



Guidance for public authorities on consulting and involving children and young people



Equality Commission

FOR NORTHERN IRELAND

Equality Commission for Northern Ireland

Let's talk, let's listen

Guidance for public authorities on consulting and involving children and young people



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Foreword

‘Young people should be at the forefront of global change and innovation. Empowered they can be key agents for development and peace. If, however, they are left on society’s margins, all of us will be impoverished.’

(Kofi Annan, former Secretary General of the United Nations)

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. And that includes taking account of their views and experiences when policies are being developed.

More than a quarter of the population of Northern Ireland can be placed into this group. Quite apart from the basic principles of natural justice, there are practical reasons why their needs and expectations should be reflected in policies. What a lost opportunity it would be if such a significant group was left beyond the reach of the benefits of Section 75.

Policies that affect children and young people can do so in two ways. They can affect them during their childhood and youth as they particularly refer to the needs or experiences of that period of life. More importantly, perhaps, they can also have an effect on the future, setting the boundaries within which they will live their entire lives. The challenge is to make sure that, when developing those policies, public authorities take account of their real, life-shaping influences for children. There is a constant risk that children and young people will be affected by these policies, but absent from the decision-making about important changes that affect them.

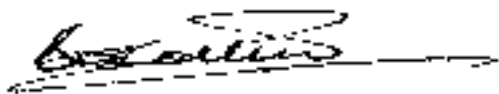
Children and young people, of course, do not just have an age – their identities are much more complicated. They have all the characteristics of the whole population – they are boys or girls, they can be well or ill, they are born into a national or ethnic identity, they may live in a political environment, they will come across

different beliefs, and they will grow to have a sexual orientation. That richness must be a defining element in the way policy and practice relates to them.

They also have a point of view. They do have a voice. They grow gradually more articulate with age and education. This is where this guidance comes in. It aims to help public authorities carry out their duties to consult directly with children and young people. This can be a demanding task, as there is a great deal to take into account in the process. But it is worthwhile. Children and young people have experiences, they have a real sense of fairness and justice, and they have a valid and genuine interest in those policies that affect their futures.

Consulting young children presents special challenges. But we should not underestimate their capacity to contribute to an understanding of policies and practices. At the centre of consultation is the need to listen to what children have to say about matters that affect them and to take those views into account. Public authorities must move beyond any stereotypes of children's range of interests, recognise the sophisticated view of the world that children can offer, and appreciate the effects that a wide range of policies has on their lives.

I want to thank everyone, especially the children and young people, who helped us develop this guidance, and I recommend that public authorities give it their full attention.

A handwritten signature in black ink, appearing to read 'Bob Collins', with a horizontal line extending to the right from the end of the signature.

Bob Collins
Chief Commissioner
Equality Commission for Northern Ireland

1 Glossary of terms

There are some terms and phrases throughout this document which you may not be familiar with. We have explained these below.

Active citizenship

An active citizen is one who exercises both their rights and responsibilities in a balanced way.

Active participation (or ‘actively taking part’)

In this guidance, ‘active participation’ means not only engaging with children and young people when developing policies, but also allowing them to take part in decision-making when developing and planning policies.

Children’s rights impact assessment

Children’s rights impact assessments (CRIAs) have been used to assess how a public authority’s policy decisions (whether you are making a new policy or amending an existing one) can affect the welfare of children and young people. Whether you or a governing body carry out these assessments, they aim to prompt you to review and revise your decisions or proposals, to better take account of the interests and needs of children and young people.

Consultation

In this guidance, ‘consultation’ means asking those people who are affected by a policy (that is, the people who use the service, staff, the general public) for their views on how the policy could more effectively provide equality of opportunity. Different circumstances will call for different types of consultation. Consultation could, for example, include meetings, focus groups, surveys and questionnaires.

Easy Read

Easy Read is a way of writing that is particularly useful for communicating effectively with children under 10 years old and children and young people who have learning disabilities.

Easy Read documents should have:

- easy words;
- big writing; and
- pictures.

The Disability Rights Commission and MENCAP have produced guides to Easy Read.

Engagement

In this guidance, 'engaging' with children and young people means forming a longer-term relationship with children and young people to be able to consult them in the future.

Equality impact assessment (EQIA)

This is where existing and proposed policies are assessed to find out whether they have an adverse impact (negative effect) on equality of opportunity for the relevant groups. An EQIA also offers an opportunity to identify how better to promote equality of opportunity and good relations.

Equality scheme

This is a document which sets out your arrangements for carrying out your duties under Section 75. An equality scheme must include an outline of your arrangements for carrying out consultations, screening, equality impact assessments, monitoring, training and arrangements for making sure information and services are available to everyone who needs them.

Equality of opportunity

Providing 'equality of opportunity' involves preventing discrimination against people because of certain characteristics they have, such as their sex, race, age, marital status, disability, religious beliefs, political opinions, dependants and sexual orientation.

However, promoting equality of opportunity involves more than just preventing discrimination. It gives you a duty to take proactive measures to provide equality of opportunity between the categories identified under Section 75 of the Northern Ireland Act 1998.

Good relations

Although not defined in the law, we have agreed the following definition of 'good relations'.

'The growth of relationships and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms.'

Monitoring

Monitoring means continuously examining and assessing a policy to see how it affects the categories identified under Section 75 of the Northern Ireland Act 1998. Monitoring must be sensitive to the issues associated with human rights and privacy. When setting up monitoring systems, you should ask for advice from both the people you consult and the Section 75 representative groups.

Monitoring involves collecting relevant information and evaluating policies. However, it is not just about collecting information – it can also involve holding regular meetings and reporting on the research the authority has carried out. Monitoring provides the information used in the next cycle of screening (see ‘Screening’ below).

Non-governmental association (NGO)

Any local, national, or international organisation – whether or not it works to make a profit – set up to achieve particular social aims or serve particular areas, and whose members are not employed by a government.

Northern Ireland Commissioner for Children and Young People

The Northern Ireland Commissioner for Children and Young People's main aim is to ‘safeguard and promote the rights and best interests of children and young persons’. The Commissioner does this by:

- **promoting children’s rights** and developing fun ways of communicating with young people and encouraging them to take part in decisions;
- dealing with individual **complaints** from children and young people (or their parents and guardians) about government services like education, health, adoption and fostering, youth justice and road safety; and
- carrying out **research** into issues that are affecting children and young people, and, if necessary, holding **inquiries** into issues where the Commissioner believes children are being negatively affected. The Commissioner must also review the ways in which the organisations providing services for children listen to complaints and take account of children’s views.

Northern Ireland Human Rights Commission

A body set up under Section 69 of the Northern Ireland Act 1998, which works to make sure that the human rights of everyone in Northern Ireland are fully protected in law, policy and practice.

Northern Ireland Network for Youth

The Youth Council Northern Ireland is currently consulting on proposals to develop a Northern Ireland Network for Youth. While this is currently at an early stage of development, we believed it was important to refer to this ongoing project in this document. The Ten Year Children and Young People's Strategy for Northern Ireland refers to a forthcoming initiative, which has been provisionally titled Northern Ireland Network for Youth (NINFY). The aim of NINFY will be to allow all children and young people (up to the age of 25) to have their say in all relevant areas of government policies.

At the time this document was published, detailed consultation was under way to explore possible options for NINFY, and to make sure that it fits within a clear and logical participation system for children and young people. The Department of Education is carrying out this consultation. Once NINFY is up and running, it will offer significant support to existing structures, aiming to create real and meaningful relationships between children and young people and policymakers.

Participative democracy

'Participative democracy' is when citizens play an active role in social, civil and political life, through being directly involved in decision-making processes about specific issues. It works alongside 'representative democracy', by giving more power to citizens and organisations that work in the public's interests. Participative democracy also aims to provide citizens with opportunities to make meaningful contributions to decision-making.

Plain English

Writing that the intended audience can read, understand and act on the first time they read it. Plain English takes account of design and layout as well as language. Plain English is needed in all kinds of public information, such as forms, leaflets, agreements and contracts. As a rule, you should use plain English in any information the public rely on when they make decisions. Plain English Campaign have made available a free guide called 'How to write in Plain English' (see www.plainenglish.co.uk/howto.pdf) and also provide a range of guides with advice on writing in specific situations.

Pre-consultation

Gathering information and views from a range of important stakeholders on a particular policy before the formal consultation stage, to identify important issues and sources of useful information.

Screening

The procedure for identifying which policies will go through a equality impact assessment, and how these impact assessments will be prioritised. The purpose of screening is to identify which of your policies are likely to have a significant effect on equality of opportunity, so that you can use most of your resources to improve these policies. Screening also involves regularly reviewing your existing and proposed policies. For each policy, you should consider the following questions.

- Is there any evidence that certain groups are actively taking part in your work more than others?
- Is there any evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy?
- Have previous consultations with relevant groups, organisations or individuals shown that particular policies create problems that are specific to them?
- Is there an opportunity to better promote equality of opportunity or good relations by changing the policy or working with other people in the Government or in the larger community?

Schedule 9

Schedule 9 of the Northern Ireland Act 1998 sets out detailed requirements for enforcing the Section 75 duties, including an outline of what should be included in an equality scheme.

Section 75

Under Section 75 of the Northern Ireland Act, 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.

'Having due regard' means a public authority has a legal duty to take these matters into account, when assessing the need to promote equality of opportunity between the categories of people set out in Section 75(1) of the Act.

Public authorities must also **'have regard to the desirability'** of promoting good relations between people of different religious beliefs, political opinions or racial groups. 'Having regard to the desirability' means that public authorities must consider how the policies it makes affects the relationships between people belonging to these groups.

Social capital

'Social capital' refers to the 'collective value of all "social networks" and the inclinations that arise from these networks to do things for each other' (see note 1 at the bottom of the page). It has been identified as an important part of building and maintaining democracy, through increasing trust and encouraging active participation. There are two types of social capital – 'bonding' social capital and 'bridging' social capital. 'Bonding' refers to the value of social networks between similar groups of people, while 'bridging'

Notes

- 1 Putnam, Robert (2000), 'Bowling Alone: The Collapse and Revival of American Community' (New York: Simon and Schuster).

refers to the value of social networks between socially different groups.

Social inclusion

'Social inclusion' is the process by which efforts are made to make sure that everyone, regardless of their experiences and circumstances, can achieve their potential in life.

United Nations Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child (UNCRC) is a set of basic rights that children have under international law. The UK Government has signed up to this convention.

2 Introduction

This section sets out the legal background, the purpose of the guidance and why it is important to consult children and young people.

2.1 Under Section 75 of the Northern Ireland Act, 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.

'Having due regard' means public authorities have a legal duty to take these matters into account when assessing the need to promote equality of opportunity between the categories of people set out in Section 75(1) of the Act.

Public authorities must also **'have regard to the desirability'** of promoting good relations between people of different religious beliefs, political opinions and racial groups. 'Having regard to the desirability' means that public authorities must consider how the policies they make affect the relationships between these groups.

2.2 Under Schedule 9 (1) of the Northern Ireland Act 1998, we have a duty to:

- a review how effectively you are keeping to your duties under Section 75; and
- b offer advice and guidance to you and other organisations that have these duties.

2.3 We have developed this guidance with the support of a project advisory group, made up of government departments, the NI Commissioner for Children and Young People, the NI Human Rights Commission and members of the children and young person's non-governmental organisations (NGO) sector. There are more details about the methods we used to develop this guidance in appendix 6.

Purpose of the guidance

2.4 You have a duty, by law, to meet the requirements set out in Section 75 of the Act.

2.5 Under Schedule 2 of the Northern Ireland Act 1998, we must make sure you carry out your duties under the Act, and offer advice to you and other organisations that have these duties.

2.6 We have identified the need to provide advice, guidance and training for public authorities who are affected by the Section 75 duties. This guidance sets out what you need to do to consult children and young people under these duties, and offers advice on how best to do so.

2.7 The guidance aims to help you carry out these duties effectively, specifically in terms of how you should consult children and young people direct. The guidance also aims to allow you to go further than just carrying out your duties, by helping you to develop best practice.

2.8 For the purposes of this guidance, we define 'children' as:

- children who are aged under 18; and
- children who are aged under 21 (if disabled or leaving care).

This is the definition set out under article 3 (1) of the Northern Ireland Commissioner for Children and Young People (Northern Ireland) Order 2003.

2.9 The aims of the guidance are to:

- set out why it is important for you to consult children and young people;
- explain what we mean by ‘consultation’, ‘engagement’ and ‘active participation’;
- provide guidance on how you can identify the effects of your policies on children and young people;
- identify the problems preventing public authorities from consulting children and young people, and to set out ways in which you can overcome them;
- provide advice on how you should include the duty to consult children and young people in the strategic planning process; and
- help you to identify other issues which you need to take into account when you consult children and young people, including confidentiality and ethics, monitoring and assessment, feedback, providing information in other formats, and training.

2.10 This guidance builds on, and is meant to be read with, the consultation guidelines in our ‘Guide to the Statutory Duties’ (referred to throughout this guidance as ‘the Guide’).

2.11 We have also taken account of the ‘Practical Guidance on Equality Impact Assessment’ (referred to throughout this guidance as the ‘Practical Guidance’).

2.12 Schedule 9 (4) (2) (b) of the 1998 Act gives your organisation a duty to assess and consult on the likely effects of the policies you have put in place (or plan to put in place) to promote equality of opportunity. As a result, you must consult children and young people across the nine categories listed under Section 75 (1) to ask for their views on how a particular policy may affect them.

