



# Rights

and PSHE Education

Professionals' Pack

# 2024

---

Ellie Chesterton & Natalie McGrath

# Table of Contents

03.	Introduction	38.	Equality Act 2010
04.	Local PSHE Quality Framework	43.	Relationship Rights
05.	Safe Learning Environment	44.	Consent & Rights
06.	Best Practice Principles	48.	Marriage Rights
08.	Trauma Informed Approach	49.	Employment Rights
10.	Tips for Communication	51.	Consumer Rights
11.	Links to Curriculum - Primary	53.	Health Rights
12.	Links to Curriculum - Secondary	54.	Legal Rights
16.	Links to Curriculum - NYA	56.	SEND Rights
17.	Useful Resources	58.	Children in Care Rights
18.	Developing Subject Matter	59.	Young Carers Rights
19.	Key Vocabulary	60.	Practical Tips
20.	Human Rights	61.	Contextual Safeguarding
22.	UN Rights of the Child	62.	Signposting Information
34.	Rights Respecting Schools	63.	Useful Contacts
35.	Why PSHE must be rights-based?	64.	Further Reading

# Introduction

This pack aims to support education providers to deliver quality PSHE education around Rights through identifying the curriculum links within the PSHE Associations' Spiral Curriculum and the Department for Education's statutory guidance and developing staff's confidence and competence on the subject matter to support them to facilitate PSHE education on this topic within their own setting.

The Department for Education's statutory guidance states that:

- Pupils can also put knowledge into practice as they develop the capacity to make sound decisions when facing risks, challenges and complex contexts.
- Schools should show flexibility to respond to local public health and community issues to meet the needs of pupils
- This should be addressed sensitively and clearly

Children and young people need to be taught to manage risks, make safer choices and recognise when pressure from others threatens their personal safety and well-being.



# Local Quality Framework

We believe that for PSHE education to be effective it must:

- Be delivered in a safe learning environment based on the principles that prejudice, discrimination and bullying are harmful and unacceptable.
- Have clear learning objectives and outcomes and ensure sessions and programmes are well planned, resourced and appropriately underpinned by solid research and evidence.
- Be relevant, accurate and factual, including using the correct terminology.
- Be positively inclusive in terms of:
  - Age
  - Gender Identity
  - Race
  - Sex
  - Disability
  - Pregnancy and Maternity
  - Religion or Belief
  - Sexual Orientation
- Designed to include the development of knowledge, skills and values to support positive life choices.
- Use positive messaging, that does not cause shame or victim blaming.
- Challenge attitudes and values within society, such as perceived social norms and those portrayed in the media.
- Be reflective of the age and stage of the children and young people and be tailored to the environment and group.
- Utilise active skill-based learning techniques to encourage active participation.
- Ensure that children and young people are aware of their rights, including their right to access confidential advice and support services within the boundaries of safeguarding.
- Be delivered by trained, confident and competent professionals.
- Empower and involve children and young people as participants, advocates and evaluators in the development of PSHE education.

# Safe Learning Environment

A safe learning environment enables children and young people to feel comfortable to share their ideas without attracting negative feedback. It avoids possible distress and prevents disclosures in a public setting and enables professionals to manage conversations on sensitive issues confidently.

We have created a guidance document to support professionals to create this safe in their own setting.



## **No. 01 – Ground Rules**

Create in collaboration with the group . As the facilitator role model the agreed ground rules.



## **No. 02 – Collaborate with DSL**

Let them know when the session is being delivered to ensure the correct support is in place should any disclosures be made.



## **No. 03 – Staff Confidence**

Check Staff confidence levels. If anyone is in panic zone it is not safe or appropriate for them or the participants to teach on the topic. This pack should help professionals to move from panic zone to learning or comfort zone



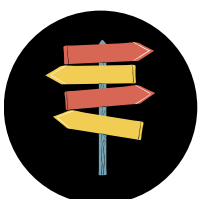
## **No. 04 Learning Techniques**

Use scenarios and stories to help participants engage with the topic. Refer to the third person rather than you e.g. what could this character do?, or people of about your age....



## **No. 05 – Difficult Questions**

Questions are an important part of learning. Sometimes a child or young person will ask a difficult question. As with all questions the first thing is to value the question whilst either allowing time to consider an appropriate answer or to deflect an inappropriate question.



## **No. 06 – Signposting**

It is absolutely essential, that included in the lesson, is information about different organisations and people that can provide support both within the organisation and outside of it.

A more detailed version of this page is available by emailing either Natalie or Ellie

# Best Practice Principles

## Do not use scare/fear or guilt tactics

It is a common misconception that if a child or young person is shocked or scared by what they see in images, videos used in sessions, they will avoid the behaviour in the future.

Whilst young people will often say that they like 'hard-hitting' material and that it engages them more effectively, in fact when experienced in a safe setting (in this case a classroom or youth space), shocking images become exciting (in a similar way to watching a horror film or riding a rollercoaster) and this excitement response can block the desired learning. Equally, for anyone who has previously been affected by something similar, it can re-traumatise them or they can block the message as it is too close for comfort, which again prevents the intended learning. It also presents a scenario which is more likely to make young people think 'that won't ever happen to me' than the desired 'that could be me' response.

The adolescent brain is still developing which means that the perception of messaging and how they react to them is different to our experiences as adults. Furthermore, because their brains are still developing, they often live "in the moment;" when an unhealthy situation arises, they'll make decisions based on what they're feeling then and there, instead of making a reasoned, logical decision.

The pre-frontal cortex or critical thinking/reasoning part of the brain is the last section to develop.

You can find out more about the teenage brain [here](#).

Young people should be informed of risks in a balance and measured way through an approach that supports them to make informed, healthy, safe decisions and empower them to believe they can act on "good choices."

### Top Tips:

- Evidence shows that shock and scare tactics just don't work.
- Check resources (including external agencies) for images or scenes that might be shocking, harrowing or scary for the age group – remember that children and young people will have a much lower threshold for what might worry them.
- Remember the purpose of the session is to educate not entertain. Just because young people might watch scary films in their own time, does not mean using similar films within PSHE Education will promote learning.
- Make sure there is a range of examples, case studies and consequences, most of which do not focus on the most dramatic or extreme outcomes.

# Best Practice Principles

## Knowledge, Skills and Values

Topics explored in PSHE education, relate directly to a child's or young person's life, when they might find themselves in a tricky situation or "crunch" moment – and need to make a quick decision; for example, a child who is dared to run across the road by their friends, or a teenager who is being pressured to start a fire. They will need to recall learning from PSHE education at that moment to help them make a decision.

They will, of course, require knowledge e.g., of the legality (or not) of their actions. However, in order to make a safe decision in the moment, they will also need skills to negotiate with their peers to resist pressure from others, to exit the situation (if they choose to) and access appropriate help or support if necessary. They will need a strong sense of their own values, to make the right decision and the confidence to stick to it.

Knowledge on its own won't necessarily stop someone from trying things. In many cases young people end up in situations where they know what they are doing is "wrong", but they do it anyway, as they lack the essential skills or attributes to help them effectively manage the situation.

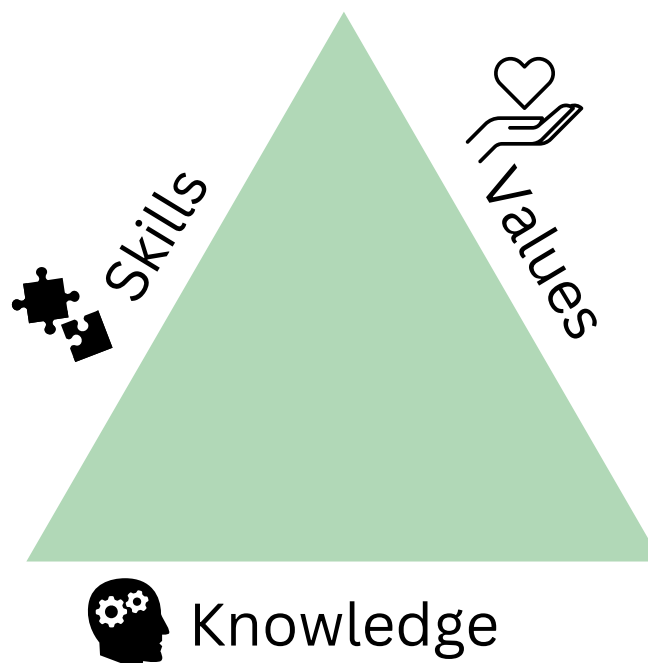
To ensure that sessions are balanced it is important to know the purpose of the activity and create a balanced session that increases or enables reflection on knowledge, skills and values.

The definition of each of these is:

**Knowledge:** gaining new information on a topic

**Skills:** gaining new skills on a topic

**Values:** reflecting on, and potentially altering, your own values in relation to a topic



# Trauma Informed Approach

## Being Trauma-Informed

It is important to be aware of the risks of educative interventions, if not delivered carefully. PSHE resources – when used with children and young people who have been affected by the topic being covered – can re-traumatise children and young people or induce vicarious trauma – this is defined as the feelings of trauma experienced by a third party when witnessing or engaging with the harm or trauma of another (Eaton, 2017).



