

Chapter 16

The Child's Right to Love in Early Learning and Childcare



A Scottish Perspective

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Abstract Scotland's Government has committed to ensuring every child can expect to grow up loved, through a number of key policy documents (Scottish Government, National improvement framework and improvement plan. www.gov.scot/policies/schools/national-improvement-framework, 2018a; National performance framework. Retrieved from www.nationalperformance.gov.scot, 2018b; Delivering for today, investing for tomorrow: the government's programme for Scotland 2018–19. Retrieved from <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2018/09/delivering-today-investing-tomorrow-governments-programme-scotland-2018-19/documents/00539972-pdf/00539972-pdf/govscot%3Adocument/00539972.pdf>, 2018c; Turning legislation into practice together: first report on corporate parenting activity in Scotland. Retrieved from <https://www.gov.scot/publications/report-corporate-parenting-turning-legislation-practice-together/pages/4/>, 2018d; Protecting Scotland's future: the government's programme for Scotland 2019–20. Retrieved from <https://www.gov.scot/binaries/content/documents/govscot/publications/publication/2019/09/protecting-scotlands-future-governments-programme-scotland-2019-20/documents/governments-programme-scotland-2019-20/governments-programme-scotland-2019-20/govscot%3Adocument/governments-programme-scotland-2019-20.pdf>, 2019). This chapter will consider why every child has the right to expect love from the people who are caring for them and working with them in early learning and childcare (ELC) services. The chapter will explore what is meant by love, how personal experiences and values impact upon the delivery of ELC programs underpinned by love, how love looks in practice, and the impact love has on policy discourse.

Keywords Childcare · Love · Policy · Professionalism

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Introduction

Early learning and childcare (ELC) is defined by Education Scotland (2018) as:

A generic term used to cover the full range of early education and childcare available in Scotland today. The term early learning and childcare is intended to emphasise that the care and education of very young children are not two separate things. Babies and young children learn all the time from all their experiences. (n.p.)

Provision of ELC in Scotland is for children from birth to 5 years old. With specific provision made for eligible 2-year-olds (children from the age of 2 have access to fully funded ELC when they fit specific criteria set out by the Scottish Government). There have been two key policy guidance documents underpinning practice with babies and infants: *Building the Ambition: National Practice Guidance on Early Learning and Childcare* (Scottish Government, 2014) and *Pre-Birth to Three: Positive Outcomes for Scotland's Children and Families* (Scottish Government, 2010). These were replaced in February 2020 by a new guidance document *Realising the Ambition: Being Me* (Education Scotland, 2020).

The Child's Right to Love

The United Nations Convention on the Rights of the Child (UNCRC) (UNICEF, 1989) states in the preamble that parties to the convention need to “Recogniz[e] that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding” (p. 3).

The Office of the United Nations High Commissioner for Human Rights (OHCHR, 2019) sets out the purpose of the preamble to the UNCRC:

the preamble recalls the basic principles of the UN and specific provisions of certain relevant human rights treaties and proclamations. It reaffirms the fact that children, because of their vulnerability need special care and protection, and it places special emphasis on the primary caring and protective responsibility of the family. (n.p.)

The preamble of the UNCRC embodies the principles and intentions of the universal Declaration of Human Rights. The acknowledgement of love in the preamble creates opportunities for discussion around how best to embed love into policy discourse.

According to Gadda et al. (2019), the Scottish Government has never before placed so much emphasis on children's rights, as has happened in recent years. However, while the statutory duties set out in legislation in Scotland embed children's rights in the policy landscape, Gadda et al. (2019) argue:

a close reading of the new duties shows they are vague and weak legally, requiring other forms of accountability and persuasion to ensure they will have an impact on realising children's human rights. (p. 3)

With commitments to increasing the involvement of children in legislation and practical experience – through, for example, the Scottish Youth Parliament, the Year of Young People and the Programme for Government 2019–2020 (Scottish Government, 2019) – the Scottish Government has established itself as being forward thinking and innovative (Gadda et al., 2019). Love has found its way onto the political agenda through this progressive way of thinking and through engagement with children and young people who have called for love in the care that they receive (see, for example, Care Review, 2018; Children's Parliament, 2016; Who Cares? Scotland, 2019).

