Listen Up!

Children and Young People Talk:
About their Rights in Education

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Save the Children
Achub y Plant

Save the Children

Save the Children is the UK's leading international children's charity, working to create a better future for children.

In a world where children are denied basic human rights, we champion the right of all children to a happy, healthy and secure childhood. We are particularly committed to listening to, and learning from, children and speaking out about the problems they face.

We use our global project work and research to lobby for changes that will benefit all children, including future generations.

Save the Children believes that children and young people have much wisdom and insight to offer in all matters of public policy that affect their lives. We actively promote children's right to participate in all decision-making that affects them in line with Article 12 of the United Nations Convention on the Rights of the Child. In Wales we continue to work with the National Assembly, the Welsh Assembly Government and local authorities to establish effective mechanisms for children and young people's participation in policy development and service planning.

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Children and Young People Talk: About their Rights in Education

Children and young people spend a high proportion of their lives in schools. Yet they have little say in how schools are run or in the content of their education. The Welsh Assembly Government is taking steps to encourage schools to consult with children and young people and Save the Children believes that these developments should be informed by the views and experiences of children and young people.

Listen Up! Children and Young People Talk: About their Rights in Education presents the views and experiences of 170 children and young people living in Wales. The research reveals children are not aware of their rights under the United Nations Convention on the Rights of the Child. Through participatory games and exercises, children and young people talked about the positive and negative aspects of their school experience and suggested ways education could give them better access to their rights. The key themes they identified were the right to protection from discrimination and cruel treatment; the right to play and to make friends; and the right to be listened to and taken seriously.

Children and young people have much wisdom and insight to offer in all matters of public policy that affect their lives. This report aims to raise awareness of children's experiences in educational settings and promote policy change that places children's rights and opinions at centre-stage.

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Chapter One: **Setting the Scene**

Introduction

Children and young people spend a high proportion of their waking lives in schools or on school-related activities. Yet, traditionally, children have little say in how schools are run or in the content and form of the education they are offered. The Welsh Assembly Government is taking steps to encourage schools to consult with children and young people and is developing 'made-for-Wales' education policies. Save the Children believes it is important that these developments are informed by the views and experiences of children and young people.

Listen Up! Children and Young people Talk: About their Rights in Education, presents the views and experiences of 170 children and young people living in Wales on their rights in schools and other educational settings. Using a range of participatory games and exercises children and young people were asked for their views of what makes a good school, a good teacher and what they would like to learn at school. We also asked children and young people about how they participate in decision making in school life, how discipline issues are dealt with and how schools respond to discrimination and violence.

There are a number of key issues emerging from the study. Children are not aware of their rights under the United Nations Convention on the Rights of the Child and generally lack opportunities to learn about and explore these in their education. The three most important rights in educational settings, identified by children and young people were the right to protection against discrimination; the right to play and leisure and the right not to be punished in a cruel or hurtful way. All participants identified the right to be listened to and taken seriously as crucial.

Save the Children actively promotes children's right to express their views, to have a say and to have their opinion taking seriously in all matters affecting them in line with Article 12 of the UN Convention. This report is the third in the Listen Up! series produced by Save the Children in Wales. Previous reports have explored children and young people's experiences of Poverty and of Physical Punishment (Crowley and Vulliamy, 2002 & 2003). The series has enabled us to build a significant body of knowledge about the experiences and views of children and young people in Wales, on key issues affecting their lives and to ensure that these views and experiences are taken into account when deciding on policy and planning relevant services.

A key strategic theme of Save the Children is to work to improve children's experience of education and promote the inclusion of all children and their rights within educational settings.

This report aims to raise awareness of children's experiences in educational settings and promote policy change that places children's rights as centre-stage. The remainder of this Chapter sets out the context of Children's Rights in Education. Chapter Two outlines the methodology and Chapter Three presents the key messages from the children and young people we spoke with. These are organised into eight themes that emerged from the study with 'Children's Rights Challenges' identified for each theme. The final Chapter reflects on these key messages, puts forward recommendations and proposes some strategic issues for consideration.

Background

The last decade has seen increasing attention paid to the rights and entitlements of children and young people in the UK by policy makers and service planners. This focus had been encouraged by three landmark events. The ratification of the UN Convention on the Rights of the Child by the UK in 1989 (of more later); the introduction of the Children Act, 1989 in 1991[1] and the House of Lord's decision in the case of *Gillick* (1986)[2].

In the last few years devolution and the modernization of local government agenda has provided a more fertile landscape for 'people power' generally and has enabled the development of mechanisms and procedures to promote children's rights. In it's first term of office, the Welsh Assembly Government stated its commitment to the United Nations Convention on the Rights of the Child and has developed seven core aims for all services for children and young people in Wales based on the articles in the Convention. It established an independent Children's Commissioner and an all-Wales assembly of children and young people, *Funky Dragon*; it issued new guidance on the planning of children's services (National Assembly for Wales, 2002a) that encourages providers to find out what children think and to take these opinions into account in the planning process. *Extending Entitlement: Support for 11-25 year olds in Wales* (National Assembly for Wales, 2001) requires local authority led partnerships to involve young people in the planning, delivery and evaluation of youth support services.

But, until recently, despite the fact that the vast majority of children spend most of their day in school or other educational settings, children's rights in education have not been a high priority for government. Children have not had a formal right to participate in matters concerning their education. It is parents not children, who have been defined as the 'consumers' of education.

Children are perceived as the 'product'. Children in England and Wales do not yet have the right to participate in matters such as school choice; curricula; appeals over exclusions; school policy or administration. There has been no requirement on schools to involve children in decisions on, for example school uniforms; arrangements for school meals; supervision in the playground; tackling bullying, or discipline. Schools have not been required to introduce complaints procedures that children can use and parents can withdraw their children from religious education and sex education without the need to consult children. Government attention with regards to education has been focused on establishing a standardised curriculum, raising standards and in particular, driving up educational attainments.

Of course, despite the lack of a government requirement, some schools have established participatory practices. There are positive examples of school councils operating in Wales; of innovative and successful peer support initiatives where children are key partners in tackling bullying and enforcing discipline; and of young people being involved in the recruitment of teachers. But these are still the exception rather than the rule and until we have some stronger requirements on schools to actively promote children's rights – the necessary action competes poorly alongside the demands made on schools and local education authorities (LEA's) as reflected in league tables, school inspections, the Literacy Hour and truancy targets. Mason and Cohen (2001) explore how

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[1] The Children Act (1989) required local authorities to consider the wishes and feelings of the child when making decisions concerning their welfare.

[2] The Gillick case established the principle of the competent child. It recognised that children have the right to consent to medical treatment once they are judged to have sufficient understanding. However the principle was not incorporated into primary legislation in England and Wales and other more recent cases have undermined the Gillick ruling.

the holistic approach to education enshrined in the United Nations Convention on Children's Rights (see Appendix) has historically been seen to conflict with the mainstream tradition of education in the UK of "*imparting academic instruction within some sort of formal school system*".

Now, there are encouraging signs of change. Devolution has provided the opportunity for 'made-in-Wales' education policies. An opportunity that the Welsh Assembly Government is embracing enthusiastically as it seeks to develop policies tailored to the specific needs of Wales. There is a strong commitment to promoting the rights of children in Wales. The Code of Practice on Special Educational Needs (National Assembly for Wales, 2002b) devotes a whole chapter to children's participation and encourages respect for children's views.

The Welsh Assembly Government's White Paper on Education; *Learning Country: A Paving Document for a Comprehensive Education and Lifelong Learning Programme to 2010 in Wales* (Welsh Assembly Government, 2002) states the government's commitment to "*boosting the participation of children and young people across a range of dimensions in community life*" and sets out the government's intention to consult on good practice guidance for the establishment of school councils to ensure, as part of an 'overall agenda', that "*young people have a right to influence directly the decisions that affect them*".

The Education Act, 2002 introduces a requirement on Governing Bodies and local education authorities in England and Wales to consult with pupils and take their views into account[3]. This provision re-enforces and builds on the entitlement of pupils to personal and social development contained in the 1996 Education Act and the national framework for Personal and Social Education (PSE)[4].

There has also been significant progress on this issue in Scotland through the Standards in Scotland's Schools Act, 2000. Section 2(2) of this Act places a duty on local education authorities to:

> "*have due regard, so far as is reasonably practicable, to the views (if there is a wish to express them) of the child or young person in decisions that significantly affect that child or young person, taking account of the child's age and maturity*".

Further, section 6(1) states that pupils must be "*given an opportunity to make their views known*" about their school's annual development plans.

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[3] The Department for Education and Science is currently consulting on guidance for schools, governors and LEA's in England, on the participation of children and young people *(DfES, July 2003)*.

[4] The Basic Curriculum for Wales (Amendment) Order 2003 has added PSE to the basic curriculum from 1 September 2003.

The United Nations Convention on the Rights of the Child

The education to which every child has a right is one designed to provide the child with life skills, to strengthen the child's capacity to enjoy the full range of human rights and to promote a culture, which is infused by appropriate human rights values. The goal is to empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence.

(UNCRC Committee 2001)

The United Nations Convention on the Rights of the Child (UNCRC) is the most widely ratified international treaty in the world. It provides a set of minimum standards and a comprehensive framework by which to monitor how children's civil, political, economic, cultural and social rights are realised. The UK signed up to the Convention in 1989 and by doing so commits itself to promoting and implementing its principles into domestic legislation, policy and practice. Education is regarded as a fundamental right for all children and young people and Article 28 of the UNCRC protects the general right of all children to education.

Article 29 emphasises that the purpose of education is the full development of children to equip them to take full responsibility for their lives and draws upon, reinforces and complements a variety of other provisions laid out in the Convention. The Committee on the Rights of the Child in its comment on the aims of Article 29 (2001) describe the "*indispensable interconnectedness of the conventions provisions and how Article 29 cannot properly be understood in isolation*" from the other articles.

Under the Convention, children and young people also hold rights to non-discrimination; to their best interests; to survival and development and to be respected and listened to. In addition the rights to receive and share relevant information; freedom of belief and religion, respect for culture and language; to play and leisure and not to be subjected to harsh punishment are key articles relating to education. The UNCRC therefore provides us with a holistic vision of education, which is child centred, child friendly and empowering.

On ratifying the UNCRC, governments are required to demonstrate progress through regularly reporting to the Committee on the Rights of the Child (CRC). As part of Save the Children's programme to monitor the implementation of the UNCRC in Wales, we are committed to hearing from children and young people about their everyday experiences of how they feel their rights are respected and promoted in all areas of their lives. Scherer and Hart's research (1999) noted that in the initial reports to the Committee, state parties around the world regularly fail to supply adequate evidence as to how children enjoy their rights under article 29.

Wyse (2001) notes that the monitoring and investigation of the impact of the UNCRC as it affects children in their daily lives is of particular importance, and that qualitative accounts are rare. There is a tendency to collect and present statistical information around school attendance, examination results, exclusion rates but a gap in information from children's perspectives on how the education system impacts on them.

The UK 's last report on progress in implementing the Convention was considered by the CRC in Geneva in June 2002. The 'alternative' report[5] from Wales submitted to the UN Committee highlighted research (Save the Children and Children in Wales, 2002) on the training for professionals working directly with children. This report concluded that:

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5 Referred to as the Non-Governmental Organisations (NGO's) Report compiled by Save the Children and Children in Wales.

"almost 30% of courses providing training for professionals dealing directly with children in Wales do not consider children's rights at all within their curriculum. Of those who do only 54% addressed the Convention throughout the course. In many this training is optional. The obstacle to developing this further is generally seen by these institutions as either not being a priority in terms of teaching time or the lack of expertise and resources."

In addition surveys carried out in Wales by Save the Children in 2002 found that of 300, 10-16 year olds almost 92% had little or no knowledge of their rights under the Convention. This finding reflects those of a UK wide survey (Alderson 2001), which examined with pupils and teachers, the extent to which children's civil rights are respected and promoted in schools. It found that of 2,000 pupils very few had heard of the UNCRC, that generally civil rights have a lesser priority than protection and provision rights in schools and that there is a real need for a shift of attitude to the rights of children within the education system. The researchers concluded that:

"Schools must practice justice, equality, mutual respect, inclusion, participation and citizenship if students are to take their lessons seriously."

Other research and consultations undertaken directly with children around the UK found that when given the opportunity to explore the concept of rights that children's own visions of an ideal education bear a strong resemblance to that which is contained within the principles of the UNCRC. Scottish pupils identified relationships with teachers, creative approaches to learning, a safe environment and more involvement in decision making in schools as key areas crucial for improving their schools and the quality of their education. This and other evidence led the Committee on the Rights of the Child to issue the following recommendation to the government of the UK:

"Include the Convention and human rights curricula in all primary and secondary education and in teacher training."
(CRC, October 2002)

A number of studies have illustrated that where other rights are under threat this affects how children are able to receive and benefit equally from their right to education. Day to day experiences of schooling were raised directly with the Committee on the Rights of Child when it met to hear oral evidence in preparation for it's questioning of the UK government delegation in September 2002. Children and young people from around the UK submitted their own evidence to the UN Committee for the first time. Bullying within schools was a major issue highlighted. This prompted the Committee to make the following recommendation to the UK government:

"Take measures and adopt adequate mechanisms and structures to prevent bullying and other forms of violence in schools and include children in the development and implementation of these strategies."
(CRC, October 2002)

Children living in Wales have described vividly how the effects of being poor; of being unable to purchase essential learning items and participate equally in extra curricular activities, for example can lead to stigmatisation and bullying. (Crowley and Vulliamy, 2003). Young Gypsy/Traveller children detailed instances of bullying and discrimination from their peers and from teachers in their submission to the Welsh Assembly Equal Opportunities Committee (Crowley, 2003).