- 2.13 You should aim to form relationships by encouraging the groups and individuals affected by your policies to actively take part in your work. Consulting children and young people could benefit other initiatives to encourage active citizenship, involve children and young people in the democratic process (public affairs, elections and so on) and help you to meet your human-rights responsibilities. This guidance sets out the ways in which you can benefit from consulting children and young people.
- 2.14 We recommend involving children and young people as a matter of best practice. This guidance gives you advice on how to consult and engage with children and young people and encourage active participation.
- 2.15 This guidance also identifies some issues and problems which young people believe prevent public authorities from consulting them in an effective way. It suggests practical solutions and best-practice methods you can use to consult effectively and openly with children and young people (see section 4).
- 2.16 The guidance provides advice on how to take account of confidentiality and ethics, as well as the need to provide information in other formats when consulting children and young people (see sections 7 and 10).
- 2.17 The guidance highlights the role of the Participation Network, which has been funded by the Office of the First Minister and Deputy First Minister (OFMDFM) to provide a free support service to local government and government departments and agencies, to improve how they consult, engage with and involve children and young people in decision-making.
- 2.18 The guidance provides details of organisations that can give you advice on consulting and involving children and young people (see appendix 1).
- 2.19 The guidance considers the responsibilities you have under the Protection of Children and Vulnerable Adults (NI) Order 2003 and the Safeguarding Vulnerable Groups (NI) Order

2007, and provides information about how you can use Access NI to ask for information on a person's criminal history (see appendices 3 and 4).

- 2.20 The guidance takes account of the United Nations Convention on The Rights of the Child (see note 2 at the bottom of the page), a set of basic rights that children have by law. These rights have been approved by the UK Government, and the most relevant parts of these rights are referred to throughout this guidance.

(There is, however, a range of other international human-rights responsibilities which are also relevant to children and young people. For example, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, the United Nations Convention on the Elimination of All Forms of Racial Discrimination, the United Nations Convention on the Rights of Persons with Disabilities, the Council of Europe Framework Convention on the Protection of National Minorities and so on.)

Why is it important to consult children and young people?

- 2.21 According to the Northern Ireland mid-year population estimates for 2005 (see note 3 at the bottom of the page), there are a total of 434,780 children and young people under the age of 18 in Northern Ireland. This is equal to roughly 25.2% of the Northern Ireland population who may want to contribute to the Government's planning and decision-making.
- 2.22 It makes good business sense for you to take the views of such a large number of people into account, as this will help you make sure that you are providing services which are easy to use, available to everyone and offer value for money.

Notes

2 See www.unhchr.ch/html/menu3/b/k2crc.htm

3 Registrar General Annual Report 2005 – Section 2, Population, Table 2.1: Estimated Population By Sex and Age, 30 June 2005

2.23 In recent years, many public authorities have benefited from consulting children and young people direct, and those organisations which play an important role in promoting children's rights and their wellbeing. The benefits of doing this include:

- gathering information from children and young people (as citizens and as customers) about their changing attitudes and needs, their views about how public authorities can provide better services, and about the problems which prevent them from using services;
- promoting the idea of 'social inclusion' and being able to develop fresh perspectives and new ideas about policies and services;
- being able to develop policies and practices which target services for children and young people more effectively; and
- developing more appropriate and effective policies and services based on actual needs, rather than what you presume children and young people need.

2.24 To support the idea behind involving children and young people more effectively in society, local and global citizenship (after primary school) and citizenship (primary school, as part of personal development) have been included in the revised curriculum for Northern Ireland. Consulting children and young people will help them develop the citizenship skills they learn as part of their formal education.

2.25 Promoting ways to engage children and young people in developing a culture of 'participative democracy', which involves negotiation and sharing and values diversity (people's differences), is likely to help them become more aware of both the rights and responsibilities associated with citizenship.

2.26 There have also been a number of legal developments, strategies and policies which have had a major effect on children and young people. These include the following.

- a Section 75 of the Northern Ireland Act 1998 (and the guidance that comes with it), which gives you directions on how to carry out your duties. 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).

As well as the duty to promote equality of opportunity, the duty to promote good relations (as set out in Section 75 (2) of the 1998 Act) is also relevant, given the political and community conflict which has characterised Northern Ireland and caused poverty and disadvantage for many children and young people. It is vital that you consult children and young people when developing policies which are relevant to good relations, taking account of our guidance, 'Promoting Good Relations'.

- b The United Nations Convention on the Rights of the Child, and the growing awareness of these rights among public authorities, non-governmental organisations (NGOs) and individuals. Articles 12 and 13 of the Convention are particularly relevant to consulting children and young people, as shown below.

Article 12 (1)

‘Parties shall assure to the child who is capable of forming his or her views the right to express those views freely in all matters affecting the child, the views of the child given due weight in accordance with the age and maturity of the child’.

Article 13 (1)

‘...the child shall have the right to freedom of expression: this right shall include freedom to seek, receive or 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’.

Article 2 is also relevant, setting out a commitment to: ‘...respect and ensure the rights set forth...to each child... without discrimination of any kind, irrespective of the child’s, or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status’.

Article 3 gives you a duty to make sure that ‘in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration’.

- c ‘Our Children and Young People: Our Pledge. A Ten Year Strategy for Children and Young People in Northern Ireland 2006-2016’ – developed by the Office of the First Minister and the Deputy First Minister, along with other government departments – aims to make sure that, by 2016, all children and young people in Northern Ireland are:

- healthy;
- enjoying, learning and achieving;
- living in safe and stable environments, free from poverty;
- contributing positively to community and society; and

- living in a society which respects their rights.
- d The Youth Council Northern Ireland is currently consulting children and young people on proposals to develop a Northern Ireland Network for Youth (NINFY), as set out in the 'Ten Year Strategy for Children and Young People in Northern Ireland 2006-2016'. The aim of NINFY will be to make sure all children and young people (up to the age of 25) are able to have their say in all relevant areas of government policies.
- e A range of other relevant strategies and policies – for example:
- Lifetime Opportunities (the Anti-Poverty and Social Inclusion Strategy for Northern Ireland);
 - The Racial Equality Strategy for Northern Ireland 2005-2010;
 - The Gender Equality Strategy for Northern Ireland 2006-2016;
 - The DHSSPS Strategic Framework for Children and Young People And Families: Families Matter – Supporting Families in Northern Ireland;
 - Care Matters – A Bridge to a Better Future.

(This is not a full list, but is meant to provide examples of some of the strategies and policies in place.)

2.27 The Children Order (Northern Ireland) 1995 brings together the laws relating to caring and protecting for 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.

2.28 Most policies and laws can have an effect across society. Even if a policy appears only to have an effect on adults, it may also have an effect on children and young people (that is, if these adults have child dependants). When a policy or law does not appear to have a direct effect on children and young people, you must fully consider its indirect effects, particularly in terms of the different needs children have.

3 What we mean by consultation

This section aims to explain what we mean by ‘consultation’, ‘engagement’ and ‘active participation’, and provides a range of examples of projects which promote these.

- 3.1 The ‘Ten Year Strategy for Children and Young People in Northern Ireland 2006-2016’ emphasises that, although children and young people form over one quarter of the population, public authorities are still not taking account of their views or properly considering their needs when designing services for them or developing policies that affect them (see note 4 at the bottom of the page).
- 3.2 It is vital that you take effective measures to carry out your duties under Section 75 of the Northern Ireland Act 1998 and the United Nations Conventions on the Rights of the Child, and to make sure that you gather and take account of the views of children and young people when you develop your policies. These measures will help you develop a culture where consulting children and young people on matters which affect their lives is a standard practice for your organisation.
- 3.3 Consulting and engaging with children and young people and encouraging them to take part will help develop the relationships between you and the groups affected by your policies. There are a number of models that show the range of approaches from consultation to participation – for example, those developed by Hart, Lancaster and Treseder (see notes 5, 6 and 7 at the bottom of the page).

Notes

- 4 Office of the First Minister and Deputy First Minister (2006), ‘Our Children and Young People – Our Pledge: A Ten Year Strategy for Children and Young People in Northern Ireland 2006-2016’ (Belfast: OFMDFM).
- 5 Hart, R (1992), ‘Children’s Participation: from Tokenism to Citizenship’ (Florence: UNICEF Innocenti Research Centre).
- 6 Lancaster, YP (2006), ‘Ramps: A Framework for Listening to Children’. See www.daycaretrust.org.uk/mod/fileman/files/RAMPS.pdf.
- 7 Treseder, P (1997), ‘Empowering Children and Young People training manual: promoting involvement in decision-making (Wales: Save the Children).

Consultation

- 3.4 In this guidance, ‘consultation’ means asking people who are affected by a policy (that is, the people who use the service, staff, the general public) for their views on how the policy could more effectively promote equality of opportunity. Schedule 9 (2) of the 1998 Act says that, when making any decision about a policy it plans to put in place, a public authority will take account of any consultation it has carried out in relation to that policy. As a result, your consultation should have a clear and meaningful purpose, and should not be carried out purely to give the impression that you value the process, when in fact you don’t.
- 3.5 Consultation allows you to assess the views of the people who are affected by your policy decisions or how you design your services. It is also a vital part of the process you should follow to carry out your duties under Section 75 of the 1998 Act.
- 3.6 It is not enough to only consult large umbrella organisations (organisations that represent other smaller organisations and groups), you should also consider how best to communicate information to young people.
- 3.7 You have a duty to consult on your equality schemes, screening and equality impact assessments.
- 3.8 Section 4 (2) (c) of the Guide lists the ‘Guiding Principles on Consultation’. These principles say that good consultation depends on:
- engaging with and involving the Section 75 groups; and
 - the policy or issue being understood by, and appearing to directly affect, the people being consulted.

These principles also emphasise that formal consultation on schemes and equality impact assessments will be more effective if you engage with representative groups beforehand.

- 3.9 Consultation should be timely and open and aim to include everyone. You should allow a period of at least two months for carrying out consultation exercises.
- 3.10 While this guidance refers to the main requirements of the Guide in relation to consultation, it also suggests how you can go further and set standards of best practice by engaging with children and young people and encouraging active participation.
- 3.11 Engaging with children and young people and encouraging active participation could help develop 'social capital' and participative democracy.

We explain 'engagement' and 'participation' in more detail below.

Engagement

- 3.12 For the purposes of this guidance, 'engagement' is when public authorities not only ask children and young people affected by a policy for their views, but also aim to form a longer-term relationship with them. You can achieve this by putting structures and processes in place to encourage ongoing consultation with children and young people themselves and with NGOs in the children's sector. By developing this kind of engagement, you can involve children and young people from an early stage and make sure their views influence and shape your policies.
- 3.13 In line with best practice, you may want to consider creating structures and systems for engagement which promote longer-term participation by children and young people.
- 3.14 You should take account of any existing structures you have in place in local areas which could allow you to consult and engage with children and young people and encourage active participation.
- 3.15 However, you can also successfully engage with children and young people using more informal methods, particularly with young people who are usually overlooked when community matters are considered. It is important that you engage with these children and young people and make sure they are

comfortable, confident and given the support to get their views across. This may involve using creative methods, focusing on events which children are already involved in (for example, drama groups, sports activities and so on) or adapting existing structures.

- 3.16 You should also aim to give these children and young people the skills and knowledge to be able to take part in more formal structures (known as ‘capacity building’ – see section 5).
- 3.17 Engagement should be ongoing, include everyone and allow you to form relationships with the young people you are consulting. It is considered best practice for public authorities to engage with children and young people from the earliest stage of policymaking. Our Practical Guidance refers to the need to engage in pre-consultation with relevant groups and individuals.
- 3.18 Ongoing engagement will also allow young people to develop their skills and knowledge and give them a sense of ownership of the services and policies you are discussing and assessing.

Active participation

- 3.19 For the purposes of this guidance, ‘active participation’ means not only engaging with children and young people when developing policies, but also giving them the opportunity to take part in decision-making when developing and planning policies.

You should be willing to invite children and young people to engage with you at a more formal level. This may include involving children and young people in decision-making structures and activities if appropriate (for example, recruitment and selection panels, committees and boards). The Guide recommends that you should look to encourage participation, as far as possible, from the groups affected by your policies.

- 3.20 The Guide emphasises that promoting participation can benefit you in directly engaging with the groups affected by

your policies, as well as giving you access to communication systems, skills and understanding within those groups.

- 3.21 There are a number of models that show the different levels of participation (see section 3.3 above).
- 3.22 The Practical Guidance says that the age groups you use will need to be sensitive to the policy you are considering and that, in those policies concerning young people, narrower age bands are likely to be more appropriate. With policies relating to children and young people, it is vital that you identify more clearly defined age bands in proportion to the age and maturity of the children or young people you are consulting (see sections 5.4, 5.5 and appendix 6).
- 3.23 The approach you should take to consultation will vary, depending on the circumstances and the age profile (see section 5, particularly sections 5.4 and 5.5).
- 3.24 You should be aware of the restrictions of repeatedly consulting the same group of children and young people. Doing this could lead to them getting tired or bored of being consulted.
- 3.25 You should consider consulting and engaging with children and young people beyond those who are members of organised groups.
- 3.26 Remember that, as children and young people grow and develop, some may not want to continue being involved in the decision-making process.
- 3.27 You may want to consider how you can best use the skills and expertise children and young people develop through their engagement. For example, you could consider how these young people can provide peer-mentoring opportunities for other children and young people who are new to the consultation, engagement and active participation processes.
- 3.28 It is vital that you give children and young people feedback about how you have taken their views into account (see section 9). Because children and young people value

feedback, providing this will keep them interested in taking part in further consultation and engagement.

Some examples of 'active participation' initiatives

Organisation

Northern Ireland Commissioner for Children and Young People's Panel (NICCY)

Age group and numbers of people taking part

Currently 26 young people aged 12 to 21. However, NICCY works with children and young people from pre-school up to the age of 21.

How children and young people are involved

NICCY's Youth Panel (NYP) acts as a consultation and active participation body to provide the Commissioner for Children and Young People with views and opinions to help NICCY make decisions about issues that affect children and young people. This includes panel members being part of research steering committees, taking part as peer researchers, sitting on recruitment and selection panels, giving presentations and speaking at conferences, hosting and organising events, helping develop the NICCY website, lobbying policymakers (including government ministers) and supporting the Commission's communication resources (for example, child-friendly publications and media work).

Support and capacity building

NICCY provides support and training to the Youth Panel members through capacity-building programmes such as training in administration processes, multimedia, recruitment and selection, and equality, as well as providing them with any extra support they need at events.

