

A hand is shown at the bottom of the page, holding a glowing lightbulb. The lightbulb is the central focus, with a yellow filament and a bright glow. The background is a vibrant blue, decorated with several yellow, triangular confetti-like shapes. The overall style is artistic and illustrative.

REALISING CHILDREN'S RIGHTS

A TRAINING MANUAL
FOR CARE PROFESSIONALS
WORKING WITH CHILDREN
IN ALTERNATIVE CARE



SOS CHILDREN'S
VILLAGES

Impressum

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Finally, our particular thanks go to Ellie Keen for her unfailing commitment and efforts, which extended well beyond the call of duty.

About the project

This manual has been developed by SOS Children's Villages International in the framework of a project co-financed by the European Commission's Fundamental Rights and Citizenship Programme. The project will be implemented through international and national partnerships between SOS Children's Villages International, the Council of Europe, Eurochild, SOS Children's Villages member associations and their national partners in eight European Union countries: Bulgaria, Croatia, Estonia, France, Hungary, Italy, Latvia, and Romania.

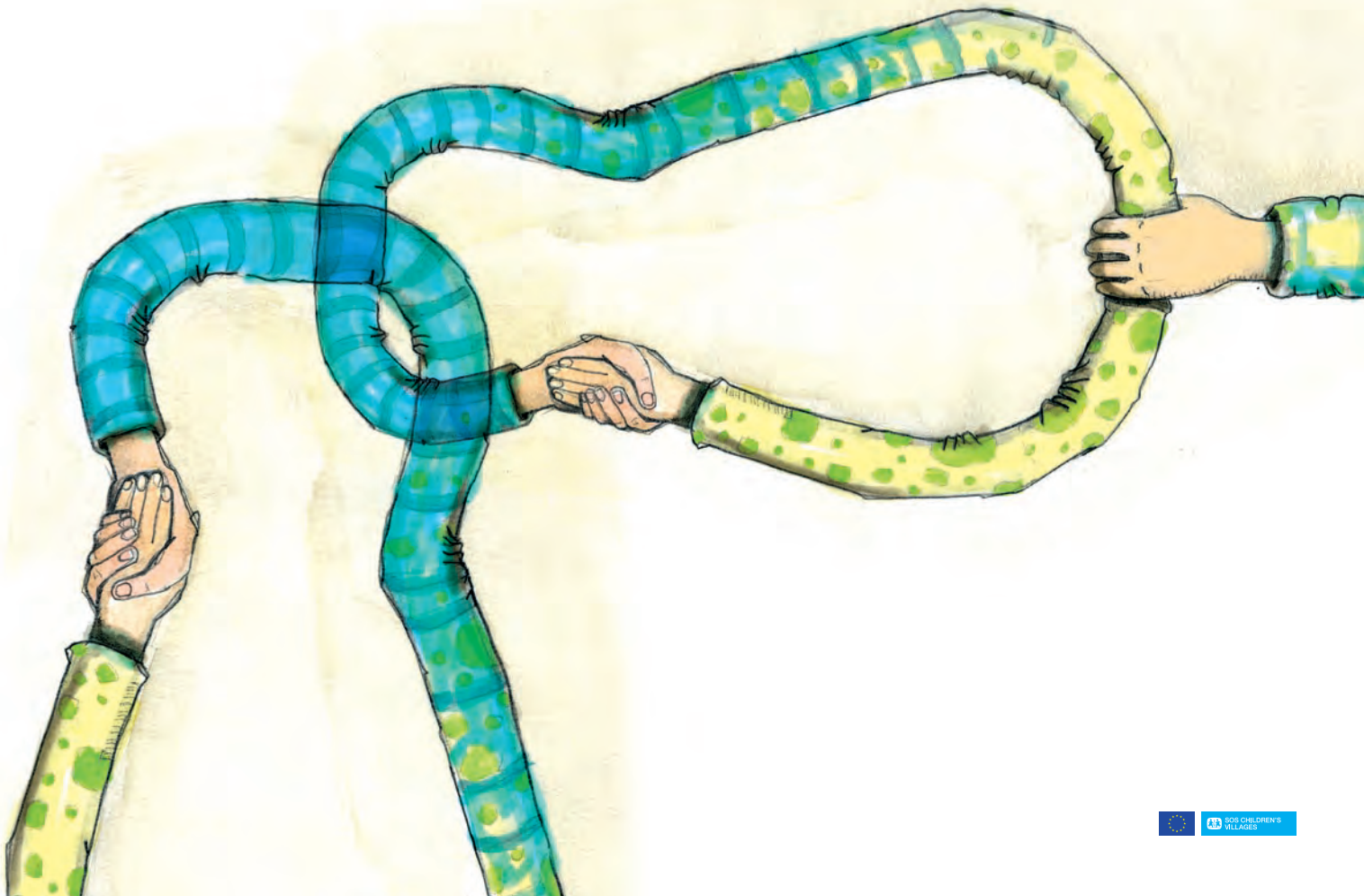
All eight partner countries have been involved in the design of the training course and writing of the manual. In November 2015, 18 trainers selected by these partner countries will attend a training of trainers, and in 2016, a series of two-day courses will be organised at national level. These national trainings will involve, in total, 800 care professionals.

For further information on the work of SOS Children's Villages, see:

<http://www.sos-childrensvillages.org/what-we-do/alternative-childcare/quality-in-care/training-of-care-professionals>

Links to other resources and documents can be found at:

http://ec.europa.eu/justice/fundamental-rights/files/cps_international_standards.pdf



Forewords

SOS Children's Villages International

As a global federation with over 60 years' experience, SOS Children's Villages is a leader in the worldwide movement to ensure that children without parental care, or at risk of losing it, can enjoy their rights. Moreover, we actively seek to bring in and use our expertise both as child rights advocates and quality care service providers to shape the political and structural frameworks to ensure that children without parental care or at risk of losing it have their rights and well-being at the centre of all care and prevention processes and procedures.

Our work in achieving this task is best highlighted through our partnership with international institutions and fellow international and national civil society actors. The fruits of our partnerships are typified in the development of the Quality for Children Standards in Out-of-Home Child Care in Europe, the UN Guidelines for the Alternative Care of Children, and its accompanying implementation handbook, *Moving Forward: Implementing the 'Guidelines on the Alternative Care of Children'*.

To effect positive change in the lives of children in alternative care means not only changing the structure and quality of care provision where necessary, but also the working practices of those professionals who work in these structures. It is for this reason that we were delighted to partner, once again, with the Council of Europe, Eurochild and over 40 different national, regional and local organisations to develop this much-needed training manual for care professionals to adopt a child rights based approach to their everyday work with children. SOS Children's Villages will continue to work and advocate to ensure that the social services workforce employed in alternative and preventative care are best equipped for their daily work with children and young people.

Finally, we thank the children, young people and care professionals who helped us in our understanding of how children's rights can be lived in their everyday life and work in care. We extend our warm thanks to our partners at national and international level, who shaped this manual together with us, and we express our commitment for further cooperation. Furthermore, we express our gratitude for the consistent and progressive efforts of the **Directorate General for Justice** of the European Commission and the Council of Europe, which have been promoting and supporting the reform of the child care sector in many European countries and have paid particular attention to the situation of children in alternative care.

Join in our vision that young people leaving alternative care can look back on a childhood where their rights as children were fully lived.

Richard Pichler
CEO, SOS Children's Villages International

The European Commission

In recent years, the European Commission has focused on integrated child protection systems and prioritised funding for training on rights of the child for professionals working for and with children in the areas of justice and child protection, including alternative care. This manual is part of one of the projects selected for funding, covering eight European Union member states (Bulgaria, Croatia, Estonia, France, Hungary, Italy, Latvia and Romania), and is a resource to be used in the delivery of training to 800 care professionals. The manual will also be available for others to use after the project.

One of the challenges consistently referred to in responses to a 2014 Commission online public consultation on integrated child protection systems was the need for training. This manual will support implementation of the 10 principles of integrated child protection systems discussed at the 2015 European Forum on the rights of the child and help to improve the care and outcomes for children in alternative care, in line with international standards.^{1 2} In some instances, the manual documents the fallout of not taking a child rights approach in alternative care and shows the immense value of care professionals integrating and embedding child rights in their work.

I am pleased to see that the voice of children in care is such a strong component of the manual and that the training sessions incorporate good discussion and reflection opportunities. I am convinced that as well as ensuring respect for rights of the child and better outcomes for children, this training will help to ensure shared understanding and implementation of standards at European level. Last but not least, we are all aware of the very demanding work of a care professional and the constraints they may be subject to. This training will undoubtedly facilitate their work.

Margaret Tuite

**European Commission coordinator for the rights of the child,
Directorate General for Justice**

Council of Europe

The Council of Europe has enjoyed nearly a decade of working hand-in-hand with SOS Children's Villages to make children's rights a reality for children in care. Arming children in alternative care with the knowledge and tools to help them understand how their rights should be respected was the first step, resulting in the comic booklet *Discover your rights!* The next logical step was to provide caregivers and social workers with the same concrete tools to ensure that all could "speak the same language". The resulting follow-up publication is the guide for professionals *Securing children's rights*.

Even the best books are worth nothing if they remain sitting on a shelf or on a website without being read and used by the people they mean to reach.

Therefore, we welcome the European Commission funded training project for care professionals. The project reaches out and helps spread the important messages, setting solid foundations for the tangible exercise of children's rights in the context of alternative care.

It is very satisfying to have been part of the process, to witness the enthusiasm of the people involved and to enjoy the output SOS Children's Villages has produced in this very worthwhile project. It will be equally rewarding to see this training manual being used across Europe, to the benefit of both the hard-working care professionals and the children who need their support.

Regína Jensdóttir

Children's Rights Division, Council of Europe

1 http://ec.europa.eu/justice/fundamental-rights/rights-child/protection-systems/index_en.htm

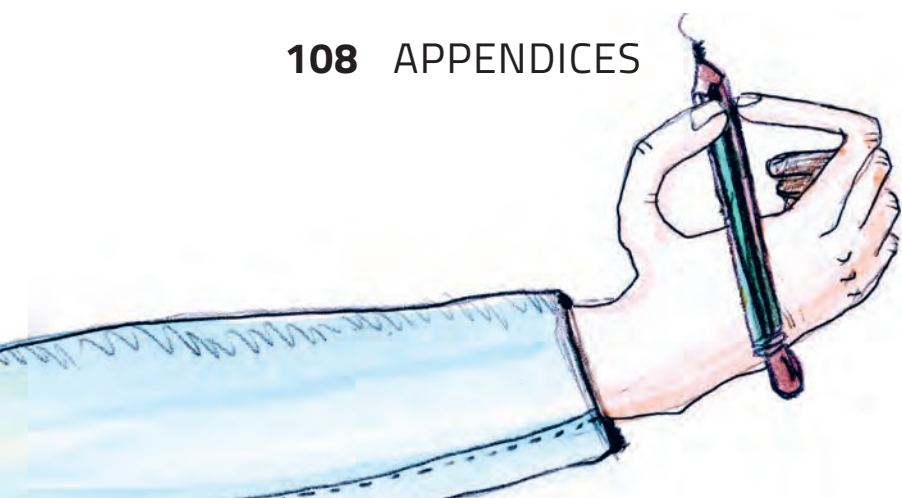
2 http://ec.europa.eu/justice/fundamental-rights/rights-child/european-forum/ninth-meeting/index_en.htm



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INTRODUCTION

The rights of children living in alternative care are frequently ignored, and often violated. This target group suffers from disadvantages not experienced by those living with birth families and there are numerous cases of rights abuses, some of which are systemic.

SOS Children's Villages has been working to embed children's rights within care settings for many years. Our approach has been multifaceted, embracing structures and institutions, care professionals and young people themselves. One gap identified in the course of this work has been the absence of effective training programmes for care professionals which have children's rights at the core.

This manual has been produced to fill that gap. The two-day course outlined in these pages is designed to familiarise groups of care professionals with the international standards and principles surrounding children's rights – and above all, to relate this to the daily experience and challenges arising in the field of alternative care. The course is intended to provide participants with the information, motivation and strategies that they can use to carry children's rights into their daily work. The aim is to contribute to higher quality care and a culture of respect for children's rights.

The manual is intended for use in institutions which carry out pre-service or in-service training of care professionals. We hope that it may become a standard component in the training offered to all care professionals with responsibilities for children living in alternative care.

THE INTERNATIONAL CONTEXT

The need to raise standards and embed children's rights into policy and practice has been recognised by various stakeholders in Europe. Some of the more important initiatives are listed below.

UN Guidelines for the Alternative Care of Children

These Guidelines were drawn up in 2009 and are primarily designed for policy makers, although they are also useful for practitioners. They provide authoritative guidance on the implementation of children's rights under the Convention on the Rights of the Child (CRC) (see page 105 for a brief summary).

SOS Children's Villages has produced a handbook to assist with interpreting and implementing these Guidelines. This publication is called *Moving Forward: Implementing the 'Guidelines for the Alternative Care of Children'*. It is available at: <http://www.alternativecareguidelines.org/>



The European Commission

An important role has been played by the Directorate-General for Justice and Consumers. They have recognised the need to provide support and funding to embed children's rights in the practice of professionals working with children and young people, including those living in alternative care. The importance of training of care professionals has also been promoted by

the Directorate, including through initiatives to implement the **10 Principles of Integrated Child Protection Systems**.

The European Commission has issued a recommendation 'Investing in Children: Breaking the Cycle of Disadvantage', which makes specific reference to children and young people in care, primarily through the provision of adequate resources and services.

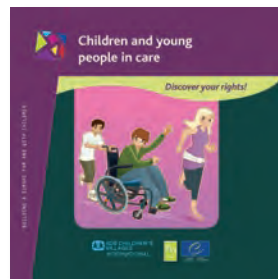
Council of Europe

The Council of Europe has an overarching strategic objective relating to children in alternative care. They have recognised the importance of building the capacity of care professionals to work with a child-centred approach. The Council of Europe's call for rapid intervention and progress is illustrated through many strands of their work, and in particular through their partnership in the project which led to this manual.

The Council of Europe has also provided support for two publications which have played an important role in the design and concept of this course:

1. Discover your rights!

This publication was designed to introduce young people in alternative care to the concept of children's rights, and enable them to put these rights to practical use. It has been well reviewed by young people.



2. Securing children's rights

This resource was directed towards adults working with children in alternative care and was designed partly to encourage care professionals to respond effectively to *Discover your rights!* The support of care professionals was seen as crucial for the process of embedding rights within the system of alternative care.



Both of these two publications should be seen as supporting materials for the training course contained in this manual.

Eurochild

Eurochild is a member of the European Expert Group on the Transition from Institutional to Community-based Care. This broad coalition of stakeholders representing people and children with care and support needs developed a manual in 2012 entitled *Common European Guidelines on the Transition from Institutional to Community-based Care*. These Guidelines recognise the training of care workers as a key element in the process to reform child protection systems, in line with Article 3 of the Convention on the Rights of the Child.

INFORMATION FOR TRAINERS

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Course overview

- The course consists of 8 sessions, each 1 ½ hours in length. It is intended to be run over 2 full days.
- The target audience is adult professionals working with young people in alternative care. The term 'care professionals' is used to refer to this group.
- Sessions are designed for a group size of 15 - 20 people.
- Methodology is interactive and builds on participants' understanding and experience.
- The course is intended not only to impart knowledge, but also to inspire and motivate participants: the aim is for participants to build children's rights into their practice on returning to their place of work!

About this chapter

The information in this chapter is intended to guide you in using the manual and running the training sessions. It will help you in gaining an overview of the course, and in understanding:

- The aims and learning objectives
- The course structure, including the way that the sessions have been designed to fit together
- The methodology used, and what this means about how you should run sessions and interact with participants

The final part of the chapter contains some practical advice on using the manual and preparing for the training.

Aims and learning objectives

The context for the training is outlined in the Introduction (page 10). The overall aim is for participants to be able to return to their places of work and begin building children's rights into their practice!

In order for that to happen, the following learning objectives have shaped the design of the course.

You should also refer to the resource **Securing children's rights** for more on why an understanding of children's rights is important for adults working with children in alternative care.



LEARNING OBJECTIVES

Participants should leave the course:

- With a better **understanding** of children's rights and human rights
- With an **ability to identify** restrictions or violations of children's rights
- With an **appreciation of the need** for children in alternative care to have their rights respected
- With **strategies** for more effectively embedding children's rights into their work
- With a child-centred **perspective** and a view of children as 'whole persons'
- With an **open mind**, a **willingness** to try out new ways of working, and the **motivation** to do so

- Although there is some **key content** which you will need to convey to participants in the course of the training, knowledge of this key content is not the only – or even most important – learning objective.
- Equally important are the **skills** that participants need to practice over the course of the training and the **motivation** and **commitment** that you will need to inspire in them if they are to make changes in their practice.
- The objectives relating to skills and to emotional commitment impose particular demands on how the course is run. You can find more about this point in the section on Training methodology below (page 14).

Points to bear in mind

Structure and design

The main body of this manual consists of 8 detailed session plans, which together make up a 12-hour training module on children's rights. The training is designed to run over 2 days – or 8 sessions, each 1 ½ hours long.

The course is structured around the 4 **Guiding Principles** of the Convention on the Rights of the Child. These Principles are 'sandwiched' between two introductory sessions on children's rights at the beginning of the course, and two concluding sessions which look at how participants can implement these principles in practice.

Introducing children's rights and human rights

Session 1: Introduction

Session 2: Children's rights, human rights

Exploring the Guiding Principles

Session 3: Life, survival, development

Session 4: Participation

Session 5: Best interests of the child

Session 6: Non-discrimination

Implementing the rights in practice

Session 7: Meeting the challenge

Session 8: Taking it forward

The order of sessions should be retained: each session builds upon what has gone before.

Points to bear in mind

- Try to remember – and remind participants – that the Guiding Principles should not really be seen as separate: each of the Principles is supposed to be present in all decisions relating to the child.
- Try to reinforce the links between the Principles – and the links between the sessions.

Training methodology

The methodology used in this course is based on commonly accepted assumptions about effective training. These assumptions include, in particular, the following ideas:

ASSUMPTIONS

- Participants learn best when they are **actively engaged**
- Information needs to be **processed** and **applied** in order for it to be absorbed
- **Questioning** and **discussing** complex issues or areas of disagreement contributes to a deeper understanding
- **Making connections** with participants' real life experience brings theoretical information to life – and makes it relevant
- The **working atmosphere** and participants' sense of **comfort** and **security** in the group play a vital role in shaping emotional commitment and more effective learning
- Developing **skills** and **competences** – for example, communication skills – needs practice!
- Participants learn **from each other** at least as much as they learn from the trainer!

These considerations have helped to shape the design of the sessions and the course as a whole: each session contains a mixture of information and possibilities for interrogation and participation.

As experienced trainers, you will be aware of the kind of techniques which are most appropriate for using with groups in order to make sure that these core ideas are respected. We include the following recommendations merely as a reminder of the most important things to bear in mind for this particular course:

REMINDERS!

>>> **Make sure you allow plenty of opportunities (and time) for participants to discuss, put forward questions, or talk about their own experience**

This is built into the session plans, but the time allocated for discussion is probably the minimum you should allocate: try not to let the content overrun so that it eats into discussion time.

>>> **Do not overload participants with content or technical jargon!**

The information presented in the background notes has been carefully selected to fit into the time available for this course. It is not all there is to know about children's rights!

If you are an expert in children's rights, you may feel tempted to include additional information: do so with caution. Although there are clearly other important issues which are not included within the notes, the course will suffer if there is insufficient time for participants to discuss and engage with the ideas presented. More content is not always a good thing!

>>> **Keep participants engaged and always check you have their attention, interest and understanding**

If you notice that attention is straying, stop to find out why; or put a question to the group; or bring in a practical example related to participants' experience. Sometimes you may need to be flexible with timing if people feel confused or have pressing concerns.

>>> **Create an atmosphere where participants feel able to express their opinion and able to voice any concerns or doubts**

Make this clear at the start of the training: reassure participants that questions are encouraged and doubts are natural! Throughout the course, turn to participants and ask if they agree, or if they have any concerns. Raise possible concerns yourself if no-one voices them.

>>> **Remember – and recognise – the important and challenging work that participants carry out**

Many may feel that the consideration of children's rights imposes yet more obligations on them – and may feel daunted or overwhelmed. While it is obviously important to convey the obligations that care professionals have to the children in their care, you should also reassure them that taking children's rights seriously results in better relationships and a more rewarding work experience.

>>> **Treat participants as you would like them to treat the children they work with!**

Try to simulate the kind of relationships and atmosphere that you would like participants to create with people they work with. Show them good examples of constructive discussion and participation: they will learn from the experience.

>>> Be honest with participants, trust them, respect them, treat them as equals

It is perfectly acceptable for a trainer to admit to not knowing all the answers! If participants raise complex questions or ask about details outside your area of expertise: be honest! Put the question back to others in the group; tell them if you are uncertain; promise to look into the issue – or encourage them to do so. You will earn more respect from participants for your honesty.

>>> Be flexible!

Respond to participants' needs as they arise throughout the course. If an issue seems highly controversial or a disagreement arises, try to make time to resolve this – even if it disrupts the flow of the course. The dynamics of the group need to remain positive.

Remember that a good training is a series of conversations – between the trainer and participants, and among participants.

OTHER RESOURCES ON METHODOLOGY

If trainers are unfamiliar with participatory methodology, there are numerous resources which provide more detailed recommendations and advice. Chapter 1 of *Compass: Manual for Human Rights Education with Young People* contains useful background information. You can find this at: https://www.coe.int/t/dg4/eycb/Source/Compass_2012_FINAL.pdf.

Using the manual and preparing for the course**UNDERSTANDING THE COURSE CONCEPT**

The session plans in the main body of the manual are detailed and relatively self-explanatory. However, it is very important that you feel confident about how the different sessions fit together and how they contribute to the overall aims.

>>> It is recommended that you read through the whole manual at least once before beginning to plan the individual sessions.

PREPARING TO RUN SESSIONS

For each session, make sure you read the session plan carefully: you need to be very familiar with the content contained in the background information and with the way the activities will run.

>>> If you are facilitating with someone else, be clear about who will be running which parts, and make sure that you share a common approach. Clarify who will be responsible for checking the things listed in the section 'Preparation and materials' included at the beginning of the session plans.

USING THE BACKGROUND INFORMATION

The background information contained in the session plans includes essential content for each session. This content is the *minimum* that participants will need to know.

You will need to make your own slides for the presentations: your slides should contain summaries of the content given in the background material. The remaining information can be used to supplement the presentation.

Something to do...

>>> You should be familiar with *Discover your rights!* and with *Securing children's rights*. These will be used in the final sessions, and there is some important background information which will be useful in other sessions.

