

Submission to the Department of Children, Equality, Disability, Integration and Youth on the EU Child Guarantee

December 2021



Founded in 1995, the Children's Rights Alliance unites over 100 members working together to make Ireland one of the best places in the world to be a child. We change the lives of all children in Ireland by making sure that their rights are respected and protected in our laws, policies and services.

Accompaniment Support Service for Children (A.S.S.C.)
Ag Eisteacht
Alcohol Action Ireland
Amnesty International Ireland
An Cosán
AsIAM
Association of Secondary Teachers Ireland (ASTI)
ATD Fourth World – Ireland Ltd
Atheist Ireland
Barnardos
Barretstown Camp
Bedford Row Family Project
BeLonG To Youth Services
Catholic Guides of Ireland
Childrens Books Ireland
Child Care Law Reporting Project
Childhood Development Initiative
Childminding Ireland
Children in Hospital Ireland
COPE Galway
Cork Life Centre
Crosscare
CyberSafeKids
Dalkey School Project National School
Daughters of Charity Child and Family Service
Dental Health Foundation of Ireland
Department of Occupational Science and Occupational Therapy, UCC
Disability Federation of Ireland
Doras
Down Syndrome Ireland
Dublin Rape Crisis Centre
Dyslexia Association of Ireland
Dyspraxia/DCD Ireland
Early Childhood Ireland
Educate Together
EPIC
Extern Ireland
Féach
Focus Ireland
Foróige
Gaelscoileanna Teo
Good Shepherd Cork
Immigrant Council of Ireland
Inclusion Ireland
Institute of Guidance Counsellors
Irish Aftercare Network
Irish Association for Infant Mental Health
Irish Association of Social Workers
Irish Congress of Trade Unions (ICTU)
Irish Council for Civil Liberties (ICCL)
Irish Foster Care Association
Irish Girl Guides
Irish Heart Foundation
Irish National Teachers Organisation (INTO)
Irish Penal Reform Trust
Irish Primary Principals Network
Irish Refugee Council
Irish Second Level Students' Union (ISSU)
Irish Society for the Prevention of Cruelty to Children
Irish Traveller Movement
Irish Youth Foundation (IYF)
Jack & Jill Children's Foundation
Jigsaw
Katharine Howard Foundation
Kids' Own Publishing Partnership
Kinship Care
Leap Ireland
Let's Grow Together! Infant and Childhood Partnerships CLG.
LGBT Ireland
Mecpaths
Mental Health Reform
Mercy Law Resource Centre
Migrant Rights Centre Ireland
Mothers' Union
My Project Minding You
Museum of Childhood Project
Music Generation
New Directions
National Childhood Network
National Council for the Blind
National Forum of Family Resource Centres
National Parents Council Post Primary
National Parents Council Primary
National Youth Council of Ireland
Novas
One Family
One in Four
Pavee Point
Peter McVerry Trust
Prevention and Early Intervention Network
Private Hospitals Association
Psychological Society Ireland
Rainbow Club Cork
Rainbows Ireland
Rape Crisis Network Ireland (RCNI)
Realt Beag/Ballyfermot Star
Respond Housing
SAFE Ireland
Saoirse Housing Association
SAOL Beag Children's Centre
Scouting Ireland
School of Education UCD
Sexual Violence Centre Cork
SIPTU
Simon Communities of Ireland
Social Care Ireland
Society of St. Vincent de Paul
SPHE Network
SpunOut.ie
St. Nicholas Montessori College
St. Nicholas Montessori Teachers' Association
St. Patrick's Mental Health Services
Teachers' Union of Ireland
Transgender Equality Network Ireland
The Ark, A Cultural Centre for Children
The UNESCO Child and Family Research Centre, NUI Galway
Traveller Visibility Group Ltd
Treoir
UNICEF Ireland
Young Ballymun
Young Social Innovators
Youth Advocate Programme Ireland (YAP)
Youth Work Ireland

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1. Introduction

The Children’s Rights Alliance welcomes the opportunity to share its views with the Department of Children, Equality, Disability, Integration and Youth on the preparation of the National Action Plan for the implementation of the EU Child Guarantee. The Alliance unites over 120 members working together to make Ireland one of the best places in the world to be a child. We change the lives of all children by making sure their rights are respected and protected in our laws, policies and services. We also provide legal information and advice to children, young people and their families through our legal information line and nationwide legal advice outreach clinics.

Every child has the right to an adequate standard of living for his or her physical, mental, spiritual, moral and social development.¹ Parents and guardians have the primary responsibility to provide for the child’s material needs but the UN Convention on the Rights of the Child requires the State to assist parents and guardians who are in need by providing ‘material assistance and support programmes particularly with regard to nutrition, clothing and housing’.²

In 2016, the UN Committee on the Rights of the Child expressed its deep concern at the ‘significant increase in the number of children living in consistent poverty’ in Ireland and referred in particular to single-parent households.³

While the costs of poverty fall primarily on the individuals and households who are experiencing it, there is also a hidden cost of poverty to the State and our public services.⁴ It is estimated that the public service cost of mitigating the effects of poverty in Ireland is almost €4.5 billion per annum.⁵ Poverty impacts on everyone in society, not just those living below the poverty line.⁶ In a context where the pressure on public finances has never been greater, and when the Covid and Brexit crises have highlighted the inequalities facing children and families in Ireland, investing now to end poverty is vital.

Growing up in poverty has a devastating and lasting impact on children’s lives. It negatively impacts on their well-being⁷ and increases their risk of socio-emotional developmental problems;⁸ it leads to educational inequalities, with poor children being disproportionately more affected by learning disabilities and speech and language difficulties;⁹ they experience greater school absenteeism and lower expectations for their lives and for achieving third level education.¹⁰ It also leads to health inequalities, with children experiencing poverty having poorer health and being less likely to get medical treatment as they are on a waiting list and must wait longer for a service.¹¹ Childhood poverty is associated with reduced life chances and a greater risk of experiencing poverty during

¹ UN Convention on the Rights of the Child (20 November 1980) 1577 UNTS 3 (UNCRC) Art 27.

