



# **PARTICIPATION WITH CHILDREN AND YOUNG PEOPLE: Advice to Public Bodies**

January 2018

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# 1. FOREWORD



**The Commissioner for Children and Young People (NI) Order, 2003 is clear that the UNCRC has to be the guiding framework for NICCY’s work. Therefore, I take very seriously the UN Committee’s 2016 Concluding Observations where they voiced their concerns about the dearth of structures for the active and meaningful participation of children and young people to give due weight to their views in designing laws, policies, programmes and services at local and national level.**

We meet children and young people regularly and they are generally concerned about a variety of issues affecting their lives and opportunities including their education; their health - especially their mental health; their communities and the impact of poverty. They are keen to have their particular views and opinions heard and to engage directly with key decision makers whenever possible.

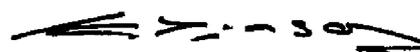
It is concerning that matters directly affecting children and young people are not always being discussed with them as a matter of course, at least not in a meaningful way. There are some wonderful examples of engaging with children and young people but we also know of many examples of tokenistic consultations, often planned as an afterthought.

Participation and engagement with children and young people must be viewed as an essential and indeed positive opportunity to inform legislation, strategies, policies and services which ensure the promotion of the rights of all children and young people in Northern Ireland.

I am issuing this advice in accordance with Article 8 (5)(b) of the legislation which states that:

*“The Commissioner may provide advice or information on any matter concerning the rights or best interests of children and young persons”.*

This advice has been developed in partnership with the NICCY Youth Panel and is one way in which the Office can support our public bodies to fulfil their UNCRC and S75 (of the NI Act, 1998) participation obligations in a consistent way



**Koulla Yiasouma  
Commissioner for Children  
and Young People**

**January 2018**



## 2. INTRODUCTION

*“The more we increase the active participation and partnership with young people, the better we serve them. And the more comprehensively we work with them as service partners, the more we increase our public value to the entire community.”*

Carmen Martinez, US Diplomat

Since the establishment of the Northern Ireland Commissioner for Children and Young People (NICCY) in 2003, the subsequent years have seen an increase in the recognition and acceptance of children and young people’s rights to participate and have their voice heard in the decision-making process. Our legislators, government departments and statutory agencies are increasingly acknowledging the United Nations Convention on the Rights of the Child (UNCRC) and the fact that, when listened to, children and young people can play a vital role in the planning and delivery of services.

The participation of children and young people is a core element of both NICCY’s legislation (the duty is outlined in Articles 7 and 8 of the legislation) and the UNCRC. This includes:

- ▶ **Promoting** an understanding of the rights of children and young persons;
- ▶ **Promoting** an awareness of the importance of those rights and a respect among children and young persons for the rights of others;
- ▶ **Promoting** an awareness of matters relating to the best interests of children and young persons;
- ▶ **Making children and young people and their parents aware of** the functions of the Commissioner; the location of the Commissioner’s office; and the ways in which they may communicate with the Commissioner;

- ▶ **Providing** advice or information on any matter concerning the rights or best interests of children and young persons;
- ▶ Encourage children and young people **to communicate** with the Commissioner; and
- ▶ **The views** of children and young persons and their parents are sought concerning the work of the Commissioner.

The key aim is to promote and support children and young people’s participation in decision-making and public life and we do this through:

1. Strategic Participation: Advising and supporting government to develop policies and structures to support the involvement of children and young people in decisions that affect them; and
2. Operational Participation: Develop strategies to ascertain the views of children and young people and ensure their voice is heard in NICCY’s work.

## Defining Participation

Participation means ensuring that a young person is aware of, informed about, and encouraged to communicate something about each decision that pertains to him or her that could result in significant changes being decided on their behalf, about their lives.

In general, participation is an ongoing process of engagement and involvement through which children and young people:

- ▶ Are actively listened to;
- ▶ Are supported to express their views;
- ▶ Have their views taken into account and recorded; and
- ▶ Are involved in decision-making processes.



**NICCY**  
PROMOTING THE RIGHTS OF  
CHILDREN & YOUNG PEOPLE

To the Children and Young People with no vote - **Your Voice Matters**  
Just because you can't vote doesn't mean your voice shouldn't be heard. When I have been out and about talking with you about having your voices heard within the NI Assembly and NI Executive I get mixed reactions. From "I want to go and tell them what it's like to be young" all the way to "what's the point they never listen".

I know many of you were disappointed when after the Brexit vote, the media reported that although more young people voted to remain than leave, the leave vote won. However, fewer young people actually voted overall. Since the Summer I have met young people under 18, who are frustrated that they don't have a voice in elections, who would have voted, one said "if only we had been given a chance."

...to embark on another election campaign. I am asking you what you would like to see and NI Assembly to do to make this a place one can be happy. ... and are supported through childhood and adolescence. ... conversations with your parents, grandparents, ... make them to ... box have a read and think about ... issues that matter the most to you. Don't ... party or that party but make up your own ... the adults around you who will be voting. ... a say in what happens in Northern

### 3. PARTICIPATION WITH CHILDREN AND YOUNG PEOPLE: INTERNATIONAL CHILD RIGHTS OBLIGATIONS

## 1. The United Nations Convention on the Rights of the Child (UNCRC)

In 1989, the United Nations created the UNCRC. The UNCRC is a list of 42 promises made by governments from almost all countries in the UN to children and young people, including the right to education, equal treatment and the right to an opinion. All governments who have signed the UNCRC are supposed to work to make it part of their law.

The UK Government signed up to the UNCRC in 1991. As the UK Government has ratified this set of legally binding minimum standards and obligations, it must comply with it in the discharge of its functions.

Article 12 of the UNCRC (below) relates to the views and opinions of children and young people being taken into account:

### Article 12:

1. State Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Periodically, the UN Committee on the Rights of the Child produces General Comments to the UNCRC which are directed to the governments of those countries that have ratified the UNCRC. The purpose of a General Comment is to widen and deepen understanding of a particular aspect of the UNCRC, and to reflect the changing conditions under which children grow up.

