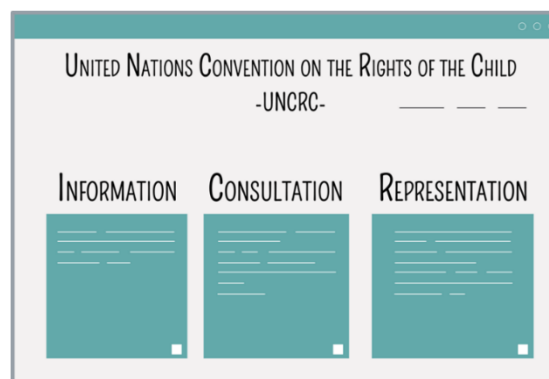


'The Rights Idea?'

Young people's rights under the United Nations Convention on the Rights of the Child

Teacher Guidance and Lesson Plans



**University of Exeter
National Youth Advocacy Service (NYAS)
National Association of Child Contact Centres (NACCC)
Upper KS3 and KS4**

Table of Contents

Introduction	2
Preparing to teach	2
Children’s rights under the UNCRC	2
Managing the impact of separation and divorce	3
Links to PSHE Association programme of study and DfE statutory guidance for RSE/Citizenship Programme of Study 2013 and GCSE curriculum 2015	3
Safeguarding	5
Creating a safe learning environment	6
Developing understanding	7
Glossary of terms	7
Signposting to support	9
Support for teachers	9
Support for pupils	9
Lesson 1: Young people’s rights under the UNCRC	11
Baseline assessment	13
Core activities	14
Assessment of learning	16
Lesson 2: Young people’s rights when parents separate	19
Baseline assessment	21
Core activities	22
Assessment of learning	28
Quick fire quiz handout	29

Introduction

This guidance has been written to accompany a two-part lesson plan for upper Key Stage 3 and Key Stage 4 pupils focusing on young people's rights under the United Nations Convention on the Rights of the Child ('The UNCRC'). In lesson 1, pupils will learn about the key rights that children and young people have under the UNCRC. This includes the right to express their opinion when important decisions are being made about their lives and for adults to take that opinion seriously (Article 12). In lesson 2, Article 12 will be considered further with respect to young people's rights to information, consultation and (when needed) representation when their parents separate.

The lessons are designed to be taught within both PSHE and Citizenship.

The lessons have been written by researchers in the Law School at the University of Exeter working in collaboration with two organisations with expertise in meeting the needs of young people following parental separation: The National Youth Advocacy Service (NYAS) and the National Association of Child Contact Centres (NACCC).

Please read and consider this guidance first, before teaching the lessons.

Preparing to teach

These lessons should be taught as part of wider learning on young people's rights and healthy relationships in the context of parental separation, within a comprehensive PSHE and Citizenship education programme. It is important that young people can identify the rights accorded to them pursuant to the UNCRC, particularly their right to make their views known and have those views taken seriously when decisions are being made about their lives, including when parents separate. They also need to learn ways to manage grief about changing relationships including the impact of separation and divorce, the sources of support available to them when parents separate and how to access them. There are PowerPoint plans which accompany each lesson and the notes below for each lesson are reproduced in the notes section under the slides for ease of teaching.

Children's rights under the UNCRC

The UNCRC is the global "gold standard" for children's rights and sets out the fundamental rights of all children. It is the most widely and rapidly ratified human rights treaty in history. It sets out the civil, political, economic and cultural rights of every child. Governments agree to safeguard the rights and ensure that adults and children know about them. It was signed in 1989 and ratified to bring it into force in the UK in 1991. It has been signed by 196 countries of which all but the USA have ratified it. It has four guiding principles (non-discrimination; the best interests of the child; the right to life, survival and development; and the right of children to express their views freely and to be heard) which apply to all under 18s.

Setting this two part teaching plan within a framework of the UNCRC will help pupils to learn about their rights and responsibilities as citizens and also ensure that the sensitive topic of young people's rights when parents separate are taught in a way that is universal and non-stigmatising. Young people's right to information, consultation and (where needed) representation within the decision-making processes for their futures when parents separate is enshrined in Article 12 of the UNCRC yet young people are seldom consulted. Research shows that young people want access to good quality information and support and a voice in the decision-making when parents separate. Failure to provide information to young people

at this sensitive time has been found to compound their sense of confusion and uncertainty. The lesson plans address this by setting out what rights young people have when parents separate.

Managing the impact of separation and divorce

The parents of approximately 280,000 young people separate each year. Research by the University of Exeter has shown that there is a strong appetite amongst young people for high quality information from a trusted source and to be consulted about arrangements for them when their parents separate. Research indicates that children cope better when they are consulted and that the arrangements made are longer-lasting, yet they are seldom consulted. Lesson 2 will normalise the range of emotions that young people may feel if their parents separate. This should help young people who are coming to terms with separation or help them to support others going through this transition. The lesson aims to demystify the legal processes surrounding separation. It explains the move to no fault divorce, which the Divorce, Dissolution and Separation Act 2020 will introduce from the autumn of 2021. It will also equip young people with details of sources of support and how to access them when parents separate.

Links to PSHE Association Programme of Study 2020-2021 and DfE statutory guidance for RSE

The table below shows how the lessons fit some of the core themes from the PSHE Programme of Study (2020) at (Upper) KS3 and KS4. It also indicates which aspects of the **DfE Guidance on RSE** education are met through the lesson content. The primary purpose is to help pupils to manage grief about changing relationships including the impact of separation and divorce and to learn about sources of support and how to access them (**KS3, R22/ KS4, R13**). However, pupils need to learn ways to access support not just for their own dating relationships but also relationships with parents and family members, particularly following parental separation and the lessons will help to achieve this.

The lessons are devised to be used within a 'spiral programme', building on lessons the pupils will already have had within the new Relationships and Sex Education (RSE) curriculum. If adopting the PSHE Association's competencies-based model, this suggests that these lessons are taught in Spring 2 of Year 11 (under 'changing relationships') or if adopting the thematic model, in Summer 1 of Year 11 (under 'managing grief').