² *ibid.*

³ UNCRC, ‘Concluding Observations: Ireland’ (2016) UN Doc CRC/C/IRL/CO/3-4 para 59.

⁴ Micheal Collins, *The Hidden Cost of Poverty* (Society of St Vincent de Paul 2020) <<https://bit.ly/3mzuusn>> accessed 16 September 2020.

⁵ *ibid.*

⁶ *ibid.*

⁷ Richard Wilkinson, and Kate Pickett, *The Spirit Level: Why more equal societies almost always do better* (Allen Lane 2009).

⁸ Emer Smyth, *Wellbeing and School Experiences among 9 and 13 year olds: Insights from the Growing Up In Ireland study* (ESRI 2015).

⁹ Rory Hearne, and Cian McMahon, *Cherishing all equally 2016 economic inequality in Ireland* (TASC 2016).

¹⁰ Delma Byrne, and Emer Smyth, *No way back? The dynamics of early school leaving* (The Liffey Press and ESRI 2010).

¹¹ Richard Wilkinson, and Kate Pickett, *The Spirit Level: Why more equal societies almost always do better* (Allen Lane 2009).

adulthood.¹² These issues are structural and require reform at a national policy and service delivery level.

The EU Child Guarantee provides the Irish government with the opportunity to leverage support through the ESF+ funds to ensure that children in need in Ireland can access key public services in Ireland. This submission outlines the Children's Rights Alliance recommendations for action in relation to:

- Child poverty infrastructure
- Providing free access to early childhood education and care
- Providing free access to education (including school - based activities)
- Providing free access to a healthy meal each school day and effective access to nutrition
- Providing free access to healthcare
- Ensuring effective access to adequate housing

While the realisation of the full ambitious long-term vision of the EU Child Guarantee would make significant progress in reducing child poverty, there are further priority areas, outside the scope of the Guarantee which must be actioned if child poverty is to be eliminated. These include:

- establishing a Minimum Essential Standard of Living for all families;
- supporting one parent families to access quality jobs in the labour market;
- measures to address poverty among young people;
- supporting play, recreation, sports, arts and cultural activities;
- investing in Family Support services, prevention and early intervention and
- providing access to transport.

The Children's Rights Alliance advocates for the government to develop a comprehensive whole of government approach to tackling child poverty which would incorporate the scope of the EU Child Guarantee as a central pillar of action.

¹² Dorothy Watson,, Bertrand Maitre, Christopher T Whelan and James Williams 'Child poverty in a period of austerity' <<https://bit.ly/2RbvoN6>> accessed 9 September 2020.

Recommendations for the Implementation of the EU Child Guarantee

Child Poverty Infrastructure

- Establish a dedicated and **fully resourced Child Poverty Office** between the Department of Children, Equality, Disability, Integration and Youth and the Department of Social Protection.
- The development of **reporting structures** for the next children and young people's policy framework should incorporate oversight of the EU Child Guarantee.
- Establish a **youth panel** to participate in the development, implementation and monitoring of the national action plan on the EU Child Guarantee. Ensure that seldom heard voices are represented on the panel by identifying actions to overcome barriers to participation to specific cohorts of children.
- Commit to funding a **research programme** to capture data and information on cohorts of children not captured in the Survey on Income and Living Conditions.
- Establish a pilot programme on the development of **local child poverty action plans**. The pilot should leverage the work undertaken by existing children and young people services at a local level.

Providing free access to early childhood education and care

- Provide free access (or nearly free access) to childcare for families on the lowest incomes by providing higher levels of subsidisation under the National Childcare Scheme for all families in receipt of the Medical Card.¹³
- Expand access to the National Childcare Scheme for all families in receipt of the Medical Card. This can be achieved by amending the current IT system to include an additional field for Medical Card holders.
- Exclude Child Benefit and child maintenance as reckonable income for the purposes of the National Childcare Scheme.
- Prioritise addressing the lack of availability of childcare for low income families accessing further training and employment opportunities.

Providing free access to education (including school - based activities)

- As a first step in ensuring all children have access to educational materials, the Department of Education should allocate €20m to ensure all children in primary school have free school books and a further €20m for free school books for secondary school students.
- Commit to further increases in the capitation rates to encourage schools to reduce reliance on so-called 'voluntary' contributions from parents.

Providing free access to a healthy meal each school day and effective access to nutrition

- Develop and rollout a national action plan to ensure that all children have access to a hot nutritious meal every day in education settings. The action plan should include annual targets including sub-targets for the named groups of children in the EU Child Guarantee without creating stigma.
- Expand access to a hot meal to non-formal education settings incrementally over a number of budgets. This should include early years settings, youth and alternative education settings.

Providing free access to healthcare

¹³ The State could choose an alternative measure to control the cost of fees. For example, through contract, the State could require that only a certain fee is charged to parents in particular income brackets.

- Provide access to GP care to all children under the age of 18. As we transition to a system of universal health care, ensure everyone on a low income can access care by increasing the medical card income thresholds to the equivalent of the highest means-tested welfare payment.

Ensuring effective access to adequate housing

- Develop a Family Homeless Strategy, which is child-centred, has clear responsibilities, targets and timelines. Specific targets for one parent families, Travellers, families with disabilities and those living in Direct Provision should be outlined under this strategy with tailored objectives and goals.
- Provide targeted funding for support workers for children and families experiencing homelessness.

Child Poverty infrastructure

In the Department's call for submissions, there is a strong focus on achieving outcomes for children in need of the services covered by the guarantee. The successful implementation of the EU Child Guarantee in Ireland is dependent on establishing a framework which enables the not only policy initiation but implementation and oversight and accountability.

