

Higher National Unit Specification

General information for centres

Unit title: Children and Young People's Rights: Provision, Protection and Participation

Unit code: DF50 34

Unit purpose: To enable candidates to understand relevant legislation designed to ensure children and young people's rights in Scotland.

It should provide candidates with an understanding of how legislation influences practice in early years and childcare settings and encourage them to reflect on their role in ensuring the promotion of children's and young people's rights.

Candidates will examine the term participation in relation to children and young people's rights and consider specifically their role in responding to child protection concerns.

On completion of the Unit the candidate should be able to:

- ◆ Analyse the values and principles that inform the promotion of children and young people's rights
- ◆ Demonstrate an understanding of theories regarding encouraging and facilitating children's participation
- ◆ Examine the role of the early years and childcare worker in supporting and protecting children and young people

Credit value: 1 HN Credit at SCQF level 7: (8 SCQF credit points at SCQF level 7*)

**SCQF credit points are used to allocate credit to qualifications in the Scottish Credit and Qualifications Framework (SCQF). Each qualification in the Framework is allocated a number of SCQF credit points at an SCQF level. There are 12 SCQF levels, ranging from Access 1 to Doctorates.*

Recommended prior knowledge and skills: It is recommended that candidates should be able to demonstrate a sound knowledge of child development and an awareness of the issues surrounding child protection and the promotion of children's rights. This may be evidenced by significant experience of working with children in the age range birth to 12 years. Evidence could also be through achievement of current NQ Units or equivalent alternative training programmes, or SVQ level 2 in Early Years Care and Education or Playwork.

General information for centres (cont)

Core skills: There is no automatic certification of Core Skills or a Core Skill component in this Unit. However there may be opportunities to develop the Core Skills of Communication and Information Technology to levels required by occupations in early education and childcare or progression pathways supported by the HNC Early Education and Childcare.

Context for delivery: If this Unit is delivered as part of a group award, it is recommended that it should be taught and assessed within the subject area of the group award to which it contributes. This Unit is included in the framework for the HNC Early Education and Childcare.

Assessment: Outcome 1 will be assessed by an oral presentation or written report/essay outlining the candidate's understanding of current legislation and exploring their own attitudes and values towards the promotion of children and young people's rights.

Outcome 2 will be assessed by an analytical report of 1500 words, looking at children's participation in the childcare setting.

In Outcome 3 candidates will evaluate the child protection policies and procedures in place within their workplace and produce a 500 word evaluation report.

Higher National Unit specification: statement of standards

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The sections of the Unit stating the Outcomes, knowledge and/or skills, and evidence requirements are mandatory.

Where evidence for Outcomes is assessed on a sample basis, the whole of the content listed in the knowledge and/or skills section must be taught and available for assessment. Candidates should not know in advance the items on which they will be assessed and different items should be sampled on each assessment occasion.

Outcome 1

Analyse the values and principles that inform the promotion of children and young people's rights.

Knowledge and/or skills

- ◆ Relevant current legislation
- ◆ Charters and national/local policies
- ◆ Values and principles that underpin a children's rights approach

Evidence requirements

The evidence generated must demonstrate that candidates:

- ◆ Can identify some significant rights for children and young people
- ◆ Can use research skills to explore at least three pieces of relevant legislation and charters
- ◆ Can review how various policy documents, legislation and charters influence perceptions of the rights of children and young people and their associated responsibilities
- ◆ Have explored their own attitudes towards children and young people's rights and responsibilities
- ◆ Can critically evaluate how such legislation and charters should influence workplace practice
- ◆ Are able to express informed and objective opinion in relation to the rights of children and young people

Assessment guidelines

Candidates will need evidence to show that they are aware of the various policies and charters which promote children's and young people's rights. They will be encouraged to explore their own attitudes and values in relation to these documents. Candidates should present a summary of their findings and views.

Higher National Unit specification: statement of standards (cont)

Unit title: Children and Young People's Rights: Provision, Protection and Participation

The assessment could take the form of a short oral presentation by individuals or groups, or alternatively a written report/essay demonstrating their research of at least three specific pieces of legislation. This presentation/report should identify the values and principles embedded in these and give their own views on safeguarding rights for children and young people and the relevance of this to their workplace experience.

Outcome 2

Define the term participation in relation to children and young people's rights, and discuss the adult's role in supporting and facilitating children's participation.