PSHE Association Programme of Study 2020	DfE Guidance on RSE
<p>CORE THEME 2: RELATIONSHIPS Learning opportunities in Relationships and Sex Education (KS3): Pupils learn...</p> <ul style="list-style-type: none"> ways to manage grief about changing relationships including the 	<ul style="list-style-type: none"> Alongside being taught about intimate relationships, pupils should also be taught about family relationships... that are an equally important part of becoming a successful and happy adult (para 72)

<p>impact of separation [and] divorce... sources of support and how to access them (KS3, R22)</p> <ul style="list-style-type: none"> about different types of relationships, including those within families... and the factors that can affect them (KS3, R1) <p>Learning opportunities in Relationships and Sex Education (KS4): Pupils learn...</p> <ul style="list-style-type: none"> ways to manage grief about changing relationships including the impact of separation [and] divorce... sources of support and how to access them (KS4, R13) strategies to access reliable, accurate and appropriate advice and support with relationships, and to assist others to access it when needed (KS4: R7) ways to access information and support for relationships including those experiencing difficulties (KS4: R17) the legal rights, responsibilities and protections provided by the Equality Act 2010 (KS4: R5) 	<ul style="list-style-type: none"> equip pupils to be clear on their rights and responsibilities as citizens (para 76) be based on knowledge of pupils and their circumstances... [with] no stigmatisation of children based on their home circumstances (para 59) Teachers should be aware of common 'adverse childhood experiences' (such as family breakdown...) and when and how these may be affecting any of their pupils and so may be influencing how they experience these subjects (para 102) <p>Schools should cover the following content by the end of secondary:</p> <p>FAMILY</p> <ul style="list-style-type: none"> what marriage is, including legal status e.g. that marriage carries legal rights and protections not available to couples who are cohabiting the characteristics and legal status of other types of long-term relationships
---	--

Links to the [Citizenship Programme of Study 2013](#) and the [GCSE Citizenship curriculum 2015](#)

The table below shows how the lessons fit some of the core themes from the Citizenship Programme of Study (2013) at (Upper) KS3 and KS4. It also indicates which aspects of the GCSE Citizenship curriculum 2015 are met through the lesson content. The teaching aims to help pupils to manage grief about changing relationships including the impact of separation and divorce and to learn about sources of support and how to access them. It does so within a rights framework to avoid stigmatising pupils whose parents have separated.

The lessons are devised to be used within a 'spiral programme', building on lessons the pupils will already have had within the Citizenship curriculum to 'develop' [KS3] and 'deepen' [KS4] 'pupils' understanding of... the rights and responsibilities of citizens' (Citizenship Programme of Study, 2013 at page 2).

Citizenship Programme of Study (2013)	GCSE Citizenship curriculum 2015
<p>This 2-part plan for upper KS3 and KS4 Citizenship meets the overarching aims of the Citizenship Programme of Study: ... to 'develop' (KS3) and 'deepen' (KS4) 'pupils' understanding of... the rights and responsibilities of citizens'.</p> <p>In lesson 1, by considering how some young activists are 'getting their voices heard' pupils will learn how to:</p> <ul style="list-style-type: none"> ▪ 'evaluate different ways that citizens can act together to solve problems and contribute to society.' (KS4) <p>In lessons 1 and 2, by outlining some of key rights under the UNCRC it covers:</p> <ul style="list-style-type: none"> ▪ local, regional and international governance and the UK's relations with... the United Nations and wider world ▪ human rights and international law (KS4) <p>In lesson 2, by outlining the law relating to relationships and relationship breakdown it covers:</p> <ul style="list-style-type: none"> ▪ rules, laws and the justice system... courts and tribunals (KS3) ▪ the legal system in the UK, (and) different sources of law (KS4) 	<p>In lesson 1 and 2, by outlining some of key rights under the UNCRC it covers:</p> <p>Right and responsibilities</p> <ul style="list-style-type: none"> ▪ the role of the ... UNCRC <p>The UK and its relations with the wider world</p> <ul style="list-style-type: none"> ▪ the UK's role and relations with the rest of... the wider world, including the UN <p>In lesson 2, by outlining the law relating to relationships and their breakdown it covers:</p> <p>The legal system (England and Wales)</p> <ul style="list-style-type: none"> ▪ The operation of the justice system... and other...civil dispute resolution <p>Citizenship skills</p> <p>By considering the UNCRC and how young activists are getting their voices heard pupils demonstrate an ability to:</p> <ul style="list-style-type: none"> ▪ understand the range of methods and approaches that can be used by governments, organisations, groups and individuals to address citizenship issues in society, including practical citizenship actions ▪ critically evaluate the effectiveness of citizenship actions to assess progress towards the intended aims and impact for the individuals, groups and communities affected

Safeguarding

Managing the grief associated with parental separation is an emotive subject. This two-part lesson plan has been situated within a discussion of children's rights more generally under the UNCRC to ensure that the teaching is universal and non-stigmatising (DfE Guidance on RSE, para 59). Nevertheless, since evidence from the Millennium Cohort Study in 2014 indicates that 37% of children were not living in the same household as their father by the age of 14, there is likely to be a number of children in the class whose parents have separated, or whose close friends or family are going through separation. Others will be living in households with high levels of conflict between parents.

The following safeguards should be put in place:

- Inform pastoral and safeguarding staff of the dates you will be teaching this topic and encourage them to discuss the lesson content with any pupils who are accessing support following parental separation or difficulties within the home. It can be helpful to inform relevant parents too in case pupils come home with questions or wish to discuss these issues further.
- Give the pupil(s) a chance to withdraw from the lesson if appropriate (without being expected to justify their absence to their peers). Consider how to follow up the missed lesson with the pupil(s), as this learning may be especially relevant to them.
- Signpost sources of support before, during and after the lesson.
- Ensure that all teachers delivering the materials are familiar with school safeguarding/child protection policies and safeguarding protocols.
- Should a pupil make a disclosure about a personal matter during the lesson, following the teaching, teachers should refer to the safeguarding/child protection policy and inform the Designated Safeguarding Lead, so that appropriate support can be put in place.