The National Youth Agency provides a free e-learning course to help professionals gain a greater understanding of trauma and how it affects mental and emotional wellbeing. The module provides tools and reflection space for professionals to enable them to better support young people in this area.

You can access the course [here](#) – you will need to create a Youth Work One account to be able to access the course.



## Top Tips

- Do not use resources that include graphic images, victim blaming or scenes of abuse.
- Ensure that the work is part of a planned, sequential curriculum that builds on prior knowledge.
- Work with your pastoral team to understand if there is anyone who could be affected by this scheme of work. Ask the individuals if they want to be included in the class or if they would prefer to do some other work – explain there will be no explanation given to their absence.
- Use resources only within class-sized groups and not within assemblies.
- Ensure that a trigger/content warning is given beforehand.
- Ensure there is plenty of time for class-based discussions and signposting and that children/young people do not move onto a different topic/lesson before having time to debrief.
- When exploring themes with the participants do not ask “what could x have done to not be a victim of...” or “what signs should they have spotted” this encourages victim-blaming and abuse is never the fault of the child or young person.
- Use distancing techniques – Avoid questions or activities which encourage students to consider their personal experiences, or ask them to put themselves in a particular situation. It is more appropriate to ask “how do you think x is feeling?” or “how would you feel if x was your friend?”. This helps to develop skills of emotional literacy and empathy. You could also ask young people to imagine the response of “a young person, about your age who goes to an education setting around here”
- How can you make it easy for participants to leave the room and communicate this in advance?
- How will you ensure parents/carers have information about this scheme of work to support it within the home?
- You might want to consider a Disassociation Game to close the session. This is a quick, light-hearted, unrelated activity following the plenary on learning from the session. The purpose of this is to help students emotionally detach themselves from the content of the session before they leave.

# Tips for Communication

## Communication difficulties

Special provision should be put in place to support conversations with children, young people or adult learners who:

- have communication difficulties
- are too young
- are unable to communicate
- cannot or will not explain

You should refer to the child, young person or adult learner's behaviour plan and the information available from any assessments. This may include visual cues to help facilitate discussion, such as picture exchange communication cards.

Mencap has published further information on communicating with people with learning difficulties.

The National Autistic Society has also published tips to communicate more effectively with an autistic person.



The table below shows the learning opportunities from the relevant PSHE Association core themes which can be linked to Rights. Whilst these are the explicit learning outcomes linked to the topic of rights, as per our key principles of PSHE, in all sessions children and young people should be made aware of their rights, including their right to access confidential advice and support services within the boundaries of safeguarding.

## Primary

### PSHE Association

#### Key Stage 2

L2.	To recognise there are human rights, that are there to protect everyone
L3.	About the relationship between rights and responsibilities

## SEND

#### SSS5 – Public and Private

Foundation	Explain that we have a right to keep our bodies private
Enhancement	Explain why we must respect the rights of others who may refuse to lend something to us; explain why this does not mean they do not like us

#### MF1 – Identifying and Expressing Feelings

Development	Explain why no-one has the right to make us feel unhappy, afraid, worried, and sad or make us do things we do not want to.
-------------	--

## CG3 – Dealing with Touch

Core	Explain that our bodies belong to us and that we have a right to feel safe.
Enrichment	<ul style="list-style-type: none"> <li>• Explain that we have the right to protect our bodies from Inappropriate/unwanted touching.</li> <li>• Explain how we can respect other people’s right to protect their bodies from inappropriate/ unwanted touching.</li> </ul>

## HL3 – Keeping Well

Enhancement	Explain that no-one should ever make us, or try and persuade us to drink alcohol, smoke, taste or swallow anything we are not sure is safe or that is against our wishes, and that we have a right to say no
-------------	--

## DfE Statutory Guidance:

By the end of Primary pupils will know:

62.	They have rights over their own bodies.
76.	Their rights and responsibilities as citizens.

# Secondary

## PSHE Association

### Key Stage 3

L13.	About young people's employment rights and responsibilities
------	---

### Key Stage 4

R4.	The importance of stable, committed relationships, including the rights and protections provided within legally recognised marriages and civil partnerships and the legal status of other long-term relationships
R5.	The legal rights, responsibilities and protections provided by the Equality Act 2010
L13.	The skills and attributes to manage rights and responsibilities at work including health and safety procedures
L19.	To access appropriate support for financial decision-making and for concerns relating to money, gambling, and consumer rights

### Key Stage 5

H16.	To travel safely around the UK and abroad; understand legal rights and responsibilities when travelling abroad, including passport, visa and insurance requirements
R2.	To recognise and challenge prejudice and discrimination and understand rights and responsibilities with regard to inclusion
R11.	To understand the moral and legal responsibilities that someone seeking consent has, and the importance of respecting and protecting people's right to give, not give, or withdraw their consent (in all contexts, including online)
R12.	To understand the emotional, physical, social and legal consequences of failing to respect others' right not to give or to withdraw consent

R22.	to understand their rights in relation to harassment (including online) and stalking, how to respond and how to access support
L8.	Their rights and responsibilities as students in casual, part-time jobs, including in the 'gig economy'
L16.	to exercise consumer rights, including resolving disputes and accessing appropriate support

# SEND

## SSS2 – Feeling Frightened/Worried

Development	Explain why no one has a right to make us feel frightened or uncomfortable and how to recognise harassment, including online.
-------------	---

## SSS6 – Public and Private

Core	Explain that no one has the right to make us share a photo of ourselves, or give information about ourselves or others, online
------	--

## CG3 – Healthy/Unhealthy Relationship Behaviours

Enhancement	Demonstrate strategies to help us negotiate and assert our rights in a relationship.
-------------	--

## CG4 – Intimate Relationships, Consent & Contraception

Core	Explain what seeking and giving/not giving consent means in relationships, that we have the right to say 'no' or 'please stop' to anything we feel uncomfortable about, and demonstrate how we might do this
Enrichment	<ul style="list-style-type: none"> <li>• Describe ways to manage others' expectations in relationships and our right not to be pressurised to do anything we do not want to do</li> <li>• Explain that if someone fails to respect another person's right to not give their consent, then they are committing a serious crime</li> </ul>

## WIL11 – Diversity, Rights and Responsibilities

Core	Describe what is meant by rights and responsibilities.
Development	Identify some of the different kinds of rights and responsibilities we have in and outside school
Enrichment	<ul style="list-style-type: none"> <li>• Recognise that everyone has 'human rights' and that the law protects these rights</li> <li>• Identify some of our rights to different opportunities in both education and work.</li> </ul>
Enhancement	<ul style="list-style-type: none"> <li>• Explain that different cultures and faith groups have the right to practise their customs and beliefs within British law.</li> <li>• Identify whom we can talk to if we are worried about our rights or those of other people</li> </ul>

## WIL15 – Managing Finances

Enhancement	Identify what we can do if something we buy is faulty or we want to return it (our legal rights).
-------------	---

# DfE Statutory Guidance:

By the end of Secondary pupils will know:

F3.	What marriage is, including their legal status e.g. that marriage carries legal rights and protections not available to couples who are cohabiting or who have married, for example, in an unregistered religious ceremony.
RR8.	The legal rights and responsibilities regarding equality (particularly with reference to the protected characteristics as defined in the Equality Act 2010) and that everyone is unique and equal.
O1.	Their rights, responsibilities and opportunities online, including that the same expectations of behaviour apply in all contexts, including online.

# NYA Youth Work Curriculum:

GC3.	Exploring social justice and human rights and how they apply to all people
------	--





# Useful Resources

Please check all resources are suitable for your settings and children before use

## Rights:

### Books:

3-7 years - [I Have the Right](#)

4-7 years - [I Have the Right to be a Child](#)

8-11 years - [Malala's Magic Pencil](#)

12-18 years - [Know Your Rights and Claim Them](#)

14+ years - [The Hate you Give](#)

### Videos:

[Young people: how our Human Rights Act works for you](#)

[Rights of the Child animation](#)

[What do kids think about human rights?](#)

[Hear us: young people on UK inequality](#)

### Lesson Plans:

5-11 years - Amnesty International - [Learning About Human Rights](#)

11-18 years - Amnesty International - [Exploring Human Rights](#)

*Other lesson plan suggestions are available in our [Resource Library](#) under "Rights".*

*[Registration](#) is free for education settings in Staffordshire and Stoke-on-Trent.*

# DEVELOPING SUBJECT KNOWLEDGE

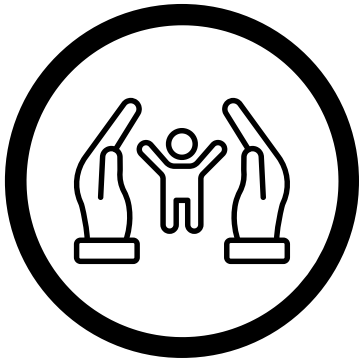


**RIGHTS**

# Key Vocabulary



**Child** - A person under the age of 18 years old



**Children's Rights** "Things you need to be happy, healthy and safe"



**The United Nations Convention on the Rights of the Child (UNCRC)** - An international document that lay out children's rights.

# Human Rights

Human rights in the UK are fundamental rights and freedoms that everyone is entitled to. These rights are protected by various laws and national agreements.

