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National Council for  
Curriculum and Assessment

# *Aistear* (2024) as a Rights-based Early Childhood Curriculum Framework

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## Background

This paper considers how the rights of babies, toddlers and young children can be realised ‘in’ and ‘through’ early childhood education (Lundy, 2012) in the updated *Aistear: the Early Childhood Curriculum Framework* (National Council for Curriculum and Assessment [NCCA], 2009; Government of Ireland [GoI], 2024). *Aistear* (NCCA, 2009) was originally developed to support the holistic learning and development of children from birth to 6 years of age, taking a child-centred approach with a particular emphasis on play-based pedagogies.

In line with policy developments and changes in contemporary Irish society, it was decided to update the Framework in consultation with relevant stakeholders, asking what was working well and what needed to be changed or updated in *Aistear*. As well as consulting with educators, parents and other professionals (NCCA, 2023; 2024), NCCA also commissioned consultations with babies, toddlers and young children (O’Toole, Walsh and Kerrins *et al.*, 2023; O’Toole, Ward and Walsh *et al.*, 2024) and a literature review (French and McKenna, 2022). Key messages from Phase 1 and Phase 2 (NCCA, 2023; 2024) of the combined consultation included a call for more explicit reference to babies, toddlers and young children as citizens with rights and with emerging responsibilities; to further embed concepts of diversity, equity and inclusion; to draw greater attention to the importance of interactions and relationships; and to emphasise and re-affirm the centrality of learning through play and hands-on experiences.

The updated Framework (GoI, 2024) has been developed from the findings to reflect these important messages. *Aistear* (GoI, 2024) is grounded in the Principles which are presented as the foundation for children’s learning and development in early childhood. The Principles are listed as Agentic Global Citizens; Diversity, Equity and Inclusion; Relationships and Interactions; Family and Community; Agentic Educators; Transitions; Holistic Learning and Development; Play and Hands-on Experiences; and Learning Environments. Each is followed by an illustration of the Principle from the perspective of babies, toddlers and young children, highlighting the educator’s role in facilitating voice and influence in early learning and development. These messages of equity, citizenship, inclusion, respect and responsibility are interwoven throughout the Themes of: Wellbeing; Identity and Belonging; Communicating and Exploring and Thinking. Each Theme has Aims and Learning Goals which describe aspirations of what babies, toddlers and young children will learn through an enquiry-based and emergent curriculum.

## United Nations Convention on the Rights of the Child

Implementing child rights in early childhood requires “recognition of young children as social actors from the beginning of life with particular interests, capacities and vulnerabilities, and of requirements for protection, guidance and support in the exercise of their rights” (United Nations (UN), 2006; p. 2). The Convention on the Rights of the Child (CRC) (UN, 1989) views children as subjects of human rights under international law, from birth up to the age of 18 years, as active participants and agents of change in their own lives. It simultaneously recognises young children as particularly vulnerable and reliant on adults as gatekeepers of these rights. It is important to acknowledge and consider challenges that may arise in recognising, interpreting, understanding and facilitating seldom-heard voices (DCEDIY, 2019). There might be a paternalistic tendency to focus on the protective elements of the CRC when working with babies, toddlers and young children, seeing them as passive recipients rather than to value them as active members of

families, communities and friendship groups with their own interests and opinions (Byrne and Lundy, 2019; Gottschalk and Borhan, 2023; Monta, 2023). There is a dearth of research pertaining to the lived experiences of babies and toddlers (Quennerstedt, 2011; French and McKenna, 2022) which consequently impacts on understanding of their perspective and the influence of their voice.

The Convention has identified Article 2 (Non-discrimination); Article 3 (Best interests of the child); Article 6 (Right to life, survival and development) and Article 12 (Right to be heard) as the four general principles which are cross-cutting, universal and inter-relatable (UN, 2003). These general principles will serve as a lens through which this paper considers children's rights in the updated *Aistear* (Gol, 2024). In adopting a critical approach to examining and interpreting the construction of children's rights within the curriculum framework, there is an intention of promoting understanding of how the CRC is applied holistically in early childhood, thereby contributing to a greater respect for children (Reynaert *et al.*, 2012).

