

AN EDUCATION WITH PURPOSE

UK COMMITTEE FOR UNICEF PRIMER ON ARTICLE 29 OF THE UNCRC

The outbreak of the COVID-19 pandemic **fundamentally changed the game for education**. Not only did it change how children learn, it also **catysed an already changing world of work** – and in turn, what education must deliver. Skills such as digital literacy, analytical thinking and innovation, resilience, and perseverance are now firmly on the education agenda, seen by many as the foundations of learning *and* key to employability.¹ These skills are underpinned by an increasing emphasis on climate education, closing the attainment gap, and ensuring education is broad and balanced in nature.

While the pandemic is new, **this understanding of the purpose of education is not**. Thirty years ago, the UK ratified the United Nations Convention on the Rights of the Child (UNCRC), and in doing so committed to support every child's right to education in a manner much aligned with this purpose. Through Articles 28 and 29 and the accompanying General Comment 1, the UNCRC clarifies a quality education as one that puts mental and physical learning on par with cultural, democratic, environmental, and rights-based education. As a duty-bearer of the UNCRC, the UK Government, and by extension **the Department for Education (DfE), has a responsibility to realise the right to education for children in this way**.

As the Fourth Industrial Revolution unfolds, **a renewed effort to advance all aspects of Article 29 is needed**. In doing so, the DfE will not only support the realisation of children's rights, but also support wellbeing, employability, climate education, and other topics guiding the education conversation today.

EDUCATION IN THE UNCRC

The right to education is set out in the UNCRC under two Articles: Article 28 and Article 29. The latter articulates in detail the purpose of education, noting that education 'shall be directed to:

- a. The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- b. The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
- c. The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- d. The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
- e. The development of respect for the natural environment.²

Though the UNCRC entered into force more than 30 years ago, many of the tenets set out under Article 29 are those that underpin current discussions in education. For instance:

- a. The development of mental abilities to a child's full potential can be interpreted as ensuring education delivers academic attainment;
- b. Respect for human rights, fundamental freedoms, and cultural identity reflect the duty placed on schools in the Education Act 2002 to promote students' 'spiritual, moral, cultural, mental and physical development';³ and
- c. Developing respect for the natural environment reflects recent calls and commitments to strengthening climate education.⁴

General Comment 1 of the Convention further articulates the purposes of education, noting that children have a right to education that is ‘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.’⁵ The Comment ‘insists upon the need for education to be child-centred, child-friendly and empowering’, noting that the curriculum must be relevant to social, cultural, environmental and economic needs, now and in the future.⁶

Article 29 and General Comment 1 offer a framework for what the ambition of education in England should be. While retaining the critical importance of foundational literacy and numeracy, basic skills are also recognised as ‘the ability to make well-balanced decisions; to resolve conflicts in a non-violent manner; and to develop a healthy lifestyle, good social relationships and responsibility, critical thinking, creative talents,’ among others.⁷ In fact, General Comment 1 states that ‘the type of teaching that is focused primarily on accumulation of knowledge, prompting competition and leading to an excessive burden of work on children, may seriously hamper the harmonious development of the child to the fullest potential of his or her abilities and talents’.⁸

It should be stated that there is nothing incongruous about the education to which children have a right, as set out above, and the instrumental benefits of education. Indeed, **the skills set out in Article 29 and General Comment 1 are many of the skills that are needed in order to ensure children and young people are able to secure jobs in an increasingly digital world**, including good social relationships, critical thinking, and creative talents. For instance, a 2021 report found that non-cognitive skills, including conscientiousness and openness, are generally ‘rewarded on the labour market with an increase in the level of earnings.’⁹

REALISING A RIGHTS-BASED APPROACH TO EDUCATION

While education should be guided by Articles 28 and 29 as well as General Comment 1, its implementation should be shaped by all relevant rights set out within the UNCRC. As the Comment notes, ‘**Children do not lose their human rights by virtue of passing through the school gates.**’¹⁰

A rights-based, or child rights approach to, education is one that furthers the rights set out in the UNCRC, uses the UNCRC (and other rights standards and principles) to guide policy and implementation, and supports children to know and claim their rights.¹¹ This approach grounds education within the UNCRC, encompassing both the education-based rights (Articles 28 and 29) as well as other rights, including in particular the general principles of the UNCRC. These are non-discrimination (Article 2); the best interests of the child (Article 3); the right to life, survival and development (Article 6); and the right to be heard (Article 12).