Ideally, participants should also have read these 2 publications before the training. If this is not possible, you should at least make sure that copies are handed out at the start of the training.

>>> You should be familiar with the UN Guidelines for the Alternative Care of Children. There is a short summary in Appendix 2 (page 109).

>>> You should feel confident about presenting the content and should try to anticipate questions or issues that participants might raise. If you are uncertain about some of the ideas or content, try to discuss this beforehand with colleagues.

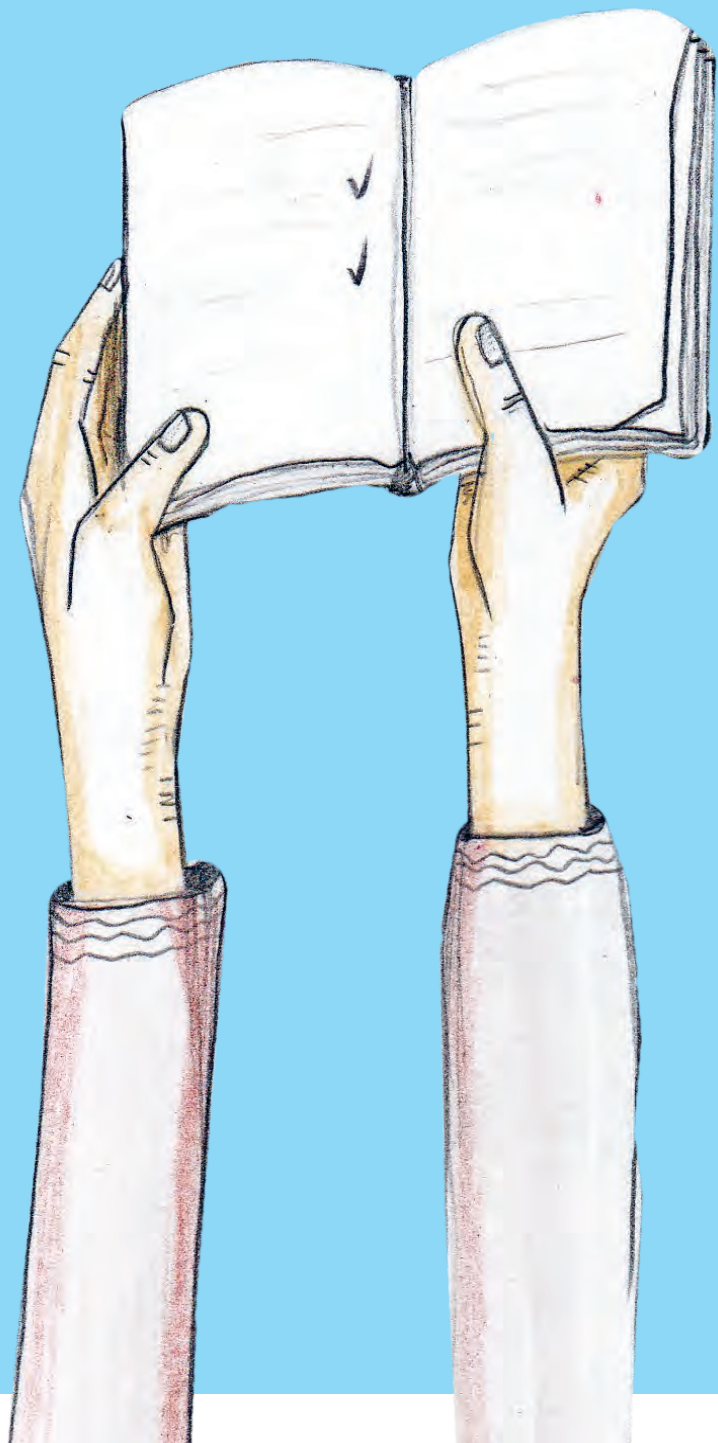
PROGRAMME OUTLINE

#	Session title	Description
1	Introduction to the training	Sets the context and tone for the training; provides a background for the course, introduces key ideas and gives participants the opportunity to explore these with each other.
2	Children's rights, human rights	Makes connections between children's rights and participants' own experience; introduces the CRC and the Guiding Principles.
3	Life, survival, development	Uses a case study to look at the Guiding Principle and right to life, survival and development. Participants also consider the right to development in relation to children leaving care.
4	Participation	Looks at the child's right to be heard and participate. The focus is on effective communication.
5	Best interests of the child	Reviews the previous day and looks in more detail at the 3rd Guiding Principle: best interests of the child. Participants consider some of the factors that need to be taken into account when assessing best interests.
6	Non-discrimination	Reviews many of the considerations already discussed in previous sessions – and introduces the ideas of positive and negative discrimination.
7	Meeting the challenge	Explores opportunities for applying the ideas in practice. Participants prepare for a role play and simulate some of the conversations they might have on returning to their place of work.
8	Moving forward	Completes the role play and explores its relevance to participants' work. Looks at networks of individuals and institutions with which care professionals come into contact – and which may be able to offer support. Evaluation and closing the training.

SESSION

Introduction to the training

1



SESSION 1:

INTRODUCTION
TO THE TRAINING

Summary

This session sets the context and tone for the training. It provides a background for the course, introduces key ideas and gives participants the opportunity to explore these with each other.

Session plan



1	Welcome: Introductions, brief outline of the course and this session	30 mins
2	Presentation: Why are children's rights important in alternative care?	20 mins
3	Group work: Participants' introductions, expectations and concerns	20 mins
4	Feedback / discussion of group work	20 mins

Aims

- To introduce the course, trainers and participants
- To outline key ideas and objectives of the training
- To enable participants to feel comfortable with one another and discuss their feelings about the course
- To assess participants' levels of knowledge, expectations and concerns

Preparation and materials needed

- Name badges for participants
- Copies of the programme and any slides used during the presentations (see pages 21 and 23)
- Flipchart paper and markers for group work
- Optional: copy the information about the UN Guidelines for the Alternative Care of Children (page 109)
- *If necessary: spare copies of pre-assessment forms (page 120)*

You will need to check whether all participants submitted a pre-assessment form. If any did not, ask them to fill one out quickly before the training begins

Instructions for the session

Welcome: Introductions, brief outline of the course and this session



1. Use the first 20-30 minutes to welcome participants, introduce facilitators and explain key points about the content, aims and methods of the training.

- Leave about 10 minutes after the presentation for a brief round of participant introductions. Explain that there will be an opportunity to get to know each other in the next session.
- The background material offers some bullet points for the presentation (page 23).
- Try to build in time at the end for any urgent questions – but explain that these will mostly be addressed in the group work later in the session.

Tips

Presentation: Why are children's rights important in alternative care?



2. Provide a brief overview of human rights, children's rights and their relevance to alternative care.

- The purpose of this brief presentation is to give a broad overview of key themes. See page 25 for points to be covered.
- The 'rain check' repeats some questions in the pre-evaluation form: explain to participants that it is useful to have a general picture of everyone's awareness – both for you, and for them.
- Try to build in time for urgent questions at the end – but explain that these will mostly be addressed in the group work later in the session.

Tips

Group work: Participants' introductions, expectations and concerns



3. Divide participants into groups of 4 – 5 people and give each group a piece of flipchart paper and the task list on page 23. Explain that the main purpose of this activity is for them to get to know each other and share ideas about the course.

Tips

- Try to make sure that people who already know each other are not working in the same group.
- Explain that each group will have not more than 2 minutes to feed back on their discussion. Make sure that they appoint a representative to do this – and encourage them to make the flipcharts easily readable by others!

Feedback / discussion of group work



4. Bring the groups back together and ask the representatives to feed back briefly on the discussions. Try to make sure they keep the presentations brief.
5. After the presentations from groups, try to summarise and respond to some of the expectations and concerns. Explain that these will be addressed in more detail in the course of the training.

Tips

- Before bringing participants back together, you could ask them to display their flipcharts around the room and allow time for people to walk around and look at the work of other groups. This might shorten the time needed for presentations.
- Make sure that you note the expectations and concerns – particularly those which occur most frequently. You may need to build in time later in the programme to address some of these specifically.

BACKGROUND RESOURCES

Introduction to the training

Contents

Task sheet for group work	23
Points for the introductory presentation	23
Presentation on human rights and children’s rights	25

Task sheet for group work

To be copied as a handout or displayed on a screen

Task sheet

Begin by introducing yourselves to others in the group. Mention any previous trainings or experience in children’s rights.

Discuss the following two questions with your group. Make a note of your responses on a piece of flipchart paper.

QUESTION 1: Based on the presentation and your expectations about this course, what would make this training useful and relevant for your work?

QUESTION 2: Do you have any concerns about the course or about using children’s rights in your work?

You will need to select just 2 key points from each question to feed back to the whole group. You will only have 2 minutes to report back!

Points for the introductory presentation

1. Welcome and introductions




Notes

- > Introduce the trainers and welcome participants
- > Provide some context for the training and explain why your institution considers it to be important
- > As part of the background context, you could refer to **Securing children’s rights** and **Discover your rights!** Explain that these will be referenced throughout the course – and it would be useful for participants to familiarise themselves with the two publications.

2. Why is this training important?

The training is important because children's rights are important!



"Children have a weaker position in society, and children's rights offer them some protection. But they offer them protection only if they know about them and have somebody who can support them when the rights are violated."

Young person
in alternative care

- All children have human rights: these are known as **children's rights**
- Children in alternative care often see their rights **violated**
- Care professionals **play an important role** in ensuring that the rights of children in their care are properly respected
- Care professionals also have certain **obligations** to carry out this role - under national laws and under international law
- Various international bodies, including the UN, the Council of Europe and the European Commission, have all issued **recommendations** for children's rights to be embedded within the care process

Notes

- > You could offer some information about the UN Guidelines for the Alternative Care of Children – or provide page 109 as a handout for participants
- > You should also point participants to pages 8 – 10 of **Securing children's rights** which looks at the reasons for adopting a child rights approach

3. Aims and learning objectives for the course

We hope that by the end of this course...



- You will have a better **understanding** of children's rights and human rights – and why they are important
- You will be **able to identify** restrictions or violations of children's rights in your work
- You will **recognise** common violations which young people in your care are likely to experience
- You will **appreciate the need** to consider children's rights in your work
- You will see that a children's rights approach can **help** you in your work
- You will know how to **implement** children's rights in your practice

We get good results when we work together!
We see the results of our work!

Social worker in Croatia

4. How will we work?

- The training will be a discussion: your active contribution is essential!
- We will provide some basic information – through presentations – but much of the training will involve you working in groups with your fellow participants
- We will try to address any questions you have
- We would like to hear about your experience, and about your concerns
- We will respect your views, your anxieties, and the different levels of knowledge within the group: no-one will be judged for voicing their opinion. In fact, you are strongly encouraged to do so!

We will not forget your rights: adults have human rights as well! We appreciate that care professionals have pressures which are not always recognised by society. This training is intended partly to assist you: it should not create additional burdens.

IMPORTANT!

5. Outline of the course



- > Run through the programme for the two days: use the table on page 18 and outline the structure of the remainder of this session
- > Explain that this course is very intensive! There is a substantial amount of new information – to be delivered in a series of short presentations. Warn participants that timing will sometimes be tight and there may be a need to cut short discussions
- > Ask if there are any questions

Notes

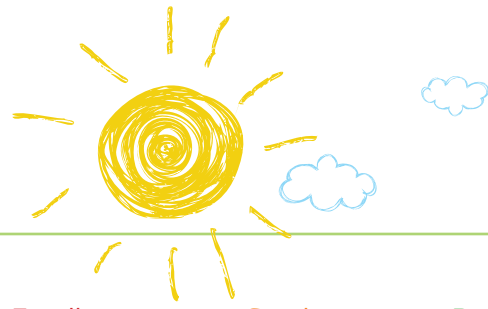
Presentation on human rights and children's rights

6. Human rights rain check



- > Use the first 3 questions to gauge levels of knowledge and experience in the group. You could ask people to raise their hands for the option which they feel is most appropriate
- > Encourage participants to respond as honestly as they can

Notes



Human Rights Rain Check

How would you assess your understanding of human rights?

Excellent

Good

Basic

QUESTION 1

Human Rights Rain Check

How would you assess your understanding of children's rights?

Excellent

Good

Basic

QUESTION 2

Human Rights Rain Check

How often do you use children's rights in your work?

All the time

Sometimes

(Almost) never

QUESTION 3

7. What are human rights?

- Human rights belong to individuals, and create obligations for **governments and state officials**. In this respect they are unlike all other laws!
- They are based on universal **values** – like **liberty, equality and dignity**
- They provide a **minimum** layer of **protection** for everyone
- They are the result of constant struggles and campaigns for fair treatment throughout the ages and across the globe
- They have been accepted by **every government around the world** and are now set down in **law**

8. Human rights law

Human rights laws exist at:

- **International level:** at the level of the UN
- **Regional level:** at the level of Europe
- **National (domestic) level:** in the Constitution or a Bill of Rights

Whichever country you come from, your rights and the rights of the children you care for are protected at all 3 levels.

International protections

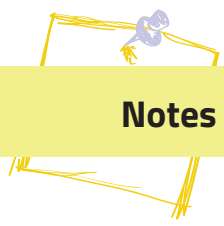
United Nations (UN)

Regional protections

Council of Europe (COE)

Domestic protections

National laws



> National laws protecting children’s rights are outlined in the next session

Notes

9. What are children’s rights?

“The child, by reason of his physical and mental immaturity needs special safeguards and care, including appropriate legal protection, before as well as after birth.”
UN Declaration of the Rights of the Child, 1959

- Children do not have more rights than adults: they have the **same human rights**
- However, children, like some other groups, need **particular attention** to make sure their rights are respected properly: children’s rights provide this additional support
- Children in alternative care have been recognised as requiring **special care** and attention in order for their rights to be respected

Article 20, CRC
“A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State...”



> You could offer some examples for the 3rd point:

- Children in alternative care need special arrangements just in order to see their birth mother or family
- They often suffer discrimination because of the fact that they are in care
- They do not always have a ‘trusted person’ they can turn to when making decisions.

Notes

10. Children’s rights in international law

- Children’s rights are protected internationally by the **Convention on the Rights of the Child (CRC)**
- The UN has produced a set of **Guidelines** for children in alternative care: these are guidelines for policy makers to improve the implementation of the CRC for children in alternative care

> More information on the UN Guidelines can be found on page 109.

SOS Children’s Villages has produced a helpful resource to assist with implementation of these Guidelines. You can find it at: <http://www.alternativecareguidelines.org/>

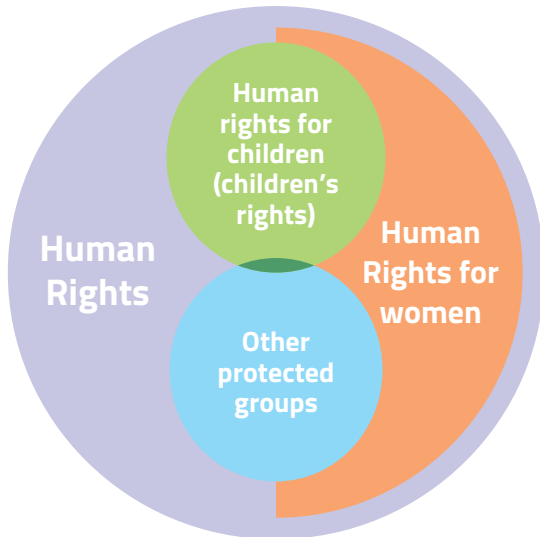
> You could remind participants that all the human rights treaties and laws apply to children as well as adults – e.g. the Universal Declaration on Human Rights (UDHR), the European Convention on Human Rights (ECHR), the European Social Charter, etc.

Notes



11. Human rights for other protected groups

- Other groups besides children have also been recognised as needing special assistance to secure their rights



Some of these groups include:

- Women (and girls)
- People with disabilities
- National or ethnic minorities
- Migrant workers, etc.

This is important because many children in alternative care fall into more than one protected category – for example, a child may be disabled, female, and a member of an ethnic minority.

12. Children's rights at national level

Notes

If time allows, give participants brief information about provisions for protecting children's rights in your country

13. Why are children's rights important in alternative care?

- Because all children have rights: children in alternative care deserve to have the **same opportunities** and to be treated with the **same respect** as children living with birth families
- Because children in care may be particularly vulnerable and in **need of assistance or support**
- Because numerous reports and investigations have highlighted instances where the **rights of children in care are violated**. Sometimes these violations are structural or systemic
- Because anyone responsible for the care of a child has certain **obligations** under human rights law: care professionals need to know about children's rights in order to be able to make sure that the child is properly protected
- Because a child whose rights are properly respected will **flourish**. Your work will also be more fulfilling!

Case study: cumulative violations

A child was sexually abused by another child in a care placement. The abuser was a minor at the time so could not be transferred immediately. The victim had to stay in the same facility as her attacker for 6 months.



You have certain obligations to make sure the children you care for have their rights respected.

IMPORTANT!

14. What does it mean for your work?

Human rights obligations demand that people responsible for the care of children:

- Know and **respect** children’s rights: no-one must actively violate children’s rights. Ignorance is not an excuse!
- **Protect** children from possible violations: there is a duty to act where it is possible to prevent a possible violation
- **Fulfill** children’s rights: policies, procedures and guidelines should always be designed so that children are able to enjoy all their rights. This includes having effective monitoring and complaint mechanisms



- > Explain that the training will explore practical examples and strategies relating to these points
- > If time allows, use the quotes or example below to illustrate some of these points

Notes

Examples of rights concerns

Voices of young people

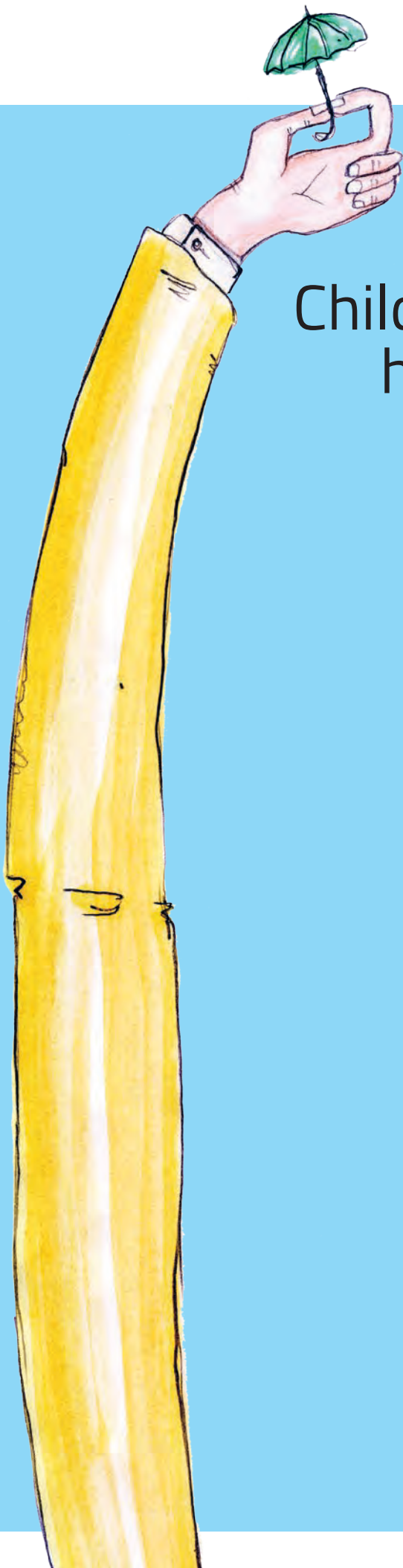
“I miss my family. I never actually met them. I just saw them in a picture they sent me.”

“When we were sent to the youth facility our opinion was not counted as regards to which facility to send us. They did not think that brothers and sisters should stay together.”

“One child misbehaved. He was left without food for a day; his right to food was not respected.”

“I always had an unpleasant feeling of being ‘deprived’ of my privacy.”





SESSION

Children's rights,
human rights

2

SESSION 2:

CHILDREN'S RIGHTS,
HUMAN RIGHTS

Summary

This session is designed to start making connections between children's rights and participants' own experience and to introduce the Guiding Principles of the Convention on the Rights of the Child (CRC).



Session plan

1	Introduction and reflection: What does alternative care mean for a child?	10 mins
2	Small group activity: - Drawing up a 'declaration' - Mapping the rights to the CRC	45 mins
3	Gallery of results and debriefing	25 mins
4	Closing presentation: The CRC and the Guiding Principles	10 mins

Aims

- To think about rights that need protecting in alternative care
- To introduce the Convention on the Rights of the Child (CRC) and the Guiding Principles
- To explore the values and principles which guide the work of participants
- To emphasise the connection between participants' values and those which lie at the heart of children's rights

Preparation and materials needed

- Flipchart paper and markers
- Copies of the CRC (abbreviated version – see Appendix 1)
- Slides for the presentation (see page 35)
- OPTIONAL: complete version of the CRC

Instructions for the session

Introduction and reflection: what does alternative care mean for a child?



1. Ask everyone to think about a child close to them; this could be their own child, a niece or nephew, or any other child they have a strong emotional attachment to. Explain that for the next activity, they are to imagine that a decision has been made to take the child into care.
2. Give participants a few minutes of quiet reflection to think about what this means for the child and any concerns they might have.

Small group activity: 1) Drawing up a declaration



3. After a few minutes, divide participants into groups of 4 – 5 people. Give each group marker pens and a piece of flipchart paper. Explain that groups will have 20 minutes to draw up a list of things that they would like to be guaranteed for the child in his or her new home. Tell them that this is their Declaration of Children's Rights!

- You could ask participants to think about the 'Red lines' that they want to make sure are not crossed by the people caring for the child.
- Encourage them to think about things that people caring for the child **should** do as well as the things they **should not** do.

Tips

Small group activity: 2) Mapping the rights to the CRC



4. Call for participants' attention after about 20 minutes. Explain that still in the same groups, they will now have the opportunity to compare their 'declaration' with the Convention on the Rights of the Child (CRC).
5. Hand out copies of the CRC (abbreviated version – page 108) and ask groups to read through and make a note of similarities and differences between this document and the list they drew up previously. Ask them to try to record this on their flipchart paper so that it will be understandable to other groups.
 - > Where are the points of overlap?
 - > Where are the differences?
 - > Are there any rights in the Convention that they don't understand (or don't agree with)?

Tips

- You should alert participants to the fact that this is only an abbreviated version.
- You may want to hand out copies of the full Convention at the end of the activity so that they have this for reference.