## Non-discrimination

Aligning with Article 2, *Aistear* states that all babies, toddlers and young children have a right to access and participate meaningfully in experiences to fulfil their potential as unique individuals. There is an intentional awareness of age, gender, (dis)ability, family status, ethnicity, culture and spirituality throughout the Framework, aligning with an understanding of diversity of family, home and community in early childhood (UN, 2006). Particular attention was made during the consultation processes to engage with a broad range of voices to ensure that the Framework responds to the rights and needs of children and their families (NCCA, 2023; 2024). While there is an emphasis on celebrating diversity, there is also an important focus on how we notice similarities and connectedness in children's social worlds, linking these to flexible and accessible learning goals in the Themes. Equity of participation in the curriculum needs to be cognisant of the different ages and stages of children's development, which Archard and Skivenes (2009) present as a considered and respectful judgement of children's competencies. This means a commitment to "hearing the child", (Archard and Skivenes, 2009; p. 9) and understanding the complexity of knowing and interpreting the multimodality of child voice. 'Voice' in *Aistear* refers to the many ways that babies, toddlers and young children communicate their views, feelings and emotions.

Understanding children's rights in the curriculum is based on a respectful image of the child, seeing their uniqueness, strengths and capabilities (Malaguzzi, 1997; Sorin, 2005; Moss, 2014; NCCA, 2015) rather than an assumption of incompetence or lacking capacity which Lundy (2007) presents as a potential barrier in realising their rights in education. Chicken and Tyrie (2023) emphasise the centrality of positioning young children as capable and agentic meaning-makers in early childhood, arguing that this image of the child is one that is closest to a children's rights perspective. *Aistear* presents such an image of the baby, toddler and young child as "agentic, competent and confident" (p. 9), having voice and influence over their own learning. It seeks to capture the essence of childhood by emphasising 'joy', 'hope', 'happiness' and 'fun' that might be experienced through creative, imaginative explorations of their world. However, the Framework necessarily recognises the focus on emotional attachments with adults in early childhood to respond to the wants and needs of babies, toddlers and young children for nurturance, care, guidance and protection (UN, 2006).

## Best interests of the child

*Aistear* acknowledges children's dependency on others for realisation of their rights by presenting an image of the educator as responsive, caring, agentic and reflective. A recent study by Lundy *et al* (2024) emphasises the required knowledge and skills of the educator in interpreting, responding and giving feedback to babies, toddlers and young children. By placing an emphasis on an understanding of a slow relational pedagogy in practice, educators are supported to come to know the baby, toddler and young child – to slow things down, to be present and responsive, to notice their identities and capabilities and to see their potential. In this way, protective and participatory rights can be realised by creating the time and space to respond to the voice of the child. However, there is a risk that a lack of understanding of children's emotional complexity can, as noted by Drury and Ruckart (2023), result in consideration of their spaces and social groups as less valuable than those of adults. Both the European Commission (2014) and Council of Europe (2020) recognise the centrality of the role of early childhood teachers and educators in promoting children's rights. In establishing babies, toddlers and young children as "Agentic Global Citizens" (Gol, 2024) with rights and with emerging responsibilities, *Aistear* is responding to the EU Strategy (European Commission, 2021) in highlighting the importance of developing actions to empower them to be "active citizens" in a democratic society. However, this concept of "agentic global citizen" is one that can problematise power dynamics as well as the balance between rights and emerging responsibilities in early childhood (NCCA, 2023). One of the primary purposes of *Aistear* is to promote children's learning and development, crucially guided by a respectful rights-informed approach to education. Aligning with Article 5, which views children's "evolving capacities" as an enabling principle, an understanding of "emerging responsibilities" is one which recognises processes of maturation, learning and the progressive competencies and dispositions which are nurtured in early childhood.

Enabling agency in the early years is understood by Chicken and Tyrie (2023) as a concept that is embedded in both a rights-based approach as well as the social constructivist model. Similarly, Quennerstedt's (2016) Swedish study of children aged 1 to 3 years illustrates powerful examples of agency in terms of ownership, influence and equal value. The depiction of the competencies of babies and toddlers negotiating the complexity of their rights as 'owners' of the toys and resources that were temporarily in their possession in the kindergarten environment clearly illustrates how rights can be understood at an early age. The baby room is reflective of societal structures of dominance and subordination as they communicated their will and navigated an understanding of equality with their peers and educators. The attitude of the adult is again reflected in Drury and Ruckart's (2023) study where they found that when one held genuine beliefs about the competencies and abilities of babies and toddlers, then the children have a greater opportunity to express their views and opinions. *Aistear*, and the subsequent guidance to support its implementation in practice, goes some way to reconceptualising constructions of babies, toddlers and young children and subsequent constructions of educators to promote a rights-informed pedagogy. In empowering children as active global citizens, the role of the educator is emphasised in *Aistear* (2024) by facilitating the rights of babies, toddlers and young children to care for themselves, others and the environment (See Skehill and Daly, 2023), and by adjusting the levels of support and guidance they offer a child (UN, 2006).