One of the earliest documents to establish that everyone, including the king, is subject to law is the Magna Carta (1215). It guaranteed rights such as the right to a fair trial.

In 1689, the Bill of Rights established parliamentary sovereignty and certain civil rights, including the freedom from cruel and unusual punishment.

In modern times, the Human Rights Act (1998) incorporated the European Convention on Human Rights (ECHR) into UK law, allowing individuals to defend their rights in the UK courts.

Rights include:

- Right to Life (Article 2)
- Prohibition of torture (Article 3)
- Prohibition of slavery and forced labour (Article 4)
- Right to liberty and security (Article 5)
- Right to a fair trial (Article 6)
- Prohibition of retrospective criminal penalties (Article 7)
- Right to respect for private and family life (Article 8)
- Freedom of thought, conscience, and religion (Article 9)
- Freedom of expression (Article 10)
- Freedom of assembly and association (Article 11)
- Right to marry (Article 12)
- Right to an effective national remedy for breach of these rights (Article 13)
- Prohibition of discrimination (Article 14)

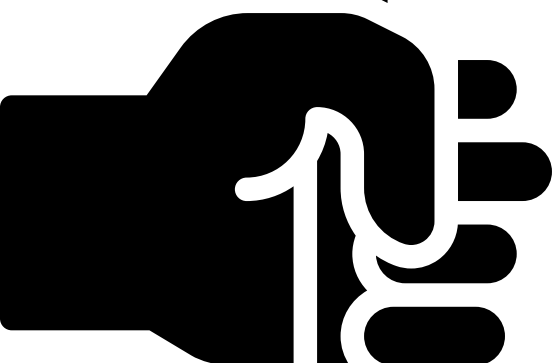
The UK has also ratified Protocol No. 13 to the Convention on the abolition of the death penalty in all circumstances, as well as Protocol No. 1 which contains 3 additional rights:

- Article 1 of Protocol No. 1: the right to free enjoyment of property
- Article 2 of Protocol No. 2: the right to education
- Article 3 of Protocol No. 3: the right to free and fair elections

The UK has ratified various UN treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention Against Torture.

In 2019, the UK appointed its first human rights ambassador to promote human rights internationally.

The Council of Europe is an international organisation the promotion of democracy, human rights and the rule of law. It was founded by the Treaty of London in 1949 and is based in Strasbourg in France. It has 46 member States, including European Union Member States, but is entirely separate from the European Union.



# UN Rights of the Child

The United Nations Convention on the Rights of the Child (UNCRC) is a comprehensive human rights treaty that outlines the civil, political, economic, social, and cultural rights of children. Adopted by the United Nations General Assembly in 1989, it is the most widely ratified human rights treaty in history, with 196 countries as signatories.

Understanding and teaching the UNCRC is crucial for fostering a rights-respecting environment within education settings. It empowers children and young people by making them aware of their rights and responsibilities, promoting respect, and encouraging active community participation. Integrating the UNCRC into the curriculum helps create a safe and inclusive learning environment where every child can thrive.

The UNCRC consists of 54 articles. These articles cover a wide range of rights and protections for children, including their right to education, health care, and protection from abuse and exploitation. The Convention is universal, meaning these rights apply to every child and every child is entitled to claim them. It also explains how adults and governments must work together to make sure that all children can enjoy all their rights.

The Convention should be thought of as a whole: each of the rights enshrined within it is interlinked, and no right is more or less important than another.

There are four articles in the Convention that are seen as special—these are known as the “General Principles” and they help to interpret all the other articles and play a fundamental role in realising all the rights in the Convention are for all children:

- Non-discrimination (Article 2)
- Best interest of the child (Article 3)
- Right to life survival and development (Article 6)
- Right to be heard (Article 12)

The convention came into force in the UK in 1992.

## Article 1: Definition of a Child



Everyone under the age of 18 has all the rights set out in the Convention.

## Article 2: Non-Discrimination



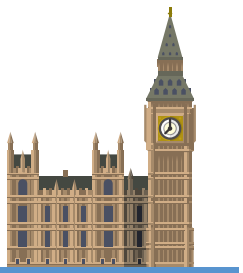
The Convention applies to every child without discrimination, whatever their ethnicity, sex, religion, language abilities, or any other status, whatever they think or say, whatever their family background. This is why PSHE education must be inclusive.

## Article 3: Best Interests of the Child



The best interests of the child must be the top priority in all decisions and actions that affect children. This includes the PSHE curriculum.

## Article 4: Implementation of the Convention



Governments must do all they can to make sure every child can enjoy their rights by creating systems and passing laws that promote and protect children's rights.

## Article 5: Parental Guidance and a Child's Evolving Capacities



Governments must respect the rights and responsibilities of parents and carers to provide guidance and direction to their child as they grow up so that they fully enjoy their rights. This must be done in a way that recognises the child's increasing capacity to make their own choices.

This is why PSHE education should be delivered as partnership between home and the education setting.



Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential.

## Article 7: Birth Registration, Name, Nationality, Care



Every child has the right to be registered at birth, to have a name and nationality, and as far as possible, to know and be cared for by their parents.

## Article 8: Protection and Preservation of Identity



Every child has the right to an identity. Government must respect and protect that right, and prevent the child's name, nationality or family relationship from being changed unlawfully.

## Article 9: Separation from Parents



Children must not be separated from their parents against their will unless it is in their best interest (for example if a parent is hurting or neglecting a child). Children whose parents have separated have the right to stay in contact with both parents unless this could cause them harm. This could be covered in modules that explore different types of families.

## Article 10: Family Reunification



Governments must respond quickly and sympathetically if a child or their parents apply to live together in the same country. If a child's parents live apart in different countries, the child has the right to visit and keep in contact with both of them.

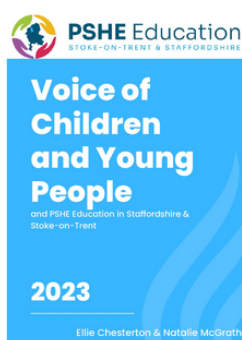


## Article 11: Abduction and Non-Return of Children



Governments must do everything they can to stop children being taken out of their own country illegally by their parents or other relatives, or being prevented from returning home.

## Article 12: Respect the Views of the Child



Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.

Ensure that your curriculum includes capturing the Voice of the Child. We have [top tips in this guide](#).

## Article 13: Freedom of Expression



Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law.

Creating a Safe Learning Environment can help provide a space for children and young people to express their thoughts and opinions safely.

## Article 14: Freedom of Thought, Belief and Religion



Every child has the right to think and believe what they choose and also to practise their religion, as long as they are not stopping other people from enjoying their rights. Governments must respect the rights and responsibilities of parents to guide their child as they grow up.

## Article 15: Freedom of Association



Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights. Signposting to local activities such as HAF, Space, SCVYS members and SOT Youth Collective can be build into PSHE sessions.

## Article 16: Right to Privacy



PRIVATE

Every child has the right to privacy. The law should protect the child's private, family and home life, including protecting children from unlawful attacks that harm their reputation.

Talking about privacy settings during Online Safety sessions can link PSHE to this Article.

## Article 17: Access to Information from the Media



Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand. Governments must help protect children from materials that could harm them. PSHE should develop children's media literacy skills.

## Article 18: Parental Responsibility and State Assistance



Both parents share responsibility for bringing up their child and should always consider what is best for the child. Governments must support parents by creating support services for children and giving parents the help they need to raise their children. This is why signposting for both families and children and young people is so important so they are aware of the support available to them both locally and nationally.

## Article 19: Protection from Violence, Abuse and Neglect



Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them. PSHE can help children and young people recognise what abuse, neglect and bad treatment is and seek support.

## Article 20: Children Unable to Live With Their Families



If a child cannot be looked after by their immediate family, the government must give them special protection and assistance. This includes making sure the child is provided with alternative care that is continuous and respects the child's culture, language and religion. When delivering sessions around Families all different types including "Looked After" should be included.

## Article 21: Adoption



Governments must oversee the process of adoption to make sure it is safe, lawful and that it prioritises children's best interests. Children should only be adopted outside of their country if they cannot be placed with a family in their own country. This could be discussed within Families sessions but also within Parenthood so that children and young people have an awareness of adoption.

## Article 22: Refugee Children



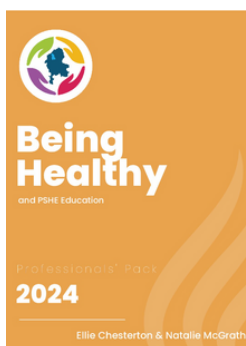
If a child is seeking refuge or has refugee status, governments must provide them with appropriate protection and assistance to help them enjoy all the rights in the Convention. Governments must help refugee children who are separated from their parents to be reunited with them.

## Article 23: Children with a Disability



Article 23 (children with a disability) A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families. Consider how your PSHE curriculum meets the needs of your children and young people with SEND.

## Article 24: Health and Health Services



Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy. Richer countries must help poorer countries achieve this. PSHE provides the opportunity for children and young people to increase their knowledge around being healthy, including how to access services.

## Article 25: Review of Treatment in Care



If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.

