

“ Listen – Act – Change

Council of Europe Handbook on children’s participation

For professionals working for and with children



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Building a Europe
for and with children



SECTION 1

UNDERSTANDING CHILDREN’S PARTICIPATION IN THEORY AND PRACTICE





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This section of the Handbook will help professionals who work in education, health, alternative care, child protection, immigration and asylum, family support and pre-school services to understand what is meant by the term “children’s participation” and the important role they can play in taking children’s views into account in decisions. The section explains the principles and concepts that inform the practice, process, quality and forms of meaningful, ethical and sustainable participation. Read about:

- ▶ 1.1 Children’s right to have their views taken into account in matters that affect them
- ▶ 1.2 Why is children’s participation so important?
- ▶ 1.3 The process of children’s participation – what’s involved?
- ▶ 1.4 Influence in the children’s participation process
- ▶ 1.5 Doing it well – safe, ethical, inclusive and impactful participation
- ▶ 1.6 Enabling environments

1.1 CHILDREN’S RIGHTS TO PARTICIPATION IN MATTERS THAT AFFECT THEM

The United Nations Convention on the Rights of the Child (UNCRC), adopted by the UN General Assembly in 1989, includes the right for children to have their opinions taken into account in matters that affect them. The provision, outlined in Article 12 of the Convention, states that:

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

2. For this purpose the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or appropriate body, in a manner consistent with the procedural rules of national law.

Article 12 introduced into international human rights law for the first time, recognition of children’s entitlement and capacity to influence actions and decisions that affect him or her. It introduces an obligation to transform the status of children in relation to adults both at the individual and the collective levels. It challenges the idea that children are simply objects of adult protection. Children are citizens of the present and the future, with rights and capacities to influence decisions about their lives and concerns.

The UN Committee on the Rights of the Child (CRC) conceptualises participation as related to Article 12 and rights to information (Article 17) and freedom of expression, religion, conscience, assembly and association (Article 13 and Article 15). The term participation is very widely used as shorthand to describe children’s right to involvement in decisions and actions that affect them and to have their views taken into account by decision makers. These articles, particularly Article 13, also provide support for children’s participation in activism. The UN Committee on the Rights of the Child guidance on children’s participation (known as *UN General Comment 12*) states:

Freedom of expression [Article 13] relates to the right to hold and express opinions, and to seek and receive information through any media. It asserts the right of the child not to be restricted by the State party in the opinions she or he holds or expresses. As such, the obligation it imposes on States Parties is to refrain from interference in the expression of those views, or in access to information, while protecting the right of access to means of communication and public dialogue.

— The Council of Europe Committee of Ministers adopted Recommendation CM/Rec (2012)2 on the participation of children and young people under the age of 18 (referred to hereon as *The Recommendation on Participation*). The Committee of Ministers elaborates recommendations which provide guidance for policies that governments are encouraged to implement on the national level. The existence of this recommendation indicates the significance member states attach to children's participation, and points to the need for action to promote greater awareness and improved practice. *The Recommendation on Participation* defines participation as:

Individuals or groups of children having the right, the means, the space, the opportunity and, where necessary, the support to freely express their views, to be heard and to contribute to decision making on matters affecting them, their views being given due weight in accordance with their age and maturity.

— *The Recommendation on Participation* was developed following comprehensive reviews of the practice of children's participation in a number of member states and with the direct involvement of children in the work of the drafting Committee. It covers the rights of children and young people to be heard in all settings, including in schools, in communities and in the family as well as at the national and European level. The present Handbook is also meant to contribute, in a very practical manner, to closing remaining gaps between *the Recommendation on Participation* and levels of implementation in different Council of Europe member states.

— The Council of Europe standards in other relevant areas such as child-friendly justice and child-friendly social services contain guidelines for member states and for the many different professionals working with children on implementing the rights of individual children to be heard in judicial and administrative proceedings. These standards are further considered in *Section 3* of the Handbook focused on the rights of individual children.

