



Participation Policy

14 June 2017

1. Purpose/Scope

It is a statutory function of the Commissioner to:

Promote the participation of children and young people in the making of decisions that affect their lives and to encourage government and non-government agencies to seek the participation of children and young people appropriate to their age and maturity.¹

Children and young people's views and experiences are of great importance to the work of the Commissioner for Children and Young People WA. In order to promote the best interests and wellbeing of all children and young people we need to genuinely listen to them, give careful consideration to their views and use their views to inform our work in meaningful and empowering ways. We can then, from a position of strength, promote awareness in the Western Australian community about the importance of taking children and young people's views into account and the value of their contributions.

The Participation Policy guides practice for involving children and young people in the work of the Commissioner for Children and Young People WA (the Commissioner), whether it is undertaken by the Commissioner's staff or by partner organisations and consultants on behalf of the Commissioner.²

Following this policy will ensure the way we do our work strengthens children and young people's relationship with, and confidence in, the office of the Commissioner for Children and Young People (the Office).

This policy reflects the contributions of children and young people from regional and metropolitan WA about what is important to them when sharing their views with, and hearing from the Commissioner and other adults. The Commissioner acknowledges their contribution and also feedback from other key stakeholders.

Why we seek the participation of children and young people

Children and young people's participation is important to the Commission in supporting and advocating for significant outcomes for children and young people's wellbeing. By hearing and being responsive to these views we will:

¹ *Commissioner for Children and Young People Act 2006* (WA), Part 3, section 19 (b).

² This policy has been informed by work done in other jurisdictions. We acknowledge work by Children's Commissioner for Wales; Northern Ireland Commissioner for Children and Young People; NSW Commission for Children and Young People; Office for Children and Youth, WA; Office of the Children's Guardian, SA; Scotland Commissioner for Children and Young People, Auditor General for Western Australia; Office of Citizens and Civics, Western Australia.

- Have a better understanding of the issues that concern children and young people and what is important to them. This knowledge will enable us to be a genuine voice for children and young people.
- Understand the diversity of views, needs and circumstances held by children and young people.
- Ensure that our advocacy for better policies, laws, programs and services will more effectively reflect the needs of children and young people.
- Take account of their preferred methods of involvement, and particularly the need to adapt methods to ensure participation activities reflect the diversity of children and young people.
- Develop knowledge, skills and understandings to share with government and non-government agencies.
- All aspects of our work will be enhanced by children and young people's creativity, energy and unique perspectives.

2. Definitions

Children and young people: People under 18 years of age.

Partner organisations and consultants: Any organisations, agencies, consultants or individuals who are involving children and young people on behalf of the Commissioner for Children and Young People WA whether paid or unpaid.

Participation: The active involvement of children and young people in being informed, expressing their views, having their views listened to and taken into account and making decisions; resulting in their ability to influence and change.

Consultation: A short-term or one-off mechanism for children and young people to be involved in providing their views about a specified set of issues.³

Advisory group: A group of children and/or young people who provide their views and/or work alongside adults from the organisation, contributing their insights and ideas and/or assisting with decision-making.⁴

Appropriate to age and maturity (This concept is also referred to in the United Nations Convention on the Rights of the Child (Article 12) as "in accordance with the age and maturity of the child"): Children and young people's cognitive capacity develops with age, developmental stage and maturity including, but not limited to, language skills (comprehension and expression); attention span; memory; knowledge of the world; understanding another's perspective; thinking skills (logic, cause and effect, abstract thought) and emotional maturity. The ability, confidence and experience of the individual child or young person in assessing his or her own situation, considering possible options, expressing views and influencing decision-making processes will vary according to age and maturity.⁵ This means the ways children and young people participate, the questions asked and the support provided to them must be tailored to the needs of the children and young people involved.

³ Office for Children and Youth 2007, *Active Participation of Children in Your Organisation*, Office for Children and Youth WA.

⁴ Ibid.

⁵ Office for Children and Youth 2007, *Active Participation of Children in Your Organisation*, Office for Children and Youth WA.