## Article 26: Social Security



Every child has the right to benefit from social security. Governments must provide social security, including financial support and other benefits, to families in need of assistance

## Article 27: Adequate Standard of Living



Every child has the right to a standard of living that is good enough to meet their physical and social needs and support their development. Governments must help families who cannot afford to provide this.

## Article 28: Right to Education



Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights. Richer countries must help poorer countries achieve this.

## Article 29: Goals of Education



Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment. PSHE education is every child and young person's right.

## Article 30: Children from Minority or Indigenous Groups



Every child has the right to learn and use the language, customs and religion of their family, whether or not these are shared by the majority of the people in the country where they live.

## Article 31: Leisure. Play and Culture



Every child has the right to relax, play and take part in a wide range of cultural and artistic activities. Link extra-curricular activities that take place in your settings.

## Article 32: Child Labour



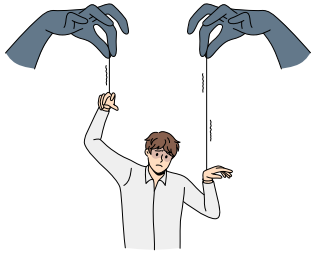
Governments must protect children from economic exploitation and work that is dangerous or might harm their health, development or education. Governments must set a minimum age for children to work and ensure that work conditions are safe and appropriate. This can be covered via Living in the Wider World through PSHE sessions.

## Article 33: Drug Abuse



Governments must protect children from the illegal use of drugs and from being involved in the production or distribution of drugs. This can be covered via drug education and also an exploration of County Lines.

## Article 34: Sexual Exploitation



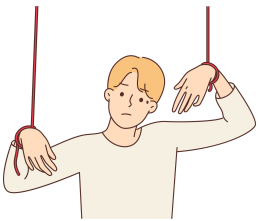
Governments must protect children from all forms of sexual abuse and exploitation. This can be linked to sessions around consent, healthy relationships and sexual exploitation sessions.

## Article 35: Abduction, Sale and Trafficking



Governments must protect children from being abducted, sold or moved illegally to a different place in or outside their country for the purpose of exploitation. This Article can be explored within healthy relationships and exploitation sessions.

## Article 36: Other Forms of Exploitation



Governments must protect children from all other forms of exploitation, for example the exploitation of children for political activities, by the media or for medical research.

## Article 37: Inhumane Treatment and Detention



Children must not be tortured, sentenced to the death penalty or suffer other cruel or degrading treatment or punishment. Children should be arrested, detained or imprisoned only as a last resort and for the shortest time possible. They must be treated with respect and care, and be able to keep in contact with their family. Children must not be put in prison with adults.

## Article 38: War and Armed Conflict



Governments must not allow children under the age of 15 to take part in war or join the armed forces. Governments must do everything they can to protect and care for children affected by war and armed conflicts.

## Article 39: Recovery from Trauma and Reintegration



Children who have experienced neglect, abuse, exploitation, torture or who are victims of war must receive special support to help them recover their health, dignity, self-respect and social life. Ensure that PSHE is trauma-informed and link in with your DSL and Mental Health Lead (where applicable) to ensure any potential triggering sessions are identified.

## Article 40: Juvenile Justice



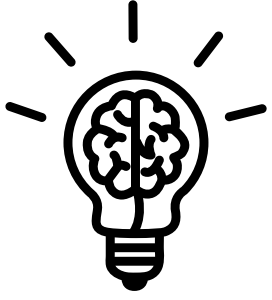
A child accused or guilty of breaking the law must be treated with dignity and respect. They have the right to legal assistance and a fair trial that takes account of their age. Governments must set a minimum age for children to be tried in a criminal court and manage a justice system that enables children who have been in conflict with the law to reintegrate into society. PSHE education can ensure that children are aware of their rights e.g. Stop and Search process

## Article 41: Best Law Applies



If a country has laws and standards that go further than the present Convention, then the country must keep these laws.

## Article 42: Knowledge of Rights



Governments must actively work to make sure children and adults know about the Convention. Education settings are well placed to ensure that children and young people are made aware of their rights under the Convention.

The Convention has 54 articles in total. Articles 43–54 are about how adults and governments must work together to make sure all children can enjoy all their rights including:

## Article 45: Unicef



Unicef can provide expert advice and assistance on children's rights.





<p>A child is anyone aged under 18</p> 	<p>All children have these rights</p> 	<p>Adults should do what is best for you</p> 	<p>Your rights must be protected</p> 	<p>Family help you to know your rights</p> 	<p>You have the right to be alive</p> 	<p>You have the right to a name</p> 
<p>An identity that nobody should take away from you</p> 	<p>The right to live with a family that cares for you</p> 	<p>The right to contact with parents if they are in a different part of the world</p> 	<p>Protection from kidnapping</p> 	<p>The right to an opinion</p> 	<p>Right to share what you think with others</p> 	<p>Right to choose your own religion and beliefs</p> 
<p>To set up groups and choose your friends</p> 	<p>Right to privacy</p> 	<p>Right to information</p> 	<p>Right to be raised by your parents (if possible)</p> 	<p>To be protected from harm in mind and body</p> 	<p>Right to care and help if you cannot live with your parents</p> 	<p>Right to care and protection if you are adopted or in foster care</p> 
<p>Special protection if you are a refugee</p> 	<p>Special education and care if you have a disability</p> 	<p>A right to the things that will keep you safe, clean and well</p> 	<p>If you are in care, your living space should be checked regularly</p> 	<p>The right to help if you are in need</p> 	<p>The right to food, clothing and a safe place to live</p> 	<p>A good quality education</p> 
<p>Education that develops your talents and teaches you respect for others</p> 	<p>Practice your own culture, language and religion</p> 	<p>Right to play and rest</p> 	<p>Protection from work that harms you</p> 	<p>Right to protection from harmful drugs</p> 	<p>Right to be free from sexual abuse</p> 	<p>Right to protection from being taken advantage of</p> 
<p>Nobody is allowed to kidnap or sell you</p> 	<p>Nobody is allowed to punish you in a cruel or harmful way</p> 	<p>Right to protection and freedom from war</p> 	<p>Right to help if you have been hurt, neglected or badly treated</p> 	<p>Right to legal help and fair treatment in the criminal justice system</p> 	<p>Laws from the country you reside protect you</p> 	<p>You have the right to know your rights</p> 



A number of schools in Staffordshire and Stoke-on-Trent have registered to be a Rights Respecting School, an initiative run by UNICEF.

Evidence demonstrates that the schools who engage with this award have a culture of respect across the school, have increased pupil engagement through a shared sense of community and belonging and a culture where children’s voices are heard and valued.

Knowledge and understanding of rights is central to change in these areas since rights not only set standards that children can expect, but also empower children to challenge when these standards are not met.

Becoming a Rights Respecting School is about more than achieving specific criteria. Schools need to be committed to becoming a Rights Respecting School and also have the resources in place to support this commitment.

The cost, at the time of writing, for becoming a Rights Respecting School is as follows:

Type of membership	RRSA	RRSA Post-Gold
Annual fee	£2 per pupil at the date of sign up	£1.25 per pupil at the date of sign up
Annual minimum fee	£100	£100
Annual maximum fee	£1,500	£1,000

Please check [their website](#) for the latest pricing.

# Why PSHE must be Rights-Based

The Relationships and Sex Education (RSE) curriculum further states that pupils should know the legal rights and responsibilities regarding equality and their rights, responsibilities and opportunities online (page 28).

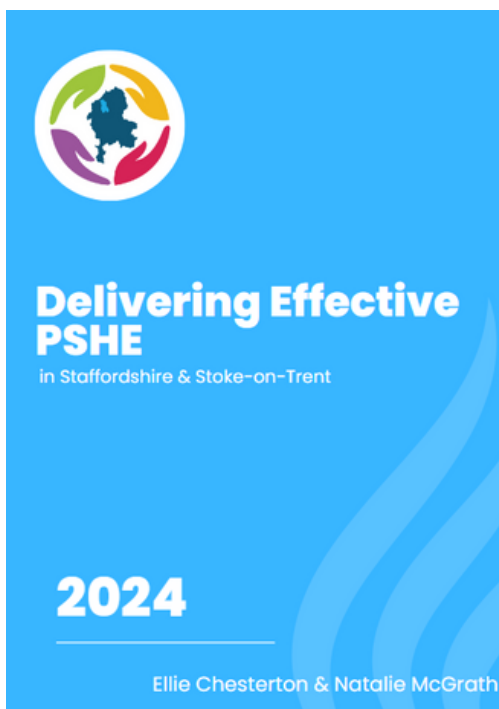
Making PSHE education rights-based ensures that it aligns with the fundamental principles of human rights, promoting equality, respect, and dignity for all children and young people. Here are some key reasons why PSHE should be rights-based:

- **Empowerment:** A rights-based approach empowers children and young people by educating them about their rights and responsibilities. This knowledge helps them to advocate for themselves and others, fostering a sense of agency and confidence.
- **Inclusivity:** It ensures that all children and young people, regardless of their background, have access to the same quality of education. This approach promotes inclusivity and helps to address inequalities in education.
- **Safety and Well-being:** Teaching children and young people about their rights can help protect them from harm. For example, understanding their right to safety can help them recognise and report abuse or bullying.
- **Preparation for Life:** A rights-based PSHE curriculum prepares children and young people for the challenges of adult life by teaching them about consent, healthy relationships, and their rights in various contexts, such as the workplace.
- **Legal Compliance:** It helps education settings meet their legal obligations related to safeguarding and equality. By embedding human rights into the curriculum, education settings can ensure they are compliant with national and international laws.
- **Promoting Respect and Tolerance:** A rights-based approach encourages respect for diversity and promotes tolerance. It helps children and young people understand and appreciate differences, fostering a more harmonious educational environment.
- **Improved Attainment and Attendance:** Education settings that have embedded human-rights education reported a noticeable improvement compared to previous years, but there is recognition that this was hard to solely attribute to the human-rights approach.