A survey of English schools (Children's Legal Centre, 1999) focussed on whether schools were implementing article 29 to 'prepare all young citizens for a life in a multi-cultural society', in schools where pupils were predominantly white. They found concerning levels of under-estimation of the seriousness of racism, a lack of policies within the schools and no evidence that the principles of Article 29 were incorporated into the curriculum thus failing all pupils regardless of ethnicity.

In each of these studies children and young people were clearly able to articulate and make the links with the need for all rights to be promoted in order to fully realise their potential and benefit from education. Commitment and effective policies and practices in schools are vital to combat the damaging experiences described as commonplace by some children.

The Case for Participation

A commitment to listening to children and young people and taking their views into account sends a clear message that they are regarded as citizens. As Hart (1992) argues, young people who are below voting age must be afforded the rights of citizenship. How can they otherwise be expected to undertake the responsibilities associated with citizenship? How will young people come to have a true understanding of democratic participation along with the confidence and competence to participate? This will not automatically happen when young people reach the age of political majority. Rather, it is a process and these skills of citizenship can only be acquired through practice (Hart, 1992). To ignore the contribution that those below voting age can make to their communities and societies is to foster alienation and disenchantment in later life (Willow, 1997).

Involving young people in decision-making brings social benefits, not just to young people but also to the schools they attend and the communities in which they live. They develop new skills and apply them in new situations, for example debating, negotiation, problem solving and collective decision-making. Participation means that young people learn more about themselves and about others. They learn about taking responsibility and balancing priorities. Through exercising their rights children and young people realise that others too have rights, which must be respected. In expressing their views they learn to appreciate the views of others. This leads to an understanding of diversity and the importance of taking account of the needs and hopes of others, who may have very different viewpoints (Green, 1999). Most importantly of all, the participation of the young empowers them as citizens to shape their lives and communities. Confidence and self-esteem are nurtured and children come to feel that they and their opinions are valued (Green, 1999).

In their General Comment on the Aims of Education, the Committee on the Rights of the Child state that:

"Compliance with the values recognised in article 29(1) clearly requires that all schools are child friendly in the fullest sense of the term and that they be consistent in all respects with the dignity of the child. The participation of children in school life, the creation of school communities and student councils, peer education and peer counselling, and the involvement of children in school disciplinary proceedings should be promoted as part of the process of learning and experiencing the realisation of rights."

(Committee on the
Rights of the Child, 2001)

The advisory group on citizenship for the Crick Report (1998) said that:

"Schools should make every effort to engage pupils in discussion and consultation about all aspects of school life in which pupils might reasonably be expected to have a view, and wherever possible to give pupils responsibility and experience in helping run parts of the school."

Last year the Committee on the Rights of the Child reiterated these views in their recommendations to the UK:

"In accordance with Articles 12 to 17 the state party should take further steps to promote, facilitate and monitor systematic, meaningful and effective participation of all groups in society including in schools, like schools councils."

(CRC, October 2002)

"Ensure that legislation….reflects Article 12 and respects children's rights to express their views and have them given due weight in all matters concerning their education, including school discipline."

(CRC, October 2002)

Children and young people's involvement in decision making in schools has been documented in a number of recent studies around the UK (Alderson 2000, Save the Children and Durham County Council 2000, Hanman 2001). All found that when there is access to effective mechanisms to participate pupils were likely to have more positive attitudes to school and that participation can enhance learning right across the curriculum.

In one study, teachers' overwhelming view was that there are benefits in terms of *"motivation, self-esteem, sense of ownership, empowerment and this in turn enhances attainment."* (Hanman, 2001).

In order to achieve real benefits for the whole school though, training and democratic election of both staff and pupils, ownership of meetings and creating accountability and backing from school governors were seen as crucial areas for improvement (Wyse, 2001).

Chapter Two: **Methodology**

Research Design

The aim of the research was to examine children and young people people's views on their rights in education in Wales. This topic was presented to young people involved with Swansea Youth Forum and they were invited to take part in a reference group, which guided the research.

The reference group worked with Cath Larkins to design the activities for focus group sessions. In the first focus group session we asked broad questions decided by the reference group. These sessions also provided background information on children's rights, as the reference group felt it was unlikely that most children and young people would know about the United Nations Convention on the Rights of the Child. (This view was confirmed in the process of the research).

The reference group then looked at the initial findings from the first focus groups and designed a format for the second focus groups, which enabled the children and young people participating in the group to decide their own themes for discussion. These themes were based on the children's rights information that had been discussed in the previous session.

At the end of the field work the reference group examined all the findings, suggested themes and essential quotes and contributed to the design of the final research report.

Confidentiality and Context

Permission was obtained from parents, via their schools, for the focus group sessions to take place with no teachers present. This was due to the reference group's concern to provide a confidential space in which children and young people could talk about any issues. Often in confidential group settings members of the group talk about negative or personal experiences, as they have the opportunity to describe incidences that they have not previously had space to explore. This was certainly the experience during this research and we therefore had access to information that is at times startlingly revealing.

To protect the individuals who have participated we have not given names of staff or peers they have named, instead we have used the terms Teacher, Name and Friend, to preserve the anonymity of the participants.

Who took part

The sessions were run at ten schools and projects across Wales, with either one or two groups at each location. 170 children and young people participated in the research with a further 8 young people directing the research through the reference group.

All schools that had returned an earlier questionnaire were invited to take part in the research and, to ensure a diverse age, geographical, ethnic and language spread, further groups already in contact with Save the Children were also invited. This was the extent of our efforts to obtain a wide group of participants and we do not claim, that the comments contained within this research are representative of the experience of all children and young people in Wales.

Age

The age range of the children and young people participating was 9 to 15 with 85% of participants in the age range 10 to 13.
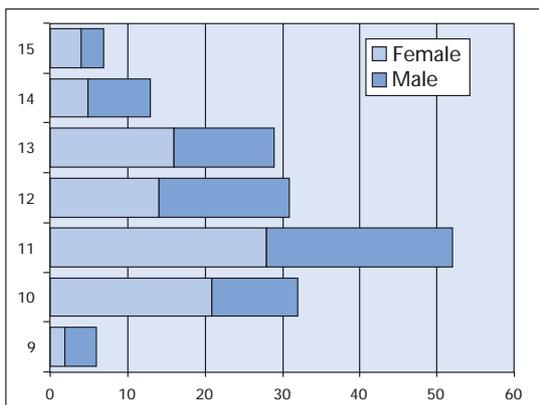
Gender

80 of the participants were male and 90 were female.

Nature of groups and schools

Setting	Number visited	Number of participants
Primary	3	65
Secondary	3	71
Pupil Referral Unit	1	4
Group	3	30

Children and young people who were contacted through groups attended nine different schools. In total therefore, our sample included children and young people from a total of 16 different schools in Wales.

Geographical spread

Location	Primary	Secondary	PRU	Group
North Wales Urban	1	1		1
North Wales Rural	1			
Mid/ West Wales		1	1	
South Wales Valleys	1	1		
South Wales Urban				2

Language and Ethnicity

Of the 170 participating children & young people:

48 attended Welsh language & bilingual schools
30 were part of multi language groups
92 attended English language schools
11% of the total number of children and young people were from Gypsy/Traveller communities and 7% of the total were Black or Minority Ethnic.
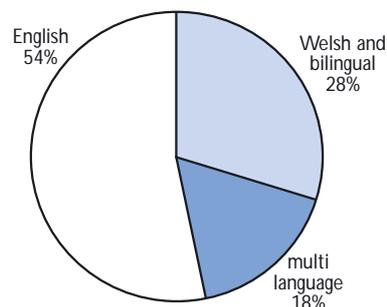
Research Themes

The themes for the research are drawn from the UNCRC. Because the research is about education, Article 29 of the UNCRC is central:

Education shall aim at developing the child's personality, talents and mental and physical abilities to the fullest extent. Education shall prepare the child for an active adult life in a free society and foster respect for the child's parents, his or her own cultural identity, language and values, and for the cultural background and values of others
            (United Nations Convention on the Rights of the Child).

The reference group were keen to reflect the breadth of article 29 in their questioning and sought an overview of the children and young people's experience of education in the first focus group sessions. They posed the following questions:

1. *Good things about school are… - Bad things about school are …*

2. *What happens when you break the rules? What should happen when you break the rules?*

3. *What I would like to learn about is…*

4. *My ideal teacher is…….*

Comments from children and young people in response to these questions and the reference group's own experience suggested that the attitudes and conduct of teachers and other school staff are crucial. This links to a core principle of the United Nations Convention on the Rights of the Child, namely:

Article 3   that in all actions concerning children, the best interests of the child shall be a primary consideration… and states

should ensure the suitability of staff working in institutions responsible for the care of children.

The reference group identified participation as a pivotal right, as expressed in:

Article 12   The child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child.

This principle was reflected in the exercise used in the second focus groups, designed to assist participants in deciding what rights were most important to them. In the Right Priorities exercise, every child and young person was given three dots and asked to vote to choose (from 15 rights pre-selected by the reference group) their top three most important rights. These priorities were then used as the basis of the subsequent group discussions and structured the findings of the research.

Overall, the three most important rights chosen by all schools and groups were:

Article 37   the right not to be punished in a cruel or hurtful way.

Article 2   the right to protection against discrimination.

Article 31   the right to play and relax by doing things like sports, music and drama.

Further priorities included[6]:

Article 12   the right to an opinion and for it to be listened to and taken seriously.

Article 15   the right to be with friends and join or set up clubs, unless this breaks the rights of others.

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[6] When looking across groups and schools, priorities at times varied according to statistical method - weighting each school or group equally or by summing the votes of all participants. When there is no variation an unequivocal priority is stated, when there is variation all rights identified by both methods are given.

Article 28   the right to education.

Article 23   If you are disabled, either mentally or physically, you have the right to special care and education to help you develop and lead a full life.

Article 19   the right to be protected from being hurt or badly treated.

Schools

Schools named at least one of the first three overall priorities and always article 12. In primary schools the three most important rights chosen were articles 31, 37 and 12. In secondary schools the three most important rights chosen were articles 2, 19 and 12.

These results point to the relative importance of play and fair punishment, in primary school and give a high priority to protection from bullying in secondary schools. They also suggest that article 12 - the right to an opinion and for it to be listened to and taken seriously, is of particular importance regardless of age.

Minority groups

In the Gypsy/Traveller and Black and Minority Ethnic groups, the three rights chosen as most important were Article 28, 30 and 33 or 37. These priorities reflect the relatively higher importance for these groups, of the following rights:

Article 30   the right to enjoy your own culture, practise your own religion, and use your own language.

Article 33   the right to be protected from dangerous drugs.

Additional Themes

In addition to the rights prioritised in the dot voting exercise, comments of the children and young people who took part in the research suggested a number of other rights were as significant.

Article 16   Children have the right to privacy, regarding toilets, changing rooms and the exchange of information.

Article 8   Children have a right to their identity.

Article 13   Children have the right to freedom of expression regarding school uniforms, dress codes and restrictions on discussion of current affairs.

Article 42   that everyone should know about the rights contained within the UNCRC.

Chapter Three: **What we found out**

Children's and young people's comments and discussions are grouped into eight sections. Each section includes reflections on a key theme identified by children and young people as important and ends with related 'Children's Rights Challenges'.

1: Friendship and Play

- Understanding the issues
- Developing Friendship
- Supporting Play

2: Discrimination and Bullying

- Understanding the issues
- Being hurt and badly treated
- Establishing Solutions

3: Participation

- Understanding the issues
- Not being heard
- Effective participation

4: Relevant Education

- The good things about school
- Improving the content of learning
- Improving the delivery of education

5: Punishment

- Understanding the issue
- Unjust punishment
- Alternative approaches to punishment

6: Privacy and Protection

- Privacy in toilets and changing rooms
- Balancing privacy and protection

7: Identity and Individuality

- Prioritising Welsh Language
- Promoting cultural awareness and support
- Deciding what to wear

8: Adults' Attitudes and Conduct

- The importance of the role of teachers
- Teachers' Code of Conduct
- Supporting good staff

1. Friendship and Play

Article 15   the right to be with friends and join or set up clubs, unless this breaks the rights of others.

Article 31   the right to play and relax by doing things like sports, music and drama.