3. Relevant Legislation/Policy/Position Statement

Commissioner for Children and Young People Act 2006 (WA)

Under the *Commissioner for Children and Young People Act 2006* (the Act) the Commissioner is required to:

- Consult with children and young people from a broad range of socio-economic backgrounds and age groups throughout WA each year: s19(n).
- Give priority to, and have special regard to, the interests and needs of Aboriginal and Torres Strait Islander children and young people and children and young people who are vulnerable or disadvantaged for any reason: s20(1)(a).
- Have regard to the United Nations Convention on the Rights of the Child (the UN Convention): s20(1)(b).
- Develop means of consulting with children and young people that are appropriate to their age and maturity: s20(1)(c).
- Adopt work practices that ensure the Commissioner is accessible to children and young people: s20(1)(e).
- Adopt work practices that encourage the participation of children and young people in decision-making by the Commissioner: s20(1)(e).
- (At the Commissioner's discretion) Establish advisory committees consisting of children and young people from a broad range of socio-economic and cultural backgrounds and age groups in both regional and metropolitan areas: s52(1)(2).

The Commissioner must observe these guiding principles:

- Children and young people are entitled to live in a caring and nurturing environment and to be protected from harm and exploitation: s.4(a)
- The contributions made by children and young people to the community should be recognised for their value and merit: s.4(b).
- The views of children and young people on all matters affecting them should be given serious consideration and taken into account: s.4(c).
- Parents, families and communities have the primary role in safeguarding and promoting the wellbeing of their children and young people and should be supported in carrying out their role: s.4(d).

The Commissioner approved a Commitment to Child Safety in 2017 reflecting the work of the office in leading Child Safe Organisation in Western Australia. The commitment statement reflects the principle of the act s1(4)(a):

Children and young people are entitled to live in a caring and nurturing environment and to be protected from harm and exploitation. Children and young people should be safe, feel safe and be respected wherever they are. The Commissioner for Children and Young People prioritises the safety and wellbeing of children and young people in all work of the office and in our work with other organisations.

United Nations Convention on the Rights of the Child

In performing the Commissioner's functions, the Commissioner must have regard to the United Nations Convention on the Rights of the Child (the Convention). One of the four general principles underpinning the Convention is that children have the right to express their views and be heard in all matters affecting them and for adults to give their views due weight in accordance with the child's age and maturity.⁶ This principle is described by Article 12. Article 13 also relates to participation.

⁶ UNICEF, *FACT SHEET: The right to participation*, Available: <http://www.unicef.org/crc/files/Right-to-Participation.pdf>

- **Article 12:** You have the right to give your opinion, and for adults to listen and take it seriously.⁷
- **Article 13:** You have the right to find out things and share what you think with others, by talking, drawing, writing or in any other way unless it harms or offends other people.⁴

4. Process for involving children and young people

Our responsibilities:

- Consider the best interests of children and young people in all our work.
- Treat children and young people with respect, understanding that they are citizens who have the right to express their views and to privacy and confidentiality.
- Develop a culture that encourages participation and reflects the importance we place on hearing the views of children and young people about issues that affect them.
- Provide varied, tailored, safe and supportive opportunities for all Western Australian children and young people to have their views and perspectives heard by us.
- Be clear on our purpose, our objectives and the parameters around which we are seeking the involvement of children and young people, and provide them with this information in accessible formats.
- Take children and young people's views into account, be willing and able to act on their suggestions, follow up on commitments we have made to them and provide feedback on what we have done with information they have provided to the Commissioner.
- Support organisations/individuals contracted to undertake participation work on behalf of the Commissioner (partner organisations and consultants) to implement this policy.

The extent to which we seek children and young people's involvement:

In addition to meetings with the Commissioner and dedicated consultation projects we will seek children and young people's involvement in other work of the Office to the fullest extent possible, for example informing:

- communication tools including corporate identity and website
- office space design and layout
- methods of working (for example, the Complaints Guidelines, participation policies, the role of the Commissioner)
- project reference groups
- publications
- inquiries
- policy issues.