Gallery of results and debriefing



6. When the groups have finished comparing their list with the CRC, invite them to hang their flipchart papers around the room. Give everyone about 5 minutes to walk around and look at the work of other groups.
7. Then bring everyone back together for a general discussion of the task. Use some of the following questions to guide the discussion.

Questions for the debriefing

- How did you find the activity? Was it useful?
- To what extent did your declaration agree with the articles in the CRC? What were the key differences?
- Did you notice any significant differences between your flipchart and the flipcharts of other groups?
- Were there any articles in the CRC that you did not understand or did not agree with?

Closing presentation: The CRC and the Guiding Principles



8. Close the session by introducing the 4 Guiding Principles of the CRC. Explain that we shall be examining each of these Principles in the next 4 sessions. Use the notes from the background information on page 37.

BACKGROUND RESOURCES

Children's rights, human rights

Presentation: The Convention on the Rights of the Child

1. About the Convention

- The Convention on the Rights of the Child (CRC) was adopted by the United Nations (UN) in 1989. It became part of international law in 1990.
- It is a **legally binding treaty**. Countries which have **signed** and **ratified** the treaty are obliged by international law to put it into effect.
- The CRC is the most widely ratified human rights treaty in the world. The only country which has failed to ratify it is the USA!
- A 'child' is defined in the treaty as referring to anyone under the age of 18.

2. Children's rights in national legislation

- > If time allows, give participants brief information about the laws in your country which protect children's rights

Notes

3. How does the CRC help?

- Children are recognised as being vulnerable and in need of assistance. The CRC ensures that they receive the support necessary to **access their rights**.
- The CRC reminds us that children are not only vulnerable, and in need of adults' help: **children are people!** They need to be given autonomy and control over their own lives.
- The CRC reminds us that all human rights are equally important: there are no 'priority rights'.
- The CRC provides a **common legal and ethical framework** for children across the globe. This common framework serves as a reference point for monitoring progress and checking for violations.
- The CRC creates a system of **accountability**: governments are ultimately responsible for making sure that children's rights are respected, but other adults also have duties under the CRC.

Care professionals carry duties under the CRC – whether they work under a local authority or for a private organisation.

IMPORTANT!



Notes

- > For point 3: the CRC was the first international treaty to cover the **full spectrum of human rights**. Other treaties included some categories of rights, but not others
- > On accountability, you could mention the importance of **accountability mechanisms**. These include effective monitoring procedures and complaint mechanisms which young people know about and are able to use. Complaints must be acted on!

4. How does the CRC work?

- Every 5 years, countries which have signed up need to submit a report to the **UN Committee on the Rights of the Child**. This Committee is made up of 18 experts from different countries.
- Governments have to report on compliance with the treaty:
 - > They need to show that there are no serious **violations** of children's rights
 - > They need to have the right **legal and political framework** to ensure respect for children's rights
 - > They need to show that they have systems for **monitoring** and addressing any violations effectively
- Other organisations – NGOs – can also submit reports of their own to the Committee. These reports are normally much more critical than the government's own report!

IMPORTANT!

If young people are scared of making complaints, or do not know how to do so; if complaints are not acted on, or the young person is not able to question any decisions made – then their rights are not being properly respected.

5. Which rights?

The rights in the Convention can be divided into 3 main categories:

Protection rights

- These make sure that children will be protected from abuse, exploitation or any other kind of harm.

Provision rights

- These rights include such things as the right to have an identity, to belong somewhere and be part of a family, and to be provided with healthcare, education, housing, a quality care setting, if required – and so on.

Participation rights

- These rights were perhaps the main innovation of the Convention: they recognise children's rights to be involved in decision making, to have their opinion taken into account, to be given information, and to be assured of adequate privacy – among other things.



Case study: Provision rights

Two brothers aged 9 and 11 had lived in an alternative care placement for 5 years. For a year they had neither seen nor been in contact with their birth mother.

They were well integrated into their care placement and the local school and were able to maintain regular contact with another brother hosted nearby, in an establishment for children with psychological difficulties.

After 5 years, the two brothers were sent on a 3-week holiday to a host family near to their birth mother's place of residence. The aim was for them to meet the mother in order to assess the desirability of renewed contact – and perhaps, a return to live with her in a year or two.

In fact, the boys never returned to their care placement. Social workers unfamiliar with their case decided to place the children within the new host family without consulting anyone in the original care placement – and without a guarantee that the birth mother was willing to invest in the relationship with her children. The two boys were unable even to return to collect their belongings and say goodbye to friends they had known for 5 years. In their new place of residence, no arrangements were made to allow them to maintain contact with old friends, or, more importantly, with their brother.

6. The Guiding Principles

- The Committee on the Rights of the Child has identified certain key articles as 'guiding principles'. These four articles underpin the Convention and provide a guiding framework for understanding the Convention as a whole.

"I am an immigrant... I have also the right to be a citizen treated like the others."

Guiding Principle: The right to non-discrimination

Article 2

Children's rights apply **universally** to **all** children. Children should never suffer discrimination because of their gender, race, religion, abilities, native language, or for any other reason. There are obligations to make sure that children are never treated unfairly, and sometimes that means giving *different* treatment to a child who is disadvantaged compared to others.

Guiding principle: The best interests of the child

Article 3

The 'best interests of the child' should always be the **primary concern** when making decisions that may affect them. This places an obligation on adults to consider the impact of decisions on children affected – and to ensure that their interests are given priority.

Guiding Principle: The right to life, survival and development

Article 6

Governments have a duty to ensure that children **survive and develop healthily**. This includes not only making sure they are protected against threats to their life, but also giving them the **maximum possibility to achieve their potential**.



Guiding Principle: Participation (and the child's right to have his or her opinion taken into account)

Article 12

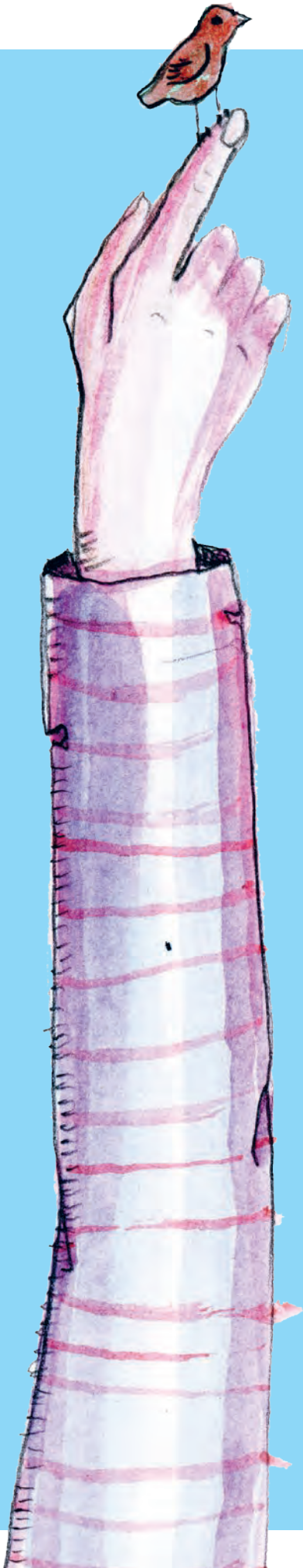
The 'participation rights' mentioned above are important enough to be seen as a fundamental principle running through the Convention. This underlines the view of the child as a person whose autonomy and dignity must be respected – just as we do for adults.



Notes

- > Tell participants that these Guiding Principles will all be explored further in the training
- > You could use some examples from your own country to illustrate the rights





SESSION

Life, survival,
development

3

SESSION 3:

LIFE, SURVIVAL,
DEVELOPMENT

Summary

This session uses a case study to look at the Guiding Principle and right to life, survival and development. Participants also consider the right to development in relation to children leaving care.

Session plan



1	Presentation: The right to life, survival, development	20 mins
2	Buzz groups: Examining the right to development	20 mins
3	Introducing the case study: Eco-map activity	20 mins
4	Feedback / discussion of group work	20 mins

Aims

- To explore the guiding principle and right to life, survival and development
- To consider the developmental needs for young people in care
- To discuss a real case study where a child's right to survival and development was threatened

Preparation and materials needed

- Make copies of the case study and task sheet (page 48-49)
- Make overhead slides for the presentation (page 43)
- Participants will need flipchart paper and marker pens

Instructions for the session



Presentation: The right to life, survival and development

1. Remind participants of the 4 Guiding Principles for the CRC. Ask if they can name them (without referring to their notes!)
2. Explain that this session will explore the right to life, survival and development – both as a right, and as a principle.
3. Begin with the presentation on page 43.



Buzz groups: Examining the right to development

4. At the end of the presentation, ask participants to take 10 minutes to discuss the idea of the 'right to development' with their neighbour. Ask them to focus on children about to leave care: remind them that if these children's right to development has been respected, they should have the same opportunities as children outside the care system; and they should be as capable of grasping these opportunities.

Think in particular about children that are about to leave the care system.

- What are some of the challenges they are likely to face?
- Could a different approach or focus earlier in their lives have helped to prepare them better for these challenges?

Question for buzz groups

- You could reassure participants that challenges facing children leaving care should never be seen as the 'failure' of one individual care professional! The particular difficulties facing these children are likely to be a result of multiple factors, many of which are outside the control of care professionals.
- Emphasise that you are not expecting them to be able to address all these concerns single-handedly, merely to explore alternative approaches or emphases.

Tips

5. Ask for feedback from some of the pairs. Explain that the next activity will use a case study to look at some of the conflicts which might arise between competing rights.



Introducing the case study: Eco-map activity

6. Ask if anyone is familiar with the idea of an 'eco-map'. Explain that this is one of the activities included in *Discover your rights!* for young people to carry out. Point them to page 23 of *Discover your rights!* where the tool is explained for young people. Tell them that we will be using it to look at the right to life, survival and development for a child with severe behavioural problems.
7. Read out the case study on page 48 of the background resources (or use a case study of your own). Then use the large image of the eco-map on page 47 to record some of James' relationships for the period described. Ask for input from the whole group to fill out the diagram.

Tips

- If the diagram only includes only negative relationships, prompt participants to think about other people who must have featured in James' life but are not mentioned in the case study.
- Ask whether it is likely that James had no people in his life who were important and gave him energy. Add a few possible ideas for people who may have played such a role.



Feedback / discussion of group work

9. Divide participants into groups of about 4 – 5 people and give them a copy of the case study and the task sheet (page 49). Ask them to discuss the questions in their groups for 20 minutes.
10. In the last 10 minutes of the session, invite groups to feed back briefly on their discussions. You will need to make sure they stick to the allocated 2 minutes!

Tips

- As the feedback from groups has been brief throughout this session, you may want to remind participants that the purpose of these small group discussions is not to arrive at 'correct' answers which need to be 'checked' by the trainer! It is rather to explore ideas with colleagues.
- You could circulate through some of the groups while they are working in order to provide some input, if necessary.

BACKGROUND RESOURCES

Life, survival, development

Contents

Presentation: life, survival, development	43
Eco-map	47
Case study: James	48
Task sheet for group work (point 9)	49
Additional information	49

Presentation: life, survival, development

1. The right to life, survival and development

The right to life, survival and development is one of the four Guiding Principles of the CRC. Like all of the Guiding Principles, it also appears as a separate right (Article 6).

Article 6 of the CRC

1. States Parties recognize that every child has the inherent **right to life**.
2. States Parties shall ensure to the maximum extent possible the **survival and development** of the child.

2. Life, survival and development as a Guiding Principle

As a Guiding Principle, this right is not only about the right to life, but also about making sure that we are taking into account all aspects of the child's **well-being and development**.

This is what the UN Factsheet on the CRC says:

"[This right] should be ensured 'to the maximum extent possible'. The term 'development' in this context should be interpreted in a broad sense, adding a qualitative dimension: not only physical health is intended, but also mental, emotional, cognitive, social and cultural development."

- The right to life, survival and development is partly about managing physical risk and protecting the child from threats to his or her life.
- But as a Guiding Principle, it is about more than that: it is also about the child's psychological **well-being and development**.

"I think all kids should be able to feel safe. If kids are able to feel safe and get what they need, that means they're going to grow up into people who are able to make important changes...

If you hurt people it's a lot of wasted potential."



3. The right to life

The first part of Article 6 protects the child against **immediate** threats to his or her life.

- The 'right to life' refers to physical life
- This right belongs to every human being, no matter what their legal status is, or how they might have behaved. *Everyone's* life is sacred
- This right is known as an **absolute** right. It takes priority over any other concerns – and any possible violations must be addressed immediately



Notes

- > You could mention other 'absolute' rights: these rights should never be restricted as a result of pragmatic considerations, like economic concerns or institutional policies
- > Other absolute rights include protection against severe and immediate threats to a child's safety or integrity – for example, cases of abuse or physical harm
- > The right to liberty is also sometimes regarded as 'absolute': this means we should not use restrictions of liberty to punish children – for example, by locking - or tying - them up (see case study below)

Case study: Using physical abuse to control behaviour

A two-year-old girl with suspected learning difficulties learned that scratching herself and pulling her hair quickly got the attention of staff. The more this happened the more she scratched herself and pulled out her hair. Pain was preferable to being neglected. Given that each member of staff had seven other children to care for, they managed the situation by tying the child up in her own bedclothes to prevent her self-harming. The child's natural need for individual attention resulted in her physical abuse and neglect, a practice that was condoned by senior management.

K Brown (2009), The Risk of Harm to Young Children in Institutional Care



4. The right to survival

- This part covers the child's most **basic needs** – for example, safety and security, nutrition, shelter, an adequate living standard, and access to medical services
- The right to survival covers the child's right to life over a longer period. It allows the child to develop **healthily, safe from physical risk and abuse**
- Punishment for misbehaviour should never include threatening a child's survival rights

5. Positive and negative obligations

The right to life contains 2 different obligations which fall on parents, care workers, foster parents, and anyone else with responsibility for the child:

- There is an obligation **not to take life**
- There is also an obligation to **step in to prevent** immediate threats to the child's life

These 2 obligations are examples of ‘negative’ and ‘positive’ obligations. They arise in all rights, to different degrees.

Negative obligations:

There are some things we *must not do* - for example:

- We must not take life
- We must not deprive the child of food
- We must not prevent the child from accessing healthcare services

Positive obligations:

There are some things we *must do* – for example:

- We must step in, where possible, if there is an immediate threat to a child in our care. This includes cases where we perceive an immediate suicide risk, or the danger of abuse which might lead to death
- We must ensure that a child is able to access healthcare services
- We must address any threats of abuse against a child – including psychological abuse



- > If time allows, break the presentation for a quick question: ask participants if they have come across examples in their practice where the right to life or survival was threatened. Was the threat dealt with appropriately?

Notes

6. The right to development

The second part of Article 6 covers the right to **survival and development**.

- The right to development covers more than just physical needs: it is supposed to ensure that we support the child to **develop his or her full potential**. This can cover a wide range of issues.

Respecting the right to development means, among other things:

- Ensuring that a child’s emotional and spiritual needs are met – for example by facilitating contact with siblings and birth family
 - Respecting religious or cultural needs
 - Ensuring that the child has access to appropriate educational services
 - Preparing the child properly for leaving care – including by helping her to develop ‘skills for life’
 - Respecting other needs – such as the need for privacy and autonomy
 - Allowing the child to engage in normal social relations and supporting the development of important social skills
 - Addressing any instances of discrimination, harm or abuse
- ... and so on!

“We should not exploit children, we should promote their potential.”

From ‘Young People’s Voices’ video



IMPORTANT!

The child's right to development must be supported 'to the **maximum extent possible**'. This means that we need to take into account the child's long term needs – not only physical, but also emotional, spiritual, cultural, social and educational.

Respecting the right to development means learning to view the '**whole child**': decisions should, as far as possible, take into account the totality of the child's needs as a **person**.

7. The Guiding Principle for children in alternative care

- This Guiding Principle differs from the other 3 in having a strong emphasis on **protecting** the child from **possible dangers and threats** – both to her physical and to her mental integrity.
- The child in alternative care often faces specific challenges and threats. Some of these threats are immediate, and threaten physical safety. Other threats may be detrimental to the child's **future development**.
- We must remember to pay attention to the needs and rights which relate to 'normal living' and 'normal growing up'. For a child removed from her birth family, these needs and rights sometimes demand particular attention and a more proactive approach.

8. Responsibilities under the Guiding Principle

We can think of this Guiding Principle as a reminder that we have responsibilities:

- To make sure that the child's life is always protected
- To respect and protect the child's mental and physical integrity
- To allow and support the child to flourish and develop her full potential
- To consider the 'whole child', the child as a human being; his or her psychological and not just physical existence
- To protect the child now, but also to make sure the child is equipped to deal with the future

9. Balancing rights

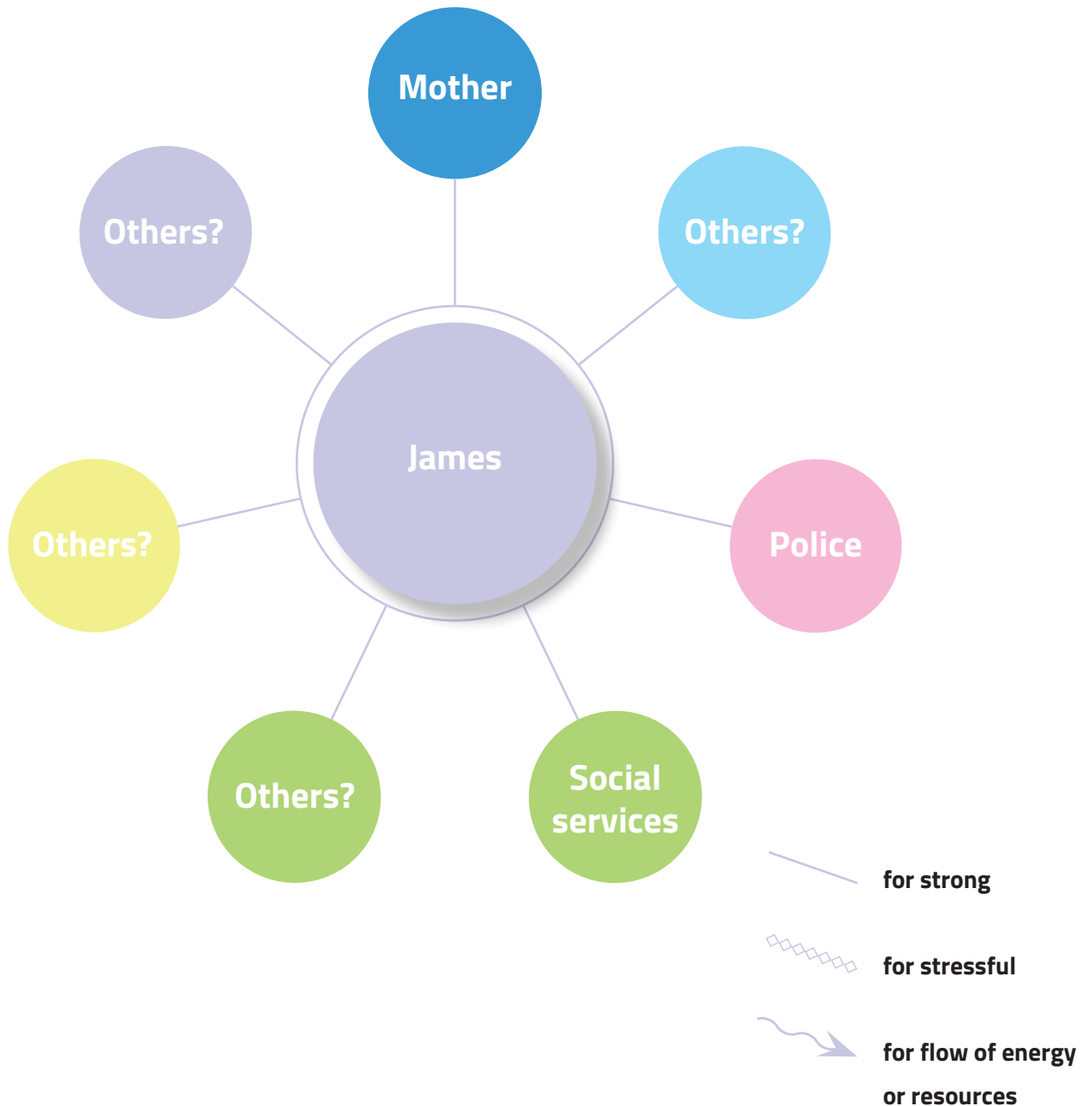
- Most rights need to be **balanced** against competing rights – sometimes belonging to other people, sometimes belonging to the same person. For example:
 - > A particular child's right to security might mean you are unable to address the needs (rights) of other children
 - > A child's right to autonomy and development might lead to her making decisions which are likely to endanger other rights
- Sometimes this means we need to **prioritise** certain rights: this is always the case for absolute rights like the right to life or the right to be free from inhuman and degrading treatment.
- However, prioritising certain rights should never mean neglecting others completely. Whenever rights are engaged, they impose obligations. Those **obligations** must be discharged unless there are very strong competing rights.



Notes

- > You could remind participants of the example on page 37, where the child’s right to be free from inhuman and degrading treatment was neglected, apparently in order to protect her right to life. An approach which supported all these rights should have been adopted.
- > You could also reiterate that the right to development – and survival – is indeed a right and cannot be ignored completely when considering options for protecting life. James’ case study (below) brings out this point.

Eco-map





Case study: James

James is a 17 year old who has been in care since the age of six. He was originally referred to social services by his mother, who was worried about his behaviour and concerned that she was not able to care for him and his four siblings appropriately. James has not seen his father since he was a baby and his location is unknown to social services.

Following a number of failed interventions, James was eventually **placed with a foster care family**. His siblings remained with the mother, with some support from local social services.

To begin with, James' mother visited James once a week. However, the **decision was soon taken to stop these visits indefinitely** because both social services and James' foster carers noticed deterioration in his behaviour after each visit. James was distressed at being unable to see his mother but **social services decided to not to revisit the decision**.

Over a period of years, James' behaviour continually became worse and this led to his foster care placement breaking down. James was placed in another foster care placement but he absconded on a regular basis to his mother's house, and here he frequently exhibited violent behaviour towards his younger siblings.

James began to steal from his new foster carers, and also become verbally aggressive towards them. After only 4 months, this foster care placement also broke down. At the same time, **James was excluded from school** because of aggressive behaviour towards teachers and pupils.

At age 15, **social services placed James in a specialised placement** which worked with children and young people with challenging behaviour. Despite the remote location of his placement, James continued to abscond from his placement. He also came to the attention of the police for shoplifting and underage drinking and was then referred to a Youth Offending Team (YOT).

James' behaviour worsened in his specialised placement. **Some of his freedoms, including weekend outings, were reduced**. James continually expressed his wish to visit his mother, but because of his behaviour, social services decided against any face-to-face meetings with her.