When delivering PSHE sessions around include the relevant rights e.g.

Topic	Right
General	<ul style="list-style-type: none"> <li>• The right to an opinion</li> <li>• Right to information</li> <li>• The right to help if you are in need</li> <li>• A good quality education</li> <li>• Education that develops your talents and teaches you respect for others</li> <li>• You have the right to know your rights</li> </ul>
Abuse	<ul style="list-style-type: none"> <li>• Right to be free from sexual abuse</li> <li>• Right to protection from being taken advantage of</li> <li>• To be protected from harm in mind and body</li> <li>• Right to help if you have been hurt, neglected or badly treated</li> </ul>
Communities	<ul style="list-style-type: none"> <li>• Special protection if you are a refugee</li> <li>• Special education and care if you have a disability</li> <li>• Practice your own culture, language and religion</li> </ul>
Exploitation	<ul style="list-style-type: none"> <li>• Right to be free from sexual abuse</li> <li>• Right to protection from being taken advantage of</li> <li>• Nobody is allowed to kidnap or sell you</li> <li>• Nobody is allowed to punish you in a cruel or harmful way</li> </ul>
Family	<ul style="list-style-type: none"> <li>• Family help you to know your rights</li> <li>• The right to live with a family that cares for you</li> <li>• The right to contact with parents if they are in a different part of the world</li> <li>• Right to be raised by your parents (if possible)</li> <li>• Right to care and help if you cannot live with your parents</li> <li>• Right to care and protection if you are adopted or in foster care</li> <li>• If you are in care, your living space should be checked regularly</li> </ul>
Friendships	<ul style="list-style-type: none"> <li>• To set up groups and choose your friends</li> </ul>
Health	<ul style="list-style-type: none"> <li>• You have the right to be alive</li> <li>• To be protected from harm in mind and body</li> <li>• A right to the things that will keep you safe, clean and well</li> </ul>
Identity	<ul style="list-style-type: none"> <li>• You have the right to a name</li> <li>• An identity that nobody should take away from you</li> <li>• Right to choose your own religion and beliefs</li> <li>• Practice your own culture, language and religion</li> </ul>

Laws	<ul style="list-style-type: none"> <li>• Right to legal help and fair treatment in the criminal justice system.</li> <li>• Laws from the country you reside protect you</li> </ul>
Online Safety	<ul style="list-style-type: none"> <li>• Right to privacy</li> <li>• A right to the things that will keep you safe, clean and well</li> </ul>
Safety	<ul style="list-style-type: none"> <li>• Protection from kidnapping</li> <li>• A right to the things that will keep you safe, clean and well</li> <li>• The right to food, clothing and a safe place to live</li> <li>• Right to be free from sexual abuse</li> <li>• Nobody is allowed to punish you in a cruel or harmful way</li> </ul>
Sexual Health	<ul style="list-style-type: none"> <li>• Right to be free from sexual abuse</li> </ul>
Substances	<ul style="list-style-type: none"> <li>• Right to protection from harmful drugs</li> </ul>
Work	<ul style="list-style-type: none"> <li>• Protection from work that harms you</li> </ul>



Taken from Delivering Effective PSHE.

# Equality Act 2010

The Equality Act (2010) is a significant piece of legislation, that aims to protect individuals from discrimination and promote equality.

Education providers have specific responsibilities under the Equalities Act including:

- **Eliminating discrimination** - Education settings must actively work to eliminate discrimination, harassment and victimisation.
- **Advancing Equality** - Education settings should promote equality of opportunity between people who share a protected characteristic and those who do not.
- **Fostering Good Relations** - Education settings are required to foster good relations between people who share a protected characteristic and those who do not.

There are different ways in which education settings can promote diversity and inclusivity, which is essential for creating a welcoming and supportive environment and culture. Here are several effective strategies that could be implemented:

- **Diverse Curriculum** - Incorporate materials that reflect a range of cultures, perspectives and experiences.
- **Professional Development** - Provide ongoing training for staff on diversity, equity and preventing discrimination. This can include sessions on cultural competency, anti-bias education and inclusive teaching practices.
- **Inclusive Policies** - Develop and enforce policies that explicitly support diversity and prevent discrimination. This includes clear guidance on handling bullying and harassment in relation to the protected characteristics.
- **Student Voice** - Encourage children and young people to share their experiences and perspectives. Utilise platforms like student councils or diversity committees where people can voice their concerns and suggestions.
- **Celebrate Diversity** - Organise events and activities that celebrate different cultures and backgrounds.
- **Parental Involvement** - Engage parents and carers in the setting's diversity and inclusion efforts. This could be workshops, meetings that educate and involve families in creating an inclusive culture.

PSHE education has a role in exploring the protected characteristics and the protections of the Equality Act 2010. Whilst education settings do not have to teach about every protected characteristic in every year group, children and young people should explore these age-appropriately throughout their educational journey.

## Protected Characteristics



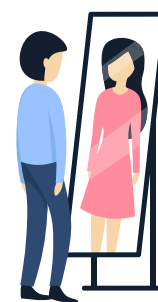
**Age** – protects people of all ages



**Marriage and Civil Partnership**– Protects individuals who are married or in a civil partnership



**Disability** – Cover people with physical and/or mental impairment that has a substantial and long-term adverse affect on their ability to carry out day-to-day activities



**Gender Reassignment**– Protects individuals who are undergoing, have undergone or are proposing to undergo a process to realign their gender



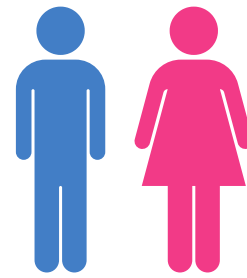
**Pregnancy and Maternity**– Covers people who are pregnant or on maternity leave



**Race**– Includes colour, nationality, ethnic or national origins



**Religion or Belief**- Covers any religion, religious or philosophical belief, including a lack of belief



**Sex**- Protects both men and women



**Sexual Orientation** - Protects individuals who are attracted to their own sex, the opposite sex or both sexes.

## Hate Crimes

Hate crime and non-crime hate incidents are something that can affect communities with a common identity. The law recognises five types of hate crime on the basis of:



Race



Religion



Disability



Sexual Orientation



Transgender Identity



“ ANY CRIMINAL OFFENCE WHICH IS PERCEIVED BY THE VICTIM OR ANY OTHER PERSON, TO BE MOTIVATED BY HOSTILITY OR PREJUDICE BASED ON A PERSON’S RACE OR PERCEIVED RACE; RELIGION OR PERCEIVED RELIGION; SEXUAL ORIENTATION OR PERCEIVED SEXUAL ORIENTATION; DISABILITY OR PERCEIVED DISABILITY AND ANY CRIME MOTIVATED BY HOSTILITY OR PREJUDICE AGAINST A PERSON WHO IS TRANSGENDER OR PERCEIVED TO BE TRANSGENDER ”

A non-crime hate incident is:

“ ANY INCIDENT WHICH THE VICTIM, OR ANYONE ELSE, THINKS IS BASED ON SOMEONE’S PREJUDICE TOWARDS THEM BECAUSE OF THEIR RACE, RELIGION, SEXUAL ORIENTATION, DISABILITY OR BECAUSE THEY ARE TRANSGENDER ”

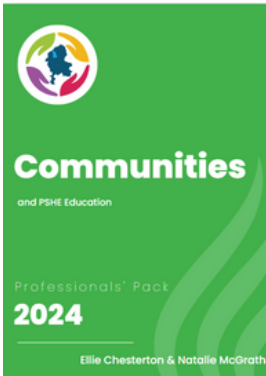
Evidence of hate is not required for an incident to be considered a hate crime; a witness or police officer's perception is sufficient. Key types of hate crimes include:

- Physical Assault: Victims should report any assault, which can lead to various charges based on severity.
- Verbal Abuse: This includes threats and name-calling, with laws protecting victims.
- Incitement to Hatred: Actions intended to provoke hatred through various media.

Hate content can involve:

- Calls for violence against individuals or groups
- Violent imagery related to perceived differences
- Graffiti or forums encouraging hate crimes

Victims of hate crimes or non-hate crimes are encouraged to report incidents to the police for investigation. In Staffordshire, support can be accessed through [Uniting Staffordshire Against Hate \(USAH\)](#), which offers free, confidential assistance regardless of whether the incident has been reported to the police.



Our Communities & PSHE has more information on Hate Crimes. Including a selection of locally produced resources that you can utilise within your curriculum.



# Relationships Rights

One activity that can be utilised within PSHE sessions, is asking children and young people to consider their rights within a relationship, this could be a friendship or romantic relationship.