Our practice:

Children and young people's participation is valued across all areas of our work – this is reflected in our strategic plan, our policies and our daily work.

Staff (and partner organisations and consultants) involved in participation activities:

- are committed to the participation of children and young people
- implement child safe policies and practices (*Guide to Establishing Child Safe and Friendly Organisations* RM: 15/9318)

⁷ Meerilinga Young children's Foundation nd, *UN Convention on the Rights of the Child in Child Friendly Language*, Available: <http://www.childrensweekwa.org.au/about-childrens-week/background/>

- are inclusive and culturally sensitive (*Reconciliation Action Plan*: RM: 16/7170, *Disability and Inclusion Action Plan*: RM: 16/6404)
- comply with the required ethics standards and maintain the privacy and confidentiality of children and young people involved (*Ethical Research and Consultation with Children and Young People Policy* (RM: 08/7294), *Participation Consent Policy* (RM: 08/4499), *Internal Website Policy* (RM: 09/9742))
- are skilled in communicating with children and young people
- have undertaken relevant training and development (for example in consultation, current issues) (*Performance Appraisal and Development Systems Policy* RM: 09/1007)
- are provided with appropriate resources.

We empower all children and young people to participate in research and consultations with us by:

- Being creative and flexible in our participation techniques, choosing methods that take account of the age, developmental stage, maturity and other needs of the children and young people. Whenever possible, we involve children and young people in choosing a participatory technique, and planning and conducting the activities. We support them to do this by providing relevant training or skill development if required.
- Creating a safe and supportive environment by being genuine in our relationships with children and young people, taking the time to get to know them, being consistent, honest and transparent, and working to minimise the power difference between children and young people and adults.
- Communicating to them about the purpose of their involvement, the part they will play, the extent of their influence and how their contributions will be used (Template - Information for Children and Young People RM: 16/9787).
- Seeking informed consent from children and young people about their participation and check appropriately on whether they wish to continue to participate (as per the *Participation Consent Policy* RM: 08/4499).
- Planning for and responding appropriately to children and young people showing signs of distress or disclosures of harm or abuse (*Consultation disclosure protocol* RM: 15/4274; *Interview disclosure protocol* RM: 15/9817; *Interview distress protocol* RM: 14/10393).
- Taking children and young people's opinions seriously, following through on what we have said we will do and providing feedback to them about how their contributions have been used.
- Monitoring and evaluating our participation processes, complaints made and seeking feedback from children and young people about their involvement. This information is used to improve the way we work (Project Plan Template RM: 14/7779, Project Evaluation Template RM: 10/9478, *Internal Complaints Handling Policy* RM: 08/5934, *Are you listening? – Complaints Guidelines* RM: 10/1279).
- Acknowledging the contribution of children and young people – to the individuals that participated, to their organisations and in our publications, speeches and other work.

We adapt to children and young people's way of working by:

- seeking to meet with children and young people wherever they are and/or arranging child and young person friendly meeting times, venues and formats
- using child and young person friendly language and providing information in a variety of formats, for example, verbal, visual and audio prompts for children and young people unable to read text
- removing barriers to participation, for example, financial and transport
- encouraging the child or young person to bring a parent/guardian or friend (for support if appropriate)

- preparing children and young people for meetings and events with child and young person friendly agendas, minutes and background information
- having children or young people as chair or co-chair/ facilitator or co-facilitator
- ensuring children and young people find the experience rewarding and are acknowledged for their participation
- smiling and greeting children and young people by name
- paying attention to children and young people when they are speaking, acknowledging and respecting their contribution
- serving refreshments
- having fun and a sense of humour
- providing alternatives to speaking in front of the group
- not allowing adults as observers (all adults who attend have a role)
- ensuring we are available to hear complaints and feedback from children and young people after participation activities and have informed them of this.

We give priority to, and have special regard to, the interests and needs of Aboriginal and Torres Strait Islander children and young people, and children and young people who are vulnerable or disadvantaged for any reason.