Understanding the issues

The findings of this research indicate that experiencing friendship and play are high priorities for children and young people at school. Taken together, articles 15 and 31, received the most votes (24%) in the Right Priority dot voting exercise (see page 16). Meeting friends and access to play were also frequently listed among the good things about school. The children and young people who participated in the research described why these rights are important:

"*Without friends you wouldn't have a life… life would be boring. In school, if you need to borrow glue or a pen, they can help you. They sometimes can be more important than family.*"

"*Friends are great to have fun with… you can trust them and they can help you if you need them.*"

"*When you have been working hard you need a rest. You have been inside doing your work then you go outside and run round and forget your work and feel energetic. You are all tired and you can get your concentration back. 'Cos you get all bored. If you get to play then it stops you being naughty. You get your concentration back and your energy and then you work better after.*"

"*Sometimes in class it is so hot I can't concentrate at all and I want to go outside…when you do your work you get all frustrated and you need to calm down a bit.*"

It was clear from their comments that the rights to play and friendship were not only important in themselves. Friendship and play also supported children and young people to access the rights described in articles 28 and 29 of the UNCRC - to education that develops the child's personality, talents and mental and physical abilities to the fullest extent.

Developing Friendships

Whilst being with friends was an important part of school life, some of the children and young people we spoke to felt that the 'rules' in school did not always allow them to spend as much time as they would like with their friends:

"*We have this right (to friendship) but we don't get it all the time, like when … they put you in seating orders too. I find I work better with my friends.*"

"*At dinner we stand at the hall door and … DINNER LADY says where you sit. She says '1,2,3,4,5 over at that table there.' You can't sit with your friends.*"

For children looked after and living away from home, keeping in contact with friends, family and trusted adults through school can be crucial:

"*Seeing my friends, my sisters and my tutor. 'Cos my tutor was always really kind to me.*"

This young person described how these important links were disrupted by a placement move - a decision he had no part in. When asked about the 'bad things' about school he said:

"*Leaving my old school to come here. I got sent here for truanting, I won't truant now 'cos I'm in Foster Care.*"

Some schools had systems in place aimed at developing positive peer relationships but some children and young people reported that these systems didn't always work in the way they were intended.

"*When people are lonely they go and sit down at the friends stop and they say 'Go on you two play together'. But sometimes the buddies are not there. And some people don't like each other and if they get put together on the friends stop, they fight.*"

"*Some people refuse to be friends with people because they live in different houses… some people live in small houses and some people live in mansions… we think that this needs to be sorted out.*"

In some educational settings it was much more difficult to make new friends. A young person attending a Pupil Referral Unit explained:

"*This school is too small it's got no children. Who are you going to make friends with?*"

The views of children and young people who spoke to us were that whilst some schools encourage the development of peer relationships, in others, policies and practice are not working so well and, at times, can serve to undermine children's rights to develop and maintain friendships.

CHILDREN'S RIGHTS CHALLENGE

Ensure children and young people's right to be with friends is recognised and valued and develop and evaluate systems which support the development of friendships (article 15)

Supporting Play

Playtime was another frequently listed "good thing" about school, and children at two of the schools we visited talked a lot about their play facilities:

"*You can join clubs like netball and stuff. Year 7 get loads of games and stuff… they've also got science club.*"

"*We've got loads of different after school club activities: Annex, Football, Playstation. We've got a tyre park. We have 3 play times a day*"

Other school groups described a very different scenario with few activities:

"*There's nothing to do over lunch - you can go to the library… its boring. There's no games room, nor swimming pool, the computer room's closed… You can't leave the school over lunch before you're in year 10 – but there's only a Spar or KwikSave to go to.* "

"*If there's no space on the Astroturf you should be able to go into the sports hall to play. Everyone was talking about a skateboard park but it is just a rumour, the teachers say it, they have been saying it for 20 years.*"

Not enough play was repeatedly listed as a 'bad thing' about school. From five schools there were comments about ways in which access to play was impeded for a variety of reasons both in and outside of the school's control e.g. other activities being prioritised; academic pressures and vandalism.

"*We've got less playtime now because of the Urdd Eisteddfod… we haven't had PE for the last 2 months. And they do choir in playtime, it would be OK if they did something different every time and sometimes choirs but all we get is Choir, Choir, Choir*".

"*TEACHER said 'that is going to be your last time to relax because you have to revise for your exams', 'Your last fling' or something, 'your LAST chance to have fun' and it made us think 'oh no' what is it going to be like after this!*"

"*On Fridays we get like two sheets of homework for the weekend and we want like a homework club so that we have more time to play at the weekends.*"

"*We aren't allowed to go in the environmental garden, because it has been vandalised.*"

"*And we hardly ever play football games against other teams, (TEACHER) says 'this Thursday' and then says 'oh no, after half term'. It gets your hopes up then you feel let down.*"

The children and young people we spoke to wanted to have more of a say in the play facilities at the school and how they spent their leisure time:

"*We should have more activities to do, if you are good in break or dinner you should have a design room so that you can finish off a project or do art.*"

Girl 1: "*We should have a ball for the girls.*"

Girl 2: "*All the people who play football get the whole yard and we get nothing.*"

Boy 1: "*It keeps the boys happy.*"

Girl 2: "*Yeah but what about the girls?*"

"*They need to do some work to the tennis courts - they've been like that since we've been here. And the gates are down and there's a hole in the fence.*"

"*I'd like it if we had more to do in the playground.*"

"*So what happens when the weather is bad? You stay in, but that is the time you want to go out, but they don't let us.*"

Overall children felt that other school activities were prioritised at the expense of play, and whilst children and young people from one school had been consulted about play resources and opportunities this was not generally the experience of participants.

CHILDREN'S RIGHTS CHALLENGES

Maximise opportunities for children and young people in schools across Wales to exercise their right to play and relax (article 31)

Develop play facilities based on the ideas of children and young people within each school (article 12)
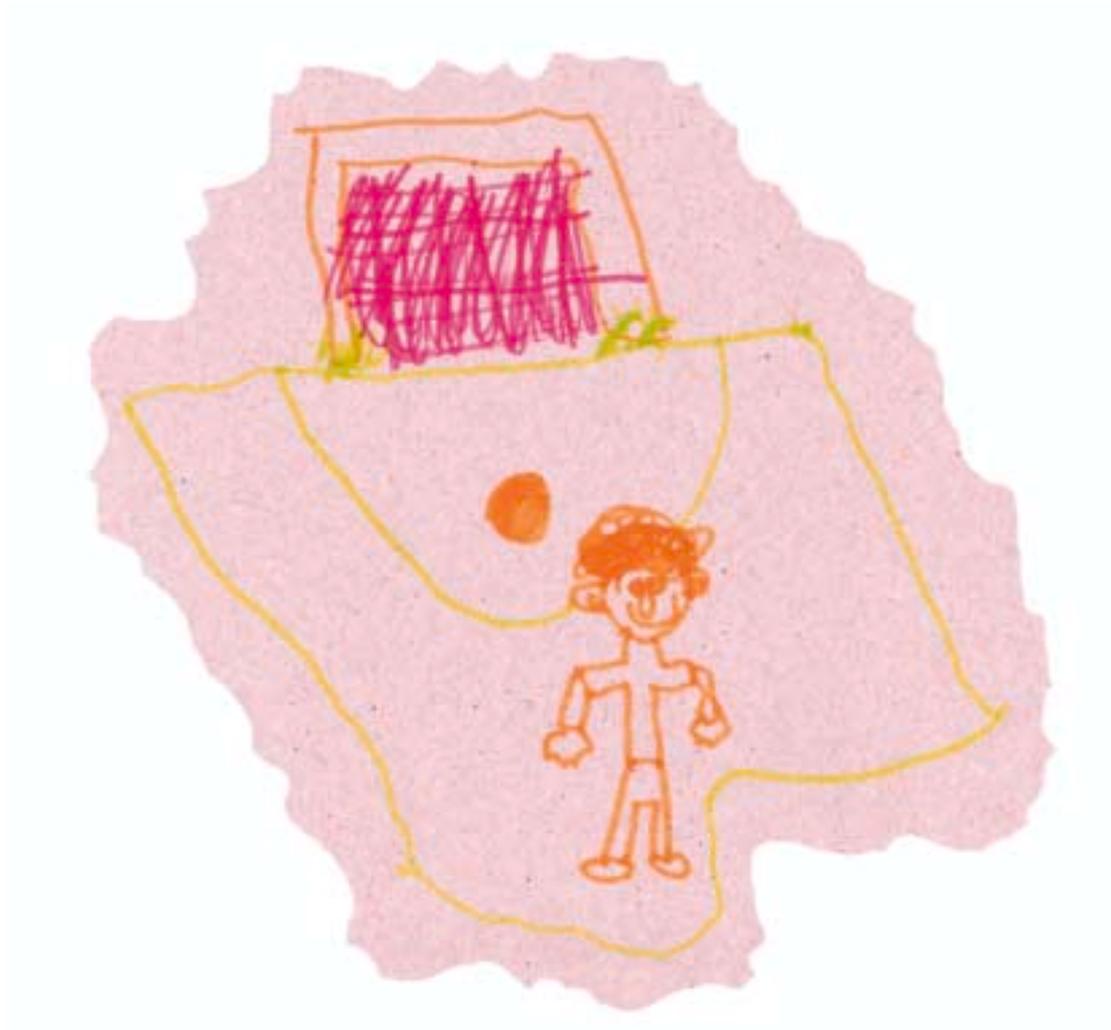
2. Discrimination and Bullying

Article 2   the right to protection against discrimination.

Article 19   the right to be protected from being hurt or badly treated.

Understanding the issues

These two rights, taken together, received the second most votes (18%) in the 'Right Priority' dot voting exercise and were discussed more than any other right or theme. Children and young people demonstrated a deep understanding of the effects of bullying and discrimination:

"How can you tell whether you are being protected from discrimination? When you aren't protected you feel: sad, lonely, under pressure, on edge, tense, intimidated, scared, angry, selfish, asking 'why me?'. When you are protected you feel: happy, comfortable, making friends, active, buzzin on, friendly to others, good mood, pleased with yourself, relaxed."

"People say that being physically bullied is bad, but discrimination hurts people inside… and marks on the inside can cause more damage than marks on the outside… they can make you depressed."

"Things like this stop you from wanting to come to school – you want to stay at home."

"I think that the Special Education kids get a hard time… people pick on them all the time."

"If you are hit or they call you names it knocks you confidence and you have no power to go out and play and you might hurt yourself or something."

"I get mad at myself sometimes, say someone calls me a name or something, I go home and I'm really miserable and all I do is eat and then the next day I feeling really bad about myself and it just goes on like that."

Being hurt and badly treated

Many of the children and young people we spoke to drew on their personal experiences of bullying:

"I used to get bullied by (NAME). I went home and … and my mum said 'What are those bruises on your legs' and I said well (NAME) has been kicking me. And I had loads of bruises. …"

"We all wear trousers now because of him because he used to lift up our skirts … and started pinching our bums."

"One of our friends has ginger hair and the boys in our class pick on her… we don't like this because it makes her really upset… she hates coming to school."

"I know this boy who is bullied just because people think that he's gay. A lot of the boys who play rugby in this school say that the boys who do drama and the boys who go to choir are gay. We hate it because they're actually doing something on behalf of the school."

Bullying and discrimination was a particularly common experience for the young people from the Gypsy/Traveller communities who participated in the research. They talked about being discriminated against by both pupils and by teachers:

"All the kids pick on us."

"He said that I was dirty and that I needed a wash and sure I was cleaner than himself."

"Teachers blame us for when things go wrong. All the other children say it is me when something goes wrong. … he searches my bag. He doesn't search their bags. He doesn't look in their socks where they have hidden their phones. Once I told the teacher they all had their phones hidden. Now they have stopped searching bags."

"People call us gypos, we talk to the teachers and they do nothing about it."

The 12 young people from Black and Minority Ethnic backgrounds who participated in the research had less to say about racism from other pupils. They felt that this was because they went to schools with a large ethnically mixed population and they expected that their experience would be very different in other schools. The negative experiences they did describe however were of discrimination by teaching staff.

"They (teachers) try to find out about us by asking about where we are from, so they can judge us."

"Sometimes teachers treat us badly and judge people's religions, also don't give an opportunity like 'who wants to run an errand' and they look at you and say 'Definitely not you. I don't trust you' and people feel completely unmotivated."

Children and young people from all the schools and groups, who participated in the research, gave examples of interactions where they felt discriminated against by teachers.

"Teacher hates my older brother so when I first came to this school she screamed at me every chance she could."

"Today, its 'own clothes day' and I was called a lot of different names because of my trousers… some teachers called me names as well."

"He moved the girls up but he didn't move the boys up. I got a higher mark than most of them but he didn't move me up."

Others talked of being treated with insensitivity and disrespect:

"I was getting really upset [about children commenting on her size] And I told the teacher and she said 'We know what size you are… so what's the problem?' And she just left me and I was crying and me and friend were dead upset."

Participants in the research frequently commented on the failure of schools to deal adequately with the bullying they were subjected to. Many suggested that the systems already in place to tackle bullying were not always effective:

"In school its up to the person to tell the form teacher in 'ABCh' lessons if he or she is being bullied… but we only have an 'ABCh' lessons every two weeks."

"What happens with the bully box? 'If you get bullied you write a letter and say this person is bullying me. You put it in the bully box and the teachers should check it regularly but they don't.'"

"They normally don't do nothing, they just tell them off and don't teach them a lesson. Sometimes they don't even tell them off they just say 'Oh don't worry he'll be OK'. That is one of the reasons we sometimes we just don't tell the teachers."

"Some teachers deal with racism others just ignore it. You say something to them and they just say 'it doesn't matter.'"

