

## Research Digest

# Standard 1 Rights of the Child

Ensuring that each child's rights are met requires that she/he is enabled to exercise choice and to use initiative as an active participant and partner in her/his own development and learning.



# Introduction

Most discussions on the rights of the child focus on rights concerning provision and protection (  Research Digest/ Standards 9: Health and Welfare and  15: Legislation and Regulation) and tend to benefit from wide support. Participation rights – where the child is seen to have agency and power within her/his own life – are more controversial. This is due, primarily, to the different constructions and understandings of childhood. Social learning theory has come a long way from Locke’s conceptualisation of the child as an empty vessel or Bandura’s belief that imitation formed the basis of learning. Current theories on childhood are contextualist in their approach. That is, the child is not perceived as a constant, universal organism operating in a vacuum. Instead the mind is seen as inherently social, and so adult-child relations should be characterised by an interactionist approach (O’Dwyer, 2006).

The change in conceptions of childhood is reflected in international policy and legislation, most notably in the *United Nations Convention on the Rights of the Child* (UNCRC). The Convention details the special rights of children, including their right to participate in a democracy in ways that reflect their age and maturity. Articles 3 and 12 have particular relevance for early childhood care and education (ECCE) provision: Article 3 states that the best interests of the child must be of paramount consideration in all actions concerning children, and Article 12 outlines how the child’s views must be considered and taken into account in all matters affecting her/him (United Nations [UN] General Assembly, 1989). Ensuring that these rights are met puts a duty on practitioners to enable every child to exercise choice, and to use initiative as an active participant and partner in her/his own development. It means moving beyond simply safeguarding children’s rights, to actively promoting them.

# Recent Research

## Respecting children's choices and decisions

Taking the time to talk and listen to children provides practitioners with a better understanding of what children are feeling, and can therefore provide deeper insight into their needs within the setting. Hart (2005) believes consultation with children has many additional functions, such as being:

- Central to the learning process
- Vital in relation to emotional development in very young children
- Healthy for the development and retention of positive self-esteem
- Important in gauging society's views on early childhood and children
- Important in establishing continuity with the home
- An evaluation mechanism (through which the child's view of service provision is gathered)

There are a range of approaches to consulting with children. The Mosaic approach, for example, brings together a range of methods for listening to young children's perspectives about their lives. Using combinations of observation and participatory tools, children's perspectives become the focus for an exchange of meanings between children, practitioners and parents (Clark *et al.*, 2005). The strategic component within any approach to consulting with children is the acknowledgement that listening and talking to them is a central factor in their cognitive, linguistic, emotional and social development. Children benefit enormously from discussions with adults in which their views and opinions are attended to, responded to, taken seriously and acted upon (Kay, 2004).

The *National Children's Strategy, Our Children, Their Lives* (Department of Health and Children [DHC], 2000) was launched as a means to implement many of the articles in the *UN Convention on the Rights of the Child* (UN, 1989). Based on a 'whole child perspective', the Children's Strategy recognises that children have the capacity to shape their own lives and should, accordingly, be given a voice: '*Children will have a voice in matters which affect them and their views will be given due weight in accordance with their age and maturity*' (DHC, 2000:3). Hayes (2002) believes that this should be translated into practice by:

- Encouraging children to express their views
- Demonstrating a willingness to take the views expressed seriously
- Avoiding misunderstanding, by clearly setting out for the child the scope of such participation by them
- Providing children with sufficient information and support to enable them to express informed views
- Explaining the decisions taken, especially when the views of the child cannot be fully taken into account

In order to achieve balance in the discussion around children's right to inclusion in decision-making processes, it is important to identify some of the barriers that may impede such participation. Fear of a loss of power from the adult's perspective could represent an obstacle. Lansdown and Lancaster (2001:40) attribute this to the assumption that '*...adults have the monopoly of expertise in determining outcomes in children's lives*', and advocate that simple reliance on adults to promote the well-being of the child is an inadequate approach to caring for children. A second obstacle may lie in the belief that children make irrational, unfeasible decisions. The expertise of the practitioner is central to ensuring that this isn't the case. An understanding of child development, for example, allows for inclusion and decision-making that is appropriate to the age and developmental stage of each child. For a baby, this may be something as basic as choosing between two playthings, or for an older child, it could

be choosing meals, and so forth. The important factor within the interaction is that the level of choice is appropriate for the child. Time is also a potential barrier to consulting with children. Kay (2004) acknowledges that individual attention on a regular basis is an almost utopian concept in a busy ECCE setting, but stresses the fact that taking time to listen to young children may represent a step forward in their knowledge of the world around them. Regardless of the obstacles that appear (perceived or real), a supportive climate where collaboration between adults and children is encouraged is essential for learning. This involves active listening and reflection, in order to *'...provoke, co-construct and stimulate children's thinking and their collaboration with peers'* (French, 2007:27).