Love and Professionalism

In my doctoral research study *Love and Professionalism: The Early Learning and Childcare Lead Professional* (Malcolm, 2019), I am considering a number of barriers to delivering what I describe as *love-led practice*. Love-led practice reflects the holistic nature of love in ELC and supports lead professionals in understanding how best to underpin their practice with love.

My study is being conducted with lead professionals in ELC. I chose the term *lead professional* to represent the different professionals working in ELC. In Scotland, those who work with children in ELC must register with the Scottish Social Services Council. The lead role within the setting is a lead practitioner, however my study included other roles such as an ELC teacher, childhood practice lecturer, education welfare officer and childminder. Therefore, I chose to refer to all participants in a collective way by using the term *ELC lead professional*.

In my interviews with ELC lead professionals, I considered a number of factors in supporting ELC underpinned by love. Defining love in ELC was the starting point, but it became apparent that participants' personal experiences of love in their lives played a part in how they understood and delivered practice underpinned with love and, finally, it was the language used in policy and guidance documents that proved to be a significant barrier.

Defining Love

Without doubt, defining love is hugely complex. For each and every one of us, love means something different. For some, love is simple; for others, it has complicated associations with sexual and romantic love. There are those who say love should be kept for family only, while others say it is about your actions with everyone you meet.

Indeed, defining any emotion can be challenging. For example, a recent study about kindness in public policy (Unwin, 2018) recognises that kindness, much like love, is subjective and not necessarily experienced in the same way by every person,

for a number of reasons. However, Unwin argues that acts of kindness in communities are often measured in terms of community outcomes such as quality of public services.

In an attempt to define love in terms of professional early years practice, Page (2010) developed the concept of *professional love*. Page (2014) explains that for professional love to occur in professional care-giving roles, carers need to have experienced not only being cared for, but also having been loved. Carers must also be able to shift their thinking in order to intellectualise the experience as a loving caring encounter with a child. This encounter is described by Page (2014) as professional love:

when highly attuned, experienced, well supported and resilient caregivers are able to apply the motivational shift within their key person role, then the encounter which I have coined Professional Love is realised. (p. 123)

Szalavitz and Perry (2010) explore the human need for love, stating that infants are not born fully loving and that they need experiences to develop love. They pose the challenge of asking if children are being provided the love needed to allow them to love others. Szalavitz and Perry (2010) also struggle with fully defining love, commenting that empathy and care are also closely linked to love:

Humankind would not have endured and cannot continue without the capacity to form rewarding, nurturing and enduring relationships. We survive because we can love. And we love because we can empathise – that is stand in another’s shoes and care about what it feels like to be there. (p. 4)

Noddings (2013) discusses a number of different definitions of care, considering care as being about *burdens* – such as when a carer worries about or is concerned for another, or as having concerns for wider issues such as professional or personal worries, or as caring for another to help them grow. But for the purposes of examining ethics of care, Noddings (2013) proposes a complex set of relationships and actions between the one cared for and the one caring.

Some argue love is an emotional state of being, which has a natural character of its own (see, for example, Gerhardt, 2015). Others suggest love is about connections and that “love is physical, i.e. that love is nothing but a physical response to another...” (Moseley, 2015, p. 8). Another school of thought defines love as a combination of physical and emotional responses and considers love to be about *pairs*, describing it as “a special kind of relationship involving pairs of humans” (Sternberg & Weis, 2006, p. 1).

Given the significant number of interpretations leading to the different definitions of love (e.g. personal experience, values, morals, language), it is clear defining love is a very complex thing to do.