By age 17, James had already a number of suspended court sentences for anti-social behaviour and not cooperating with YOT. He was eventually **sentenced to 3 months** at a Juvenile Prison for resisting arrest and assaulting a police officer when drunk and under the influence of illicit substances. While in prison, James asked on a number of occasions to be allowed visits from his mother. Social services decided that it was best not to allow these visits and refused to support James' mother in travelling for visits. After a number of weeks James began to self-harm through cutting, biting and "bashing" his head and face against walls and glass panels. On his release from prison James returned to his specialised placement where he continued to self-harm.

Task sheet for group work (point 9)

Throughout James' time in alternative care, decisions seem to have been made on the basis that severe abuses of rights might be a possibility: safeguarding James, his mother and his siblings has clearly been an important concern. However, the long term impact of the approach taken with James has been that he has begun to endanger his own safety.

1. Look at some of the key decisions made by adults in James' life – highlighted in red. To what extent do you think James' right to survival and right to development has been respected at these points?
2. If you were caring for James, what are some of the strategies you might explore to make sure these rights were being respected?

Record your suggestions on a flipchart.

Note:

You will have just 2 minutes to feed back to the group, so you will need to try to generalise your remarks rather than feeding back on each decision separately.

Additional information

Article 9 of the CRC

Article 9 addresses some of the questions which are directly relevant to a case such as James'. There are 4 parts to the article:

- 9.1 says that children **should not be separated** from their parents against their will, except when 'competent authorities' decide, in accordance with the law, that separation is **necessary for the best interests** of the child.
- 9.2 says that 'all interested parties' – and this includes the child – should be given an opportunity to **participate** in the proceedings and **make their views known**.
- 9.3 says that a child who is separated from one or both parents has the **right to maintain personal relations and direct contact** with both parents on a **regular basis**, unless this is contrary to the child's best interests.
- 9.4 gives children the **right to be informed** about parents they are unable to contact – unless this might be detrimental to the well-being of the child.

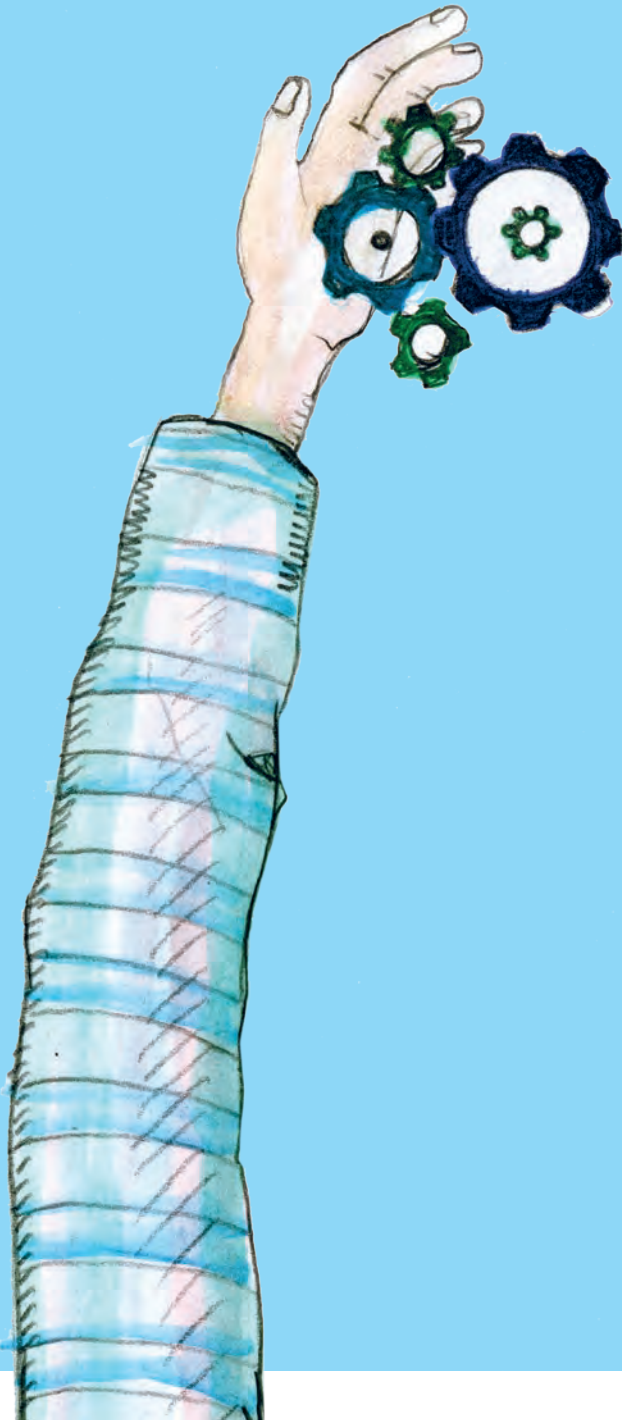




SESSION

4

Participation



SESSION 4:

PARTICIPATION

Summary

This session begins to look at the child's right to be heard and participate. The focus is on effective communication: how we can make sure we are listening to young people, hearing their messages and responding to their needs.

Session plan

1	Where do you stand? Assessing participants' views on participation	25 mins
2	Presentation / discussion: Participation as a guiding principle; the link with effective communication	15 mins
3	Communication activity: What is effective communication?	15 mins
4	Debriefing	30 mins
5	Evaluation and close	5 mins

Aims

- To discuss the idea of young people's right to be heard and right to participate
- To explain the importance of effective communication skills in making this right a reality
- To reflect on participants' own skills of communication
- To lighten the mood at the end of the day!

Preparation and materials needed

- Make overhead slides or handouts for the presentation

For the activity 'Where do you stand':

- Before the session begins, prepare two sheets of A4 paper, one with the word 'agree' and one with the word 'disagree'
- You will need to clear a space for the activity: participants need to be able to stand in a line across the room

For the communication activity

- Select a photograph and either make copies for participants or prepare it as an overhead slide. See the notes in point 11 (below) for help selecting a photo

- Pens and notebooks or a sheet of paper for each participant
- 1 copy of the Task for volunteers (page 50)
- Copies of the checklist for everyone in the group (page 51)

For the evaluation activity

- You will need small coloured stickers: enough for each participant to have 4 stickers
- Create 4 flipcharts according to the model on page 62

Instructions for the session

Where do you stand? Assessing participants' view on participation



1. Explain that the session will begin with a short activity. Show them the two signs 'agree' and 'disagree' and put each one up at a different end of the room. Tell them that you will read out a series of statements, and they must decide for themselves whether they agree or disagree with each.
 - If they strongly disagree, they should stand close to the sign saying 'disagree'
 - If they strongly agree, they should stand close to the sign saying 'agree'
 - If they partly agree or disagree, they should place themselves between the signs, closer to the one they most agree with
 - Tell them that the exact mid-point is forbidden territory! (Mark this, if necessary, with a sheet of paper on the floor)
2. Check that everyone understands, then invite all participants to stand somewhere in the space between the signs. Read out the first statements on page 57 and ask people to move closer to whichever sign expresses their opinion. Encourage them not to discuss with others for the time being.
3. When everyone has positioned themselves, ask for a few comments from people at different points on the line. You could begin with either extreme: the person who most strongly disagrees and the person who most strongly agrees.
4. After a few minutes, read out the next statement and ask participants to assume a new position. Take comments after they have done so – and try to ask people who have not already spoken.
5. Do the same for the other statements.
6. When all the statements have been read out, invite participants to take their seats again.

- You may find that participants start moving when they hear arguments from others in the group: allow them to do so!
- You could ask why people have changed position – or wait till the end of the activity and ask whether anyone changed their opinion on any of the statements.

Tips

Presentation / discussion: Participation as a guiding principle



7. Use the notes on page 57 to give a brief overview of the right to participation. Encourage any questions from the group.
8. Explain that we are now going to try an activity to look at communication skills.

Communication activity: What is effective communication?



9. Ask for 4 volunteers from participants and invite them to leave the room for about 5 minutes. Give them the Task Sheet on page 60 to discuss and tell them you will call them back shortly. Explain that they will be invited in one by one and that their task will be very simple!
10. When the volunteers have left the room, show the rest of the group the picture you have selected and explain how the activity will proceed (Steps 1 – 3 below). You could tell them it is a modified form of the popular game 'Chinese whispers'.

Step 1:

The first task will be for the group to describe this picture to the first volunteer, when he or she is called back in. The volunteer will not be shown the photo: the group will have to describe it using words as well as they are able. The volunteer cannot ask questions or take notes.

Step 2:

The second volunteer will be called in and the first volunteer should explain to her what she has learned (and remembered) about the photo. No questions can be asked.

Step 3:

Step 2 is repeated for the other 2 volunteers (one by one). Each volunteer explains to the next one what she remembers. The last volunteer will have to describe the photo to the group as a whole – or you could ask her to draw their own perception of the photo!

11. Tell the group that while the volunteers are carrying out their task, the rest of the group should take notes on what has been remembered correctly, misremembered or added to the description they heard. They could use the checklist on page 61.

Tips

- The photo can represent anything at all but it will be useful to select one which portrays human emotion, ideally in a way which is subject to different interpretations.
- Ideally, you should make copies or display on a screen so that the group can study it carefully.

12. Make sure the group understands the process and ask them to put copies of the photo away before the first volunteer is called in: they should not consult it from now on.

13. Call in the first volunteer and explain that she will be given a description of a photograph which she will need to remember and then explain to the next volunteer. Tell her that she cannot take notes – but reassure her that this is not an examination! Try to take the pressure off volunteers: let them see this as a fun activity.
14. Proceed with the other volunteers, as described in the steps above. Each stage should not take more than 1 - 2 minutes. For the last volunteer, allow him or her to represent the photo in any way she or he wishes: this may be in words, artistically, or as a diagram.



Debriefing the activity

15. Begin by thanking the volunteers and recognising the difficulty of the task they were asked to perform. Show them the photo.
16. Take brief comments from each of the volunteers before you turn to the group. You could ask the volunteers to comment briefly on the following questions:
 - What was easy about the task? What was difficult?
 - What would have made it easier?
17. Then turn to the whole group. Begin by asking for brief feedback on the notes the observers made.

- Emphasise to the group which was observing that comments during the debriefing must be constructive: there should be no 'blame' attached to volunteers for having failed to communicate some messages.

Tips

18. Allow about 10 minutes for comments directly relating to the activity. Then draw out more general issues:
 - What were some of the reasons for the messages about the photo becoming re-shaped in the course of this activity?
 - To what extent do you think you applied your own interpretation – either at the first stage, when the group communicated to the first volunteer, or after that?
 - Reflect on the way you communicate with the children you work with:
 - > Do you think you 'hear' some things and miss others?
 - > Does the child always 'receive' the message you intend to deliver?
 - Can you think of some ways that communication can be improved? What lessons have you drawn from this activity?
19. Close the debriefing by reminding participants that effective communication with young people is essential if they are to be able to engage with decisions properly. Use the information in the final section of the background resources (page 61) and alert them to the sections on participation in *Securing children's rights*. Encourage them to read through these pages.

Evaluation and close



20. Thank participants for a hard day's work! Tell them you would like some feedback on the day so that any ideas can be built into the programme for tomorrow.
21. Put the 4 flipcharts (see page 62) around the room and read out the statements. Give each participant 4 coloured stickers and ask them to place one on each flipchart, according to how much they agree with the statement. Leave the room for a few minutes, or turn your back: let them see that no-one is 'checking' their responses!
22. Close the day by asking if participants have any comments they would like to add or suggestions for the second day of the training.
23. **Remind participants to bring their copies of *Discover your rights!* to the second day.**

BACKGROUND RESOURCES

Participation

Contents

'Where do you stand?' activity: Statements	57
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Handouts for the communication activity	60
Image for the communication activity	62
Evaluation activity	62

'Where do you stand?' activity: Statements

- The children I work with are always consulted on important matters.
- There are certain decisions affecting young people where their opinion is not relevant.
- I have sometimes changed my mind about a course of action because of something the child has said.
- Children in alternative care have many opportunities to influence decision making on matters affecting them.
- The child's point of view is less important than the opinion of an adult who is an expert in the field.

Presentation: Participation as a Guiding Principle

1. The right to participation


Participation as a Guiding Principle is based on the idea that children have the right to be heard and to have their views taken seriously.

Like all the Guiding Principles, this is included as a specific right in the CRC:

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the **right to express those views freely in all matters affecting the child**, the views of the child being given **due weight** in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child...

2. Points to note



"It is a great feeling when someone asks you: 'What do you want? What is better? What do you think is best for you? We will do it together, just tell us.'"

From 'Young People's Voices'

>>> Children have the **right** to express their opinion on every matter which affects them. This right is laid down in international law

>>> Children have this right as soon as they are capable of forming an opinion and expressing it in some way

>>> The existence of this right means that adults have a **duty** to listen to children and young people: we must take their opinions into account

>>> You don't necessarily have to do exactly as the child wishes. That may depend on the age and maturity of the child and on the particular decision. But you will need to explain to the child why you have decided not to follow his or her reasoning in any particular case

3. Why is participation important for children in alternative care?

>>> Because young people have the **right to participation!**

>>> Because being allowed to control one's own life is essential to **personal dignity and autonomy**

>>> Because it gives young people **ownership of decisions** – and that makes them more likely to agree with any actions that need to be taken

>>> Because it will **increase trust and contribute to better relations** if they feel they are being consulted and taken seriously

>>> Because it will assist them in **developing skills of communication** and decision making – which will be important later in life

Young people's voices

"There were cases that I shared an opinion or idea and I was said no without any explanation."

"I would feel safer if had on-going support even if you disagree with my choices in life. Don't blame me or punish me for my decisions. Preserve our relationship. I still need your help."

"Being respected and listened to would have encouraged me to behave and respect social workers more."

"I expressed the willingness to work and suggested the kind of job I was able to do. They did not consider my suggestion and found a job that I did not have skills to do; my suggestion and opinion was not taken into consideration."

Care professionals' voices

"If we want children to be on our side we need to work that way: we need to be trustworthy."

"Very few children cannot communicate: they react well to good treatment and relationships, they are in fact eager to communicate and build a relationship based on trust."

"Although you already know the decision you might make, it's still important to ask the question to create trust."

"We need to explain why it goes against their rights, to help with practical examples. It is important to suggest things, be inventive – create menus together – while being firm."

4. Participation and communication

Effective communication is key to genuine participation.

- >>> If the child **does not feel able to communicate** his or her real needs, then the child cannot participate
- >>> If adults **do not listen** to what the child is really saying, the child's views are not registered
- >>> If the child **does not have the relevant information**, he or she cannot form a proper view
- >>> If adults **do not think the child's opinion is important**, his or her views will count for nothing

When taking decisions, we need to be aware of the time which is spent in coming to these decisions. The passing of time is not perceived in the same way for children as it is for adults: they will often suffer if you do not at least keep them updated.

IMPORTANT!

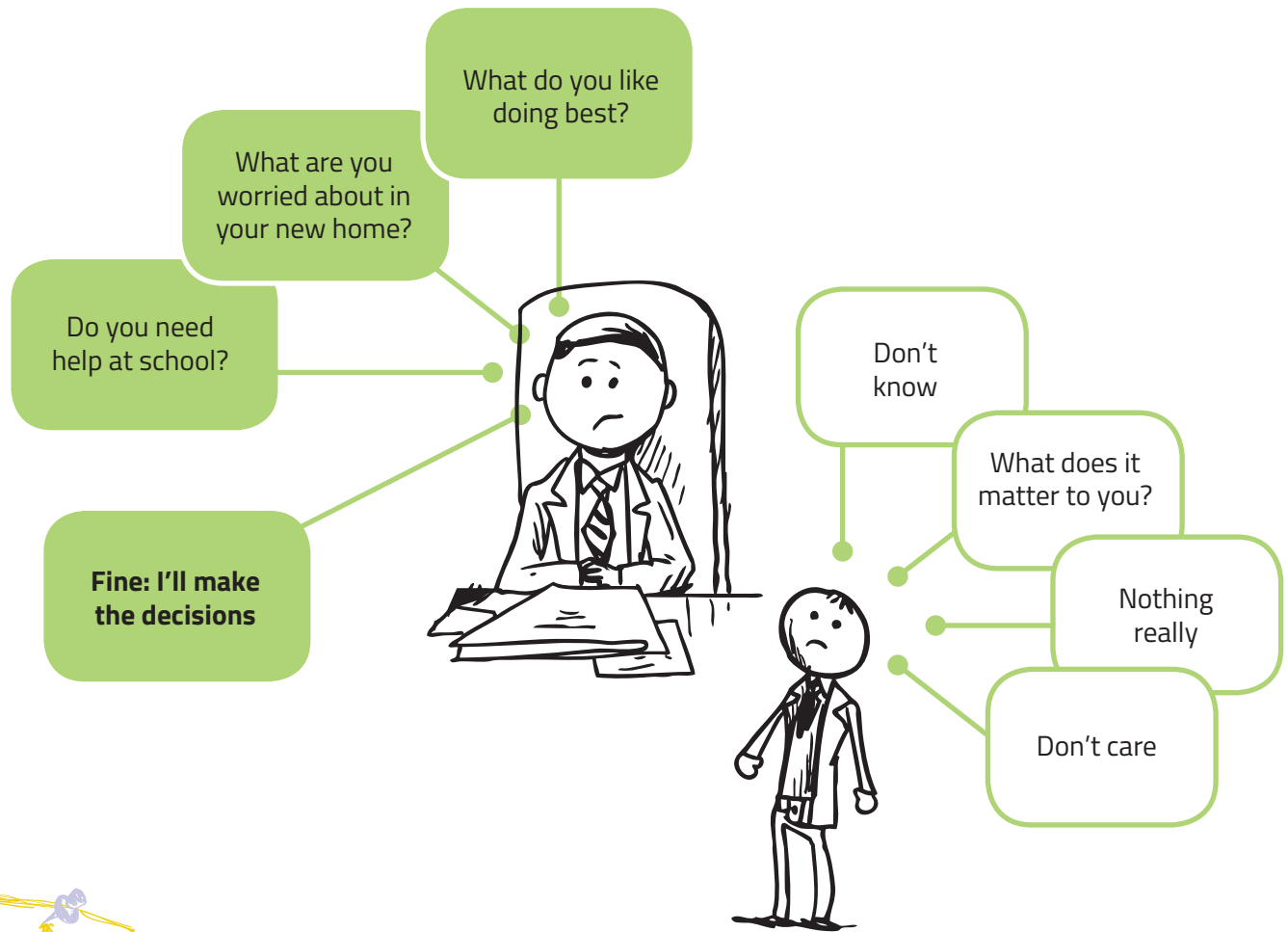
Case study: Failure to convey information

A child of 17 years was living in semi-autonomous accommodation within a care placement where she had spent the last 4 years. She knew that her support would come to an end when she reached 18 and the thought of leaving care worried her greatly.

Several weeks before her 18th birthday, the child met with her social worker who warned her that she would almost certainly have to leave her care placement. She conveyed her deep concern, and then heard nothing at all until after her 18th birthday. Although the decision was ultimately taken to allow her to remain, she was left in a state of uncertainty and anxiety. These anxieties could have been alleviated if she had been kept informed throughout the decision-making process.



5. Does this ever happen?

**Notes**

- > Point participants to pages 19 – 21 in *Securing children's rights*, which deals with participation
- > You could also point them to pages 29 – 33, on 'Talking with young people'

Tell them that tomorrow's activities will look in more detail at some of the issues which may arise when involving young people in decision making

Handouts for the communication activity**Task for volunteers**

What do you understand by effective communication?

- Draw up a quick list of Do's and Don'ts.

Checklist for the rest of the group:

Make notes on any of the following as the volunteers carry out their task:

- Was any important information omitted?
- Was anything added by the volunteers which was not in the original description?
- Was any information changed or given a different interpretation?
- Which facts were always remembered?

Image for the communication activity



Checklist for involving children in decisions

INFORM



Does the child have the information he or she needs to think about the decision?

DISCUSS



Have you talked it through with the child, to iron out any misunderstandings?

LISTEN



Have you heard what the child is really saying – including anything unspoken?

CONSIDER



Have you reflected on the child’s position and tried to reconcile any differences in opinion?

FEEDBACK



Have you talked to the child and given reasons for the final decision?

Evaluation activity

Statements

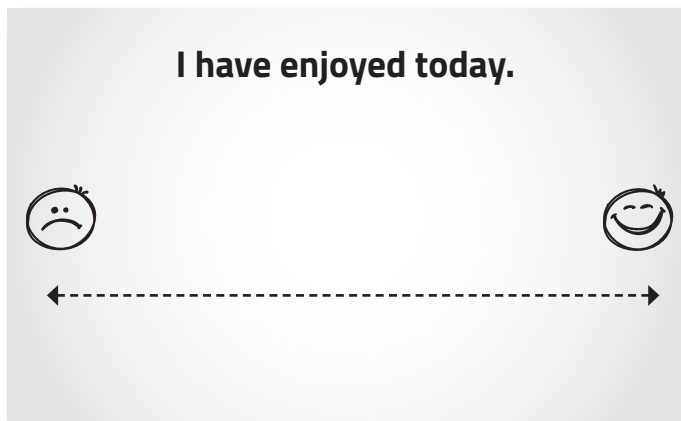
- I have enjoyed today.
- I have found it useful.
- I feel I have a better understanding of children's rights.
- I have some ideas for how I can use this in my work.