Contact details

NICCY
Millennium House
17-25 Great Victoria Street
Belfast BT2 7BA

Phone: 028 90311616
E-mail: participation@niccy.org

The Big Deal

The Big Deal programme brought together many of the main organisations involved in developing, providing and managing services for children and young people in Northern Ireland to develop the 'Participation Hub'. The aim of the programme is to encourage children and young people to become involved in activities through the Hub, and to further involve children and young people in planning and managing activities and services provided for them. The Hub aims to build connections and create networks for children and young people to influence public policies and decisions locally and across communities.

The organisations involved in the programme include the following.

YouthNet (lead partner)

PlayBoard (age-specific strategies for children aged 0 to 10)

Northern Ireland Youth Forum

Education and library boards (age-specific strategies for young people aged 11 to 25)

The Youth Council for Northern Ireland (strategy and co-ordination partner)

Contact details

The Big Deal

Phone: 028 9033 1880

E-mail: info@thebigdealni.com

Website: www.thebigdealni.com

Youthnet (NI)

5th Floor - Premier Business Centre

20 Adelaide Street

Belfast

BT2 8GD

Phone: 028 9033 1880

Fax: 028 9033 1977

E-mail: lgordon@youthnet.co.uk

Barnardo's Disabled Children and Young People's Participation Project (NI)

Age group

Currently 22 young people aged 16 to 25. However, the project works with children and young people aged 4 to 25.

Specific interest group

The project specifically works with disabled children and young people.

How children and young people are involved

Young people are involved through work and training placements, art, drama and regular meetings.

The young people have been involved in setting the regional three-year Children's Services Plan. Two of the young people sit on the Southern Area Children's Services Planning Disability Working Group.

Three young people have taken part in the United Nations Committee on the Rights of The Child's 'Day of General Discussion' in Geneva and have influenced the Committee's reports to governments worldwide. They have influenced the UK Government's policy on teacher training to include disabled children in mainstream education.

The young people involved have influenced the development of hate crime laws. They have also have influenced regional wheelchair services and have contributed to many local and regional strategic planning consultations.

Contact details

Disabled Children and Young People's Participation Project
The Children and Young Persons Centre
Dobbin Street
Armagh
BT61 7QQ

Phone: 028 3751 2023

E-mail: rosemary.murray@barnardos.org.uk

Derry Children's Commission (NI)

Age group

Children and young people aged 10 to 16.

Specific interest group

Participation groups are focused on children who are rarely involved in society and community issues, and who face other barriers in taking advantage of their rights (for example, children with disabilities, Traveller children and children from other ethnic-minority communities). The Commission works with 72 children direct. At least 1000 children a year are involved in general activities.

How children and young people are involved

Derry Children's Commission supports four participation groups. The organisation also carries out general participation and consultation work with children and young people across the city and district. Derry Children's Commission has developed new and creative ways to encourage young people to take part.

Contact details

Derry Children's Commission
26-28 Bishop Street
Derry
N Ireland
BT48 6PP

Phone: 028 7136 6339

E-mail: derrychildrenscommission@yahoo.com

Belfast City Council Youth Forum (NI)

Age group

Children and young people aged 13 to 18.

Specific interest group

Children and young people from all parts of society, including those who are rarely involved in society and community issues and those who are from wealthy households. Section 75 groups are also represented (for example, young people who are in care, disabled, from ethnic-minority communities, involved in youth justice and so on).

How children and young people are involved

Belfast City Council Youth Forum acts as a system through which the council can consult young people, and through which the young people can raise and discuss important issues with council officers and staff.

Contact details

Children and Young People's Coordinator
Community and Recreation Department Belfast City Council
The Cecil Ward Building
4-10 Linenhall Street
Belfast
BT2 8BP

Phone: 028 9050 0521 (extension 3595)

E-mail: quinnchris@belfastcity.gov.uk

Website: www.belfastcity.gov.uk/youthsupport

4 Identifying the impact (effects) of policies on children and young people

This section focuses on using the screening process to identify issues relating to children and young people, and identifies a range of sources you can use to find evidence of the effects of your policies.

- 4.1 In our experience, there is a wide range of policy issues which directly and indirectly affect children and young people. During the direct consultation which took place when we were developing this guidance, children and young people clearly emphasised that they wanted to have a say on the strategies and policies that affect them.
- 4.2 You must consider how your policies affect your ability to promote equality of opportunity. The Guide says the purpose of screening is to identify those policies that are likely to have a significant effect on equality of opportunity, so that you can target most of your resources at improving these policies. To be able to do this, you will need to fully review each policy.
- 4.3 So, it is vital that you identify not only the negative effects of your policies on children and young people, but also the opportunities to better promote equality of opportunity and good relations.
- 4.4 You can find evidence of the possible effects of your policies from a range of sources, including the following.
 - Information gathered from your own monitoring of policies (including baseline and time-series data).
 - Responses children and young people gave in previous consultations, if these are relevant.
 - Responses from children's sector NGOs.
 - The Online Research Bank (ORB) Children's Research database at Queens University in Belfast.

- The review of children’s rights in Northern Ireland and other research carried out by the Northern Ireland Commissioner for Children and Young People.
- The annual reports of the Northern Ireland Human Rights Commission.
- The reports of the United Nations Committee on the Rights of the Child and other UN Treaty monitoring committees.
- Appendix 4 of our Practical Guidance.

4.5 You may want to consider using children’s rights impact assessments to help you identify the effects of your policies during the screening process. The Northern Ireland Commissioner for Children and Young People has developed a template for a children’s rights impact assessment (CRIA) (see note 8 at the bottom of the page). The CRIA can help you find information for the Section 75 categories (including children and young people) which will provide a basis for later assessments of policy outcomes.

4.6 You should consider our ‘Monitoring Guidance for use by Public Authorities’ when you decide what level of detail to use for collecting information on how people use your services. We recommend that you use the detailed sets of classifications contained in appendix 1 of the monitoring guidance (see note 9 at the bottom of the page).

4.7 By carrying out screening at a very early stage of developing or reviewing a policy, you should identify if the policy could affect equality of opportunity for children and young people. If the answer to any of the four screening questions (see ‘Screening’ in the glossary) is yes, you must consider whether to carry out an equality impact assessment for that policy. You should be aware that there is a wide range of policies

Notes

- 8 See www.nickey.org/uploaded_docs/NICCY%20CRIA%20%20web%20version.pdf.
 9 Equality Commission for Northern Ireland (July 2007), ‘Monitoring Guidance for Use by Public Authorities’, paragraph 3.10, page 14 (Belfast: ECNI).

which can affect children and young people, particularly because of their many identities.

- 4.8 If the screening process identifies any possible adverse impacts (negative effects), you should immediately consult the groups affected by the policy.
- 4.9 When you have finished the screening exercise, you will want to decide the scale and nature of the consultation you need to carry out.

5 Effective consultation with children and young people

This section provides a step-by-step guide for you to plan effective consultation with children and young people. It identifies problems and provides solutions to consulting children and young people effectively. It identifies the consultation methods that children and young people prefer, and lists practical things you need to consider when carrying out your consultation. It also suggests steps you or decision makers (or both) may want to take to give children and young people the skills and confidence they need to take part effectively in consultation.

Problems preventing you from consulting children and young people effectively

- 5.1 You may have problems consulting children and young people effectively if you fail to take the following into account.
- a **The need to set aside necessary resources in terms of people, time and money.** You may need to engage with advisors from childcare and youth organisations to carry out consultation with children and young people during the short to medium term, while developing your own skills, knowledge and experience.
 - b **The age of the child or young person.** Consulting very young children (children under 10) will present a different set of challenges to consulting older children (for example, in relation to explaining the policy, holding discussions with the children and so on).
 - c **The maturity and development of the child or young person.** For example, how you consult children with learning disabilities should take account of the way they communicate. You should consider whether or not a parent or carer speaking on their child's behalf would affect the child's ability to take part.
 - d **The cultures the children come from.** If there are groups made up of children from different background and cultures (for example, children from ethnic-minority groups or the Irish Traveller community), you should take their cultural needs into account.

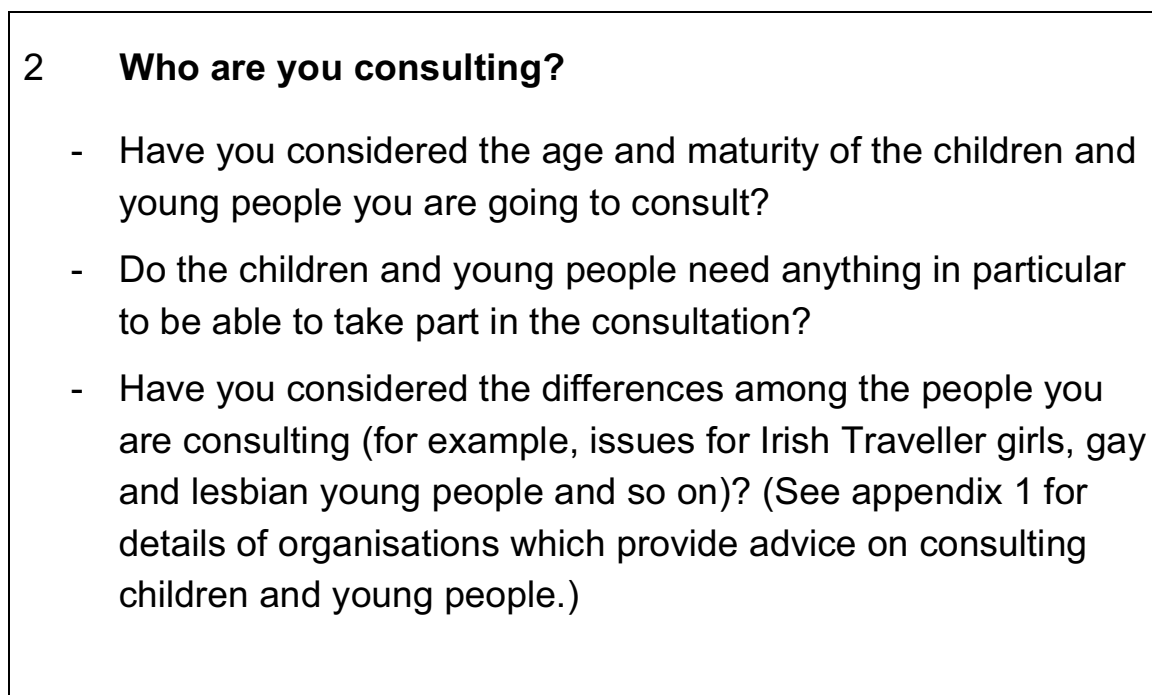
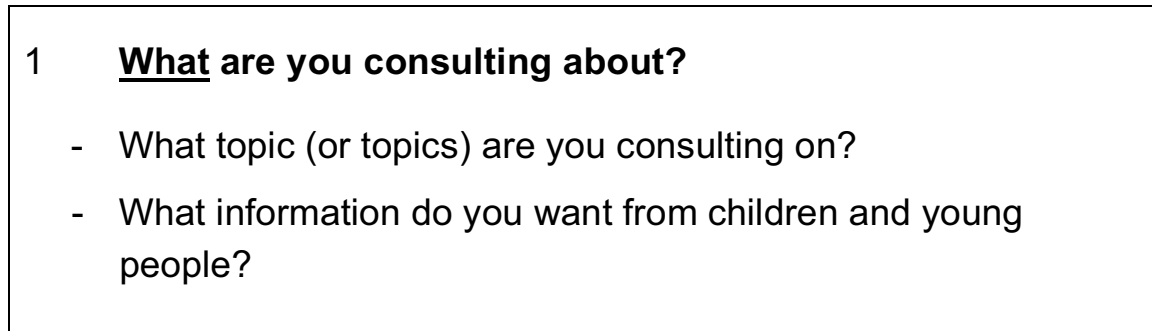
- e **The need to clearly set out what you want from the consultation.** To avoid unrealistic expectations, you should set limits for the consultation and the opportunities for this to alter or amend policy decisions.
- f **How accessible appropriate venues are (including for people with disabilities).** The younger the age of the child or young person, the more vulnerable they are likely to be and the more likely it will be that the venue they prefer will be a setting they are familiar with and happy in.
- g **The need to involve supervisors if you are working in childcare settings.** You will need to provide clear information to make sure these supervisors take part in the process. It is vital you get this permission before you go ahead with the consultation.
- h **The need for permission.** You should get permission either from the child (if they are over 14) and their parents (if they are under 14). For more details, see section 7.
- i **The need to organise consultation events appropriately.** You should remember that children may not be able to take part in consultation or capacity-building events during the school day, school holidays and exam times. You should also consider timing your consultation events to take account of important religious festivals for all faith groups.
- j **Financial considerations.** You should consider travel expenses, childminding expenses (for young mothers and fathers) and extra expenses young carers would have to pay to be able to take part.
- k **Language needs.** You may need to provide translations and interpreters if people have certain sensory impairments (sight and hearing problems) or if English is not their first language.

- l **The need to produce information for children and young people in a child-friendly format.** You should avoid using abstract ideas, jargon or technical phrases in documents and conversations if possible (or explain them if this is not possible). You should consider producing information in other formats including Plain English, Easy Read and audio-visual materials to communicate effectively with children and young people who have learning disabilities or difficulties with reading.
- m **The need to consider children and young people who live in isolated rural areas.** When you plan and carry out your consultation, you should take account of any extra travelling that children and young people in rural areas might have to do to get to your consultation venues. Although rural communities are not one of the Section 75 categories, you should still consider the needs of these groups as a matter of best practice, particularly after the Government's recent commitment to carry out rural impact assessments.
- n **The need to consider 'socially excluded' children and young people.** You may need to make particular arrangements to make sure 'socially excluded' children and young people can take part (for example, young male and female Irish Travellers, young carers, children in care, children who have left care, children in the criminal justice system, children who have experienced domestic violence, children and young people with disabilities and so on).
- o **Access to technology.** To allow those children and young people in the 'older' age categories to access information you provide through websites, e-mail, podcasts and so on, young people should have access to this technology as a method of communication.
- p **The need to allow enough time for the consultation.** The staff carrying out the consultation will need enough time during the consultation exercises to form effective working relationships with children and young people.