Values and Personal Experiences

In my doctoral study there appears to be a strong link between how participants feel about love in ELC and the experiences they have had of love in their own lives. Participants were often reluctant to acknowledge their love for the children in their settings, but would then offer comments about a different kind of love. One participant who was unsure about how to describe her love for the child in the nursery said “I put it in between professional and childcare and family” (Malcolm, 2019, p. 126).

Page (2011) developed the term *professional love* to help practitioners understand the role of love in their practice. Knowing there is a type of love which is acceptable in ELC has supported many practitioners to work in a loving way with children; however, participants in my study suggested that having different names for love just confuses the situation, with one saying “can we not just call it love?” (Malcolm, 2019, p. 162). Others debated whether their love was familial love, professional love or child-carer love. It was clear, however, that what was important to them was the reciprocal relationship experienced between the child and the carer. No matter what name is used, what is important is supporting a loving exchange between children and carers, as well as considering how policies and guidelines can make that happen.

Personal Experiences of Love: The Relevance of Attachment Theory

Attachment relationships grow and develop throughout childhood and into adulthood. They shape how future relationships are formed and developed. Much of what is understood about attachment in ELC originates from the studies of Bowlby (1969) and Ainsworth and Wittig (1969). Since then there have been many discoveries around brain development and how what children experience in their earliest years can impact upon future health and well-being.

Szalavitz and Perry (2010) state that the “social brain needs social experience to function” (p. 95); while, they say, babies are all born for love, they are not yet fully loving and need loving experiences to support their own ability to love. The rate and richness of the development of neural pathways depends on the stimulation and experiences of the outside world. This view is supported by Szalavitz and Perry (2010) when they say “The gifts of our biology are a potential, not a guarantee. As with so many other human potentials present at birth, empathy and love require specific experiences to develop” (p. 5).

Babies are born with communication techniques and are skilled in building early relationships. Zeedyk (2013) points out that this knowledge supports the understanding of how brain development is shaped by relationships. Love and attachment are inseparable; Zeedyk (2013) puts it bluntly “...love is what we are talking about when we are talking about attachment” (p. 22).

Likewise, I argue that using the word *love* in policy and guidance will encourage more discussion around love-led practice and give permission to lead professionals to support services underpinned with love. I align my views with Zeedyk (2013), who states "...using the term love helps us to engage in more radical thinking" (p. 23).

The seminal theory and methodologies set out by Bowlby (1969) and Ainsworth and Wittig (1969) were a starting point for further research. One such study was undertaken by Keller (2014) who identified gaps in attachment theory, citing both the context and culture that the child grows up in as having an important influence on the development of attachments. A number of other studies also consider how attachment relationships may be formed differently within communities, cultures and contexts (Bronfenbrenner, 1977; Keller, 2007; Keller & Kärtner, 2013). Understanding cultural and contextual differences in the way relationships are formed helps to identify how lead professionals' personal experiences of love may impact professional practice.

Framework for Love-Led Practice

Drawing on the findings of my study, I developed the Framework for Love-led Practice to support lead professionals in their understanding of love in ELC. Participants consistently used the word *it* to describe the feeling they recognised as being present when practice was love-led. While they found it hard to define what *it* was, they were able to pinpoint aspects of practice that demonstrated it.

Utilising the aspects of practice and language that participants identified, I developed an eight-point framework which identifies where love can be embedded in different aspects of practice. This framework empowers lead professionals to underpin their practice with love and professional integrity. I also developed the concept of *love-led practice*, which reflects the holistic nature of love in ELC and supports lead professionals in understanding how best to underpin the services they manage with love. The framework enables lead professionals to demonstrate and talk about love without the worry that their practice may be inappropriate. The framework addresses suggestions that love cannot be measured, applied or evaluated (Gerhardt, 2015). It is my view that if love can be seen in specific aspects of practice, then perhaps professional love can be applied and, even if lead professionals were not taught this concept in a classroom, perhaps they can learn it through vocational methods such as role modelling in the workplace.

