

Children's Participation in Decision-making

Good Practice Guidance from the
Ombudsman for Children's Office



ombudsman
do leanaí
for children

INTRODUCTION

Children have the right to express their views and to have those views considered, according to their age and understanding. Public bodies and organisations that work with children have a responsibility to respect that right. However, for organisations that have never engaged with children in their decision-making processes, this can seem like a daunting task.

The OCO has an obligation under the Ombudsman for Children Act 2002 to hear children's views and highlight issues that are of concern to them. Since 2004 the OCO has promoted children's right to be heard and provided children with opportunities to express their views to us and to the government, departments, agencies and organisations that make decisions about laws, policies, services and practices that affect them. We do this in a number of ways, including through dedicated projects that bring children affected by issues together to share their views and concerns, surveys and listening to children in our complaints process.

Drawing on our experience in children's participation, these guidelines outline some of the key things to consider when seeking to hear the views of children. The guidelines also provide signposts to additional resources where more details can be found.

We hope that this guide provides you with useful advice and helps you get started on the very worthwhile journey towards including children and young people in the decision-making process in your organisation.

WHAT IS CHILDREN'S PARTICIPATION?

Children's participation in decision-making means providing opportunities for children to freely express their views in a supported environment, listening to their views and considering their views when making decisions that affect them.

The principle of children's participation is enshrined in Article 12 of the United Nations Convention on the Rights of the Child (UNCRC). Article 12 says that children who are capable of forming a view have the right to express these views freely. Article 12 also says that these views must be given due consideration, according to the age and understanding of the child. Children can express their views to decision-makers either directly or through a representative such as a parent, guardian, professional or organisation.



MODELS OF CHILDREN'S PARTICIPATION

There are many models of participation and an overview of a number of these is contained in *Participation Models, Citizens, Youth, Online*, at www.nonformality.org/wp-content/uploads/2011/07/Participation-Models-20110703.pdf

The Lundy Model is widely used in Ireland at present. For examples of where and how this is used see the *National Strategy on Children and Young People's Participation in Decision-making 2015-2020* at www.dcy.gov.ie/documents/playandrec/20150617NatStratonChildrenandYoungPeoplesParticipationinDecisionMaking2015-2020.pdf and *Tusla's Child and Youth Participation Toolkit* at [www.tusla.ie/uploads/content/Tusla_-_Toolkit_\(web_version\).pdf](http://www.tusla.ie/uploads/content/Tusla_-_Toolkit_(web_version).pdf)

STAGE 1: PLANNING THE PARTICIPATION

- Be proactive
- Be relevant
- Be prepared
- Be participative from the start
- Be informative
- Be ethical and legal
- Be inclusive

Be proactive

The UNCRC says that we must *assure* children the right to be heard. This means that it is up to adults, organisations and the government to actively provide and create participation opportunities for children. Are you making decisions that will affect children either directly or indirectly? Are the children concerned able, with appropriate information and support, to form a view on this? If the answer is yes, then you should be considering how you will hear their views.

It is important to start from the position that it is usually in children's best interest to be heard and that they can, with the right supports, share their views. However, there may be instances where it may be potentially harmful to children and not in their best interest to involve them in decision making. If this is the case, the reasons for *not* seeking children's views should be clear.

Be relevant

Think carefully about what you want to consult with children about. Children have a right to have their views heard about matters that affect them. This opens up a very wide range of areas that children should be consulted about, from changes in their school uniform to children's healthcare reform. However, asking children about issues that have no relevance to them will be confusing, frustrating and of little interest to children. Whenever possible, ask children and young people about the decisions they want to have an input on or base this on information received from them through other channels.

For suggestions on what questions to ask yourself before seeking children's participation see *Consulting with Children and Young People Toolkit* (page 7-8) at www.hants.gov.uk/rh/comm/toolkit-young-person-consulting.doc





Being Relevant Dealing with Bullying in Schools

The OCO has received many complaints about bullying in schools. Bullying also came up in our workshops with children and was clearly an issue of relevance and concern to them. The OCO decided to hear children's views about what they would like schools to do about bullying. Over 300 children shared their views with us and we published a report on these. The Department of Education and Skills was also examining the issue of bullying at the time. The OCO's report on children's views helped to inform the Department's Action Plan on Bullying and the Anti-Bullying Procedures for Primary and Post-Primary Schools.