In 2009, the Committee produced 'General Comment No. 12: The right of the child to be heard'<sup>1</sup> which included advice on the basic requirements for the implementation of the right of the child to be heard, including:

- ▶ Urging State Parties to avoid tokenistic approaches, which limit children's expression of views, or which allow children to be heard, but fail to give their views due weight;
- ▶ If participation is to be effective and meaningful, it needs to be understood as a process, not as an individual one-off event. Experience since the Convention on the Rights of the Child was adopted in 1989 has led to a broad consensus on the basic requirements which have to be reached for effective, ethical and meaningful implementation of Article 12. The Committee recommends that State Parties integrate these requirements into all legislative and other measures for the implementation of Article 12;
- ▶ All processes in which a child or children are heard and participate, must be:
  - Transparent and informative – children must be provided with full, accessible, diversity-sensitive and age-appropriate information about their right to express their views freely and their views to be given due weight, and how this participation will take place, its scope, purpose and potential impact;
  - Voluntary – children should never be coerced into expressing views against their wishes and they should be informed that they can cease involvement at any stage;
  - Respectful – children's views have to be treated with respect and they should be provided with opportunities to initiate ideas and activities. Adults working with children should acknowledge, respect and build on good examples of children's participation;

<sup>1</sup> GENERAL COMMENT No. 12 (2009): The right of the child to be heard

- Relevant – the issues on which children have the right to express their views must be of real relevance to their lives and enable them to draw on their knowledge, skills and abilities. In addition, space needs to be created to enable children to highlight and address the issues they themselves identify as relevant and important;
- Child-friendly – environments and working methods should be adapted to children’s capacities. Adequate time and resources should be made available to ensure that children are adequately prepared and have the confidence and opportunity to contribute their views. Consideration needs to be given to the fact that children will need differing levels of support and forms of involvement according to their age and evolving capacities;
- Inclusive – participation must be inclusive, avoid existing patterns of discrimination, and encourage opportunities for marginalised children, including both girls and boys, to be involved. Children are not a homogenous group and participation needs to provide for equality of opportunity for all, without discrimination on any grounds;
- Supported by training – adults need preparation, skills and support to facilitate children’s participation effectively, to provide them, for example, with skills in listening, working jointly with children and engaging children effectively in accordance with their evolving capacities;
- Safe and sensitive to risk – in certain situations, expression of views may involve risks. Adults have a responsibility towards the children with whom they work and must take every precaution to minimise the risk to children of violence, exploitation or any other negative consequence of their participation; and
- Accountable – a commitment to follow-up and evaluation is essential. For example, in any research or consultative process, children must be informed as to how their views have been interpreted and used and, where necessary, provided with the opportunity to challenge and influence the analysis of the findings. Children are also entitled to be provided with clear feedback on how their participation has influenced any outcomes.

It is frequently perceived that rights are dependent on responsibilities. This is inaccurate and a common misunderstanding. Children’s rights, like all human and adult’s rights, are absolute. This means there are no conditions attached to rights. Rights can never be a reward for the fulfilment of a responsibility and they can never be taken away because a ‘responsibility’ has not been met.

## 2. UN Committee on the Rights of the Child: Concluding Observations (2016):<sup>2</sup>

The UK Government and its devolved administrations have recently been examined by the UN Committee on the Rights of the Child with regard to compliance with its obligations under the UNCRC in June 2016. The Committee's Concluding Observations following this examination were published the following month and provide a detailed set of recommendations with which government must comply across all aspects of children's lives in meeting its obligations under the UNCRC.

The Committee raised a number of concerns in relation to the participation of children and young people in decisions affecting them, and made the following recommendations:

- ▶ Establish structures for the active and meaningful participation of children and give due weight to their views in designing laws, policies, programmes and services at the local and national level. Particular attention should be paid to involving younger children, and children in vulnerable situations, such as children with disabilities (Para 31(a));
- ▶ Expedite the establishment of Youth Parliaments in all devolved administrations for children's effective engagement with national legislative processes on issues that affect them (Para 31(c));
- ▶ Ensure that children are not only heard but also listened to and their views given due weight by all professionals working with children (Para 31(d)); and
- ▶ Fully involve children in planning, designing and monitoring the implementation of play policies and activities relevant to play and leisure, at the community, local and national levels (Para 75 (c)).

<sup>2</sup> See UN Concluding Observations (2016) or <http://www.niccy.org/about-us/childrens-rights/un-reporting/>



## 4. PARTICIPATION WITH CHILDREN AND YOUNG PEOPLE: NATIONAL CHILD RIGHTS OBLIGATIONS

In addition to the obligations placed by the UNCRC on statutory bodies to participate with children and young people, this is reinforced through obligations included in a number of pieces of Northern Ireland-specific legislation, and policies, a number of which are outlined below.

### 1. The Children Order (Northern Ireland) 1995<sup>3</sup>

The Children Order (Northern Ireland) 1995 brought together legislation relating to caring and protecting children. One of the main principles of the Children Order is that children should be kept informed about what happens to them and should be encouraged to take part when decisions are made about their future.

### 2. Section 75, Northern Ireland Act 1998<sup>4</sup>

Under Section 75 of the Northern Ireland Act 1998, public authorities, when carrying out their functions relating to Northern Ireland, must **'have due regard'** to the need to promote equality of opportunity between:

- ▶ People of different racial groups, **ages**, marital status and sexual orientation;
- ▶ People who have different religious beliefs or political opinions;
- ▶ Men and women generally;
- ▶ People who have disabilities and people who don't; and
- ▶ People who have dependants and people who don't.

Central to compliance with the statutory equality obligations under section 75 is the obligation on designated public authorities to carry out consultation with children and young people and the removal of barriers to meaningful consultation with this group. All designated public authorities are obliged to contain a commitment in their approved Equality Schemes, required by Schedule 9

of the Northern Ireland Act 1998, to carrying out direct consultation with members of the section 75 groups who are likely to be impacted upon by a policy or change to an existing policy. Children and young people are protected under the category of age and other section 75 categories in line with their particular circumstances.

Children and young people have particular needs concerning information and to take part in consultation and decision-making processes, especially on issues that affect them. It is particularly important that you consider which methods are most appropriate for consulting children and young people. You should also make sure that you provide information which is clear, easy to understand and in an appropriate format, to make sure there are no problems preventing you from consulting children and young people.

You must also recognise the different needs children and young people have (for example, children who do not speak English as their first language, children who have learning disabilities and so on).

### 3. Children's Services Co-operation Act (Northern Ireland) 2015 (CSCA):<sup>5</sup>

The CSCA places statutory obligations on Government Departments and all statutory agencies to co-operate with each other in order to contribute to the improvement of well-being for children and young people.

The legislation defines 'well-being' by listing eight well-being outcomes, stating that in each case these should be interpreted through any relevant provision of the UNCRC. The eight outcome areas are:

- (a) Physical and mental health;
- (b) The enjoyment of play and leisure;
- (c) Learning and achievement;
- (d) Living in safety and with stability;

<sup>3</sup> <http://www.legislation.gov.uk/nisi/1995/755/contents/made>

<sup>4</sup> <https://www.legislation.gov.uk/ukpga/1998/47/section/75/enacted>

<sup>5</sup> <http://www.legislation.gov.uk/nia/2015/10/contents/enacted>

- (e) Economic and environmental well-being;
- (f) The making by them of a positive contribution to society;
- (g) Living in a society which respects their rights; and
- (h) Living in a society in which equality of opportunity and good relations are promoted between persons who share a relevant characteristic and persons who do not share that characteristic.

With regard to participation with children and young people, two are particularly relevant:

- ▶ Young people making a positive contribution to society; and
- ▶ Living in a society that respects their rights;

#### 4. Community Planning Statutory Guidance (2015)<sup>6</sup>

As the participation of children and young people is key to implementing the UNCRC, NICCY welcomed the commitment to this in the Statutory Guidance for the Operation of Community Planning Local Government Act published in 2015.

