



Children's Rights Alliance submission in relation to the formulation of the new Strategic Plan for the National Educational Welfare Board 2008-2012

September 2008

The Children's Rights Alliance is a coalition of over 80 non-governmental organisations (NGOs) working to secure the rights and needs of children in Ireland, by campaigning for the full implementation of the UN Convention on the Rights of the Child (UNCRC).¹ It aims to improve the lives of all children under 18, through securing the necessary changes in Ireland's laws, policies and services.

The Alliance welcomes the opportunity to submit its views on the development of the National Educational Welfare Board (NEWB) Strategic Plan 2008-2012. We give our views both as a member of the Community and Voluntary Sector Pillar in Social Partnership, and as an advocate for the full implementation of the UN Convention, ratified by the Irish Government in 1992. A number of the articles of the Convention are relevant to the work of the NEWB.² These articles should be used as guiding principles for the work of the NEWB in its role of maximising educational participation among children in Ireland and they are:

- *Non-discrimination* (Article 2)
- *Best Interests of the Child* (Article 3)
- *The Right to Education* (Article 28)

Article 28 of the Convention focuses on upholding the child's right to education, and includes "taking measures to encourage regular attendance at school and the reduction of dropout rates".³ In its *Concluding Observations* to the Irish Government in 2006, the UN Committee on the Rights of the Child stated its concern about the high school dropout rates that exist among children belonging to the Traveller Community and children with disabilities.⁴ The NEWB is *the* key organisation addressing these issues, and therefore has a central role to play in upholding and promoting children's rights in Ireland.

Progress under Strategic Goals of the NEWB Strategic Plan 2005-2007 'Every Day Counts'

The Alliance acknowledges and supports the significant progress made by the NEWB during the period of the last Strategic Plan *Every day Counts (2005-2007)*. In particular the Alliance would like to acknowledge the success of the NEWB in raising public awareness in relation to the importance of school attendance and participation, working with limited resources to deliver educational welfare services to a number of children and families across the country, and providing a national picture of school attendance through collection and analysis of local data. We also welcome the practical support the Board has provided for schools and parents through materials like the School Codes of Behaviour document and the Educational Helpline.

¹ United Nations Convention on the Rights of the Child (1989), full text available at: <http://www.unhcr.ch/html/menu3/b/k2crc.htm>

² See United Nations Convention on the Rights of the Child (1989)

³ United Nations Convention on the Rights of the Child (1989), Article 28

⁴ United Nations Committee on the Rights of the Child (2006) *Concluding Observations to Ireland*, [http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.IRL.CO.2.En?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CRC.C.IRL.CO.2.En?Opendocument)

1. Remit of the NEWB

Despite the successes noted above, the NEWB is still some distance from fulfilling its full mandate as defined by the Education (Welfare) Act 2000. The acknowledgement by Government that school attendance requires dedicated support and the subsequent establishment of the NEWB are important and welcome steps. However, there remains a danger that the setting up of the NEWB is seen as enough. It is not. The NEWB has a vital role in ensuring that all children access their right to education. Limited resources should not lead to an acceptance that certain aspects of the 2000 Act will not be honoured.

The new Strategic Plan should address the aspects of the NEWB's remit currently not being fulfilled. It should aim for the NEWB to become fully operational, thereby delivering on its statutory mandate by 2010.

1.1 Teenagers in Employment

The NEWB has responsibility for children aged 16 and 17 that leave school to take up employment. These children must be registered by the NEWB, and Education Welfare Officers, in consultation with the child, are required to develop plans to support their continuing education and training while they commence their employment.⁵

So far, this aspect of the NEWB role has been neglected. The responsibility towards teenagers in work is outlined in the legislation and must be undertaken with the same commitment and drive as other aspects of the Board's work, even when resources are limited. Meeting this obligation should be a key part of the new Strategic Plan.

1.2. A Comprehensive Tracking System

The role of the NEWB in gathering and providing national level data in relation to school attendance is welcome. However, as acknowledged by the UN Committee on the Rights of the Child in its *Concluding Observations* to Ireland, significant data gaps still exist.⁶

School Attendance is tracked by the Department of Education and Science (DES) and by the NEWB. At primary level, data is not automatically collected on individual pupils' attendance. Some preliminary work has been done on a database but this is not yet complete. There is no system of tracking the transfer of children from primary to secondary school. Yet this is a critical issue – it is estimated that about 1,000 children per year drop out at this stage. At second level, the DES database tracks the progress of individual pupils from year to year; however there is no automatic indication when a pupil drops out during the school year. The lack of a comprehensive, national level tracking system for children in education is a considerable barrier to the NEWB fulfilling its remit as outlined in the Education (Welfare) Act.

A database to track primary school attendance should be completed with urgency. This database should link with the one already in existence at second level. These databases should track school attendance and give a comprehensive picture of the overall primary and second level school populations. The new NEWB Strategic Plan should outline the importance of a national level tracking system to the effective working of the NEWB.

⁵ Education (Welfare) Act, 2000, Part III, Section 27-29

⁶ UNCRC (2006), *Concluding Observations*, p. 4. "The Committee recommends that the State Party take further measures, including through strengthening the role of the Central Statistics Office and other governmental departments and agencies to develop a systematic and comprehensive collection of disaggregated data in compliance with the Convention, which should be used for the creation, implementation and monitoring of policies and programmes for children."

