

# THE RIGHT WAY

## A Children's Human Rights Approach to Additional Learning Needs Provision

### A children's human rights Approach

is a principled and practical framework. This guide sets out how local authorities and health boards can fulfil duties of due regard to children's human rights under the Additional Learning Needs and Education Tribunal Act 2018.



Making rights  
a reality

# THE RIGHT WAY

## Who is this framework for?

This framework will support local authorities and health bodies (Local Health Boards and NHS Trusts) to develop a children’s human rights approach to their duties under the Additional Learning Needs and Education Tribunal Act 2018. Whilst the framework specifically supports duties set out in the 2018 Act, all professionals delivering services for children with Additional Learning Needs in local authorities and health bodies can adopt this approach. This will ensure the human rights of children with Additional Learning Needs are supported through the whole service.

Education settings such as schools; early years settings; Further Education; EOTAS settings; informal education and youth work settings and home education settings can find specific guidance about how to integrate a children’s human rights approach across their provision in [The Right Way: a children’s human rights approach to education in Wales](#).

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# INTRODUCTION

**Wales should be a country where every child experiences their human rights.** For this to happen the human rights of children need to be part of our laws. But this alone isn't enough. People need to know about these rights. Adults and children need to understand what they mean. And when professionals make decisions that affect the lives of children they need to make sure these decisions protect and promote children's human rights.

The Children's Commissioner for Wales pushed for the new law around Additional Learning Needs to include a 'duty of due regard' to the rights of children. The office warmly welcomed the decision of the Senedd to pass the Additional Learning Needs and Education Tribunal (Wales) Act 2018 with a duty of due regard to two UN Conventions that set out the rights of children. These important Conventions are:

- The United Nations Convention on the Rights of the Child (UNCRC)
- The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

This guidance, and the resources that go with it, set out a simple and straightforward approach that local authorities and health boards can use to put the human rights of children at the centre of their support for children with Additional Learning Needs. It's a principled and practical approach, based on the two UN Conventions.

This approach will help us take another step closer to a vision of Wales as a country where rights become a reality for every child.

# ACKNOWLEDGEMENTS

This framework is an adaptation of the [Children's Commissioner's Right Way for Public Bodies](#), which was created with expert advice from the Wales Observatory on Human Rights of Children (based at Swansea and Bangor universities).

In developing this framework we also drew on the advice of the range of organisations and settings supporting the update of the [Children's Commissioner's Right Way guidance for education settings](#), as acknowledged on page 4 of the [Right Way Education guidance](#).

In addition, thank you to members of our Advisory Panels and the following organisations and settings for their advice in the development of this framework:

- Association of the Directors of Education Wales: Additional Learning Needs and School Improvement Group
- Cardiff Council
- Cwm Taf Morgannwg University Health Board
- Merthyr Council
- Swansea Council
- The Bridge Special School
- Ty Coch Special School
- YMCA Bridgend Inclusive Youth Club

## Introduction to new duties

The Additional Learning Needs Code for Wales 2021 explains how local authorities and NHS bodies need to have due regard to the United Nations Convention on the Rights of the Child (UNCRC) and United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

[Chapter 5 of the Code](#) explains that these public bodies need to make sure that the rights in these Conventions inform how they support children with additional learning needs in their area. It states that these public bodies must consider the Conventions when they are planning generally for how they will locally exercise the functions of the Additional Learning Needs and Educational Tribunal (Wales) Act 2018. The chapter gives some examples of when this needs to happen, these include:

- Planning the Additional Learning Provision across an area;
- Setting up systems to provide information and advice;
- Setting up ways for young people to participate;
- Monitoring, reviewing and changing arrangements to fulfil the duties of the 2018 Act across an area.

Chapter 5 also explains that public bodies can use a children's rights approach to guide their consideration of the human rights of children, and outlines the five principles of the Children's Commissioner's Right Way approach, advising this as a way public bodies can make sure they are paying regard to the human rights of children.

This guidance document from the Children's Commissioner adapts and develops The Right Way approach specifically for the context of the Additional Learning Needs and Educational Tribunal (Wales) Act 2018.

Public bodies can use this guidance and tools to make sure they are playing due regard to children's human rights when they making decisions about how to implement the 2018 Act.