*‘Although it is vital that the (Community Planning) partnership engage fully with all groups in society and that they meet their commitments in relation to consultation and engagement set out in the Council Equality Schemes as regards all Section 75 groups they have, in light of specific government commitments, a particular responsibility to encourage and promote the role that can be played by children and young people in community planning.’ (Section 6.8, Page 18)*

In the absence of government having a specific policy or structures in place to ensure that children and young people are involved in having a say in decisions that affect their lives, the restructure of local government and the transfer of planning to the new councils

provides the opportunity to ensure meaningful participation with children and young people in local communities. By including the specific reference to engagement with children and young people in the Statutory Guidance, the Department has established a benchmark for good practice within the Northern Ireland Government structure.

#### 5 Programme for Government (Consultation Document 2016)<sup>7</sup>: (Draft at the time of writing)

The Programme for Government (PfG) acknowledges the existence of inequalities and states that it will fulfil equality obligations including compliance with international human rights conventions<sup>9</sup>. It also recognises the government’s responsibility to deliver better equality outcomes across all areas including the specific outcome that aims to ‘..give our children and young people the best start in life’.

In fulfilling this obligation the PfG – whenever we have an Assembly and Executive in place - must accurately reflect the current strategic legislative and policy context in relation to delivery for children and young people in Northern Ireland.

#### 6. Children and Young People’s Strategy<sup>8</sup> (Draft at the time of writing)

The CSCA places a statutory duty on the NI Executive to prepare a report on the operation of the Act, including statements on:

- ▶ The actions taken by the NI Executive, and Government Departments, for the purpose of achieving the outcomes set out in the Children and Young People’s Strategy;
- ▶ The progress that has been made towards achieving those outcomes, or the extent to which they have been achieved;

<sup>6</sup> Circular LG 28/15 – Statutory guidance for the operation of community planning

<sup>7</sup> Programme for Government (Consultation Document 2016)

<sup>8</sup> Programme for Government Consultation Document, page 42

- ▶ How children’s authorities and other children’s service providers have co-operated with each other in the provision of children’s services;
- ▶ How children’s authorities have exercised their powers to share resources and pool funds; and
- ▶ How the well-being of children and young people has improved.

The Children and Young People’s Unit of the Department of Education has been working with other Departments to develop a Children and Young People’s Strategy on behalf of the Executive. As this document goes to print, this remains in draft form.

The outcome areas for the Strategy mirror those identified in the CSCA and from a participation point of view, are highlighted by Outcome Area 6 where the aim is to ensure children and young people can ‘make a positive contribution to society’. A specific outcome is that “Children and young people should be given the opportunity and support to participate in decision-making on important matters which affect them and be confident in expressing their opinions - with the knowledge that their voice will be heard and responded to.”

Outcome Area 7 aims to ensure that children and young people ‘live in a society which respects their rights’. This includes:

- ▶ Making children and young people aware of their rights and be able to identify situations where their rights have been infringed - having the confidence to challenge those who ignore their rights; and
- ▶ Making sure that children’s authorities and other children’s service providers are well versed in child rights - ensuring their actions and services both protect and enhance the rights of the child.

## 7. Priorities for Youth (2013)<sup>9</sup>:

Currently in Northern Ireland, 180,000 young people between the ages of 4 and 25 years are engaged with Education Authority (EA) supported clubs and organisations, including statutory clubs, uniformed and church based organisations and community groups. This is almost 39% of all young people in the 4-25 year age range.<sup>10</sup>

Youth work and youth workers make an extremely positive contribution to the education, employability and life skills for young people and help them to positively engage as active members of their own and wider communities. Being part of a group can help young people develop important personal and interpersonal skills; develop a strong support network of other young people and so help young people gain self-confidence and self-esteem. Research has demonstrated a positive correlation between youth involvement in decision-making and improved service provision.<sup>11</sup>

“Practitioners within individual units, projects and programmes will be required to demonstrate and provide evidence of how they have supported an ethos and culture of active participation, and how the young people are provided with opportunities to be involved in the design, delivery and evaluation of programmes/projects...”<sup>12</sup>

The draft PfG proposes a focus that would meet the needs and aspirations of young people whilst strengthening their potential as decision-makers. Within the document there is a commitment to the realisation of the Department of Education’s vision for children and young people, i.e.

*“Every young person achieving to his or her full potential at each stage of his or her development”.*

<sup>9</sup> <https://www.education-ni.gov.uk/publications/priorities-youth>

<sup>10</sup> Pg. 27, EA Youth Service Regional Assessment of Need, 2017 – 2020, December 2016.

<sup>11</sup> (Checkoway, 2011; Cavet and Sloper, 2004; Kirby et al., 2003

<sup>12</sup> Pg. 24, Priorities for Youth, Department of Education, 2013

This is very much in line with that of Article 6 of the UNCRC, which places an obligation on the government to ensure that all children develop to their maximum potential and Article 29(1), which focuses on the development of every child's personality, talents and abilities to the full.

## 8. DE Circular 2014/14 - Pupil Participation<sup>13</sup>

The Committee on the Rights of the Child has continually expressed its concern about the lack of progress to fully implement children and young people's full participation across our education system.

Meaningful and inclusive engagement and participation of children and young people, of all ages and abilities, in their education will not only improve outcomes for children but for the whole school community.

The Departmental Circular provides guidance for Principals and Boards of Governors on how to encourage pupil participation in decision-making in schools.

"The Department is committed therefore to encouraging all schools to find meaningful ways of giving children and young people a voice, listening to them, respecting and responding to their views and by doing so enabling children and young people to understand that their opinions count. The education system exists for children and young people; ensuring their participation in that system and listening to their experiences helps them make the most of their education".<sup>14</sup>

## 9. The 'Outcomes Based Accountability' (OBA) Approach

A recent positive development has been the adoption by the Northern Ireland Government of an OBA model to the planning and implementation of its strategies.

This approach has been informed by the work of Mark Friedman and focuses on the planned outcomes of services delivered. It seeks to take a common sense approach to tackling persistent problems through agreeing and prioritising high level outcomes, and providing a method for thinking together and taking action.

A starting point for this approach is to identify the outcomes we want for our citizens and communities, and the 'turning the curve' methodology requires a range of stakeholders with knowledge of a problem to work together to identify solutions.

Performance measures are identified to answer three key questions:

- ▶ How much did we do?
- ▶ How well did we do it?
- ▶ Is anyone better off?

This approach is very welcome, as is the focus on the importance of agencies working together to improve outcomes and co-ordinating interventions.

However, it is essential that statutory agencies recognise the need to engage with children and young people and their families in developing solutions to the issues facing them and their communities. They should, for example, be involved in planning the desired outcomes for their communities, and identifying solutions through 'Turning the Curve' exercises. Without this, any government strategy is in danger of being a largely paper exercise, ignoring the lived reality of people's lives and missing out on the knowledge they hold.