We develop sustainable and culturally sensitive relationships with:

- Aboriginal and Torres Strait Islander communities
- culturally and linguistically diverse (CALD), new immigrant/refugee and other communities of relevance
- organisations that provide services to, or engage with, vulnerable or disadvantaged children and young people or are comprised of children and young people themselves.

These relationships allow the Commissioner and staff of the Office to seek guidance, advice and authorisation from community and cultural leaders, parents/carers or people experienced in working with the children and young people.

In our practice we ensure that where appropriate:

- in addition to meetings with the Commissioner and dedicated consultation projects we will seek Aboriginal and Torres Strait Islander children and young people's and vulnerable and disadvantaged children and young people's involvement in other work of the Office to the fullest extent possible (as per Project Plan Template RM: 14/7779)
- consultations are guided by reference groups which include young people and adult members with similar background or life experience as the children and young people who are being consulted
- we engage with partner organisations and consultants with experience and connection to the children and young people's community or group.

In this way we ensure we involve children and young people in ways that:

- are culturally appropriate – respecting cultural rights, values, expectations and protocols
- consider the diversity and uniqueness of the community or group – preventing a 'one size fits all' approach
- protect their best interests
- address issues of consent, confidentiality and anonymity
- take account of individual circumstances, backgrounds and previous experience of adults and organisations; especially in regard to building relationships, developing trust and when considering issues for discussion
- provide the encouragement and support they will need to participate meaningfully

- meet the needs of children and young people with physical, sensory, intellectual and developmental disabilities, mental health disorders, languages other than English and special dietary requirements
- seek their advice and feedback on how they would like to participate.

For more detail about considerations when involving children and young people including from specific groups see *Involving Children and Young People: Participation Guidelines*, the associated checklist and the participation examples (available ccyp.wa.gov) and *Additional Participation Reading* RM: 14/1413

Our participation decision-making process ensures that before deciding on a participation method we determine the:

- objectives of the participation
- level of influence that children and young people can have (and the limitations to that influence)
- action we will take as a result of the participation
- resources we have available
- children and young people who will participate
- possible partner organisations
- information that needs to be given to and received from children and young people
- resources available to the children and young people.

We use the following model (a combination and adaptation of the IAP2 Public Participation Spectrum⁸ and Shier’s model⁹) to assist our decision making and ensure we communicate honestly with children and young people. The model covers the entire spectrum of participation, describing the implications of choosing a particular technique and our obligations to children and young people as a result of this choice. We inform children and young people about the level of influence they will have from the outset and then act on the results of the participation in accordance with our stated commitment.

Note: The work of the Office will not necessarily use all of the participation techniques described by this model. The most appropriate technique and methods for the purpose and available resourcing will be chosen in every instance.

⁸ International Association of Public Participation, 2007, ‘IAP2 Public Participation Spectrum’, in *Having Your Say: Public Participation in Government Decision-Making*, Auditor General for Western Australia, pg 8. Available: <https://audit.wa.gov.au/reports-and-publications/reports/having-your-say-public-participation-in-government-decision-making-12007/>

⁹ NSW Commission for Children and Young People, nd, ‘Research and Resources about Participation’, in *Taking PARTicipation Seriously*, pg 12. Available: <http://www.acyp.nsw.gov.au/participation-resources/taking-participation-seriously>

WHEN WE ARE INVOLVING CHILDREN AND YOUNG PEOPLE, IF WE CHOOSE FOR THEM TO:

ATTEND	BE INFORMED	BE CONSULTED	BE INVOLVED	BE COLLABORATED WITH	BE EMPOWERED
Our Goal is to:	Our Goal is to:	Our Goal is to:	Our Goal is to:	Our Goal is to:	Our Goal is to:
<ul style="list-style-type: none"> Provide children and young people with information to ensure they are fully informed about an event they are attending where the Commissioner is present (no decision making). 	<ul style="list-style-type: none"> Provide children and young people with information to assist them to understand an issue and/or decisions (no decision making). 	<ul style="list-style-type: none"> Obtain information from children and young people about their views on issues and their concerns and aspirations (decision making is by adults). 	<ul style="list-style-type: none"> Work directly with children and young people to ensure their views, concerns and aspirations are understood and considered (decision making is by adults). 	<ul style="list-style-type: none"> Partner with children and young people in each aspect of the decision including developing alternatives and identifying preferred solutions (decision making is shared). 	<ul style="list-style-type: none"> To place final decision making in the hands of children and young people (decision making is by children and young people).
Our promise to children and young people is:	Our promise to children and young people is:	Our promise to children and young people is:	Our promise to children and young people is:	Our promise to children and young people is:	Our promise to children and young people is:
<ul style="list-style-type: none"> We will keep them informed. 	<ul style="list-style-type: none"> We will keep them informed. 	<ul style="list-style-type: none"> We will keep them informed. We will support them to express their views. We will listen to them and acknowledge their concerns and aspirations. We take their views into account. We will provide them with feedback on how their input influenced our decision. 	<ul style="list-style-type: none"> We will keep them informed. We will include them in our decision making processes. We will ensure their contributions are included in the alternatives developed. We will provide them with feedback on how their input influenced the decision. 	<ul style="list-style-type: none"> We will keep them informed. We will share power and responsibility for making decisions with them. We will seek and incorporate their advice and ideas into decisions to the maximum extent possible. We will provide them with feedback on how their input influenced our decision. 	<ul style="list-style-type: none"> We will implement what they decide.
Opportunities we provide:	Opportunities we provide:	Opportunities we provide:	Opportunities we provide:	Opportunities we provide:	Opportunities we provide:
<ul style="list-style-type: none"> Information in a variety of ways that make it easy for children and young people to understand. 	<ul style="list-style-type: none"> Information in a variety of ways that make it easy for children and young people to understand. 	<ul style="list-style-type: none"> Information in a variety of ways and use a range of methods and activities that make it easy for children and young people contribute. We work in ways that help us to listen. Our decision making processes enable us to take children and young people's views into account. 	<ul style="list-style-type: none"> We have procedures that enable children and young people to join in decision making. We work in ways that enable children and young people to join in decision making. 	<ul style="list-style-type: none"> We have procedures that enable children and young people to share decision making. We work in ways that enable children and young people to share decision making. 	<ul style="list-style-type: none"> We support and advise children and young people as they require.

ATTENDING	INFORMING	CONSULTING	INVOLVING	COLLABORATING	EMPOWERING
Methods we consider#	Methods we consider#	Methods we consider#	Methods we consider#	Methods we consider#	Methods we consider#
<ul style="list-style-type: none"> ▪ Information sheets ▪ Verbal information 	<ul style="list-style-type: none"> ▪ Information sheets ▪ Website ▪ Presentations ▪ Information/Open days ▪ Community exhibitions ▪ Seminars/Conferences ▪ Technology (Blog, email) ▪ Media (radio, newspaper) and social media 	<ul style="list-style-type: none"> ▪ Email the Commissioner ▪ Meetings with the Commissioner ▪ Polls (and Referenda) ▪ Focus groups ▪ Advisory Committees (or groups) ▪ Surveys/Questionnaires ▪ Summits/Panels ▪ Interviews ▪ Children's Parliaments ▪ Technology (Website, Blog, SMS etc) ▪ Video conferencing 	<ul style="list-style-type: none"> ▪ Workshop ▪ Stakeholder consultation/ meeting ▪ Advisory Committee (or groups) 	<ul style="list-style-type: none"> ▪ Advisory Committees (or groups) ▪ Panel members (eg selection panels) ▪ Consensus-building ▪ Participatory decision making 	<ul style="list-style-type: none"> ▪ Citizen juries ▪ Ballots ▪ Delegated decisions ▪ Boards and committees ▪ Child Executive
Feedback we provide:	Feedback we provide:	Feedback we provide:*	Feedback we provide:*	Feedback we provide:*	Feedback we provide:*
		<ul style="list-style-type: none"> ▪ Letter/email response to letter/email ▪ Thank you letter ▪ Certificate of appreciation/participation ▪ Information on how their input was used or influenced a decision ▪ Copy of publication ▪ Invitation to launch event ▪ Letter outlining submission/report ▪ Website information (eg Polls) 	<ul style="list-style-type: none"> ▪ Thank you letter ▪ Certificate of appreciation/participation ▪ Information on how their input was used or influenced a decision ▪ Copy of publication ▪ Invitation to launch event ▪ Letter outlining submission/report 	<ul style="list-style-type: none"> ▪ Thank you letter ▪ Certificate of appreciation/participation ▪ Information on how their input was used or influenced a decision ▪ Copy of publication ▪ Invitation to launch event ▪ Letter outlining submission/report 	<ul style="list-style-type: none"> ▪ Acknowledgement letter /certificate ▪ Copy of publication ▪ Invitation to launch event ▪ Letter outlining submission/report