Creating a safe learning environment

A safe learning environment helps pupils to express opinions and consider others' views safely and should be established in all PSHE and Citizenship education lessons. Given the nature of the topics discussed in lesson 2, it is especially important that the learning environment for the pupils is safe. Teachers must be sensitive to the needs and experiences of the pupils. Distancing techniques are employed in the lesson - pupils watch a video in lesson 2 which follows two fictitious families over a 12 month period, narrated by Tom, the fourteen-year-old son from one of the families, to explore young people's rights when their parents separate. The narrative normalises how young people may feel at this difficult time of transition. Pupils should be encouraged to discuss how the young people portrayed in the video are feeling, to discourage personal disclosures. Teachers should refer to the [Handling complex issues safely in the PSHE Classroom](#) guide before teaching.

If a class has established 'class ground rules' then these can be used, and pupils can also be asked to add to the ground rules as appropriate. Otherwise the following ground rules are suggested:

We will:

- not disclose personal information about ourselves or others
- keep anything that others say confidential
- not judge others
- not put anyone on the spot and we have the right to pass
- talk about 'someone I know...' rather than using a person's name
- comment on what is said, not who has said it
- not ask personal questions or try to embarrass someone
- seek help in school/encourage friends to seek help if needed

Teachers should also:

- have an 'ask-it-basket'/ question box for pupils to ask questions confidentially
- review and address any questions submitted in the anonymous 'ask-it-basket'/ question box
- work within the school's policies on safeguarding and confidentiality
- link PSHE and Citizenship education into the whole school approach to support pupil wellbeing
- make pupils aware of sources of support, both inside and outside the school
- explain to pupils that while confidentiality is important, if something is said or a behaviour causes concern, teachers may speak to another member of staff

Developing understanding

Glossary of terms

Many of the terms used within the lesson plans may not be familiar to pupils unless their parents have separated. To ensure that accurate terms are used during the lessons a glossary of terms used is set out below.

Lesson 1

Term	Description
The United Nations	An international organisation founded in 1945 to keep the peace, help the poor and protect rights
Convention	A formal agreement between countries on matters that concern them all
The United Nations Convention on the Rights of the Child	The global 'gold standard' for children's rights which sets out the fundamental rights of all children
Article	A numbered section of a convention containing the details of what has been agreed
Ratified	An international act confirming a State's consent to be bound by the terms of the convention

Lesson 2

Term	Description
Mediation	A voluntary process in which an independent professional helps separated parents to reach an agreement without going to court
Child Inclusive Mediation	A process in which the child meets with the mediator separately so that their voices can be heard
Family Court	This is where the judge makes important decisions about children, young people and their families if parents or guardians cannot agree
Children and Family Court Advisory Support Service (Cafcass)	The organisation which represents children in court and independently advises the court what is in the child's best interest
Family Court Advisor (FCA)	The person from Cafcass who meets the children to hear their wishes and feelings and reports back to the court
Solicitor	A legally trained person who provides advice to people going through the family courts and can speak for them in court
Judge	The person who works in the court who listens to everyone and makes a final decision
A Contact Centre	A safe place where children and young people can see a parent who they do not live with
Marriage	A legal union between a mixed-sex or same-sex couple
Civil Partnership	A relationship which can be registered between a mixed-sex or same-sex couple
Cohabitation	Living together as partners without being married or in a civil partnership
Adultery	Sexual intercourse with a person of the opposite sex when you are married to somebody else
Applicant	A person who makes an application to court
Respondent	A person responding to an application made to court

Signposting to support

Support for teachers

For further guidance on the UNCRC visit:

<https://www.unicef.org/media/62371/file/Convention-rights-child-at-crossroads-2019.pdf>

For further guidance on marriage, civil partnerships and cohabitation visit:

www.gov.uk/browse/births-deaths-marriages/marriage-divorce

Support for pupils

For further guidance on the sources of support on parental separation visit:

National Youth Advocacy Service: <https://nyas.net> (tel: 0808 8081001)

National Association of Child Contact Centres: <https://naccc.org.uk> (tel: 01159 484557)

Cafcass: <https://www.cafcass.gov.uk/young-people/my-parents-are-separating/> (tel: 0300 456 4000)

Childline: <https://www.childline.org.uk/info-advice/home-families/family-relationships/divorce-separation/> (tel: 0800 1111)

Relate: <https://www.relate.org.uk/relationship-help/help-children-and-young-people/children-and-young-peoples-counselling> (tel: 03000030396)



'The Rights Idea?'
**Young people's rights under the
United Nations Convention on the
Rights of the Child**

Lesson 1

Lesson 1: Young people's rights under the UNCRC

This is the first of two lessons for upper Key Stage 3 and Key Stage 4 focusing on young people's rights under the United Nations Convention on the Rights of the Child, particularly their Article 12 right to be heard when important decisions are being made about their lives including when parents separate.