This guidance can be used to plan participation of children and young people at key stages in an OBA process.

<sup>13</sup> DE Circular 2014/14 - Pupil Participation

<sup>14</sup> Page 1, DE Circular 2014/14 - Pupil Participation

## NICCY's key calls on participation

Having monitored the way in which government is meeting its obligations in relation to the participation of children and young people in schools, at community, local government and national levels, we have found that there is considerable inconsistency in the degree to which this occurs. Moreover, we have identified little evidence of outcomes of any engagement with children and young people in the development of legislation, policies, strategies, action plans and service delivery.

It is essential that the Northern Ireland Executive prioritise the participation of children and young people through addressing the following:

- ▶ Establishing structures for the pro-active and meaningful participation of children and young people, giving due weight to their views in development of policies, strategies, legislation and service delivery;
- ▶ Establishing a baseline reference of levels of children and young people's participation, completing an audit of the numbers of children and young people involved in community and civic actions including through volunteering, youth work, pupil participation in schools as well as political activity; and
- ▶ For government departments and statutory agencies to measure and track the impact of children and young people's participation in the development of policies, strategies, legislation and service delivery.



## 5. BENEFITS OF PARTICIPATION WITH CHILDREN AND YOUNG PEOPLE

Having reviewed the legislative, strategic and policy obligations placed on statutory bodies to engage children and young people in decision-making, it is important to also recognise the tangible benefits of doing so. Active involvement of children and young people results in more effective and user-friendly services and will also develop the skills and confidence of the young person and enhance the local community.

### Benefits to children and young people

Participation provides the opportunity for children and young people's personal, social and political development. Participation can offer practical experience and the opportunity to learn how to exercise responsibility. Children and young people's participation brings a number of benefits to the individual children involved:

- ▶ Gaining an improved understanding of social policy and decision-making processes;
- ▶ Increasing their connection and ownership to communities;
- ▶ Enhanced self-confidence and self-esteem;
- ▶ An opportunity to acquire and expand skills, including problem-solving, negotiation and communication skills;
- ▶ Familiarisation with group and democratic process, including understanding different points of view, the need for compromise and a sense of responsibility for group decisions; and
- ▶ An opportunity to learn and practice the skills of responsible and active citizenship.

### Benefits to organisations

Children and young people's participation has benefits for organisations through:

- ▶ Services and policies that are designed, delivered and evaluated on the basis of identified needs of children and young people;
- ▶ Priorities for children and young people identified;
- ▶ Different perspective offered by children and young people;

- ▶ Relationships with young people are enhanced;
- ▶ Meet Government/ Assembly targets and expectations;
- ▶ Evidence for persuading Ministers and decision makers to target resources effectively;
- ▶ Increases organisational relevance to children and young people; and
- ▶ Improves organisational ability to achieve outcomes.

### Benefits to the community

Participation empowers children and young people as members of civil society and active citizens. The practice of participation strengthens children's ability to hold organisations, institutions and government to account. It enables children to play an active part in civil society and to compensate for their exclusion from formal political processes. It increases the visibility of children and children's issues ensuring that they are given greater weight in economic, social and political agendas:

- ▶ Enables children to play an active part in civil society and to compensate for their exclusion from formal political processes;
- ▶ Increases the visibility of children and children's issues ensuring that they are given greater weight in economic, social and political agendas;
- ▶ By increasing accountability to children, it enlarges the democratic space and encourages good governance;
- ▶ Change in perception of young people and their needs;
- ▶ It gives young people pride in the work carried out and may help to minimise vandalism and other anti-social behaviour;
- ▶ Empowers children and young people as members of civil society and active citizens; and
- ▶ Strengthens children's ability to hold organisations, institutions and governments to account.



## 6. BUILDING CAPACITY TO PARTICIPATE WITH CHILDREN AND YOUNG PEOPLE

With preparation and support, any adult can engage with children and young people. Participation skills are not arduous to develop and are mostly about taking time to prepare and having a flexible and adaptable approach. You will also need to be prepared to have some FUN!

### **Participation skills:**

To help maximise the experience for everyone, those involved in the engagement should:

- ▶ Understand what participation means;
- ▶ Understand why it is important (children and young people have a right to have their voice heard, legislative requirements, etc);
- ▶ Understand the benefits of participation (to your organisation, to the community and to children and young people themselves);
- ▶ Expand your awareness of different methods to involve children and young people;
- ▶ Welcome working in partnership with youth organisations / schools and children and young people;
- ▶ Explore communication techniques that enable the involvement of all children and young people;
- ▶ Be flexible, adaptable and responsive to the needs of the children and young people in front of you;
- ▶ Be creative and imaginative – be prepared to try something new;
- ▶ Be confident about safeguarding procedures but not intimidated by them; and
- ▶ Seek advice as appropriate.

## The Lundy Model of Child Participation<sup>15</sup>

This model was developed by Laura Lundy, Professor of International Children's Rights at the School of Education at the Queen's University of Belfast.<sup>16</sup> Her model provides a way of conceptualising a child's right to participation, as laid down in Article 12 of the UNCRC. It is intended to focus decision-makers on the distinct, albeit interrelated, elements of the provision.

The four elements have a rational chronological order: **space**, **voice**, **audience**, and **influence**.



This model provides a way of looking at Article 12 which is intended to focus decision-makers on the distinct, although inter-related, elements of the provision.

**SPACE:** Children must be given safe, inclusive opportunities to form and express their views.

**VOICE:** Children must be facilitated to express their view.

**AUDIENCE:** The view must be listened to.

**INFLUENCE:** The view must be acted upon, as appropriate.

More information on the model can be found in Laura Lundy's 2007 publication on child participation.<sup>17</sup> The Lundy Model of Participation was prominently featured and endorsed by the Irish Department of Children and Youth Affairs in their recent National Strategy on Children and Young People's Participation in Decision-Making (2015–2020).

<sup>16</sup> See [ec.europa.eu/justice/fundamental-rights/files/lundy\\_model\\_child\\_participation.pdf](http://ec.europa.eu/justice/fundamental-rights/files/lundy_model_child_participation.pdf)

<sup>17</sup> <http://www.qub.ac.uk/schools/SchoolofEducation/AboutUs/Staff/Academic/ProfLauraLundy/>

<sup>18</sup> Laura Lundy (2007) 'Voice' is not enough: conceptualising Article 12 of the United Nations Convention on the Rights of the Child', *British Educational Research Journal*, 33:6, 927 — 942, available at: <http://dx.doi.org/10.1080/01411920701657033>