# THE HUMAN RIGHTS OF CHILDREN

## What are human rights?

All humans have human rights. These were set out in the Universal Declaration of Human Rights in 1948. This declaration was introduced as a direct response to the atrocities of World War II, but built on ideas about justice and fairness that had been in existence in many different societies and cultures. The Universal Declaration was not legally binding but soon it became the foundation stone of international human rights law. This body of international human rights law is always evolving, with efforts to apply and develop the rights and freedoms of the Universal Declaration to particular issues and social groups. There are now over 80 international human rights treaties that protect human rights, based on the core principles of the Declaration.<sup>1</sup>

Human rights guarantee basic freedoms and meet the basic needs of all humanity, underpinned by respect for human dignity. Human rights are binding on government and on public authorities at all levels in the UK, and provide a strong ethical framework for planning, decision-making and action.

## The United Nations Convention on the Rights of the Child (UNCRC)

Until their 18<sup>th</sup> birthday, children are given special human rights protection by the United Nations Convention on the Rights of the Child (UNCRC). In 1991 the United Kingdom formally agreed to ensure that every child in the UK has all the rights listed in the convention by ratifying the UNCRC. The Welsh Government adopted the Convention as the basis for policy making for children and young people in Wales in 2004. The Rights of Children and Young Persons (Wales) Measure 2011, strengthened and built on the rights based approach of the Welsh Government to making policy for children and young people in Wales, placing a duty on all Welsh Ministers to have due regard to the UNCRC when exercising any of their Ministerial functions.

The UNCRC recognises that children are in a different situation than adults and will often have different needs, and that children face particular challenges because childhood involves stages of physical or emotional development. The rights set out in the UNCRC are an additional safeguard of their safety and development, and support children's capacity to take decisions and act autonomously. All of the articles of the convention cover three main themes: **Participation**, **Provision** and **Protection**.

The articles on **Participation** are based on the idea of the child or young person as someone who actively contributes to society as a citizen, and to the decision making that affects their own life.

**Provision** articles cover the basic rights of children and young people to survive and develop. These range through health care, food and clean water to the requirements for education and environment.

**Protection** articles deal with exploitation of children and young people at work; physical, sexual and psychological abuse; discrimination and other mistreatments which many still suffer, including in the UK.



## The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

The United Nations General Assembly adopted the Convention on the Rights of Persons with Disabilities and its Optional Protocol on 13 December 2006. Before the adoption of this Convention, other human rights instruments already addressed disability, either as part of a general focus or more specifically. But the Convention was necessary to reaffirm the human rights of persons with disabilities and to ensure their participation in society as equal members. The Convention could also more fully address the challenges facing persons with disabilities and could better protect and promote their rights through a legally binding instrument.

The purpose of the Convention is set out in its article 1: to promote, protect and ensure the **full and equal enjoyment of all human rights** and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity. Article 1 also explains what is meant by “persons with disabilities”, The Convention does not provide a closed definition of disability. It states that disability is an evolving concept, and includes all disabilities. The Convention also reflects a **social and rights-based model of disability**.

The [Additional Learning Needs Code for Wales 2021](#) also refers to a social model, advising local authorities and NHS bodies to consider the social model when paying due regard to the Convention. This model advocates that it is society that creates barriers (in attitudes or the environment) which disable people, rather than people being disabled by physical or mental impairments. The social model is a positive approach to disability, which focuses on removing barriers to equality.

The **principles** of the UNCRPD are set out in Article 3. These are:

- Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons;
- Non-discrimination;
- Full and effective participation and inclusion in society;
- Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- Equality of opportunity;
- Accessibility;
- Equality between men and women;
- Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities



# A CHILDREN'S HUMAN RIGHTS APPROACH

The approach set out in this guide has been developed from the [Children's Commissioner's children's rights approach for public bodies](#). The Children's Commissioner has applied this approach specifically to the duties of the 2018 Act, to ensure it encompasses the principles of both the UN Conventions. Case studies from this development phase illustrate practice that can be implemented across public bodies in Wales. Some public bodies will already have procedures which are consistent with a human rights approach for children: often adopting the principles and practices described below will complement or improve what is already working.

The principles of a human rights approach<sup>11</sup> for children are:

- Embedding children's human rights
- Equality and Non-discrimination
- Empowering children
- Participation
- Accountability

## Embedding Children's Human Rights

Children's human rights should be at the core of planning and service delivery around Additional Learning Needs.