— The UN Committee on the Rights of the Child has emphasised that a number of different dimensions are essential to understanding the meaning and scope of Article 12. These are summarised in Figure 1 below:

Figure 1: Dimensions of children's participation

DIMENSION	EXPLANATION
Universal dimension of participation	
It applies to all children without discrimination of any kind	Participation is a right for all children. Efforts must be made to include more marginalised children including, for example, children who are girls, disabled, from indigenous or minority ethnic groups, on the move, working or LGBTQI.
It is both an end and a means	All individuals are entitled to be involved in decisions that affect them as a matter of human dignity and respect. Participation is also a means of realising other rights. For example, rights to justice require that children are heard.
It applies to children as individuals and as a group	Children are entitled to have their views taken into account in individual matters, for example in schools or care proceedings, and in decisions affecting them collectively, such as local or national policies or use of resources.
It applies to all matters affecting children	Participation rights apply not only to issues often linked to childhood, such as education or health, but also to wider issues, such as the environment, transport, or immigration.
Multiple dimensions of participation	
It requires different forms for different contexts	Participation rights apply equally to all ages. The way in which children participate will differ according to things like their interests, ages and abilities, and will require different environments, levels of support, and forms of information.
It encompasses different approaches and means	Participation can take place online or offline, directly and indirectly. Participation can span consultation, adolescent or child-led movements, and all activities in between.

Power and responsibility dimensions of participation

It does not contradict the right to protection	Children are entitled to all the protections in the CRC. The right to participation must be realised in accordance with those protections. Protection benefits from participation.
It differs from adult participation	Children have different legal statuses to most adults and do not have freedom to take all decisions on their own. Support by adults is often required, depending on age, competencies and context. Adults must promote children's best interests.
It promotes empowerment	Participation provides opportunities to acquire additional knowledge, skills, confidence and experiences. Participation promotes children's rights and increases civic engagement. To remove the barriers to children's empowerment necessitates a change in adult attitudes and control of resources.
It is a right not an obligation	Children are entitled to choose whether or not to express their views or participate in decision making on issues that affect them or their communities. Some children, like many adults, will not choose to participate. They should never be compelled or pressured to do so against their will.

Adapted from: UNICEF (2018) [Conceptual Framework for Measuring Outcomes of Adolescent Participation](#).

1.2 WHY IS CHILDREN'S PARTICIPATION SO IMPORTANT?

— The right to participate is important not only as a right and a general principle but also because taking children's views into account in decisions and actions that affect them brings significant immediate and long-term benefits for children and communities, including:

- ▶ **Improved lives, services and policies:** Children have unique knowledge about their lives, needs and concerns. Using this knowledge, their ideas and views can lead to more effective, relevant and sustainable public services, improved individual decisions for children, and enhanced fulfilment of children's individual and collective rights.
- ▶ **Enhanced protection:** Having both the right and the space to be heard in safety acts as a powerful means through which to challenge situations of violence, abuse, threat, injustice or discrimination. Building a culture and mechanisms that promote and enable speaking out will enable children to challenge and expose violations of their rights. Adults can only act to protect children if they know what is happening in their lives – and often, it is only children who can provide that information.
- ▶ **Capacity development:** Meaningful participation enables children and professionals to acquire skills, build competencies and extend aspirations. Participation promotes children's capacities for civic engagement and respect for others and professionals' capacity to understand concerns of the people they are working with and for.
- ▶ **Contributing to communities:** Children make major contributions to the communities in which they live. Their energies, skills, aspirations, creativity and passion can strengthen democratic discourse, challenge injustice, build civil society, peace and non-violent conflict resolution, and develop innovative solutions to long standing inequalities.
- ▶ **Greater accountability:** Participation strengthens accountability. Creating institutions and systems where children's views have to be taken into account contributes to creating systems where people in power can be held to account if they fail to meet their commitments. This enhances children's confidence in the system.

1.3 THE PROCESS OF CHILDREN'S PARTICIPATION – WHAT'S INVOLVED?

— *The Recommendation on Participation* states that 'If participation is to be effective, meaningful and sustainable, it needs to be understood as a process and not a one-off event and requires ongoing commitment in terms of time and resources'.