Using this safe space enables children and young people to clearly consider their needs, limits and how they can respect their partner's boundaries

Considering rights, and responsibilities, helps to establish a healthy relationship with equal power and control, and provides a clear litmus test for whether or not certain behaviours are unhealthy or abusive.

Here are some possible rights that could be considered:

- The right not to be abused - emotionally, sexually, physically, verbally, or financially.
- The right to have your own needs be just as important as your partner's needs.
- The right to end a relationship, or "fall out of love" with someone.
- The right to say "No" and to change your mind.
- The right to have your own opinions and to safely express them.
- The right to take responsibility for your own actions, not someone else's behaviour.
- The right to have your own friends and interests, to not feel bad about spending time with them, and to grow as an individual and not be criticized for it.
- The right to be loved, respected and live a peaceful life.



# Consent & Rights

Consent refers to the permission granted by an individual for another person to engage in any sexual activity.

Any sexual contact that occurs without consent is illegal, regardless of the ages of those involved. In the UK, the legal age of consent for sexual activity is 16.

It is essential that regardless of gender or sexual orientation, both parties must provide consent before engaging in any sexual activities.

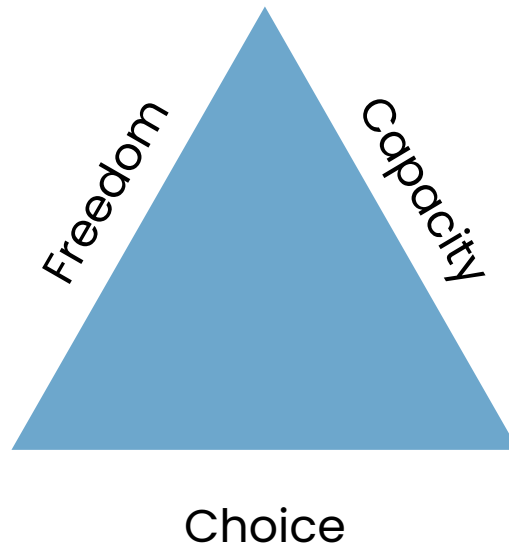
Everyone participating in sexual activity must consent at all times; no one should ever feel pressured to do something they are uncomfortable with or unwilling to do. Just because consent is given for one action does not imply consent for another, and it is perfectly acceptable to say no or to withdraw consent at any moment if you do not wish to continue.

According to the Sexual Offences Act 2003 (England and Wales), consent is defined as when a person "agrees by choice and has the capacity to make that choice." Legally, consent represents the mutual agreement between individuals to partake in sexual activity, and all parties must possess the freedom and full capacity to make that decision. Engaging in sexual acts without consent constitutes sexual violence and is a criminal offence.

No-one should ever be pressured into or subjected to sexual activity that they do not want. Just as a person needs to seek consent, they should always have their own consent sought, and everyone has the right to withhold or withdraw consent.

It does not matter what a person's relationship with others is, how far into a sexual situation they get, or how far they may have gone before they always have the right to change their mind and stop at any time.

Based upon the Fire Triangle, that helps people to learn the necessary ingredients required for most fires. The Consent Triangle provides an easy illustration to represent what is required for someone to be able to give consent to sexual activity. All three elements must be present for the activity to be consensual. This is important to recognise as young people who are being abused may believe they are consenting, but do not have the freedom to make that decision. Consent can be withdrawn at any time during any sexual activity.



**Choice** - The person can say either yes or no. That the person actually wants to engage in sexual activity. Consent is not ongoing, it can be withdrawn at any time. Just because a person said yes once, does not mean it is always a yes, it needs to be negotiated every time. Consent is contextual which means if a person agreed to a sexual activity with particular conditions e.g. wearing of a condom, the consent is tied to this. If the sexual activity takes place outside of this stipulation then the activity is not consensual.

**Freedom** - Nothing bad would happen to them if they said no. For instance being threatened with violence, or they are being pressured into it. Being kidnapped, forced, pinned down, coerced or pressured to have sex or feeling like you can't say no or are too scared would mean someone does not have the freedom to give their consent.

**Capacity** - Is the person physically and/or mentally able to make a choice and to understand the consequences of that choice? It's the same as the law that says someone may be physically able to drive a car when they are drunk but they are not mentally able to - the law recognises that when a person is drunk or high they do not have true capacity to consent to sex. They do not have to be passed out, like with drink driving someone can still be physically able to have sex but they can't give legal consent. Capacity can also be affected by age, or some types of learning disabilities, where a person doesn't have the capacity to give legal consent.

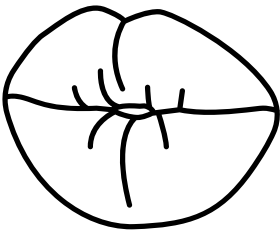
# Sexual Harassment

Unwanted behaviour of a sexual nature which:

- Violates a person's dignity
- Intimidates, degrades or humiliates someone
- Creates a hostile or offensive environment

Equality Act (2010)

Behaviours that could be classed as sexual harassment include:



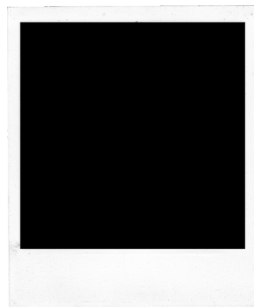
Wolf-Whistling or Catcalling.



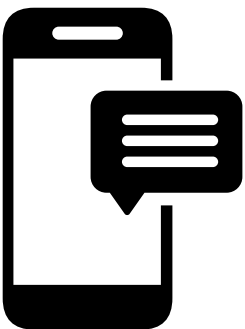
Sexual Comments or Jokes.



Unwelcome physical touching



Displaying pictures, photos, or drawings of a sexual nature.



Sending messages which include sexual content.

A person does not have to have previously objected to someone's behaviour for it to be considered unwanted.

For more information please see:



Consent & PSHE Professionals' Pack

Self-directed online course via [brook LEARN](#) ©



Brook Learn's free e-learning course "Consent"



# Marriage Rights

In the UK, marriage grants couples a variety of legal rights and responsibilities. To get married or enter a civil partnership both people must be over the age of 18, this is regardless of whether parental consent has been given or not, In the eyes of the law marriage and civil partnership are fundamentally the same thing, with both involving a legal union giving parties certain rights and responsibilities. Civil partnership gives couples the same rights, benefits, and obligations that they would have in a marriage. However, there are some key differences, which mainly relate to the way the ceremony is conducted, and the relationship formerly ended.

Here are some key rights that come with a marriage:

- Legal Recognition

Both civil and religious marriages are recognised and same-sex couples can also marry.

- Financial Rights

Married couples have rights to jointly own property and assets. If one partner dies, the surviving spouse will typically inherit the estate, even without a will.

Married couples can benefit from tax allowances, such as the Marriage Allowance, which allows one partner to transfer a portion of their personal allowance to the other.

- Parental Rights

Both parents in a marriage automatically have parental responsibility for their children.

- Inheritance Rights

If a spouse dies without a will, the surviving spouse is entitled to inherit under the rules of intestacy.

- Next of Kin

As next of kin, spouses have the right to make medical decisions on behalf of their partner if they are unable to do so.

- Pension Rights

Spouses may be entitled state pension based on their partner's National Insurance contributions.

Many private pensions offer benefits to surviving spouses.





# Employment Rights

## Minimum Age for Employment



The minimum age for part-time work is 13, except for certain jobs like acting or modelling which require a performance license.

## Hours of Work



Children must have a least 2 weeks consecutive weeks holiday per year.



On school days employment shall be limited to two hours per day: no earlier than 7am and no later than 7pm.

No child may work more than 12 hours in a school week.

### **On Saturdays or During School Holidays:**

A child aged 13 or 14 years may be employed for a maximum of 5 hours (with a break of 1 hour after 4 hour worked) per day, subject to a maximum of 25 hours per week.

A child aged 15-16 years can work 8 hours per day (with a break after 4 hours): up to 35 hours per week.

### **On Sundays:**

The employment of children shall be limited to 2 hours between 7am and 7pm (any time of the year)

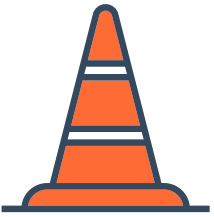
16-18 years - if a young person is old enough to leave school they can work up to 40 hours a week. When they reach 18, adult employment rights and rules apply.

## Payment



Children under the age of 16 do not have a minimum wage but once they turn 16, they are entitled to the National Minimum Wage for their age group.

## Health and Safety

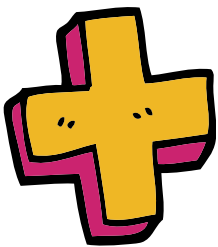


Children can only work in places that are safe for them. For instance they cannot work in: Factories, industrial sites, pubs or betting shops. Any work they do must not affect their health, wellbeing or education.

## Gig-Economy

The “gig economy” refers to a labour market characterised by short-term, flexible jobs. As it with all jobs types there are benefits and challenges.

### Benefits



Flexibility to set their own schedule, fit in work around other commitments e.g. school/college

### Challenges



Lack of job security and stable income. Not all employments rights are available.