Learning Objectives:

- To learn about the key rights that children and young people have under the United Nations Convention on the Rights of the Child ('The UNCRC')
- To learn about different ways that young people are acting to solve problems and contribute to society

Learning Outcomes:

Pupils will be able to:

- Explain the 4 guiding principles of the UNCRC
- Explain some of the key Articles of the UNCRC and the UK legislation protecting some of these rights
- Analyse how young activists are able to 'get their voices heard'

Support and extension

To differentiate teaching some activities have support and extension activities marked with icons below and on the slides

Resources:



- Post-it notes
- An 'ask-it-basket'/ question box for pupils to ask questions confidentially

Timing:



The lesson is designed to be taught over 55 minutes

Climate for learning:



Read the accompanying teacher guidance before teaching for advice on establishing ground rules, the limits of confidentiality and sources of support

Keywords:



Children's rights
Children's voices

Timing

Activity	Description	Timing
Introduction and baseline assessment	Learning objectives and outcomes; pupils will then suggest key words associated with 'rights'	5 mins
Introduction to the United Nations	Pupils will be asked about what they know about the United Nations and a convention	3 mins
True or false?	True or false quiz on rights	5 mins
Introduction to the UNCRC and ranking rights	Pupils will have an introduction to the UNCRC. Pupils will then be shown 12 rights and, on their tables, will rank them	15 mins
Key rights	Pupils will learn about some of the key rights under the UNCRC and the extent to which these rights are being upheld globally	10 mins
Getting your voice heard	Pupils will consider Article 12 and three young people who are making their voices heard	10 mins
Endpoint assessment	Pupils will revisit and revise the baseline answers as appropriate	5 mins
Homework or extension task	Wrap up (including sources of support) and setting homework (or extension) task	2 mins

Baseline assessment



5 Introduction and baseline activity (What are rights?) slides 9-12

Negotiate or revisit ground rules for the lesson. Introduce the learning objective and outcomes and explain that today's lesson will explore young people's rights under the United Nations Convention on the Rights of the Child.

To begin, **ask** the whole class:

- *What are rights?* (Rights are standards that recognise and protect the dignity of all human beings.)
- *What key words might be associated with 'rights'?* (Fairness, equality, respect, benefits, support, entitlements).
- *Why do rights need to be protected?* (To ensure that human dignity and equality is given to all.)

Either ask pupils to get up and move around the room, adding to graffiti walls which have these questions as headings. Or, if you would prefer, you could hand out post it notes for pupils to complete in response to these questions, that they then stick on each 'wall'.

Alternatively, hand out post-it notes and ask the pupils to write down a word they would associate with rights then stick them on the whiteboard grouping them around words that emphasise 'fairness' and words that emphasise 'entitlement'.

Do not give any further hints or tips, even if pupils ask questions. They should not share their ideas with classmates during the activity. This will give you the opportunity to see what pupils' own beliefs and ideas are on 'rights' before the lesson begins.



3 Introduction to the United Nations – slide 13

Ask pupils: Has anyone heard of the United Nations? What do you think it might do? Is it an organisation relevant for children to know about? If so why?

The UN was formed in 1945, after World War 2 to try to prevent further wars. It has 193 member states. The UK is one of the five permanent members of the UN Security Council (as well as the USA, France, China, and Russia).

The UN's aims [which apply equally to young people and adults] are:

- To keep peace throughout the world
- To develop friendly relations between countries
- To work together to help improve the lives of the poor
- To remove poverty, disease and illiteracy in the world
- To stop environmental destruction
- To encourage respect for each other's rights and freedoms

Also **ask** pupils, what is a convention? What does it do? Do you think a convention might be helpful to children?

A convention is a formal agreement between countries on matters that concern them all. The UN established a series of conventions to promote human rights internationally and to enable it to perform its functions. Explain that in this lesson pupils will be looking at one particular Convention, the United Nations Convention on the Rights of the Child 1989.



5 True or false? – slide 14

Ask the class to feedback as a whole on the eight statements on the slide – which are rights under the UNCRC? To ensure that all pupils actively engage with the learning, instruct all pupils to put their hands up or down/ thumbs up or down, depending on what they think the answer is for each question.

In slideshow mode, each statement in the left hand box is followed by a statement in the right hand box indicating whether this is a right under the UNCRC. Pupils should be asked to decide whether the statement is true and the answer given before moving on to the next statement.

Core activities



15 Ranking rights – slides 15-16

Use slide 15 to outline to pupils the key dates for the UNCRC and the four guiding principles:

- non-discrimination;
- the best interests of the child;
- the right to life, survival and development; and
- the right of children to express their views freely and to be heard

Further subject knowledge is outlined on slide 6.

Then take 10 minutes to ask pupils on their tables to read the rights under the UNCRC on slide 16, rank the rights in what they think are the order of importance and feedback their top (and, if time) bottom 3.



Support activity consider asking pupils to select what they think is the 'top' right or 'top 3' rights only.



Extension activity consider asking the pupils to consider what some of the challenges might be in ensuring that every child has these rights (e.g. not all children in the world live in areas that are free of conflict).



10 Key rights – slides 17-21

The pupils will be given an overview of some of the key articles of the UNCRC and the extent to which these have been upheld, in the UK and globally. Depending on time available and the

level of pupil engagement, there is some key information in the notes section on each slide, with the most important parts highlighted for ease of teaching.

Slides 17-21 consider these four guiding principles in further detail. Key points to stress are:

Article 2: Protection against discrimination: Despite this, globally girls are far more likely to marry early, miss out on education and do unpaid work than boys.

Explain to pupils that In the UK, the Equality Act 2010 also provides protection against discrimination for children and young people on a number of grounds. Ask pupils what rights of young people they think are protected under the Equality Act 2010. Answer: race, gender, disability, sexual orientation and religion or belief. Point out that ‘religion and belief’ is also protected by the ‘British Values’ of mutual respect and tolerance of those with different faiths and beliefs.

Article 3: The child’s best interest: This an overarching principle of the UNCRC – whenever adults, be that parents, teachers or the government make decisions, then those decisions must be guided by what is in the best interests of the child.

Article 6: The right to life, survival and development: Global child deaths have more than halved since the Convention was signed. However, in 2018, an average of 15,000 children under 5 died every day.

Article 24: 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: Despite advances, more than 800 children still die every day from diseases linked to inadequate water supply and poor sanitation and hygiene.

Article 28: The right to education: The percentage of children of primary school age not in schools has more than halved since the UNCRC was signed. However, 59 million primary school-age children are not in school.

To end this section and to check pupils’ understanding, **ask** pupils if the information they have just heard about different rights has changed their minds about their original rankings, and ask pupils, based on what they have just heard, what they think the most important right is today that needs addressing globally.