See www.oco.ie/app/uploads/2012/05/OCO-Bullying-Report-20121.pdf

Be prepared

Plan as carefully as possible for the particular child or children whose views you want to hear. Key issues to think about are:

- o **Clear topic and questions:** What are you asking children for their views on? The topic and questions you want to raise should be clear and you should be able to clearly communicate these to the children.
- o **Aims and objectives:** What are the aims and objectives of the participation exercise? These should be set out clearly from the beginning.
- o **Time:** It is important to allow enough time to plan what you want to do and put practical arrangements in place. This should include allowing enough time at each participation session to support children to consider the topic, ask questions and express their views.
- o **Location:** If you are planning to meet with children face to face, where will you meet them? The location should be geographically and physically accessible, child-friendly and comfortable. If a child or children can't travel to meet you, consider using applications such as Skype or Facetime to include them.
- o **Timing:** When will the participation exercise take place? It is important to remember that children's schedules are often very different to adults' and the school calendar should always be considered. It may be necessary to hold participation sessions in the evenings, at weekends or during school holidays. The months surrounding exams should generally be avoided if you would like children in second level education to participate.
- o **Who will listen?:** Who will hear the children's views? If appropriate, this should be someone that the children are already familiar and comfortable with. If this is not possible or appropriate, schedule some time for the children to get comfortable with whoever is hearing their views and have someone the children know and trust available as well. It is important that whoever is facilitating the session has some key skills and personal qualities. These should include the ability to listen and communicate clearly with children and good observation skills, as well as being flexible, reflective and positive.

- o **How?:** How will the children's views be heard? You may not be able to definitively decide on this at this stage but a range of methods should be considered. Some children like to talk, some like to write, some like to draw, some like to express their views on a one-to-one basis, while others prefer group work.
- o **What then?:** What will be done with the children's views? Who will they be made known to and how? How will the children know what has happened with the information they provided?



Offering Children Ways to Express their Views

Take My Hand: Young People's Experiences of Mental Health Services

In our 2018 report, the OCO sought the views of children who were receiving in-patient mental health care in child and adolescent mental health units. The 25 participants were asked how they would like to share their views with us. No method was imposed by the OCO and the choice lay with the children themselves. Some chose to share their views through facilitated focus groups, some through one-to-one interviews, while others chose to share their views through individual or group art. Some chose to use more than one method.

See www.oco.ie/MentalHealthReport_2018.pdf

Be participative from the start

As much as possible, involve children in all of the activities listed above. This will encourage their participation and help ensure that it is planned and undertaken in a way that is relevant to and comfortable for them. If you are undertaking a group participation exercise, think about engaging a small number of the children and young people in the planning process through a small advisory group, including representatives on a planning committee or other means.



Being Participative from the Start

It's Our Brexit Too: Children's Rights, Children's Voices

In 2017, together with the Northern Ireland Commissioner for Children and Young People, the OCO brought together a steering group on over 20 young people to plan, organise and run a conference on children's rights and Brexit. The steering group identified the key themes to be addressed and the audience to be invited, they made a presentation to and facilitated discussions with over 120 participants at the conference and had an input into the final report of the project.

See www.oco.ie/library/brexit-childrens-rights-childrens-voices/

Be informative

Adequate, accurate and appropriate information about the issue and the participation process is essential for children to be able express their views. The amount and type of information you give children about an issue or decision, as well as how you give them this information, will depend on a number of factors including age, ability and whether they already know you or not. If they are already involved in your organisation, then information should be given in an age appropriate way about:

the issue you want their views on and why	how and by whom their views will be collected
how they can get involved	what will be expected of them
where the participation process will take place	what will be done with their views

If the children are not already involved with your organisation, don't forget to give them information about this as well. They will also need time to get to know you and whoever will be facilitating their participation. Information should be provided to both the children and to their parents or guardians. An example of how the OCO provides information at this stage can be found at www.oco.ie/app/uploads/2018/12/Sample-Information-for-Young-People.pdf.