# Consumer Rights

In the UK, consumer rights are primarily protected under the Consumer Rights Act 2015.

Here is a summary of the key rights that customer's have:

- Right to Good of Satisfactory Quality - Goods must be of satisfactory quality, fit for purpose, and as described. This applies to both physical and digital products
- Right to Services Provided with Reasonable Skill and Care - Services must be provided with reasonable care and skill. If not, you are entitled to have the service redone or receive a partial refund
- Right to Refunds and Repairs - If goods are faulty, you have the right to a repair, replacement, or refund. For digital content, you can request a repair or replacement, and if that's not possible, a price reduction.
- Right to Cancel - You have the right to cancel certain contracts within 14 days, such as online purchases, and receive a full refund.
- Unfair Terms - Contracts must be fair. Unfair terms that create a significant imbalance in the parties' rights and obligations to the detriment of the consumer are not binding.

Support and advice is available to customers through:



[Trading Standards- Staffordshire](#)

[Trading Standards- Stoke-on-Trent](#)

In the UK, adult workers have a range of rights designed to protect them in the workplace. Here are some key aspects:

- Workers are entitled to at least the National Minimum Wage or National Living Wage, depending on their age.
- Workers are entitled to paid annual leave, which is typically 5.6 weeks per year
- Statutory Sick Pay (SSP) is available for eligible workers who are off work due to illness.
- The Equality Act (2010) protects workers from discrimination based on age, gender reassignment, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- Workers have the right to parental and bereavement leave from day one.
- Employers must provide a safe and healthy working environment, complying with health and safety laws.
- Workers have the right to request flexible working arrangements, and employers must consider these requests reasonably.

The Labour Government has introduced a new Employment Rights Bill. This bans zero-hours contracts, ends fire and rehire and introduces basic employment rights from day one. of employment.

Most of the planned changes will not take effect for two years following a period of consultation.





The NHS Constitution outlines a person's rights as a patient, this includes children and young people. This includes:

- Access to Health Services - People have the right to access NHS services without discrimination and based on clinical need, not the ability to pay.
- Quality of Care - People have the right to receive care and treatment that is safe, effective and respectful of their dignity.
- Informed Decisions - People have the right to be involved in decisions about their care and to be given information to make informed choices.
- Respect and confidentiality - Privacy and confidentiality must be respected at all times.

Patients also have the:

- Right to Choose - people can choose which GP you are registered with and, in some cases the hospital or specialist
- Right to Complain - If someone is unhappy with the care they receive, they have the right to make a complaint and to have it investigated.

Healthcare settings should be designed to be welcoming and accessible to children and young people, with staff trained to meet their specific needs.

Services should work together to ensure smooth transitions between different stages of care, such as moving from child to adult services.

Alongside the NHS Constitution, expectations about key rights, pledges and commitments can be found in [You're Welcome quality criteria](#), [Children and Young People's Manifesto for Health and Wellbeing](#) and [Better health outcomes for children and young people 'Pledge'](#).

# Legal Rights

The age of criminal responsibility in the England and Wales is 10. This means that children under the age of 10 cannot be charged with a crime. In the UK people must be treated with dignity and respect. They have the right to legal assistance and a fair trial, and for children and young people this should take into account their age.

If a person is stopped and searched by the police they have specific rights. Here is a summary:

## When Can Someone be Stopped and Searched?

- **Reasonable grounds:** Police officers can stop and search someone if they have reasonable grounds to suspect they are carrying illegal drugs, a weapon, stolen property or something that could be used to commit a crime.
- **Without serious grounds:** In certain situations, such as when serious violence is anticipated, senior officers can authorise stop-and-searches without reasonable grounds under Section 60 of the Criminal Justice and Public Order Act 1994,

## Rights During a Stop and Search:

- **Identification:** The officer must identify themselves and their police station. If they are not in uniform they must show their warrant card.
- **Explanation:** The person must be told the reason for the search, what they expect to find and the legal basis for the search.
- **Record of the search:** The person has a right to a record of the search. If it's not possible at the time of the search, they should be told how to obtain a copy later.
- **Removal of Clothing:** Officers can ask for the person to remove their coat, jacket or gloves. If they need to remove more clothing, they must take the person out of public view and the officer must be of the same gender as the person.

## Additional Rights:

- **Non-Discrimination:** Nobody can be stopped and searched based on their race, gender or previous criminal record.
- **Right to record:** You can film or record the stop and search. Many officers also wear body cameras.
- **Complaints:** If the person feels they were treated unfairly they have the right to complain. They should be given contact details for making a complaint.



A video by Essex Police



A video by Nottingham Youth Commission

# SEND Rights

Children and young people with Special Educational Needs and Disabilities (SEND) have specific rights to ensure they receive the support and education they need. Here is a summary of their key rights:



**Children and Families Act (2014)** – Outlines the legal rights of children and young people with SEND, ensuring they receive appropriate support and education tailored to their needs.

**Equality Act (2010)** – Protects children and young people with disabilities from discrimination.

**Right to a suitable education** – Children and young people with SEND have the right to an education that meets their individual needs, whether in mainstream or special schools.

**Education, Health and Care (EHC) Plans** – These plans outline the specific education, health and social care support a child/young person requires. Parents, carers children and young people have the right to request a EHC assessment.

**Inclusive Education** – Education settings must make reasonable adjustments to ensure that children and young people with SEND can participate fully in educational life.

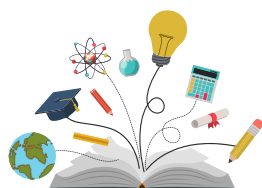
**Participation in Decision-Making** – Children and young people and their parents/carers have the right to be involved in decisions about their education and care.

**Right to Appeal** – If parents, carers or children, young people are unhappy with decisions made about their support, they have the right to appeal to the SEND Tribunal

**Information** – Each Local Authority is required to produce a publish a Local Offer, which sets out provision available across education, health and social care.

**Non-Discrimination** – Educational settings and other institutions must not discriminate against children and young people with SEND and must provide equal opportunities.

These rights ensure that children and young people with SEND receive the necessary support to thrive in their education and daily lives.





# SEND LOCAL OFFER

STAFFORDSHIRE CONNECTS

Accessibility Language Sign In / Register

Home Families SEND Care Leavers Adults Contact Staffordshire Connects My shortlist

What are you looking for today? Enter key words to search

SPeAK

All filtering options, including postcode and radius, are now fully functional. Please use them to enhance your search experience

Home / Special Educational Needs and Disabilities Local Offer

## Special Educational Needs and Disabilities Local Offer

Information, support and services for children and young people aged 0-25 with special educational needs or disabilities (SEND).

- For Parents and carers
- For Young People
- For Practitioners
- Parent Carer Forum
- SENDIASS

Useful information

Staffordshire's Co-production promise - Doing Our Bit Staffordshire

Staffordshire County Council Latest news on Education Health and Care Plan Phase Transfers 2023

A Guide to your local offer

Browse by age and subject

- 0-4 years
- 5-10 years
- 11-15 years
- 16-19 years
- 20-25 years
- All Ages

Stoke-on-Trent City Council

## SEND Local Offer

What is the SEND Local Offer? Feedback You Said, We Did Language

Search Search

- Education settings
- Health and social care
- Early years
- Advice and support
- SEND support for learning
- Education, health and care plans (EHCP)
- Information for young people
- SEND travel assistance

Latest news

**October half term fun**

[Check out our list of activities to keep you busy over half term.](#)

**Together We Thrive is back...**

[Put the date in your diary!](#)

Event calendar

October 2024

Su	Mo	Tu	We	Th	Fr	Sa
29	30	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19

Click on the images above to access the local SEND offer for Staffordshire (top) and Stoke-on-Trent (bottom image).

# Children in Care Rights<sup>58</sup>

Children in Care also known as Looked after Children, have specific rights to ensure they receive the care and support they need to thrive. Here is a summary of their key rights:



**Children Act (1989)** - Provides the legal basis for the care and protection of children in the UK. It emphasises the welfare of the child as the paramount consideration.

**Children and Families Act (2014)** - includes provisions to improve services for children in care, including the introduction of EHC plans.

**Right to a Safe and Stable Home** - Children in care have the right to live in a safe, stable and nurturing environment. This can be with foster carers, in residential care or with relatives.

**Right to Education** - outlines the legal rights of children and young people with SEND, ensuring they receive appropriate support and education tailored to their needs.

**Right to Health Care** - Children in care are entitled to regular health assessments and access to necessary medical, dental and mental health services.

**Right to Participation** - They have the right to be involved in decisions about their care and to have their views taken into account.

**Right to Advocacy** - Children in care have the right to an advocate who can help them to express their views and ensure that their rights are respected.

**Protection from Harm** - The local authority has a duty to protect children in care from abuse, neglect and exploitation.

**Support for Leaving Care** - When they turn 18, children in care are entitled to support to help them transition to independent living. This includes assistance with housing, education and employment.

# Young Carers Rights

A young carer is someone age five up to their 18th birthday who regularly provides care and emotional support to a family member (parent, brother or sister, grandparent or other relative) who is physically or mentally ill, disabled or misuses alcohol or drugs. Young carers in the UK have specific rights to ensure they receive the support they need while balancing their caring responsibilities with their own wellbeing and development. Here is a summary of their key rights:



**Children and Families Act (2014)** - This along with amendment to the Children Act (1989) provides the legal basis for the rights of young carers.