Model for flipcharts

Notes

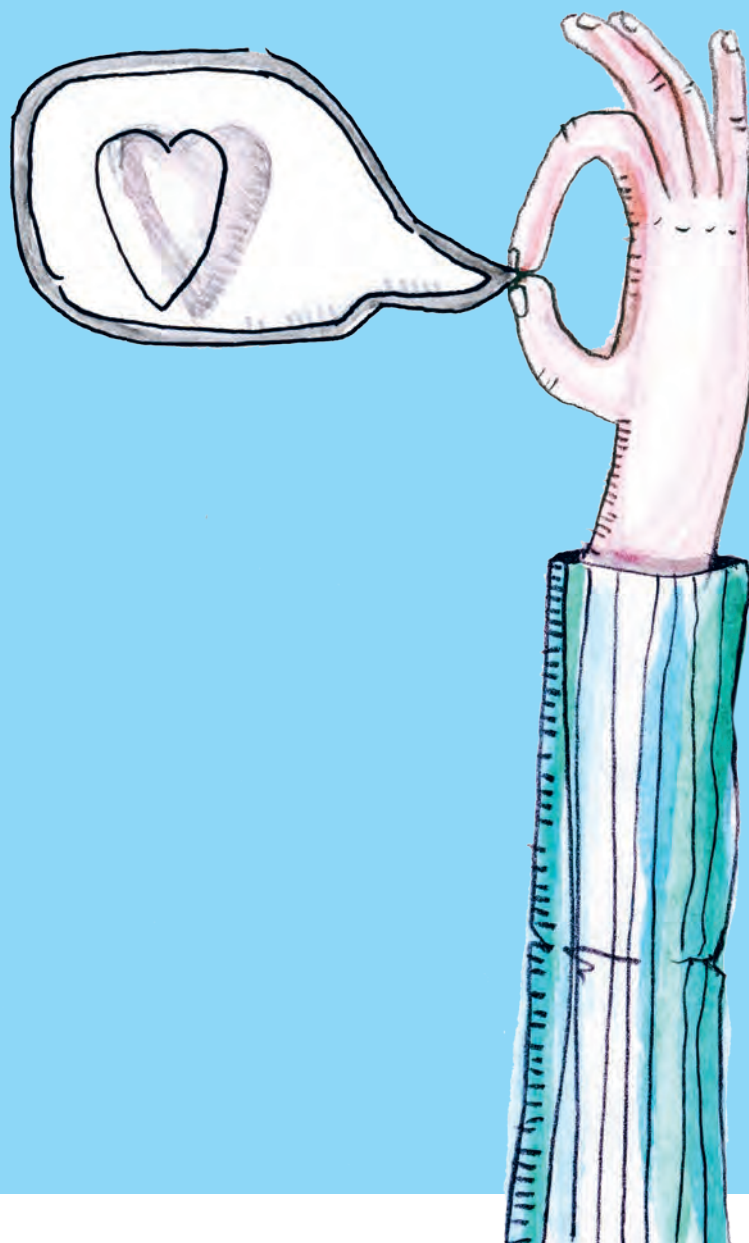
- > Use the statements above to create 4 flipcharts - on the model of the left image
- > The right hand image shows a 'completed' image, after participants have placed their stickers on the chart



SESSION

Best interests
of the child

5



SESSION 5:

BEST INTERESTS
OF THE CHILD

Summary

This session reviews the previous day and looks in more detail at the 3rd Guiding Principle: the best interests of the child. Participants consider some of the factors that need to be taken into account when assessing best interests – and reflect on this in relation to one of the children they care for.

Session plan

1	Review of day 1 and introduction to day 2	30 mins
2	Brainstorming and presentation: Introduction to 'best interests'	20 mins
3	Activity (reflection): Needs, priorities and obstacles	10 mins
4	Group work: Sharing results from the previous activity	20 mins
5	Debriefing	10 mins

Aims

- To explore the meaning of 'best interests' as a Guiding Principle
- To understand why it is important – and how it can be helpful
- To consider examples from participants' practice where the child's perception of best interests differs from their own

Preparation and materials needed

Materials

- Post-its – you will need 2 for each participant. Ideally, these should each be different colours

Preparation

- Prepare 2 signs or put up 2 pieces of flipchart paper on the wall. Give each a heading:
 - Take back and use in my work
 - Have questions or concerns about

- Make slides to display images 1, 2 and 4 on pages 74 and 75 (or draw these on a flipchart)
- Make copies of image 3 ('Handout'). You will need 1 copy for each participant
- Prepare slides for the presentation

Instructions for the session



Review of day 1 and introduction to day 2

1. Welcome participants back and briefly run through the key points addressed on day 1 and the programme for day 2). Tell them that today's sessions will build on the discussions and information from the first day. The afternoon will be devoted to developing practical strategies.
2. Use a short 'mood' activity to see how participants feel about the day:
Invite them to raise their hands according to how they feel this morning:

- 2 hands in the air with wiggling fingers indicates 'excited and full of energy'
- 1 hand in the air with wiggling fingers indicates 'cautious, but optimistic about the day'
- Hands clasped together in the air indicates 'overwhelmed and confused'

3. After the show of hands, ask for a few comments: perhaps participants are feeling different emotions. Then hand out post-it notes to everyone: they should have 2 each. Ask them to write down at least 1 brief comment on each post-it according to the scheme below. You could tell them that their answers will be anonymous, so that they feel free to write down whatever they are feeling.

- **Colour 1:** Something from yesterday that I will take back and use in my work
This could be an idea or a strategy
- **Colour 2:** Concerns or questions about what I have heard
Anything which worries them – for example because they disagree, do not understand it, or cannot see how they could apply it

4. Give them a few minutes to write down their thoughts then ask them to stick their post-it notes on the board / wall under the correct heading. Give people a few minutes to read through post-its already on the board.
5. Ask if anyone would like to share their thoughts. Briefly discuss some of the post-its. If you have time, try to respond directly at least to some of the 'Colour 2' concerns or questions.

- Tell them that you will try to address all remaining questions by the end of the training.
- Encourage them to look at the 'Colour 1' strategies from other people, for example in the breaks.

Tips

Brainstorming and presentation: Introduction to 'best interests'



- Now introduce the theme for this session: the 3rd Guiding Principle of the CRC, the child's best interests. Begin by asking participants to brainstorm what they understand by the principle. Write the answers down on a flipchart.

Tips

- Participants can suggest anything they associate with the idea – whether negative or positive.
- Try not to evaluate or comment on responses: explain that nothing is 'correct' for the purposes of this activity!
- If possible, try to group responses so that similar ideas appear near each other: instead of writing directly on the flipchart, you could use post-it notes instead, so that these can be moved around.

- After about 5 minutes of brainstorming, use the points in the presentation starting on page 69 to give participants key information on 'best interests'. If time allows, open the questions under points 5, 6 and 7 in the presentation ('a balancing act') for discussion.

Reflective activity: Needs, priorities and obstacles



- At the end of the presentation, ask participants to think about a decision concerning one of their children where they had to go against the child's wishes. Display the first diagram on page 70 (Image 1) and explain that the first part of the activity will involve a short period of reflection.
- Talk through the example (Image 2) and tell them that they will be asked to fill out their own example, based on a real case they have worked on.
- Then give everyone a copy of Image 3 (Handout). Tell them that for the time being, they should ignore the two grey sections at the bottom.

Tips

- Ask them to think about the diagram as if they were the child who was involved in the decision.
- Ask them to try to understand the reasons which lay behind the child's wishes (the bottom half of the diagram).

- Give participants a few minutes to fill out their diagram. Then show them Image 4. Explain that they should now recall *their own reasons* for supporting a different decision from the child's. They should now fill out the two lower sections: what was important to them, and what worried them on behalf of the child.

Group work: Sharing results from the previous activity



12. When people have finished, ask them to create groups with 3 or 4 other participants and share their diagram with others in their group. When they have shared the diagrams, ask them to discuss the questions in the 'Tasks for groups'

Debriefing



Request that as there is little time available for the debriefing, participants do not share their examples in detail with the whole group. If they are happy for the diagrams to be displayed, you could offer to put them up around the room during the break, so that they can be seen by everyone.

13. Use the following questions to debrief the group discussions:
 - > Do you think such an activity might be useful for exploring best interests with the children you care for?
 - > To what extent do you really know the reasons for children's expressed desires? How much do you explore this with the children you work with?
14. Close by reminding participants that our immediate actions or desires are shaped by deeper values or things which we hold to be important in life. These values often give the reasons behind our immediate desires, and exploring these deeper motivations can sometimes reveal a route to reconciling desires at a practical level.

BACKGROUND RESOURCES

Best interests of the child

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Presentation: Review of day 1 and introduction to day 2

1. Review of day 1

We looked at

- >>> **What are human rights** and why are they important?
- >>> **What are children's rights?** Which rights do children have?
- >>> **Why are children's rights important** for children in alternative care? What does it mean for us?
- >>> What is the **Convention on the Rights of the Child** (the CRC)? Which rights does it contain?
- >>> The 4 **Guiding Principles** of the CRC:
 - > The right to life, survival and development
 - > The right to participation
 - > Best interests of the child
 - > Non-discrimination

We also looked in more detail at **2 of these Guiding Principles**: life, survival and development, and the right to participation.

2. Introduction to Day 2

We will be looking at...

The other 2 Guiding Principles:

- **The 'best interests of the child'** – and how we can determine what is in the child's best interests
- **The right to non-discrimination** – and how to identify examples of discrimination

What it means for your practice

In the afternoon we shall try to pull together all the different parts. We will use a simulated conversation with young people and with policy managers to...

- Review the content
- Anticipate challenges
- Devise arguments and strategies

Presentation: Introduction to 'best interests'

1. Overview

The 'best interests of the child' is both a Guiding Principle – a fundamental message of the Convention – and a separate article. It is mentioned in a number of articles and is summarised in the first part of Article 3:

Article 3 of the CRC

Part 1: "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."

This is what the UN says about the Guiding Principle (the 'fundamental message'):

"When the authorities of a State take decisions which affect children, the best interests of children must be a **primary consideration**. This principle relates to decisions by courts of law, administrative authorities, legislative bodies and both public and private social-welfare institutions. This is, of course, a fundamental message of the Convention...."

2. What does it mean for your practice?

When we are taking decisions which will affect a child...

- >>> We need to take into account the **impact** of that decision on the child and make a decision which is **best for the child**
- >>> We can only do this on the basis of **information** about the child: from the child, from what you know, and from others who play a role in the child's life
- >>> We need to take into account both **physical** needs, and **emotional, spiritual** and **developmental** needs: in other words, the decision should be based on the child's **long term** needs as well as any immediate concerns about **safety** and **security**

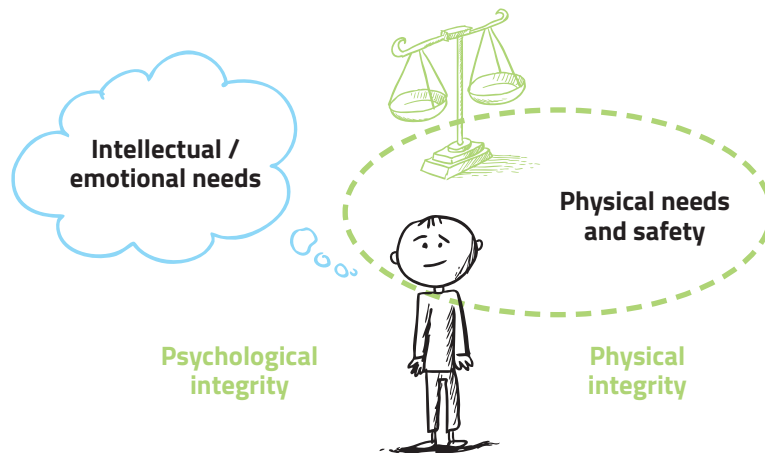
Assessing the child's best interests depends on gathering information and opinions from **multiple sources**. The child's opinion is important and so is your opinion – but so are the opinions of the birth family, foster family, teachers, headteachers, youth leaders and others who know the child.

IMPORTANT!

Case study: Keeping siblings together

"Some Roma children were placed in alternative care 2 years ago. There were 8 siblings – it was impossible to put them in one care placement. They were placed in 4 families, which was difficult at the beginning, but as the time went by, after 2 years, there was great progress: the children were very active in the daily life of their care placement. But the parents had lost their parental rights and this meant that these children needed to be prepared to be adopted. We spoke with the foster carers directly to prepare them for possible adoption and in those talks we also met with the social welfare centres. In the meantime, the social welfare centre tried to find adoption families who would adopt 4 but this was impossible: some could be adopted but others would have to stay in their current care placement indefinitely. Then we decided that we would try to create a special placement to keep all the siblings together: which is more important, to find a family or for the children to stay all together as a family? We agreed to keep the children together and to support this long term care plan."

3. A balancing act: physical and emotional needs



If a child wants to be in contact with an abusive parent, how do you balance the strong emotional needs against the possible physical dangers?

Does the answer have to be 'yes' or 'no'?

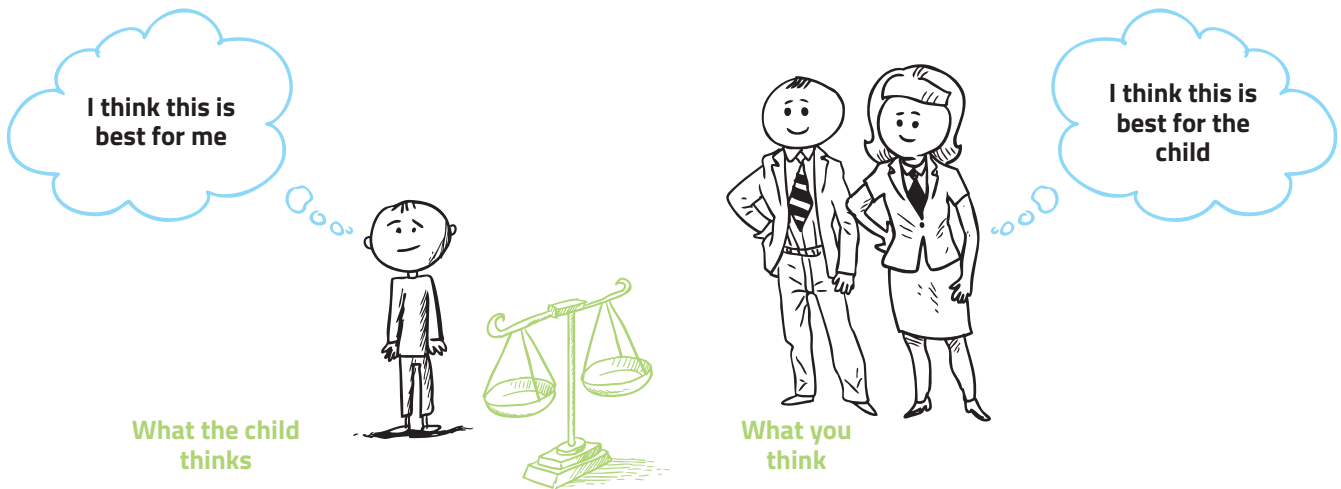
4. A balancing act: today and tomorrow



If you decide to break a child's confidence in order to protect the child, how will this affect your relationship?

What will be the impact on the child's ability to trust?

5. A balancing act: what the child thinks and what others think

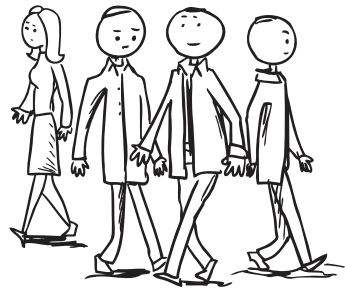


What the child thinks

What you think

A 16-year-old child complains about restrictions her foster family has placed on her to see her friends. You can see that the restrictions are important, but you know that the child will continue to break them because her friends are important to her.

What do you do? Who do you talk to? How do you balance the different demands and wishes?



What others think

6. Respecting the child's wishes

The child's wishes will always be relevant in assessing what is in her best interests, and the right to participation tells us that they must always be **taken into account**.

That does not mean you always have to do exactly as the child requests, but ...

- >>> Remember that **overruling a child** always has some (negative) psychological consequences: these should be factored into any decision
- >>> Remember that **sometimes the child does indeed know better** than you what is good for him or her: the child knows what is important to him or her, what he or she can live with and what he or she cannot tolerate

7. The right to autonomy

The child's right to autonomy (control over his or her own decisions) is important: where we can respect it, we should

- >>> In **emotional** terms: the child's wishes may reflect deep emotional needs: to deny them may cause long term damage
- >>> In **developmental** terms: every child needs to begin to make his or her own decisions,

"If you don't listen to me and make a (bad) decision instead and I am not satisfied with it, it would cause problems to me and to you. Then you would have to make another decision which would take more time and money."

Young person in alternative care



and be confident that he or she is able to do so. In taking decisions for the child, we deny them the chance to learn and develop their own decision-making skills

>>> In **practical** terms: the child may not go along with our decision, so we may not even end up with what we thought was 'best'!

8. An act of discussion and negotiation

The principle of 'best interests' is closely tied to the principle of participation.

Remember that in decisions which affect a child...

The child has a **right** to have his or her opinion heard and taken into account

When it comes to assessing the child's best interests, that opinion is an important factor:

>>> You need to **listen** to it!

>>> You need to be able to **hear** it!

>>> You need to be able to **communicate** and **explain** your ideas about best interests, if these differ from the child's



Notes

- > Recognise that the task of identifying best interests is not easy – and acknowledge the important work carried out by care professionals
- > Remind them that although it often seems as though the decision rests on their shoulders, assessing best interests is a multidisciplinary decision: many stakeholders will need to be involved
- > Point participants to page 23 in *Securing children's rights*, which summarises best interests. You could also point out the diagram on page 26

9. Procedural safeguards: determining best interests

When trying to determine the best interests of the child, make sure that you have:

1. Listened to what **the child has to say** (and taken into account his or her maturity and ability to evaluate the possible consequences)
 2. Assessed the opinions, attitudes, capacities, and wishes of the **child's family members** (including parents, siblings, adult relatives, close 'others'), bearing in mind the nature of their relationship with the child
 3. Considered the child's day-to-day **living environment** – currently, previously and in the future
 4. Considered the likely effects of **separation or reintegration** – where relevant
 5. Considered the child's developmental needs
 6. Taken **any other relevant issues** into account – for example, religious or cultural needs
- >>> Then review the suitability of each possible care option

10. Procedural safeguards: a 'primary consideration'

Whenever a child is likely to be affected by a decision, his or her best interests must be a **primary consideration**.

Remember ...

- >>> **Whenever** we take a decision concerning a child, we need to determine what is in his or her best interests. This means gathering and assessing information from various sources
- >>> Although we should give priority to the child's best interests, we must also take into account the rights and legitimate interests of other people – such as parents, siblings, teachers or other caregivers
- >>> The solution which is most positive for the child should be favoured. This includes short term and long term considerations

IMPORTANT Remember that assessing the child's best interests is not something you can do according to a formula: it will always need to be done on a case-by-case basis and will depend on the particular circumstances at any one moment, and with relation to a specific child.

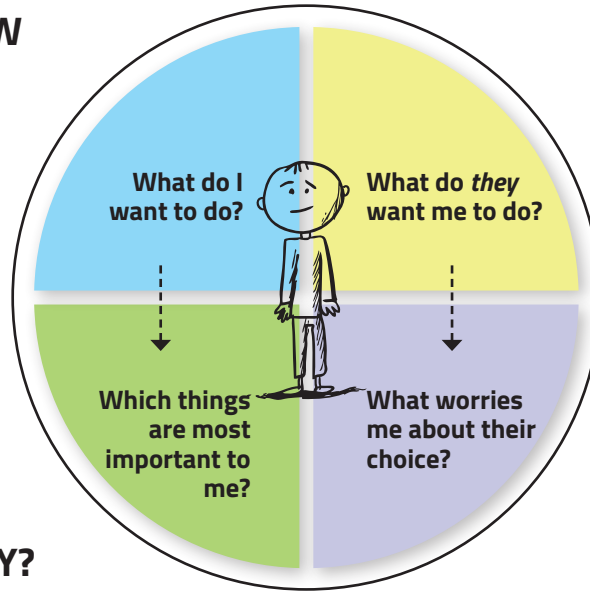
You should always leave open the possibility of reviewing and, if necessary, revising decisions. Things may change!

IMPORTANT!

Images for the activity: Through the child's eyes

Image 1 (for display)

NOW



WHY?

Image 2: Example (for display)

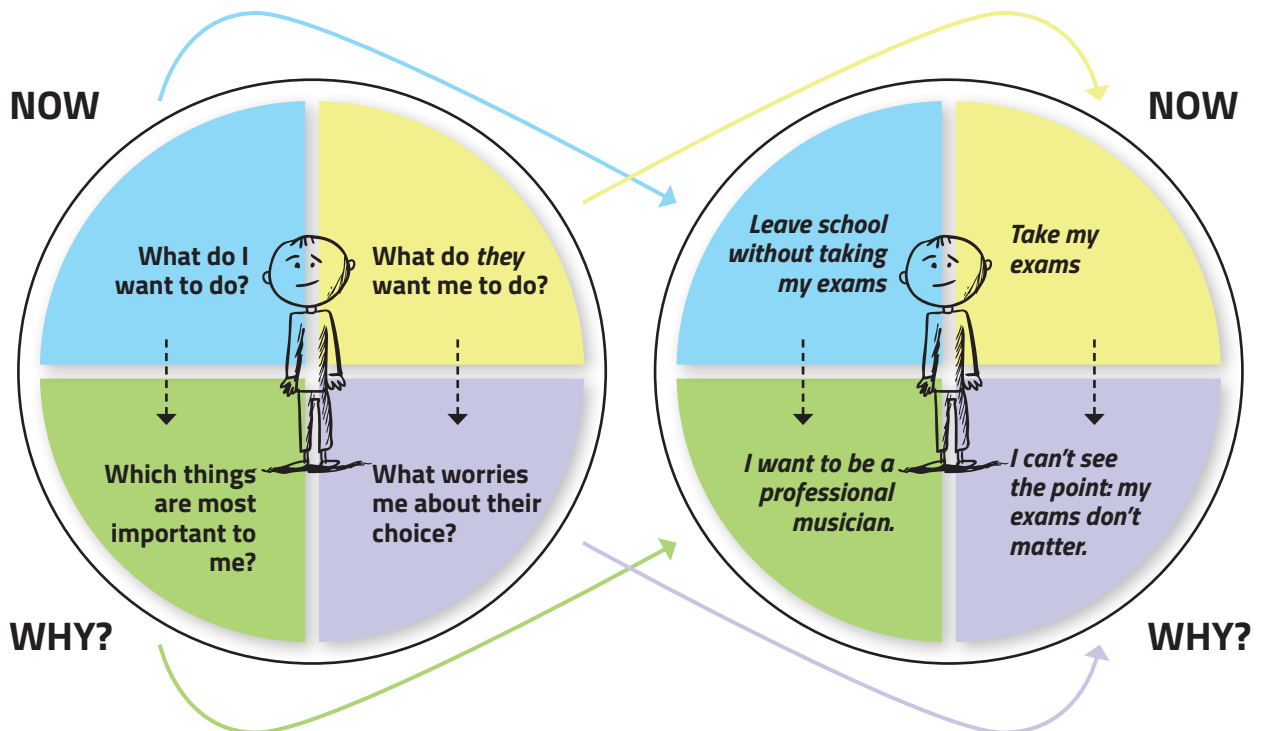
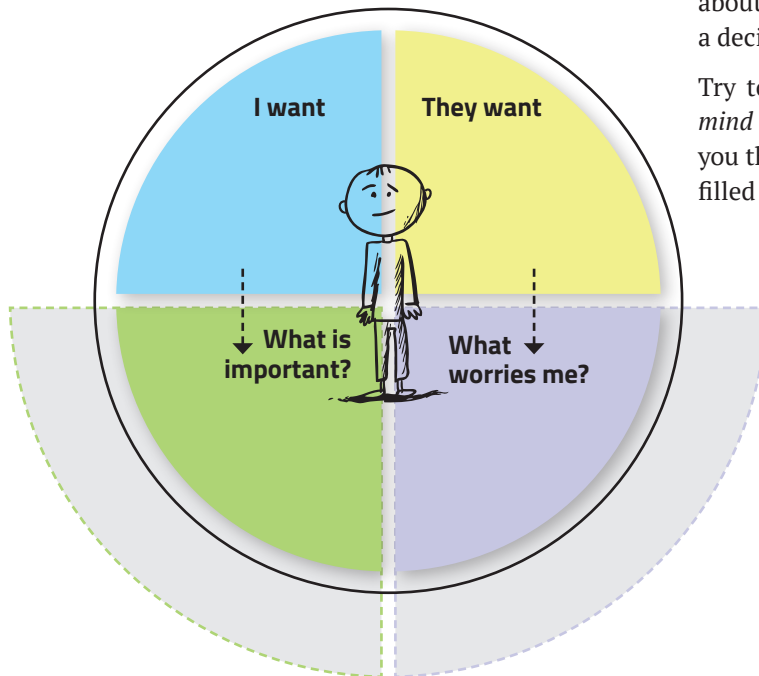