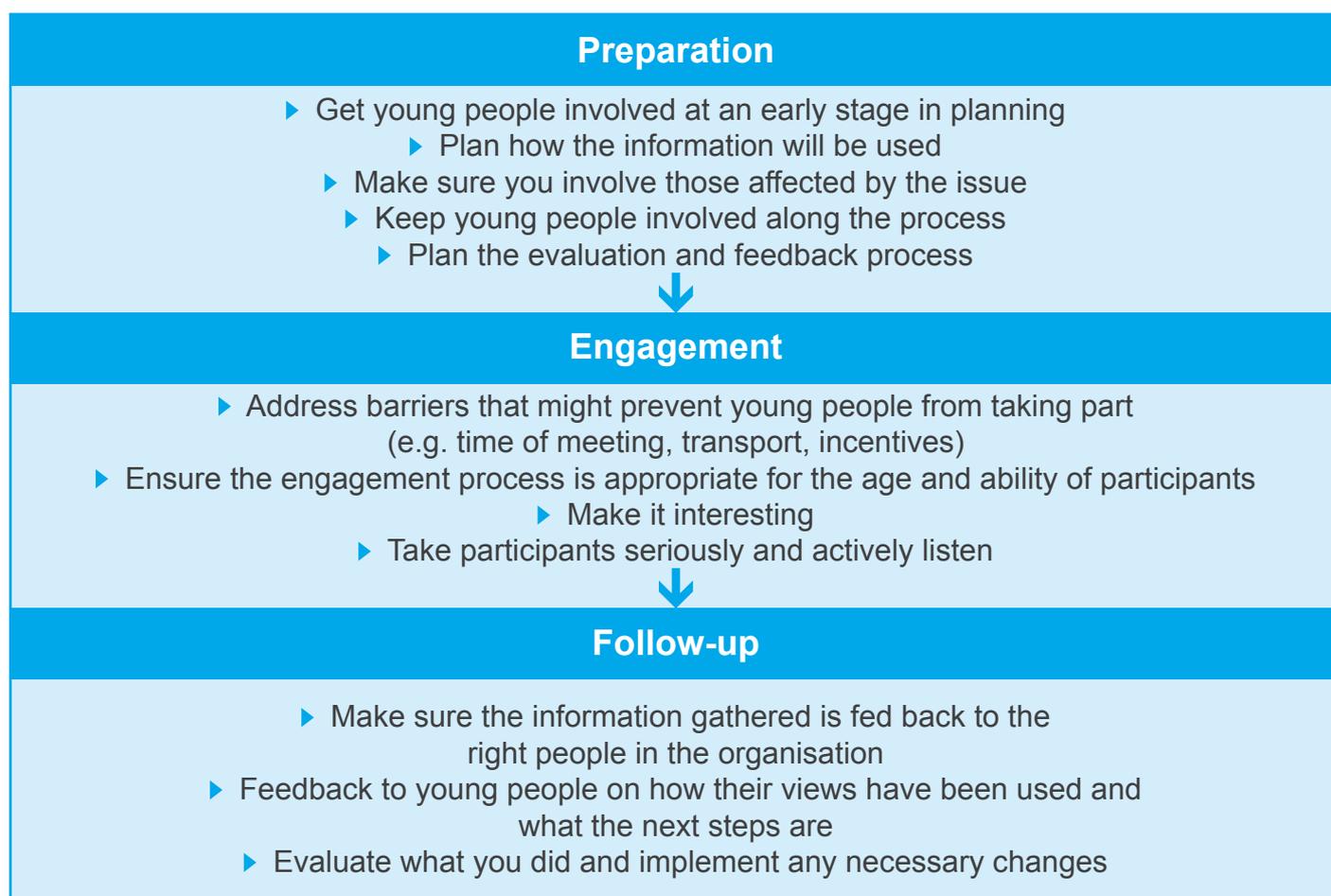
As outlined in Section 1, in undertaking all her work the Commissioner seeks to ascertain the views of children and young people to ensure that we are informed by their experiences and opinions. One important way that we do this is through the recruitment of the 'NICCY Youth Panel', a group of young people who share their experiences and thoughts with the Commissioner and her staff and help NICCY make decisions about issues that affect children and young people. As far as possible the panel represent different religions, different abilities and disabilities, and of different ethnic groups.

While the role of the NICCY Youth Panel is to advise the Commissioner, they are frequently asked to engage with public agencies, to share their thoughts and opinions on a myriad of issues affecting young people. It has been their experience that the quality and consistency of the engagement varied immensely from meeting to meeting. As a response, recognising that it was not appropriate for the Panel to be used to represent the views of children and young people across Northern Ireland, they decided to develop advice to public agencies on engaging with young people.

## Overview of engagement process

The NICCY Youth Panel identified three stages of engagement with children and young people:

- ▶ **A. Preparation;**
- ▶ **B. Engagement; and**
- ▶ **C. Follow-up.**



## A: Preparation

There are a number of things you need to think about before you get started.

### 1. Get young people involved at an early stage in planning:

- ▶ If possible, get young people involved from the planning stage of consultation. We know best how you can talk to us;
- ▶ A last minute, tokenistic effort is never going to produce good results; and
- ▶ Have young people / easy read versions of materials ready when you launch the consultation – more adults might get involved if you give them this too.

### 2. Plan how the information will be used:

- ▶ Be realistic about how our opinions will be used and don't give false expectations; and
- ▶ Make sure our views will be interpreted back in to a language that policy makers will understand and that our feedback gets to the right people.

### 3. Plan to talk to the right people:

- ▶ Make sure the groups you talk to represent a whole range of young people (different areas, backgrounds, race, etc) if it is something that will affect all young people; and
- ▶ If you are making a decision about a specific group of young people make sure they are involved in the process, even if they are a more difficult to reach group.

### 4. Keep young people involved along the process:

- ▶ It might be useful to have a steering group of young people to advise you along the way.

### 5. Plan the follow up:

- ▶ Make sure you feedback to participants to let them know how you have used the information they provided in decisions made;
- ▶ Don't patronise – young people understand that they can't have everything they want, but they want to know how decisions are arrived at and that their views have been considered properly; and
- ▶ Plan your evaluation of the process with the young people so you can learn for next time.

## B. Engagement

Young people can make a really useful contribution to planning and decision-making. Make sure you do everything you can do to get them involved, and overcome any barriers to their participation.

### 1. Make sure young people can get to you to take part:

- ▶ Hold meetings at a suitable venue that is easily accessible for young people (e.g. schools, youth clubs, FE colleges, leisure centres);
- ▶ Make sure meetings take place at a time that suits young people – 11am on a Tuesday morning may be handy for civil servants but we are likely to be at school;
- ▶ There should be no extra cost for people to get to meetings; and
- ▶ If you are using online tools make sure they are accessible for everyone.

## 2. Think about some of the barriers that might prevent young people taking part:

- ▶ Think about the kinds of things that might prevent you getting information from the people you need to – language, capacity, free time, fear. If in doubt, ask someone who is already in contact with these young people to help you; and
- ▶ Make sure young people don't feel humiliated or intimidated by you.