Knowledge and/or skills

- ◆ Examine and discuss the term participation in relation to children and young people's rights
- ◆ Understand and examine the term participation in relation to the learning and development of children you work with
- ◆ Understand issues of power relationships between adults and children
- ◆ Understand the importance of listening to children
- ◆ Recognise participation as an on going process
- ◆ Provide real opportunities for children to participate
- ◆ Use a variety of methods to encourage participation in children
- ◆ Identify the need to support and facilitate participation for all children
- ◆ Recognise the role of the adult in the workplace in facilitating and supporting participation

Evidence requirements

The candidate will need evidence to demonstrate their skills and knowledge of this outcome by:

- ◆ Investigating three aspects of theory or policy relating to children's participation
- ◆ Describing methods to support and facilitate participation with children in the workplace setting
- ◆ Discuss the adult's role as regards to power, supporting and facilitating, environment, listening, adults as gatekeepers to information
- ◆ The report should look at two pieces of policy or theory, which supports participation with children. The report should be at least 1500 words and referenced.

Higher National Unit specification: statement of standards (cont)

Unit title: Children and Young People's Rights: Provision, Protection and Participation

Assessment guidelines

This outcome will be assessed by an analytical report looking at children's participation in the childcare setting, the importance of this, how it relates to child development and learning, the adult's role in facilitating it, and current policy and or theory that supports participation.

Outcome 3

Examine the role of the early years or childcare worker in supporting and protecting children and young people.

Knowledge and/or skills

- ◆ Categories of abuse and their potential impact on children and young people
- ◆ Disclosure of abuse
- ◆ Child protection legislation
- ◆ Child protection policies and workplace guidelines

Evidence requirements

The evidence generated must demonstrate that candidates:

- ◆ Are aware of the different ways in which people can be abused and the impact of abuse on the individual in the short and long term
- ◆ Demonstrate an understanding of the current categories of registration for children and young people in need of care and protection
- ◆ Can describe the physical, emotional and behavioural indicators of abuse for different ages of children/young people
- ◆ Use appropriate research and analytical skills to assess and evaluate the effectiveness of policies and legislation to the protection of children and young people
- ◆ Demonstrate an understanding of how policies and care standards can be used to improve practice and ensure standards are met for children, young people and their families
- ◆ Critically evaluate the systems and procedures for recording and reporting abuse in their work setting, including disclosure of abuse and issues of confidentiality
- ◆ Demonstrate their ability to promote and safeguard children and young people's rights in their own work practice

Assessment guidelines

Candidates must submit a 500 word evaluation report of the effectiveness of the child protection policy/procedures relevant to their workplace. Candidates should detail how they would potentially respond to any child protection concerns.

Administrative Information

Unit code:	DF50 34
Unit title:	Children and Young People's Rights: Provision, Protection and Participation
Superclass category:	PN
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Higher National Unit specification: support notes

Unit title: Children and Young People's Rights: Provision, Protection and Participation

This part of the Unit specification is offered as guidance. The support notes are not mandatory.

While the exact time allocated to this Unit is at the discretion of the centre, the notional design length is 40 hours.

Guidance on the content and context for this Unit

Outcome 1

This outcome should actively engage candidates in reflecting on a wide view of promoting and safeguarding children and young people's rights in society and they should become familiar with the legislation designed to protect these rights. Candidates should be encouraged and supported to participate in class and group discussions which enable them to identify the principles such as equality, respect and dignity that such legislation is based upon. Specific principles such as seeking and listening to children's views and involving them in decision making should be emphasised as particularly relevant to the workplace. Rights to freedom, to education, to equality, to protection from exploitation should be explored. Personal values and attitudes should be identified and shared with the class allowing candidates to debate and challenge different perspectives. The work of advocacy organisations such as Children In Scotland and the role of the Care Commission in advocating for children and young people's rights and in ensuring standards are implemented could be explored. Both of these organisations provide useful information on children and young people's rights on their websites. Candidates should be encouraged to become increasingly aware of the impact of relevant legislation regarding children's rights and to use research skills to consult a wide range of sources to examine at least three pieces of legislation in depth. Legislation, Codes of Practice, guidelines and charters are constantly evolving and there may be specific local guidance which would be important to examine. The following legislation is intended to give an idea of the range of rights which could be explored. The list of legislation may be added to or lecturers may wish to focus on a few specific relevant areas. At all times the most recent, current piece of legislation should be used.