10 Getting your voice heard – slides 22-23

The right of children to express their views freely and to be heard is the fourth guiding principle of the UNCRC and is contained in Article 12.

In lesson two of *The Rights Idea?* pupils will explore the sources of support available to them when their parents separate and how to access this support. This will be discussed as part of young people’s Article 12 right to give their opinion and for adults to listen and take it seriously. To set this up, pupils will therefore be considering different young activists who have been making their voices heard on the world stage.

On slideshow mode show the class each of the 3 activists on slide 23. **Ask** pupils who they are and what they know about each individual.

Greta Thunberg (born 03.01.03) in Sweden. She is a climate change activist. She spoke at the UN Climate Action Summit and was nominated for the Nobel peace prize in 2019. She has also been vocal about her Asperger's syndrome and OCD helping to normalise mental health problems.

Malala Yousafzai (born 12.07.97) She is an activist for female education. She survived an assassination attempt in 2012. In 2014, she became the youngest person ever to win a Nobel Peace Prize (aged 17).

Marcus Rashford (born October 1997) Manchester United and England Football player and anti-poverty campaigner. He set up the Child Food Poverty Task Force. He was awarded an MBE in 2020.

[For fuller details see teacher slide 7].

Next, ask pupils to **think-pair-share**:

- What rights have they campaigned for and how have they effectively campaigned for these rights?
-

[It may help to show the class Slide 16 (the ranking exercise) here to remind them of the various rights to help them answer this question and to reinforce learning].

Greta Thunberg - Article 6 (Right to life) and Article 24 (right to a clean and safe environment). She has effectively campaigned through school strikes, social media, and speaking at the UN.

Malala Yousafzai – Article 28 (right to education) and Article 2 (right not to be discriminated against, including on the grounds of gender). She has effectively campaigned through writing a blog and featuring in a documentary prior to the attempt on her life and by setting up the Malala Fund, co-authoring a best-seller. 'I am Malala' and addressing parliaments since.

Marcus Rashford - Article 26 (the right to help from the government if you are poor or in need) and Article 3 (the best interests of the child shall be a primary consideration in all decision-making). He has campaigned effectively by lobbying the government for change.

- What skills and attributes might these, and other, young activists have in common? (knowledge and understanding of their rights and the rights of others, persistence, resilience, self-belief, determination, confidence.)



Support activity consider asking the pupils who these individuals are, if they know of any other young activists, or whether they can identify any issues young people have recently campaigned about.



Extension activity consider asking the pupils to consider how these activists might continue 'getting their voices heard' for years to come. How could they ensure that they have a lasting impact on protecting these rights?

Assessment of learning



5 Endpoint assessment Activity: – slide 24

Summarise the ideas written on the original graffiti walls/on post-it notes on the graffiti walls and ask the class if they now have anything to add. Independently, ask pupils to write their own definition of what rights are and why they are important, based on their learning from this lesson.



2 Sources of support and homework or extension task – slides 25 and 26

To finish, run through slide 25 to remind pupils who they can talk to in school, e.g. teacher or head of year, or the pastoral support team (you may wish to personalise this slide with names of contact staff) or outside of school, e.g. Childline and Relate. Some pupils may have heard of Relate as a relationship counselling service but point out to them that Relate also offer counselling for young people.

For homework or as an extension task, ask pupils to write about an issue that they would like to campaign about and why. Ask them to note down what 'right' under the UNCRC their chosen issue addresses. As part of this task, ask them to research prominent activists who campaign for their chosen issue and consider what actions they could take themselves to campaign on this issue in the future.

At the end of the lesson explain to pupils that in lesson 2 they will be learning about how young people can 'get their voices heard' when parents separate, the different sources of support available to young people when parents separate and the topic of divorce more generally and that, if they wish to, pupils can let the teacher know/put a note in the 'ask it basket' if that is an issue for them.



Support activity: Consider giving the pupils the name of a young person who is 'getting their voice heard' (suggestions, together with the 'right' campaigned for, are given on slide 26).



Extension activity: Ask pupils to consider how they might campaign for their chosen issue within their school community.



‘The Rights Idea?’
**Young people’s rights when parents
separate -**
UNCRC, Article 12
Lesson 2

Lesson 2: Young people's rights when parents separate

This is the second of two lessons for upper Key Stage 3 and Key Stage 4 focusing on young people's rights under the United Nations Convention on the Rights of the Child, particularly their Article 12 right to be heard when important decisions are being made about their lives including when parents separate.

Learning Objectives:

- To learn about children and young people's rights to information, consultation and (if needed) representation if parents separate under Article 12 of the United Nations Convention on the Rights of the Child ('The UNCRC') (including sources of support and how to access them).
- To learn about the legal system in England and Wales relating to relationship breakdown

Support and extension

To differentiate teaching some activities have support and extension activities marked with icons below and on the slides

Resources:



- Post-it notes
- An 'ask-it-basket'/ question box for pupils to ask questions confidentially
- Handout for 'Quick fire quiz' if using

Learning Outcomes

Pupils will be able to:

- Explain young people's rights under Article 12, UNCRC when parents separate
- Describe the range of emotions that young people may feel when parents separate
- Identify ways in which young people can be consulted if parents separate
- Identify sources of support for these young people and explain how to access them
- Explain the changes to the law relating to divorce and key differences between rights of married and unmarried couples on relationship breakdown in England and Wales

Timing:



The lesson is designed to be taught over 55 minutes

Climate for learning:



Read the accompanying teacher guidance before teaching for advice on establishing ground rules, limits of confidentiality and sources of support

Keywords:



children's rights, children's voices, child-inclusive mediation information, consultation representation