Dedicated Child Poverty Office at the Department of Children, Equality, Disability, Integration & Youth

The Alliance is recommending the establishment of a dedicated and fully resourced Child Poverty Office which sits jointly between the Departments of Children, Equality, Disability, Integration and Youth and Social Protection. The office could oversee the implementation of the EU Child Guarantee and also drive a broader child poverty strategy with goals and objectives beyond those outlined in the Guarantee. In 2022 a mid-term review of the Roadmap for Social Inclusion is to be undertaken and the Alliance believes that this provides an opportune time to establish this office. The office could co-ordinate and monitor a whole-of-government approach on child poverty delegating specific actions to relevant government departments.

An allocation of approximately €3.5 million over five years would adequately staff and resource this office with a Principal Officer supported by a team of five officials at various appropriate levels to work on policy, strategic engagement, communications and operations.

The National Coordinator of the EU Child Guarantee would be a central component of the office with the attaché appointed in Brussels by the Minister for Children, Equality, Disability, Integration and Youth providing an important link between the national and European / International levels.¹⁴

Implementation and Accountability Structures

The implementation and oversight structures to be established as part of the next iteration of the National Policy Framework for Children and Young People should have role in overseeing the reporting on the EU Child Guarantee. The Cabinet Committee on Social Policy is also an important vehicle for implementation and accountability.

Participation of Children and Young People

The European Commission's *Investing in Children Recommendation* emphasises that children and young people's participation and children's rights should be a central focus of efforts to tackle child poverty.¹⁵ In the *EU Strategy on the Rights of the Child*, participation of children and young people in political and democratic life is a thematic focus.¹⁶ At a national level the participation framework published by the Department of Children, Equality, Disability, Integration and Youth provides examples of best practice in the area of children and young people's participation. This includes the involvement of young people in the development of the LGBTI+ youth strategy through the establishment and participation of a Youth Advisory Panel which encompassed Lundy's 'model of participation'.¹⁷

The National Action Plan on the EU Child Guarantee should incorporate children and young people's participation into its development and implementation. Given the remit of the Child Guarantee the inclusion of seldom-heard voices will be critical. Steps should be taken to identify barriers to

¹⁴ Minister for Children, Equality, Disability, Integration and Youth, *Ombudsman for Children's Initiative on Eliminating Child Poverty and Child Homelessness: Statements*, Dail Debates (23 September 2021) <https://bit.ly/3yeCWDn> accessed 10 December 2021.

¹⁵ European Commission, Commission Recommendation of 20.2.2013: Investing in children: breaking the cycle of disadvantage (Brussels, 20.2.2013 C(2013) 778 final) <<https://bit.ly/2UtvhSf>> accessed 20 July 2021.

¹⁶ European Council, 'Access to key services for children in need: Council agrees European Child Guarantee' (14 June 2021) <<https://bit.ly/2UvCQrv>> accessed 19 July 2021.

¹⁷ Department of Children, Equality, Disability, Integration and Youth *National Framework for Children and Young People's Participation in Decision-making* (DCEDIY 2020) <<https://bit.ly/3hQaQs3>> accessed 25 May 2021.

participation for children from specific cohorts such as ethnic minorities, members of the Traveller and Roma community, children with disabilities and those living in institutions (e.g. homeless accommodation).¹⁸ The department has recently completed a comprehensive consultation with children and young people as part of their work on reporting to the UN Committee on the Rights of the Child. This content, combined with the intention to hold focus groups will help to ensure that children and young people's voices are captured in the National Action Plan for the EU Child Guarantee. In order to ensure there is a more sustained engagement with children and young people consideration could be given to setting up a youth panel to feed in to the development, implementation and monitoring of the National Action Plan.

Indicators and Data Collection

A number of specific cohorts of children which should be targeted in the implementation of the EU Child Guarantee. This includes children experiencing homelessness, children in alternative care and Traveller and Roma children. Existing data sources, such as the Survey on Income and Living Conditions, fail to adequately capture these groups and therefore a specific programme of research should be undertaken to bridge the gap in data.

Local Child Poverty Action Plans

Local authorities are identified as a key component of ensuring the effective use of European funding in the *Feasibility Study on the Child Guarantee*.¹⁹ The development of local child poverty action plans should form an integral part of the implementation of the Guarantee in Ireland. In Scotland, under the Child Poverty (Scotland) Act 2017, local child poverty action reports are developed by local authorities and health boards each year.²⁰ The reports contain specific actions that aim to mitigate against factors contributing to child poverty.²¹

Existing structures such as the Children and Young People's Services Committees (CYPSC) and City and County Childcare Committees could lead the development of local child poverty action plans and these should be introduced on a phased basis. Key actions for the development of such plans include conducting a local needs analysis, facilitating the participation of children and young people in all aspects of their development and the publication of a plan with concrete actions for change.

A pilot should be initiated in three to four locations with the identification of sites based on existing local child poverty infrastructure. The plans could build on the work completed to date by CYPSCs in profiling the population of children and young people in their areas to ensure that the response is tailored to the particular demographic and circumstances of the children and young people in the area. It would take account of the existing services, resources and amenities available to deliver key actions. The local child poverty action plans will be helpful in providing evidence to influence policy at a national level and the government response.

Recommendations:

- Establish a dedicated and fully resourced Child Poverty Office between the Department of Children, Equality, Disability, Integration and Youth and the Department of Social Protection.
- The development of reporting structures for the next children and young people's policy framework should incorporate oversight of the EU Child Guarantee.

¹⁸ *ibid.*

¹⁹ Hugh Frazer, Anne-Catherine Guio, and Eric Marlier, *Feasibility study for a child guarantee (FSCG)* (European Commission 2020) 167

²⁰ Public Health Scotland, 'Local Child Poverty Action Reports', (14 January 2021) <<https://bit.ly/3wPvXhT>> accessed 20 July 2021.