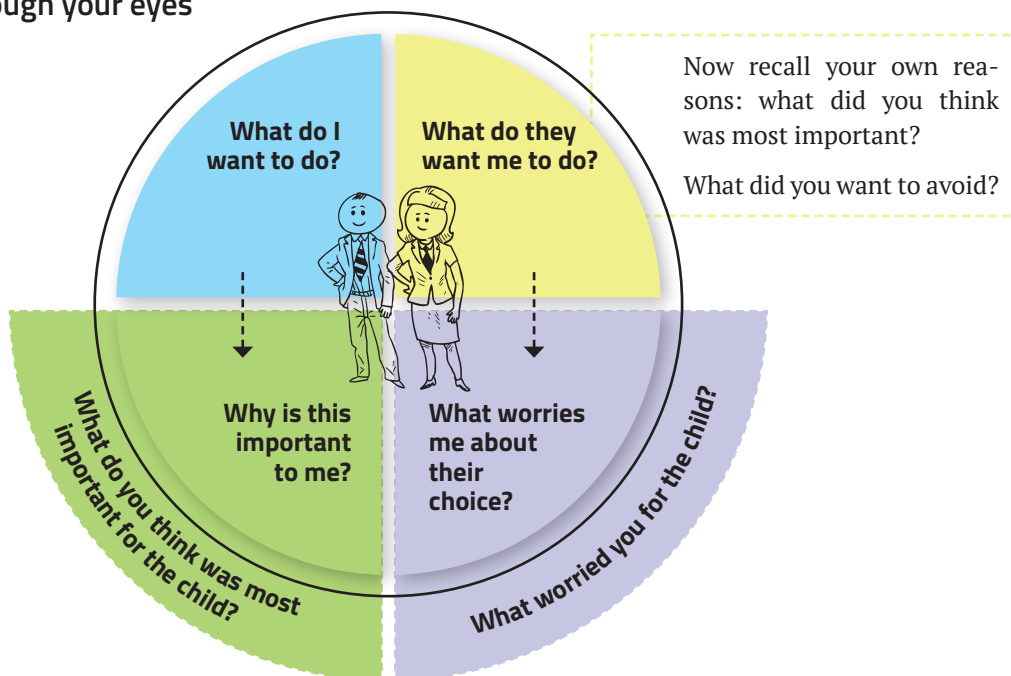
Image 3: Handout for participants
Through the child's eyes



Think about a decision you had to make where you disagreed with a child about the best outcome of a decision.

Try to put yourself *in the mind of the child*. How do you think they would have filled out this diagram?

Image 4 (for display)
Through your eyes

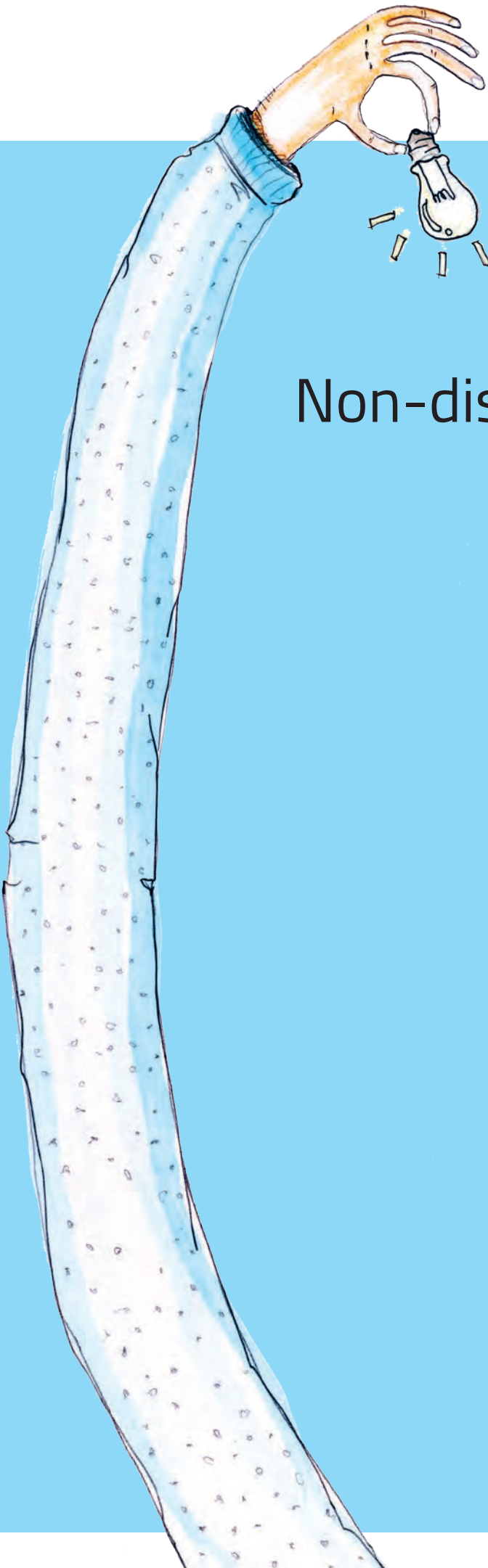


Now recall your own reasons: what did you think was most important?
What did you want to avoid?

Task for groups:

- >>> Discuss whether your worries and the child's worries were the same, and whether you thought the same things were important
- >>> Explore ways of reconciling these different priorities





SESSION

6

Non-discrimination

SESSION 6:

NON-DISCRIMINATION

Summary

This session serves to review many of the considerations already discussed in previous sessions – and introduces the ideas of positive and negative discrimination. We examine some of the assumptions we make when working with young people.

Session plan

1	Activity: Backwards and forwards	30 mins
2	Debriefing the activity	25 mins
3	Energiser	5 mins
4	Presentation: Introducing discrimination	10 mins
5	Discussion: Do any of your children experience discrimination?	20 mins

Aims

- To understand the importance of equality and non-discrimination
- To introduce different forms of discrimination: direct, indirect and structural
- To examine some of the groups which commonly suffer discrimination and explore ways of avoiding this in our work

Preparation and materials needed

- You will need plenty of space for the first activity: participants need to be able to stand in a line (and take steps forwards and backwards). You could mark out the starting line with a piece of string (see the diagram on page 79)
- Make copies of the role cards on page 83 and 84
- Make slides for the presentation
- Make a slide or write up on a flipchart the list of groups on page 81

Instructions for the session

Activity: Backwards and forwards



1. Tell participants that the session will begin with a role play. Give everyone a card with a role and ask them to read it silently, without sharing it with others.

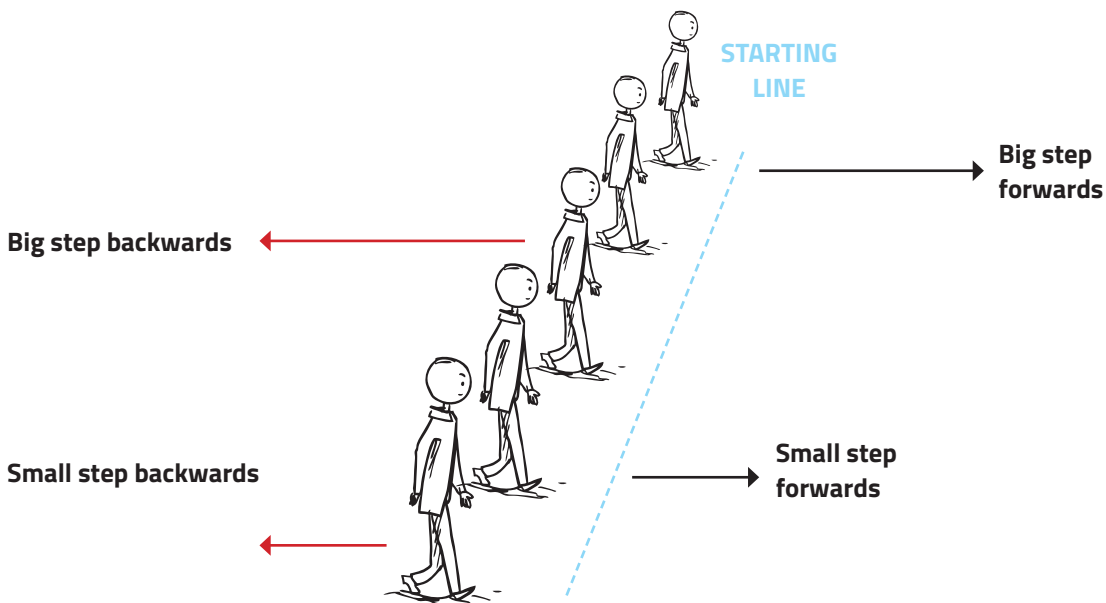
- If your room is not large enough, you may need to run the activity elsewhere – or outside! If this is the case, you should alert participants at the end of the previous session so that time is not lost moving. You may need to cut the activity by 5 minutes to allow for people to return to the workshop room.

Tips

2. Ask people to think themselves into their role. You could use a few prompting questions to help with this – for example by asking them to imagine:
 - > The place they spend most time
 - > The people they spend most time with
 - > The things they like doing – and the things they don't like doing

Tell them that they should feel free to add in their own details, based on the small amount of information on the card. They should try to imagine some of the life details for a child like this.

3. Invite them to stand side by side across the room, at the starting line (see the diagram). Tell them you will read out a series of statements and they should think about how each event would affect 'their' child. They should step forwards or backwards from the line according to the following instructions:



Instructions

- If the information in the statement is good news for you, take a step forward. Take a large stride if it's really good news, and a small step for quite good news.
- If the statement is bad news, or makes your life harder, take a step backwards: a large step if it's a big challenge or setback and a small one for something less bad.
- If the statement doesn't apply to you or won't make any difference, stay where you are.

Tips

- If the person with the role card for the deaf child wonders how he or she should react when the statements are read out, try not to answer directly: remind the person that he or she is now in the role of someone who is almost unable to hear. Tell the person to take part in the activity as he or she feels is most appropriate.

4. Read out the statements, allowing time between each one for people to take a step.
5. After you have read all the statements, ask people to look around them at where everyone else is standing. Give a few people the opportunity to speak a little 'in the voice' of their child, and explain why they have moved as they have – backwards or forwards. Then bring everyone back into the circle for a debriefing.

Debriefing the activity

6. Begin by getting people out of role. You could ask everyone to shout out their own (real) name on the count of three. Remind them that the discussion will now take place with them in their own identities.
7. Use some of the following questions to explore people's feelings and impressions:
 - > How did you feel as this activity was progressing? What was it like to move faster or slower than others?

Note: You may want to ask the participant with the role of deaf child how he or she felt to be unable to take part at all.

 - > Were you able to identify with your child? How easy was it to think yourself into the role of someone else?
 - > Which of the statements presented a particular difficulty for you in your role? Why?
 - > Do you think any of these statements were an example of discrimination? Why?
 - > Do you think that the children in your care ever experience discrimination in their lives? Explain why you think they do or do not.

Energiser



8. People may be tired after a long group debriefing, so you could use a quick energiser before presenting some information on discrimination. The following involves some physical movement, but feel free to select another if you think it is more appropriate.

'All those who...'

9. Make sure that all the chairs are in a circle, and there are no spare seats (yours should be removed from the circle). Stand in the centre of the circle, and explain that whoever is in the centre of the circle is asked to make a statement beginning 'all those who...'. If the statement applies to someone sitting in the circle, they should change seats as quickly as they can. The person in the centre should try to find a seat for themselves once people start moving.
10. Give a few examples:
- > All those who are wearing a skirt...
 - > All those who speak a foreign language...
 - > All those who like eating chocolate...
 - > All those who work with children... (this one should get everyone moving!)

- > Tell them they must move if the statement applies to them!
- > No pushing is allowed!

Presentation and discussion: Introducing discrimination



11. Provide some background information on discrimination using the points on page 85.
12. At the end of the presentation, show them the list on page 88 (Task for reflection). Ask them to think about the children in their care: do they face any obstacles compared to other children?
13. Give them a few minutes to reflect on this, and allow them to discuss their thoughts with a neighbour.
14. For the last 10 minutes, invite everyone to explore the following questions:
- > Did you find any examples of possible discrimination for the children in your care?
 - > Can you think of things you could do to equalise opportunities for these children?

BACKGROUND RESOURCES

Non-discrimination

Contents

Role cards for the activity: Backwards and forwards	82
Statements for the activity	84
Presentation: Introducing discrimination	85
Task for reflection	88

Role cards for the activity: Backwards and forwards



Notes

- > There are 24 cards: you should select enough for your group. Make sure you have some from each set
- > You could adapt or add other statements to the list on page 85 if there are other cases more appropriate for your group

Set 1: Children in alternative care

You are 14 and you have been confined to a wheelchair since the age of 3. Some of the children at school give you a hard time for this – as well as for the fact that you don't live with your birth family. You're often unable to go on school trips or take part in activities because of your disability.

You are 11 years old and Roma. You were taken into care because social services felt you were not being properly looked after at home. You did not want this, and nor did anyone else in your family. You are bullied at school by other kids, and picked on by teachers.

You are 15. You love playing football and when you were young, you were told you could do it professionally. But recently you've been in trouble with the police. You live in a children's home and you don't get on with your social worker.

You are 13 years old and have been placed in care while your parents' request for asylum is being processed. You speak the local language very badly and you have never met your social worker. At your old school, you were always top of the class in exams.

You are 10 and you moved to a different country with your mother when your father died. Your mother was convicted for shoplifting shortly after you arrived and she is now in prison. You have been placed in alternative care and are finding it very difficult to be without both your parents and in a different environment.

You are 13. You have a learning disability and struggle with schoolwork. Kids tease you and the teachers ignore your needs. You love painting but you have no money to buy materials. Your guardians don't allow you much freedom: you're not allowed out after school and only when supervised at weekends.

You are 16. Your parents were originally from Somalia but you were born in this country. You are the only dark skinned child in your school. Some kids call you 'dirty' and 'stupid' and you have received racist threats on your Facebook page. You live in a foster home and you always feel your foster parents don't love you like their real kids.

You are 14 years old. You were abused by your birth father and have been living in care for 3 years. You are always in trouble at school and have thought about ending your life. You won't talk to your social worker because she read your diary a few months ago without asking you.

You are 14. You and your siblings were placed under different alternative care arrangements a year ago. They are all together, too far away for you to see them. You haven't made any friends in your new place of residence.

Your father was abusive towards your mum so you were taken into care 6 months ago. You want to see your mum, but your care worker won't allow it. You are 13 and you think you might be gay. You don't know who to talk to.

You are 17 and will soon leave school – and your foster parents. You are very worried about the future as you failed most of your exams. You don't know where you will live or how you will support yourself. You have been told you have to make your own way in the world and your foster parents can't help you any further.

You are 15 and have been living in care since you were 6. You have a very good relationship with your care worker. She sees you regularly and lets you ring her when you want to discuss something. You enjoy school and have lots of friends but you can't always join them in out of school activities as you have no money.

You are 16 and you have been in 4 different care arrangements for the past 6 years. Every time this has happened, you have had to move schools. You don't feel there is anyone you can trust. Soon you will have to leave care and you have nowhere to go.

You are 12 and you have been living with your foster family for 4 years. You are very happy there: you have your own room with a computer and TV and your foster parents are kind and loving. They are always there to support you when things go wrong.

You are 12 and have been living with the same foster parents for 5 years. You have been almost completely deaf from birth. You like your foster family and are mostly happy, but you often think about your 'old' mum who you never see. No-one has ever told you what happened and why you had to leave.

You are 15 and want to be a professional musician. You play in a band with some school friends but your foster parents are putting pressure on you to give more time to your school studies. They don't give you any pocket money and you're not allowed to go out unless you can 'pay for it yourself'.

Set 2: Children living with their birth families

You are 17 and will soon leave school. You have your own room at home and your parents are well off. Your exam results are expected to be very good and you are applying for universities.

You are 14. You had an accident while very young and since then you have been confined to a wheelchair. It's hard for you to meet up with friends after school and you feel they have lots in common that you can't share.

Your family moved to this country a few years ago. They are very important to you and you have a very close relationship with your sister. Neither of your parents has a job and you are teased at school for looking 'dirty' and being an immigrant.

You are 16 and you're in a gay relationship. You don't know whether to tell your parents. They are very proud of you as you do well at school. You are worried about how you'll cope when your partner goes off to college in a different part of the country.

You have a hard time at home. Your mum is an alcoholic and your dad is an invalid. You are his main carer. You are supposed to get local authority support but your care worker almost never makes contact. You are 14 and you are Muslim.

You are Roma and you are bullied badly at school. Your family tried to talk to the teachers but they won't listen. You play truant regularly and hang out with older kids. Some of them have been in trouble with the police.

You are 17 and your dad has fixed you up with a job with a local company. You don't like school and are really looking forward to leaving and getting on with 'real life'. You hope to move into a flat with your girlfriend

You're 17 and Muslim. You're not sure what you'll do when you leave school: there are no jobs in the area and your family is hard up. You want to go to college but your parents have told you you need to start paying your way at home.

Statements for the activity

- People from your class are all meeting up this weekend for a meal out in a restaurant.
- Your social worker contacts you to say she has to cancel your meeting today (*if you don't have a social worker, stay where you are*).
- You need to pay for a new maths text book: the teacher says everyone needs it to pass the exam.
- Everyone at school has been asked to write about 'My family'. The best examples will be put into the school magazine.
- Your class is going on a camping holiday in the mountains! You have been given a list of things you'll need to bring.
- You want to make a formal complaint about an adult at school who has been making sexual advances towards you.
- There was a big protest by neo-fascist groups at the weekend.
- The headteacher at school makes a speech about the importance of a university education. Those who study at university will succeed in life!
- You are worried about starting a physical relationship with someone. You want some advice.
- A lesson at school on HIV/AIDS focuses on the dangers of homosexual relationships
- It's sports this afternoon at school!
- There's an exciting new mechanics club starting up at school! All the boys have been given letters for their parents asking if they're interested to join.

- The local mayor makes a speech in which he blames the Roma community and immigrants for a rise in crime.
- It was pork for lunch today.
- A teacher has been found to be lesbian. Her Facebook page is covered with hate speech and children are taunting her openly at school.
- A local celebrity is going to be visiting the school. Two boys have been asked to welcome him and show him around.
- You overhear your teacher saying that ‘white people are more intelligent than other races’.

Presentation: Introducing discrimination

1. The right to non-discrimination

Non-discrimination is a **right** in itself, and it is also a **principle** which needs to be applied in all decisions concerning children.

The right to non-discrimination is set out in Article 2 of the Convention on the Rights of the Child (CRC).

There are 2 parts to the article:

- >>> The first part tells us to make sure that **every child’s rights** are **respected and ensured**, whatever their ethnic identity, colour, sex, native language, etc.
- >>> The second part tells us that when a child is **disadvantaged** because of one of these factors, we should **make allowances** and **actively ensure** that any disadvantages are removed.

“If I was a wizard, I would take all the brains in the world and make them unable to see things like skin colour, sex, religion. I would make all the things people judge all the time invisible.”

Young person in alternative care
(Voices video)



2. Understanding the right to non-discrimination

- >>> Non-discrimination is another way of looking at **equality**. Non-discrimination means that everyone should be **equal in rights and dignity**.
- >>> Discrimination is about **unfair** treatment or practices.

The right to non-discrimination is different from other articles: it’s about **comparison** with other children. A child who experiences discrimination is disadvantaged **compared to other children**.

IMPORTANT!

3. Children's rights offer basic minimum protections



All the other articles:

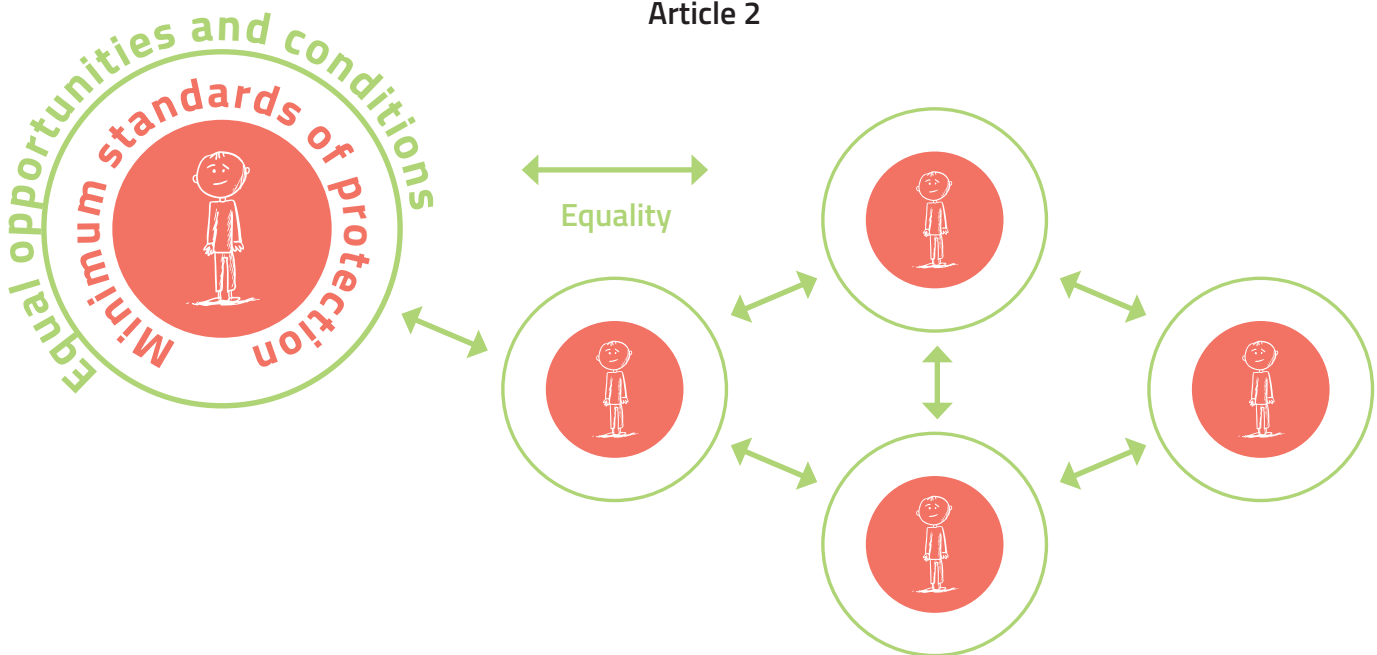
Ensure humane, dignified treatment which respects the child's dignity and personhood.