Activity	Description	Timing
Introduction	Learning objectives and outcomes; feedback on homework task	6 mins
Article 12 recap	Pupils will complete the gap-fill exercise to recap on Article 12	2 mins
Baseline activity	Pupils will draw a mind map of how Tom may be feeling then will consider what questions he may have and his support needs	6 mins
The 'grief cycle'	Pupils will consider the 'grief cycle' and how Tom's friend Samir could support Tom through his parent's separation	6 mins
<i>The Rights Idea?</i> video	Pupils will watch <i>The Rights Idea?</i> video and note the 3 rights young people have when parents separate	7 mins
Quick fire quiz	Pupils will answer quick fire quiz questions based on <i>The Rights Idea?</i> video	3 mins
True or false	True or false quiz to assess pupils' knowledge	2 mins
Myth busting	Pupils will consider some common misunderstandings around legal rights	5 mins
Changes to the law on divorce	Pupils will consider the pros and cons of the 'fault based' law on divorce and consider the changes to divorce law to introduce a 'no-fault' system	7 mins
Sources of support	Pupils will learn about the support available to young people whose parents separate	4 mins
Endpoint assessment	Pupils will revisit and revise the baseline mind map as appropriate	5 mins
Homework or extension task	Wrap up and setting homework/extension task	2 mins

Baseline assessment



6 Introduction – slides 12-15

Negotiate or revisit ground rules for the lesson. Introduce the learning objective and outcomes and explain that today's lesson will explore young people's rights under Article 12 of the United Nations Convention on the Rights of the Child to have their voices heard when important decisions that affect their lives are being made, including when their parents separate.

For homework or as an extension task, you may have asked pupils to write about an issue that they would like to campaign about and why. As part of this, they were to be asked to research prominent activists who campaign for their chosen issue and consider what actions they could take themselves to campaign on this issue in the future- see slide for details of campaigners.

(As a reminder, as an **extension activity** you may have asked the pupils to consider how they might campaign for their chosen issue within their school community. As a **support activity** you may have given the pupils the name of a young person who is 'getting their voice heard').

Depending on the task set, **ASK** one or two pupils to feedback on the issue that they would like to campaign about/prominent activists who campaign for their chosen issue etc.

N.B. Teachers have some flexibility so that if you have chosen not to set the homework/extension task you will have some additional time to cover the key activities in greater detail.



2 Article 12 recap – slide 16

In lesson two of *The Rights Idea?* pupils will explore the sources of support available to them when their parents separate and how to access this support. This will be discussed as part of young people's Article 12 right to give their opinion and for adults to listen and take it seriously. To set this up and to recap, ask pupils to use the suggested words to fill in the gaps on Article 12 (see slide for words). In slideshow mode, the word fill appears without the suggested words, with the suggested words appearing on a click to give you the option of doing the exercise as the extension task.



Support activity: consider giving pupils only the three words needed to fill the gaps.



Extension activity: consider asking pupils to complete the gap-fill without any suggested words.



6 Baseline activity: Mind map of feelings – slide 17

Give pupils a few minutes to read the scenario and then ask them (without conferring) to each to draw a mind map with the word 'Tom' in the middle. Around the outside, ask them to write down:

- a) how you think Tom may be feeling. (Sad, hurt, angry, worried and/ or confused)

b) questions you think Tom may have at this time. (Is this because of something I have done? Is there any chance of you staying together? Where am I going to live? Who am I going to live with? How often will I see my other parent? Will I have to change schools? Will I be able to keep up my friendships/hobbies/time with wider family? How will things get sorted out? Will I be asked what I want? If so, by whom? Will I have to go to court?)

c) support you think Tom may need and any examples you know of support that may be available to him. (Support needed may include - good friends around him; peer support from others who've been through this; good pastoral support at school; good information online to get some of his questions answered; someone to speak to about how he's feeling; someone to speak to about what he would like to happen around arrangements for his care. Sources of support may include- pastoral support at school; friends or wider family; ChildLine or other counselling service).

Note: Do not give any further hints or tips, even if pupils ask questions. They should not share their ideas with classmates during the activity. This will give you the opportunity to see what pupils' own beliefs and ideas are before the lesson begins.

Circulate the room as pupils complete their mind maps in order to gauge what pupils know/think/feel/believe in relation to the topic. After pupils have had 3-4 minutes or so to complete their mind maps, ask for all class feedback (using the suggested answers above to guide you). **Ask** pupils not to add anything else to their mind maps during class feedback and to put these to one side as they will return to them (and these 3 questions) at the end of the lesson.

Core activities



6 Grief cycle – slides 18

Here the emphasis is on the fact that parental separation can be a form of grief for children and that many go through a five stage cycle, much in the same way as they experience grief because of bereavement. The emphasis should be on normalising some of the feelings that young people may have if their parents separate such as anger or sadness. Every child's experience is unique and will depend in part on the situation at home prior to the separation and how amicable the parents are upon separation. If the home life had been difficult the separation may be a relief. Not every child will feel all of these things or progress in a linear fashion through them.

Distancing techniques should be used, so describing how it is normal that **Tom** might feel hurt, sad, bewildered, angry or overwhelmed. Normalise how it is common for young people to feel that they were somehow responsible for the separation (the bargaining aspect of the grief cycle refers to attempts by young people to change their own behaviour in the hope that a parent will return home).

Split the class into 5 groups and allocate to each group a stage to focus on and provide advice about. Tell the pupils that Tom's friend from football club, Samir wants to support Tom. Give pupils 2 minutes to come up with 3 top tips for Samir that could help Samir support Tom through his parents' separation. Once pupils have had an opportunity to discuss their stage of the grief cycle (in their group) -

Ask each group to feedback what their 3 top tips would be for Samir that could help Samir support Tom through his parent's separation. [Listen to how he's feeling, without judging and 'be there' for him; help him to seek out pastoral support at school; reassure him that he is not to blame for the separation and encourage him to keep up with friends, hobbies, exercise etc.]



7 The Rights Idea? video – slide 19

Show the class the 'The Rights Idea?' video asking pupils, as they watch, to make a note of and then feedback the three things that it indicates young people are entitled to under the UNCRC when their parents separate.