"The teachers don't do much about the people who are bullying and they just do it more and more and that is why teenagers start getting scared about it."

CHILDREN'S RIGHTS CHALLENGE

Ensure that children and young people are treated with respect and not hurt or treated badly by their peers or by teachers (article 19)

Establishing Solutions

Many participants had little or no faith in the ability of adults in schools to deal adequately with bullying. Children and young people described how they protected themselves, and each other.

"*In schools nobody will mess with me… Being serious, I don't carry knives or anything but I will punch back. I have been suspended from school for fighting.*"

So did you tell the teachers you started because you were being called a Dirty Traveller? "*Yeah and still they suspended me.*"

"*Friends help when you have problems… they help you fight.*"

"*We don't really tell the teachers about bullying we just sort it out between ourselves. Like sometimes we just break it up and the kids sort it out or it sorts itself out. We just stop them from doing it.*"

"*Cos every time we get picked on we always tell each other cos you can see it in them, the person goes quiet or they start crying or they don't listen to you or something.*"

However, there were other examples where children and young people did feel supported by teachers in dealing with bullying. These teachers were described as effective in their response to bullying and of having achieved solutions:

"*Some people call me gypo.*"

Do you tell the teacher? *Nods*

What does the teacher do?

"*Tells them off.*"

Does that work, does it stop them? Nods

"*Something happens if you go and see Teacher… He doesn't shout at you – he talks to you….You know he means it.*"

Many participants who couldn't give examples of ways in which bullying was effectively dealt with now, gave suggestions for solutions which teachers and schools could implement. Talking with the bully and their parents was recommended:

So what do you think teachers should do about bullying? "*Talk with them.*"

Does it work when she talks with you? "*It depends how cross she is.*"

"*I think your parents should be phoned straight away, not after three times you've done it, cos it even said on the telly that bullying is getting out of hand.*"

"*I think the teacher should talk to the person and then talk to the mum and dad, maybe not just phone, get them in to school and say are there any problems why this is happening.*"

Taking bullies by surprise was suggested as a way of them not knowing their victim had told anyone:

"*The teacher should keep an eye out seeing what the bullies do… maybe … the teacher could (pretend to be you) and … just walk in on the bullies. Yeah 'cos the bullies, they tell off them but that's not doing anything about it.*"

One group suggested graded punishment:

"*Bully or person treating you badly should be punished. Caution first, then isolation.*"

The favoured solution from many of the participants was to introduce an independent element, within or from outside of the school:

"*they should have an interviewer who comes into every school and asks do they get bullied, so they see how many children get bullied.*"

"*Maybe with two or four years olds, people who can't write or phone, maybe in every village or town they should have a person in a little housey thing. And you go and talk to them and so anyone can go and visit and say what is wrong.*"

"*Everyone should have an Education Welfare Officer, in the school but not working for the school.*"

"*In our school there is like a school nurse in high school so maybe they should have a school problem teacher so you could go and see them. And that that should happen in primary school too.*"

External support systems already in place were not always seen as helpful:

"*They've got those help lines like Samaritans and ChildLine, and magazines but you can just feel embarrassed talking to them.*"

There is a clear responsibility on schools to provide effective solutions to protect children and young people from bullying and discrimination. More effective solutions could be achieved by asking children and young people what should be in their school anti-bullying policy and ensuring that children and young people are involved in monitoring its effectiveness.

The reference group for this research has suggested that the best next step would be to support the development of peer support services, building on the success of current informal peer support. This is how the reference group described the approach:

"*Peer support services are a scheme where young people are trained in various skills like listening and communication, mediation and mentoring. They can then use these skills to help other young people who come to them with their problems. Peer counsellors provide mediations between bullies and their victims to help them solve their problems and find solutions. Not only does it provide a place where young people can go and a person they can talk to, it also provides young people to develop skills that they can use in their everyday lives.*"

CHILDREN'S RIGHTS CHALLENGES

Establish anti-bullying and anti-discrimination strategies designed and monitored by children and young people (article 2)

Develop accessible complaints systems and support systems with the participation of children and young people (article 12)

3. Participation

Article 12   the right to an opinion and for it to be listened to and taken seriously in decisions that affect the child.

Article 14   the right to believe and think what you like

Understanding the issues

Children and young people from all the participating schools consistently named article 12 as one of their top three rights. The right to participate is often described as pivotal. This is reflected in the children's rights challenges within this document and was echoed in the dot voting exercise. Children and young people talked about the importance of being listened to and taken seriously:

"*if you are not listened to, you can't explain stuff 'cos they say 'yeah, yeah'. You could be getting really hurt and no one would believe you.*"

"*if you are not listened to you think 'Oh I'm not telling that person again because they don't listen to me', If you are being bullied or something is wrong you won't tell anyone.*'

"*if they listen to you, you might have a good idea*"

Some children and young people felt listened to by individuals or by schools as a whole:

"*Teacher is great because he listens to you – most teachers just don't want to know.*"

"*I think we are already taken seriously most of the time.*"

Not being heard

The view of the vast majority of participants was that teachers did not routinely listen to pupils. Most of the children and young people we consulted did not feel their views were taken seriously, or that they were involved in decision-making that affected their lives at school.

"*We're supposed to be respected – but we're not… they should listen to what we've got to say.*"

"*We've just been told today that we're having a new conduct list in September… it's really strict. One of the new rules is that you're supposed to go on to your next lessons quietly and sit down quiet until your teacher comes.*" Did you decide about these rules? "*No we were just told.*"

"*They spent like 4 million on the new building and then they don't do jack for us.*" Did any of you get asked what it should be like? "*No. They were gonna build a swimming pool but they built a pond instead. I mean what are we meant to do with a pond?*"

"*I had to move class because the teachers said that I was a bully – but it wasn't like that. She said stuff about me and I said stuff back. She got to choose what happened to her but I had no choice.* "

"*In my new Maths class we're not allowed to talk at all for a whole hour.*"

Almost all of the schools had established school councils and forums as a mechanism for involving children and young people, however, many of the children and young people we spoke to knew little or nothing about their school council. There were examples given of school councillors being chosen by teachers. Children and young people in only four of the schools we visited remembered voting for their councillor.

Do the school council make any decisions about stuff like this? "*No they say we're going to do this or we are going to do this and they don't do anything…They go down there they have a biscuit and a cup of tea and they talk about what they are going to do.*"

"*You did what on the council? We got what? We didn't know!*"

How do you find out about what happens at the school council? "*You don't it just goes on. So how would you like to hear? They should tell you in class through your teacher.*"

"*I told the school council about that and nothing happened. Why? The teacher thinks 'Oh what is the best idea' and they do something about that.*" How do you think they should decide what is the best idea? CHORUS "*a vote!*" "*US!*"

CHILDREN'S RIGHTS CHALLENGES

Establish mechanisms in consultation with children and young people that ensure they feel listened to and can effectively participate in the life of the school (article 12)

Effective participation

Children and young people from two of the schools described how their school councils were successful in raising pupil's issues and making positive changes.

Can you give me any examples of how you make decisions at school? "*In our school council meetings we have a councillor in each class and if we want to say something we take it to the school council.*"

Who decides what the council talks about? "*We tell the school council. Say if we are in dinner on Friday and they stop selling salt, not that they do sell salt, we tell SCHOOL COUNCILLOR and they would take it to the council and do something about it.*"

Have you got a school council? "*Yeah, I was in it. They get taken to school and told things. Like we were going to get blazers and we got to choose we voted and everyone said no.*"

So how did you get the tyre park? "*Well we discussed stuff at the council 'cos the playground wasn't very good and then TEACHER came up with the idea of a tyre park and we all agreed and then we bought it.*"

Has anything else changed through the council? "*The dinners, we get to go in first now, 'cos we were having not so good dinners… We told our teacher and our teacher said discuss it at the school council.*"

There were suggestions on how the councils could become more effective by making reporting back more accessible, increasing voting rights and opening out the process:

"*When they are reporting back (from the school council) they start arguing and you don't know what they are saying and you have your hand up for ages and it is not very nice to listen to.*"

How often do you get to vote? "*The beginning of every year.*"

Would it be good to vote more often? "*Every term, Yeah 'cos some of the people on the buddy team shouldn't actually be there.*"

"*Anyone should be able to go in there and make an idea of your own.*"

Other children and young people made suggestions about mechanisms outside the school councils, which could help them participate in their schools:

How should you sort things out at school? "*If it is to do with the toilets then a school council vote but if it is other things then the whole school.*"

So how would you organise for the whole school to vote? "*Go round the class. With everyone kind of sitting down and Teacher could come round with a box.*"

"*a comment box cos if something is bothering you, you could just put your card in and at the end of the week they could empty them out.*"

Two groups also talked about participating in wider decisions around their education:

"*You should be able to pick your own school out of a choice of loads.*"

"*We should get a choice of what to do each lesson, on the odd occasion, like to do practicals. Do you ever get a chance to make a choice? No. Oh yeah in PE at the end of term sometimes.*"

School councils can be made more effective participation arenas if they are led by children and young people and given scope to make real decisions. But this is only one element of participation in school life. For participation in schools to be effective there must be opportunities for all children and young people to be heard and taken seriously in all decisions they see as relevant to their lives, and this requires a variety of mechanisms as well as a wider range of opportunities to have influence.

CHILDREN'S RIGHTS CHALLENGE

Ensure children are offered opportunities to participate in as wide a range as possible of education-related decisions. (article 12)

4. Relevant Education

Article 28 the right to education.

Article 29 the right to education that develops the child's personality, talents and mental and physical abilities to the fullest extent.

Article 23 if you are disabled, the right to special care and education to help you develop and lead a full life.

The good things about school

The children and young people who participated in the research were very clear about what, for them, makes a good education. They were asked 'What are the good things about school?'. Children and young people talked about the content of their learning; the resources and opportunities available; and the processes through which they learn. Around 30% of their comments on 'good things' were about the content of their education. They named a wide range of subjects and, of these, the most popular were languages, English, maths, sports, art/DT, science and sex education.

What are the good things about school?

"Qualifications… Learning."

"Language: helps you write and read" "English is very good" "In English you do stories and I won the competition once."

"Maths – very useful for algebra in high school" "Maths - we get to make up our own games"

"You get sports" "PE" "Gymnastics" "Go swimming" "We get to do football, hockey rugby, rounders."

"Art: I like drawing" "I like making things" "I like art and tech" "DT."

"Science understands your working body" "Science: we get to use special equipment."

"Sex education." "You learn a bit about sex."

"You get to do all sorts of languages, Punjabi, Arabic, Somali, Gudjurati, Sanskriti – it is really hard though, it is not just speaking."

"Geography…Music… Cooking… woodwork… pillow making… History from the past… service (religious)…"

Comments on resources and the opportunities available at school made up approximately 20% of the total comments on 'good things'. Their responses demonstrated that children and young people valued a whole range of different resources necessary to support their education:

"Pool table."

"They have good dinners."

"They have good classroom."

"It's pretty."

"Large school." "We've got a lot of space to play and talk." "Brand new school." "Modern and clean."

"BOOKS"

"Technology teacher, because he always brings things in for me to fix which I'm quite good at."

"Nice teachers … Helpful staff … Sort out problems"

and varied opportunities:

"I was the first boy to win the [sport] finals from our school."

"I play for the school football team and rugby… I got picked for the local professional football team from the school."

"Opportunities for people with learning difficulties."

When the process of learning was made more enjoyable and varied, it was listed as one of the 'good things' about school. Children and young people who participated in the research frequently named school trips and fun activities as good things at school and pointed out that making learning fun makes it more effective.

"*Working, when you get interested in it you want to stay longer in class.*"

"*It is like in science if me and FRIEND … get high marks 'cos TEACHER makes it fun… he had a joke with us and we got to do light outside and practicals.*"

"*HE was a great teacher, he made it more fun – we got to go outside and he just laughed with us – and our marks were better as well.*"

Some children and young people, however, felt they were not receiving the sort of education they would like. Although raised by seven of the ten groups and schools consulted, this issue was commented on extensively in one secondary and one primary.

Good things? "*Nothing.*"

"*Not enough trips.*"

"*Learn too much about nothing.*"

"*My Mum always asks me ' what have you learnt in school today' and normally I have to say 'nothing'.*"

"*You get a better education at a proper school (not a Pupil Referral Unit), you do more subjects.*"

Improving the content of learning

Some answered the question "What would you like to learn about?" by listing many of the subjects already named as good things. This 'more of the same' suggests that their education was already focused on areas of interest to them, particularly sport, music and drama.

"*I'd like to have more PE because we only get it once a week, and that's not enough.* "

"*How to play an instrument.*"

"*In the summer, we should spend more time outside doing things like Drama.*"

"*I want to read a comedy, that makes you laugh, with pictures, in a fun way, horror, scary.*"

"*Be able to learn more languages – French, Spanish, Italian, German, Welsh.*"

However, children and young people had some very clear ideas about was missing from their education. There were requests for more teaching of science, nature and IT but by far the most frequent request was for more and better sex education:

"*About sex in a different way – no technical terms, more like we think about it;*"

"*Earlier sex education (year 4).*"

"*Some teachers hide the facts and don't say it because they are afraid;* "

"*Relationships! - How to treat people;*"

"*The videos in Sex Education is crap….we need to know more about sex and protection.*"

The second most frequently requested subjects related to international current affairs and awareness of the cultures, history and religions of the world:

"*What people went through in the war.*"

"*Politics in the world – Spain.*"

"*What goes on round the world, poverty*" "*children in other countries and how they survive.*"

"*How the community works in different countries.*"

"*Martin Luther King, Nelson Mandela.*"

"*About Jehovah's witnesses because I get fed up of people constantly asking simple questions about me.*"

The third most popular subject was personal and social education:

"*To know what you want in life.*"

"*Learn more about the dangers of drugs.*"

"*A social lesson with your class.*" "*How to make friends And how can you teach people about that? "By giving them the courage to make friends and say sorry.*"

"*about taking care of yourself.*"

"*How to be a child.*"

The subject areas that the participants in this research wanted to learn about reflect a wide range of interests and relate closely to the aims of Article 29 of the UNCRC. The children and young people we spoke to felt that these subjects – particularly sex, social and citizenship education - are either missing or not being delivered in ways that engage and develop their interests.

CHILDREN'S RIGHTS CHALLENGE

Deliver education, based on the interests and learning needs of children and young people, that develops personality, talents and mental and physical abilities to the fullest extent. (articles 28 and 29)

Improving the delivery of education

Many children and young people named the delivery of education as a "bad thing about school". Children and young people felt there were a number of reasons for negative experiences of learning. One girl blamed other children for this:

"Education is important for the future so that we can all have good jobs… unfortunately, some people mess about and spoil the lesson."

But the view of the majority were summed up by this one comment:

"Education depends on what type of school and teachers."

Some pupils felt overworked:

"Too much work" "Under pressure" "We have too many tests."

"Homework – they say it is meant to be the same amount of social life as school work but we spend time on homework so it's not. It is every day or loads in a bunch and weekends."

Other children and young people felt lessons were not stimulating:

"Teacher rabbiting on – she gives you a text book and tells you to copy it out."

"We had a supply teacher because our teacher was off for a few months and the supply didn't know what to do. We just copied out of text-books and if you didn't copy it all out you got a star against your name and you got a detention."

"We don't get education 'cos …they just tell stuff then they shout at us. What would make education more interesting? More fun stuff, not just sitting in a class. When it is too hot you can go outside."

"If we weren't forced we'd learn more."

All the children and young people consulted had lots of suggestions on how the delivery of education and the process of their learning could be improved. These are just a few examples of their ideas:

"More than one teacher in class – it takes too long for them to get round, while you are waiting for the teacher then you get naughty, you need more people to help you."

"it should be fun maths. We should do games in maths, and like how many conkers are there on the tree. There should be stuff outside on the playground that would help us do our times table and count."

"More choice of lessons – things are in the same column so you can't do them."

"I'm Welsh – but I think Welsh should be optional. We mix up German and Welsh because the lessons tend to be after each other."

"I don't hate Welsh but I think that they could teach us in a better way – use more things that we might use."

"you learn more when it's fun – they say that on the Discovery Channel. We don't have enough breaks, and we don't have any during three-hour exams."

"I would like the chance to use computers and internet (fun) when you have finished your work."

"I would like schools to have more opportunities to go on learning trips... More fun trips but educational ones."

"after school activities."

A number of children and young people also wanted more support for their specific needs. They commented on failures to adequately support pupils who were struggling, giving examples of decisions that do not take account of the wider interests of a child:

"Miss sends me out of class because I can't read…"

His reading is improving but unfortunately he's been taken out of lessons that he does enjoy to go to reading lessons."

"Friend gets extra help with his SATs but we don't."

"Some classes I get really hyper, Maths and English, 'cos I can't do them so I get really upset."

"I'm never going to catch up on work in that school, they shouted at me instead of helping me."

The message from the children and young people we spoke with was that education needed to be relevant, stimulating and fun. Participants had strong views about which teaching methods work and which are ineffective. They also called for adequate support based on their own understanding of their learning needs.

CHILDREN'S RIGHTS CHALLENGES

Engage children and young people as active participants in their learning, using their ideas about effective ways to learn to deliver stimulating education. (article 12)

Listen to requests for support made by children with specific needs and to provide support in the way they identify it is needed. (article 23)

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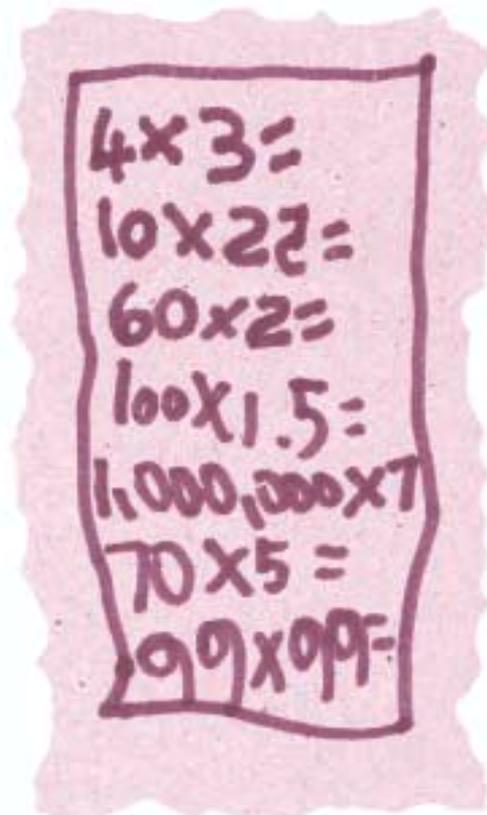
5. Punishment

Article 37   the right not to be punished in a cruel or hurtful way.

Article 28.2 the right to school discipline consistent with the child's human dignity.

Understanding the issues

In planning the research topics, the young people's reference group felt the issue of school discipline was particularly important and decided to ask - What happens when you break the rules? Their priorities were echoed in the dot voting by research participants. The right not to be punished in a cruel or hurtful way received the third most votes and was chosen as the first or second most important right by four of the ten groups who voted.

There were accounts of a variety of disciplinary measures used across the different schools – telling off by teachers, writing lines, being sent out of class, staying in at break, detention, cautions, being on report, contacting parents, isolation, suspension and exclusion. A few children also described experiences that were clearly outside of acceptable disciplinary measures.

"*One teacher … kicked someone in the back of his chair just because he didn't understand what was going on.*"

"*Name keeps on being put in the cupboard for being a naughty boy.*"

How long for? "*The whole lesson. I think that is wrong. It shouldn't be like that if he is being naughty.*"

"*What teachers do is threaten you. You know like when you have been really looking forward to a trip… some of them will say "You can't go tomorrow 'cos you haven't finished your work". Even if you are trying really hard to finish it. And they say "you can't go and you're not going to get your money back.*"

Participants told us of two schools practicing 'isolation'. One young person gave this description:

"*You sit there, in the homework room, and you are not allowed anyone with you and you don't have any breaks… You work on your own through break time and lunchtime. How long are people normally in isolation for? Three days, sometimes a week…* "

Some members of the other group felt that the practice 'isolation' was a denial of the right to be with friends:

"*You're put into a room and you can't see you're friends. You can go for lunch, for like five minutes but you've got to go back to the room straight away and stay there.*"

"*Well, they get bored… seeing their friends enjoying themselves outside. … I don't think it's fair.*"

They also described some of the consequences of these forms of punishment:

"*We went home crying because TEACHER wasn't doing anything but shouting at us plus we had just finished our SATS. And I was getting really stressed 'cos I just felt like sinking into the ground or something.*"

One group felt that one of the good things about their school was that their school council had been successful in dealing with problems:

"*There are two of us from year seven acting as members in the council… if there's trouble with anyone we take it on to the school council, and then to the Headmaster. We've succeeded in making a few changes.*"

CHILDREN'S RIGHTS CHALLENGE

Ensure that school discipline is administered in a manner consistent with children and young people's human dignity (article 28.2 and 37)

Unjust punishment

Children and young peoples main concern was that disciplinary measures and punishment should be handed out justly, fairly and that the pupil(s) being punished should also be listened to.

"We were all reading properly and she just got up and started shouting at us because we weren't reading properly. She started counting and we thought she meant counting with her but then she shouted 'I didn't say count with me.'"

"I had to move class because the teachers said that I was a bully – but it wasn't like that. She said stuff about me and I said stuff back. She got to choose what happened to her but I had no choice. It's because her parent came into complain and my parents did nothing because they're not like that. They just took her side."

"Name had dinnertime detention because pupil she told maths teacher they shouldn't have to buy books to do for homework and for revision. She had detention for saying that."

"You get detention for walking around with your shirt out… some girls are curvy and they don't want to tuck their shirts in."

The most frequent complaint was that punishment was given to the wrong people – either because assumptions were made about who is misbehaving:

"If someone was at the top of the class and talking, (TEACHER) would look at me straight away. She always thought it was you."

or because the whole group is punished when only one person had misbehaved:

"If someone does something wrong our teacher normally keeps the whole class in, even when she knows who did it."

"Normally, if one person has done something wrong in class we're all punished. It's not fair that you're punished for something you haven't done."

"Once we were naughty with a supply teacher and we all got punished… and she made us line up and made us stay in all of the play time without going out all day…'cos we had just been a little bit naughty and we weren't all being naughty!"

"Only three of us were being naughty and at the end of the day you saw us all walking home miserable…and I had a banging head ache and my mum saw me and knew something was wrong … we weren't even allowed to go to the changing rooms… our dinner was five minutes."

From the experiences described by many of the children and young people there is an urgent need for the range of disciplinary measures being used in schools to be reviewed from within and externally and for mechanisms to be put in place to listen to the views of pupils. Children and young people should have access to a complaints procedure in schools and support when they are treated unjustly or in a manner that is inconsistent with their human rights.

CHILDREN'S RIGHTS CHALLENGE

Ensure children and young people know about their rights and provide ways for them to make complaints about violations of their rights in schools. (article 42)

Alternative approaches to punishment

All the children and young people who participated in the research were asked - 'What should happen when you break the rules?' Participants recognised the need for a system of sanctions but felt that these should be used more appropriately and there should be a graded approach with the punishment more tailored to the misdemeanour.

"*People are told off for the smallest things… it's quite possible that if they weren't punished as badly that they wouldn't do it again.*"

"*Get shouted at once.*"

"*Warning first (like in football) red and yellow cards.*"

"*I think we should be cautioned if we behave bad in lessons. If we carry on I think we should have a detention and a pupil concern form.*"

Children and young people expressed contradictory views over whether parents should be informed:

"*He was caught smoking and the teacher wrote a letter to his parents, and he hasn't done it since.*" Do you think that that was a successful way for dealing with the problem? "*Yes, because his father gave him hell.*"

"*Your parents should not be informed but you should get told off a little.*"

Two groups of participants, and the reference group, suggested alternative approaches to maintaining discipline. They suggested that obtaining an understanding of why the misbehaviour was happening would be a better place to start.

"*I strongly disagree with detention, being expelled and suspension. They do not help the child, it makes them worse. I agree with taking the naughty child away from friends and spending a few hours with a teacher, and trying to find out what is causing the misbehaviour.*"

"*not suspended for fighting – sometimes you have to fight because it is the only way of dealing with it when someone is coming on to you.*"

Overall the answers of children and young people to the research question 'what should happen when you break the rules?' were based on the principles of consistency in the application of rules and sanctions:

"*When teacher says 'you're not allowed out' they mean it.*"

And for punishments to have a positive effect in changing behaviour:

"*Something that will make them change, not just sent in hall.*"

CHILDREN'S RIGHTS CHALLENGE

Ensure children and young people are listened to when rules are judged to have been broken and that school rules and sanctions are applied with consistency and clarity (article 37)

6. Privacy and Protection

Article 16   the right to privacy.

Article 33   the right to be protected from dangerous drugs.

Privacy in toilets and changing rooms

Although questions of privacy and protection were less prioritised in the dot voting exercises than other rights, they were frequently raised when other rights were being discussed. When talking about the bad things or good things at school, for example, the toilets and changing rooms were often referred to:

"*Anyone can look round the (changing room) curtain and we are all developing and someone can just put their head round and we can be talking about private things.*"

In some schools, changing rooms were private areas where same sex groups could talk about private issues. When these areas did not exist, their absence was keenly felt:

"*the only time we get to talk together, the year 6 girls is outside… the boys have got somewhere private where they can talk … just a little place by the toilets…*"

The lack of privacy in relation to using the toilets was another recurrent theme. In most of the schools visited children and young people reported they were not allowed to use the toilet during lessons or that toilets are locked, and in one school a permission slip is needed so that toilet paper can be collected from reception.

"*When I was doing my science test I really needed to go to the toilet and TEACHER gave me a massive row for it and it is against my mum's rule that I have to be able to go the toilet when I need to.*"

"*You've got to go downstairs to reception, which is really embarrassing, to get toilet paper – we've never had toilet paper since we've been in this school.*"

In a primary school the girls had to walk through the school to put sanitary towels in the bin in the teachers toilet:

"*We have to use the teacher's toilets we haven't got any of those bins for your pads in our toilets. There's one in the teachers toilet and one in the disabled toilet but there are wardrobes there and the teachers try to barge in and if you use that one everyone knows why you are going there… when we were on our periods we had to wrap it up in tissue and take it to the teachers toilet and everybody sees us… It is a big thing 'cos you can get picked on for that as well.*"

In general, the poor state of school toilets was a big issue for children and young people. The Children's Commissioner for Wales reported similar findings in his annual report (2001-2) and noted that children and young people felt the poor state of school toilets reflected the lack of respect adults had for them.

"*They stink.*"

"*They think there is no tissue in this one, there is no tissue in this one. they wee up all the sides.*"

"*They're a mess – people throw toilet paper at the ceiling.*"

"*All taps but one they smash them off…Graffiti.*"

Balancing privacy and protection

Protection that ensures the right to privacy was highlighted as an important issue, both in schools where toilets were vandalised and also in schools where toilets were closely monitored. One group, who were particularly concerned about drugs in school, also ranked very highly the right to be protected from these:

"People take and sell drugs on buses and in fields."

"They sniff glue and smoke substances."

"I don't feel safe at school because one time they found some needles and drugs, on the field…….You are threatened. You can lose friends. You can't tell anyone 'cos you are scared."

These children also complained of cigarettes being sold by the ice cream van.

Participants in the research had clear ideas about improving and protecting the school environment and their safety. For school toilets they suggested:

"They should have a little card for us a swipe card system. You swipe it through and you get in. Does that mean some would not be allowed in? Yeah the vandals don't get a pass."

"There should be a teacher by the door."

"Maybe they should have a camera…like a laser."

Some respondents proposed that responsibility for protection from dangerous drugs should be shared between young people and the school:

"(Young People) staying away from people who are taking drugs."

"Put CCTV in."

"Call Police and have them checking every pupil in the school every Friday."

But with both issues there were concerns about balancing protection and the right to privacy. Some children and young people had experience of invasive cameras.

"Our toilets have got cameras in – that's not right!"

Another young person in the group discussing drug use pointed out that already:

"CCTV is watching you like big brother."

Some violations of privacy are immediately clear – children and young people should have toilet facilities that respect their human dignity. And when trying to ensure the safety and comfort of pupils, schools should be mindful of the infringements on privacy that protection measures might entail. Balancing the child's right to privacy and protection can be difficult for schools but the key to achieving a successful balance lies in children and young people's participation. Many of the children and young people we met with had not been consulted about or consented to the CCTV cameras that had been installed in their school.

CHILDREN'S RIGHTS CHALLENGE

Ensure that children and young people's privacy is respected in schools and that protection is provided through participation and consent. (articles 12, 16 & 33)

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7. Identity and Individuality

Article 8   the right to an identity.

Article 30   the right to enjoy your own culture, practise your own religion, and use your own language.

Article 13   the right to freedom of expression.

Prioritising Welsh Language

Although the reference group did not select the right to an identity as a significant right in school, issues around identity and individuality came up with every group. It was of particular importance in Welsh language schools and with Gypsy/Traveller and Black and Minority Ethnic groups.

There was general support for learning Welsh. More young people described Welsh as a good thing about school than a bad thing; some felt learning Welsh at school "Keeps the Welsh language alive!" and that speaking Welsh was part of being a good teacher. One group simply stated:

"*We live in Wales so we should learn Welsh.*"

The debate, in Welsh language and Bilingual schools was about whether and when speaking Welsh should be compulsory:

What are the bad things about school?

"*Not allowed to speak English.*"

"*Our teacher always tells us to speak Welsh, even though it's a bilingual school. Miss says that she can't speak English so we have to speak Welsh to her.*"

"*People don't respect the Welsh language.*"

"*Most children speak English out in the yard. I try to speak Welsh with everyone because it's my first language. The council has put a few posters up around the school to try and change things.*"

For some children and young people who did not speak Welsh as their first language, Welsh was the language of work and English was the language of play. These children wanted the right to choose:

"*We should be allowed to speak English in breaks. It's our time. If you are walking down a corridor and a teacher hears you, you get told off.*"

One group of Black and Minority Ethnic young people took a vote on learning Welsh and 75% were in favour. Their reasons for learning Welsh, however, raise concerns as they felt that learning Welsh was a way of proving they belong:

Why is learning Welsh a good idea?

"*Welsh is going to get you the job cos it's in Wales and the Welsh know you are one of them…*"

"*but then again there might be patients who speak Gudjurati.*"

They also asked that their languages be used more - when the youth worker present suggested that official letters should be translated into minority ethnic languages as well as Welsh, the children and young people gave him a round of applause.

CHILDREN'S RIGHTS CHALLENGE

Support children and young people to receive both the right to learn and use Welsh at school, and the right to express their culture and identity in the ways they choose (article 30)

Promoting cultural awareness and support

Children and young people we spoke to who were from Gypsy/Traveller and Black and Minority Ethnic communities described a significant lack of support and understanding at school:

"*Teachers don't understand us, they don't like us. They think that we are Travellers then we are different. But we are not different, we are just Travellers. We're still people like everyone else.*"

"*Some of the teachers say like 'why did you have two days off for Eid' or something like that, and if they take two weeks off for Christmas, why can't we take 2 days off for Eid?*"

For some children and young people their experience was that teachers, instead of supporting them, behaved in a seriously discriminatory way toward them. Of the sixteen educational establishments attended by the children and young people participating in this research, there was only one school identified as actively recognising and respecting diverse religious identity. The seriousness of the issue is best conveyed by the examples children and young people described:

"*She (TEACHER) says like a rude comment if you have a black face … and she throws stuff at you as well, books.*"

"*One teacher said "If any Muslims take the mick out of you, tell them 'at least I don't pray like a bull'*""

"*The boy touched [the window] so TEACHER says 'Don't! In your country you can't afford that' … What country is he talking about? Wales?*"

How can you show you are getting a good education?

"*No racism.*"

In addition, children and young people felt the content of their education failed overall to reflect their culture and identity. The importance of this issue to them was underlined in their voting exercise, where getting a good education was the second priority for both the Gypsy/Traveller and Black and Minority Ethnic groups who participated in the research. These examples give a picture of what they felt was absent from their education:

Do you learn anything in your school about Traveller culture?

"*No…We do like the Bahamas, we do them and we do it on (the local town) looking it up on the Internet… I don't listen.*"

"*We want to learn about history of other countries or religions, like Somalia, India, Pakistan …Malcolm X, Martin Luther King, Nelson Mandela … News, stuff like that, Iraq.*"

The significance of relevant education was particularly poignant during the war in Iraq (which was being fought at the same time as we were conducting this research). Children and young people in most of the groups who participated in the research talked spontaneously about Iraq, the importance of being able to have informed discussions about current affairs was identified as a top priority across schools and groups. Some schools encouraged debate and action; children and young people discussed the issues, and one school group wrote to the Prime Minister, others described not being allowed to participate in protests and some teachers repeating mis-information about Iraq to their classes.

Young people described some of their experiences:

"*This girl was crying in my class 'cos she had relatives out there, saying we are all going to die in our beds. There was another one who was crying because some of her family died in Kurdistan.*"

"*In some lessons if I was talking about the war in Iraq some teachers get upset and say 'it is good the war on Iraq, look at what Bin Laden did in Iraq' and then the teacher says 'so you get detention.'*"

"*we talked about it because the protesters were outside but we weren't allowed to go out.*"

"*Some teachers say it is good they are attacking Iraq 'cos there are no churches there. But that is just wrong.*"

"*The main thing of war is Power, they want some power over Iraq … the teacher says it is Bin Laden but Bin Laden is nothing to do with it … the president is just finishing off what his father started.*"

CHILDREN'S RIGHTS CHALLENGES

Ensure children and young people can express their religion, culture and identity in a supportive environment (article 30)

Provide education based on the development of respect for a child's own cultural identity, language and values; and which promotes understanding, peace, and friendship among all ethnic, national and religious groups (article 29)

Deciding what to wear

One of the recurrent issues in focus group discussions was school uniform. One young person described being denied the right to wear clothes that show his religion, because of the school uniform:

"Are you allowed to wear clothes that identify your religion? No, because of the uniform. We can only pray at Ramadan. You can miss 5 minutes of your lessons."

Rules about school uniform were often brought up when discussing the bad things about school:

"The boys don't like to wear pink shirts – they think that other schools are laughing at them. Our school is also strict about what trousers you wear."

"You're not allowed to wear coloured joggers in sport – or jumpers with hoods. You've got to go out and buy a jacket with no hood – all black, white socks and shin pads… you only get to wear them a few times – it's a waste of money."

"We're having new sweaters to wear in September but they're over £40. My mother's thinking about photo-copying the logo and putting it onto another jumper."

Dress codes were also a source of complaint:

"You're not allowed to colour your hair… you're not allowed to wear make up either. On Red Nose day some people came in with red hair - and our Head told them to wash it off straight away – he's really strict."

"I used to have a piercing on the top of my ear in primary school and they were ok about it, but when I came here they told me to take it out… they say its because of health and safety."

Some felt there should be no school uniform and other groups suggested alternative dress codes, which would allow greater freedom of expression and involve less expense:

"T-shirts, they're nice."

"track suit bottoms, jeans, caps."

"Your own clothes and little badge or something."

"We should be able to wear what we want, like jewellery and stuff."

Children and young people from three different schools had positive examples of school councils consulting on issues to do with school uniform and participants could see their input making a difference. Involving pupils in decisions about school uniform can be seen as a relatively "safe" topic for pupil participation but in fact links to other rights, particularly the right to freedom of expression and to participate in decision making.

CHILDREN'S RIGHTS CHALLENGES

Ensure school dress codes provide freedom to manifest children and young people's religion or beliefs (article 14)

Establish school dress codes through consultation with pupils (article 12)

8. Adults Attitudes and Conduct

Article 3   the best interests of the child shall be a primary consideration… and states should ensure the suitability of staff working in institutions responsible for the care of children.

The importance of the role of teachers

In every theme covered with the focus groups, the attitudes and conduct of teachers and other school staff were identified as a crucial factor in determining children and young people's experience of education. Good teachers were named as amongst the most positive things about school and individuals were singled out for praise because of their encouraging attitudes or supportive behaviour, as these children and young people described:

What are the good things about school?

"*Teacher is good looking, he's funny he makes a lesson fun and he's a laugh.*"

"*Technology Teacher, because he always brings things in for me to fix which I'm quite good at.*"

"*Our head of year is great because he listens to you – most teachers just don't want to know. He also takes us out during his own time.*"

"*He was a great teacher, he made it more fun – we got to go outside and he just laughed with us – and our marks were better as well.*"

However staff were also seen as responsible for some of the worst things about school. The following comments are a reflection of the range of negative experiences children and young people described in the focus groups:

"*Picking on people because they are not talented.*"

"*Shouting at people for having their own ideas.*"

"*Teachers making comments which don't give them so much confidence.*"

"*Teacher calls me a monster.*"

"*The last Dinner Lady we had had a big ladle and she used to bang it on the table. She made the little children eat everything on their plates which is really cruel because they're really small and they got upset.*"

TEACHERS CODE OF CONDUCT

The children and young people who participated in the research were very clear about what needed to change. All the participants in the research were asked, 'What makes a good teacher?'. From their answers the reference group suggest that the overleaf diagram should form the basis of a code of conduct.

Teachers Code

Listening and Choice

Listen to us: Listen to our ideas
Listens to your problems
Listen to both sides of a story
Listens to what we have to say
Listen to any complaints we've got
Let us choose what to do in maths
and all lessons, (which books to use).

Understanding

Teachers should understand our culture
Someone who if you get a question wrong
don't scream your head off
They are kind and fun people who
understand your feelings!
A teacher that understands that we are
children and not super robots!

Fun and Happy

I would like school to be more funny
and teachers to tell jokes
Make us laugh always happy
is sound and he will have a laugh and
is serious when there is a
serious matter.
Funny/has a laugh every lesson.

Teachers Code of Conduct

A teacher who is very kind
and always shares a laugh
and always sticks up for you
when you're in trouble.
A good teacher is a person
who understands you and
always makes a good lesson for you.

Kind and Supportive

Always be kind to me
Supportive;
When I'm in a mood she talks to me,
she's nice
she talks to me and helps me with stuff
A kind hearted person who always listens
to your problems and sorts them out and
someone who cares for you and makes
you safe and feel real happy.

Respect

If children know something the teacher should let you put
your point across without any hassle
Believe us show us more respect
Doesn't talk down to us Not calling us a monster;
They let you wear your own clothes
Don't joke about who we fancy!
Teach us as secondary school children.
They should be friendly, equal to each other and the students
They should learn manners

o f   C o n d u c t

Fair

Treat everyone the same
Don't give you a warning if you haven't got equipment
Let you eat what you want
They let you go to the toilet
Not too strict GOOD descipline
Doesn't put the blame on others.
Don't punish us for untidy work when we can't help how we write.
don't turn against someone who has messy handwriting.
they need to be patient.
Treat people the same and give them another chance
Try not to be racist or sexist.

Relaxed

They let you get away with stuff
Let you chew in class
Lets us take food and drink out in class
Don't shout all the time
Informal, cool, wicked, laid back,
Let us bring games in and Gameboys.

Interesting and Able

Explains things
Talks about people in the world
that have less
and children in AFRICA
Always read stories
Speak Welsh
Tells us all we need to know.