Be ethical and legal

Many volumes have been written about ethical participation practice with children and young people. These are some of the basic rules you should adhere to:

- Always get the voluntary, informed and written consent of the child's parents/guardians for their child to take part as well as for any photographs, recordings etc. and their usage. See www.oco.ie/app/uploads/2018/12/Sample-Consent-Form.pdf for an example of an OCO consent form.
- Where possible, get the voluntary, informed and written assent of the child or young person. If the child cannot give written assent then verbal assent should be obtained and recorded. This is to ensure that the child is comfortable taking part and is not doing so only because their parent or guardian wishes them to. For an example of an OCO assent form see www.oco.ie/app/uploads/2018/12/Sample-Assent-Form.pdf.
- It is important that children (and parents/guardians) know that participation is voluntary and that they can refuse to participate or withdraw from it without any negative consequences. Remember, participation is a right that children have; it is not an obligation on them.
- Be clear about how children's confidentiality and/or anonymity will be protected and the limitations on this. Always let children know that you have a legal obligation to report disclosures of abuse or criminal activity to the relevant authority.
- Adults working directly with children must be Garda vetted by your organisation and be aware of their child protection responsibilities under *Children First* (see www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf)
- When seeking children's views, you will probably need to collect some of their personal data and some of the personal data of their parents/guardians. The EU General Directive on Data Protection (GDPR) came into effect in May 2018. You need to be aware of your obligations under the GDPR and the Data Protection Act 2018. More information about data protection rights and obligations is available from the Data Protection Commission at www.dataprotection.ie.

For details of ethical practice in research (including participation) with children see *Guidance for developing ethical research projects involving children* at www.dcy.gov.ie/documents/Publications/Ethics_Guidance.pdf

Be inclusive

All children without exception have the right to have their views heard without discrimination on the basis of age, disability, religion etc. Think about how to include a wide diversity of children. For example, if you plan to meet with children, is the meeting space accessible to children with disabilities? Is it in a location that participants can easily reach? Have you thought about ways that children with different levels of ability and literacy can share their views, such as speaking or drawing? Is your meeting planned for a time that will suit children of all faiths? Have you considered the use of technology and social media applications for hearing the views of children who cannot physically meet with you?

For ideas and advice on how to include children with disabilities see *Re:action Consultation Toolkit* (page 29-30) at www.savethechildren.org.uk/content/dam/global/reports/advocacy/consultation-toolkit.pdf



STAGE 2: IMPLEMENTING PARTICIPATION

- Be welcoming
- Break the ice
- Be clear
- Be creative
- Be flexible
- Be willing to hand over some control
- Be sensitive
- Be aware of imposing your own perspective

Be welcoming

It is important that children feel comfortable and welcomed in any participation process. Make sure that there are enough people there to greet the children and to show them where to go, where the bathrooms are, where they can get water, etc. Allow them time to settle into the space and to get familiar with each other if they haven't previously worked together. Make sure that there is material for them to look at and possibly a short activity that they can do alone or in their own peer groups. If they have had to travel long distances, provide snacks and drinks.



Settling in to the Participation Process

The Emoji Board

This is a very short and easy activity that the OCO uses when children first arrive at our office. Provide a range of emojis on individual cards. Ask the young participants to choose one or more emoji that shows how they are feeling about the participation process and to stick these on a board, wall or window. This gives them something to do when they arrive and also provides a useful way to start the participation exercise.

Break the ice

Ice breakers are a good way to make everyone more comfortable with each other and can help build a sense of being a group or team, particularly when children are not familiar with each other. Choose an ice breaker that is fun, fits with the physical space and is appropriate to the children's ability and age. The adults should also take part in the ice breaker as this helps to break down feelings of 'them and us' and shows that the adults are willing to participate with the children.

There are a number of ice breakers in the *Re:action Consultation Toolkit* (page 83-85) at www.savethechildren.org.uk/content/dam/global/reports/advocacy/consultation-toolkit.pdf

Many websites also provide ideas for ice breakers for children of different ages. Just search for 'icebreakers for children and young people'.

Be clear

You may have provided information to the children and young people before the participation exercise, but this does not mean that they have fully understood it or don't have questions. Open the session by explaining why you have asked them to participate. Provide age and ability appropriate information on the issue you are seeking their views on and outline what is planned for the session. Ask the children if they have any questions or suggestions or if there are practical things they want to know or to tell you.