²¹ *ibid.*

- Establish a youth panel to participate in the development, implementation and monitoring of the national action plan on the EU Child Guarantee. Ensure that seldom heard voices are represented on the panel by identifying actions to overcome barriers to participation to specific cohorts of children.
- Commit to funding a research programme to capture data and information on cohorts of children not captured in the Survey on Income and Living Conditions.
- Establish a pilot programme on the development of local child poverty action plans. The pilot should leverage the work undertaken by existing children and young people services at a local level.

Providing free access to early childhood education and care

Article 18 of the UN Convention on the Rights of the Child recognises that support for parents in the early years of a child's life is particularly important. In interpreting this provision, the UN Committee requires the State 'to take all appropriate measures to ensure that children of working parents have the right to benefit from childcare services, maternity protection and facilities for which they are eligible'.²² The UN Committee also advocates 'an integrated approach' which focuses on health and education supports for new parents and includes 'interventions that impact indirectly on parents' ability to promote the best interests of children (e.g. taxation and benefits, adequate housing, working hours)'.²³

An analysis of OECD data indicates that supporting parents from low-income families to participate in full-time employment is a critical objective in terms of significantly reducing child poverty.²⁴ Notwithstanding this, challenges exist in relation to accessing work with decent pay and conditions and a substantial number of households continue to experience in-work poverty.²⁵ Children from disadvantaged backgrounds benefit most when ECEC services are closely linked to employment, health and social policies that promote a more equal distribution of resources across a population.²⁶ The *EU Recommendation on Investing in Children* recommends that the State 'provide access to high quality, inclusive early education and care; ensure it is affordable and adapt provision to the needs of families'.²⁷

The *Programme for Government* contains a commitment to introduce a long-term sustainable model for childcare which promotes quality, better outcomes for children and makes a career in childcare more attractive.²⁸ Ireland has the highest level of private provision of ECEC in the OECD, along with relatively low government investment, low wages for educators and high fees for consumers.²⁹ A shift to a system of universal, public ECEC may boost affordability, accessibility and quality of childcare services, and enhance maternal and child well-being.³⁰ Countries which provide ECEC through public provision tend to have services which are more affordable, accessible and of higher quality than countries which rely heavily on private provision.³¹

Publicly provided childcare creates the means to better reconcile work and care for some parents; while also influencing children's development needs and socialisation.³² Creating high quality childcare has generally been difficult in countries which marketise childcare, whereas childcare quality has been found to be higher where it is publicly provided.³³

The EU Child Guarantee calls on Member States to provide free access to early childhood education and care. In Ireland, while access to the National ECCE programme is free for all children, access to

²² UNCRC, 'General Comment No. 7 on Implementing Rights in Early Childhood' (2006) UN Doc CRC/C/GC/7 Rev.1 Para 21.

²³ *ibid* Para 20 (a).

²⁴ Daly, M. *Fighting Child Poverty: The Child Guarantee* (European Parliament 2019), 5

²⁵ Social Justice Ireland 'Substantial portion of workers cannot achieve a socially acceptable standard of living'. <https://bit.ly/2X8w78p> accessed 13 October 2021.

²⁶ John Bennet, *ECEC for children from disadvantaged backgrounds: findings from a European literature review and two case studies* (European Commission 2013).

²⁷ European Commission, *Commission Recommendation of 20.2.2013: Investing in children: breaking the cycle of disadvantage* (Brussels, 20.2.2013 C(2013) 778 final).

²⁸ Government of Ireland, *Programme for Government: Our Shared Future*, (Government of Ireland 2020).

²⁹ Oireachtas Library and Research Service, *L&RS Note: Public provision of early childhood education: an overview of the international evidence*, (Houses of the Oireachtas 2020) <<https://bit.ly/3nfD4wC>> accessed 4 October 2020.

³⁰ *ibid*.

³¹ Mara A Yerkes and Jana Javornik, 'Creating capabilities: childcare policies in comparative perspective' (2019) *Journal of European Social Policy*, Vol 29: 4.

³² Mara A Yerkes and Jana Javornik, 'Creating capabilities: childcare policies in comparative perspective' (2019) *Journal of European Social Policy*, Vol 29: 4

³³ *ibid*.

other forms of childcare is not. The National Childcare Scheme (NCS), launched in March 2019, provides financial support with the cost of childcare. Parents with an income below €26,000 per annum qualify for the maximum hourly childcare support subsidy under the Scheme.³⁴ An enhanced hours subsidy provides up to 45 hours of childcare per week (from September 2020) where both parents are engaged in work; or study; or transitioning out of work or study; or are unavailable to care for the child.³⁵

The other challenge with the NCS and the cost of childcare is the fact that subsidies do not take account of the actual cost of childcare. The fact that Ireland has a private market-based system means that childcare costs vary hugely across the State. For example, the latest Pobal Annual Early Years Sector Profile Report 2019/2020 found that Dun Laoghaire-Rathdown remains the most expensive local authority area in the country for ELC and SAC, with an average weekly cost of €239.84 for a full-time place.³⁶ Monaghan has become the least expensive county in the country for full time care, at €150.46.³⁷

Based on the international evidence, the childcare system should move to a public model along the same lines as the education system. However, in the interim there is a need to poverty proof the childcare system. This will require rethinking access and subsidisation under the National Childcare Scheme in order to implement the EU Child Guarantee. In particular, the State needs to provide free (or nearly free access to ECCE, for example, a small contribution of no more than €10 for people on the lowest incomes) for parents living in consistent poverty. This would include those currently on welfare payments or in low paid jobs. This is the single most important measure in addressing child poverty based on the evidence that what works is providing education/training/quality employment alongside quality childcare.