For example:

- Do not endanger a child's life
- Do not cause them physical pain
- Do not humiliate
- Provide them with education

4. Article 2 makes sure there are *equal* opportunities and conditions

Article 2



5. Forms of discrimination: Direct

Direct discrimination happens when we single out a person or a group of people and treat them differently because of who we perceive them to be. For example;

- 'Boys will study metal work, girls will study cookery.'
- 'This child is an asylum seeker and may not be at the school for long. We won't let her audition for the school play.'
- 'Roma children should study in different classes.'
- 'We won't allow you to pursue a relationship with someone of the same sex.'

These children are deprived of opportunities because we have made an unfair assumption about what they can do or what they might like to do.

6. Forms of discrimination: Indirect

With indirect discrimination, we ignore or forget about the differences that matter and apply the same rules or principles to everyone – even when some children cannot benefit from them or are actively disadvantaged.

For example:

- ‘I will read out the statements’ – *even when there is a deaf child in my class*
- ‘We will all go camping!’ – *even when one of the children is in a wheelchair and will not be able to participate*
- ‘You should all read this article for homework’ – *even when one of the children is a non-native speaker and cannot read the language*

These children cannot join in and are deprived of opportunities because we have **failed to make allowances** for their different abilities or for obstacles they face.

7. Forms of discrimination: Structural

Structural discrimination is used to describe the **rules, behaviours or norms** which exist in society or in an institution, creating obstacles for particular groups.

For example:

- The common prejudice that ‘Roma are criminals’ affects the way they are viewed and treated by the police, by teachers and other children, and by society as a whole.
- When children without parental care turn 18, they can no longer rely on support from the state – or their parents.
- The perception by many that homosexual relationships are not ‘normal’, or are ‘unhealthy’ means that children do not always feel free to discuss such relationships or to become involved with someone of the same sex.

“Young people are really scared because they must leave when they turn 18. I have heard that some of them even skip class to stay in the home one more year.”

Young person in alternative care
(Voices video)



8. What does it mean for our practice?

- Always think about the assumptions you are making in relation to children from disadvantaged groups
- Remember that children in care are disadvantaged in many respects: look out for difficulties they face
- Always try to perceive any obstacles which might prevent some children from enjoying their rights fully
- Treat children as individuals and relate to each decision on a case-by-case basis

- We should **not treat two children differently** just because – for example – one has a different ethnic identity, disability, sexual orientation or gender...
...when none of these is relevant to the decision or treatment in question
- We should **make allowances** and **actively support** a child when – for example – their ethnic identity, disability, sexual orientation or gender means that they are **disadvantaged** and cannot enjoy their rights equally
- We should be aware of **opportunities** which children in care are not able to take up or behaviour they suffer because of the fact that they are in care
- We should **question** and **challenge** the structural assumptions, rules and norms which disadvantage certain children



Notes

- > Point participants to page 22 and pages 43-45 in Securing children's rights, which look at non-discrimination

Task for reflection

Do you work with any children who are...

- >>> Female?
- >>> Disabled?
- >>> Non-native language speakers?
- >>> Roma?
- >>> Immigrant?
- >>> Gay?
- >>> Transgender?
- >>> Black African or Asian?
- >>> Members of an ethnic or religious minority?
- >>> Members of any other groups which commonly experience discrimination?

Can you think of any obstacles these children have faced compared to children who are not members of such groups?



SESSION
Meeting
the challenge

7

SESSION 7:

MEETING
THE CHALLENGE

Summary

A great deal of information has been covered, so this session and the next are opportunities for participants to begin thinking about how they can apply it in practice. In this session, they will prepare for a role play which will simulate some of the conversations they might have on returning to their place of work.

Session plan

1	Introduction to the final two sessions	5 mins
2	Presentation and discussion: Telling young people about their rights	25 mins
3	Introducing the role play	10 mins
4	Activity: Preparing for the role play in small groups	30 mins
5	Role play: Conversation 1	20 mins

Aims

- To consolidate the learning from previous sessions
- To understand the importance of involving young people and enlisting their support for effective implementation of children's rights
- To anticipate challenges when implementing children's rights and explore strategies for addressing them

Preparation and materials needed

- If possible, try to type up the questions which participants wrote on post-its at the beginning of the day. If you cannot do this, make sure you have these post-its available
- Make sure participants bring copies of *Discover your rights!* to the session
- Make copies of the role cards on page 97 and 98. There should be enough copies of each card for a quarter of the group: if you have 20 participants, make 5 copies of each role card.
- Groups will need flipcharts and markers
- Prepare slides from the presentation notes on page 94 and 95

Instructions for the session

Introduction to the final two sessions



1. Begin the session by recognising that a number of new concepts and ideas have been introduced over the course of the training. This has probably left a large number of questions in participants' minds. Explain that this session and the next will be used to address 4 key questions:
 - > What does this mean for our work and how can we implement it in practice?
 - > What are the difficulties and challenges we are likely to face?
 - > What support are we likely to need or what would help us?
 - > Who can support and help us – and how?
2. Explain that the questions (above) will mainly be addressed through a role play in which participants imagine the discussions they might have on returning to their place of work – first with young people, and then with their managers and people responsible for policy. This activity will take up part of this session and part of the next.

Presentation and discussion: Telling young people about their rights



3. Ask participants what they would think about sharing the content of this workshop with the young people they work with. Would they feel happy to do this?
4. Draw out a few comments: you could make 2 lists on a flipchart:
 - Reasons for sharing everything
 - Concerns we have about sharing everything
5. Use the points in the presentation (beginning with page 94) to supplement the answers given by participants. Remind them that it is not really a matter of choice! Adults with responsibilities for young people have a duty to inform them about their rights.
 - > Invite participants to spend about 10 minutes looking through *Discover your rights!* with their neighbour. Ask them to consider in particular the pages with 'notebooks' (see pages 12, 18, 22, 24, 26, 30).
 - > Would these activities be useful for the young people they work with?
6. Ask for brief comments after about 10 minutes. Then introduce the role play.

Introducing the role play



7. Explain that this activity is intended to:
 - > Enable participants to process the content of the workshop
 - > Prepare them for conversations they might have on returning to their workplace
 - > Think through some of the challenges which they might face – and explore strategies for resolving these challenges
8. Tell them that there will be 2 'conversations' played out in the role play. The first will be with young people and the second will be with managers and officials responsible for policy. You could show them the images on page 86 to explain the process.
9. Divide participants into 4 groups – 2 groups for each 'conversation'.

Conversation 1:

- **Group A:** Care professionals (1)
- **Group B:** Young people

Conversation 2:

- **Group C:** Care professionals (2)
- **Group D:** Policy managers

10. Hand out the role cards and ask participants to read through their card. Check that the task is clear and tell groups that they will have 30 minutes to prepare for their conversation. Explain that the first conversation will take place before the break, and the second will take place in the final session.
11. Before breaking up for group work, display the questions from post-its which participants introduced at the start of the day. Ask participants to make a note of any (particularly from Colour 2) which they think might be relevant to their group.

Activity: Preparing for the role play in small groups



12. When they have done this, tell them they can begin to prepare in their groups.

Tips

- You may want to remind Groups B and D, in particular, that this activity is designed to **help them in their work!** For that reason, they should try not to create caricatures of young people or policy managers, but should imagine some of the reasonable concerns that members of these groups might have.

Role play: Conversation 1



13. After 30 minutes, call all groups back together for the first conversation. Arrange the chairs so that the care professionals from Group A are sitting opposite the 'young people'.
14. Remind them that the conversation will begin with brief presentations from the 2 groups – and tell them that you will stop each presentation at 4 minutes so that there is enough time for questions and discussion.
15. Invite the care professionals to give their presentation, then the young people. Then open the floor to questions.

Tips

- You could allow some questions from representatives of the other 2 groups if time allows. However, it is recommended that you give priority to members of this 'conversation' and remind the others that they will be able to pick up points after the break. They could note down anything they think will be relevant to their conversation.
- During the questioning, encourage people to be brief in their comments or questions.
- Try to make sure that all members of these 2 groups have a chance to contribute: give priority to anyone who has not yet spoken.

16. Call an end to the conversation after 20 minutes and tell them that the next session will begin with presentations from Groups C and D.

BACKGROUND RESOURCES

Meeting the challenge

Contents

Presentation: Telling young people about their rights	94
Activity: Outline of process (images)	96
Activity: Role cards	97

Presentation: Telling young people about their rights

1. Three types of reasons:

"We see good results when done in a cooperative manner - we see them in universities, and with jobs, with their own families: we can see the results of our work."

Social worker

There are different types of reasons why we need to make sure that children have a proper understanding of their rights:

1. **Ethical reasons** – it's the right thing to do
2. **Pragmatic reasons** – it will help the child and it will help us in our work with the child
3. **Legal reasons** – we have obligations to do so under the CRC (and other laws)

2. Young people have a right to know their rights!

- **Article 29** of the CRC gives children the right to education which is directed to the 'development of respect for human rights and fundamental freedoms'.
- **Article 13** of the CRC gives children the right to 'receive and impart information and ideas of all kinds'.

3. A set of moral values

Understanding human rights and children's rights gives young people a set of **moral standards** which they can apply both to their own behaviour, and to the behaviour of adults they come into contact with.

Young people should know, for example, that abusing or tormenting anyone is wrong – whether the abuse is carried out by a parent, a teacher or care worker, or even by themselves against another child.

They should know that they are **entitled** to treatment that respects their rights; and they should know that they must respect the rights of others.

4. Confidence and empowerment

Clear moral standards can help to **empower** young people. They give them the confidence to **challenge behaviour** which violates their rights or violates the rights of others.

- This is important for their **development** and **emotional well-being**
- It is important for building a **culture of respect** for children’s rights
- It is also important for **accountability**...

“I am a young person who has been raised in alternative care. My experience has shown me that if there is support, you can change your life; you can achieve your expectations and be an active member of society.”

Young person from alternative care



5. Accountability

If violations of rights are not identified and either challenged or made the subject of a complaint, there cannot be accountability.

Young people need to feel able to **assert their rights** and they need to feel that any **complaints will be taken seriously**.

Accountability means...

- Ensuring that there are adequate systems for **monitoring violations** and making **complaints**
- Making sure that young people know about and are able to use these mechanisms (with privacy, if needed)
- Following up and acting on any reports of violations

6. Building trust

If young people feel that their rights are being respected, and they feel that decisions are taken in their best interests, this will help to develop more open and **trusting relationships**.

- They will be more likely to bring any concerns to you
- They will be more likely to treat *you* with respect
- They will learn to trust and learn to take responsibility for others

“Children are happy to learn and know about rights and they feel and understand their responsibilities.”

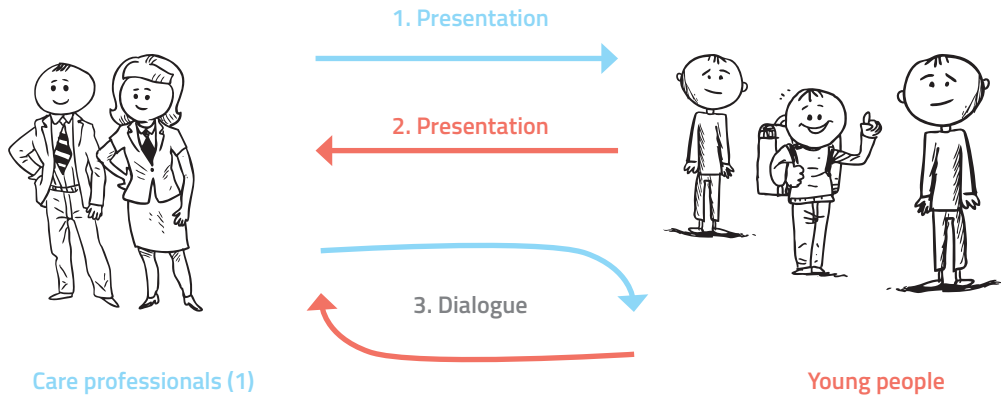
Social worker



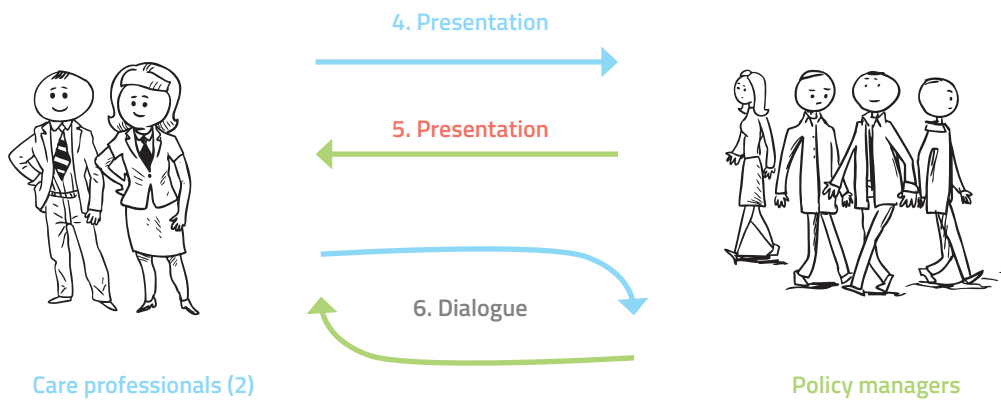
An open and trusting relationship with the children you work with is better for the children, and will be more fulfilling for you!

Activity: Outline of process (images)

Conversation 1



Conversation 1



Activity: Role cards

Care professionals (Group 1)

Presentation to young people

You will be doing a presentation to young people between the ages of 14 – 16 on children's rights. The presentation needs to address **what it is important for them to know about the topic** – both for them, and for you to be better able to implement child rights in your work.

- Your presentation should last no more than 4 minutes and then the young people will respond. There will then be about 10 minutes for you to discuss any differences of opinion. You will need to try to find a common approach and understanding of the best way forward.
- Remember your audience! Make the presentation as understandable and as relevant to their needs as you can. How can you gain their trust and engage them to support you in your efforts?

Focus on the following questions:

- What do **you** (young people) need to know about children's rights, and why?
- How will it affect the way we work with you?
- What can **you** (young people) do to support us in engaging those who are responsible for child care policy?

Care professionals (Group 2)

Presentation to managers and policy officials

You will be doing a presentation to your managers and other officials responsible for child care policy. The presentation is designed to address **what you think it is important for these officials to know** (and do) so that you will be better able to implement child rights in your work.

- Your presentation should last no more than 4 minutes and then the officials will respond. There will then be about 10 minutes for you to discuss any differences of opinion. You will need to try to find a common approach and understanding of the best way forward.
- Remember your audience! How will you convince this group that children's rights are important – and that you need their support?

Focus on the following questions:

- Why are children's rights important in alternative care?
- How should it affect the way we work with young people?
- What can **you** (managers and policy officials) do to support us in implementing children's rights?

Young people

Presentation to care professionals

You are a group of young people – between 14 and 16 years old. You will be meeting with a group of your care workers later on to hear about how they understand children's rights, and how they plan to make sure your rights are respected. You will then need to respond.

- You should prepare a 4 minute presentation to outline **what you think it is important for your care workers to know** (and do) so that your rights are respected. There will then be about 10 minutes for you to discuss any differences of opinion. You will need to try to find a common approach and understanding of the best way forward.
- Remember your audience! How can you reassure your care workers that this is important, and that you will exercise your rights responsibly?

Focus on the following questions:

- Why are children's rights important for you (young people)?
- Why are children's rights important for care professionals?
- What changes would you like to see in the way care professionals work with you? Think about the issues that young people are most likely to be concerned by.

Managers and policy officials

Presentation to care professionals

You are a group of people responsible for child care policy. You will be meeting with a group of care workers to hear about their wish to see better implementation of children's rights. You will need to give your response.

- You should prepare a 4 minute presentation to address some of the **policy areas you think they are likely to identify as problematic for children's rights**. There will then be about 10 minutes for you to discuss any differences of opinion. You will need to try to find a common approach and understanding of the best way forward.
- Remember your audience! How can you reassure care workers that you will support them in implementing children's rights?

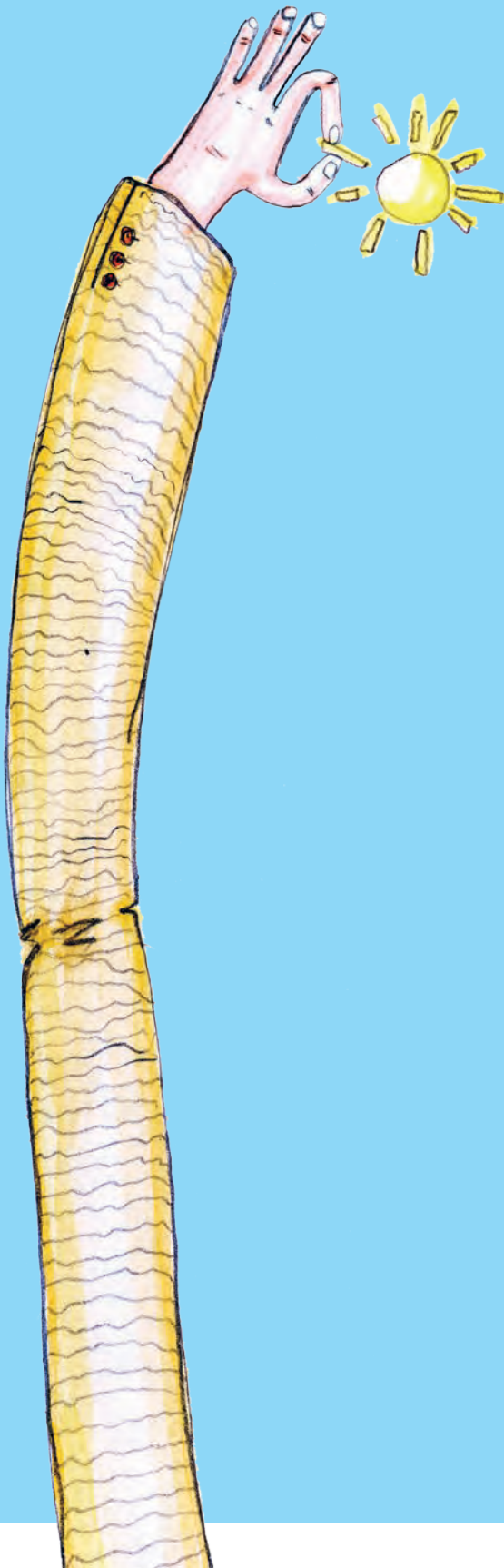
Focus on the following questions:

- Which policies or policy areas present challenges for implementing children's rights?
- Which of these challenges can you (policy managers) address, and how?
- Are there any policies or policy areas which are you not willing or able to revise?

SESSION

Taking it
forward

8



SESSION 8:

TAKING IT
FORWARD

Summary

The final session completes the role play and explores its relevance to participants' work. We also examine the networks of individuals and institutions with which care professionals come into contact – and consider the ways that they might be able to offer support. The session and the training end with a few activities to evaluate the training.

Session plan

1	Role play: Conversation 2	20 mins
2	Debriefing the activity	30 mins
3	Activity: Networks and support systems	20 mins
4	Evaluation and close - The best thing... the worst thing - Evaluation form and close	20 mins

Aims

- To address some of the managerial or structural challenges to implementing children's rights
- To reflect on the role play and discuss the ways that different groups can play a supportive role
- To evaluate and close the workshop

Preparation and materials needed

Materials

- Slides for the presentation (if desired)
- Post-it notes
- Evaluation forms



Instructions for the session

Role play: Conversation 2



1. Welcome participants back and invite Groups C and D to proceed with the second conversation. Run this in the same way as before, with a presentation from each group followed by discussion.

Debriefing the activity



2. At the end of the role play, bring participants back to the circle and ask people to get out of role. You could go once round the circle, asking everyone to say their name and one thing about themselves – for example:
 - > 'I am Elena and I live in Brno.'
 - > 'I am Alhaz and I like playing hockey.'
3. Then explain that we will use the next 30 minutes to reflect on the role play and think about lessons for our practice.

Begin by asking each of the 4 groups to feed back briefly on how they felt during the activity:

- Did you find it easy to carry out your role? What was easy and what was difficult?

Then ask the whole group:

- Do you think the conversations were realistic? Can you imagine that they might proceed like this in real life?
- How useful were the conversations for your real work?
 - > Did they anticipate any new challenges?
 - > Did they help to resolve any problems or concerns?
- Do you have any other comments on the activity and its relevance to your work?



Activity: Networks and support systems

4. As a final brief activity, ask participants to reflect on the networks of people and institutions that surround their work. Two groups were considered in the role play, but participants work with many others...
5. Take 3 post-its and write down the groups that featured in the role play: care workers, young people and policy managers. Stick these on a flipchart, making sure that the 'care workers' post-it is at the left hand side, on the horizontal axis. See the example on page 104, which also includes a few other groups.
6. Now ask participants to think about how they view these groups in relation to their own work. Acknowledge that when work is difficult, we often see demands from others as a 'burden' and do not recognise that they may be able to offer support.
7. Draw 2 axes on the flipchart, as in the diagram, and explain that we will be adding more groups to the graph – on additional post-its – according to the following scheme:
 - **The vertical axis** represents the extent to which a group imposes *demands* on participants: a group at the top of the flipchart is seen as highly demanding; one at the bottom is seen as supportive or potentially supportive.
 - **The horizontal axis** represents the closeness of the relationship: a group nearby is closer than one at the right hand side of the flipchart.
8. Hand out post-its and suggest that participants write down some of the groups or individuals that they could turn to for support – to be placed below the line on the flipchart.