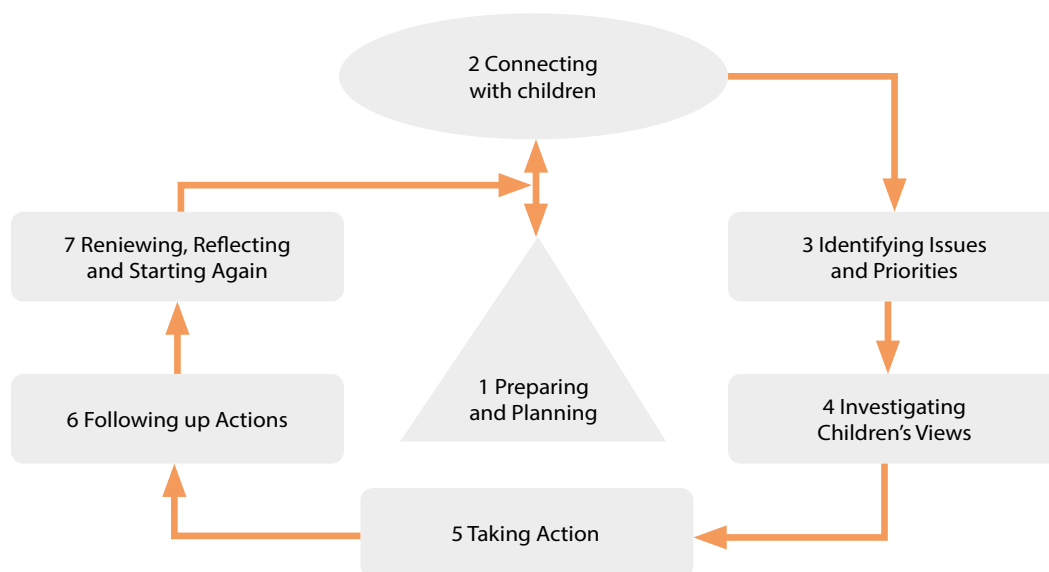
— *The Recommendation on Participation* and *UN General Comment 12* make it clear that it is not enough simply to listen to children. It is also necessary to seriously consider their views and take what they say into account in any subsequent action. Different models have been developed to put this idea into practice.

— Meaningful participation has been usefully conceptualised in the ‘Lundy model of child participation’ as including aspects of **Space, Voice, Audience and Influence** (see reference under 5.8):

<p>Space: In order to become increasingly active in influencing matters affecting them, children need to be able to form and express views and they must be afforded the space and time to do so. They must be given the opportunity to gain the confidence, the time and a “safe and inclusive space” to contribute their views.</p>	<p>Voice: Appropriate and accessible information is an important pre-requisite for the ability to speak out and express views and negotiate decisions. Adults have a responsibility to find ways in which to enable children to communicate their views, concerns or ideas.</p>
<p>Audience: Central to the right to participate is that adults listen respectfully to what children have to say. The right to express views and have them given due weight can only be realised if children’s views are heard by those people with the power and authority to act on those views.</p>	<p>Influence: The right to participate does not automatically lead to children’s views being followed, in all circumstances and in every respect. However, it requires that their views are given proper consideration and that any subsequent decision is reported back to children with an explanation of how their views had an influence, and why the decision was made.</p>

— *The Recommendation on Participation* and *UN General Comment 12* also makes it clear that children’s participation is not a one-off event and is not just about listening. Participation is a rolling process and does not stop with children’s views being expressed and then passed on to the right audiences, it involves adults and children co-producing influence and change at every level. Understanding participation in this way encourages children and adults to work together to put ideas of Space, Voice, Audience and Influence into action. Child participation involves repeated cycles of: planning and preparing, connecting with children; identifying goals and priorities; investigating ideas; taking action; following up action; reviewing and sharing outcomes (see Figure 2; and *Larkins, C. (2019)*).

Figure 2: Participation as a rolling process that produces change



— In each of these seven stages it is important to think about the quality of participation on offer and the forms of influence that children can achieve.

1.4 INFLUENCE IN PARTICIPATION PROCESSES

— In each stage of rolling participation processes (preparation, connecting, identifying priorities, investigating, taking action, following up, reviewing and starting again) different forms of influence can be available to children. The achievable influence will depend on context, goals, time, resources and children's own wishes for the process. In some stages, children may be consulted whereas in others they may take the lead.