2. Approach of the NEWB

The NEWB must make difficult decisions in relation to the balancing of resources between early intervention and prevention programmes, and providing intensive support for cases of chronic absenteeism. In doing this it must recognise every child's right to education, while also considering its ability to improve educational participation for whole communities.

The new Strategic Plan should confront this complex balancing act and be clear about why a two-pronged approach – essential investment in early intervention and prevention, and in crisis management – is the right approach for the 2008-2012 Strategic Plan. At present, neither approach should overshadow the other, though looking forward, the need for investment in crisis management should gradually diminish based on the success of early intervention.

2.1 Early intervention and Preventive Services

Under its remit the NEWB is obliged to intervene in cases of absenteeism when the total number of unexplained days of absence reaches 20 days. However, the Alliance is aware that, due to a lack of capacity, cases cannot always be responded to at this stage and many are forced to fester until the problem worsens. In some of the most difficult cases the only option available may be the threat of legal action against a parent, which, while important in upholding a child's right to education, is also adversarial, time-consuming and expensive.

Meanwhile, national and international research shows that problems of absenteeism need seldom reach this crisis stage. Where intervention happens early, through awareness raising and structured programmes, results are universally better. Prevention is better than cure. A combination of research and data collection to identify potential problem areas, and early intervention programmes designed to address these problems at an early stage, will prove more effective in the longer-term than crisis management.

In developing the new Strategic Plan the NEWB should agree to ring-fence a percentage of its current budget to invest in early intervention programmes. Alongside this investment, it should set up a simple evaluation process which will track the cost/benefit of this approach. This should happen in parallel with its existing responses to chronic cases, based on the logic that these will gradually diminish and more can progressively be invested in early intervention and prevention. Ring-fencing money to spend in this way is vital.

2.2 Prioritising Resources

The Alliance recognises that the NEWB budget is limited and that prioritising resources is a devilishly difficult task. However investment, like policy, should be targeted and evidence based. The NEWB gathers valuable data in relation to school attendance countrywide. It identifies patterns and can spot problem schools and areas. Money should follow need, and therefore should be invested in those areas where problems are worst. In these areas investment must be a mix of funds to support crisis management and funding for early intervention and prevention programmes. And funding should be flexible – after evaluation of a programme in one area, funding may be reduced based on success, and investment will be re-allocated according to a new assessment of need. Funding decisions should be based on the evaluative cycle and should not be static.

When prioritising, the NEWB has also outlined – in its briefing letter – the importance of considering a child versus a school focus in relation to the distribution of resources.⁷ The NEWB has a duty to every child in Ireland to ensure their full educational participation, and its work must be guided by

⁷ Letter received by the Children's Rights Alliance from Indecon International Consultants in relation to the Formulation of the NEWB Strategic Plan 2008-2012, dated 11 August 2008.

the principle of the best interests of the child (Article 3, UNCRC). However, this does not prevent the NEWB from investing in schools and communities.

Often, a child's absenteeism is only one aspect of a series of issues affecting their lives. Taking a holistic approach - engaging children, parents, schools and communities in programmes to address absenteeism are likely to lead to more sustainable results in relation to school attendance. Similar to the early intervention approach suggested above, the NEWB should commit to investing in a holistic, community-based approach in selected areas over an agreed period of time.

2.3. Evaluation

All of the recommendations, made above, are contingent on effective evaluation feeding into an ongoing process of needs analysis, investment, and appraisal. The NEWB should develop an evaluative framework both for its response to chronic cases and for its prevention and early intervention programmes. Policies can have unintended and unexpected results, both positive and negative. Policies that were considered genius can fail due to local or organisational factors, while others can succeed for the same reasons. It is important to monitor implementation and learn from successes and failures. For that reason evaluation is one of the most important elements of the NEWB's work. The new Strategic Plan should provide clarity on how it will be undertaken over the next four years and beyond, and how its results will influence the future direction of the NEWB.

Children's Rights Alliance

The Children's Rights Alliance is a coalition of over 80 non-governmental organisations (NGOs) working to secure the rights and needs of children in Ireland, by campaigning for the full implementation of the UN Convention on the Rights of the Child. It aims to improve the lives of all children under 18, through securing the necessary changes in Ireland's laws, policies and services.

Our Membership

The Alliance was formally established in March 1995. Our membership, from which Board Members are elected at the Alliance's AGM, consists of a diverse range of groups, including child welfare agencies and service providers; child protection groups; academics; youth organisations; family support groups; human rights organisations; disability organisations; parent representative organisations; community groups and others interested in children's rights. The Alliance's policies, projects and activities are developed through ongoing collaboration and consultation with our member organisations.

Our Aims

- Bringing about a shared vision that will realise and protect children's rights in Ireland
- Securing legislative and policy changes to give meaningful effect to the UN Convention on the Rights of the Child
- Securing the effective implementation of Government policies relating to children.

Our Experience

- The Alliance is recognised for its participation in the international monitoring and reporting process of the UN Convention on the Rights of the Child, including the publication of two shadow reports critically evaluating progress made by the Irish State to implement the Convention's provisions into domestic law, policies and services
- In 2006, the Alliance was the sole Irish NGO commentator reporting to the UN Committee on the Rights of the Child
- The Alliance is a designated Social Partner within the Community and Voluntary Pillar
- The Alliance has played an important role in influencing the development of several key initiatives for children, including the publication of a National Children's Strategy; the establishment of the Office for the Ombudsman for Children; and the inclusion of children's rights in the EU Charter of Fundamental Rights.

The Children's Rights Alliance is a registered charity – CHY No. 11541

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