

Review of acts for children and human rights

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E1 Children Act 2004 Childcare Act 2006 DisabilityDiscriminationAct

1995Human RightsAct 1989 SpecialEducationNeeds and Disability Act 2001

E2 How these legislations influence in a working setting - Children Act 2004

Children Act 2004 is a legislation in which allowed the government to provide a legal framework for the Every Child Matters programme. The Children Act 2004 aims to support every service for children and can help to aim to focus on improving all outcomes for all children and young people.

They aim to do this by ensuring that different services for children and young people work more efficiently together. There are 5 outcomes of which can be found at the ECM centre of the Children act 2004. Childcare Act 2006 Children Act 2006 influences working practices within the setting as it provides a learning framework for children aged 0-5 years which is formally known as the Early Years Foundation Stage (EYFS). The act includes the wellbeing standards with which all settings registered to work with children less than 8 years old must obey and use.

The everyday practice within the settings is affected by the welfare requirements, e. g. the types of snacks available for children, or the amount of adults required to look after a set amount of children. Disability Discrimination Act 1995 The disability discrimination act influences working practice as this act means that it would be illegal for a setting to not make reasonable adjustments to help and support any children who has a disability. The act requires policies that state that any disabled child or parent should not be treated any less than anyone else.

This is promoting equal rights. This act influences working practice by saying that all settings should provide wheelchair access for anyone who requires it.

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The policy also states that every setting should provide all documentation in a large font size so that any child or parent/carer can read it if they are suffering with a sight disability. Human Rights Act 1989 The Human Rights Act 1989 was not particularly for children; however children are allowed or given the same rights as adults.

This act influences working practices because the act means that the children have a right to respect, fairness and dignity in the way that they are looked after. Human Rights Act 1989 then states that the setting is not able to use physical punishment e. g. smacking, even if the parent has told the setting to do so, practitioners in the setting must not do so. The human Rights Act 1998 also means that all the parents/carers of the children are also protected. Special Education Needs and Disability Act 2001 This act is split up into two separate sections.

Section 1 strengthened the rights of access of parents and children to mainstream education. This relates back to the idea of inclusive education which means children are not separated from their peers because of a disability or one different need. The second section expanded the Disability Discrimination Act 1995 by including education into the act. This act means that nurseries and schools would need to make sensible adjustments to their setting in order to accommodate a child with special educational needs.

Every individual in the setting has different needs. The settings will have to consider each child's needs and inclusive practice is essential to make sure every child within the setting is considered and cared for. E3 All settings are different and all will have a range of policies that make sure that the children's welfare and safety are put first. If a practitioner in the setting is

worried about a child, they will have to report this to the appropriate person (e. g. supervisor) who will then deal with the issue.

This will help make sure that child is safeguarded from any danger or risk because if other practitioners in the setting are made aware of the issue then they can look out for that individual more and being more alert of how the child is acting in the setting or to others around the and how the child is feeling. Someone will be able to observe the child and they will then be able to create an evidence folder to help support their concern of which they can then pass onto the right people, e. g. social services – this comes under the safeguarding policy. The legislation RIDDOR, states all accidents within the setting need to be recorded.

This helps to safeguard all children because if they were to injury themselves, people will be made more aware of the situation as it would have been recorded. If the children were to gain any delayed side affects of there previous incident then people around them will know about the accident and therefore the risks will be much lower and hopefully less harmful to the child. COSHH regulations states that all substances that may cause harm to the child need to be locked away in safe place, such as, cupboards or filing cabinets, all of which need to be clearly labeled.

This will help to safeguard children within the setting as by locking away the dangerous substances, the children will not be able to get hold of them or be put at danger of the substances. The COSHH regulations come under thehealthand safety policy. RIDDOR also comes under the health and safety policy along with COSHH regulations. E4 Within all settings, they will have policies that promote fair, just and inclusive strategies. The meaning of the

inclusion policy is to make sure that each and every child in the setting is considered and included.

Even if they have a disability they should never be singled out in anything the setting provides. Another policy within all setting is the Behavior Management policy. This Behavior Management policy aims to promote fair, just and inclusive strategies. This is because rather than always punishing bad behavior that child may create, this policy aims to provide rewards to help to encourage good behavior from the child. They will also give equal opportunities for each and every individual child in order to receive rewards for good behavior. This relates back to B. F Skinners theory in child behavior.