- q **The need to provide feedback.** You should always give children and young people feedback after a consultation exercise.
 - r **The need to avoid repeatedly consulting the same groups of people.** You should avoid repeatedly consulting the same groups of children and young people, as doing this may lead to them getting bored and tired of being consulted.
- 5.2 You should cover the reasonable costs people pay to take part in your consultation exercises.
- 5.3 You may want to get advice from the Participation Network (see section 2.17 above) and other organisations which can provide advice on consultation with particular groups of children and young people (some of these organisations are listed in appendix 1).

Solutions for consulting children and young people effectively

Figure 1: Planning an effective consultation exercise



3 How will you carry out the consultation?

- What methods and materials are appropriate for the age and maturity of the children and young people you are consulting? (See 5.4.)
- Have you identified and met the training needs of all relevant staff?
- What support will the children and young people need?
- What arrangements have you made for keeping a record of the consultation?



4 Where and when will you hold the consultation?

- Are you visiting the children and young people at a venue they prefer? (See 5.11.)
- Are they visiting you at an event outside their normal environment? (See 5.11.)
- Have you considered any issues relating to access and problems preventing people from attending the consultation (for example, people with disabilities, people living in isolated rural areas, transport expenses, childcare for young parents and so on)?
- What time of day and at what time of year will you hold the consultation? Consider school holidays, exam times and important religious festivals for all faith groups. (See 5.11.)



5 Necessary resources

- Have you set aside the resources (people, time and money) you need?



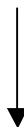
6 Other formats

- Have you considered other appropriate formats? Ask for advice from representative groups, allow time to prepare other formats (including child-friendly and translated materials) and train staff in how to use them. (See section 10.)



7 Child protection and ethics issues

- Do all your arrangements keep to the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 and the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007? (See section 7.)
- Is the child to adult ratio within the legal requirements? (See section 5.11.)
- Have you received permission from the child (or their parents), where this is relevant? (See section 7.)
- Have you considered all the relevant legal and ethical issues?



8 Other issues

- Have you considered how and when you will provide feedback? (See section 9.)
- How will you use the information?
- Where will you keep the results of the consultation for future reference?
- Have you made arrangements to assess the consultation exercise?

Methods of consultation children and young people prefer

- 5.4 The following issues reflect the options children and young people prefer for consultation. These are taken from the findings of the research and consultation exercises we carried out to develop this guidance. (This is not a full list.)
- a **Face-to-face consultation** (appropriate for all age groups). You should always try to consult children and young people face-to-face, rather than using bulky and jargon-filled documents.
 - b **Play activities which allow time for discussion** (appropriate for very young children). This involves using play to motivate and help children and young people explore abstract ideas. Young children communicate in different ways. You should provide a number of appropriate activities to give children the opportunity to express their views (for example, you could use imaginative play, storytelling, art, puppets, tape or video recorders, cameras, graffiti walls and games).
 - c **Small discussion groups** (appropriate for all age groups). These are useful for allowing children and young people to exchange views on a topic. This method is particularly appropriate for groups made up of children who have different needs or who are from different backgrounds. It is also useful for discussing sensitive topics and for communicating with younger children. However, you must take care to choose appropriate age groups (see section 5.5 below).
 - d **Young people's consultative forum** (appropriate for older age groups). This is a formal standing group made up of children and young people from across the Section 75 categories, set up to advise a public authority or a number of public authorities on matters relating to the statutory duties.
 - e **On-line video conferencing** (appropriate for children from older age groups). Multi-point video conferencing uses computer networks to transmit audio and video, and allows

three or more people, at different sites, to sit in a virtual conference room and communicate as if they were sitting next to each other.

- f **Supervised internet chat rooms** (suitable for older age groups). A website or server on the internet which young people can use to have conversations with other in 'real time'.
- g **Young people's juries** (suitable for older age groups). This is when a group of 12 to 20 randomly chosen young people are asked to debate and make a decision on an issue which is important to the public, whether it is setting a policy agenda or choosing particular policy options. The jury lasts for a day or two, during which the young people taking part are given detailed information about the issue, hear a wide range of views from witnesses or expert presenters, are given the opportunity to cross-examine the witnesses, and ask for any other information they feel is necessary. The jury then provides a series of recommendations relating to the issue.
- h **Peer-led surveys and research** (suitable for older children). This is research developed and carried out by children and young people. An important benefit of this method is that there is no longer a difference in authority between the adult researcher and the young person while the information is being collected.
- i **Suggestion boxes** in youth centres, schools and so on (suitable for school-age children). Children and young people can give their views without giving their name. They can also raise topics which are important to them, which gives you the opportunity to gather information on what children want and hope for in the future.
- j **Questionnaires** (can be suitable for most age groups if provided in appropriate formats). You should send a member of staff to hand out the questionnaires and explain the issues you would like the children and young people to comment on. If this is not possible, the school or youth club can do this for you where appropriate. The school or youth club could then collect the questionnaire responses

and return them to you. One of your members of staff could gather and analyse the results of the questionnaires and build these into the consultation process.

- k **Peer-led focus groups** (suitable for all age groups). These are small groups of children and young people, led by the young people themselves, formed for the purpose of getting their views or opinions, suggesting ideas or recommending actions.
- l **Joint consultation with familiar adults** (suitable for all age groups). A familiar adult (for example, a parent, teacher, youth leader and so on) could encourage an open and honest discussion, and give you feedback.
- m **Vox pops** (suitable for all age groups). This is when you gather and record the views of children and young people on the 'spur of the moment'. Vox pops are most effective if carried out in places where children and young people are present (for example, youth clubs, schools, town centres and so on).
- n **Other mediums** – for example, art, drama, show and so on (suitable for older age groups). This allows you to discuss important issues relating to difficult topics in an interesting way.
- o **Events at easy-to-access venues and residential** (where young people stay overnight). These are suitable for older age groups, and allow you to carry out in-depth discussions and debates.

5.5 Which of the above methods you use depends on the age and maturity of the young people you are consulting. For example, it is important, when consulting a wide range of groups, that you make sure younger children do not feel intimidated or excluded by the level at which you are targeting the consultation. It is vital that you consult children of a particular age in separate groups and in a way which suits their particular needs and skills. Examples of appropriate approaches you could take are set out below.

Children under 5 years old

In face-to-face discussions with children who are under five years old, Early Years (formerly Northern Ireland Pre-School Playgroup Association) use play aids such as puppets, 'splodge storyboards' and 'wish-catcher nets' when consulting and engaging with children in this age group.

Children between 6 and 12 years old

To get children fully involved in the consultation process, it is important to use play and creative methods that are both fun and meaningful. PlayBoard, a voluntary organisation that works with primary-school children, use graffiti boards, 3D models and pictures in their consultation events with this age group.

Young people aged 13 and above

For the older age groups, you could consider using computers, e-mail, podcasts, creative art, video and creative writing for group discussion exercises.

- 5.6 You should make sure that you discuss and agree the methods you use, and the ways in which children and young people prefer to be consulted, with the individual or organisation carrying out the consultation on your behalf, or with the children and young people themselves.
- 5.7 You should allow enough time for groups to consult among themselves as part of the process of agreeing a general view. This will make sure they make a better and more informed contribution to any consultation.
- 5.8 You should consider the timing of consultation exercises and opportunities for children and young people to take part. Young people have school and examination timetables to keep to (and perhaps work commitments too), so they may not always be able to attend consultation events and meetings. Young people also have other commitments in their own lives, and you should aim to allow for these as far as possible by considering other arrangements (for example, meetings in the evening or at the weekend) which allow them to take part.
- 5.9 Below are brief examples of projects which have specifically involved consulting children and young people in Northern Ireland:

Children's Law Centre (CLC) – youth@clc

Age group

Young people aged 14 to 21. Nine young people are currently involved.

Specific interest group

All children and young people in Northern Ireland.

How children and young people are involved

The CLC carries out regular consultation and engagement with its youth group, youth@clc, who are involved in all of the centre's work. Members of the youth group are consulted regularly on the centre's priorities, the matters affecting them, how best to consult and reach groups of young people, and whether information is as accessible as it can be.

The CLC also carried out consultation on behalf of the Department of Health Social Services and Public Safety (DHSSPS) on changes to the laws on employing children in Northern Ireland. This consultation exercise took place with youth@clc and two other youth groups, who all identified areas of concern and areas of improvement as well as areas where they and other children cannot take advantage of their rights. This consultation informed the development of the law and was very valuable to both the DHSSPS and the CLC.

Contact details

Youth Support and Development Worker
Children's Law Centre
3rd Floor Philip House
123-137 York Street
Belfast
BT15 1AB

Phone: 028 90245704

Fax: 028 90245679

E-mail: deborahmckenna@childrenslawcentre.org

MAD 2 DAY (Making a Difference Today) Group

The MAD 2 DAY Group was set up in January 2001 and is supported by the Western Area Children and Young People's Committee. The purpose of this group is to use the experiences and views of young people to help plan children's services.

The group is made up of young people from a range of organisations from Derry to Irvinestown. One of their largest projects was organising 'R U Serious?', which was a peer-led conference held in January 2003. Over 120 young people were gathered to discuss their experiences of services provided by public authorities and voluntary organisations and to make recommendations about changing these services to benefit children and young people.

This group has now developed into a cross-border project called Youth Participation in Policy and Planning.

Contact details

Children's Services Planner
WHSSB
15 Gransha Park
Clooney Road
Derry

Phone: 028 71860086

E-mail: g.conway@whssb.n-i.nhs.uk

The Voice of the Child: Early Years – the early years organisation (NI)

Age group

The age range is normally preschool children but older children have sometimes been involved.

Specific interest group

Early Years have worked with a range of children from different backgrounds, including the Traveller community, children with special needs, children of asylum seekers and so on.

How children and young people are involved?

Preschool children have been involved, for example, in appointing a Commissioner for Children in Northern Ireland and contributing to the 'Ten Year Strategy for Children and Young People', the 'Fit Futures Policy' and 'Making it R World 2: Play Policy for Northern Ireland'.

Early Years have organised consultations with young children in community preschool settings and have drawn up questions and appropriate methods to use when consulting young children.

Other information

A 12-hour training course on consulting children has been produced. Early Years' work has been influenced by the mosaic approach from the National Children's Bureau, as well as the work of Reggio Emilia.

Contact details

Early Years – the early years organisation
6c Wildflower Way
Apollo Road
Belfast BT12 6TA

Phone: 028 90662825
E-mail: isobelm@EarlyYears.org
Website: www.EarlyYears.org

Young Voices – Include Youth (NI)

Age group

Young people aged 16 to 21 within the community, and young people aged 13 to 17 who are in custody.

Specific interest group

Young people who are involved in, or have experience of, the justice system.

How children and young people are involved

The project involves consulting the young people involved and supporting them to make presentations, help provide training, speak at conferences and workshops and so on.

The experiences of the people involved in the Young Voices project include:

- being in care;
- offending;
- having poor school experiences;
- having a lack of qualifications;
- having mental-health problems;
- misusing alcohol and drugs;
- having children at a young age; and
- having disabilities.

Young Voices gives the young people involved a chance to give people in positions of power and authority their views about the issues that have affected them. The project involves young people from across Northern Ireland and also works with young people who are being held in the Juvenile Justice Centre of Northern Ireland.

Young Voices – Include Youth (NI) *(continued)*

Other information

Issues that the project has provided feedback on include:

- policing;
- antisocial behaviour;
- the courts;
- the care system;
- education;
- a Strategy for Children in Northern Ireland;
- mental health;
- community restorative justice; and
- reducing youth offending.

Contact details

Include Youth
Alpha House
3 Rosemary Street
Belfast
BT1 1QA

Phone: 028 9031 1007
E-mail: mat@includeyouth.org
Website: www.includeyouth.org

Practical issues to consider when consulting children and young people

- 5.10 You must also consider practical issues when planning public consultation events, no matter who your target audience is. The seven 'Guiding Principles on Consultation' in the Guide provide a list of issues you should take into account.
- 5.11 The Practical Guidance lists a number of practical issues you should consider. We have adapted these slightly for the purposes of this guidance to better reflect the needs of children and young people. The issues are grouped below under specific headings.

Venue

- Is the consultation event in an area which children and young people from a varied range of communities are comfortable and familiar with?
- Have you considered how the children and young people will travel to and from the meeting?
- Is the venue on a bus route?
- Have you taken account of factors which young people may find intimidating?
- Have you considered how convenient the area is for people to get to? (For example, are the consultations seen to be 'always in Belfast'?)
- If you are holding the meeting in a large, complicated venue, have you made arrangements to meet, greet, help and direct young people to the correct part of the building?
- You should review your consultation venues (meeting rooms, conference rooms, boardrooms and so on) to assess whether they are 'child friendly'. Arranging tables and seating areas in a less formal way can create a less formal and intimidating atmosphere.

- The venue you choose should be the most suitable building depending on the age and maturity of the young people you are consulting and where they are travelling from.
- If you are holding an event in a school, will teachers be taking part? You should give the children and young people involved an opportunity to say whether or not they want the teacher to be present during the consultation. You should do this before the consultation begins, without the teacher being there.
- Does the venue have easy access for everyone, including disabled children and young people?
- Have you made arrangements and trained people to deal with emergency evacuations?
- Can the venues allow for breakout sessions (when a big group is divided into smaller groups) to take place? This is particularly important to consider when you are discussing a range of topics. You should consider identifying particular issues for groups which are made up of people from different backgrounds. You should then explore these issues with the relevant groups you are consulting. For example, if the groups include girls from Traveller communities, young carers, or young disabled people of different sexual orientation, some of these people may want to be consulted in an all-female environment or in a group made up of people of the same sexual orientation as them.
- Are crèche facilities available so young parents can attend?
- Evidence we collected when developing this guidance suggests that younger children feel most happy being consulted in their own environment. By consulting younger age groups in venues they prefer, you can make sure that the consultation revolves around play. It is important that this play forms part of consultation exercises with children in the under-10 age group.