The concept of evolving capacities, or children’s increasing agency within decisions that affect them, should also be employed when considering a child rights approach to education. Children have a right to be heard, but the balance between this right and that of duty bearers (including parents, educators, and authorities) should be considered in line with the child’s ability or knowledge. In education, this is often relevant in relation to the involvement of parents in educational decision-making. Taking a child rights approach means valuing and investing in a child’s right to be heard in their education while balancing this with the views and opinions of those who are caring for the child.

EDUCATION AS THE FOUNDATION FOR CHILD RIGHTS

In addition to being shaped by other rights, education contributes to the realisation of children’s rights in full, as set out under the UNCRC. This itself is recognised in General Comment 1, which highlights that Article 29 ‘emphasizes the indispensable interconnected nature of the Convention’s provisions’.¹²

The rights directly impacted by education include:

- a. Freedom of expression (Article 13);
- b. Freedom of thought (Article 14);
- c. The right to information (Article 17);
- d. The rights of children with disabilities (Article 23);
- e. The right to health (Article 24);
- f. The rights of children from minority groups (Article 30); and
- g. The right of children to know their rights (Article 42).

To draw on just one example, education supports the mental health and wellbeing of children, and thus contributes significantly to the realisation of Article 24. Schools play an important role in children's wellbeing, with studies showing a positive correlation between good staff-student and student-student relationships and positive wellbeing.¹³ **Students who feel welcome at school, or a sense of belonging, also tend to have higher life satisfaction.**¹⁴ This also correlates with better academic attainment.¹⁵

REALISING A RIGHTS-BASED EDUCATION

In order to meaningfully fulfil the role of duty bearer of the UNCRC, the Department for Education should formally recognise the right to education for all children from birth through to age 18.

EARLY YEARS

General Comment 7 of the Convention sets out the interpretation of Articles 28 and 29 as they relate to early years, stating that the right to education begins at birth and is 'closely linked to young children's right to maximum development.'¹⁶ Early childhood education should include human rights education, and States should 'ensure that all young children (and those with primary responsibility for their well-being) are guaranteed access to appropriate and effective services, including...education specifically designed to promote their well-being'.¹⁷

A rights-based approach to early years education is not only important in its own right, but also as a foundation for future educational success. Children's brains are 90% developed by the age of five,¹⁸ making the early years critical for learning.

SCHOOL AGE

Following early years, a child rights approach in schools is important to delivering children's rights. One such approach is UNICEF UK's Rights Respecting Schools Award (RRSA) programme, a three-stage accreditation process that guides schools to embed the UNCRC in daily school life.¹⁹ Schools use child rights to support children to enjoy happy, healthy lives and to be responsible, active citizens. It fosters a change in school ethos, in turn impacting on the behaviour and experiences of pupils and staff alike. The RRSA programme has seen four key areas of impact: wellbeing, participation, relationships, and self-esteem.

