

STATEMENT ON CHILDREN'S RIGHTS IN NORTHERN IRELAND 2

CHILDREN AND YOUNG PEOPLE'S RESOURCE PACK



EDUCATION INEQUALITIES

What does the UNCRC say?

Article 28: Access to education

Every child has the right to an education. Primary education should be free. Secondary and higher education should be available to every child. Children should be encouraged to go to school to the highest level possible. Discipline in schools should respect children's rights and never use violence.

Article 29: Aims of education

Children's education should help them fully develop their personalities, talents and abilities. It should teach them to understand their own rights, and to respect other people's rights, cultures and differences. It should help them to live peacefully and protect the environment.

What does the UNCRC Committee say?

- The government should work harder to make sure that you fulfil your potential at school whatever your background or any disabilities you might have. It should fulfil your right to an inclusive education, including for newcomer children who haven't had experiences of a formal education like we have here in Northern Ireland.
- Government should abolish the unofficial transfer tests (academic selection) at P7.
- Schools should only suspend or expel you as a last resort, and shouldn't 'informally'

exclude you. They should try to reduce the number of children being expelled from school through working closely with social workers and educational psychologists, and use other methods such as mediation and restorative justice (This is where the school community agrees a way in which the person who could be expelled can take action to make up for what they have done).

- If you are suspended or expelled, you have the right to challenge this, and you should be given legal support to do this.
- Schools should not use isolation rooms as a punishment.
- In Northern Ireland, government should try to make sure the education system is fully integrated and should carefully monitor 'Shared Education' projects to make sure it really helps you to mix with children and young people from different communities.
- Government should make sure they give enough money for the care and education of very young children to help them develop, with a particular focus on vulnerable groups of children.
- In school, every child and young person must be taught about their rights.
- Do more to tackle bullying in schools, including through human rights lessons, building respect for people's differences, improving conflict resolution skills, recording bullying incidents, and involving students in efforts to tackle bullying.



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What's the situation in NI?

Over the last number of years, Northern Ireland's school population has continued to get larger and more diverse. There are now nearly 349,000 pupils in schools across Northern Ireland – 174,000 in primary schools and 145,000 in post-primary schools.

Northern Ireland has a number of different types of school at both primary and post primary level that cater for the education choices made by children and their parents and also individual learning needs of pupils. The UNCRC makes it clear that all children should receive a good quality education that meets their needs and supports them to develop their skills, talents and abilities. This includes pupils with a Special Educational Need (such as a learning or physical disability), those with English as a second language and those who are educated outside mainstream school. Currently about 5% of the school population are newcomer children and almost 20% of children have a Special Educational Need.

In 2018 we asked the government to:

Make sure all children and young people have equal access to all elements of education by:

1. End the achievement gap that prevents some pupils, because of their social and financial backgrounds, to reach their full potential;
2. Remove all barriers that prevent any child's full access to a child rights compliant education system;
3. Turn the focus of education away from purely academic success to adequate support that will best develop pupils' abilities. This includes pastoral support such as counselling if needed; and
4. Look at how we fund education in Northern Ireland, and whether the money needed to make sure that all children have access to an effective education, can be found through streamlining the education system.

So how is NI doing at reducing education inequalities?

NICCY believes that there has not been a lot of progress on the calls made in 2018. There are still a lot of inequalities in the education system in Northern Ireland and too many children and young people are not able to fully enjoy their rights to a good education. There are a number of areas that government needs to improve on.



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Barriers to an effective education for all children and young people

Some groups of children are being left behind when it comes to reaching their potential at school. This includes children in care; Roma and Traveller children; newcomer children; children with a disability, children with additional needs, children from poorer backgrounds, and those entitled to free school meals. While not all children in those groups will be affected it is important to find how they can be supported properly. Children who are educated outside of schools (e.g., in Alternative Education, hospitals, secure care, etc.) are also at risk.

NICCY asked children and young people to tell us what were the main issues in education:

- The pressure put on young people to do well in exams;
- The cost of education for families;
- Academic selection;
- Children and young people not having a voice in schools about the issues that affect them; and
- Insufficient mental health and well-being supports in schools.

It is important that government tackles these barriers to make sure all children and young people can reach their potential in education.