My analysis of the language used by lead professionals showed that they were comfortable with the concept of love underpinning practice, but had reservations around demonstrating and talking about love (Cousins, 2015; Page, 2011). From the narrative analysis of my conversations with participants, I developed the framework which brings together a number of aspects of practice required to demonstrate love-led practice. The framework is formulated into eight categories or aspects of

Table 16.1 Aspects of practice identified by participants as love-led practice

Development	Nurturing, planning, assessing, challenge, support
Intimacy	Personal care, closeness, bonding
Security	Protection, safety, risk management
Passion	For the job, for the team, for colleagues, for the children
Physical	Hugs, cuddles, kisses, being there, care
Child's love	For each other, for you, for their parents and family
Relationships	Staff, parents, carers, children
Workforce development	Policy, standards, legislation, mentoring, commitment, reflection

practice. By grouping the words used by participants I identified eight aspects of practice through which love is described. Table 16.1 groups together those words to show how the aspects of love-led practice were formed.

My research findings showed that despite a willingness to love, there was still an uncomfortable feeling around talking about love. Currently, the key policy documents in Scotland's ELC sector use language which reflects many of the aspects of practice that are represented in the framework; indeed, these aspects were identified through careful discussion and analysis of the language the participants of my study used. In order to ensure the language in the policy documents is enabling rather than restricting, policy must clearly explain that practice underpinned by love is acceptable and can be found in a number of different aspects of practice.

Leading Love-Led Practice

My framework for love-led practice fits well with Uusautti and Määttä's (2013) love-based leadership model. It creates an environment where lead professionals can reflect upon their own practice and experiences in order to be reflexive and support practice which is underpinned with love.

This method of leadership was developed in order to rethink how education could deliver a caring learning environment and support children's psychosocial well-being. Seligman et al. (2009) make the point that wellbeing should be taught in school as "an antidote to depression, as a vehicle for increasing life satisfaction and as an aid to better learning and more creative thinking" (p. 295).

Mindfulness is at the heart of love-based leadership, Uusautti and Määttä (2013) explain, along with benevolence, perseverance and sound judgement. Not only should the well-being of children be at the centre of the practice but also that of the leader who is delivering the service. By being aware of their own self-perception, Uusautti and Määttä (2013) suggest that leaders become more aware of their role, the significance of experiences and also how to recognise those experiences. As a result, the effect will be greater happiness and well-being among practitioners and children.

The Framework for Love-led Practice can be used in ELC training to develop an understanding of how love underpins all of these aspects of practice within the ELC setting. Development of policy and practice guidelines, at national and local levels, should also reflect the importance of love to all of these areas.

To work towards embedding love in practice, there is a need to move away from those traditional constructs of love which pigeonhole it into different types: sexual love, romantic love, familial love, professional love. If all of the aspects of practice or skills described in the framework are being attended to then children will be receiving love. Love is not all about hearts and cuddles; it also represents safety, security, care, emotion and reciprocal love – as well as lead professionals who have professional knowledge and understanding of children and childhood. The framework draws attention away from traditional constructs of love and offers an alternative way for lead professionals to understand how love fits into their practice in a meaningful and professional way. I am certain that if we unshackle ourselves from the fear of love and talk about it freely in policy documents, then lead professionals will be more likely to take the lead and support love-led practice.

The Perils of Managing Love-Led Practice

Throughout my research, participants were quick to point out that they weren't sure about how to best manage love. It is important to consider how love is evidenced and how to ensure it is genuine love and not simply done because it is written into policy or guidelines (Hochschild, 2012). In creating the Framework for Love-led Practice, my intention was not to create a checklist or to suggest staff should be made to love children. Rather, my aim was to offer lead professionals a method for reflexive contemplation about how they interpret and process love in relation to their own personal experiences and understandings of love.