In some instances the method example may also be applicable to another participation goal.

* Not every form of feedback will be appropriate – select according to level and type of participation however note that we promise feedback on how their input influenced our decisions

5. Process for evaluating the involvement of children and young people

Our evaluation:

- allows us to celebrate successes and what worked well
- gives children and young people, partner organisations, consultants and staff the opportunity to provide feedback on how well participation is working from their perspective
- identifies opportunities for improving participation or trying new methods and activities
- shows us how children and young people's participation is helping to make our work more relevant to their needs
- ensures we seek the participation of children and young people in ways that meet our purpose and responsibilities.

Our evaluation processes ensure that we:

- Reflect on and respond flexibly to issues and input that arises during the participation process – rethinking the approach and content if necessary. This ensures that the participation process is 'on track' to produce the outcomes we require.
- Evaluate each participation process – seeking feedback from children and young people, partner organisations, facilitators, consultants and staff about what went well and what could be improved.
- Evaluate whether the process had an identifiable impact on the work of the Commissioner and the Office, for example:
 - children and young people report that the Office, publications and website are accessible and appealing to all ages and groups
 - the contributions of children and young people have informed and been included in the work of the Commissioner
 - the Commissioner routinely meets with children and young people
 - the Office routinely seeks the participation of children and young people.
- Use a variety of quantitative, qualitative and developmentally appropriate ways of collecting information and data.
- Communicate the results of our evaluation to the children and young people, partner organisations, consultants, facilitators and staff.
- Use the evaluation results to improve our participation processes and policy.
- Use the evaluation results to inform the Commissioner's work in encouraging government and non-government agencies to seek the participation of children and young people and to promote best practice in the area.

To achieve this we:

- plan for evaluation when undertaking project planning (Project Plan template RM: 14/7779)
- undertake project evaluation using the Project Evaluation template (RM: 10/9478) incorporating formal feedback from the children and young people who participated, partner organisations and/or adult coordinators
- communicate learnings from undertaking meetings, consultations and the formal project evaluation to staff who may undertake similar activities and projects in the future.

6. Responsibility/Accountability

All staff are responsible for implementing this policy to the level of their involvement with children and young people.

All organisations/individuals contracted to undertake participation work on behalf of the Commissioner (partner organisations and consultants) are responsible for implementing this policy.

7. Reporting

The extent to which children and young people in various regions of the state are consulted is one of the Office's Key Performance Indicators (KPIs). These indicators are subject to audit processes therefore all staff are required to document participation activities in a consistent and accurate way in accordance with the KPI Policy (RM 09/11900).

8. References/Supporting Documentation

- Premier's Circular 2003/08, *State Government Access Guidelines for Information, Services and Facilities* (Available: <http://www.disability.wa.gov.au/understanding-disability1/understanding-disability/accessibility/>) and *Disability Services Commission information on accessibility* (<http://www.disability.wa.gov.au/understanding-disability1/understanding-disability/accessibility/>)
- The Western Australian Language Services Policy 2008 http://www.omi.wa.gov.au/resources/publications/Languages/language_services_2008.pdf