Pathways to Participation: Openings, Opportunities and Obligations

A New Model for Enhancing Children's Participation in Decision-making, in line with Article 12.1 of the United Nations Convention on the Rights of the Child

Harry Shier

Abstract

The United Nations Convention on the Rights of the Child has raised the profile of children's participation in the United Kingdom. Hart's 'ladder of participation' has been the most influential model in this field. This paper offers an alternative model based on five levels of participation: 1. Children are listened to. 2. Children are supported in expressing their views. 3. Children's views are taken into account. 4. Children are involved in decision-making processes. 5. Children share power and responsibility for decision-making. In addition, three stages of commitment are identified at each level: 'openings', 'opportunities' and 'obligations'. The model thus provides a logical sequence of 15 questions as a tool for planning for participation.

Introduction

Although there have been isolated efforts to enable children to participate in decision-making over many year s (for example, Neill, 1962; Holt, 1974; Hoyles, 1989), the United Kingdom Government's ratification of the United Nations (UN) Convention on the Rights of the Child in December 1991 has provided a powerful stimulus to discussion of the issue in the United Kingdom. Children's participation now has an unprecedentedly high profile, with a growing body of literature devoted to the issue.

The principle of the child's right to participate in decision-making is stated in Article 12.1 of the Convention:

> "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."

Article 12 has been identified as one of the most radical and far reaching aspects of the United Nations Convention (for example, Hart, 1992; Lansdown, 1995), and also as one of the provisions most widely violated and disregarded in almost every sphere of children's lives. In its response to the United Kingdom Government's first report on the Convention, the United Nations Committee on the Rights of the Child made a specific recommendation that:

> "greater priority be given to incorporating the general principles of the Convention, especially article 3 relating to the best interests of the child, and article 12, concerning the child's right to make his/her views known and to have these views given due weight, in the legislative and administrative measures and in policies undertaken to implement the right of the child. It is suggested that the State Party consider the possibility of establishing further mechanisms to facilitate the participation of children in decisions affecting them, including within the family and the community". (Committee on the Rights of the Child, 1995).

The Children's Rights Development Unit, an independent body set up in 1992 to monitor United Kingdom implementation of the Convention, made Article 12 a central focus of its work. Throughout the 90s a series of major national NGOs, including Save the Children, The Children's Society, NCH Action for Children and the National Children's Bureau, increasingly placed children's participation at the centre of their programmes.

This has also given rise to a range of publications on children's participation, including elucidation of the principle (Hart 1992; Lansdown 1995), documentation of good practice (Willow 1997; Shier 1996; Adams and Ingham 1998), practical 'how to do it' manuals (Treseder 1997; Miller 1997; Save the Children 1996), and books combining all three (Hart 1997; Shier 1995). There is also a growing body of more academic literature (for example, Verhellen 1996a, 1996b, 1997; Milner and Carolin, 1999), and a number of valuable publications by children and young people themselves ('Rights for Us Group' 1994; 'The Young Researchers' 1998; 'CR2000 Team' 1999).

In much of this literature one model has been uniquely influential: Roger Hart's 'ladder of participation' (Figure 1). This first appeared in Hart's 1992 *Children's Participation: from Tokenism to Citizenship*, but has been reproduced many times since (Hart 1995, 1996, 1997; Lansdown 1995; Miller 1997; Adams and Ingham 1998). The model itself, however, was an adaptation of Arnstein's 1969 'Eight rungs on the ladder of citizen participation' (Arnstein 1969; also in Willow 1997). The influence of Hart's model was confirmed by research conducted by Save the Children in 1995 (Barn and Franklin 1996). Barn and Franklin carried out a survey of organisations throughout the United Kingdom including a question on what models and theories had been found helpful on participation. The two models most often mentioned were Hart's ladder of participation and the theories of Paulo Freire. More often respondents said their work was based on general principles such as empowerment and respect for young people, rather than specific models or theories.