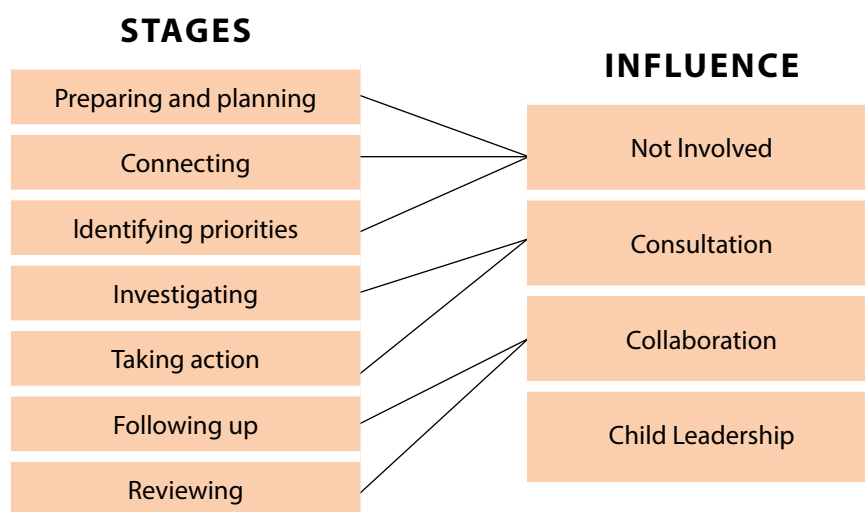
— Thinking about the following levels of influence, can help identify the extent to which children are being involved or taking a lead in participation processes:

- ▶ **Consultative participation:** with this approach adults seek the views of a group of children, then work with these results in a way that is being made transparent to the children.
- ▶ **Collaborative participation:** this approach offers a greater degree of partnership between adults and children. It arises when adults, having identified an issue that needs to be addressed, involve children in helping to work out what needs to be done and how.
- ▶ **Child-led participation:** with this approach children are provided with the space and opportunity to pursue their own agendas, initiate their own activities and carry out advocacy.

— Participation processes that begin as consultative can become more collaborative as both children and adults gain in confidence and understanding. Rather than thinking about participation as a ladder, it is therefore helpful to think about participation as a lattice. Opportunities to increase influence can occur in each stage and cycle of participation processes. Over time the tendency should be towards greater direct decision making by children.

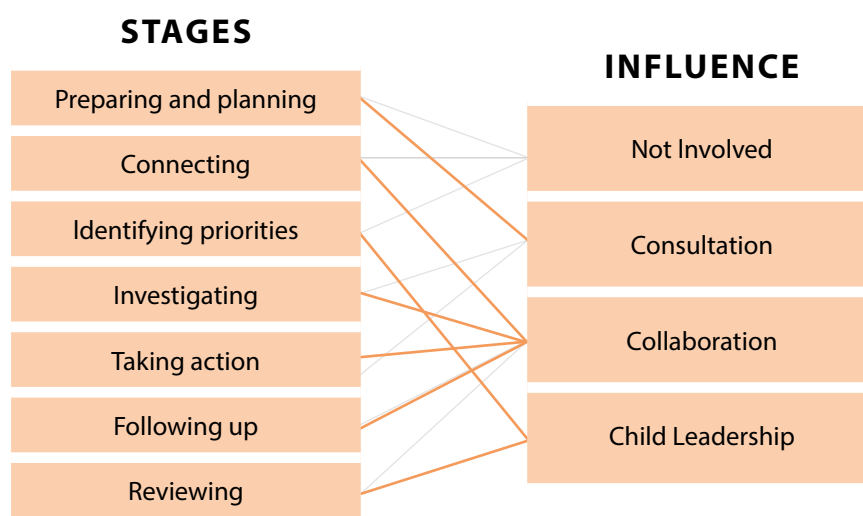
— For example, Figure 3 shows typical progress from non-involvement to collaboration through a practical example. Without involving children, a head teacher decided children should be consulted on improving school transport. To investigate, she asked staff to write a survey asking children in the school for ideas. The head presented these ideas to the school governors and children's school council. In a more collaborative step, the governors then took follow-up action to change the bus company asking for the children's school council to support their decision. Together, they fed back to all children in the school and, when reviewing the process, they agreed for more leadership for children in the next cycle.