European Convention on Human Rights 1998

UN Convention on the Rights of the Child

Children (Scotland) Act 1995

Disability Discrimination Act 1995

Education (Additional Support for Learning) Scotland Bill

The Regulation of Care Act 2001

The Race Relations Act 2000

The Asylum and Immigration Act 1996

The Protection of Children (Scotland) Act 2003

Higher National Unit specification: support notes (cont)

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Outcome 2

It is important for candidates to recognise that participation is not referring to involving children in activities and classing this as participation. (ie I asked the child if she wanted to join in the game and she agreed). Participation from the view of children's rights is more about encouraging the child's voice to be heard, recognising their views as important, and involving them in planning of activities and aspects of their lives. Although the theory and policy suggestions are not mandatory, Hart Ladder of Participation is a good starting point to recognise difference between real participation and tokenism.

Current theory and policy may include:

- ◆ Harts Ladder of Participation
- ◆ Participation being – ethical, safe, non-discriminatory, child friendly
- ◆ Citizenship and participation
- ◆ Participation is seen as one of the fundamental principals of UN Convention on Rights of Children particularly Article 12 which looks at the child's views being freely encouraged and supported. Also Articles 2,3,6 relate to citizenship and rights of the child
- ◆ Scottish Executive research and policy - Schools Out, Scotland Working Together for Scotland's Children
- ◆ Power and the relationships between adults and children

Participation methods may include:

- ◆ Importance of adults giving time to listen to children and realising that the adult's view is not the child's view
- ◆ Creating an environment where the child's voice and opinions can be freely expressed without fear of an adult saying no
- ◆ Story telling, role-play, creative work, questionnaires are some methods to support participation

Useful Resources:

Hart, R. (1992). Children's Participation: from Tokenism to Citizenship. Innocenti Essay UNICEF, New York

Promoting Children's Meaningful and Ethical Participation (2002) Save the Children

Bailey R. (2000) Teaching Values and Citizenship across the Curriculum

Kogan Page London

Johnson, V. Hill, J. and Ivan-Smith, E. (1995) Listening to Smaller Voices: Children in an Environment of Change-Action Aid, London

Creighton S.J. Russell N (1995) Children's Rights, Participation and Attitudes - NSPCC Child Protection Research

www.childpolicy.org

www.savethechildren.net

www.scotland.gov.uk

www.ncb.org.uk

Higher National Unit specification: support notes (cont)

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Outcome 3

Lecturers should be aware of candidates own life experiences and be sensitive to their possible need for support in exploring this sensitive area. Candidates may have personal experience of emotional, physical or sexual abuse and may require support and/or referral to an appropriate agency.

The following is an extract from the Scottish Executive Guidance "It's Everyone's Job to Make Sure I'm Alright"

'Children may be in need of protection where their basic needs are not being met, in a manner appropriate to their stage of development, and they will be at risk through available acts of commission or omission on the part of their parent(s), sibling(s), or other relative(s), or a carer (i.e. the person(s) while not a parent who has actual custody of a child).'

It outlined **five specific categories of child abuse** which are those now outlined in national inter-agency guidance on child protection – '*Protecting Children - A Shared Responsibility: guidance on inter agency co-operation*' (Scottish Executive 1998):

- ◆ **Physical abuse** is defined as '*actual or attempted physical injury to a child under the age of 16 where there is definite knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented.*' This may include a serious incident or a series of minor incidents involving bruising, fractures, scratches, burns or scalds; deliberate poisoning, attempted drowning or smothering, Munchausen Syndrome by Proxy, serious risk of or actual injuries resulting from parental lifestyle prior to birth, for instance substance abuse; physical chastisement deemed to be unreasonable.

- ◆ **Sexual abuse** '*Any child below the age of 16 may be deemed to have been sexually abused when any person(s) by design or neglect, exploits the child, directly or indirectly, in any activity intended to lead to the sexual arousal or other forms of gratification of that person or any other person(s) including organised networks. This definition holds whether or not there has been genital contact and whether or not the child is said to have initiated the behaviour.*'

This may include such activities as incest, rape, sodomy of children; homosexual practices towards children; indecent assault of children; taking indecent photographs of children or encouraging them to become prostitutes or witness intercourse or pornographic materials. Activities involving sexual exploitation, particularly between young people, may be indicated by the presence of one or more of the following characteristics - lack of consent; inequalities in terms of chronological age, developmental stage or size, actual or threatened coercion.