## Partnership with children

*"Practitioners face a challenge, to look upon children as experts on themselves and not that practitioners are all-powerful and know best...how could this fail to raise the level of any child's self-esteem, creating an environment of trust and negotiation within the spirit of enquiry?"* (Hart, 2005:206)

Though the adage that children 'should be seen and not heard' now seems archaic and outdated within ECCE, there is still a certain resistance in the consideration of children as partners. Promoting the rights of children through partnership, however, does not mean giving children a license to take complete control over what is happening within the setting. It is, as Lansdown and Lancaster (2001) concur, about moving away from the discredited assumption that adults alone can determine what happens in children's lives, without consideration of children's own views, experiences and preferences. It means that children, even very young ones, are entitled to be listened to and taken seriously. For this type of collaborative partnership to work, it is important that the setting recognises the importance of developing a culture and ethos of participation, and that each individual practitioner understands and acknowledges adult power and responsibilities within the adult-child relationship.

Kinney (2005:123) outlines some principles and values that should underpin any consideration of children as partners:

- The rights of children should be respected – this includes the right to be heard and to have their views taken into account
- Adults must listen and respond – it is important to ensure effective ways of supporting children to communicate their viewpoints
- Participation takes time – children benefit from a consistent experience of the process of consultation and participation, in order to fully understand both what is expected of them and the outcomes
- An important part of children learning about the process of consultation is recognising and respecting the viewpoint of adults and other children (  Research Digest/Standard 14: Identity and Belonging)
- Consultation is not enough – the results of the consultation and how those discoveries influence practice are vitally important

Acknowledging that children are rights-bearers rather than merely recipients of adult protective care raises a multitude of issues in adult relationships towards children (Lansdown and Lancaster, 2001). It does not, however, negate the fact that children have needs but argues that, accordingly, children have the right to have those needs met. This requires ensuring that each child is enabled to exercise choice and to use initiative as an active participant and partner in her/his own development and learning.

# Implementing the Standard

Ensuring that each child's rights are met involves providing the child with opportunities where she/he is enabled to take the lead, initiate activity, be appropriately independent and is supported to solve problems. For babies, this can mean providing routines to ensure that she/he gets regular and frequent individual attention, other than in response to distress or care needs. For children aged from twelve months onwards, the continuation of this individualised care is equally important. Practitioners should provide each child with opportunities within the daily routine to use her/his initiative and to be appropriately independent. This could be achieved through:

- Problem-solving opportunities that arise for the child in the course of the day's activities and routines
- Providing challenges, as a matter of routine, where the child takes the lead and acts with appropriate levels of independence (e.g., tidying up after her/himself, choosing activities, selecting stories for reading time, etc.)
- Supporting and emphasising the success of situations when a child chooses, organises and takes the lead in an activity
- Supporting child-initiated activity for the child with a disability
- Providing opportunities for the child to care for her/his own belongings and those of the setting
- Enabling the child to take care of her/himself
- Using meal/snack and tidy-up times to encourage individual initiative in each child

There are also some questions that the practitioner should reflect upon when considering the child's participation in the daily routine of the setting, in activities, in conversations and in all other appropriate situations:

- How is each child (including the child with special needs) enabled to participate with her/his peers?
- How are responsiveness and sensitivity towards the child demonstrated when engaged with her/him?
- How is it ensured that each child joins in the shared activities in a way that suits her/his own disposition?
- Are there challenges in considering the child as a partner?

For a child to actively engage in the daily activities of the setting, and for her/him to be empowered to make decisions and choices, the practitioner should achieve a balance between child-chosen (directed) and adult-chosen (directed) activity. This involves an understanding of child development, to ensure that the level of choice is appropriate for each child.

## Conclusion

Rights have a pivotal role in improving the lives of children and reconstructing their position within society from that of passive dependants to that of active citizens. The child-related professions are being challenged in their perspectives – accustomed to making assumptions about the needs of children and what is best for them, ECCE policy-makers and providers need to recognise children as powerful and competent social actors (Smith, 2006).

Partnership between adults and children is a key component in ensuring that children are enabled to exercise choice and to use initiative as an active participant in her/his own development and learning. The practitioner's role lies in determining what is age and developmentally appropriate within that partnership. As Jans (2004:40) highlights

*"...the citizenship of children is based on a continuous learning process in which children and adults are interdependent. In this interdependency, the playful ways*



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*in which children give meaning to their environment has to be taken into account.”*

ECCE settings must ensure that each child has opportunities to make choices, is enabled to make choices, and has her/his choices and decisions respected. They need to ensure that each child has opportunities to take the lead, to initiate activity, to be appropriately independent, and to be supported in problem-solving. In such a domain, the rights of the child become the responsibility of the adult.

# Resources for Rights of the Child

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The National Quality Framework  
for Early Childhood Education