## Right to life, survival and development

Article 6, the right to survival and development, is embedded in *Aistear* (Gol, 2024), including both protective and participatory rights. Acknowledging the vulnerabilities of young children to poverty, sickness, loss and other adversities and taking action to respond to and care for children during these times is embedded in the Framework. The UN recognises that “respecting the distinct interests, experiences and challenges facing every young child is the starting point for realising their rights during this crucial phase of their lives” (UN, 2006; p. 3). *Aistear*’s Theme of Wellbeing is about babies, toddlers and young children being “confident, happy and healthy”, (p. 12) with a particular emphasis on relationships and interactions with family, friends, educators and community, and the centrality of this support system in minding and nurturing each child. This Theme in particular aligns with the CRC (Articles 24, 27, 28, 29 and 31) in terms of children’s right to health, nutrition, security, safety, as well as access to a quality play-based education which is at the foundation of the Framework. The complexity of care and education in early childhood is reflected in the flexibility of *Aistear* which values and advocates for the indivisibility of children’s rights in this regard. The interdependency of care and education mirrors the interdependency of children’s rights, where Principles align to create a space where children are empowered to thrive and flourish.

Debates pertaining to children’s rights and wellbeing are particularly pertinent in early childhood in consideration of the level of dependency on the adult to listen to and respond to the voice of the child. The concepts of wellbeing and children’s rights are often discussed together in research but are viewed by Lundy (2014) not as “twins but rather as cousins – definitely related but with a different genealogy” (p. 2440). In a simplistic assertion, Bradshaw (2007) presents wellbeing as “the realisation of children’s rights and the fulfilment of the opportunity for every child to be all she or he can be” (p. 135). In the context of early childhood curriculum, wellbeing is something that is interwoven into aspirational aims of the Framework insofar as noting that through nurturing relationships with important people in their lives babies, toddlers and young children will be supported to achieve aims of being strong psychologically and socially; to be as healthy and active as they can be; to be creative, spiritual and compassionate; and be agentic global citizens, having positive outlooks on learning and on life. The Aims and Learning Goals of *Aistear*’s Theme of Wellbeing have, as Tisdall (2015) notes, “in-built potential for maximisation” of the experiences of babies, toddlers and young children in early years settings, while “children’s rights risks emphasising minimum standards” (p.12). Addressing rights in education is dependent on a number of factors, and as relevant to engagement with the curriculum framework, draws attention to rights-respecting learning environments as well as educators as rights-respecting agents (Quennerstedt and Moody, 2020).

## Right to be heard

Bae’s (2010) study noted teacher’s tendency to regard children’s right to be heard and participate as something that develops over time and was rarely mentioned in relation to children under the age of three years. Unfortunately, this continues to be a reality in both research and practice (Tusla, 2021; French and McKenna, 2022) whereby there can be a paternalistic and patronising approach to the ‘care’ and ‘education’ of young children. Taggart (2011; 2016) advocates for more value on the caring element to support children’s wellbeing and emphasises the importance of “reconceptualising practice within a political ethic”, in order to champion ‘caring’ as a sustainable element of the professional role of the key person working with the child (2011, p. 94). The

Convention recognises young children's dependence on others but argues that they are not simply passive recipients of such care. Instead, they are presented as "active social agents who seek protection, nurturance and understanding" (UN, 2006; p. 8), with an understanding of best interests which ensures "full and effective enjoyment of all the rights and the holistic development of the child" (UN, 2013; p.5). In considering the best interests of the child, *Aistear* supports the key person approach, which ensures each baby, toddler and young child, is assigned a named person who is primarily responsible of creating a close relationship with them and their family. Having established the value and uniqueness of each baby, toddler and young child in the Principles of the Framework, the educator is supported to see the value of their own professional role in nurturing the wellbeing and holistic learning and development of young children, seeing this interconnection of care and education.