Figure 3: A first Lattice of Children's Participation



— Taking this example through a second phase (See Figure 4 in green), the school council were asked how children should be involved in choosing the new bus company. The school councillors collaborated with staff to design an invitation for new bus companies to tender for the work, they identified the priority skills that bus drivers should have and some children were part of a panel interviewing possible providers. The head teacher then wrote about the decision in the school newsletter, to feedback to all children (and parents). Separately, the school councillors discussed the two phases of this participation process and decided that children's influence within the school was increasing.

Figure 4: A second phase Lattice of Children’s Participation



Professionals should explore the opportunities for and benefits of different approaches at different times. A genuinely participatory environment requires far more than the establishment of a formal school council or a service-user group. It involves creating safe, ethical and inclusive participatory environments and supporting wider opportunities for children’s leadership, influence and impact.

1.5 DOING IT WELL – SAFE, ETHICAL, INCLUSIVE AND IMPACTFUL PARTICIPATION

To ensure that children’s participation is safe, ethical, inclusive and impactful, *UN General Comment 12* identifies nine basic requirements, according to which participation needs to be:

- ▶ **Transparent and informative:** children must be provided with full, accessible, diversity-sensitive and age-appropriate information about their right to express their views freely and for their views to be given due weight, and about how this participation will take place, its scope, purpose and potential impact.
- ▶ **Voluntary:** children should never be coerced into expressing views against their wishes and they should be informed that they can cease involvement at any stage. For example, a decision to join a school council must be the choice of the child (see *practice note below*).
- ▶ **Respectful:** children must be listened to, taken seriously and their views treated with respect.
- ▶ **Relevant:** opportunities must be available for children to express their views on issues of real relevance to their lives and enable them to draw on their knowledge, skills and abilities, and children should be provided with opportunities to initiate ideas and activities.
- ▶ **Child-friendly environments and working methods:** approaches to working with children should be adapted to their capacities. Adequate time and resources should be made available to ensure that children are adequately prepared and have the confidence and opportunity to contribute their views. Consideration needs to be given to the fact that children will need differing levels of support and forms of involvement according to their age and evolving capacities.
- ▶ **Inclusive:** participation must be inclusive, avoid existing patterns of discrimination, and encourage opportunities for all children, including both girls and boys, to be involved. No assumptions should be made about what specific groups of children can and cannot do. Children must have an equal opportunity to voice their opinions and have their contributions reflected (*Annex 4* contains advice for professionals on inclusive practice).
- ▶ **Supported by training:** teachers and other adults need preparation, skills and support to facilitate children’s participation effectively, to provide them, for example, with skills in listening, working jointly with children and engaging them effectively in accordance with their evolving capacities.

- ▶ **Safe and sensitive to risk:** in certain situations, expression of views may involve risks. Children should feel confident that they can criticise or challenge any aspect of the services they receive without incurring punishment or retribution. Adults have a responsibility towards the children with whom they work. They must take every precaution to minimise, for children participants, the risk of violence, exploitation or any other negative consequence of their participation. Staff need to recognise their legal and ethical obligations and responsibilities, for example, in respect of their own behaviour or what to do if they are told about the inappropriate behaviour of others and there needs to be a system for reporting any incidents of abuse. Activities will need to be risk assessed and steps taken to minimise any identified risks to children, as far as possible (See [Annex 3](#) – safeguarding checklist for organising events and activities).
- ▶ **Accountable:** following up and acting on any proposals by children is essential. It increases the impact of children's participation and respect for their rights. Children are entitled to be provided with clear feedback on how their participation has influenced any outcomes. Wherever appropriate, children should be given the opportunity to participate in follow-up processes or activities. Mechanisms are needed to enable children to make complaints and seek redress. Monitoring and evaluation of participation needs to be undertaken, where possible with children themselves

■ A more detailed description on what each of these nine requirements means for practice is included in [Annex 1](#) of this Handbook.