The danger with the suggestion that lead professionals manage love in their setting is that it becomes something very formalised and loses its effectiveness as an integral part of the development of the child's well-being. One way to maintain the emotional heart of love is to ensure that love-led practice remains natural and not overly constrained by rules and regulations (Dunlop, 2018; Osgood, 2006). Using the framework for love-led practice allows lead professionals to examine both their own and their staff members' practice. This can help them to identify how their own experiences may have impacted upon their practice and support them to develop skills in the areas set out in the framework. Worth noting, and as Held (2006) argues, our image of love and care is often based on what we believe to be morally right. However, that is not always the way it is; for example, people have many different interpretations of love based on their own experiences. Therefore, it is crucial that the development model be used to reflect an individual staff member's experience – and not that of the lead professional only.

There are limitations to the framework for love-led practice, and quite rightly it is important to critique it. Love is an emotional feeling, and it means many different

things to different people, therefore it is not something that can be regulated for (Dunlop, 2018). A recent report (Independent Care Review, 2020) makes the point:

Scotland cannot legislate for love and nor should it try. A legislative framework for love would be driven by an institutional view of love that could not possibly reflect the experience of being loved and cared for. To ensure the experience of being loved is possible and much more probable, Scotland must create an environment and culture where finding and maintaining safe, loving, respectful relationships is the norm. (p. 8)

However, as stated in the UNCRC preamble, there is an expectation that love will be given due regard within rights. In addition, the significant base of research supports love as being an integral part of healthy development for children. Therefore, the proposal is for lead professionals to use the framework for love-led practice to reflect upon their own practice and experiences. As professional child carers who understand the role of love, this should be a developmental area for staff. This starts with lead professionals who understand how to manage love-led practice and their own professional identity.

Creating Enabling Policies

The language used in policy is important; it is not just the use of a word, but enabling and creating a culture within ELC, placing children's well-being and rights at the heart of everything.

Analysis carried out in my research study of current ELC policy documents showed a hesitance around using the word *love* in policy. In my study, analysis of both these and other current key policy and guidance documents in Scotland showed that despite participants believing love was not mentioned in the key policy documents they work with, love was evident in all of the key documents analysed, albeit often only mentioned once or twice. In further analysis looking at code words, which participants of my study found more acceptable to use than *love*, terms such as *nurturing*, *attachment* and *secure* were more evident. For example, in *Building the Ambition* (Scottish Government, 2014), *love* was mentioned three times while *nurturing* was seen 12 times, *attachment* appeared 17 times and *secure* was found 14 times. An interesting deviation from this was in *Pre-Birth to Three: Positive Outcomes for Scotland's Children and Families*, which saw an even split of the use of all four words.

This reluctance to include the word *love* or *loving* was also highlighted by Page (2018) when she described words such as *love* or *intimacy* being *shrouded* in language such as "building a positive relationship" (p. 134). Putting *love* at the heart of policy discourse is, as Dunlop (2018) said, "the only way it (love) will move forward" (p. 10).

In the field of childhood studies much is made about the dichotomy of structure versus agency (Prout, 2011). The rights of the child to have agency over their own decisions is embedded in practice guidelines and legislation; however, we may be

preventing children from their right to loving relationships by creating policies that leave lead professionals feeling reticent to embed love into the practice of their settings. Given the importance placed upon policy by lead professionals, getting the language right is the way forward to encouraging love-led practice.

The Current Policy Landscape in Scotland

Scottish Government policy and guidance documents are catching up with the understanding of the importance of love to children's development and overall well-being. In the Scottish Government's Programme for 2018–19, Nicola Sturgeon, First Minister, set out ambitious plans for ensuring that the government invested in children not only financially but also with love (Scottish Government, 2018c). This has opened up the dialogue around love in not only ELC but also in the wider care sector.

The inclusion of love in the National Performance Framework (Scottish Government, 2018b) and the National Improvement Framework and Improvement Plan (Scottish Government, 2018a) has kickstarted the conversation around love in ELC in Scotland. Caution is needed, however, as love is complex and there will be a number of different viewpoints around embedding love into the policy framework of Scotland. Therefore, sufficient time must be taken to ensure that those who work in the care sector have a good understanding of why love is important and how to support love-led practice.