Preferred venues for younger age groups include:

- playgroup settings;
 - nursery and preschool day-care centres;
 - after-school clubs; and
 - youth centres.
- Older age groups – children and young people in the 13 to 18 age group – suggested that they prefer to be consulted at venues away from their everyday routines. These venues may, for example, include:
 - youth-club groups;
 - venture centres; and
 - venues where technology and computers could be used in creative exercises.

Support

- Have you taken account of the views of children and young people themselves (or their parents, guardians or other people who know them well) to identify any other support they may need to fully take part in consultation or research?
- Have you asked for advice from organisations that work with particular groups of children and young people (for example, gay or lesbian young people, or children who do not speak English as their first language) about any situations that may make young people less likely to take part freely in any consultation?
- Can children and young people bring friends, colleagues or people from children's sector organisations to the consultations?
- You should consider the extra costs young carers may have to pay when attending consultations.
- You should consider the skills needed to engage with young people who may have challenging behaviour or reading problems (or both). These young people are

likely to need a greater level of support from trained, experienced staff who they know and trust to help them gain the skills and confidence to take part effectively in consultation.

- Children and young people with disabilities may also need extra support.
- Will any young audience you particularly need to target (for example, gay and lesbian young people or children from ethnic-minority groups) feel comfortable and at ease? Have you asked for advice from organisations that work with children and young people from particular Section 75 categories? (See appendix 1.)

Communication

- Have you asked the children and young people what they expect to get from the consultation exercise? It is important that you clearly explain the purpose of the consultation exercise (for example, outlining which parts of a policy proposal you want to discuss, and which parts fall outside the range of the consultation). To avoid young people becoming disillusioned very quickly and not taking part in future consultations, it is important that children and young people have realistic expectations. You should also provide information on what happens after the consultation exercise.
- You could use creative methods such as games, art and so on to encourage children to discuss their expectations.
- Although you must take account of any views children and young people put forward during the consultation, you should make it clear that you do not have a duty to agree with them.
- To make sure children and young people respond to invitations to consultation sessions, you need to be pro-active in the language you use (for example, when issuing invitations and designing child-friendly materials). In other words, you should think beforehand

about the type of language and materials you will use to encourage children and young people to take part in consultation. Child-friendly materials should be able to be used more than once and should reflect positive images of the different backgrounds children and young people come from. (You can get more information on other formats in section 10.)

- Will the Chair and the people involved in organising the event reflect a welcoming attitude? Are the terms and phrases used in the meetings too formal (for example, using words and descriptive phrases such as ‘Chair’ ‘agenda’, ‘matters arising’ and so on). Will the Chair understand the feelings of the group being consulted and have an understanding of the issues involved?
- Have you considered formats for young people who have learning disabilities?
- Have you made arrangements for communicating in sign language with people who have hearing disabilities?
- Are arrangements in place to meet the needs of children and young people who have learning disabilities? Are extra resources available or necessary to fully engage with this group of people? For example, through using staff who have particular skills in working with people who have learning disabilities or through engaging with children and young people in a familiar setting (so carers can provide the security and comfort needed for effective consultation to take place)?
- Will you need interpreters to be able to consult some children and young people? If so, should you consult those children and young people separately and allow extra time so you can effectively assess their needs?
- Have you made the children and young people fully aware of how they can make a complaint or raise concerns about the consultation process?

Resources

- Have you considered the number of people you need to carry out the consultation, in proportion to the age and maturity of the children and young people you are consulting? You must make sure that there is a suitable balance between the numbers of adults and children.
- Have you developed child-friendly materials to use during the consultation and feedback processes?
- You should consider whether any structures are currently in place which could make consultation easier.

Timing

- You should consider the timing of consultation events to make sure all relevant age groups are able to take part. You should allow enough time to be able to get written permission from parents if this is necessary.
- You should set aside enough time to allow the children and young people to fully understand what the consultation is about and agree to take part.
- You should allow enough time for groups to consult among themselves as part of the process of coming to a general view.
- What time of day and at what time of year will you hold the consultation? Consider school holidays, exam times and important religious festivals for all faith groups.

Hospitality and acknowledgement

- Because your target audience is children and young people, have you considered what food and drink you need to provide to meet their needs?
- If you provide food, have you made arrangements to find out whether any of the children and young people attending have special diets (for example, if they are vegetarian)? Is the food appropriate for the ages of the children and young people you are consulting?

(Children under 10 years old may not necessarily want tea and sandwiches!)

- You should also take account of what diets people of certain religious faiths and cultures have.
- You should make sure that you acknowledge the time and effort the children and young people have given to take part. While acknowledging this verbally or in writing at the end of the consultation exercise may be enough, you could also consider providing other forms of 'reward' (for example, CD vouchers, a DVD for a playgroup, cinema tickets and so on).

5.12 You will need to make sure that you take account of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 and the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 when planning consultation with children and young people. (For more details, please see appendices 3 and 4.)

Building capacity

The section below deals with building capacity both within your organisation and among children and young people.

Within your organisation

5.13 It is vital that you develop the skills and knowledge of your staff to allow you to consult effectively with children and young people throughout Northern Ireland.

5.14 Section 11 below sets out the training you will need to provide for your staff for them to develop the skills they need.

5.15 The Participation Network has been funded by OFMDFM to develop the skills public authorities need to actively consult and engage with children and young people and involve them in decision-making.

- 5.16 This training will be an ongoing process, given how often new policies are developed which could have an effect on children and young people.
- 5.17 Appendix 1 provides a list of organisations that may be able to support you in consulting children and young people.

Children and young people

- 5.18 It is also vital that you develop the skills and knowledge children and young people need to be able to effectively influence your policies.
- 5.19 Capacity building may include providing information and training on the decision-making process within your organisation and the process for developing policies, as well as practical training such as effective communication, IT skills, influencing skills and so on. You may want to consider working with children's sector organisations to identify skills gaps and design, develop and provide appropriate training programmes.
- 5.20 As part of the Big Deal programme, the Participation Hub (see section 3 above) has been set up to form connections and create networks for children and young people to influence public policies and decision-making.
- 5.21 The process of capacity building can build trust between you and the children and young people you consult. This will allow you to develop long-term relationships with them.
- 5.22 You should consider consultative forums, shadow youth councils and so on as an opportunity to develop the skills of children and young people and to raise awareness of new policies at an early stage of developing them.
- 5.23 To build capacity effectively, you should consider methods that are appropriate to the age, maturity, language and development of the young people you consult (see section 5.5).

5.24 You should consider providing extra support and encouragement for children and young people who have no experience or negative experiences of consultation or engagement.

6 Strategic planning

This section identifies how you should build the need to consult children and young people into the strategic planning process.

- 6.1 It is important that all public authorities build consultation, engagement and active participation practices into their everyday culture and practice. There is a checklist for building consultation with children and young people into the strategic planning process in appendix 5.
- 6.2 As part of the corporate planning process, you should build aims and targets for carrying out the Section 75 duties into your corporate plans. These aims and targets should be reflected at all levels of strategic planning within your organisation, including in staff targets and annual plans.
- 6.3 You should take this guidance into account when you make arrangements for putting community plans in place in the future.
- 6.4 Planning consultation with children and young people will result in more cost-effective and successful consultation.
- 6.5 There are three things that affect resources in any policy development cycle. These are **people, time and money**.
- 6.6 By realistically assessing the resources you need, you will be able to more effectively plan and develop the following.
 - a Arrangements for planning and carrying out consultation with children and young people.
 - b Discussions with, and support for, the people carrying out the consultation.
 - c The need to consider other internal consultation events with children and young people across other divisions of your organisation.

- d The need to consider getting involved in events other public authorities have organised to consult children and young people.
- e Creative ways to consult children and young people which do not just involve written documents, including using the internet. However, you should remember that not all children and young people will have access to the internet.
- f Creative formats to use during the screening process and during formal consultation at the equality impact assessment (EQIA) stage. You should allow time to develop Easy Read and plain-English versions of consultation documents. This will make sure you do not have to delay the formal consultation period for an EQIA by having to wait for child-friendly documents to be developed and printed.
- g The skills needed to consult children and young people effectively. You will need to develop the skills and build the capacity of the staff who are involved in developing policies, decision-making and carrying out consultation events. As mentioned above in sections 2.17 and 5.15, the Participation Network has a specific responsibility to provide this training.
- h Effective arrangements for engaging with children and young people in the future.
- i Arrangements to increase the confidence and knowledge of children and young people so they will be more likely to take part in the decision-making process in the future.
- j The timing of your consultation exercises, to take account of times when children and young people may not be able to take part (such as during school holidays or when youth clubs are not running).
- k How you will provide feedback to children and young people after the consultation.

- 6.7 The Guide proposes that public authorities should make sure they take a 'joined-up' approach to consultation. When engaging with and consulting children and young people, joined-up working could take place through developing forums in the relevant sectors (for example, a 'Health Authorities' children's panel, an 'Education Authorities' children's forum and so on). You may also want to consider sharing information you have gathered at other events.
- 6.8 As a matter of good practice, you may want to carry out a risk assessment of your plans for consulting children and young people.
- 6.9 If you have carried out screening and you identify a direct or indirect effect your policy will have on children and young people, you should then identify the issues arising from that effect and discuss them with the young people you are consulting.
- 6.10 You should consider how you can 'package' information on policies to attract interest or a response (or both) from young people. You can achieve this by highlighting issues which are 'attractive' topics to children and young people. The most important part of making a topic 'attractive' is showing how the policy is relevant to the daily experiences of children and young people. For example, if you are consulting on urban renewal, you might be able to attract the interest of children and young people by highlighting how this policy affects leisure facilities, skateboard facilities, internet facilities and so on. You should then make this clear in any communication you have with the children and young people you are consulting.

If you consult children and young people through other organisations, you should make it a condition of the contract to have appropriate checks carried out. However, if you consult children and young people direct, you will need to consider the Protection of Children and Vulnerable Adults (NI) Order 2003 and the Safeguarding Vulnerable Groups (NI) Order 2007 (see appendix 3).

- 6.11 If you carry out direct consultation with children and young people under the age of 18, you should be aware of Access Northern Ireland (ANI) (see appendix 4), which will replace the system run by the Police Service of Northern Ireland. ANI has been set up to work with employers and organisations to help them identify people who may be unsuitable for certain kinds of work. Part of the Northern Ireland Office, its role is to provide criminal history disclosure certificates to registered employers as part of the recruitment process for certain types of sensitive posts. It provides easier, quicker and accurate access to relevant information which will help employers and volunteering organisations to make safer and more informed decisions when recruiting people (see note 10 at the bottom of the page).
- 6.12 You have a duty to monitor how your policies will affect your ability to promote equality of opportunity (see note 11 at the bottom of the page). The Practical Guidance sets out the monitoring you need to carry out at stage 7 of the equality impact assessment process. You should also take account of our 'Guidance on Monitoring' for the purposes of Section 75.
- 6.13 Using baseline and time-series data relating to children and young people will allow you to more effectively develop strategic plans for your policies and services.
- 6.14 You may want to consider putting child-friendly complaints systems in place and advertising these to children and young people.
- 6.15 If the screening questions or a CRIA identifies that a new policy could have an effect on children and young people, you should use this evidence to begin engaging with them early and meaningfully.

Notes

- 10 The Volunteer Development Agency have produced an information sheet on Part V of the Police Act 1997. You can read this at www.volunteeringni.org/siteadmin/publications/pdf/VDAPartVInfo.pdf.
- 11 Northern Ireland Act 1998, schedule 9, 4(2)(c).

- 6.16 You may need to carry out specific or extra research to better inform the process for assessing your policies.
- 6.17 You may want to consider appointing a Children's Champion at a suitably senior level to raise awareness of children's issues and promote equality of opportunity.

7 Legal and ethical issues

This section identifies some of the issues you need to consider to get permission from children and young people who take part in your consultation. It also looks at confidentiality and how you should deal with sensitive issues.

Permission, confidentiality and using information

- 7.1 You should make sure all children and young people taking part understand what they are being asked to give their permission for. Children and young people should always be able to choose whether to take part and should be given all the information they need to make this decision. The consultation must not be in any way harmful to their health or welfare.
- 7.2 You may want to consider using other formats and ways of providing permission (for example, for children or young people – or their parents or guardians – whose first language is not English, or who are disabled and unable to give their permission in writing).
- 7.3 If you consult children and young people, you will be collecting personal information about them. As a result, you need to consider the requirements of the Data Protection Act 1998 (referred to as the DPA). Children and young people have the same rights under the DPA as adults do. In particular, when getting permission from children and young people, you need to make sure that their permission is informed. This means telling the child or young person as much as possible about what will happen during the consultation, what their personal information will be used for and when and in what circumstances that information will be made available or passed on to other people. You should also tell them if you plan to keep their consultation responses anonymous (not reveal their name) or if you will identify them at any point throughout the consultation exercise.

It is good practice to make sure that you keep all information you gather anonymous so you can later provide feedback.

- 7.4 You should recognise that children and young people often expect their information, views and opinions to be kept private. Many authorities who have a duty to keep to Section 75 also have a duty to keep to the Freedom of Information Act 2000 (FOIA). You will be aware that, because of common-law rules and the effect of the FOIA, you can give assurances that you will keep information confidential with a condition that you may make the information available at some time in the future. It is good practice to get permission from the child or young person whose personal information you may have to release under an FOI request. If they do not give their permission, you may have to consider whether releasing this information under the FOIA would be breaking data-protection principles (where the child or young person can be identified from the information they have given). It may be possible to edit the information in any case. If you have given a child or young person an assurance that you will keep their information confidential, releasing it to someone else may not only break data-protection principles but also the trust of that individual.
- 7.5 Confidentiality is not guaranteed. There may be circumstances when it is in the public interest to publish a consultation response, even if the child or young person has refused their permission. However, these will be exceptional circumstances and will usually arise if there is a child-protection issue or a risk to the young person if the information is not made available.
- 7.6 You may need to release confidential information in the following circumstances.
- a If the child or young person you have consulted has given their permission for you to release the information.
 - b If there is an overriding public interest (such as when there is a risk to an individual or to public safety or public health).
 - c If you must do so by law or under a court order.
- 7.7 When you are addressing the expectations of children and young people before the consultation, it is important that you

7.11 There are no definite legal or ethical guidelines about what age a young person has to be to give their own permission to take part in research or a review, without you also having to get permission from their parent or carer (see note 14 at the bottom of the page). However, the guidance provided in sections 7.12 to 7.15 is based on guidelines used by the Northern Ireland Commissioner for Children and Young People (NICCY) (see note 15 at the bottom of the page).