A new eligibility criterion should be adopted to access higher levels of subsidisation under the NCS. For example, the Medical Card could act as an important lever for access to childcare. Qualification for the medical card can mean that a child qualifies for other benefits including free school transport, no State exam fees, and some financial help with purchasing schoolbooks.³⁸

Successive governments have invested in Child Income Supports and Child Benefit as a universal payment more so than provision of services as the main method of tackling child poverty.³⁹ However, as part of the calculation of reckonable income under the NCS, Child Benefit and child maintenance are currently included. Child Benefit is not assessed as means for any other payment or service, representing a significant shift in policy and practice.⁴⁰ Including Child Benefit as reckonable income pushes a lone parent working 19 hours per week over the income threshold to qualify for the maximum childcare support subsidy.⁴¹ This demonstrates a lack of policy coherence in a context where Government wishes to support more lone parents in employment and where poverty rates among working lone parents are increasing.

³⁴ Government of Ireland, *National Childcare Scheme Policy Guidelines* <<https://bit.ly/2H91t6i>> accessed 20 September 2020.

³⁵ Government of Ireland, *National Childcare Scheme Policy Guidelines* <<https://bit.ly/2H91t6i>> accessed 20 September 2020.

³⁶ Pobal and Department of Children, Equality, Disability, Integration and Youth, *Annual Early Years Sector Profile Report – 2019/2020* (Pobal 2021).

³⁷ *ibid.*

³⁸ Citizens Information, 'Medical Cards' (Citizens Information, 11 December 2018) <<https://bit.ly/2IHXJNA>> .

³⁹ Social Justice Ireland, 'Child Benefit and Child Poverty', July 2012, [2012-07-19-briefingonchildbenefitandchildpovertyrecovered.pdf](https://www.socialjustice.ie/sites/default/files/2012-07-19-briefingonchildbenefitandchildpovertyrecovered.pdf) ([socialjustice.ie](https://www.socialjustice.ie))

⁴⁰ Letter to Minister Katherine Zappone, October 2019

⁴¹ *ibid.*

The availability of childcare for low-income families is a serious issue in Ireland. Currently childcare provision is not planned alongside the availability of training/employment options available to low-income families. Parents can access courses through a range of measures provided by the Department of Social Protection and the Department of Further Education. For example, these programmes may be able to act as referral points for education, training and childcare. They may also be able to expand their own range of programmes by providing access or bridging programmes to low-income families wishing to get back into education, training or work. Employability programmes and strategies from the Department of Social Protection such as JobPath should provide bespoke bridging programmes to lone parents and other low-income families to access education, training and employment. The EU-Child Guarantee should prioritise addressing this anomaly through cross government engagement.

Recommendations:

- Provide free access (or nearly free access) to childcare for families on the lowest incomes by providing higher levels of subsidisation under the National Childcare Scheme for all families in receipt of the Medical Card.⁴²
- Expand access to the National Childcare Scheme for all families in receipt of the Medical Card. This can be achieved by amending the current IT system to include an additional field for Medical Card holders.
- Exclude Child Benefit and child maintenance as reckonable income for the purposes of the National Childcare Scheme.
- Prioritise addressing the lack of availability of childcare for low income families accessing further training and employment opportunities.

⁴² The State could chose an alternative measure to control the cost of fees. For example, through contract, the State could require that only a certain fee is charged to parents in particular income brackets.

Providing free access to education (including school - based activities)

Every child has a right to education and should have an equal opportunity to participate in education.⁴³ The UN Committee on the Rights of the Child has stated that the goal of education is to ‘empower the child by developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence’.⁴⁴ The Committee states further that education goes beyond formal schooling to embrace the broad range of life experiences and learning processes which enable children, individually and collectively, to develop their personalities, talents and abilities and to live a full and satisfying life within society’.⁴⁵ States are required to take measures to ‘encourage regular attendance at schools and the reduction of drop-out rates’.⁴⁶

Education has the power to transform lives, lift people out of poverty and break down cycles of disadvantage.⁴⁷ In Ireland, a person’s socio-economic background remains a strong determining factor of their level of educational attainment. A person is almost three times more likely to go on to higher education if their parents have higher education than someone whose parents have not completed primary-level education.⁴⁸ Living on a low income can also prevent children and young people from participating fully in education.⁴⁹ The *EU Recommendation on Investing in Children* recommends that the State ‘provide for the inclusion of all learners, where necessary by targeting resources and opportunities towards the more disadvantaged’.⁵⁰ The Commission encourages Member States to identify and address financial barriers to participation as well as ensuring provision of educational materials in order to ensure free access to education.⁵¹

For over a decade, experts have highlighted the burden of school costs on families in Ireland. Just under half of parents at primary level are able to meet the costs of returning to school out of their regular household budget, while only one third of parents at second level can do likewise, demonstrating the financial strains on households due to the cost of education.⁵² Barnardos estimates that it would cost an additional €103 million annually to delivery free primary education and €127 million to delivery free second level education to every child and young person in Ireland.⁵³

⁴³ UN Convention on the Rights of the Child, A/RES/44/25 (20 November 1989) Art 28.

⁴⁴ UNCRC General Comment No. 1 on Article 29(1) the Aims of Education (2001) CRC/GC/2001/1 para 2.

⁴⁵ *ibid.*

⁴⁶ UN Convention on the Rights of the Child, A/RES/44/25 (20 November 1989) Art 28(e).

⁴⁷ Department of Employment Affairs and Social Protection *Roadmap for Social Inclusion 2020-2025* (DEASP 2020) 48.

⁴⁸ Central Statistics Office, ‘Census of Population 2016 – Profile 10 Education, Skills and the Irish Language’ (CSO 2016) <<https://bit.ly/2FJtGyG>> accessed 12 January 2021.