Barriers for children and young people with a Special Educational Need

In March 2020 NICCY produced a report on the particular barriers for children with a special educational need. The barriers include:

- Children often aren't assessed early enough by an educational psychologist so they can get all the support they need. This is made worse by schools not being given enough time or slots available for assessments.
- The process in place for making sure children get the right kind of support is not quick or effective enough.
- Some schools don't have enough money or staff to be able to help all children with Special Educational Needs (SEN).
- Children and their families need more support throughout the process until they get the help they need.
- It is not clear how decisions are made in the SEN system, especially for children who need extra support in mainstream schools.
- Clear information is needed for parents and carers who are trying to get help for their child.



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- Schools and other support services are not listening to children and young people about how they find the process.
- Education and health services need to communicate and coordinate better to make sure children and young people get help quickly and follow up on whether it is working.

While NICCY understands that the SEN system is under pressure, it is important to make sure all children and young people with SEN get the support they need quickly so this doesn't affect their education and well-being. Government must make sure all children can fully enjoy their rights and they should put plans and laws in place to make sure that the problems with the SEN system are addressed.

Making well-being a priority in schools

It is not clear whether the aims of education set out in article 29 of the UNCRC are being met as this is not properly recorded by schools. NICCY would like the Minister for Education to make it a priority for children and young people's well-being to be developed in schools as well as how they do in exams.

The Education Authority carried out a report to find out key issues affecting children and young people's well-being

Age group	All ages	Age 9-13	Age 14-25
Top 5 issues	Exam Stress (45.9%) Boredom (34.5%) Body Image (34.4%) Confidence (32.7%) Mental Health (30.2%)	Bullying (40.5%) Racism (31.2%) Mental Health (29.8%) Internet Safety (29.6%) Physical Health (29.5%)	Mental Health (37%) Suicide (39.4%) Bullying (31.8%) Making positive relationships (25.9%) Lack of confidence (25.4%)

Bullying has been found as a problem in schools for many children, particularly newcomers and LGBTQI+ young people. NICCY would like to see more focus on making sure children and young people can fully develop their skills talents and abilities in schools and that they can easily access extra support or counselling when it is needed. Government needs to make sure they have plans in place to support children and young people's well-being and address bullying.



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Funding in education

Children and young people in Northern Ireland have less money spent directly on their education than in other parts of the UK. NICCY has also found that the extra costs of education such as school trips, uniforms and supplies is a barrier for some children and young people taking part fully in education.

More of the money available for education needs to make its way to face-to-face services for children and young people. To make this possible the Education system in Northern Ireland needs to be changed so that less money is spent on the organisations that support the system. NICCY wants to see an inclusive education system where all children and young people are taught and learn together as this will be much more cost effective. All children and young people should have equal access to a high quality, children's rights respecting education. Government has already committed to holding an independent, external review of Northern Ireland's education system in the New Decade, New Approach deal and plans should be made now to carry this out.

The impact of Covid-19 on education

It is not clear yet how children and young people's long-term education and well-being will be affected by the impact of covid-19 and school closures but some children have been more badly affected than others. NICCY recognises that schools tried to support children's learning during school closures and was glad to see that children who normally receive free school meals were given extra support. However, children's services should now work together to make plans so if schools need to close in future or children need to isolate at home for any reason then they can quickly move to blended learning and make sure that all children have access to the resources they need, such as computers or tablets and receive extra services such as counselling or learning support when they need it.



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Our recommendations to Government:

- 1. Close the gap in achievement between some groups of children and young people and remove all barriers to every child's full participation in, and access to, a child rights compliant education system. This includes support for LGBTQI+, newcomer, children in care and children with SEN. Government should also make plans to implement all of the recommendations in the 'Too Little, Too Late' report.**
- 2. Promote and check mental health and well-being of children and young people in schools. Tackle issues that impact well-being by:**
 - Making sure schools follow anti-bullying laws;
 - Making sure all children can get counselling in schools, including at primary school;
 - Taking early action to promote emotional health and well-being; and
 - Measure children and young people's well-being in all schools for all pupils.
- 3. Move towards a single education system that fulfils article 28 and 29 of the UNCRC, is fit for purpose, value for money and doesn't cost families extra money. This should look at segregated education and academic selection.**
- 4. Make sure all children can continue to access education throughout the Covid-19 pandemic, including the most vulnerable children such as those in special schools.**

Further Reading

[Too Little Too Late](#) – NICCY's Rights based review of SEN provision in mainstream schools