PRACTICE NOTE

Consent and child protection

Participation is voluntary. It is important that children know that they have the right to choose not to participate or to make an active choice to get involved. Children should be invited to sign a consent form and have time to discuss what this means before the participation starts. They should be advised that they can withdraw their consent at any time.

In some circumstances (for example for children under 16 years of age) you may also need to gain permission from parents or legal guardians who will need similar information. When inviting children to participate you should make sure that they get good information on:

- the subject
- what you are doing and why - the background
- what you will do with the information you receive
- confidentiality and anonymity
- when and how they will get feedback on how their views were taken into account.

Sometimes children, when meeting in a group or in a safe place, use the opportunity to talk about concerns they have about themselves or others. To protect children there may be times when confidentiality will need to be broken for example, if someone's life is in immediate danger. Organisational child protection procedures and fully integrated child safeguarding policies must provide the framework for these circumstances, identifying roles for reporting concerns and supporting children, and providing clear information about this to adults and children. Children should be given clear information about who they can talk to about any concerns and be encouraged to get support from someone they trust. Professionals should tell children about the circumstances in which confidentiality could be broken, what sort of information would have to be passed on and how they might be able to make choices about how this is done.

1.6 ENABLING ENVIRONMENTS

Key measures for enabling participatory environments are described in the *The Recommendation on Participation*:

A. Establishing the legal and policy environment

Legal standards and practices are needed to ensure a conducive and protective environment, enabling children to participate in an atmosphere of mutual respect, trust and understanding. Establishing legal rights, incorporating them into policies and providing the necessary budgetary support will contribute to the creation of an environment in which participation becomes institutionalised and culturally embedded for all children, rather than simply a series of short-term, one-off activities. Head teachers may want to consider establishing policies and procedures in their school ensuring that children have a right to be heard in any exclusion hearings. Social workers in many countries will be required by national laws to listen to the child's wishes and feelings before making decisions such as where a child will live or go to school. In some member states children affected by divorce have a right in law to have their interests represented by an independent person appointed by the family court.

B. Promoting awareness of the right to participate

Children have to be made aware of their participation rights and how they might be used in the particular institution, process or system. Child rights education should be embedded in the school curricula. Children should be supported by all professionals to build their skills and confidence in speaking out. Schools, hospitals, health care clinics, day care centres, courts and refugee centres should provide information about participation opportunities to children in a language and format they can understand. For example, *children on the move* will need various elements of information at different times.

All professionals working with children also need training on children's participation rights at pre- and in-service levels. This should enable them to understand the implications for their individual practice, the institutions or systems within which they work, as well as the public policies that impact on the lives of children with whom they work. For example, when a court is bringing in new organisational policies to improve children's participation in proceedings, provide training on the competences required to all relevant court professionals (judges, prosecutors, barristers etc.) and court users. Professionals working with children should advise parents and children that children have rights, including the right to be heard, and help them think through the implications. Health visitors, teachers, day care workers, doctors - for example - can take on this role in their regular interactions with parents and children.



EXAMPLE

Increasing awareness of rights for children on the move

In the Balkans, Save the Children established mobile teams to work with refugee and migrant children and families at different entry and exits points between countries and in transit centres. One of the roles of these teams was to provide them with verbal information, in their own languages, about how they could voice concerns and to support opportunities for girls and boys on the move to express their views. Children on the move can be supported to participate through:

- 'Listening points' that provide opportunities for children on the move, to help them build on their positive coping strategies and support them in accessing services, care and protection.
- Consultations with girls and boys of different ages (in camps, transit centres, street settings), that seek their views to inform programme design, monitoring, evaluation and learning.
- Hearing individual children's views and carefully considering these in decisions affecting them, especially in child protection case management.
- Strengthening children's informal social networks and supporting children's groups and associations in refugee and IDP camps, in street settings, and in other transit communities.
- Sharing information and training girls and boys (in different age groups) about child rights, protection, gender equality, life skills in drop-in centres, child- and youth-friendly spaces, and other settings.