Tips

- Tell them that these can be very individual! People can write down members of their own family or close friends as well as including people in professional networks.
- Encourage them to include any group or individual who might be able to offer support or advice on certain questions: they do not have to be supportive on all questions, at all times!
- Tell them that groups may appear both above and below the line: they may be supportive on some issues, and a 'burden' on others.

9. At the end of the activity, point to the number of groups which have been identified as potentially supportive and use the points from page 105 to make some brief concluding remarks.
10. Tell participants that as the training is approaching its close, you would like their feedback on the 2 days. Explain that it is important that they feed back honestly as this will help to improve future trainings.

Evaluation activity: The best thing, the worst thing...



11. Bring people back to the circle. Remind them that you have spent 2 days in intensive activity – and that people will soon be going their separate ways! Tell them that you would like everyone to complete 2 sentences - in a very few words. Tell them that there will be no discussion of people's statements.

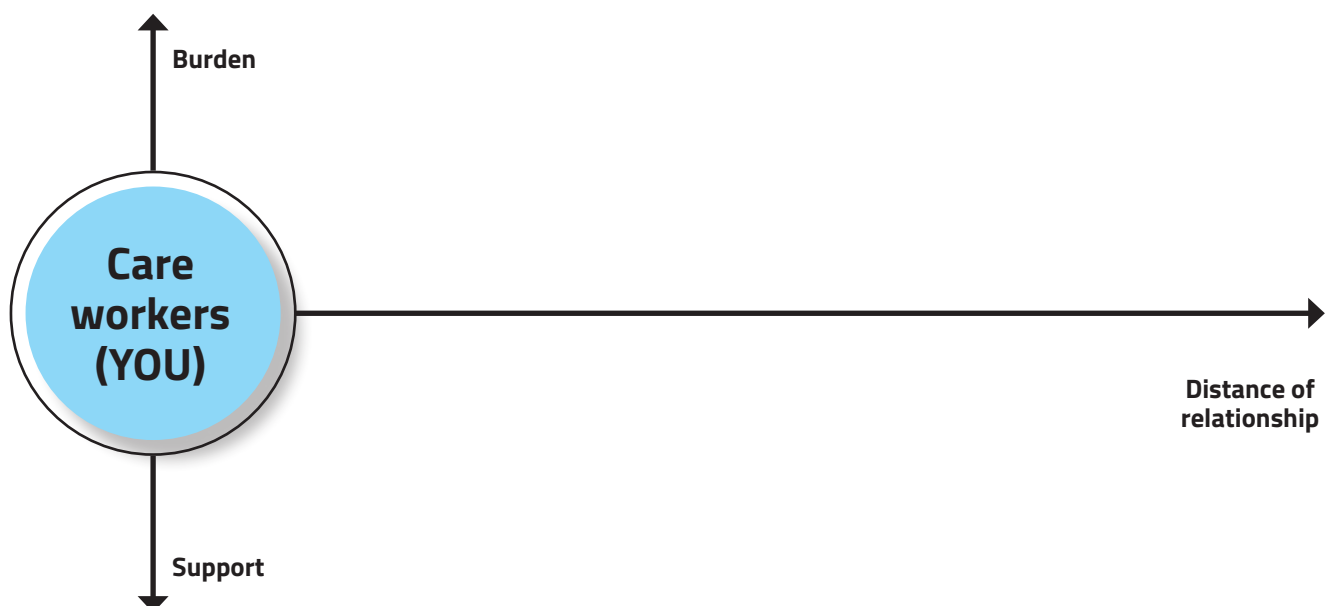
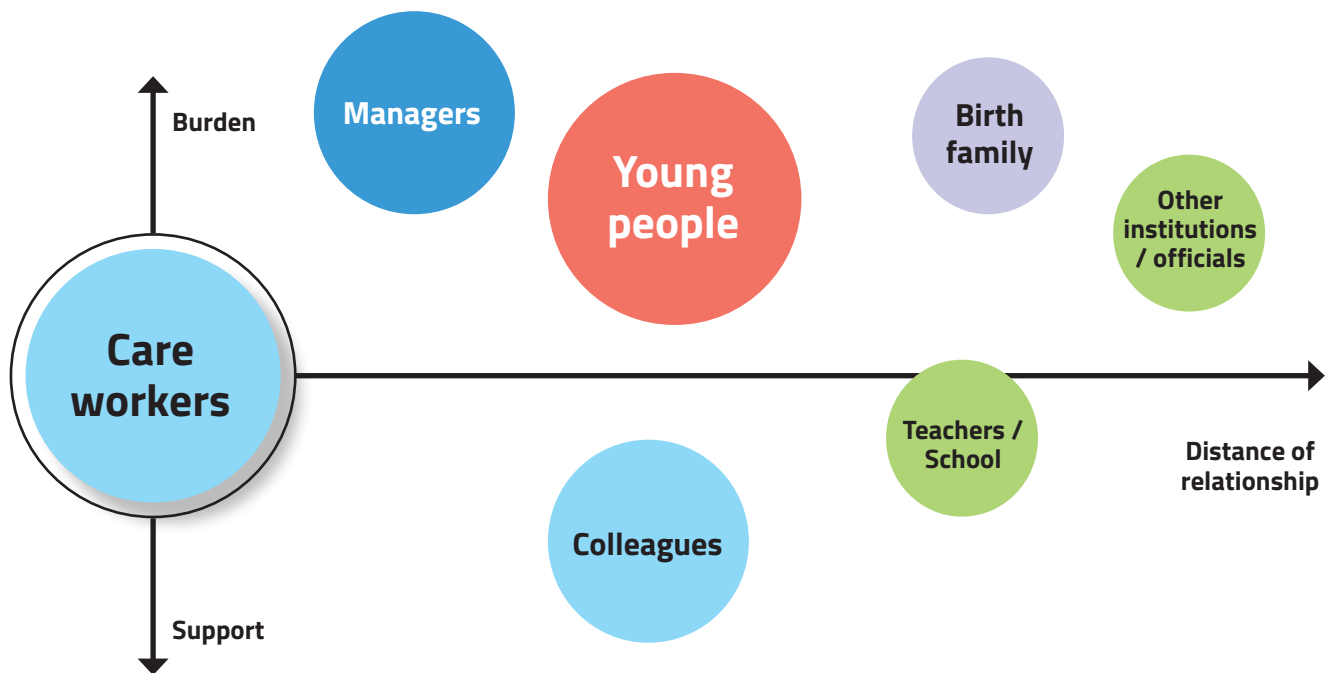
Statement: 'The worst thing about the training was ... The best thing was ...'

12. Start the circle by offering your own 'worst' and 'best' things about the training. If there are two trainers, let one begin the circle and the other finish it.
13. Ask for a volunteer to go next. Then move on to the next person in the circle:
14. When everyone has completed the statement, thank the participants. Tell them if there are any plans to follow up on the training or opportunities for them to receive further support.
15. Remind them to fill out the evaluation forms before leaving – and wish them a pleasant journey!

BACKGROUND RESOURCES

Taking it forward

Networks and support systems: example



Concluding remarks

Try to draw out some encouraging remarks from the last activity – and from the workshop as a whole:

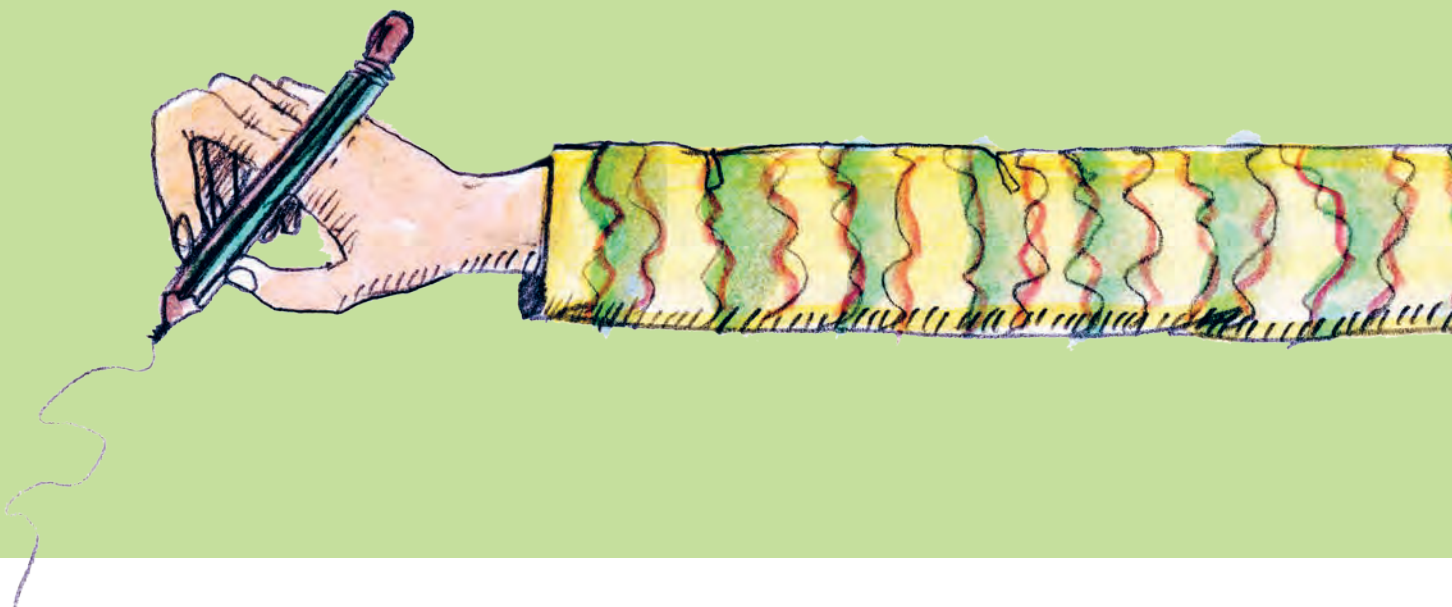
- Participants **should not feel that they are alone** in trying to implement children’s rights, nor should they feel that they have sole responsibility for doing so!
- Remind them that **support systems** are often to be found where we do not expect them, and can often be created if we reach out: people like to feel involved!
- In particular, remind them that often the best people to talk through particular challenges are the **young people themselves**. Encourage them to think about sharing concerns or reflections with the young people they care for. Apart from meeting the obligations to involve young people, this will also help to develop important skills and build trust and responsibility.
- Encourage them to **share ideas from the workshop** with colleagues, and with managers, if this seems possible. Dripping the ideas into people’s consciousness will help them to become accepted and normalised; and an atmosphere where everyone is working for children’s rights will be better for children and better for adults.
- If you have the possibility to organise follow-up for the training – either in person or on-line – suggest this to participants. Find out if they feel it would be helpful. You could also encourage them to set up **support groups** in their locality: for example, monthly meetings with colleagues to discuss child-rights related issues.
- Remind them not to feel daunted by the technical or legal aspects of children’s rights, nor to assume they need to have a thorough understanding of all these aspects: the values at the heart of children’s rights are **intuitive and universal** and, to a large extent, are the very values which already guide the work of participants.
- Inform them that organisations like SOS Children’s Villages are working at national level and with different institutions to embed children’s rights in **policies and practices** – not least, by raising awareness of the UN Guidelines.

Participants should feel that they are part of a larger endeavour!

- Thank them for the **invaluable work** they do. Recognise the **numerous challenges** they face. Reassure them that incorporating the ideas they have discussed at the workshop will enhance the work they do and will offer **substantial rewards** – not only for young people, but also for themselves.



APPENDICES



Appendix 1

UN Convention on the Rights of the Child (Youth-friendly version)

"I'VE GOT RIGHTS!"



SOS CHILDREN'S
VILLAGES

UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD In Youth-Friendly Language

1 Everyone under 18 has these rights.

2 ALL CHILDREN have these rights, no matter who they are, where they live, what their parents do, what language they speak, what their religion is, whether they are a boy or girl, what their culture is, whether they have a disability, whether they are rich or poor.



3 When adults make decisions, they should think about how their decisions will affect children.

4 The government has a responsibility to make sure your rights are protected. They must help your family to protect your rights and create an environment where you can grow and reach your potential.

5 Your family has the responsibility to help you learn to exercise your rights, and to ensure that your rights are protected.

6 You have the right to be alive.

7 You have the right to a name, and this should be officially recognized by the government. You have the right to a nationality (to belong to a country).

8 You have the right to an identity – an official record of who you are. No one should take this away from you.

9 You have the right to live with your parent(s), unless it is bad for you. You have the right to live with a **FAMILY** that cares for you.

10 If you live in a different country than your parents do, you have the right to be together in the same place.

11 You have the right to be protected from kidnapping.



12 You have the right to give your opinion, and for adults to listen and take it seriously.

13 You have the right to find out things and share what you think with others, by talking, drawing, writing or in any other way unless it harms or offends other people.

14 You have the right to choose your own religion and beliefs. Your parents should help you decide what is right and wrong, and what is best for you.

15 You have the right to choose your own friends and join or set up groups, as long as it isn't harmful to others.

16 You have the right to privacy.

17 You have the right to get information that is important to your well-being, from radio, newspaper, books, computers and other sources. Adults should make sure that the information you are getting is not harmful, and help you find and understand the information you need.

18 You have the right to be raised by your parent(s) if possible.

19 You have the right to be protected from being hurt and mistreated, in body or mind.

20 You have the right to special care and help if you cannot live with your parents.



21 You have the right to care and protection if you are adopted or in foster care.

22 You have the right to special protection and help if you are a refugee (if you have been forced to leave your home and live in another country), as well as all the rights in this Convention.

23 You have the right to special education and care if you have a disability, as well as all the rights in this Convention, so that you can live a full life.



24 You have the right to the **BEST HEALTH** care possible, safe water to drink, nutritious food, a clean and safe environment, and information to help you stay well.

25 If you live in care or in other situations away from home, you have the right to have these living arrangements looked at regularly to see if they are the most appropriate.



26 You have the right to **HELP** from the government if you are poor or in need.

27 You have the right to food, clothing, a safe place to live and to have your basic needs met. You should not be disadvantaged so that you can't do many of the things other kids can do.

28 You have the right to a good quality education. You should be encouraged to go to school to the highest level you can.



29 Your **EDUCATION** should help you use and develop your talents and abilities. It should also help you learn to live peacefully, protect the environment and respect other people.

30 You have the right to practice your own culture, language and religion – or any you choose. Minority and indigenous groups need special protection of this right.

31 You have the right to play and rest.



32 You have the right to protection from work that harms you, and is bad for your health and education. If you work, you have the right to be safe and paid fairly.

33 You have the right to protection from harmful drugs and from the drug trade.

34 You have the right to be free from sexual abuse.

35 No one is allowed to kidnap or sell you.

36 You have the right to protection from any kind of exploitation (being taken advantage of).

37 No one is allowed to punish you in a cruel or harmful way.

38 You have the right to **PROTECTION** and freedom from war. Children under 15 cannot be forced to go into the army or take part in war.

39 You have the right to help if you've been hurt, neglected or badly treated.

40 You have the right to legal help and fair treatment in the justice system that respects your rights.

41 If the laws of your country provide better protection of your rights than the articles in this Convention, those laws should apply.



42 You have the right to know your rights! Adults should know about these rights and help you learn about them, too.



43 to 54 These articles explain how governments and international organizations like SOS Children's Villages and UNICEF will work to ensure children are protected.

SOS Children's Villages thanks UNICEF for kindly permitting the use of their youth-friendly text for this educational poster.

unicef

For more information visit
www.sos-childrensvillages.org



SOS CHILDREN'S
VILLAGES

Appendix 2

UN Guidelines for the Alternative Care of Children

The primary basis for understanding the rights of children in care or at risk of separation from their family is the Convention on the Rights of the Child (CRC). However, recognition of the numerous violations which these children commonly experience led to the drawing up of the UN Guidelines for the Alternative Care of Children. These Guidelines were approved by consensus in the United Nations General Assembly in 2009. They provide authoritative guidance on the implementation of children's rights under the CRC.

The UN Guidelines are primarily designed for policy makers and offer concrete guidance to improve both policy and practice: they emphasise the overarching responsibility of government for the regulatory framework of registration, authorisation and monitoring of the care and welfare system.

However, for practitioners the Guidelines are also useful. They make it clear that care professionals must be given training and support to ensure that they have the knowledge and skills to provide the best possible quality of care. For example, care professionals should be able to encourage active participation, they should understand the need to respect the views of children in decisions which affect their lives, and they should inform them of their rights and support their full development.

The Guidelines and their implications for policy and practice can be summarised with reference to some basic principles and approaches:

Principle of necessity

- No child should be placed in alternative care when the family could have been supported to provide care.
- Removal from the family should be the last resort.
- Family strengthening to prevent separation and promote reintegration is key!

Principle of appropriateness

- If 'necessity' is established then the placement of a child in any form of care must meet the specific needs of that child, or children, in the case of siblings.
- All forms of alternative care must meet quality standards and must respect and promote all the rights of children and provide suitable individualised care and attention.

Best interests of the child

- All decision-making processes concerning 'necessity' and 'appropriateness' must be committed to effective participation and to determining, on a case-by-case basis, what is in the best interests of the child, or children in the case of siblings.

Range of options

- One-size does not fit all! A suitably diverse range of family support and alternative care options need to be in place to ensure that responses are appropriate and tailored on a case-by-case basis.

Non-discrimination

The Guidelines address issues of discrimination which cause children to be taken into care, and which may affect them while in care:

- The Guidelines note that family separation can be the result of many single or multiple factors, often resulting from discrimination on the basis of ethnicity, religion, gender or disability. They also make it clear that poverty should never be the primary factor in determining the necessity of a placement in care.
- The Guidelines are committed to promoting non-discrimination at any and all stages of a family or child's engagement with the care and welfare system. When support is needed, all children and their families must have equal access to services regardless of their particular status or circumstances.

Note:

The publication *Moving Forward: Implementing the 'Guidelines for the Alternative Care of Children'* offers a useful guide to implementing the UN Guidelines. It can be found at: <http://www.alternativecareguidelines.org/>

Appendix 3

Universal Declaration of Human Rights, Abbreviated Version (Adopted and Proclaimed by the United Nations on 10 December 1948)

Article 1 - Right to Equality

Article 2 - Freedom from Discrimination

Article 3 - Right to Life, Liberty, Personal Security

Article 4 - Freedom from Slavery

Article 5 - Freedom from Torture and Degrading Treatment

Article 6 - Right to Recognition as a Person before the Law

Article 7 - Right to Equality before the Law

Article 8 - Right to Remedy by Competent Tribunal

Article 9 - Freedom from Arbitrary Arrest and Exile

Article 10 - Right to Fair Public Hearing

Article 11 - Right to be Considered Innocent until Proven Guilty

Article 12 - Freedom from Interference with Privacy, Family, Home and Correspondence

Article 13 - Right to Free Movement in and out of the Country

Article 14 - Right to Asylum in other Countries from Persecution

Article 15 - Right to a Nationality and the Freedom to Change It

Article 16 - Right to Marriage and Family

Article 17 - Right to Own Property

Article 18 - Freedom of Belief and Religion

Article 19 - Freedom of Opinion and Information

Article 20 - Right of Peaceful Assembly and Association

Article 21 - Right to Participate in Government and in Free Elections

Article 22 - Right to Social Security

Article 23 - Right to Desirable Work and to Join Trade Unions

Article 24 - Right to Rest and Leisure

Article 25 - Right to Adequate Living Standard

Article 26 - Right to Education

Article 27 - Right to Participate in the Cultural Life of Community

Article 28 - Right to a Social Order that Articulates this Document

Article 29 - Community Duties Essential to Free and Full Development

Article 30 - Freedom from State or Personal Interference in the above Rights

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Appendix 4

Assessment and evaluation forms

The first form should be filled out in advance of the training, if you have the possibility to do so.

Pre-assessment form

Please fill out this form as honestly as you can: **the purpose of the form is to give the trainers a picture of the group as a whole and to assess the effectiveness of the training.**

Name: _____

Institution: _____

1. How would you assess your knowledge of children's rights? Please tick one box.

Excellent	Very good	Average	Fairly good	Very basic or non-existent
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. How frequently do you refer to children's rights in your work? Please tick one box

All the time / every day	Fairly often	Occasionally	Not very often	Never / almost never
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Please indicate how much you agree with the following statements. Tick one answer.

"Children's rights are relevant to my daily work."

Fully agree	Mostly agree	Mostly disagree	Completely disagree	Not sure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

"An understanding of children's rights is helpful for adults working in alternative care."

Fully agree	Mostly agree	Mostly disagree	Completely disagree	Not sure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please briefly explain your answer to the above 2 statements:

“There are some areas of my work with young people where children’s rights are not important.”

Fully agree	Mostly agree	Mostly disagree	Completely disagree	Not sure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please briefly explain your answer:

“All children in alternative care should have a good understanding of children’s rights.”

Fully agree	Mostly agree	Mostly disagree	Completely disagree	Not sure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please briefly explain your answer:

Please add any further comments you think might be important or relevant:

This form is to be filled out by participants at the end of the training.

Evaluation form

Please fill out this form as honestly as you can: the purpose of the form is to assess the effectiveness of the training and help us to adapt it for future groups.

Name: _____

Institution: _____

The first set of questions was included in the pre-assessment form. Please give your new responses now that you have attended the course:

1. How would you assess your knowledge of children's rights? Please tick one box.

Excellent	Very good	Average	Fairly good	Very basic or non-existent
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Please indicate how much you agree with the following statements. Tick one answer.

"Children's rights are relevant to my daily work."

Fully agree	Mostly agree	Mostly disagree	Completely disagree	Not sure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

"An understanding of children's rights is helpful for adults working in alternative care."

Fully agree	Mostly agree	Mostly disagree	Completely disagree	Not sure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please briefly explain your answer to the above 2 statements (if you have changed your mind):

“There are some areas of my work with young people where children’s rights are not important.”

Fully agree	Mostly agree	Mostly disagree	Completely disagree	Not sure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please briefly explain your answer (if you have changed your mind):

“All children in alternative care should have a good understanding of children’s rights.”

Fully agree	Mostly agree	Mostly disagree	Completely disagree	Not sure
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please briefly explain your answer (if you have changed your mind):

Questions on the training:

1. Please assess the following on a scale of 1 – 5

1	2	3	4	5
Excellent	Very good	Good / average	Not very good	Not good at all

The training overall

The quality of presentations / information delivered

Usefulness of the course for your work

Opportunities for participant interaction and sharing

Practical organisation

Please add any further comments if you would like to:

2. Please tell us one idea from the course that you would like to convey to colleagues on returning to work:

3. Please tell us one thing you will try to do, or will do differently as a result of the course:

4. Do you have any recommendations for future courses that you would like to share?

Any other comments:
