rights to cultural participation (in particular Articles 14, 30, 31). An articulation of the UNCRC and its values in the humanities AoLE would provide a rationale for the narrative that underlies several of the strands and explain why young people are developing the understanding and skills outlined. For example, the paper states under strand 1, 'understanding... how human actions can be influenced by diverse beliefs, values and philosophies is essential', and under strand 3, 'Commitment to our local, national and global societies and to the sustainability of the planet is an essential part of a humanities education'. The essentiality of these elements is not arbitrary but because these are underpinned by an international framework of rights and Wales' commitment to the implementation of the UNCRC. Crucially, the narrative and wording of strand 6, 'Responsible citizens are ethically informed, critical thinkers and play an active part in society' should expressly articulate the UNCRC and its principles around the participation rights of children and young people.

Expressive Arts

Articles that inform the strands and narrative of this AoLE are the rights to freedom of expression and participation (Articles 12 and 13), rights to cultural participation (Articles 15 and 31) and the rights to identity (Article 2, 7 and 30). The strand also draws links with the importance of this AoLE in young people's access to health and wellbeing (Article 24) and this AoLE expands on the role of expressive arts in developing a child's skills and talents to the full (Article 29).

Gaps in the Curriculum: The principles of curriculum design set out in Successful Futures make a clear commitment to developing a new curriculum that is rights-based and inclusive. Whilst we welcome this commitment, our initial analysis of rights across current thinking has highlighted potential gaps in the educative offer. These gaps particularly relate to some of Wales' most vulnerable learners, including; children and young people who might be living in poverty, disabled, looked after, involved in the youth justice system, or are refugees or seeking asylum.

Greater consideration to the following Articles of the UNCRC should be considered as work on the AoLEs progresses:

- Article 5 – Parental guidance
- Article 9 – Separation from parents
- Article 10 – Family reunification
- Article 11 – Protection from abduction
- Article 18 – Parental responsibilities; state assistance
- Article 20 – Right to be looked after
- Article 21 – Right to adoption
- Article 22 – Refugee children
- Article 23 – Children with disabilities
- Article 25 – Review of treatment in care
- Article 26 – Right to social security
- Article 35 – Protection from abduction, sale or trafficking
- Article 37 – Detention and punishment
- Article 38 – War and armed conflicts
- Article 39 – Rehabilitation of child victims
- Article 40 – Right to justice and a fair justice system
- Article 41 – Recognising rights as a minimum and respecting higher national standards
- Articles 42 to 54 – The responsibilities and accountability of government