Work Level

They understand your ability to work
Don't give you so much homework
Do less work in lessons
Wait until we finish our work before
going on to something else
Don't expect us to write an essay in
five minutes or less!

Children and young people who participated in this research are asking for their rights to be respected. They recognise and value the crucial role of teachers and as their code of conduct for teachers indicates, they have many good ideas about what makes a 'good teacher' based on their own experiences. They understand that teachers and other staff in schools will need training, support, encouragement and resources to bring about increased awareness and respect for children's rights in schools. The children and young people we spoke with suggested some simple first steps that would help achieve these changes:

"*They've got to change, they've got to listen to us and it has to be sorted out.*"

"*They should pay more attention to your thoughts and what you think.*"

"*They should talk to you.*"

They also suggested training, led by children and young people:

"*The children should teach the teachers. What can children teach teachers? How not to be cruel, how to show respect, how to DJ, how to RAP,…Teach them how to be a child again.*"

"*The teachers should have training days, like INSETs. The council should come in and see how they teach people. Who should deliver it? Us and the council.*"

So … if you were going to do a training course for teachers, what would be in it?

"*Different tests. Test one trying to be in a classroom and carrying on in a difficult class. They should be friendly, equal to each other and the students.*"

CHILDREN'S RIGHTS CHALLENGE

Provide training for adults in education to raise awareness and encourage respect for the rights of children and young people (article 42)
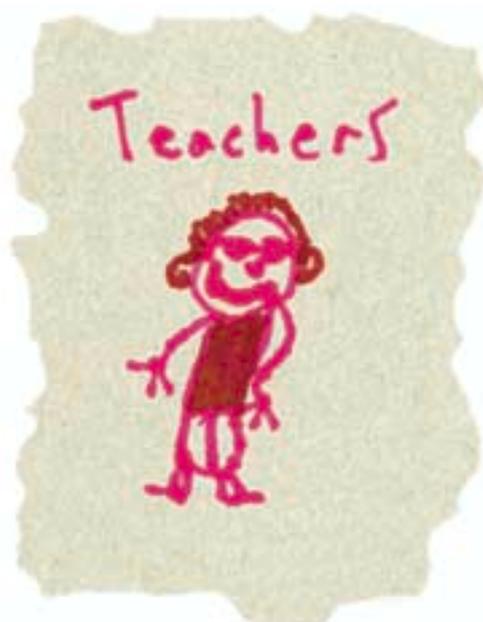
Supporting good staff

Many participants recognised that teachers would need support in the form of resources in order to achieve both the conduct and the education children and young people were requesting. One need was for more time:

"*you go and see him – but that has to be during lunch or after school which he's not really happy with.*"

Others thought equipment could help make things more fun:

"*DVD player and video player… More daring PE equipment… TV big enough for the whole school to see…computers.*"

And that more resources in the classrooms could enable teachers and children and young people to be relaxed:

"*Nicer desks and chairs.*"

"*Classroom pets for each class.*"

"*More choice of books.*"

"*Bigger classrooms.*"

As well as the suggestions made for external support in section 2 on discrimination, the reference group recommends that children and young people be given the opportunity to complete questionnaires before ESTYN inspectors visit their school, so that they can suggest areas the inspectors should focus on.

The final step, therefore, is to combine the appropriate school resources and staff attitudes with a willingness to listen to and act on the views of children and young people. Only through a combined approach, valuing the whole spectrum of children's rights, will schools be able to support their staff to deliver education in a way that recognises and promotes the best interests of children and young people in Wales.

CHILDREN'S RIGHTS CHALLENGES

Support education staff, through training and resources, to enable education to be delivered in ways, which promote the best interest of children and young people (article 3)

Integrate children and young people's views on what education is in their best interests, into the planning of future education delivery (article 12 and 29)

Summary of Key Messages and Children's Rights Challenges

FRIENDSHIP AND PLAY

Children and young people chose the rights to meet with friends, and to relax and enjoy leisure activities as crucial ingredients for them in their educational experience.

They described how friendships help them learn and feel supported at school but also how school systems don't always recognise and promote this. Where there are mechanisms in place to help develop friendships and peer support these aren't always effective.

Opportunities to do sporting and creative activities at school were highly valued but not all schools have adequate resources.

Children and young people of all ages wanted more of a balance between work and play and in particular wanted more of a say about play and leisure facilities in their schools.

CHILDREN'S RIGHTS CHALLENGES

Ensure children and young people's right to be with friends is recognised and valued and develop and evaluate systems which support the development of friendships (article 15)

Maximise opportunities for children and young people in schools across Wales to exercise their right to play and relax (article 31)

Develop play facilities based on the ideas of children and young people within each school (article 12)

DISCRIMINATION AND BULLYING

Overall the rights not to be discriminated against and not to be hurt or badly treated were second highest on young peoples agenda.

Day to day experiences of bullying and discrimination were common amongst the children and young people we spoke with and whilst some schools had bullying policies in place many children sought their own solutions and support from their peers.

Children also talked to us about bullying and discrimination from teachers and other adults giving examples of racism, insensitivity and disrespect from teachers leaving them with little faith in the school's commitment to promoting their rights overall.

Participants had clear ideas about how schools should deal with bullying from pupils or teachers. Having a designated or independent person to talk to was one suggestion and they wanted to be involved in developing schemes and monitoring their effectiveness.

CHILDREN'S RIGHTS CHALLENGES

Establish anti-bullying and anti-discrimination strategies designed and monitored by children and young people (article 2)

Develop accessible complaints systems and support systems with the participation of children and young people (article 12)

PARTICIPATION

Children and young people from all the participating schools put the right to be listened to and taken seriously in their top three most important rights in education.

Whilst some participants were able to give examples of individual teachers who respected their opinions, the majority of groups felt they did not have enough opportunities to have a say in decisions that affected their school lives.

Even where school councils were in existence, some pupils we spoke to felt they knew very little about how they worked whilst others complained of a lack of follow up and feedback about issues they had raised. Participants from two schools however were able to give positive examples of school councils involving, consulting and acting on pupils concerns.

Children and young people wanted councils to be more democratic, accessible and involve more pupils. They had ideas for other ways of promoting their participation in schools and wanted to be consulted about issues they identified as important such as lesson content and school rules.

CHILDREN'S RIGHTS CHALLENGES

Establish anti-bullying and anti-discrimination strategies designed and monitored by children and young people (article 2)

Develop accessible complaints systems and support systems with the participation of children and young people (article 12)

RELEVANT EDUCATION

Children and young people were very clear about what for them helps makes a good education. They valued their favourite lessons, staff, resources, equipment, the school environment, and the opportunities they had to develop their talents and interests. Children and young people made requests for increased choice and for subjects they saw as more relevant to their lives; sex education, current and world affairs, religious and cultural studies and personal and social education. They felt these were given a low priority and were often poorly taught.

Participants all felt that the best way to learn is through creative, fun and participatory activities and were critical of teaching practises that relied solely on traditional classroom methods. Some described feeling pressurised through too much homework and testing and many felt there was a failure to provide adequate support for pupils who were struggling.

CHILDREN'S RIGHTS CHALLENGES

Deliver education, based on the interests and learning needs of children and young people, that develops personality, talents and mental and physical abilities to the fullest extent (articles 28 and 29)

Engage children and young people as active participants in their learning, using their ideas about effective ways to learn to deliver stimulating education (article 12)

Listen to requests for support made by children with specific needs and to provide support in the way they identify it is needed (article 23)

PUNISHMENT

Children and young people had a clear understanding of the need for rules and standards of acceptable behaviour in schools. Their concern was that they should experience consistency and justice in the way sanctions are handed out. Participants described a range of disciplinary measures across schools and what they felt worked well.

Many children and young people however felt that sanctions used by schools were often ineffective, handed out indiscriminately or to the wrong people and overall were not designed to help change bad behaviour. Some of their experiences included the use of confinement and isolation, physical punishment and threats by staff. Action in violation of children's rights. Children and young people wanted a clearly understandable framework of rules and sanctions, rights of appeal for those being punished and to be consulted in developing and monitoring school policies on discipline.

CHILDREN'S RIGHTS CHALLENGES

Ensure that school discipline is administered in a manner consistent with children and young people's human dignity (article 28 and 37)

Ensure children and young people know about their rights and provide ways for them to make complaints about violations of their rights in schools. (article 42)

Ensure children and young people are listened to when rules are judged to have been broken and that school rules and sanctions are applied with consistency and clarity (article 37)

PRIVACY AND PROTECTION

When discussing their school experiences, children and young people frequently raised the right to privacy, dignity and to feel safe. In a number of schools inadequate toilet facilities, lack of toilet paper and sanitary disposal units, led to practises that children found embarrassing and humiliating. Vandalism and the selling and using of drugs were also highlighted, as key concerns, which made them feel unsafe at school. Often, measures that had been put in place such as CCTV to tackle these problems meant that children then felt their own spaces and privacy were compromised. Children and young people were rarely consulted about systems schools were putting in place and wanted more opportunities for their perspectives to be listened to and to contribute to the solutions.

CHILDREN'S RIGHTS CHALLENGES

Ensure that children and young people's privacy is respected in schools and that protection is provided through participation and consent (articles 12, 16 & 33)

IDENTITY AND INDIVIDUALITY

Language, culture, identity and individuality were raised by all the groups who took part. There was general support for speaking and learning Welsh but debate about whether it should be compulsory to speak it; some children wanted the right to choose which language they used at break times and with their friends. Learning Welsh to 'prove you belong' and the status of other languages were also raised by young people. Children and young people did not always feel their own culture and backgrounds were understood, respected or promoted in a positive light by other pupils and by teachers. In particular, children from Traveller and Black and Minority Ethnic communities described serious instances of racism, disrespect and a lack of cultural awareness and sensitivity by teachers themselves.

The content of education was not seen to reflect cultural and religious diversity in most schools and the recent war in Iraq provided examples from pupils of how many schools struggle to deliver unbiased teaching.

School uniform was an issue important to most of the participants and the lack of freedom of expression keenly felt. There were examples of rules around uniform conflicting with cultural and religious needs, the impracticalities and high cost of many school uniforms. Overall this was an issue on which children and young people were more likely to be consulted and a number of school councils had succeeded in making positive changes about school uniform in response to the views of pupils.

CHILDREN'S RIGHTS CHALLENGES

Support children and young people to receive both the right to learn and use Welsh at school, and the right to express their culture and identity in the ways they choose (article 30)

Ensure children and young people can express their religion, culture and identity in a supportive environment (article 30)

Provide education based on the development of respect for a child's own cultural identity, language and values; and which promotes understanding, peace, and friendship among all ethnic, national and religious groups (article 29)

ADULT ATTITUDES AND CONDUCT

The attitudes and conduct of teachers and other staff were identified as crucial factors influencing children and young people's experience of education. Participants said that staff who are funny, listen to you, help you out and give you confidence make the best teachers, whilst those who pick on people, shout and bully were clearly not valued or respected. More resources, time and support were recognised as necessary to improve school experience for both pupils and teachers. Some of the children and young people wanted teachers to sign up to a code of conduct, as pupils are expected to do, and for schools to be open to complaints about teachers. Participants also called for the inclusion of children's rights in teacher training and the involvement of pupils in school inspections.

CHILDREN'S RIGHTS CHALLENGES

Provide training for adults in education to raise awareness and encourage respect for the rights of children and young people (article 42)

Support education staff, through training and resources, to enable education to be delivered in ways, which promote the best interest of children and young people. (article 3)

Integrate children and young people's views on what education is in their best interests, into the planning of future education delivery (articles 12 and 29)

Chapter Four: **Promoting Children's Rights in Education**

This exploration of children and young people's views on their education has highlighted the breadth of rights that have relevance for children in schools and other educational settings. It has also illustrated the importance of interpreting the implementation of the article 29 of the UN Convention broadly, supporting and encouraging schools to empower children by developing their skills, learning, and self-esteem. Article 29 draws on and re-enforces many other provisions in the UN Convention, for example, the right to play, the right to privacy, the right to be protected, the right not to be discriminated against and the right to participate.

This report indicates that whilst there are examples of good participatory practices and respect for children's rights in schools, there is much work to be done to raise awareness and educate both children and adults about children's rights. Schools and teachers will need ongoing support, encouragement and guidance, if our children are to be enabled to learn and develop in the spirit of the UNCRC.

The children and young people we spoke to reported both positive and negative experiences with their teachers. Inevitably in a research project of this nature, the conduct of individual teachers is subject to particular scrutiny. We acknowledge that the majority of teachers are committed to promoting children's best interests and that there is goodwill and interest amongst the teaching profession in promoting children's rights and developing opportunities for children to participate in their own education and in the running of the school.

The children and young people we spoke to recognise that teachers need support in promoting children's rights in schools and that the availability of resources and the legal requirements on schools can place limitations on just what can be achieved. However, they also recognise that the role performed by teachers is one of the most important in any society – equipping future generations for adult life. The young people's reference group commented:

> "*Teachers hold a very responsible position in society and sometimes provide role models for young people. They play an important part in children and young people's lives.*"

The value of the role (quite rightly) provokes high expectations from children and young people (and parents too), which we understand are not always easy to meet particularly when trying to juggle the needs of an individual child with those of other children, for example, in a classroom or a playground. The code of conduct for teachers designed by the young people's reference group reflects the vision of an 'ideal teacher' as articulated in the focus groups (see page 45).