## 3. Make it interesting:

- ▶ Send people who are genuinely interested in young people's views;
- ▶ Meetings don't need to be formal. You can get just as much information from a more fun, informal way of working;
- ▶ A bit of free food is a good incentive and always make it easier for people to think.
- ▶ Talk normally, don't be patronising;
- ▶ Tailor to your audience. Again, if you don't know how to do this, ask someone who does;
- ▶ Share your ideas to show interest – show you've been thinking about it yourself;
- ▶ Take people seriously and make notes on what you hear;
- ▶ Ask useful questions to help get the information you need; and
- ▶ Make sure your audience understands what you are talking about and that it is explained clearly.

## C. Follow-up

Participation doesn't end once you have spoken to young people. The next steps are just as, if not MORE important.

### 1. Make sure, the information gets to the right people in your organisation, to be considered in making decisions:

- ▶ If it needs to be translated back into policy language then find someone who can interpret properly; and
- ▶ Use the information when making decisions.

### 2. Feedback to those you have consulted:

- ▶ There is nothing worse than the feeling of being asked your opinion only for it to be completely ignored;
- ▶ Respond to any concerns brought up;
- ▶ Tell young people how you used the information they gave you in reaching the conclusion; and
- ▶ Make sure you send information to those involved – feedback directly or through partner organisations, not just on your website.

### 3. Evaluate what you did:

- ▶ Consider how effectively you sought young people's views and how this information was used;
- ▶ Is there anything you need to do within your organisation to make this easier in future? (e.g. Staff training, planning more time in to consultation timelines, getting supporting organisations involved); and
- ▶ THERE IS ALWAYS ROOM TO IMPROVE!

## The Right Way

In June 2016 the UN published a report known as Concluding Observations on how the UN is doing in meeting the promises it made to children and young people through the UNCRF. The report shows government 'The Right Way' to make sure Children's Rights become a reality for you. We want to let you know about some of the things it said that are important for Northern Ireland, and how you can get involved in campaigning for your rights.

**NI YU Kaiti,** the Northern Ireland Commissioner for Children and Young People, or 'NICCY', is set up to make sure government keeps its promises, so you get the rights you should have.

Find out what the UN says government needs to do better, for children and young people in Northern Ireland.

**Making your rights a reality**  
The Northern Ireland government should make plans to show how it is working to keep the promises it has made to you.

**Your Education**  
Government should make sure that all children are supported to do the best they can at school and make sure that they know about their rights.

**Your Free Time**  
Government should make sure all children and young people are able to read, play and meet up with their friends.

**Extra Protection you might need**  
When children do things that are against the law, the government should do its best to help them not to do it again, instead of using the law to punish them.

**Keeping you Safe**  
The Government must do more to keep all children safe at home, in school, and everywhere else.

**Negative Stereotyping**  
The Government should take action to make sure that people don't treat children, especially teenagers, badly because of their age.

**Mental Health**  
The Government should spend more money on mental health services for children and young people and make sure they get the support they need when they need it.

The United Nations (UN) is a worldwide organisation that helps countries live together peacefully and makes sure the rights of all people are respected. They do this every day.

The UNCRF or UN Convention on the Rights of the Child is an agreement signed by many countries, including the UK Government, which lists promises made to all children and young people. If you are under 18, the UN Convention on the Rights of the Child is about you. It describes the commitment that your Government has made to recognise your rights. The Convention is an international law that recognises that children and young people in Northern Ireland have rights. The UNCRF has 54 articles in it. 42 rights are for children and young people up to 18 years of age. The others are all about how governments and adults should work together to make sure children and young people can access their rights.

# 42 RIGHTS for children

## Your guide to your rights!

Let's learn about our rights!

### WHAT IS THE UN?

The United Nations (UN) is an international organisation that helps countries live together peacefully and makes sure the rights of all people are respected. They have a Committee on the Rights of the Child who are experts on Children's Rights.

### WHY 42?

These 'articles' are the 42 promises made by Government to children and young people – your rights. Most of them are about **WHAT** Government should do for your health, your education and your family. However four are particularly important because they are about **HOW** Government should deliver on your rights:

- Your best interests come first;
- Your views and opinions must be taken into account in decisions taken about your life;
- You have a right to life, survival and development must be protected and be safe; and
- You need to be protected from discrimination (treated equally and the same as everyone else).

## #SpeakYourMind

Are you a young person aged 11 to 21?

Have you had or tried to get help for your mental health?

Help us tell government how to improve mental health services

This survey is part of our review of mental health services for children and young people. By sharing your experiences you can help us find out how to make services better in the future.

...if so, we want to hear from you.

Take part in our survey here [www.niccy.org/SpeakYourMind](http://www.niccy.org/SpeakYourMind)

Please contact the Communications team at NICCY if you require alternative formats of this material.

## UN CONVENTION ON THE RIGHTS OF THE CHILD

**What is the UNCRF?**  
The UN Convention on the Rights of the Child is a list of the rights for every child up to 18. Government has promised to make these rights a reality for all children and young people in Northern Ireland.

**GENERAL PRINCIPLE 1:** All children have these rights, no matter who they are or what their culture, language, religion or gender is. No child should be treated unfairly on any basis.

- You have the right to a name, nationality and identity.
- If you have a disability you should be given the help you need.
- You have the right to speak your own language and to practice your religion and culture freely.
- You should always be treated fairly and respected.

**GENERAL PRINCIPLE 2:** All adults should do what is best for you.

- You should be safe and cared for.
- You should be protected from any harm and if you have been hurt you should get the help you need.
- If you break the law you should be supported not to do it again.
- You have the right to keep some things private.

**GENERAL PRINCIPLE 3:** You have the right to live and develop fully. You should have food, clothing and a safe place to live.

- You should be respected and safe.
- You have the right to rest and play.
- You have the right to the best health care possible.
- Your family should get the money they need to support you.

**GENERAL PRINCIPLE 4:** You have the right to give your opinion, for adults to listen to it and take it seriously.

- You have the right to get information safely and to express yourself.
- You have the right to free education that develops your skills and abilities.
- You have the right to meet with others to voice your opinion.

**So who is NICCY?**  
The Northern Ireland Commissioner for Children and Young People is here to promote and protect these rights for all children and young people in Northern Ireland.

If you wish to contact us about this find us at:

- [www.niccy.org](http://www.niccy.org)
- 028 9031 1616
- [nichildrencommissioner](https://www.facebook.com/nichildrencommissioner)
- [@nichildom](https://twitter.com/nichildom)
- [info@niccy.org](mailto:info@niccy.org)

Please contact the Communications team at NICCY if you require alternative formats of this material.

# 8. PRODUCING YOUNG PEOPLE FRIENDLY PUBLICATIONS

Article 13 of the UNCRC states that *‘The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child’s choice’.*

Providing children and young people with accurate, relevant, understandable information is critical in enabling them to engage in decision-making processes. The following is some general guidance when producing publications for children and young people:

## 1. Consult with Young People

- ▶ The central and most critical factor to success of any child and young person publication is to consult and involve young people themselves in their design and development;
- ▶ No matter how well qualified we (adults) may think we are, there is no better substitute than having the ‘end users’ at the heart of the process;
- ▶ The ‘gold star’ approach is where a publication is developed *‘for young people by young people’*, with adults playing a facilitating and supporting role;
- ▶ This participative approach also needs to involve young people at every stage, from the initial planning phase right through to implementation and dissemination; and
- ▶ The ideal is to recruit a panel of young people who are representative of your target audience, to work with and advise you on the publication; this may involve capability building and support for the young people which can take time, so partnership working with existing groups can be a good option to explore and consider.