Children under 14 years old

7.12 As a general rule, you should get informed permission from both the child or young person and their parent or carer. You can get the parent's or carer's permission before or at the same time as you get the child's or young person's permission. However, you should not take this to represent the permission of the child or young person themselves – you should get extra informed permission from them direct. It is good practice to get permission in writing.

Children aged 14 and above

7.13 As a general rule, you do not need to get the parent's permission if you are consulting a young person aged 14 or above. In criminal law, children under the age of 10 are presumed to be incapable of taking responsibility for breaking the law, while children and young people between the ages of 10 and 14 are entitled to use this as a defence if they have committed an offence. This defence is not available to young people over the age of 14. NICCY recommends that the same degree of responsibility should be given to this age group in terms of them deciding whether to take part in research or reviews, unless there is a good reason not to do this.

7.14 We recommend that you tell parents or guardians either before or at the same time as you contact any young person aged 14 or 15 about taking part in research or reviews.

14 Northern Ireland Commissioner for Children and Young People, 'Ethical Guidelines for NICCY Research and Reviews'.

15 See 14 above.

- 7.15 Although you do not need to contact the parent or guardian of a young person who is 16 or over, you may want to give them notice of this, depending on the nature of the research or review, the form of contact you have made with the young person, or the young person's ability to give their own permission.
- 7.16 If you have doubts about a young person's ability to give their own permission, it is good practice to ask for advice from their parents, guardians or other people who know them well about whether the young person can take part in the consultation or research.
- 7.17 In cases where contacting the parents may not benefit the child or young person (for example, if the child or young person no longer has contact with their parents), you should consider other ways of getting permission.
- 7.18 If you need permission from a 'gatekeeper' (for example, a teacher, youth worker and so on) to approach children, it is important to remember that you also need informed permission from individual children.
- 7.19 You must recognise that some children and young people may not want to take part in consultation and acknowledge their right to opt out at any stage of the process.
- 7.20 You should allow enough time to get parents' permission in writing if this is necessary.
- 7.21 If a child or young person tells you that they or other children are at risk of significant harm, or you find evidence that a child may be being abused, the person carrying out the consultation has a duty to take steps to protect the child or other children. (If this person knows or suspects that an arrestable offence has taken place, they will also have a duty, under Section 5 of the Criminal Law Act 1967, to report it.) It is important, however, that this person does so only after fully discussing the matter with the child, making sure that he or she is aware of the likely consequences and carefully considering what the child wants. If, after discussing the matter with the child, the person carrying out the consultation

decides it is necessary to report it, they must make sure that the child has immediate support and is kept fully informed.

Ethical issues

- 7.22 You must at all times clearly communicate the terms and conditions that apply to the consultation exercise. The National Children's Bureau 'Guidelines for Research' from April 2003 (see note 16 at the bottom of the page) provides guidance on ethical issues for those researchers who carry out consultation with children and young people.
- 7.23 The British Education Research Association (BERA) 'Revised Research Guidelines for Educational Research' (2004) set out standards for those carrying out educational research.
- 7.24 You should ask for further advice from the Office for Research Ethics Committee (ORECNI) (see note 17 at the bottom of the page) to make sure that you consider all relevant ethical issues when consulting children and young people for the purposes of medical research.
- 7.25 You must always get permission before you use photographs taken during any consultation exercise with children and young people. This is especially important for children under 14. You should get this permission from parents (or children and young people themselves if appropriate) **before** the consultation takes place, either by using a written approval form or through the managers of the childcare facility involved in the consultation exercise.
- 7.26 You should make sure that you have considered all relevant child-protection requirements (see section 5.10, section 11 and appendices 3 and 4).

Notes

- 16 See www.ncb.org.uk.
17 See www.orecni.org.uk/display/home.

7.27 You may have to negotiate with schools, youth groups, childcare organisations and so on before you can carry out your consultation exercise, as these organisations may have their own child-protection policies in place. As a result, you will want to make sure staff involved in consultations keep to these policies.

Sensitive issues

7.28 If you are consulting on sensitive issues such as health, sexual orientation, disability, the youth justice system or issues concerning children in care and who have left care, you will need to deal with these sympathetically and appropriately. For example, if you are consulting on sexual health, you should consider the sensitive issues relating to people from the lesbian, gay and bisexual communities or from other backgrounds.

7.29 When consulting on sensitive policy issues, it may be more appropriate to consult in smaller groups in a more private setting and not in groups of mixed ages or languages or in large focus groups.

8 Evaluation and monitoring

This section provides advice about how you should assess consultation events with children and young people and highlights the importance of monitoring.

Evaluation

- 8.1 You should assess the quality and value of the consultation process, as well as the effects on the policy or policies you have consulted on. The assessment must be thorough and accurately reflect the views of the people you consulted.
- 8.2 As mentioned in section 5, you should aim to find out, at the beginning of a consultation exercise, what children and young people expect from the process.
- 8.3 The people carrying out the consultation should, as far as possible, ask children and young people how they would prefer you to assess the consultation.
- 8.4 You should normally carry out the evaluation immediately after the consultation event. This should include assessing:
 - a whether the consultation met the expectations of the children and young people;
 - b how child-friendly the event was; and
 - c anything you have learnt from the event which would make your consultations more effective in the future.

The organisations listed in appendix 1 may be able to give you advice on appropriate child-friendly formats you can use for your evaluation.

- 8.5 We recommend that you ask organisations that have expertise in working with children and young people for advice on effective ways of assessing consultation events.
- 8.6 If the evaluation has an effect on how you should carry out consultation exercises in the future, you should let the young people know about any changes you will make to future consultation exercises as a result.

- 8.7 When you provide feedback (see section 9 for more details), you should encourage children and young people to assess how you have taken their views on board in developing your policies.
- 8.8 If possible, children and young people themselves should fill in an evaluation form. You should develop this form in a child-friendly format. However, the methods you use for assessing the process must be appropriate to the age, maturity and needs of the children and young people you have consulted (for example, an evaluation form will not be suitable for a young person who has sight problems). Instead of using forms, there are a number of creative methods you can use to assess projects – for example, graffiti boards, text messaging or website discussion forums, ‘circle time’ (where children sit in a circle and discuss issues raised within the group) and pictures.
- 8.9 You should assess the effectiveness of child-friendly materials you used during consultation exercises.
- 8.10 When assessing your consultation with young children, the people who carried out the consultation should also carry out the evaluation. This should also form part of an overall report to or by your organisation.

Child-friendly approaches to assessment

The Evaluator’s Cookbook includes a range of new and original approaches to assessment, developed by the National Evaluation of the Children’s Fund (NCEF). Visit www.ne-cf.org.

Monitoring

- 8.11 Under Schedule 9 of the Northern Ireland Act 1998, your equality scheme must show how you plan to carry out your Section 75 duties, including arrangements for monitoring any negative effects your policies have on your ability to promote equality of opportunity.
- 8.12 Monitoring is an ongoing process, which aims to highlight any possible inequalities and why these might be happening.
- 8.13 We have developed guidance to provide you with practical help and advice in monitoring for the purposes of Section 75 of the Northern Ireland Act 1998.
- 8.14 You will need to decide on the level of detail you will use when collecting information. We recommend that you use more detailed classifications to be able to more effectively analyse and report on the information.
- 8.15 Having an effective monitoring system will allow you to carry out your Section 75 duties efficiently and effectively, and to make better decisions about what actions would best improve equality of opportunity. By highlighting possible inequalities as a result of monitoring, investigating why these might be happening and examining what action you need to take to remove any disadvantage, you will be able to develop better policies and services. For example, analysing patterns in how different sections of the population use your services will allow you to make sure your services are open to all the community and to better meet the needs of specific users (that is, children and young people).
- 8.16 You should monitor which children and young people use and do not use your services. You must recognise how effective monitoring systems can help you continuously review and improve the way in which you provide public services to children and young people.

- 8.17 Monitoring complaints made by children and young people will help you review and develop services. As a result, you should monitor general complaints made by children and young people and their representatives, as well as Schedule 9 complaints relating to your Section 75 duties, as a matter of good practice. You should also consider developing child-friendly complaints systems.
- 8.18 Collecting monitoring information about children and young people may raise particular ethical issues (see section 7). If you ask children themselves to supply this information, you must get their permission. You should tell children that this is their choice, and you should not take a parent's permission to mean their child also agrees to provide information.

9 Feedback

This section outlines issues you should consider in relation to providing feedback to children and young people about the outcomes of your consultation exercises.

- 9.1 Schedule 9 (9) (2) of the Northern Ireland Act 1998 says that, when making any decision about a policy you have put in place (or plan to put in place), you must take account of your assessments and consultations on the effects the policy is likely to have.
- 9.2 Under Section 75 (1) of the Northern Ireland Act 1998, public authorities must give '**due regard**' to the child's views (that is, take them into account). However, under Article 12 (1) of the United Nations Convention on the Rights of the Child, public authorities must give '**due weight**' to the child's views, '**in accordance with their age and maturity**'. In other words, public authorities should consider the views of an older and more mature child (for example, a teenager) more fully than the views of a younger child (for example, a four-year-old).
- 9.3 It is important that you provide feedback to explain how you took account of the views put forward in any consultation and how you used them to develop an alternative policy to better promote equality of opportunity or put measures in place to limit the negative effects of a policy. You should clearly set out the outcomes from the consultation exercise.
- 9.4 It is important that your feedback is clear, open and fair. If you do **not** take suggestions from young people on board, you should explain as fully and sensitively as you can why you decided not to do so.
- 9.5 You should manage your feedback as effectively as possible. We recommend that, during a consultation exercise, you consider exploring a method of providing feedback directly with the children being consulted. This method should be easy to understand for those children. You should also put systems in place to manage this feedback.
- 9.6 For feedback to be valuable, it should be carefully presented in the appropriate language and format (that is, appropriate to

the age, maturity and needs of the child or young person you have consulted). With very young children, you should consider exploring and developing systems, with the people who have carried out the consultation, to decide how best to provide feedback. You should develop child-friendly formats to make sure feedback is effective and meaningful.

- 9.7 It is important that you give feedback as soon as possible while the issues you discussed during the consultation are still likely to be fresh in the minds of children and young people.
- 9.8 If you have consulted children and young people face-to-face, you should consider providing feedback in the same way. Face-to-face feedback is another part of direct engagement between public authorities and children and young people. It allows you to develop a long-term two-way communication process and helps you form relationships with the children and young people you have consulted.
- 9.9 You should tell children and young people about the systems in place for making a complaint or raising any concerns which arise from a consultation process.

10 Other formats

This section provides details of initiatives and new and original approaches to developing other formats for communicating effectively with children and young people.

- 10.1 The Guide says that you should consider the language you use and the format the information is in to make sure that there are no problems preventing you from effectively consulting children and young people. You must make sure that systems are in place to make information available quickly and in a range of formats. You should also consider how to best communicate information to young people and those with learning disabilities.
- 10.2 You should make sure that systems are in place to make child-friendly versions of these formats available if someone asks for them.
- 10.3 The following organisations have experience in creating new and original formats and a range of media techniques to communicate more effectively with children and young people, and may be able to provide useful advice on formats, style and so on.
 - The Northern Ireland Commissioner for Children and Young People (NICCY) produced a child-friendly version of its consultation on priorities 'Shout – Tell us what you think now!'. This is available at the NICCY website at www.niccy.org/shout.
 - The Children's Law Centre have developed the 'green' section of their website to contain information specifically written for young people. Visit www.childrenslawcentre.org.
 - OFMDFM produced a comic book, 'Super Six', as part of the consultation on the Ten-Year Strategy for Children and Young People in Northern Ireland 2006 -2016. They will make a child-friendly version of the final strategy itself available on their website at www.allchildrenni.gov.uk/index/childrens-strategy.htm.

- The Information Commissioner's Office has a website which provides advice to young people on their rights under the Data Protection Act.
Visit www.ico.gov.uk/youngpeople.

10.4 Some children's NGOs (for example, Playboard, Early Years) use play as an original and creative method to engage with children and young people (especially those of preschool and primary-school age).

10.5 Easy Read is a way of writing that is particularly useful for communicating effectively with children aged 10 and under and children and young people who have learning disabilities. Easy Read documents should have easy words, big writing and pictures. The Disability Rights Commission and MENCAP have produced guides to producing Easy Read documents (see appendix 8).

10.6 Plain English Campaign promotes writing that the intended audience can read, understand and act on the first time they read it. Plain English takes account of design and layout as well as language. Plain English is needed in all kinds of public information and, as a rule, should be used in any information the public rely on when they make decisions.

Plain English Campaign have made available a free guide, 'How to write in Plain English' (see www.plainenglish.co.uk), and also provide a range of guides with advice on writing in specific situations.

10.7 The Participation Network can provide advice on organisations which can help develop child-friendly formats of communication. The Network also offers an online directory of children's and young people's organisations, with details of the main groups and the services they can provide to public authorities. (Contact details for the Network and other organisations are listed in appendix 1.)

11 Training for public-authority staff

This section highlights training issues that you should consider for your staff, including frontline staff (staff who deal with the public), staff who carry out consultation exercises, policymakers and decision-makers.

- 11.1 The Guide says that communication and training programmes must include focused training for staff in management roles and other specialist staff, such as trainers, lawyers and staff involved in research and collecting information, developing policies, designing services, carrying out equality impact assessments, consultation, monitoring and assessments.
- 11.2 The ‘Guiding Principles on Consultation’ recommend considering specific training to make sure that the people carrying out the consultation have the necessary skills to communicate effectively with the children and young people you consult. To make it standard practice to consult children and young people, you should provide specific training for all relevant staff. This should include specialist training, if appropriate, on consultation, engagement and active participation. As mentioned above in sections 2.17, 5.15, and 6.6g, the Participation Network has a specific responsibility to provide this training.
- 11.3 You should provide training for staff who carry out the consultation to give them the skills they need to engage effectively with young people who are often overlooked when society and community issues are being considered.
- 11.4 We recommend that you provide training for all staff on the United Nations Convention on the Rights of the Child as part of your general Section 75 training.