The Children and Young People's Commissioner in Scotland has devised 7 *Golden Rules for Participation*, with one version for use with younger children and one for use with older children. Rule 5, Support Me, provides some useful pointers on being clear with children. See www.cypcs.org.uk/education/golden-rules

Be creative

There are many ways to hear the views of children and young people. Try to find the methods that suit your participants best, but remember that these may need to be adapted for your particular group and the issue you are addressing. Be imaginative in your thinking about this and get the children's views on the methods you are proposing or have used with them.

Many of the guides and toolkits on children's participation include examples of different ways they can express their views. The *Tusla Child and Youth Participation Toolkit* and the Department of Children and Youth Affairs *A Practical Guide to Including Seldom-Hard Children and Young People in Decision-Making* provide a number of participation tools that can be adapted to suit different children, groups and topics. These are available at [www.tusla.ie/uploads/content/Tusla_-_Toolkit_\(web_version\).pdf](http://www.tusla.ie/uploads/content/Tusla_-_Toolkit_(web_version).pdf) and www.dcy.gov.ie/documents/publications/20150903PracticalGuieSeldomHardChildren.pdf

Be flexible

One of the key roles of the facilitator is to make sure that everyone has an opportunity to express themselves, if they wish, in an appropriate way. This means carefully observing and managing any participation exercise to ensure that everyone feels safe and included and that one person or position does not drown out all others.

However, the best laid plans can go astray and it is important to allow for this and to have a plan for what to do when this happens. Be prepared for some children not engaging on the day, for others having so much to say that others feel excluded, or for the methods you have chosen not working as well as you expected.

One strategy to manage participants who have more to say is to give everyone a specific length of time to make their point. If some children are particularly shy or uncomfortable speaking up in a group, think about providing them with other ways to express their views, such as having a comment box they can put their views in or a comment wall that they can write or draw on. This can help make everyone feel included and less likely to feel stressed.

In these circumstances, it is important to be open with the participants when things don't go according to plan and to ask them for suggestions about how to address this and get back on track. Even when things go as planned, get children's feedback on how things have gone and the methods used throughout the participation process and be willing to adapt ways of working to their needs.

Be willing to hand over some control

It is important that children exercise some control over the participation process when possible. This encourages their engagement and commitment. One way to do this, other than involving them in the planning phase, is to have them write their own Ground Rules or Rules of Engagement. These should set out how the participants will engage with each other and with the adults involved.

Another way to do this is to have the children take on various roles such as spokespersons for group activities, note takers or facilitators. These can be based on self-selection or nominations by the group, but be sure that you provide enough support for the children taking on these roles.

You can also ask children who they want to influence and how they want to achieve this, including if they want an active role in this themselves through meetings with decision-makers, making presentations, etc.

Although devised specifically for child protection work, useful ideas on how groups can develop their own ground rules can also be found in *Children's Participation in Child Protection*, pages 4-5, at www.keepingchildrensafe.org.uk/sites/default/files/KCSTool4%20-%20English.pdf

Be sensitive

Children will come to the participation process with various challenges. For example, some children may want to participate but may find some issues too difficult to deal with while others may find being in a group for long periods difficult. One way to address this is to make sure that there is a quiet, safe space available that they can use to relax either alone or with a friend or staff member.

Be aware of imposing your own perspective

Everyone brings their own views and expectations to participation processes. As an adult, it is easy to think that we understand what a child means when they say something, but sometimes adults get it wrong or see it only from their own perspective. A participation process may also yield a lot of different views and ideas that need to be analysed and organised.

It is important to check with the participants that you have understood what they told you and have interpreted it from their perspective, not your own. Sometimes it is possible to do this at the end of the participation session. Sometimes it means taking what you are told away, analysing it and bringing the children together again to check that you have understood correctly and to make any changes that are needed. This can be as simple as saying 'This is what you (and other children) told us. This is what we think it all means and what your priorities are. Is this right?'



STAGE 3: FOLLOWING UP ON PARTICIPATION

- Be appreciative
- Be open with feedback
- Be open to allowing children and young people speak for themselves
- Be reflective

Be appreciative

Expressing their views is a right that children have, but they are not obliged to share their views. It is important that children are thanked for their work and their contributions when a participation process is finished. This can be done verbally or in writing. Small tokens of appreciation might be given to the children or a celebration might be planned.