⁴⁹ Joint Committee on Education and Skills *Report on education inequality and disadvantage and barriers to education* (2019) <<https://bit.ly/33k4OXz>> accessed 11 September 2020.

⁵⁰ European Commission, *Commission Recommendation of 20.2.2013: Investing in children: breaking the cycle of disadvantage* (Brussels, 20.2.2013 C(2013) 778 final) <<http://ec.europa.eu/social/main.jsp?catId=1060&langId=en>> accessed 12 January 2021.

⁵¹ European Commission, Proposal for a Council Recommendation establishing the European Child Guarantee, Brussels, 24.3.2021 COM(2021) 137 final, 26.

⁵² Barnardos, *The real cost of school 2020 Back to School Briefing Paper* (Barnardos 2020)2, <https://bit.ly/3bTtES1> accessed 13 September 2020.

⁵³ Barnardos, *The real cost of school 2020 Back to School Briefing Paper* (Barnardos 2020)2, <https://bit.ly/3bTtES1> accessed 13 September 2020.

Estimated Cost to Make Primary and Secondary Education Free

	Free School Books	Removing Voluntary Contribution	Free Classroom Resources	Free School Transport	Restoring Capitation Grant Level	Total
Current Exchequer Funding	€20 m	€0	€0	€163.5 m	€287 m	€470.5 m
Additional cost to make Primary Education free	€20 m	€42 m	€19.5 m	€5 m	€16.7 m	€103.2 m
Additional cost to make Secondary Education free	€20 m	€47 m	€19 m	€22.4 m	€18.5 m	€126.9 m
Additional cost to make education free for all	€40 m	€89 m	€38.5 m	€27.4 m	€35.2 m	€230.1 m

Source: Barnardos School Costs Survey 2018

Just under half of parents at primary level are able to meet the costs of returning to school out of their regular household budget, while only one third of parents at second level can do likewise, demonstrating the financial strains on households due to the cost of education.⁵⁴ In 2021, the Irish League of Credit Unions reported that 24 per cent of parents say they have incurred debt to pay for schools costs.⁵⁵ On average, parents incurred a debt of €336 to cover the cost of returning to school.⁵⁶

The Barnardos Back to School Costs survey 2021 highlights the basic back to school costs parents face:⁵⁷

	Primary	Secondary
Uniform	€116	€184
School books	€101	€201
Voluntary contribution	€79	€127
Classroom resources	€40	€61
Total	€336	€573

The average cost of primary school books is €101, while the average cost of secondary school books is €201.⁵⁸ It is estimated that it would cost an additional €103 million annually to deliver free primary education and €127 million to deliver free second level education to every child and young person in Ireland.⁵⁹ This investment would cover all textbooks and workbooks, remove the need for voluntary contributions, classroom resources fees, transport fees (for those availing of the School Transport Scheme) and restore the capitation rates back to 2010 levels. Measures have been taken to restore

⁵⁴ Barnardos *The real cost of school 2020 Back to School Briefing Paper* (2020) <<https://bit.ly/3bTtES1>> accessed 8 December 2020.

⁵⁵ <https://www.creditunion.ie/news/latest-news/annual-ilcu-back-to-school-survey-shows-cost-of-se/>

⁵⁶ Irish League of Credit Unions, 'ILCU back to school survey shows cost of sending child to secondary school now averaging €1,500' <https://www.creditunion.ie/news/latest-news/annual-ilcu-back-to-school-survey-shows-cost-of-se/> accessed 3 December 2021.

⁵⁷ Barnardos *The real cost of school 2021 Back to School Briefing Paper* (2021) <<https://bit.ly/3G7Kquv>> accessed 1 December 2021, 15.

⁵⁸ Barnardos *The real cost of school 2021 Back to School Briefing Paper* (2021) <<https://bit.ly/3G7Kquv>> accessed 1 December 2021, 15.

⁵⁹ Barnardos *The real cost of school 2020 Back to School Briefing Paper* (2020) <<https://bit.ly/3bTtES1>> accessed 8 December 2020, 31.

approximately 40 per cent of the capitation grant to the 2010 levels with budget increases provided for in two of the last four budgets.⁶⁰

To truly address the issue of school costs will require a strategic and long term investment of funding in the capitation rates over several budgets.

Recommendations:

- As a first step in ensuring all children have access to educational materials, the Department of Education should allocate €20m to ensure all children in primary school have free school books and a further €20m for free school books for secondary school students.
- Commit to further increases in the capitation rates to encourage schools to reduce reliance on so-called 'voluntary' contributions from parents.

⁶⁰ Budget 2019 provided for a five per cent increase in capitation funding and Budget 2020 provided for a further two and a half per cent increase. Communication received by the Children's Rights Alliance from the Department of Education on 12 January 2021.

Providing free access to a healthy meal each school day and effective access to nutrition

The UN Convention on the Rights of the Child (UNCRC) provides that every child has the right to enjoyment of the highest attainable standard of physical health and governments have an obligation to combat disease and malnutrition through the provision of adequate nutritious food.⁶¹ The Committee on the Rights of the Child has recommended that in implementing this right providing food in school is ‘desirable to ensure all pupils have access to a full meal every day’ and recommends that this is combined with education on nutrition and health.⁶² The Committee further recommends that this should include the training of teachers in child nutrition and healthy eating habits.⁶³

Just over one in ten households with children in Ireland experience food poverty.⁶⁴ This means that almost 80,000 households with children under 18 years⁶⁵ cannot afford a meal with meat or vegetarian equivalent every other day; are unable to afford a weekly roast dinner; or miss one substantial meal.⁶⁶ Parents on the minimum wage have to spend almost a quarter of their income on food, and almost a third if they are dependent on social welfare payments.⁶⁷ Low-income households can often only afford cheap, concentrated energy from foods full of fat, salt and sugar rather than healthier, more expensive foods such as wholegrains, fish, vegetables and fruit.⁶⁸ *Growing Up in Ireland* – the national longitudinal study on children – has found that where you live determines where you shop. More economically advantaged households do not have as far to travel for food shopping.⁶⁹ In Ireland, by age three, children from lower socio-economic backgrounds are more likely to have consumed energy-dense food like hamburgers and crisps, but less likely to have eaten fresh fruit or vegetables.⁷⁰