## 2. Planning - define your audience and understand their needs and requirements

- ▶ It is essential that you clearly define your audience **from the outset**, is it aimed at primary (lower-middle-upper?) or post primary (again younger 11-14 or older 15-18)? Younger children will often ‘aspire upwards’ but if a publication is seen as too ‘childish’ older young people will not engage and turn off;
- ▶ It is very difficult to have a ‘one size fits all’ and it will rarely be successful, generally the minimum would be producing a primary and post primary version, if the aim is to engage/consult with all children and young people; and
- ▶ Understand your given audience – what is their reading age? Is English their first language? Will your audience have additional or special needs? Having a panel of young people will greatly assist in defining this.

## 3. Define the format of publication

- ▶ This is again where having a panel of young people is critical as they will be able to advise on the best way to engage and communicate your information / messages;
- ▶ This will be influenced by the age of your target audience and their needs / abilities;
- ▶ For example Ofcom research shows younger children now get most of their information and learning (outside of school) on tablets and not TV, from sites such as YouTube – so a video may be a much better way of communicating with them, rather than a hard copy publication; and
- ▶ Similarly, a series of targeted workshops may be a much better way of consulting and getting the views of young people, rather than a mass and non-targeted mail out of a leaflet.

#### 4. Developing a first draft of the text / copy

- ▶ Once you have defined your audience and how you are going to communicate / engage with them, you can work on the actual information. A broad approach must be taken with regard to who the proposals will impact on and readily accessible information provided to ensure that children of all age groups and abilities are able to fully engage in the consultation process;<sup>18</sup>
- ▶ This is where the language you use is critical, and ensuring you are matching it to your audience so it is appropriate and accessible;
- ▶ There are a number of practical tips and rules:
  - Keep language simple, do not use jargon or long/difficult words (and if so explain their meaning), see the Plain English Campaign site for more information - <http://www.plainenglish.co.uk>;
  - Use the present tense if possible and keep sentences short;
  - Write as though you are speaking to young people (do not be afraid to use “you”);
  - Do not use metaphors; some are not obvious to children, such as “voicing your views” or “sign post”;
  - Spell out any abbreviations, and do not use “e.g.” or “etc”;
  - Do not include jargon that has little meaning for children, even if it sounds simple, for example, “stakeholders”. To find alternatives for jargon, use a variety of sources, including a thesaurus and children’s dictionaries; and
  - Create a list of definitions for difficult words or concepts at the beginning or end of the document; this can help young people who are at different levels of understanding to read the document. Though this should

be balanced as writing too many explanations in the document itself can be distracting and lead to a longer, less readable document.

- ▶ Keep the overall amount of text as short as possible, if it is too long it will be difficult to keep young people, and children in particular, engaged; and
- ▶ Once you have the text drafted, it can be beneficial to have young people proof it **before** you hand it over to a designer to incorporate into the actual publication, this is because it is often easier to tweak and make amendments in this format, than when it is designed up.

#### 5. Develop your publication – putting it all together

- ▶ Develop a clear design brief – less is more with child friendly publications, they should be more creative and much more ‘design heavy’ rather than text heavy;
- ▶ This is again where a young person’s panel is invaluable as they will be able to steer the design phase of the project;
- ▶ Text should be broken up with the use of appropriate graphics and images, speech bubbles;
- ▶ Consideration should be given to the overall design style so that it matches / will engage with your audience – for example, will a graphic novel or storyboard approach work better than a narrative based format?;
- ▶ Use of visual images can also be used to support the text and help explain difficult concepts. It is important therefore that they are relevant to the issue outlined, or you might end up confusing children with different messages in the visual images to those in the text. You may want to specifically commission photographs, illustrations or cartoons;
- ▶ Provide links and list resources where children might be able to get additional information on the subject;

<sup>18</sup> These key issues were dealt with in NICCY’s complaint to the Equality Commission for Northern Ireland regarding OFMDFM’s compliance with its statutory equality obligations under section 75 of the Northern Ireland Act 1998 when carrying out its consultation on it Age GFS proposals.

- ▶ Use a font size that is at least 14 points, sans serif fonts are generally seen as more child-friendly because they are clearer to read (also from a accessibility point of view font size should be at least 14 and left hand justification); and
- ▶ Use of colour can also be used to help break up text and add interest, however again this needs to be balanced to avoid being 'too busy' and distracting; interestingly though young people can often process more visual information than adults.

## 6. Pilot the publication – test with your audience

- ▶ Once a working draft of the publication is complete you should test it with your audience – this should first be with your young person's panel and then with a wider audience; and
- ▶ You should allow time (and cost) to make tweaks and final refinements to the publication – this is another benefit of working with a panel as any changes should be relatively minor; if you have not consulted with young people before this however, there is a greater chance that more major changes will be needed.

## 7. Dissemination and evaluation – young people friendly channels

- ▶ Once you have tested and finalised your publication it is ready to send out to your target audience;
- ▶ Central to this will be a communication and engagement plan that should be developed as part of your initial planning; this plan should now be implemented;
- ▶ Consideration should be given to how you are going to tell young people about the publication – for example are you going to publish it on your website, do you have social media channels, can you tap into existing networks and channels e.g. C2K network in schools?; and
- ▶ Part of the plan should also include evaluation measures and during this final stage, you should be monitoring and evaluating these. These should be formalised into a post project evaluation so you can identify any lessons learned and measure 'impact'.



## 9. FURTHER INFORMATION

This document has provided an overview of why statutory agencies should ensure the participation of children and young people in decisions affecting them and their communities, and practical guidance in how to take this forward. In addition, the following documents provide further information on how to engage with children and young people.

### **#Pupils Voice: Making a Difference Report - NIYF / NICCY (2015)**<sup>19</sup>

This study was carried out by the Northern Ireland Youth Forum on behalf of NICCY. The study involved 12 School Councils from both primary and post-primary schools. It was youth-led by a steering group of 6 young people from the Northern Ireland Youth Forum Executive Committee and NICCY's Youth Panel. The report focuses on gaining the views of children and young people on their attitude / experience towards pupil participation and the positive impacts this can have within the school setting; the impact of the DE Circular (2013) on Pupil Participation and to evaluate / celebrate the wider improvements / changes that take place within the school as a result of pupil participation.

### **Walking or Talking Participation? - NICCY (2014)**<sup>20</sup>

Evidencing the impact of direct participation with children and young people in the development of departmental policies, strategies, legislation and services. The report illustrates examples of good practice but findings identify that more work still needs to be done to create a more systematic and consistent approach to participation across all government departments.