Press control, click on the 'The Rights Idea?' link to play video.

Take feedback from the class - pupils should identify that young people are entitled to: **Information, consultation and (if needed representation)**. Emphasise that these are all voluntary- young people have the right to have their voices heard and to be consulted but equally they have the right not to be consulted if they do not wish to be.



Support activity:

Consider suggesting that pupils pull out 1-2 points from the video only.



Extension activity: Consider asking pupils to pull out the different ways that Chloe said that Tom could make his voice heard – (through meeting with the mediator if his parents went to mediation; through speaking to the Family Court Adviser (FCA) or sometimes the judge if his parents went to court and by having a lawyer represent him in court if needed).



3 Quick fire quiz – slide 20

To consolidate learning from the video, take 3 minutes to ask the class to answer the 5 questions. To ensure that all participate, either provide a handout for pupils to complete/refer back to if they find they need the information in future (a handout is at the end of this Teacher Guide) or ask pupils to write down their answers before asking individual pupils to give their answer to a question.

In slideshow mode, each question in the left hand box is followed by an answer in the right hand box.



2 True or false – slides 21

Tell pupils that Tom's friend Samir has been helping to support Tom through his parents' separation. It's got Samir thinking about some of their other friends from football club whose parents aren't married. Samir wonders what might happen if these parents split up.

To set up the myth busting exercise on the next slide, run through this true or false quiz. In slideshow mode, each question in the left hand box is followed by an answer in the right hand box. For glossary of terms, see above. To ensure that all pupils actively engage with the

learning, ask all pupils to put their hands up or down/ thumbs up or down, depending on what they think the answer is.



5 Myth busting – slides 22

When parents separate, as the pupils have just learned, young people are entitled to information. Some of the information they are likely to want will be on the sources of support available to them (which follow in ‘sources of support’ at slide 26 below) and details about the process itself- What will happen? How will decisions be made?

The information here is an overview only of the process with the aim of busting some common myths and misunderstandings:

1. That the only way to formalise a relationship is to get married.
2. Myths around the rights of cohabittees - ‘the common law marriage myth’.
3. That parents must go to court to sort things out.

Greater detail on the law is given on Teacher slides 8-10

Myth 1: The only way to formalise a relationship is to get married.

In fact: Mixed-sex and same-sex couples can get married or enter into a civil partnership (CP): both require a court process to legally end the relationship if it breaks down.

Myth 2: After a certain period together/if you have a child together, cohabiting couples have the same rights as married couples: ‘The common law marriage myth’.

In fact: Cohabiting relationships are the fastest growing family form in England but, unlike those who are married or in a CP, cohabitants are not entitled to claim financial support from each other if they separate (although both parents must financially support their children).

Myth 3: Parents must go to court to sort things out.

In fact: Parents are strongly encouraged to agree finances and childcare arrangements without going to court wherever possible.



7 Changes to the law on divorce – slides 23-25

Slide 18: In 2019, approximately 60% of the population lived in a couple, the majority were married but around one in five were cohabiting. Whilst rates of cohabitation are increasing, most parents who separate will have been married. Here, therefore, we look briefly at the process of divorce, which is set to change in autumn 2021.

Explain to pupils that different religions have different views on divorce, and those views will be respected, but this is not the focus of the lesson (ACT Citizenship Principles, Principle 1).

The person applying for the divorce is called 'the Applicant' and the other party is called 'the Respondent'.

Explain to pupils that under the 'old' law (still in force until Autumn 2021), the Matrimonial Causes Act 1973, if a spouse wants to divorce quickly then they must prove that the other has committed adultery (had sex with a member of the opposite sex whom they are not married to) or behaved unreasonably. If the Respondent objects to the allegation then they could defend the application, but this rarely happens as it is an extremely costly process involving court hearings. If an Applicant does not wish to allege fault they would need to show that they had been separated for two years (provided the other party agreed) or five years if the other party did not agree (there is one other technical fact of two years desertion but this is rarely used). The current law has been widely criticised as the requirement to 'blame' the other person can increase animosity. Most English speaking western countries: USA, Canada and Australia as well as much of Europe have had a no-fault divorce system for many years.

[NB, in case a pupil asks, the requirements for ending a married same-sex relationship is essentially the same as ending a mixed-sex marriage save that adultery can only be relied on if it involves sexual intercourse with a member of the opposite sex. Adultery is not a fact the party can rely on to end a civil partnership. The removal of fault, which is discussed on slide 25, removes this anomaly and the lack of a fair and even-handed approach for all couples – this is a higher level point so only cover if a pupil raises it].

Slide 24: Tell pupils that Tom and Samir have just learnt at school about changes happening to the divorce law. Tell pupils that Tom thinks this law is outdated but his friend Samir isn't so sure. In pairs, **ask** pupils to create 2 lists – noting down on one list at least 3 reasons why Tom might think the law is outdated (what are the 'cons' of the law?), and on the other at least 3 reasons Samir might disagree (what are the 'pros' of the law?). **Ask** some of the pupils to feedback what they have put on the 2 lists.

Now explain to the pupils why the change was felt to be needed and what the 'new' law sets out. Explain that wider reforms in the family justice system in recent years have focussed on reducing conflict and promoting resolution yet alleging fault can cause distress, escalate conflict, increase costs and make resolution less likely. It is hoped that moving to a no-fault system of divorce will make it less acrimonious and therefore lead to better outcomes for children.

The Divorce, Dissolution and Separation Act 2020 removes fault from the process. The ground for divorce remains the same – the marriage must have irretrievably broken down – but this is proved by the passage of time. The Applicant can apply for a final order 26 weeks after filing the application. There is no option to defend the divorce and the application can be made jointly. For some, it will increase the length of time it takes to get a divorce because the so called 'quickie' facts of adultery or unreasonable behaviour no longer apply.