In recent years in Scotland, Dunlop (2015) describes how policy aspiration is high, with policy frameworks interlinking and overlapping to tackle issues of social justice with a focus on "ensuring all children's wellbeing and improving outcomes in order to tackle the unequal childhoods that lead to unequal lives" (p. 264). With such ambitious aims it is no wonder that policy development is driven by a number of different agendas.

The Children and Young People (Scotland) Act 2014 enshrines in Scots Law the commitment made by the United Kingdom that the principles of the UNCRC will be met. The Act states:

1(1) The Scottish Ministers must—(a) keep under consideration whether there are any steps which they could take which would or might secure better or further effect in Scotland of the UNCRC requirements, and (b) if they consider it appropriate to do so, take any of the steps identified by that consideration. (n.p.)

The Act enshrines in law a rights-based approach to working with children and young people. Due regard must be paid to the rights of the child when considering policy development within governmental processes. Dunlop (2018) states that the Act is the only piece of legislation which is truly rights led and sets out a proper participatory process. He does warn, however, that "until we stop tinkering around the edges" (p. 10). Scotland should not rest on its laurels, claiming the legislation as

a victory. There is still much work to be done in relation to embedding love in ELC and the wider care sector, but the Act is a strong foundation upon which to build.

The political landscape in Scotland is in a period of rapid change in relation to ELC. The most significant policy in recent years is the universal expansion of funded ELC by the year 2020 from 600 to 1140 hours. This landmark policy was announced by the Scottish Government in 2014 where Nicola Sturgeon, First Minister, pledged “a childcare revolution” (BBC News, 2014, n.p.).

The Scottish Government has set out a bold action plan to provide 1140 hours of funded childcare to all children between the ages of 3 and 5, with funded provision for eligible 2-year-olds by 2020, which is flexible, accessible, sustainable and above all of high quality. There are a number of complex issues around implementing such a bold plan, not least how the Scottish Government can ensure that the quality of care is of a high standard.

With this increase in funded childcare comes the potential for children to be in an ELC setting for a major part of their week. The need for children to grow up in a family environment such as that described in the UNCRC has never been more crucial. When the child has a right to love, lead professionals in ELC should be enabled to support love-led practice.

Conclusion

The aim of the Scottish Government is to “make Scotland the best place to grow up and learn” (Scottish Government, 2018c, p. 75). The significant progress described above shows that the Scottish Government is being courageous and acknowledging the child's right to love. The National Performance Framework for Scotland, which tracks how the current Scottish Government is meeting its own performance criteria, also includes love as one of its targets: “we grow up loved, safe and respected so that we realise our full potential” (Scottish Government, 2018b, p. 75).

It seems almost too simple to say that the solution would be to include *love* in the policy discourse. However, there is already an increase in the understanding and eagerness from politicians and practitioners to embed love in practice simply from the inclusion of love in a few current policy documents.

Many might question why it matters what language is used in policy documents. Marshall and Mellon (2011) observe that lead professionals “cling to the rules like safety ropes on a stormy deck” (p. 192), suggesting that lead professionals are influenced by policy to the point that they will go against their own knowledge and experience working with children to ensure they stick with the rules. This reliance on the rules is a huge barrier to the management of love in practice. However, care must be taken when creating policy which supports lead professionals in managing love in their setting not to over-formalise love. What is said in policy does matter; it is not just the use of a word, but it is giving permission and creating a culture and ethos within ELC which puts well-being and rights at the heart of everything the sector does for children.

There has been a significant shift in thinking within the current government in Scotland, with its Programme for 2018–19 stating:

We want all our children to grow up in a supportive environment where we invest significantly in their future – not just financially – but also with time, energy and love. (Scottish Government, 2018c, p. 75)

This is the time to capitalise on this shift in thinking and push to embed love, not in a tokenistic way but to place it at the heart of ELC policy in Scotland. From my research findings, I am confident that lead professionals do acknowledge the importance of love for the infants, toddlers and young children in their care; however, policy discourse in ELC has perhaps prevented them from supporting love-led practice. It is now time to get love back into policy discourse.

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