The EU Child Guarantee outlines that at least one healthy meal each school day as well providing effective access to nutrition. In September 2019, the Department of Social Protection launched a hot school meals pilot with additional funding provided in the three subsequent Budgets. A report on the pilot scheme published in March 2021, captured feedback from parents, principals, teachers and SNAs and was predominantly positive. Over two-thirds of principals, teachers and SNAs noted that the hot meals were of better quality compared to the cold food provided previously.⁷¹ One-third of parents said the provision of hot meals had a positive impact on their children in terms of attendance at school, physical health and emotional/psychological wellbeing.⁷² Two-thirds of principals and teachers indicated that universal provision within the school would be important.⁷³ The universal provision of hot meals in a school setting counters stigma and provides a social environment where children can access and enjoy food without financial constraints.⁷⁴

61 UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3 (UNCRC) Art 24.

62 UNCRC General comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health (art. 24) CRC/C/GC/15, para 46.

63 UNCRC General comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health (art. 24) CRC/C/GC/15, para 46.

64 Department of Employment Affairs & Social Protection. *Social Inclusion Monitor 2016*. Dublin; 2018.

65 Calculated using Central Statistics Office, *Census 2016 Profile 4 – Households and Families* (2017 CSO).

66 Department of Employment Affairs and Social Protection, *Social Inclusion Monitor 2016*, <https://www.welfare.ie/en/downloads/SIM2016.pdf> (accessed 7 June 2020).

67 *ibid.*

68 Adam Drewnowski, *The Real Contribution of Added Sugars and Fats to Obesity*, *Epidemiologic Reviews*, Volume 29, Issue 1, January 2007, 160–171.

69 Richard Layte and Cathal McCrory, *Growing Up In Ireland Overweight And Obesity Among 9-Year-Olds* (DCYA 2011) 33.

70 James Williams, Aisling Murray, Cathal McCrory, Sinéad McNally, *Growing Up in Ireland - Development From Birth To Three Years* (Department of Children and Youth Affairs 2013) 37.

71 Ian McShane and Rachael Joyce (2020) *Hot School Meals Pilot Project* <https://bit.ly/3zCQf0R> accessed 21 June 2021.

72 Ian McShane and Rachael Joyce (2020) *Hot School Meals Pilot Project* <https://bit.ly/3zCQf0R> accessed 21 June 2021.

73 Ian McShane and Rachael Joyce (2020) *Hot School Meals Pilot Project* <https://bit.ly/3zCQf0R> accessed 21 June 2021.

74 Healthy Food for All, *A good practice guide to School Food Initiatives* (Healthy Food for All, 2009).

Continued expansion of the hot school meals programme through an increased funding allocation in the last three Budgets is welcome progress. The latest tranche of funding will ensure those schools who previously expressed an interest in delivering the scheme will now be able to. However, a priority action under the EU Child Guarantee should be the rollout of the scheme on a universal basis to all schools.

Holiday hunger remains a serious concern for children and young people experiencing poverty, who rely on school meals and calls have been made for meal schemes to be extended through the summer months and other holiday periods.⁷⁵ Increasing reliance on food banks and charitable support for food costs during the Covid-19 pandemic has demonstrated the challenges facing low-income families, however the institutionalisation of food banks as a response to food insecurity in the UK has been widely criticised.⁷⁶ Longer term solutions to food poverty, which respond to the multi-faceted nature of this problem are needed. In the interim the expansion of hot meals provision to non-school settings would ensure that children taking part in early years, alternative education, Youthreach and youth services would ensure that all children can access a nutritious meal each weekday.

Recommendations:

- Develop and rollout a national action plan to ensure that all children have access to a hot nutritious meal every day in education settings. The action plan should include annual targets including sub-targets for the named groups of children in the EU Child Guarantee without creating stigma.
- Expand access to a hot meal to non-formal education settings incrementally over a number of budgets. This should include early years settings, youth and alternative education settings.

⁷⁵ Kitty Holland 'Thousands at risk of holiday hunger if school meals dropped' Irish Times, 11 June 2020.

⁷⁶ Olivier de Schutter and others 'Food banks are no solution to food poverty' The Guardian, (London 24 March 2019).

Providing free access to healthcare

Every child has the right to enjoy the highest attainable standard of physical and mental health.⁷⁷ Article 24 of the UN Convention on the Rights of the Child places particular emphasis on the development of primary healthcare, which includes access to General Practitioner (GP) care.⁷⁸ The UN Committee on the Rights of the Child has stressed that primary care should include the provision of information and services, as well as the prevention of illness and injury.⁷⁹ *Better Outcomes, Brighter Futures, The National Policy Framework for Children and Young People 2014–2020* reiterated a commitment, first articulated in the 2012 *Future Health Framework*, to introduce universal GP services.⁸⁰

There is a strong social gradient in the prevalence of poor health and well-being, dental health, socio-emotional difficulties, consumption of unhealthy food, hunger, and anxiety among children and young people.⁸¹ Children and young people in Ireland generally describe themselves as healthy, however a significant minority have longstanding illnesses, conditions or disabilities, with those from families with lower levels of education and income more likely to have such a condition.⁸² Traveller children are more likely to have hearing, sight or speech difficulties than children in the general population.⁸³ Poorer mental health and socio-emotional difficulties are more prevalent among children and young people whose parents have not been in employment, and least prevalent for children and young people in professional families.⁸⁴ Ensuring that children can access the supports and services they need in order to have good health both mitigates the damaging impact of poverty on children, and helps to overcome the accumulated disadvantage over the lifecycle that poverty creates.