Higher National Unit specification: support notes (cont)

Unit title: Children and Young People's Rights: Provision, Protection and Participation

- ◆ **Non-organic failure to thrive** occurs in '*Children who significantly fail to reach normal growth and developmental milestones (i.e. physical growth, weight, motor, social and intellectual development) where physical and genetic reasons have been medically eliminated and a diagnosis of failure to thrive has been established.*' Factors affecting a diagnosis may include inappropriate relationships between the care giver and child especially at mealtimes, for instance, the persistent withholding of food as punishment and the sufficiency and/or suitability of the food for the child. In its chronic form non-organic failure to thrive can result in greater susceptibility to more serious childhood illnesses, reduction in potential stature.
- ◆ **Emotional abuse** occurs when there is '*failure to provide for the child's basic emotional needs such as to have a severe effect on the behaviour and development of the child*'. This may include situations where, as a result of persistent behaviour by the parent(s) or care givers, children are rejected, denigrated or scapegoated; inappropriately punished; denied opportunities for exploration, play and socialisation appropriate to their stage of development or encouraged to engage in anti-social behaviour; put in a state of terror or extreme anxiety by the use of threats or practices designed to intimidate them; isolated from normal social experiences, preventing the child from forming friendships. Children who are left alone for long periods, are understimulated or suffer sensory deprivation, especially in infancy; who do not experience adequate nurturing or who are subject to a large number of caregivers may also come into this category. Sustained or repeated abuse of this type is likely in the longer term to result in failures or disruptions of development of personality, inability to form secure relationships and may additionally have an effect on intellectual development and educational attainment.
- ◆ **Physical neglect** '*occurs when a child's essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care results in persistent or severe exposure, through negligence to circumstances which endanger the child.*'

Physical neglect may also include a failure to secure appropriate medical treatment for the child, or when an adult carer persistently pursues or allows the child to follow a lifestyle inappropriate to the child's developmental needs or which jeopardises the child's health.

Additional definitions of other types of child abuse are also outlined in this document but it is likely that the areas above would be the main focus of this outcome.

Definitions of abuse also change over time, as do the procedures regarding how children in need of care and protection should be recorded. Current Scottish Executive guidance and local Child Protection Area Committee's guidance should be referenced throughout.

Higher National Unit specification: support notes (cont)

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Caution should be exercised when exploring indicators of abuse as they may also have alternative explanations and do not always mean that abuse has occurred. A range of indicators of abuse should be covered including physical evidence such as bruises or physical injuries, behavioural signs such as a significant change in temperament or direct disclosure of abuse. The importance of developing open, trusting, effective relationships with children, young people and their carers should be stressed.

The development of listening skills, importance of asking open questions and good observational skills should be emphasised as children often disclose in indirect ways. As children are unique individuals their experience of and their reaction to abuse will be individual. Care should be taken not to assume the short or long-term effects of abuse on the child but to explore a range of possible reactions and consequences.

Possible effects of abuse on children and young people

Physical injury

Possible effects include - stunted growth and failure to thrive; a state of 'frozen watchfulness'; fear of strangers; solitariness; aggressive behaviour; learning difficulties.

Emotional abuse

The possible effects of such abuse are a failure to grow and to thrive; delay in language development; withdrawal; attention-seeking behaviour; anxiety; inability to express feelings; lack of self-esteem; resistance to trying new experiences; inability to make choices.

Physical neglect

Possible effects of neglect include a failure to grow and to thrive; delay in language and cognitive development; failure to develop self-sufficiency in personal care; low self-esteem; lack of security; risk of accidents through lack of supervision; failure by child to learn discipline and limits of behaviour.

Sexual abuse

Possible effects include bowel or bladder symptoms; unwanted pregnancy or sexually transmitted disease; inappropriate sexualised behaviour; low self-esteem; passivity or compliance; absconding; self-injury; depression.

Non-organic failure to thrive

Possible effects include lack of physical growth; poor weight gain; delay in motor, social and intellectual development.

Higher National Unit specification: support notes (cont)

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Multiple abuse

Children may experience a combination of several of these types of abuse. Emotional abuse, for example is usually a feature of other types of abuse.