Be open with feedback

Children and young people should always be informed about what was done with the views they expressed. Who were their views shared with and how? If you sought children's views on a decision that your organisation was making, tell them what decision was made and how their views fed into it. Where a decision was made that is contrary to their views, explain the reasons for this. If other organisations are the decision-makers, explain who these are and how the children's views were shared. If their views have been included in a report a copy of this or a summary of it, in appropriate language, should be provided to the participants.

Be open to supporting children and young people to speak for themselves

Many participation exercises with children result in their views being shared with decision makers and others by the adults who planned and/or facilitated the process. In some circumstances this is appropriate and in the children's best interests. However, in many circumstances providing children with opportunities to address decision-makers directly and to represent their own views and the views of their peers can be a very powerful way to influence decisions. They may require support, such as help arranging meetings with decision-makers or providing a workshop on public speaking, to engage at this level.

Be reflective

Every participation process is an opportunity to learn about how we can better support children to express their views. It is essential, therefore, that children are asked for feedback about their experiences of participation. This evaluation of your own work will help you to learn from and improve your practice. This can be done very simply by asking participants what they thought worked well during the participation, what didn't work well, what they would like to change if they were to do it again. This can be gathered verbally and/or through feedback forms. You should consider facilitating children to do this anonymously as this will help to make them feel that they can be critical.

For ideas on providing children with feedback and on evaluating participation projects see *Children's Participation in Public Decision-Making: Why should I involve children* at www.eurochild.org/uploads/tx_news/OEJAJ_VADEMECUM.pdf



SOME ADDITIONAL ONLINE RESOURCES

In addition to the resources sign posted above, the following may be useful in considering, planning, implementing and evaluating a participation exercise with children.

- For an overview of the UN's position on hearing the views of children see their *General Comment No. 12 (2009) The Right of the Child to be Heard* at: www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-GC-12.pdf
- In 2015 the Department of Children and Youth Affairs launched the *National Strategy on Children's and Young people's Participation in Decision Making 2015-2020*. This is the first strategy of its kind in Europe and can be found at: www.dcy.gov.ie/documents/playandrec/20150617NatStratonChildrenandYoungPeoplesParticipationinDecisionMaking2015-2020.pdf
- Hub na nÓg was set up by the Department of Children and Youth Affairs in 2017 as a centre of excellence and coordination of children's participation. Hub na nÓg has a database of resources and publications on children's participation. The database can be accessed at: www.hubnanog.ie/database/
- For an overview of the participation process with children and some useful tips and activities see the Children's Commissioner of Tasmania's *Involving Children in Decision-making: Your Quick, Practical Guide* www.childcomm.tas.gov.au/wp-content/uploads/2015/06/Guide-to-making-decisions-booklet.pdf
- For an overview of the why, what, who, when and how of children's participation, as well as practice standards in relation to this work and a range of additional resource materials see Jordan's Change for Children Consultancy Ltd.'s *A Guide to the Effective Involvement of Young People: Resource Pack*: www.nwleics.gov.uk/files/documents/guide_to_involving_children_and_young_people/Guide%20to%20Involving%20Children%20and%20Young%20People.pdf
- For an introduction to the Mosaic Approach for use with young children (ages 3 to 6 years) see Alison Clarke's chapter, *Ways of Seeing: using the Mosaic approach to listen to young children's perspectives* (in Clark, Alison; Kjørholt, Anne Trine and Moss, Peter eds. *Beyond listening: Children's Perspectives on Early Childhood Services*. Bristol: Policy Press, pp. 29–49.): learningaway.org.uk/wp-content/uploads/RL56-Extract-the-Mosaic-Approach-EARLY-YEARS.pdf
- Although designed for one-to-one assessments in social work/social care the worksheets in this UK Department of Education and Skills and Barnardos resource can be adapted for other contexts and group: *Say it Your Own Way @ Children's Participation in Assessment: Resources* www.socialworkerstoolbox.com/say-way-40-worksheets-facilitating-childrens-participation-assessment/
- This East Sussex County Council publication is also designed for social work but the methods could be used or adapted for wider use: *Children's Participation Toolkit for Social Workers and Early Help Practitioners*: www.socialworkerstoolbox.com/childrens-participation-toolkit-for-social-workers/
- For more details on children with disabilities and participation see Unicef's *Take Us Seriously: Engaging Children with Disabilities in Decisions Affecting their Lives*: www.unicef.org/adolescence/files/Take_Us_Seriously.pdf

Notes





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