Taking forward the agenda in Wales for realising children's rights in their education will throw up many challenges. In response to the views and experiences of children and young people we have identified 19 Children's Rights Challenges for policy makers in national and local government as well as for schools; Governing Bodies; teachers and others working with children and young people in educational settings. In addition, the reference group for the research, comprising young people from Swansea Youth Forum examined all the findings and proposed six key recommendations that they feel would help to promote children's rights in education:

1. Citizenship and life skills education should be expanded and lead to a recognised qualification.

2. Schools of the Future should include peer support services developed through community partnerships.

3. All schools should have a bully box that is emptied daily. Schools should designate a senior teacher (e.g. Deputy Headteacher) responsible for helping children to keep a daily record of their experience.

4. School councils should be a core part of the set up of all schools. School councillors should be elected by their peers and stand for re-election every term. Any pupil should be able to put ideas forward for discussion at the school council and councillors should be enabled to make the decisions about what ideas are taken forward. School councils should be one of a range of ways in which children and young people are consulted.

5. A code of conduct around teacher behaviour and how to teach should be developed (see pages 46 and 47) and linked to the development of a Complaints Procedure, so that children and young people are clear what standards they can expect and how they can pursue a complaint.

6. Children and young people should be consulted as part of school inspections and be able to report their views about their education and their involvement in the life of the school. Children and young people should be given the opportunity to complete questionnaires before ESTYN inspectors visit their school, so that they can suggest areas the inspectors should focus on.

Save the Children supports these recommendations and proposes a number of strategic issues requiring further consideration:

Establishing a more holistic approach to the education of children

This report has highlighted the importance of education in children's lives and the significance of the time that children and young people spend in school. The way education is organised and delivered has a huge impact not just on children's educational attainments but also on their self-esteem, their confidence, their health, their sense of identity and their well-being. As Article 29 emphasises – the purpose of education is to fully develop children to equip them to take responsibility for their own lives.

This more holistic view of education as represented in the UN Convention should guide and underpin the development of education policy and practice in Wales. Save the Children welcomes the statutory framework for PSE and the proposed guidance on community-focused schools. The 'School of the Future' envisaged in the guidance will embrace more holistic functions – responding to the needs of the communities they serve and it is pleasing to see that the guidance recommends that children and young people should have a say in how individual services are developed, provided and improved.

Raising awareness of children's rights

The lack of awareness of children's rights expressed by children and young people in this study and others (Alderson, 2001) and amongst teachers and those working directly with children, demands urgent attention. In its concluding observations on the UK's last progress report, the Committee on the Rights of the Child recommended better dissemination and training on the Convention (CRC, 2002) and plans for more systematic dissemination and awareness raising are currently under discussion with stakeholders in each of four nations of the UK.

Government has a responsibility to ensure that children are informed of their rights under the UN Convention (article 42 of the UN Convention) and schools provide the perfect opportunity for educating children about their rights and raising awareness amongst children, young people, parents and community members. The statutory framework for PSE should include input on children's rights under the UN Convention.

The professional training of all adults working directly with children and young people should routinely include training and sensitising to children's rights under the UNCRC.

Participation Policies

Pupil participation needs to become part of the culture of LEA's and schools, and not just have relevance in the PSE class or a school council meeting. This means in practice opening up opportunities for decision making with children and young people as partners. Engaging in dialogue, conflict resolution, negotiation and compromise – all important life skills. Children and young people's personal development and society will benefit from learning about sharing power as well as taking and sharing responsibility.

All schools should be encouraged to develop a policy on pupil participation that aims to support young people to become active participants in their education. The policies should be underpinned by the following principles[7]:

- A visible commitment to the principle and practice of participation by LEA's, Head teachers and Governing Bodies;

- A whole school approach identifying real opportunities to participate. The most effective school councils are located within a whole school approach to participation and will be one of a number of mechanisms for children to have a voice and work co-operatively;

- A programme of training to support staff and develop skills and attitudes. Staff should be involved in an early stage in developing the policy to strengthen ownership;

- Active demonstrations that children and young people's involvement is valued, e.g. respect for all children; sufficient flexibility to enable children to contribute what they can; managing expectations and being clear what is negotiable and what is not; and providing clear and timely feedback on outcomes;

- Equal opportunity and anti-discriminatory practice including support to groups that face the greatest barriers to involvement;

- A programme of dissemination, implementation, monitoring and evaluation. Children and young people should be involved in the evaluation process and in reviewing the lessons learned.

School Councils

School councils should be a core part of all schools set up, as school is a very big part of young peoples lives, so they should be able to have a say in how they are run.

School councils will teach young people skills like teamwork, committee skills and an insight into democracy.

They would be able to achieve things to make a school a better place, which young people want to go to.

Young People's Reference Group

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[7] These principles are further articulated in the DfES draft guidance on pupil participation. Working together: Giving children and young people a say (July 2003). www.dfes.gov.uk/consultations.

Inclusion – Respecting Diversity

The extent to which the children and young people we spoke to experienced disrespect and a lack of cultural awareness from both their peers and adults is alarming. It is also disappointing that children and young people from Minority Ethnic groups did not feel that the content of their education reflected cultural and religious diversity. Following the McPherson Report, The Race Relations (Amendment) Act 2000 placed a duty on LEA's (and other specified public bodies) to work towards the elimination of unlawful discrimination and promote equality of opportunity and good relations between persons of different racial groups. It will be important to monitor the effectiveness of action taken by the LEA's and schools in Wales in working towards this goal through inspections and monitoring with reference to children and young peoples own experiences and views.

As in all our previous consultations with children and young people, bullying emerges as a key issue for children. The Welsh Assembly Government new draft anti-bullying guidance – *Respecting Others* (2003) recommends a whole school approach and offers useful advice to schools on strategies to tackle bullying. It profiles case studies from schools showing how progress has been made. Schools are required to have an anti-bullying policy in place. *Respecting Others* emphasises the need for schools to involve children and young people in monitoring the actual effectiveness of the policy and the practice in tackling bullying.

Peer Support Services

Young people can experience a variety of different problems from arguments with their friends to abuse. Some of these problems can seriously affect a young person's life and they might be confused, don't know what to do, feel alone and that there is no one that they can turn to for advice.

Peer support services are a scheme in which young people are trained in various skills like listening and communication, mediation and mentoring. They can use these skills to help other young people who come to them with their problems. Peer counsellors provide mediation between bullies and their victims to help them solve their problems and find solutions.

Peer support services are becoming more common in schools across the UK but they should be provided in every school. Not only does it provide a place where young people can go and a person they can talk to, it also allows young people to develop their skills that they can use in their everyday lives.

Young People's Reference Group

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[8] These principles are further articulated in the DfES draft guidance on pupil participation. Working together: Giving children and young people a say (July 2003). www.dfes.gov.uk/consultations.

Mechanisms For Monitoring Children's Rights

Promoting children's rights requires us to value children and young people as citizens not as little-people-in-the-making or as the possession of their parents. Children and young people should have access to complaints procedure (and support in using the procedure) if they feel they have been treated unjustly. It follows too, that as in Scotland, children in Wales who are the subject to exclusions from school should have the right to have a say in the proceedings.

Primary and secondary schools in Wales are inspected on a six yearly cycle. Inspections monitor the performance of schools, assessing the quality of the education provided and the educational standards achieved. Inspections also report on the "*spiritual, moral and social and cultural development of pupils*" *(Inspection Framework for Schools, 2000)*. Inspections should include an assessment of how children's rights under the UN Convention are being promoted and supported in the school. The views of children and young people - the actual recipients of the learning and the education – should always be canvassed as part of the school inspection.
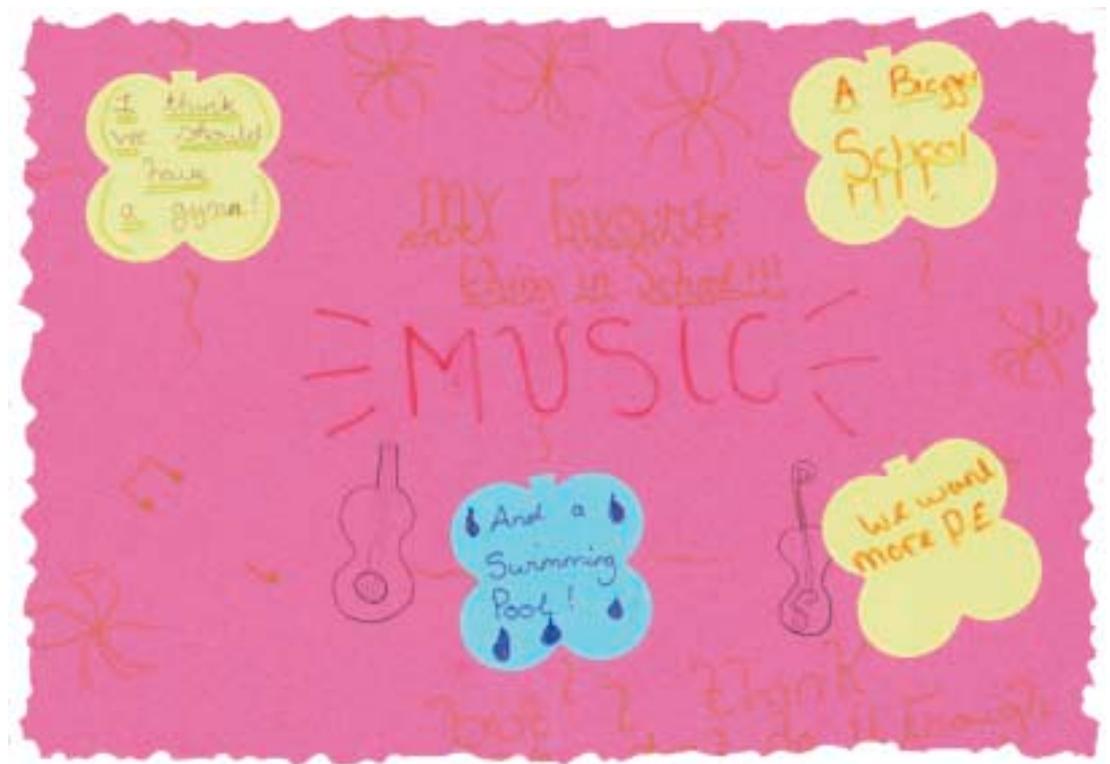
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Appendix

The United Nations Convention on the Rights of the Child

This is a simplified version of the Convention on the Rights of the Child[1], which was adopted by the United Nations General Assembly on 20 November 1989. The Convention has 54 articles in all. Those articles dealing with more of the technicalities of implementing the Convention have been omitted.

Article 1

Everyone under 18 has all these rights.

Article 2

The right to protection against discrimination. This means that nobody can treat children badly because of their colour, sex or religion, if they speak another language, have a disability, or are rich or poor.

Article 3

All adults should always do what is best for children.

Article 6

The right to life.

Article 7

The right to have a name and a nationality.

Article 8

The right to an identity.

Article 9

The right for children to live with their parents, unless it is bad for them.

Article 10

If children and their parents are living in separate countries, children have the right to get back together and live in the same place.

Article 11

Children should not be kidnapped.

Article 12

The right to an opinion and for it to be listened to and taken seriously.

Article 13

The right to find out things and say what you think, through making art, speaking and writing, unless it breaks the rights of others.

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[1] Adapted from *Partners in Rights* (2000) Save the Children. London

Article 14

The right to think what you like and be whatever religion you want to be, with parents' guidance.

Article 15

The right to be with friends and join or set up clubs, unless this breaks the rights of others.

Article 16

The right to privacy.

Article 17

The right to collect information from the media – radios, newspapers, television, etc – from all around the world. Children should also be protected from information that could harm them.

Article 18

The right to be brought up by your parents, if possible.

Article 19

The right to be protected from being hurt or badly treated.

Article 20

The right to special protection and help if children can't live with their parents.

Article 21

The right of children who are adopted or fostered or living in care to have the best care.

Article 22

The right to special protection and help for refugee children.

Article 23

The right of disabled children to have special care and education to help them develop and lead a full life.

Article 24

The right to the best health possible and to medical care and to information that will help children to stay well.

Article 27

The right to a good enough standard of living.

Article 28

The right to education.

Article 29

The right to education, which develops a child's personality, talents and abilities to the fullest extent; prepares the child for an active adult life in a free society and fosters respect for the child's parents, his or her own cultural identity, language and values, and for the cultural background and values of others.

Article 30

The right to enjoy your own culture, practice your own religion, and use your own language.

Article 31

The right to play and relax by doing things like sports, music and drama.

Article 32

The right to protection from work that is bad for a child's health or education.

Article 33

The right to be protected from dangerous drugs.

Article 34

The right to be protected from sexual abuse.

Article 35

The right not to be kidnapped or sold.

Article 37

The right not to be punished in a cruel or hurtful way.

Article 38

The right to protection in times of war. Children under 15 should never have to be in an army or take part in a battle.

Article 39

The right to help when hurt, neglected, or badly treated.

Article 40

The right to help in defending yourself if accused of breaking the law.

Article 42

All adults and children should know about this convention. Children have a right to learn about their rights and adults should learn about them too.