During the course of this outcome candidates may wish to discuss possible reasons why abuse occurs in our society. The emphasis in this Unit is on increasing awareness of possible issues arising in protecting children and young people and being clear and consistent in the response to children and young people. In any discussion of the controversial area of why children are vulnerable to abuse candidates should be encouraged not to make assumptions about reasons why abuse may have occurred.

The following extract and the associated literature review provided in the Scottish Executive document "It's Everyone's Job to Make Sure I'm Alright" may be useful to challenge stereotypes and provides a useful analysis of the many different theories as to why and by whom abuse occurs.

"Virtually all researchers point to the dangers of adopting single cause explanations of child abuse. The term 'child abuse' covers a range of behaviours and problems so a search for a single or even a cluster of causes is likely to be in vain. "It's Everyone's Job to Make Sure I'm Alright"

"The research findings are also inconclusive in relation to the causes of child abuse and neglect. It is likely that all the various theories which have been put forward as explanations of child abuse may play a part but no single theory can adequately account for the complexity of the problem. Research has attempted to identify the characteristics of abusers and of victims of abuse and has identified a range of factors which may be associated with an increased risk of abuse but are not in themselves sufficient to suggest that abuse will occur. It is increasingly being recognised that multi-focus or integrated theories of child abuse may offer the best way forward. They suggest that risk does not arise from a single causal factor but from a combination of multiple interacting elements which are located at the individual, family, community and societal levels. Such theories are useful because they suggest that intervention to prevent or reduce child abuse needs to focus on the individual, family and community as well as on society as a whole."

Guest speakers from a variety of agencies/services involved in the support and protection of individuals who have experienced abuse would enrich the candidates learning experience. Candidates should, after developing an understanding of the different types of abuse and their possible impact on children and young people, share their own workplace experience of child protection policies and examine examples of centres policies, protocols and procedures. The relationship between these and the statutory framework could be examined.

Higher National Unit specification: support notes (cont)

Unit title: Children and Young People's Rights: Provision, Protection and Participation

Local Child Protection Area Committees should prove a useful source of information on local policies and services and procedures for recording and reporting suspected abuse. It is important that candidates are confident and assured of the need to share any concerns with their line manager.

Candidates could be encouraged to explore anxieties in relation to reporting abuse or suspected abuse, responding to disclosure and the importance of 'whistleblowing' policies.

WhistleBlowing - The disclosure by an employee (or professional) of confidential information which relates to some danger, fraud, or other illegal or unethical conduct connected with the workplace be it of the employer or of fellow employees. (Lord Barrie QC 1995)"taken from 'National Care Standards Early Education and Childcare' Scottish Executive.

In discussing the possible disclosure of abuse by a child/young person it is important to develop confidence in listening to children and young people, following recording and reporting procedures, seeking and accepting support, maintaining the child/young person's rights and understanding that they must not make false promises as it is vital not to give the impression or assurance that what is disclosed will not be shared with others.

At all times current legislation should be referenced in the delivery of this Unit.

Guidance on the delivery and assessment of this Unit

This information is contained within the support notes.

Open learning

This Unit could be developed for open learning mode of delivery.

For information on normal open learning arrangements, please refer to the SQA guide *Assessment and Quality Assurance of Open and Distance Learning (SQA, 2000)*

Special needs

This Unit specification is intended to ensure that there are no artificial barriers to learning or assessment. Special needs of individual candidates should be taken into account when planning learning experiences, selecting assessment instruments or considering special alternative Outcomes for Units. For information on these, please refer to the SQA document *Guidance on Special Assessment Arrangements (SQA, 2001)*.

General information for candidates

Unit title: Children and Young People's Rights: Provision, Protection and Participation

This Unit is designed to explore the various laws, policies and procedures which aim to safeguard the rights of children and young people in Scotland. You will be involved in exploring your own and others attitudes to children and young people's rights and responsibilities and how these influence practice in early years and childcare settings. You will also examine the adult's role in supporting and facilitating children's participation. During the course of the Unit you will also evaluate policies and procedures in place in early years and childcare settings regarding the protection of children and young people.

As part of the assessment for the Unit you will be asked to give a short oral presentation or a written report which outlines your own views on children's rights. You will also be asked to produce an analytical report for Outcome 2 which examines theories of children's participation. In Outcome 3 you will reflect on the policies and procedures in place to protect children and young people in your workplace.