

Office of the Children's Commissioner

**A rights-based approach to education: what are the
characteristics of an education system which protects and
promotes children's rights?**

26 September 2014

1. The NASUWT welcomes the opportunity to comment on the Office of the Children's Commissioner's proposals set out in *A rights-based approach to education: What are the characteristics of an education system which protects and promotes children's rights?*
2. The NASUWT is the largest teachers' union in the UK representing serving teachers and school leaders.

COMMENTS

3. The NASUWT recognises the importance of establishing principles that should underpin education systems. Such principles help to ensure that there is a common understanding about the purpose of education and that all those involved in education work towards a common purpose.
4. The NASUWT believes that the principles that underpin education systems are most likely to be implemented effectively if they are developed through consultation with a wide range of stakeholders. This should include children and young people, parents, teachers, education unions, higher education providers and employers. Steps must be taken to ensure that groups who are likely to experience disadvantage or who may be cautious about becoming involved are able to actively engage in

discussions and decision-making. The NASUWT welcomes the fact that the Office for the Children's Commissioner is consulting on its proposals. This should provide the basis for seeking broader consensus about the principles that should underpin the education system in England

5. Broadly, the NASUWT agrees with the majority of characteristics of a rights-promoting education system set out in the OCC consultation document. However, the Union thinks that some important characteristics are missing. It also believes that some characteristics need to be amended. The remainder of this response sets out the characteristics that the NASUWT believes should be included in the OCC document and proposes amendments to particular characteristics.
6. The NASUWT believes that state education is a public good and a human right. The document should make explicit reference to this as a characteristic of a rights promoting education system.
7. There should be explicit reference to every child having a right to quality education. The consultation document (under the section when things go wrong) says that children should receive an alternative form of education when they are unable to attend school and lists a number of groups of children including those 'newly arrived in the country and unable to access a school place'. The NASUWT considers it unacceptable that a child is not able to access a school place. The document must make it clear that such practice must be challenged.
8. The NASUWT believes that the section *When things go wrong* should be amended so that it is clear that every child should receive an education that meets their needs. This means that there should be a broad range of provision, including specialist provision, to meet children's differing needs. The document should make it clear that, to be appropriate, such provision should help a child to participate in education and achieve their potential.

9. The first bullet point (all children should leave primary school functionally literate and numerate and able to access a broad curriculum) addresses two very different points. The bullet point should just refer to children being functionally literate and numerate when they leave primary school.
10. There should be a separate bullet point that refers to the curriculum. The NASUWT believes that the statement should refer to every child having access to a broad and balanced curriculum.
11. The aims refer to education being 'a fulfilling and enriching experience in and of itself rather than solely a means to an end'. It would be more appropriate to say something like: Education should provide fulfilling and enriching experiences. It should help children to develop socially, emotionally, culturally and physically, as well as intellectually.
12. It would be helpful if the characteristics made it clear that the education system should help children to prepare for life beyond school. This builds on the previous point, but shifts the focus to why social, emotional, cultural, physical and intellectual development are important. A number of education systems internationally refer to the aims of the curriculum, for example, enabling children to become successful learners/lifelong learners, confident individuals, responsible citizens and effective contributors. A statement such as this is helpful as it enables different stakeholders (e.g. employers, higher education providers, governments) to see that education is relevant to them and what they want from children in the future.
13. The sixth bullet point under the aims of the education system (education should not take up so much time that children are unable to exercise their right to pursue leisure, cultural and play activities) should be reworded. The statement appears to assume that children will pursue these activities unless schooling takes up too much of their time. In reality, some children may encounter difficulties in pursuing cultural, leisure and play activities. Their family may not support them to do these things. Therefore, it would

be more appropriate for the statement to say something like: 'Children should be encouraged to participate in a broad range of cultural, leisure and play activities. The school curriculum should support children to undertake such activities'.

14. There are some important omissions from the document. If the education system is to realise the aims of a rights promoting education system then it is vital that every child is taught by a qualified teacher. This means that the teacher should be trained, that they have access to continuing professional development so that they are aware of the latest information and developments in education and teaching, and teachers are trusted and their professionalism recognised.
15. The document makes reference to 'rigorous academic disciplines' and 'non-academic skills'. This is inappropriate and encourages people to think that there is a hierarchy of disciplines with academic study being seen as 'high status'. It would be more appropriate to refer to education helping to children to develop academic and practical skills that prepare them for lifelong learning, employment and life.
16. The document says that schools are at the heart of the education system. This is an important point. The document should also make it clear that schools play a vital role in contributing to creating peaceful, cohesive communities.
17. The first bullet point under the section about schools says that 'schools should be orderly and calm places where all children are safe, able to learn and where there are high expectations of respect and behaviour from all members of the school community'. The NASUWT believes that the statement needs amending. Firstly, the statement should also refer to schools being welcoming. Secondly, the document should make it clear that schools must take steps to tackle and prevent all forms of bullying, harassment and discrimination. Further, the document should include a

statement that schools should advance equality and foster good relations between different groups of children.

18. Linked to the previous point, it is vital that schools are linked to and engage with local communities so that pupils are encouraged to participate actively in the community.

19. The document needs to recognise that schools form part of a bigger system to support and develop children. Some children will only be able to access and gain the most from education if they receive additional specialist support. This may involve specialist education support or it may involve support from health and social care services. For example, children with special educational needs and/or disabilities, children in care, and children with medical conditions may need to draw on such specialist support. The NASUWT is extremely concerned about the impact that cuts to budgets and services is having on such specialist services. Also SEN reforms place much greater emphasis on class and subject teachers meeting the needs of children in their class. There is a very real danger that this will be used to justify the closure or removal of specialist support. The document needs to make it clear that other services, including health and social care services, must work with schools to meet the needs of children who require specialist support.

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For further information on the Union's response, contact Sonja Hall, Principal Official (Education).

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