Being able to access the supports and services needed in order to have good health both mitigates the damaging impact of poverty on children, and helps to overcome the accumulated disadvantage over the lifecycle that poverty creates. The *EU Recommendation on Investing in Children* recommends improving the responsiveness of the health system to better address the needs of disadvantaged children by dismantling ‘the obstacles to accessing healthcare faced by children and families in vulnerable situations, including costs’ and by investing in prevention.⁸⁵

Recommendation:

- Provide access to GP care to all children under the age of 18. As we transition to a system of universal health care, ensure everyone on a low income can access care by increasing the medical card income thresholds to the equivalent of the highest means-tested welfare payment.

⁷⁷ UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3 (UNCRC) Art 24.

⁷⁸ *ibid* Art 24 (b).

⁷⁹ UN Committee on the Rights of the Child, ‘General Comment No. 15 on the Right of the Child to the Enjoyment of the Highest Attainable Standard of Health (Art 24)’ (2013) UN Doc CRC/C/GC/15 para 26.

⁸⁰ Department of Children and Youth Affairs, *Better Outcomes, Brighter Futures: The National Policy Framework for Children and Young People 2014–2020* (Stationery Office 2014) Commitment G9, 30; Department of Health, *Future Health: A Strategic Framework for Reform of the Health Service 2012–2015* (DOH 2012) ii.

⁸¹ Merike Darmody, Emer Smyth and Helen Russell, *The implications of the Covid-19 pandemic for policy in relation to children and young people: A research review* (ESRI 2020) <<https://bit.ly/33kVJ0J>> accessed 12 September 2020.

⁸² *ibid*.

⁸³ *ibid*.

⁸⁴ *ibid*.

⁸⁵ European Commission, *Commission Recommendation of 20.2.2013: Investing in children: breaking the cycle of disadvantage* (Brussels, 20.2.2013 C(2013) 778 final) <http://ec.europa.eu/social/main.jsp?catId=1060&langId=en>.

Ensuring effective access to adequate housing

Under Article 27 of the UN Convention on the Rights of the Child (UNCRC) all children have the right to a decent standard of living that is good enough to meet their physical and social needs and support their development. In cases where parents or carers are unable to provide this, the State must assist by providing 'material assistance and support programmes particularly with regard to nutrition, clothing and housing'.⁸⁶ The UN Committee on Economic, Social and Cultural Rights is clear that the right to housing applies to everyone and must be accessible and affordable to all. The right is only fulfilled if the property is habitable, offers security of tenure and has provision of facilities essential for health, security, comfort and nutrition.⁸⁷

The right to housing also comes with a duty to monitor the numbers of people who are homeless and those at increased risk of being disadvantaged with regard to housing.⁸⁸ States then have a responsibility to prevent and address homelessness by, for example, increasing housing infrastructure.⁸⁹

The EU Child Guarantee calls on Member States to ensure that families being accommodated in emergency accommodation should receive adequate support along with prompt access to permanent housing.

A Focus Ireland research study with homeless families published in 2019 showed that most of the families involved in the study had stable housing histories and prior to becoming homeless had been living in the private rental sector in receipt of Rent Supplement or the Housing Assistance Payment (HAP).⁹⁰ In July 2017, the roll-out of family supported accommodation facilities or 'family hubs' began as a way of transitioning families out of unsuitable emergency hotel and B&B accommodation and of providing 'a greater level of stability than is possible in hotel accommodation'.⁹¹ While some family hubs may be preferable to hotel and B&B emergency accommodation for families, parents living in hubs describe very challenging living situations, with the rules in the hubs, noise levels, living in close proximity to strangers and the lack of space and privacy impacting on normal parenting routines and practices.⁹² A number of parents and older children living in hubs expressed the view that family hubs are not appropriate accommodation for families, and some expressed concern that the hubs are being seen as a longer-term solution to family homelessness.⁹³ The use of family hubs must be reviewed, particularly in light of the Covid crisis which highlights the vulnerability of people living in congregated settings.

Recommendations:

- Develop a Family Homeless Strategy, which is child-centred, has clear responsibilities, targets and timelines. Specific targets for one parent families, Travellers, families with

⁸⁶ UN Convention on the Rights of the Child (20 November 1989) 1577 UNTS 3(UNCRC) Art 27.

⁸⁷ UN Committee on Economic, Social and Cultural Rights, 'General Comment No. 4 on the Right to Adequate Housing (Art 11(1) of the Covenant)' (1991) UN Doc E/1992/23, para 8.

⁸⁸ UN Committee on Economic, Social and Cultural Rights, 'General Comment No. 4 on the Right to Adequate Housing (Art 11(1) of the Covenant)' (1991) UN Doc E/1992/23, para 13.

⁸⁹ UN & Habitat, The Right to Adequate Housing, Factsheet No 21/Rev. 1 (Office of the High Commissioner for Human Rights, 2014) 34.

⁹⁰ Alice Emily Long, Sarah Sheridan, Letizia Gambi and Daniel Hoey, *Family Homelessness in Dublin: Causes, housing histories and finding a home* (Focus Ireland 2019) <<https://bit.ly/2rJyWNC>> accessed 2 December 2019.

⁹¹ *Rebuilding Ireland, Action Plan for Housing and Homelessness: Third Quarterly Progress Report* (DHPLB 2017).

⁹² Ombudsman for Children's Office, *No Place Like Home: Children's views and experiences of living in family hubs* (Ombudsman for Children's Office 2019).

⁹³ *ibid.*

disabilities and those living in Direct Provision should be outlined under this strategy with tailored objectives and goals.

- Provide targeted funding for support workers for children and families experiencing homelessness.