You should provide extra training for policymakers and staff who engage with children and young people direct to make sure they are aware of the range of issues which concern children. As mentioned in section 2 above, however, there are a number of other international human-rights instruments which are relevant to consulting children and young people from certain backgrounds.

- 11.5 You should provide training on child protection to relevant staff, including awareness training on releasing personal information, using appropriate language, appropriate physical touching, and having a correct balance between the numbers of adults and children. Appendix 3 provides information on Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003 (POCVA) and the Safeguarding Vulnerable Adults (Northern Ireland) Order 2007. Appendix 4 provides information on the role of Access NI.
- 11.6 Public authorities should also provide training on the Data Protection Act and Freedom of Information Act for relevant staff.
- 11.7 You should also provide training for relevant staff on translating information into plain English and Easy Read formats.
- 11.8 The Participation Network has been set up to provide a free support service to public authorities to build their capacity to effectively consult, engage with and involve children and young people in public decision-making. It will do this by creating a network of agencies with expertise, offering training and consultancy support, developing and promoting good-practice standards for taking part and developing a 'bank' of resource materials.
- 11.9 Appendix 1 provides a list of organisations who may be able to provide further advice on specialist training and support on consulting children and young people.
- 11.10 We will provide briefings on this guidance targeted at policymakers in public authorities.

Appendix 1

Organisations which could provide advice on consulting children and young people

This is not a full list – it is a useful starting point.

<p>An Munia Tober Unit 12.2 The Blackstaff Complex 77 Springfield Road Belfast BT12 7AE</p> <p>Phone: 028 9064 1938 E-mail: info@anmuniatober.org</p>	<p>Barnardos 542 – 544 Upper Newtownards Road Belfast BT4 3HE</p> <p>Phone: 028 9067 2366 Fax: 028 9067 2399 E-mail: margaret.kelly@barnardos.org.uk</p>
<p>Children in Northern Ireland Unit 9 40 Montgomery Road Belfast BT4 2AT</p> <p>Phone: 028 9040 1290 Fax: 028 9065 0285 E-mail: info@ci-ni.org.uk</p>	<p>Children's Law Centre 3rd Floor, Philip House 123-137 York Street Belfast BT15 1AB</p> <p>Phone: 028 9024 5704 Fax: 028 9024 5679 E-mail: info@childrenslawcentre.org</p>
<p>Chinese Welfare Association 133-135 University Street Belfast BT7 1HP</p> <p>Phone: 028 9028 8277 Fax: 028 9028 8278 E-mail: contact@cwa-ni.org</p>	<p>Coleraine Youth Forum The Base 18 Waterside Coleraine BT51 3DP</p> <p>Phone: 028 7032 7084 E-mail: youth.forum@btconnect.com</p>

<p>Derry Children's Commission 26-28 Bishop Street Derry BT48 6PP</p> <p>Phone: 028 7136 6339 Fax: 028 7130 9382 E-mail: derrychildrenscommission@yahoo.com</p>	<p>Disability Action Portside Business Park 189 Airport Road West Belfast BT3 9ED</p> <p>Phone: 028 9029 7880 Fax: 028 9029 7881 Textphone: 028 9029 7882 E-mail: hq@disabilityaction.org</p>
<p>Early Years – the organisation for young children 6c Wildflower Way Apollo Road Belfast BT12 6TA</p> <p>Phone: 028 9066 2825 Fax: 028 9038 1270 E-mail: info@early-years.org</p>	<p>Gay and Lesbian Youth Northern Ireland Cathedral Buildings 64 Donegall Street Belfast BT1 2GT</p> <p>Phone: 028 9027 8636 Fax: 028 9027 8636 E-mail: admin@glyni.org.uk</p>
<p>Gingerbread Northern Ireland 169 University Street Belfast BT7 1HR</p> <p>Phone: 028 9023 1417 Fax: 028 9024 0740 E-mail: enquiries@gingerbreadni.org</p>	<p>Include Youth Alpha House 3 Rosemary Street Belfast BT1 1QA</p> <p>Phone: 028 9031 1007 Fax: 028 9024 4436 E-mail: info@includeyouth.org</p>

<p>Indian Community Centre 86 Clifton Street Belfast BT13 1AB</p> <p>Phone: 028 9024 9746 Fax: 028 9027 8922 E-mail: info@iccbelfast.com</p>	<p>MENCAP Segal House Annadale Avenue Belfast BT7 3JH</p> <p>Phone: 028 9069 1351 Fax: 028 9064 0121 E-mail: mencapni@mencap.org.uk</p>
<p>Multi-Cultural Resource Centre Lower Crescent Belfast BT7 1NR</p> <p>Phone: 028 9024 4639 Fax: 028 9032 9581 E-mail: info@mcrc-ni.org</p>	<p>NI Muslim Family Association 6 Rugby Road Belfast BT7 1PS</p> <p>Phone: 028 9031 5784 E-mail: nimfabelfast@aol.com</p>
<p>National Union of Students/Union of Students in Ireland 42 Dublin Road Belfast BT2 7HN</p> <p>Phone: 028 9024 4641 Fax: 028 9043 9659 E-mail: info@nus-usi.org</p>	<p>Northern Ireland Commissioner for Children and Young People Millennium House 17-25 Great Victoria Street Belfast BT2 7BA</p> <p>Phone: 028 9031 1616 Fax: 028 9031 4545 E-mail: info@niccy.org</p>

<p>The Northern Ireland Council for Ethnic Minorities 3rd Floor - Ascot House 24-31 Shaftesbury Square Belfast BT2 7DB</p> <p>Phone: 028 9023 8645 Fax: 028 9031 9666 E-mail: info@nicem.org.uk</p>	<p>The Northern Ireland Youth Forum 68 Berry Street Wilson's Court Belfast BT1 1JF</p> <p>Phone: 028 9033 1990 Fax: 028 9023 8157 E-mail: info@niyf.org</p>
<p>The Children and Young People's Unit Office of the Minister and Deputy First Minister Block B, Level 3 Castle Buildings Stormont Belfast BT4 3SR</p> <p>Phone: 028 9052 8429 Fax: 028 9052 8426 E-mail: cypu@ofmdfmni.gov.uk</p>	<p>Omagh Youth Council NI Unit 9 Upper Main Street Strabane County Tyrone</p> <p>Phone: 028 7188 4646 E-mail: mary_mcgarrigle@welbni.org</p>
<p>Participation Network Children in Northern Ireland Unit 9 40 Montgomery Road Belfast BT6 9HL</p> <p>Phone: 028 9040 1290 Fax: 028 9070 9418 E-mail: participation@ci-ni.org.uk</p>	<p>PlayBoard 59-65 York Street Belfast BT15 1AA</p> <p>Phone: 028 9080 3380 Fax: 028 9080 3381 E-mail: info@playboard.co.uk</p>

<p>Royal National Institute for the Blind 40 Linenhall Street Belfast BT2 8BA</p> <p>Phone: 028 9032 9373 Fax: 028 9027 8119 E-mail: rnibni@rnib.org.uk</p>	<p>Royal National Institute for Deaf People (NI) Wilton House College Square North Belfast BT1 6AR</p> <p>Phone: 028 9023 9619 (voice and text) Videophone: 028 9043 8354 Fax: 028 9031 3032 E-mail: helpline@rnid.org.uk</p>
<p>Save the Children Popper House 12 Richmond Park Belfast BT10 0HB</p> <p>Phone: 028 9062 0000 Fax: 028 9043 1314 E-mail: guest_belf@savethechildren.org.uk</p>	<p>South Eastern Education and Library Board Grahamsbridge Road Dundonald Belfast BT16 2HS</p> <p>Phone: 028 9056 6200 Fax: 028 9056 6266 or 028 9056 6267 E-mail: info@seelb.org.uk</p>
<p>Volunteer Development Agency 129 Ormeau Road Belfast BT7 1SH</p> <p>Phone: 028 9023 6100 Fax: 028 9023 7570 E-mail: info@volunteering-ni.org</p>	<p>VOYPIC (NI) 9-11 Botanic Avenue Belfast BT7 1JG</p> <p>Phone: 028 9024 4888 Fax: 028 9024 0679 E-mail: info@voypic.org</p>

Youth Council for Northern Ireland
Forestview
Purdy's Lane
Belfast
BT8 7AR

Phone: 028 9064 3882
Textphone: 028 9064 4801
Fax: 028 9064 3874
E-mail: info@ycni.org

Children's Services Planner
WHSSB
15 Gransha Park
Clooney Road
Derry

Phone: 028 7186 0086
E-mail: g.conway@whssb.ni.nhs.uk

Appendix 2

Useful resources relating to children and young people in Northern Ireland

(This is not a full list.)

- Table 20060118 on NISRA's Census 2001 website provides an age breakdown of population by electoral ward.
www.nisranew.nisra.gov.uk/census/start.html
- The Online Research Bank (ORB) children's research database is a collection of searchable databases containing bibliographies and summaries of research focused on the lives of children and young people in Northern Ireland carried out since 2000. The database is sponsored by the Children and Young People's Unit in the Office of the First Minister and Deputy First Minister.
www.ark.ac.uk/orb/child.html
- Research carried out by the Northern Ireland Commissioner for Children and Young People is available on the Commissioner's website at **www.niccy.org**.
- The Youth Council for Northern Ireland publishes a compilation of statistics on children and young people (the Barometer series). **www.ycni.org**
- The Northern Ireland Commission for Human Rights is concerned with a wide range of human-rights issues which affect children.
www.nihrc.org
- The 'Participation Portal' at the Children in Northern Ireland website provides information on projects and initiatives, paper- and web-based based resources at **www.ci-ni.org/index.php/participation**.
- Children in Northern Ireland's Child Policy Information Service, in association with the 4 Nations Child Policy Network, is a website providing details of the latest policy developments

relating to children and young people in Northern Ireland. (There is a fee for this service.)

www.cini.org/index.php/index_no_link_rss/child_policy_info_home

- The Participation Network aims to support agencies, local government and government departments to effectively engage with children and young people in public decision-making. The Network offers web-based resources, standards and guidelines on making sure children and young people can take part in public decision-making.
www.participationnetwork.ci-ni.org
- The Research in Practice website includes an 'evidence bank', a database of research reviews which relate to the 'Every Child Matters' agenda.
www.rip.org.uk/evidencebank/index.asp
- The Children's Research Centre exists to contribute to the research and knowledge on childhood and children's views. Its website contains a database of research carried out by children themselves with the centre's support.
childrens-researchcentre.open.ac.uk
- The National Children's Bureau provides 'Guidelines for Research'.
www.ncb.org.uk
- The National Society for the Prevention of Cruelty to Children (NSPCC) is the UK's only free, online specialised child-protection resource for practitioners, researchers, trainers, policymakers and other professionals working to protect children. It provides the most current information on child abuse and child protection in the UK.
www.nspcc.org.uk/Inform/Home/InformHomePage_ifega26884.html
- The Child Rights Information Network (CRIN) is a worldwide network that distributes information about the Convention on the Rights of the Child and child rights to non-governmental organisations (NGOs), United Nations agencies, inter-governmental organisations (IGOs), educational

institutions, and other child-rights experts. The Network's co-ordinating unit is based in London, UK.

www.crin.org

- The website of the United Nations Committee on the Rights of the Child contains the Committee's conclusions on the UK reports on the Convention on the Rights of the Child.
www.unhcr.ch/html/menu2/6/crc/doc/past.htm

- The Big Deal Project for Children and Young People in Northern Ireland aims to encourage children and young people to take part in activities which allow them to develop personally and socially and to have the skills, knowledge and opportunities to make informed choices about their lives and make a positive contribution to family and community life. The website includes an audit of structures to help children and young people to take part.
www.thebigdealni.com

- The British Education Research Association (BERA) provides a range of information relating to research on education, including ethical guidelines.
www.bera.ac.uk/index.php

- The Office of the Research Ethic Committees for Northern Ireland has been set up by the DHSSPS to maintain a Research Ethics Service to protect the rights, dignity and welfare of people taking part in research within the HPSS and NHS, and to protect the rights of researchers to carry out ethical research and lawful investigations.
www.orecni.org.uk

- The Evaluator's Cookbook contains ideas for evaluations exercises developed by the National Evaluation of the Children's Fund (NCEF). It brings together in a clear, simple format a national resource for those working with children and young people.
www.ne-cf.org

Appendix 3

Protecting children, vulnerable adults and vulnerable groups

The two main laws dealing with protecting children, vulnerable adults and vulnerable groups are:

- the Protection of Children and Vulnerable Adults (NI) Order 2003; and
- the Safeguarding Vulnerable Groups (NI) Order 2007.

More information about these laws is set out below.

Protection of Children and Vulnerable Adults (POCVA)

The Protection of Children and Vulnerable Adults (NI) Order 2003 ('the Order') came into force on 1 April 2005. The Order strengthens the measures for protecting children and vulnerable adults by preventing unsuitable people from working with them in a paid or voluntary role. Under POCVA:

- a child is anyone under the age of 18; and
- a vulnerable adult is anyone over 18 who is receiving personal care in a nursing home, residential care home or in their own home.

The main parts of the Order are as follows.

- a A duty for the Department of Health, Social Services and Public Safety (DHSSPS) to maintain a list of people who are considered unsuitable to work in a regulated position, either paid or unpaid, with children.
- b A 'regulated position' has been defined in article 31 of the order and includes, for example, people:
 - who work on day-care premises;
 - who work in a children's hospital;
 - whose normal duties include caring for, training, advising, counselling, supervising or being in charge of children; and

- who supervise or manage an individual in a 'regulated position'.

This is not a full list.