- Supporting girls and boys to organise their own child-led awareness, action and advocacy initiatives, to participate in community-based child protection mechanisms, to conduct participatory action research and to take part in sub-national, national, regional, and global policy and practice processes affecting them.

For more information: [Save the Children \(2018\) Children on the Move Programme Guide](#) and [The Council of Europe Handbook on access to rights, child-friendly information and procedures for children in migration](#)

C. Creating opportunities for participation

Children must be provided with time and opportunities for their opinions to be heard and to be able to influence decisions and actions affecting them. This requires more than one-off consultations. It necessitates the ‘institutionalising’ of opportunities for individual and groups of children to be heard in, for example, their home, schools, local communities, health care, child protection, workplaces, and judicial systems and national processes. It also requires support for the children to organise, identify issues of concern to them and gain access to relevant policy makers. Opportunities to undertake research, develop strategies for action, provide mutual support and campaign and advocate for change, both online and through more traditional routes are also needed.

Schools, hospitals, police stations and all public services should create feedback mechanisms through which children can share their concerns, experiences and ideas for improving the service and access. This could, for example, be done with a simple website or App on a smart phone (see the following example) but should also involve more traditional paths.

EXAMPLE



Government youth portal for children

In Germany, the federal government has created a youth portal with child-friendly information enabling direct dialogue between children and politicians. Founded in 2005, it gives children from age 12 opportunities to know what the current political issues are, undertake research, develop strategies for action, provide mutual support and campaign and advocate for change. For more information: www.mitmischen.de

HINTS AND TIPS



Getting started

In writing this Handbook we consulted with over 120 children and adults from across Europe, and they gave advice on how to step up to some of the challenges that we all face when trying to make children’s participation impactful and inclusive. Reflecting on participation to identify the challenges we face and seeking advice from other experienced people (including children) is always an essential part of the process. Here are some hints and tips to get you started:

- Build networks and links and encourage partner organisations to be supportive of children’s efforts to influence decision making.
- Start with smaller scale efforts and build up the evidence base, refine approaches and plan the next stage.
- Resources are required to practice effective, quality and ethical participation but with skilled facilitators much can be achieved on a small budget. Learn from experience, developing participatory practice as and when resources and confidence allow.
- Ensure sufficient time is available to prepare and support children to engage.
- Reach out to children from a range of different backgrounds and remove barriers. Children, like adults are all very different and like to take part in things in a variety of ways. Trialling and reviewing a number of different methods and approaches and working with children themselves is the best advice.
- Use a variety of methods to reach out to children and invite them to participate.
- Take advice from children about how to contact their peers and involve them in the process.
- Review your practice at regular intervals with children and with co-workers and learn as you go along.

Since coming into force over 30 years ago, Article 12 of the United Nations Convention on the Rights of the Child has affirmed children’s right to express their views on all matters that affect them. The Council of Europe has sought to make this right real and concrete in the member states through its Recommendation CM/Rec(2012)2 on the participation of children and young people under the age of 18, and has also embedded child participation in its own standard-setting, monitoring and capacity building work as well as at its international events. This Handbook represents a substantive contribution to the Strategy for the Rights of the Child (2016 to 2021) promoting child participation under its second priority area.

The Handbook was produced by the Children’s Rights Division of the Council of Europe in collaboration with international child participation experts and following the consultation of more than 50 children and young people on the challenges to be addressed.

It is meant to be a hands-on tool for people who work with children in a professional capacity, for example in schools, hospitals, alternative care settings, child protection services, and other social services. It is designed for social workers, teachers, judges, lawyers, immigration officers, psychologists, civil servants, youth workers and day care workers, offering them practical approaches to “do” children’s participation and make it work for all children, including those in vulnerable situations, both at an individual and a collective level.

Professionals using this Handbook are invited to improve their capacities and skills to “listen” to children, to “act” upon the lessons learned and to “change” any decision making involving or concerning children. They are also invited to spread the good practice promoted through this tool and thus, in the end, to make a life-changing impact for children in those contexts where decisions are made without truly listening to them.

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The Council of Europe is the continent’s leading human rights organisation. It comprises 47 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.