Ensure, when teaching this, that you consider with pupils the 'rights' of the different parties affected and how sometimes rights can be in tension with each other. For example if there is a 'right' to divorce for all adults, without having to allege fault, if one person wants the divorce but the other doesn't then one person's 'right' to divorce will be at the expense of the other person's 'right to family life' under the Human Rights Act 1998, Article 8. Equally, even if the decision to separate is mutual, this will adversely impact on the child's 'right to family life'. Also, divorce can lead to economic disadvantage for women as they tend to reduce their work hours to care for children so tend to be earning less than men if they have children- but rules are in place to

ensure that women's contribution to the family life and viewed as equal to financial contributions.

Remind pupils that in *The Rights Idea?* video we learned that Chloe, Jack and Rosie's parents made an application to court because they couldn't agree arrangements for the children. As their parents separated a couple of years ago, they would have had to have applied for a divorce under the old law and alleged fault if they wanted to obtain a divorce without waiting for at least two years if they both agreed to the divorce or five years if one objected.

Ask pupils to comment on what impact they think it may have had on the case if Chloe's parents had divorced after the law changed and therefore 'fault' was not an issue:

Answer: It may have cost less. It may have made the separation less acrimonious. It may have made it easier for the parents to agree the arrangements for the children between themselves and therefore made an application to court less likely. Because it may have been more amicable, the parents may have been more open to listening to their children's views (and therefore it would have been more likely that the children's Article 12 rights would have been upheld from the outset).



Extension activity: (At the end of slide 24) Consider asking pupils to consider how they think the rates of marriage, civil partnership and cohabitation might change in future – do they think the trend of increasing rates of cohabitation will continue, or will the new divorce law encourage higher rates of marriage? Might the new divorce law encourage higher rates of divorce?



4 Sources of support – slide 26

Remind pupils of the support available to them in school from the pastoral lead. There is also lots of information and support available to young people online including:

National Youth Advocacy Service (NYAS): NYAS provides a range of rights based services for children and young people through a network of qualified advocates.

Advocates ensure that the views of children and young people are listened to, particularly in decisions which are made about them. NYAS works to ensure that young people's Article 12 rights to information, consultation and representation are respected. It provides information to young people on its website; a free helpline and an advocate for young people. The advocate will find out what the young person's wishes and feelings are. They will help the young person to start, change or stop something in their life. They can go with the young person to meetings, if the young person wants them to, and help them to tell people what the young person wants or speak for them if they don't want to. The advocate will represent a young person in court if needed.

National Association of Child Contact Centres (NACCC): NACCC runs a network of 350 contact centres which provide a safe, neutral, welcoming space for children to spend time with parents (or other people important to them, such as grandparents). Contact centres are used for children, usually up to around the age of 9, often as a stepping stone to contact away from a contact centre where parents have not been able to agree contact. The NACCC website has lots of information for children and young people to help them to

understand how they may be feeling when their parents separate as well as videos and stories of other young people's experiences of using a contact centre. Whilst contact centres are used for a younger cohort of children, this information can be useful to KS3 and KS4 pupils as they may have younger siblings/ wider family/ family friends in this younger age group.

Cafcass: Cafcass stands for Children and Family Court Advisory Support Service. **Cafcass works with children and young people in family court cases.** They make sure that young people's voices are heard and decisions are taken in their best interests. As we learned from the video, if a parent has made an application to the court about child arrangements and the judge feels that a report from Cafcass is needed to help the judge decide the case, then the FCA will speak to the parents; observe the parents with the child; speak to the child and then prepare a report for the judge recommending what they think is in the child's best interests. The Cafcass website has lots of information for young people on the court process and resources to help young people whose parents have separated.

Relate: **Relate offers counselling to young people who are experiencing difficulties in any area of life, including if parents are arguing or have separated.** Counselling is available in school, at a Relate Centre, by web chat, telephone or online. Young people can expect to be helped by a supportive and non-judgmental counsellor. They can be referred by a teacher, social worker, or can ask to see a counsellor themselves – what they say is confidential unless the counsellor is worried about their safety.

Childline: **Childline has a huge amount of information, advice and support for young people whose parents have separated available online, by telephone or through one-to-one counselling.**

Assessment of learning



5 Endpoint assessment – slide 27

Ask the pupils to return to the mind map they drew earlier and in a different colour add to their mind map by writing down:

- Any additional words for how you think Tom might have felt when his parents told him they were separating
- Any words for how you think Tom might have felt once he had learned of his rights to express his opinion and spoken to the mediator his parents saw? (Words like hopeful, happier, stronger and/or empowered will hopefully be suggested. It is important to acknowledge however that he may still be feeling sad)
- Where could Tom find information and support to help him at this time and in the future (giving specific examples of organisations)?

Pupils should mention: National Youth Advocacy Service (NYAS); National Association of Child Contact Centres (NACCC); Cafcass; Relate and/or Childline.



2 Homework or extension task – slide 28-29

HOMEWORK OR EXTENSION TASK: For homework, allocate to each table one of the listed sources of support for young people whose parents have separated. Ask the pupils to each carry out some independent research on the source of support allocated and be ready to share some information they learned from their research about children's rights when parents separate.

An added benefit of this homework task is that any pupil who needs these contact details for personal reasons, either for themselves or a friend, will be able to note them down without drawing attention to themselves.

Slide 29 sets out the four questions that the pupil will be asked to research from one of the five organisations allocated to them. The details of the organisations from the previous slide are repeated here so that a young person who wants to write down the details without drawing attention to themselves will be able to do so.

The Rights Idea?

Young people's rights under the United Nations Convention on the Rights of the Child

Lesson 2: Quick fire quiz

What did you learn from watching *The Rights Idea?* animation? Answer the 5 questions below in the boxes.

QUESTION	ANSWER
1. What is the name of the person who helps parents to reach an agreement without going to court?	
2. Where did Rosie have contact with her dad at first?	
3. What does a Family Court Advisor do?	
4. Do children have to go to court if their parents make an application to court?	
5. Can children make their own application to the court?	