This requires that all staff involved in planning and delivering the functions of the ALN Act understand the principles of the UNCRC and the UNCRPD. Similarly local councillors and individuals in the governance structures of NHS bodies will need awareness of the principles and content of these human rights conventions.

All policies relating to Additional Learning Needs or Additional Learning Provision should be reviewed to ensure that they are consistent with the principles of both conventions. To make sure everyone understands the principles of your children's human rights approach there will need to be coordination across different departments, and also with external services.

This will help ensure that the best interests of the child are a primary consideration in all decision-making concerning individual children and groups of children. It should be clear and transparent where children's human rights have been taken into account.

### To put this principle into practice in relation to Additional Learning Needs public bodies should:

- Develop a clear strategic vision to embed a children's rights approach to supporting children with Additional Learning Needs. Evaluation shows that leadership is key to ensuring this. **Leaders in a setting need to champion this vision** and drive it forward with a clear action plan.
- Develop understanding of the two Conventions for all staff involved in strategic planning for Additional Learning Needs. Provide training for all staff about children's human rights and ensure staff regularly evaluate their knowledge, an example of this can be found [here](#).
- Develop understanding of both Conventions in governance structures: local authorities should provide training for council members that lead on education and health; NHS bodies should identify strategic leads on both Conventions within their governance structures.
- Strategic planning for ALN should include a [Children's Rights Impact Assessment](#) into the processes for: **new** proposals for ALN policies and services, **changes** to policies and services; **reviewing** existing policies and services;
- Local authorities should make sure a Children's Rights Impact Assessment is carried out as part of the duty to **review Additional Learning Provision** set out in Chapter 7 of the Code.
- Use Children's Rights Impact Assessments to identify how to maximize children's experience of their rights when they engage with services;
- Identify a cross-department team who can lead and champion the children's rights approach across all work in relation to Additional Learning Needs. This could be a multi-agency team, for example, it could include representatives from transport, health, social care, education, careers.

- Include a children's human rights approach in organizational strategic priorities and include reference to the children's human rights approach in relevant job descriptions and in annual objectives and appraisals.
- Ensure that there is a financial commitment available to support the development of a children's human rights approach.
- Refer to both the UNCRC and the UNCRPD in all documents setting out your corporate vision and values in relation to providing a service for children with Additional Learning Needs.
- Use rights language and reference to the Conventions in communications with external agencies, for example, schools and other education settings.
- Use rights language and reference to the Conventions in communications with families and children and young people, examples of this can be found [here](#) and [here](#).
- Make it clear when and how rights have been taken into account by recording and publishing children's rights impact assessments.

## Equality and Non-discrimination

Equality is about ensuring that every child has an equal opportunity to make the most of their talents and develop to their fullest potential, and that no child has to endure poor life chances because of discrimination.

Promoting equality means taking action to tackle discrimination, which is a right under the UNCRC (Article 2). Non-discrimination is also a principle of the UNCRPD (Article 3). The UNCRPD also sets out the principle of inclusion (Article 3) and the duty of states to respect this principle (Article 4).

Inclusion requires an accessible, barrier-free physical and social environment. Public bodies must ensure that they prevent indirect discrimination of disabled children and young people, which can prevent them participating and experiencing their human rights. Inclusion is not simply about physically placing disabled persons in the same space as non-disabled persons (for example, in the classroom). Public bodies need to adapt and promote changes so that disabled persons can participate on an equal basis with others. For example, in the classroom, this could involve changing activities so that they develop the abilities and capacities of each pupil.<sup>iii</sup>

Public bodies must also be aware of the impact of multiple discrimination: when a child faces discrimination on more than one ground (e.g. a disabled child who is living in poverty). Public bodies must be aware that children, including disabled children, can be subject to discrimination and unfair treatment, and that they will need special assistance to enjoy their human rights.

### To put this principle into practice in relation to Additional Learning Needs public bodies should:

- Know the needs of the children who use ALN services. Do this by finding out about the protected characteristics and other needs of children, and making sure this **data is used to improve services**. For example, make sure that planning around provision or workforce reflects the full range of needs, including: geographical, ethnicity, promotion of equitable access to Welsh language provision, language preference including community languages and BSL, age, preference for faith based education.
- Undertake **Equality Impact Assessments** on significant strategic documents or when changes are made.
- In addition to the protected characteristics, include socio-economic disadvantage and Welsh language as a specific considerations in Equality Impact Assessments.
- Promote inclusion through the visibility of disabled children and children with additional learning needs across the whole organisation, creating opportunities to celebrate the participation of children with additional learning needs widely.
- Provide information to all children and young people (through display, info, activities) which celebrates the participation of disabled children and children with Additional Learning Needs in planning services.

- Ensure that the full diversity of children and young people have communications from your organisation in a form that they can understand;
- Local authorities should make sure planning for Additional Learning Provision links to **Welsh Education Strategic Planning**, to ensure equitable access to Welsh Medium education. This must include considerations of the size and capability of the Welsh medium workforce, as set out in Paragraph 7.3 of the Code, and should take account of the fact that the duties of the 2018 ACT to provide ALP through Welsh will become absolute over time.
- **Promote inclusion across wider services and the full experience of children with your public body.**  
**Local authorities** should consider how far they meet equity and non-discrimination for disabled children and those with additional learning needs in the following examples:
  - educational visits and trips
  - youth forum / youth council
  - music service
  - transport, including to education settings
  - play services and play provision
  - youth provision and youth support services
  - Family Information Services
  - leisure and sport services
  - housing**Health bodies** should consider how far they meet equity and non-discrimination for disabled children and those with additional learning needs in the following examples:
  - Information and accessibility of primary care settings
  - Access to secondary care services
  - Waiting rooms in secondary care settings
  - CAMHS helplines
  - Online information about health services
  - School nursing service
  - Youth health forum
- Make sure **commissioned services** to support children and young people with additional learning needs have a commitment to inclusion and promoting non-discrimination. For example, EOTAS providers or transport provision.
- Make sure that services **don't create barriers for children and young people not in education settings**, for example, local authorities should take all steps to ensure that home educated children access ALN support, as set out in Chapter 18 of the Code. Health bodies should ensure that the interpretation and use of assessment guidelines (such as NICE guidelines) do not discriminate against children who are not registered in education settings, for example, children without evidence from education professionals should still be able to access diagnostic assessment through evidence from other professionals.
- **Gather relevant quantitative data** to enable identification of groups of children or young people who may be experiencing inequality. This data should include a focus on the following:
  - **The use of restraint.** This should be recorded and analysed, with appropriate support given to staff and children in education and health settings. You can find out more information about recommendations from the Equality and Human Rights Commission around restraint [here](#).
  - **Incidents when children are isolated** from their peers, for example, **excluded** from the classroom, kept in **isolation** over break times, or **isolated** due to health care or treatments needs. Analyse this information to ensure isolation is limited and that children have opportunities to socialise. You can find more information about isolation, exclusion and a toolkit that can help prevent the use of isolation in schools [here](#).

## Empowering Children

Human rights should empower children. Empowerment means developing children's capabilities as individuals so they are better able to take advantage of rights, and to engage with, influence and hold accountable those individuals and institutions that affect their lives.

Children should be given information to increase their understanding about human rights, and access to resources to enable them to make use of rights in their everyday lives. Empowering means removing barriers to children's access to information or resources that enable them to understand and exercise their rights.

Empowerment is about enabling children to make choices and to affect outcomes for themselves and their families. Empowerment changes the relationship between children and authorities. It means adults handing over some or all power to children, or sharing power with children, so that children can better control and direct their lives, in particular in areas where this ability was previously unavailable to them.

Empowerment is a central concept of the social and rights based model of disability in the UNCRPD. Under this model, persons with disabilities are empowered, in control of their lives and enjoy full participation on an equal basis with others. The duty to ensure this opportunity falls on Government and wider society, not the person themselves.

This principle also applies to younger children and should be seen as an important contribution to the development of the child. It may be especially relevant to children who are members of excluded, marginalised or disadvantaged social groups.

### To put this principle into practice in relation to Additional Learning Needs public bodies should:

- Use **accessible language**. Review information and advice around additional learning needs (letters, website, displays etc) to make sure children, young people and families have simple information that they can understand, available in a range of formats. Involve children and young people in this review. This will help meet duties set out in Chapter 6 of the [code](#).
- Include **information about children's human rights** in communications with children and young people. Let them know how ALN services support their human rights (for example their rights to education, developing their talents and skills to the full, or to play). Use the language of rights and the conventions to do this.
- Consider **transport** and how children and young people will access services. This can be particularly important where there may not be statutory transport provision: for example for children accessing health services or for young people over 16 who do not have transport entitlements to places of education.
- **Advocacy** helps amplify the voice of a child or young person. Duties about advocacy are set out in Chapter 32 of the [Code](#). Advocacy is not just for conflict resolution, it also helps make sure children can have a say. Make sure staff understand and can explain to children: what advocacy is; how advocacy can help; and how they can get an advocate.
- Create **opportunities and methods for children to act collectively**, for example by using our accessible participation toolkit to inform strategic planning and reviewing your service (as set out in Chapter 7 of the [Code](#))
- Create **opportunities and methods for children to act individually**, for example in meetings and interactions with children (e.g. their IDP planning or review meetings) include a chance for children to say what parts of your organization help them most, and what they want improved. Collect this data to highlight themes.
- Include information about the **Children's Commissioner for Wales** in advice and information to families. This will help children understand they have an independent champion who can advise and support them to get their rights.
- Make sure a child has a **case friend** if they don't have the capacity to understand information or take up the rights they have through the ALN system. Chapter 30 of the [Code](#) sets out how case friends represent, support and participate in decisions.
- Identify resource in your budget to support **training and development opportunities for children**, for example, services might want to develop consultation groups, Advisory Boards, or information sessions for children. Children taking part will need well-resourced activities and opportunities.

## Participation

Participation means listening to children and taking their views into account. All children should be supported to freely express their opinion; they should be both heard and listened to. Their views should be taken seriously when decisions or actions are taken that affect their lives.

Participation is a cross-cutting principle of both of the UN Conventions. This means that participation needs to be realised for all the other rights of the UNCRC and UNCRPD to be realised. Participation is also a key principle of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 and is set out in Chapter 4 of the [Code](#).

The concept of full and effective participation means that children and disabled children are recognised as equal participants in processes related to decisions that affect their lives. Children's views will need to be taken into account and given due weight in light of their age and maturity, but young age or relative immaturity is no reason for discounting children's opinions or for giving them less attention in decision-making processes.

Participation goes beyond consultation and includes fully informing children, enabling involvement in decision making processes, and creating the possibility to voice opinions and to complain when participation is denied.

Full and meaningful participation of disabled children and young people requires an accessible, barrier-free physical and social environment. Barriers to participation should be identified and removed.

It should be clear how children have influenced decisions and how their views have been taken into account, with feedback always given to the children who are involved in the process. Participation should not be understood as an end in itself, but as a process, which is safe, enabling and inclusive, and which supports dialogue between children and professionals.

### To put this principle into practice in relation to Additional Learning Needs public bodies should:

- Include a **clear commitment to the inclusive participation** of children in policy statements setting out the vision or key objectives.
- Adopt the seven [National Participation Standards](#) and use these to guide participation. These standards support public bodies to fulfil duties in Chapters 4 and 6 of the Code.
- Use our [accessible participation toolkit](#) developed to support this guidance. This is an inclusive participation plan that supports children and young people to take part in decision making about how to make a service better: activities can be used to support a diverse group of children, including those with additional learning needs.
- Identify **time** in planning for participation. Identify safe, accessible **spaces** (online and offline) for participation. Identify skilled **practitioners** who can lead participation sessions and opportunities.
- Make sure professionals **understand different models of participation**, and can choose the most appropriate model for a particular project or procedure. A participation model can help define this and clarify the degree of ownership that young people will experience in the process. Our [guide for professionals](#) shows three different models to help guide what type of participation is best for specific projects.
- Make sure participation is **inclusive**. Everyone should have a chance to participate. If some groups of children are missing from participation opportunities then consult with children to understand the barriers and remove them.
- Provide **information** to children to support their involvement in any of the above procedures, in a language or format they can understand. You may need to provide several versions of the same information, each for a specific group or individual.
- **Feedback** to children and staff how children's participation has made a difference, for example holding a YOU SAID, WE DID session, or sharing this information on a display.
- Involve children in the **recruitment of all staff** who have responsibilities that impact on children.

## Accountability

The 2018 Act requires public bodies to give due regard to children’s human rights. Public bodies need to be accountable as to how they have considered children’s human rights in their strategic planning for Additional Learning Needs. They need to be accountable to children for decisions and actions which affect their lives, and provide reasons for these decisions and actions.

Children should be provided with information and given access to procedures which enable them to question and challenge decision-makers. To obtain any human right a child must know they are entitled to it and be able to actively claim their human rights, including when making a complaint or challenging decisions and actions.

Accountability requires monitoring to what extent children, including disabled children, are experiencing their human rights and identifying how this can be improved. It also requires putting in place urgent and effective remedies if the local authority or NHS body is failing to ensure children’s human rights, for example, children’s access to healthcare, or education.

Authorities, and all staff with responsibilities that impact on children, must understand that children have human rights and that they have an obligation to respect, protect and fulfil children’s rights. All those involved should understand that they are accountable to children for meeting this obligation.

### To put this principle into practice in relation to Additional Learning Needs public bodies should:

- Carry out **Children’s Rights Impact Assessments** to inform key decisions, projects, strategies and approaches. Publish these documents and keep them available online to explain decision making. This will help fulfil the duties explained in Chapter 5 of the [Code](#), for example at 5.9.
- Publish **accessible summary versions of your Children’s Rights Impact Assessments**. These can be in video, symbols text, animation, BSL or other formats. Use these to explain to children how your service is considering and supporting their human rights.
- **Staff supervision and performance management** should include reference to children’s human rights, so that organisations can illustrate how the corporate ‘due regard’ duty of the 2018 Act is enacted through work-streams. For example, consider lead roles for each of the Right Way principles.
- Enable children and young people to participate in **monitoring and evaluating** the effectiveness of services (for example the duties in Chapter 7 of the [Code](#)). Link monitoring and evaluation to key articles and principles of the UNCRC and UNCRPD to assess how far services enable these rights.
- **Monitor and evaluate participation**, and include children in this. Aim to capture whether children think they can take part in decisions about their Additional Learning Provision, whether they think they have enough info about services, and whether they feel able to give feedback about their experience of services? You can use our accessible participation toolkit to do this.
- Explain how children’s rights are taken into account when reporting on the implementation of the 2018 Act to the **governance of your organization**. For example, provide CRIA to inform council scrutiny, or scrutiny from management or board.
- **Involve children and young people in governance structures**, for example, give opportunities for children and young people to share experiences and ask questions of key council members or committees or key board members or committees. Services could also establish or engage with a parallel youth governance structure, for example a youth board or youth council.
- Make sure governance structures provide **accessible and understandable** info for children.
- Provide children with **accessible information about how to complain**, and for holding the public body, or individual staff, to account. For example, provide easily understandable info about “Putting Things Right”. If a child is making a complaint, make sure they are aware of any available advocacy support (as in Chapter 32 of the [Code](#)).
- Make sure children have clear and accessible info that they can understand about their **right to make an appeal** (Chapter 33 of the [Code](#)). Make sure they understand the role of a **case friend** and how this enables their rights (Chapter 30 of the [Code](#)).

# CHILDREN'S COMMISSIONER FOR WALES: RESOURCES AND TOOLS TO SUPPORT THIS GUIDANCE:

- [A Children's Rights Impact Assessment tool](#)
- [Children's Commissioner for Wales Poster: The United Nations Convention on the Rights of the Child](#)
- [Children's Commissioner for Wales Symbols Pack: The United Nations Convention on the Rights of the Child](#)
- [Taking decisions together: an accessible participation plan to support children and young people to take part in strategic decision making](#)
- [Children's Commissioner for Wales Participation Guide for professionals](#)

<sup>i</sup> Find the core international human rights texts [here](#)

<sup>ii</sup> The principles of a human rights approach for children are not intended to be used in any particular order. Instead they should be thought about and used together to inform decision-making and service delivery. Inevitably there are some overlaps. For example, empowering children to take decisions and make choices is very close to providing opportunities for children to participate in decisions that affect their lives, and participation will only realise rights for children if it is carried out based on the principle of non-discrimination and equality. However, the overlapping principles are mutually re-enforcing and contribute to a holistic, coherent and comprehensive approach to realising children's rights under both the UN Conventions.

<sup>iii</sup> An explanation of non-discrimination and inclusion in the UNCRPD, on which this text is based, is available in the comprehensive OHCHR Training Package on the UNCRPD [here](#).

### Contact us

We would welcome your questions about how you can develop a children's human rights approach and we'd love to know how this framework is making a difference in your setting. Let us know through tagging us on Twitter or Facebook @childcomwales or emailing us at [post@childcomwales.org.uk](mailto:post@childcomwales.org.uk)



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