Lundy, McEvoy and Byrne (2011) consider the problematic implementation of Article 12, the right of the child to have their views heard and given due weight, owing to a dependency on the cooperation and support of adults. This is particularly true when working with very young children who may not have the verbal skills to articulate their ideas and thoughts. Through the Theme of Communicating, *Aistear* presents an image of babies, toddlers and young children who have an innate ability to communicate and make sense of the world around them. The multimodality of child voice is captured in a description of the many ways children communicate, "including but not limited to facial expressions; gestures; behaviours; body movements; cooing; babbling; language(s); digital and assistive technologies; and augmentative and alternative communication. They may communicate through Irish Sign Language, Lámh or Braille or express themselves through art, mark-making, dance, drama, music, poetry, pictures, writing and stories" (Gol, 2024; p. 23).

In accessing the voice of the child in the early childhood setting, there is emphasis on the importance of noticing. This act of purposeful noticing is anchored in respectful relationships where the educator is attuned to the children and there are no confines regarding age or maturity. *Aistear* provides guidance on noticing and observing what each child is communicating through the dispositions they display; the attitudes and values they express; the knowledge and skills evidenced; the interests they show or tell us; the conversations; and the interpretation of verbal and non-verbal communication and interactions. Lundy, McEvoy and Byrne (2011) emphasise that this right to express oneself must be anchored in the daily life and routine of the child. The Convention recognises that in order to achieve the right of participation in practice, the adult needs to adopt a child-centered attitude and respect what the child is communicating.

Quennerstedt's (2016) study illustrates how this might be translated into practice by not only listening to the children's voices in the baby room, but also to value their contribution in producing knowledge and influencing their daily life in the setting. An understanding of a slow relational pedagogy as advocated in the curriculum framework aligns with this respectful regard of making their voices matter in the learning environment.

*Aistear* takes inspiration from the *National Strategy on Children's and Young People's Participation in Decision-Making* (Department of Children and Youth Affairs (DCYA), 2019) which incorporates Lundy's (2007) model of participation. Lundy (2007) outlines the concepts of 'space', 'voice', 'audience' and 'influence' that are required to ensure children's rights are upheld in accordance with Article 12 of the CRC. The 'space' given to the child requires more than a physical presence but rather is presented in *Aistear* as a safe place where one has an opportunity to be and to

express their views and opinions. Correia and Aguiar (2022) incorporate Lundy's model into their work with children aged 3 to 6 years in settings across Belgium, Greece, Poland and Portugal and report on the need for early years professionals to encourage the 'voice' of children in order to identify their interests and preferences, aligning with *Aistear*'s focus on an emergent and inquiry-based curriculum. Lundy's model has also been used as the basis for NCCA's consultation with babies, toddlers and young children to inform the update of the Framework (O'Toole, Walsh, Kerrins *et al.*, 2023; O'Toole, Ward, Walsh *et al.*, 2024). The intended chronological implementation of Lundy's (2007) model aligns with an intentionality of pedagogical approach in promoting the meaningful participation of babies, toddlers and young children by ensuring they are listened to and responded to. Such a pedagogy of listening, is necessarily informed by a slow and nurturing approach, underpinning the quality of the relational environment advocated in the *Aistear* Principles. Simpson *et al.* (2017) argue that this pedagogy of listening has the potential to lead the educator to become more sensitive to the impact of inequality and disadvantage in children's lives and therefore support children's empowerment and participation in the learning environment. Furthermore, O' Rourke *et al.* (2017), in their Irish study on the implementation of *Aistear* (NCCA, 2009) in primary schools, found that children's relationships with peers, family and teachers had a definite impact on the quality of their experiences in the setting.

## Conclusion

In Ireland, efforts are well underway in "bridging the abyss" (Lundy, 2012) in Irish education with the development of the National Framework for Children's and Young People's Participation in Decision-making (DCEDIY, 2019) however challenges remain in ensuring the realisation of the CRC for all children. The establishment of Hub na nÓg (DCEDIY, 2023) as a centre of excellence in giving children and young people a voice in decision-making, and the publication of their recent toolkit for this younger age group (Hub na nÓg, 2024) all support processes to support the rights of babies, toddlers and young children.

Moving forward, NCCA recognises that *Aistear* as the national early childhood curriculum framework requires educational resources and supports to ensure that educators feel confident, convinced and empowered in their role in facilitating and advocating for the rights of babies, toddlers and young children.

Crucially, *Aistear* draws attention to the importance of valuing the voice of the child in a way that is respectful, equitable and meaningful and to inspire educators to hold a genuine sense of amazement of the competencies of babies, toddlers and young children.



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