Other fair strategies include, not jumping to conclusions and point the finger at one child for bad behaviour straight away. They aim to be fair to each and every child and aim to give all children the opportunity in having their own say in situations that may arise. A Children Act 2004 – The Every Child Matters (ECM) programme comes under the children act 2004. In my placement setting my roles are to enable that all the children are gaining from the 5 outcomes from the ECM. The children act 2004 aims to help improve all outcomes for all children and encourage this by helping support all the services for children.

The act also provides the framework ECM and therefore the legislation says that the children need to be meeting the 5 outcomes of the ECM. In my setting I have seen this within my setting several times. ‘ Being healthy’, within the setting is shown as they provide milk, water and fruit for children at snack time everyday. This is a way that they are keeping the children healthy. They also encourage ‘ being healthy’ in my setting as they have

activities which involve the children preparing healthy snacks and been giving the opportunity to learn why eating healthy is good for you and that it can help prevent obesity.

Childcare Act 2006. My responsibility in my placement is to ensure that the EYFS is being used efficiently. The child to adult ratio, in my setting, means that a room can never be left without an adult present and it is my role to make sure that I am never left in a room by myself with any children present, this is to protect myself as well as the children. Disability Discrimination Act 1995 My job in the setting is to make sure that I personally abide by this act and that I make sure I inform my supervisor if I hear or see someone else discriminating whether it being a parent/carer or a practitioner.

The legislation says that any setting will need to make adjustments for anyone who may have a disability. In my setting, there are ramps provided for any wheelchair users who need to get in and out of the setting. Human Rights Act 1998 My personal role within the setting is to help to promote children's rights. Children have their own rights and therefore I need to make sure that all children are treated equally and fairly. If I were to witness any children being treated unfairly, it is my role to then pass on any of the information seen to my supervisor.

The legislation states that in any setting no physical punishment should be used towards the children, and in my placement I have seen that they comply with this legislation because they do not use physical punishment to any of the children. All the children are respected and anything they say or any of their views are also respected and taken into consideration. My

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setting shows that they apply with this legislation in many different ways. Special Education Needs and Disability Act 2001 I, myself, within the setting should promote inclusive and diverse practice at all times. When in the setting I need to make sure that I am including each and every child, regardless of how different they are. Every child is different and therefore they all have different needs. By promoting this, this is showing inclusive practice. All children should not be parted away from their friends, even if they require extra help for their disability. E5/D2 There are many ways in which practitioner can help children to gain independence and to help to develop their self-reliance. By doing this, you will need to make all the children feel as if they have some control by letting them express their views and choices.

You can do this by, letting the child choose their own activity choose and what equipment they will pick to use in their selected activity. Through play activities, children will be able to work together and they will learn how to become independent. Children who will carry out activities in groups give themselves opportunities to gain some self-reliance skills because they will be able to see what they are capable and not capable of doing. They will be able to work with others to achieve tasks set for them. Playing together the children can help each other to develop their self-reliance skills.

They can show how they can make their own choices within the group, and that they do not need to follow everyone else and do what they do, as they are able to voice their own opinion. Activities such as snack time can help the children to gain independence and self-reliance as they are able to get involved. One child everyday is given the task of being fruit monitor, which

enables them to collect plates and cups and hand out one each to every child sitting on the table. This gives the a chance, as individuals to carry out and complete a task on their own.

However, to every table there is an adult present to help pour the water into every cup to prevent spillages. Also, every child is too take two pieces of fruit off of the fruit plate and pass it along to their neighbour and do so until the fruit has gone. This gives the child the opportunity to develop self-reliance and indepenence as it makes the child feel they are capable of doing activities independently. Both strategies allow the children to do so independently. E6 and D1 There are many ways how children can be prepared for transfer or transition.

Things such as - Comfort toy – The child might have a comfort that will help to reassure them, to let them know that they are safe and not be afraid in the move that they have taken. However, let them know that the comfort will not also be allowed with them and maybe say to the child that they are only allowed them for a few weeks until they are settled in. Pre-visit – Many schools offer a pre-visit in which the parents and children can come and have a look around the new surroundings before they move up to school. This is a useful idea because the child can get a idea of what it will be like.