**Care Act (2014)** - Includes provision to support young carers by ensuring their needs are assessed and met.

**Right to an Assessment** - Young carers have the right to a needs assessment by their local council. This assessment considers the impact of their caring responsibilities on their well-being, education, and development

**Right to Support** - Based on the assessment, young carers are entitled to receive support to help them manage their caring role

**Right to Education** - Young carers have the right to an education and should not be expected to take on inappropriate levels of care that interferes with their education.

**Right to Information** - They have the right to be involved in decisions about their care and to have their views taken into account.

**Right to be Heard** - Young carers should be involved in decisions about their care and the support they receive.

**Whole-Family Approach** - Local Authorities are required to consider the needs of the entire family when assessing and providing support to young carers.

**Proactive Identification** - Local Authorities must actively identify young carers in their area and provide information and preventative measures to support them.

# Practical Ways to Introduce Rights in Your Setting

60



Create a whole-setting charter based on rights. Involve staff, parent/carers and children/young people to decide what should be included.



Primary Settings – Ask children to do a tour of the setting to identify displays that link to rights e.g. Article 24 that links to healthy food. Add the rights to the displays.



Secondary Settings – Ask each department to promote one article e.g.. IT department promotes Article 13, PE department promotes Article 15.



Link Key Awareness Days and Events to various articles e.g. Anti-Bullying Week to Article 19.



Choose an article and think about what already takes place within your organisation that support this. For instance Article 19 “your right to be safe” – safer recruitment, registers, PSHE, rules to keep people safe e.g. anti-bullying policy.



Link children’s rights to books e.g. how does Harry Potter experience his rights (or not)?



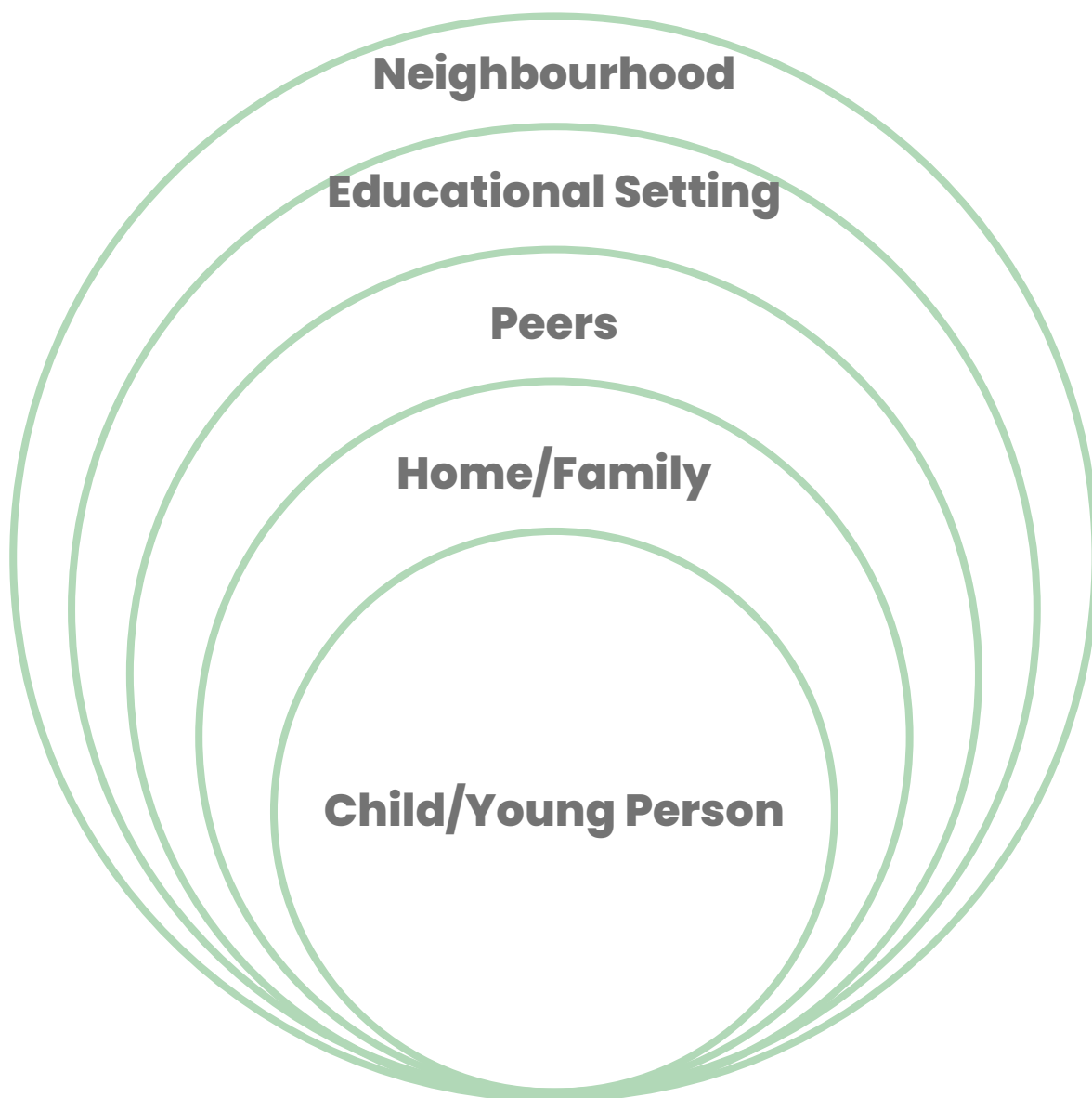
Have designated staff member for Children in Care and Young Carers responsible for promoting their educational achievement and rights.

# Contextual Safeguarding<sup>61</sup>

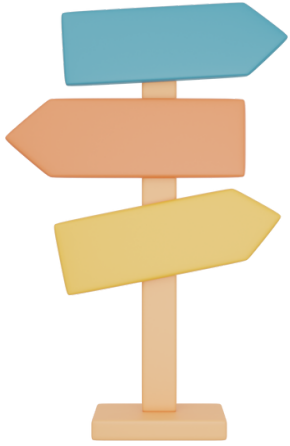
Contextual safeguarding recognises the impact of the public/social context on young people's lives, and consequently their safety. Contextual safeguarding seeks to identify and respond to harm and abuse posed to young people outside their home, either from adults or other young people.

Using Contextual safeguarding can enable professionals to build a holistic picture of the child or young person's individual factors and also identify where and by whom interventions can occur

More information on contextual safeguarding can be found [here](#)



# Signposting Information:



**It is important to signpost children and young people to relevant local and national organisations who can provide further advice and support this is part of their rights. Organisations who provide support specifically on rights include:**

**Amnesty International**  
**Citizen's Advice**

## **Children in Care:**

Staffordshire: The Voice Project

Stoke-on-Trent: **Need to Add**

Both: Looked After Children Health Team

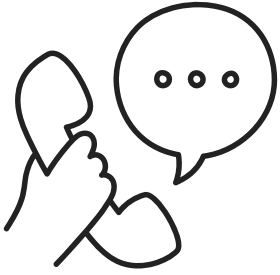
## **Young Carers:**

Staffordshire: Staffordshire Together for Young Carers

Stoke-on-Trent - chad.referrals@stoke.gov.uk or telephone 01782 235100.

Both - North Staffs Young Carers

# Useful Contacts:



**If you would like more information or support about Rights please contact:**

**If a referral to Children's Social Care is required, please contact:**

**Staffordshire:**

**Staffordshire Children's Advice Service - 0300 111 8007**

**Monday - Thursday 8.30am - 5pm and Friday 8.30-4.30pm**

**Out of Hours - 0345 604 2886 / 07815 492613**

**Stoke:**

**CHAD - 01782 235 100**

**Monday - Thursday 8.30am - 5pm and Friday 8.30-4.30pm**

**Out of Hours - 01782 234 234**

# Further Reading:



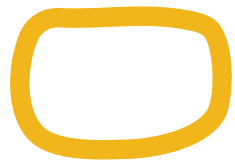
UN Convention on the Rights of the Child  
UN Convention on the Rights of the Child



Children's Rights and Why they Matter



Children's Rights in Great Britain



Amnesty International



CHILDREN AND YOUNG PEOPLE'S RIGHTS IN  
HEALTHCARE - A SUMMARY



# VERSION CONTROL

65

<b>Date</b>	<b>Changes</b>	<b>Made by</b>
November 2024	Pack first published	Ellie Chesterton Natalie McGrath



**PSHE**  
Education  
STOKE-ON-TRENT  
STAFFORDSHIRE

**SASCAL**  
STRONGER TOGETHER

Ellie Chesterton  
PSHE Coordinator  
Stoke on Trent  
echesterton@horizonoat.co.uk

**SCVYS**  
STAFFORDSHIRE COUNCIL OF VOLUNTARY YOUTH SERVICES

Natalie McGrath  
PSHE Coordinator  
Staffordshire  
natalie@staffscvys.org.uk

[www.pshestaffs.com](http://www.pshestaffs.com)