The Order gives all childcare organisations a duty to carry out checks before a person begins work in a 'regulated position'. Non-childcare organisations that employ individuals in regulated positions are strongly recommended to carry out the same checks. Employers are also encouraged to have effective staff selection, training and appraisal processes in place.

If you carry out direct consultation with children and young people, you will need to consider what the order means for any staff members who carry out any direct consultation with children under 18.

If you use other organisations to carry out consultation with children and young people, you may make it a condition of the contract to have appropriate checks carried out. This will be further strengthened when the Safeguarding Vulnerable Groups law comes into force in autumn 2008. This will set extra requirements for carrying out checks on both organisations and individuals and will introduce offences for failing to carry out these checks.

When a person from your organisation wants to attend a consultation event organised by another organisation, that person will be classed as a visitor and the terms and conditions that normally apply at childcare and children's venues will also apply to that visitor.

Article 31 (1) (c) of the Order will apply to children and young people who:

- take part in consultative forums;
- sit on committees, recruitment and selection panels and boards and;
- under the care of a member of your organisation for as long as the consultation lasts (that is, not accompanied by a responsible adult who is not a member of the public authority).

Safeguarding Vulnerable Groups (NI) Order 2007

The Safeguarding Vulnerable Groups Act 2006 is the Government's response to recommendation 19 of the Bichard Inquiry in 2004, and introduces a new scheme for checking people who work with children and vulnerable adults. As a result, the Safeguarding Vulnerable Groups (NI) Order 2007 continues to enforce the conditions of the Safeguarding Vulnerable Groups Act 2006 which do not already extend to Northern Ireland. The overall aim of the Order is to create a scheme which keeps strictly to the act. The scheme is expected to come into force in autumn 2008, and will replace POCVA.

The Order will do the following.

- Allow all those who apply for specific work involving contact with children or vulnerable adults to be eligible to be checked. If evidence suggests that a person puts children or vulnerable adults at risk of being harmed, he or she will be barred from working with children or vulnerable adults (or both).
- Introduce a system of monitoring to identify any new information about people who have been checked but have not been barred so that their status can be considered further. The police will have a duty to provide relevant information for monitoring purposes. Information may also come from employers, professional regulatory bodies, local authorities and other organisations.
- Give an employer notice that a person has been barred, or is no longer being monitored, if the people managing the scheme know or reasonably consider that the employer is currently using the individual in relevant work.
- Allow employers that employ people to do specific work that involves contact with children or vulnerable adults to check those people's up-to-date status (whether they are barred or being monitored) online or through an enhanced disclosure (see appendix 4).
- Create a series of criminal offences and penalties to:

- prevent barred people from working with children or vulnerable adults;
 - make sure relevant employers check that someone is not barred from working with children or vulnerable adults before employing them; and
 - make sure that people employed to do specific work with children or vulnerable adults are monitored.
-
- Include a regulation-making power to give those employing people to do certain work with children or vulnerable adults to get enhanced disclosure information as well as information on a person's status.

Appendix 4

Access Northern Ireland

Access NI (ANI) is a new body set up in Northern Ireland to deal with requests for information on a person's criminal history. It has been set up by the Northern Ireland Office as a result of part 5 of the Police Act 1997 being introduced in Northern Ireland. ANI will replace the current system of pre-employment checking managed by the DHSSPS and the Police Service of Northern Ireland.

Organisations are now able to register with Access NI.

To apply for a check to be carried out, employers or sports organisations will need to register for a fee of around £150. This will include identifying a counter signatory (someone who can sign all the organisation's forms and paperwork), who will go through the equivalent of an 'enhanced' check, as they will be receiving sensitive information from ANI.

There will be three different levels to how much information ANI can release (known as 'disclosure'). Members of the public will be able to access a basic disclosure. Standard or enhanced disclosures can only be accessed by registered organisations.

Basic disclosure

A person can apply for their own criminal-record certificate, which will show any unspent convictions recorded on police systems.

Standard disclosure

An employer who is looking to employ a person in the roles listed in the Exceptions Order to the Rehabilitation of Offenders (NI) Order 1978 is eligible for a standard disclosure. This level of disclosure will provide criminal-record information, including spent and unspent convictions and cautions. If the post involves working with vulnerable groups, it will also provide UK Disqualification List information. It will not provide 'soft' intelligence information (information beyond that contained in criminal records) used by the police.

Enhanced disclosure

This level of disclosure will provide UK criminal records, including spent convictions and UK disqualification list information. It will cover the:

- Disqualification from Working with Children List (NI);
- Disqualification from Working with Vulnerable Adult List (NI);
- Protection of Children Act List (England and Wales);
- Protection of Vulnerable Adult List (England and Wales);
- Disqualification from Working with Children List (Scotland);
- Unsuitable Persons List (UK); and
- any other lists developed.

It will also provide 'soft' intelligence used by police in the UK.

Enhanced disclosures will apply to all regulated positions under the Protection of Children and Vulnerable Adults (NI) Order 2003. Organisations should always apply for the highest level of disclosure allowed, to make sure children and vulnerable adults are protected as much as possible.

Costs

In cases where disclosures are not free, the cost for each disclosure is expected to be £26, £28 or £30.

Disclosures for unpaid volunteers working in eligible organisations will be free of charge. However, organisations must show that they are eligible when they register.

Registered umbrella bodies may apply for checks on behalf of smaller or member organisations, but they should have a user agreement to make sure that they can pass information down to them while meeting the guarantees for security set by Access NI.

For more information, please contact:

Andy Thomson

Access NI

65 Knock Road

Belfast BT6 5LE.

Phone: 028 9025 9168

E-mail: andrew.thomson@nio.x.gsi.gov.uk

Appendix 5

Consulting children and young people – strategic planning checklist for public authorities

- 1 Have you made a high level commitment to consult children and young people?
- 2 How have you built consultation with children and young people into your corporate plans?
- 3 Have you set aside the resources you need to consult children and young people?
- 4 How have you developed strategic consultation plans to increase your consultation, engagement and active participation with children and young people?
- 5 How have you converted this planning into an action plan that will become standard practice across your organisation?
- 6 Have you developed a child-protection policy which takes account of POCVA and the Safeguarding Vulnerable Adults (Northern Ireland) Order 2007?
- 7 What arrangements have you made for training staff involved in carrying out consultation exercises, making policies and decisions, and other specialist staff?
- 8 How have you developed and recorded the baseline and good-practice consultation systems that already exist in your organisation?
- 9 Have you considered how to plan and carry out consultation (especially with children and young people) across the whole organisation?
- 10 What systems have you put in place to make sure that you can provide information in a child-friendly format?
- 11 What arrangements have you made to provide feedback to children and young people on the outcomes of your consultation?

12 What further steps can you take to create a positive culture to promote and carry out effective consultation, engagement and active participation with children and young people across the organisation?

Appendix 6

Methods

We developed this guidance with the support of a project advisory group, made up of some of the main government departments (including the Office of the First Minister and Deputy First Minister, Department of Health, Social Services and Public Safety, Department of Social Development and the Northern Ireland Office), the NI Commissioner for Children and Young People, the NI Human Rights Commission, the Youth Council for Northern Ireland and members of the children and young person's NGO sector (including the Children's Law Centre (NI), the Northern Ireland Youth Forum, Youthnet, Voluntary Services Belfast, PlayBoard and the Early Years Organisation) and an individual from NICCY's Youth Panel.

The Commission contacted a number of children and young person's NGOs to get their views on the content of this guidance. This involved the Early Years organisation carrying out pre-consultation with the under-fives age group, while PlayBoard carried out a similar exercise with six- to 12-year-olds and Voluntary Services Belfast (VSB) gathered the views of the 13- to 25-year-olds. In carrying out this pre-consultation, the organisations concerned used methods which were appropriate for each age group.

Early Years carried out pre-consultation with preschool children over a two-week period from 13 to 27 November 2006. Nine playgroups throughout Northern Ireland were involved. Both rural and urban areas were represented, as were children from the Traveller and black and ethnic-minority communities. Around 100 children were involved. Early Years used puppets as a way of giving children an opportunity to express their views and feelings.

PlayBoard carried out pre-consultation with children aged between five and 12 years old. Four after-school groups were chosen and the children taking part included black, ethnic-minority and disabled children. Children from both the west and east of Northern Ireland were represented. PlayBoard used play as a way of giving children an opportunity to express their views and feelings.

VSB carried out pre-consultation with children and young people aged 13 to 25. It sent out a questionnaire to a wide range of young people on what the proposed guidance covered, including young people on the VSB mailing list, the Millennium Volunteers delivery partner network, the Volunteer Centres Network and a range of NGOs, including those representing specific Section 75 categories. The NGOs included groups representing the sexual orientation, disabled and black and ethnic-minority categories. Other NGOs the questionnaire was sent to represented young farmers, young offenders, young people who are at risk and young people in care.

VSB also brought together two focus groups, including both males and females. One of the focus groups was made up of young disabled people.

During the formal consultation on the draft guidance, each of the three children and young person's NGOs consulted further with children and young people on the content and format of the document and how easy it was to use.

Appendix 7

The particular circumstances of children in Northern Ireland

The statistics below are used to illustrate some of the main issues relating to the particular circumstances of children and young people in Northern Ireland. These are examples only and are not meant to cover every circumstance. The issues identified are meant to give public authorities a basis from which to consider the needs of children and young people in Northern Ireland.

The recent conflict in Northern Ireland had a significant effect on children and young people. It is estimated that, between 1969 and 2003 as a result of political conflict in Northern Ireland:

- 274 children aged 17 and under died;
- 629 young people aged 18 to 21 died;
- the 18 to 23 age group suffered the highest number of deaths;
- 36% of everyone who was killed in the conflict were children and young people;
- almost three quarters of children under the age of 18 killed in the conflict were Catholic, a fifth were Protestant, and the other 6% were from outside Northern Ireland;
- most of these young people lived in areas that experience the highest levels of deprivation and family poverty; and
- almost half (48%) of all deaths of people under the age of 21 were in Belfast, particularly north and west Belfast (see note 19 at the bottom of the page).

While there are no complete figures for children who were injured as a result of the political conflict, statistics maintained by the Northern Ireland Office on 'punishment attacks' carried out by paramilitaries show that significant numbers of young people were shot and assaulted.

Horgan (see note 20 at the bottom of the page) has drawn attention to growing evidence that the conflict has had a traumatising effect on far larger numbers of children and young people than was formerly acknowledged. Research for the NI Commissioner for Children and Young People and by the Social Services Inspectorate (see note 21 at the bottom of the page) has highlighted a serious shortage of mental-health services (both in the community and in hospitals) for children and young people in Northern Ireland, during a time when suicide rates for young people are high.

Research has shown that children are aware of sectarian labels from an early age and by the age of seven to eight have developed strong negative attitudes and prejudices towards the other community (see note 22 at the bottom of the page).

Another effect of the conflict has been increasing segregation for sectarian reasons, particularly in housing.

Public authorities should also seriously consider the higher level of poverty and ill health compared to other regions of the UK or Ireland.

For example, research carried out for the Office of the First Minister and Deputy First Minister showed that 38% of children live in households that have low incomes and lack three or more basic necessities (see note 23 at the bottom of the page).

Notes

- 19 Smyth, M, Fay, MT, Brough, J and Hamilton, J (2004), 'The Impact of Conflict on Children in Northern Ireland' (Belfast: Institute for Conflict Research).
- 20 Horgan, G (2005), 'The particular circumstances of children in Northern Ireland'. See www.childrenslawcentre.org/ParticularCircumstancesofChildreninNorthernIreland-GorettiHorgan.htm.
- 21 Social Services Inspectorate (2005), 'Care At It's Best: Overview Report of the Multidisciplinary Regional Of The Service For Disabled Children in Hospital' (Belfast: DHSSPS).
- 22 Connolly, P, Smith, A and Kelly, B (2002), 'Too Young to Notice? The Cultural and Political Awareness of 3-6 Year Olds in Northern Ireland' (Belfast: Northern Ireland Community Relations Council).

However, the cost of bringing up children in Northern Ireland is significantly higher than in Britain. Food, clothing and footwear are all significantly more expensive in Northern Ireland.

Fuel poverty is also greater in Northern Ireland (33% of all households experience fuel poverty, compared with 13% in Scotland and 9% in England) (see note 24 at the bottom of the page).

There are also higher levels of disability and ill health in Northern Ireland than in Britain. For example, the rate of children in Northern Ireland who are born with a birth defect is over twice the level of England and Wales, while the 2001 Census suggests that 5% of children aged under 16 have a limiting illness or disability (see note 25 at the bottom of the page).

There is also a higher (and rising) rate of children on the Child Protection Register in Northern Ireland (3.4 for every 1,000 children) compared with Wales (3 for every 1000 children) and England (2.3 for every 1000 children) (see note 25 at the bottom of the page).

A more recent development in Northern Ireland has been an increase in the number of people belonging to ethnic-minority communities. This is particularly due to the number of migrant workers coming to Northern Ireland – 38% of whom had children living with them (see note 26 at the bottom of the page) – which has been accompanied by a rise in reported racist attacks.

Children and young people who are excluded are unlikely to feel that they have power to influence the decision-making process.

Notes

- 23 Hillyard, P, Kelly, G, McLaughlin, E, Patsios, D and Tomlinson, M (2003), 'Bare Necessities: poverty and social exclusion in Northern Ireland' (Belfast: Democratic Dialogue). See www.ofmdfmi.gov.uk/bare-necessities.pdf.
- 24 Northern Ireland Housing Executive: 2001 Northern Ireland Housing Conditions Survey (Belfast: NIHE). See www.nihe.gov.uk/publications/reports/2001HCS.pdf.
- 25 DHSSPS (2004), 'Indicators of Personal Social Services' (Belfast).
- 26 Bell, K, Jarman, N and Lefebvre, T (2004), 'Migrant Workers in Northern Ireland' (Belfast: Institute of Conflict Research).

It is clear that there is a range of issues arising from the particular circumstances of children and young people in Northern Ireland, which you will want to take into account when developing policies and designing services.

Appendix 8

Some useful publications

(This is not a full list.)

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