Pre-visit's should be made fun to encourage the child that it shouldn't be scary but exciting instead. Leaflets and prospectus – this may help the child to warm to the idea of moving upwards as the leaflets may supply pictures of the new setting or surrounding and therefore gives the child a chance to understand and see what their newenvironmentwill be like. Word of mouth – family, friends or people may be able to give you extra information and

personal experiences, which may help both the parents and children. The key issues are - Pre-visits are essential as they support the child in moving.

Even though the child may find moving a difficult time this can help if they then visit another school and they see how fun and exciting this opportunity will be for them, and a chance to make more friends. By doing this, this can help to prevent the child from feeling nervous about the situation. If people surrounding the child are, it helps to support the child even more. The child must feel that they can trust you. If you were to tell them un-true information about the setting, and they learn that it wasn't true, they may feel a sense miss-trust, which isn't going to help the individual.

Gathering information. This can help to support children for transaction because if enough information is gathered and they are informed of this information about the new school they are going to go into the new setting and feel more confident in a way that they might not feel as worried and nervous. Gather fun information to make the move feel more exciting and fun. E7 and B1 Some people may discriminate several things, not just race. People may be discriminated if they have a disability or may not be able to complete a task.

The main reasons for discriminations are that people tend to make assumptions about others and may stereotype others too. No one should have the right to stereotype as it is unfair. If children have suffered from others around them stereotyping them, then people may begin to have expectations from them. If those people who have been stereotyped, then might not meet the expectations of others have of them, may be seen as failures on their eyes. But by having this assumption on the child could result

in the child feeling that they can't achieve something that they should be able to.

Discrimination can result in the children beginning to feel lonely, useless and isolated from people around them. Children might begin to feel that they can't do anything right. However, children affected by discrimination won't be able to deal with it as they are only young. Having discrimination in settings is bad practice and will start to set a bad example for children. In some cases children can be excluded from activities due to discrimination. By settings doing this, this is not representing inclusive practice.

Children in the setting may be affected if practitioners in the setting have little knowledge of cultures or children's backgrounds as people may not have enough knowledge about these things and therefore could jump to wrong conclusions which could lead to excluded children because of what the person in charge may think is right. Any discrimination that occurs within the setting is a serious issue that should be dealt with immediately if this were to arise. Every child has the right to diversity and to be individually unique, and discrimination is stopping these rights. All children should always be treated the same.

Discrimination is unprofessional and bad practice and practitioners should be leading by example to the children, especially in a childcare setting. Children often follow or are influenced by adult's actions and therefore we need to give them the best directions in life. C1 Vygotsky theory supported the development of strategies for empowering children. Vygotsky himself had a theory that he used to empower children. His strategy was the ZPD which is

the Zone of Proximal Distance. He, himself believed that children learnt through each other through communication and interaction.

He used ZPD to show empowerment as it shows the difference of what they can do alone and what they can achieve with help from older around them. Vygotsky would then be able to see what the children could do alone, and then what the child could do whilst working with other children. He would be able to then see how each child would work by themselves. This gives the child the opportunity to be in control of their actions. This is what empowerment is. I personally agree with Vygotsky's theory as I see how he used his strategy to promote empowerment.

I also agree with what he thinks as he thinks that children learn from each other through interaction and commitment. I believe that Vygotsky's strategy helps to empower children because the children do have to work alone and they have to be left to control of what they do to see how well they cope by themselves. My setting does use empowerment and Vygotsky's theory in their practice. In placement, children do get some independence; as they get to do their own drawings and their own writing without people telling them what to do, leaving them to express their feelings without anyone's input on what they do.

However they also do set activities in which the teacher will explain what to do in activities and the teacher will be on hand to help if they get stuck or require help to finish the task set. Learning journals include work in which the children have created without any help. The learning journals also include work that teachers have set for the children to complete and therefore might have of had help from the teachers or adults in the setting.

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They will leave notes to compare the work either where the child needed help or when they didn't to show the child's ability when working on their own or with help. E8