### **ASK FIRST! Northern Ireland Standards for Children and Young People's Participation in Public Decision-making - Participation Network (2010)**<sup>21</sup>

The Ask First! standards, developed by the Participation Network, aims to assist those Public Authorities who are increasingly recognising the importance of involving children and young people in the development of policy and services. The standards for children and young people's participation provide useful guidance for establishing effective direct engagement mechanisms, as well as a benchmark for measuring their effectiveness.

### **Let's Talk, Let's Listen; Guidance for public authorities on consulting and involving children and young people - ECNI (2008)**<sup>22</sup>

When the people framing Section 75 of the Northern Ireland Act 1998 identified age as one of the reasons why equality of opportunity should be promoted, they did not limit the word in any way. As a result, it provides lots of potential for public authorities to creatively and imaginatively shape and introduce policies. Children and young people are as fully covered by this requirement of the act as any other age group in the population. They are, on that account, as fully entitled as everyone else to take full advantage of its benefits. In addition, that includes taking account of their views and experiences when policies are being developed.

<sup>19</sup> [www.niccy.org/professionals-practitioners-policy-makers/participation/pupils-voices-pupil-participation-in-schools](http://www.niccy.org/professionals-practitioners-policy-makers/participation/pupils-voices-pupil-participation-in-schools)

<sup>20</sup> [www.niccy.org/professionals-practitioners-policy-makers/participation/walking-or-talking-participation](http://www.niccy.org/professionals-practitioners-policy-makers/participation/walking-or-talking-participation)

<sup>21</sup> [www.ci-ni.org.uk/participation](http://www.ci-ni.org.uk/participation)

<sup>22</sup> [www.equalityni.org/Home](http://www.equalityni.org/Home) and search 'Let's Talk'

## **NICCY's Participation Team**

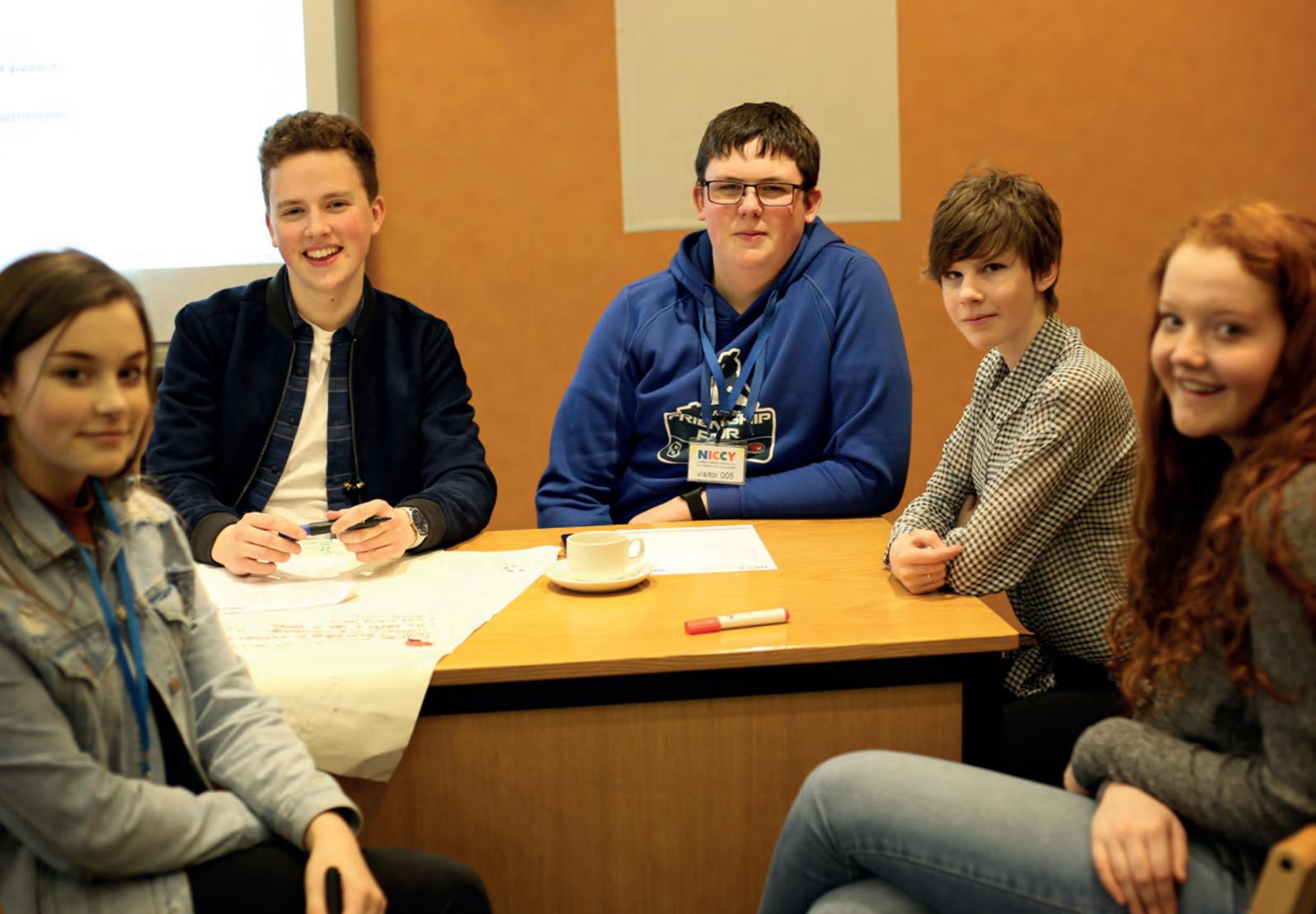
**The Participation staff work to fulfil NICCY's legislative remit to encourage children and young people to participate - this means having a say in the decisions that affect their lives; having a say in day-to-day activities such as school; and, having a say in society in general.**

We work to support organisations in achieving best practice in terms of children and young people's participation in civic life. We are also responsible for the Commissioner's Youth Panel. There are currently over 40 members of the Youth Panel who support the work of the Commissioner and advise her on key issues.

You can contact the Participation Team on:

**Phone: 028 9031 1616**

**Email: [participation@niccy.org](mailto:participation@niccy.org)**



**You can contact the Northern Ireland Commissioner for Children and Young People using the following details:**

**Northern Ireland  
Commissioner  
for Children and  
Young People**

**Equality House**  
7-9 Shaftesbury Square  
Belfast  
BT2 7DP

**T:** 028 9031 1616  
**E:** [info@niccy.org](mailto:info@niccy.org)  
**W:** [www.niccy.org](http://www.niccy.org)  
**Facebook:** [www.facebook.com/  
nichildrenscommissioner](https://www.facebook.com/nichildrenscommissioner)  
**Instagram:** [niccy\\_yp](https://www.instagram.com/niccy_yp)  
**Twitter:** [@NICChildCom](https://twitter.com/NICChildCom)

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