A child-rights approach also delivers on other education goals. For instance, evidence shows that 89% of headteachers taking part in UNICEF UK's Rights Respecting Schools programme 'report some noticeable or significant impact on the children's engagement with their own learning'.²⁰ And adults also benefit; 76.7% of adults working in the highest tier of the RRSA programme strongly agree that they enjoy working at their school.²¹

A child rights approach also supports learning outcomes, with a report from the Equality and Human Rights Commission noting that 'Teachers reported a **significant improvement in attainment** following the adoption of a human rights approach.' Though this was hard to attribute solely to this new approach, teachers 'acknowledged measurable improvements in comparison to previous years before this approach was adopted'.²²

POST-16

The RRSA model can be used beyond primary and secondary schools, recognising that post-16 education also requires a rights-based approach. **Regardless of the further education (FE) pathway chosen by a young person, it should support the realisation of the right to education as set out in the UNCRC.** This includes ensuring pathways are available and accessible to all children (including through financial assistance if required) and underpinned by the necessary ‘educational and vocational information and guidance available’.²³ At this stage, particular attention should be given to the notion of evolving capacities, ensuring children’s voices are central to their education.

ENSURING IMPLEMENTATION

In order to ensure the full and comprehensive realisation of Articles 28 and 29 of the UNCRC for all children at all stages of education, General Comment 1 calls on States to set out a ‘comprehensive national plan of action to promote and monitor realization’ of Article 29.²⁴ While this can form part of other human or child rights or education strategies, the Committee confirms that these must then address all aspects of Article 29, doing so from a child rights perspective. **Given this does not exist in England, the Department for Education should prioritise the development of such a plan.** As set out above, this would go a long way to articulating a reframing of education that not only delivers on children’s rights, but also sets out a pathway to foundational literacy and numeracy, well-being, employability, and the fulfilment of child rights in the whole.

CONCLUSION

The **right to a quality education**, and what this means, was confirmed 30 years ago in the UNCRC. Though the world has changed immensely since then, with rapid technological advancements, new industries emerging, and a pandemic, Article 29 of the Convention remains highly relevant. Using this Article, together with General Comment 1, the Department for Education can deliver an education that provides a solid foundation on which to build a more equitable, inclusive, and prosperous future, for every child.

REFERENCES

¹ As evidenced in reports from the OECD ([https://www.oecd.org/education/school/UPDATED%20Social%20and%20Emotional%20Skills%20-%20Well-being,%20connectedness%20and%20success.pdf%20\(website\).pdf](https://www.oecd.org/education/school/UPDATED%20Social%20and%20Emotional%20Skills%20-%20Well-being,%20connectedness%20and%20success.pdf%20(website).pdf)) and World Economic Forum (http://www3.weforum.org/docs/WEF_Future_of_Jobs_2020.pdf)

² <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

³ <https://www.legislation.gov.uk/ukpga/2002/32/section/78>

⁴ See, for example, the Department for Education’s draft Sustainability and Climate Change Strategy: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1031454/SCC_DRAFT_Strategy.pdf.

⁵ <https://www.refworld.org/docid/4538834d2.html>

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ <https://ec.europa.eu/jrc/sites/default/files/jrc123308.pdf>

¹⁰ <https://www.refworld.org/docid/4538834d2.html>

¹¹ <https://www.unicef.org/media/63081/file/UNICEF-Child-Rights-Education-Toolkit.pdf>, pg. 21

¹² <https://www.refworld.org/docid/4538834d2.html>

¹³ <https://www.bera.ac.uk/blog/children-and-young-peoples-mental-health-the-role-of-schools>

¹⁴ <https://www.unicef-irc.org/publications/pdf/Report-Card-16-Worlds-of-Influence-child-wellbeing.pdf>

¹⁵ Ibid.

¹⁶ <https://www.refworld.org/docid/4538834d2.html>

¹⁷ Ibid.

¹⁸ <https://theirworld.org/news/how-childs-brain-develops-from-womb-to-age-five>

¹⁹ For more details, visit: <https://www.unicef.org.uk/rights-respecting-schools/>

²⁰ https://www.unicef.org.uk/rights-respecting-schools/wp-content/uploads/sites/4/2020/11/RRSA_Evidence-Report_Nov-2020v2.pdf

²¹ Ibid.

²² https://www.equalityhumanrights.com/sites/default/files/respect_equality_participation_exploring_human_rights_education_in_great_britain.pdf

²³ <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

²⁴ Ibid.