This paper offers an alternative model for consideration by the field. This model has its origins in the work of the Article 31 Action Network in the United Kingdom (Shier, 1998) and, more specifically, has grown out of the practice of the Article 31 Children's Consultancy Scheme, which supports and facilitates children aged 8 to 12 acting as specialist consultants to arts, leisure and cultural organisations (Shier, 1999).

The new model owes a great debt to Hart's work. It is not intended to be a replacement for the ladder of participation, but may serve as an additional tool for practitioners, helping them to explore different aspects of the participation process.

One important difference is that this model does not have anything equivalent to the three lowest rungs on Hart's ladder: 'manipulation', 'decoration' and 'tokenism', together labelled as levels of non-participation. Many practitioners have found this to be the most useful function of Hart's model: helping them recognise, and work to eliminate, these types of non-participation in their own practice. Ironically, the greatest practical benefit of Hart's work may be his exposure of these false types of participation, as much as his classification of the more positive types.

Because of the influence of Hart's model, comparison with the ladder is inevitable, and reference is made to it throughout the discussion which follows.

The model is based on five levels of participation:

1. Children are listened to.
2. Children are supported in expressing their views.

3. Children's views are taken into account.
4. Children are involved in decision-making processes.
5. Children share power and responsibility for decision-making.

At each level of participation, however, individuals and organisations may have differing degrees of commitment to the process of empowerment. The model seeks to clarify this by identifying three stages of commitment at each level: *openings, opportunities* and *obligations*.

- At each level, an *opening* occurs when a worker is ready to operate at that level, i.e. they make a personal commitment, or statement of intent to work in a certain way. It is only an opening because at this stage the opportunity may not be available.
- The second stage, an *opportunity*, occurs when the needs are met that will enable the worker or organisation to operate at this level in practice. These needs may include resources, (including staff time), skills and knowledge, development of new procedures or new approaches to established tasks.
- Finally an *obligation* is established when it becomes the agreed policy of the organisation or setting that staff should operate at this level. It becomes an obligation on the staff that they must do so. Participation thus becomes built-in to the system.

The model provides a simple question for each stage of each level. By answering the questions, the reader can determine their current position and easily identify the next steps they can take to increase the level of participation. In reality, it is unlikely that a worker (or an organisation) will be neatly positioned at a single point on the diagram. They may be at different stages at different levels. Also they may be at different positions in respect of different tasks or aspects of their work.

Level 1: Children are listened to

This level requires only that when children take it upon themselves to express a view, this is listened to, with due care and attention, by the responsible adult(s).

However, what distinguishes this level from the next level up, is that this listening occurs only in so far as children take it upon themselves to express a view. No organised efforts are made to ascertain what views they have on key decisions, and if no views are forthcoming, this is not seen as a cause for concern. It is a commonly expressed belief that children are not interested in having a say in decisions, and would rather be left to play, or whatever. This belief is however, contradicted by many reports where children, when asked, have strongly expressed a desire to have more say in things.

At this level, stage one simply requires that the worker/team is ready to listen. Stage two requires that they work in a way that enables them to listen. This might involve, for example, having access to a quiet time and place to talk things over, having an arrangement for staff to cover for one another so that a worker can take time to listen to an individual child, or having training in listening skills for all workers.

Stage three requires that listening to children becomes the stated policy of the organisation, thus making it an obligation, the duty of all staff, to listen carefully to what children have to say.

Level 2: Children are supported in expressing their views

This model recognises that there are many reasons why children, who have opinions on many issues, may not express those opinions to adults working with them. The long list of possible reasons includes lack of confidence, shyness, low self esteem, previous experience of not being listened to, or that expressing opinions is unproductive, no culture of participation or inadequate

communication skills (on the part of the staff as much as the child: workers not knowing the child's first language, unable to use sign language etc).

It is therefore recognised that, in order for children to be able to express their views openly and confidently, adults working with them must take positive action to support and enable this and in doing so to overcome those barriers that may prevent children's views from being expressed. Level two is distinguished from level one by this commitment to positive action to elicit children's views and to support them in expressing those views.

At this level, stage one, the opening, again simply requires that the worker/organisation is ready to take action to help children express their views. Stage two, however, requires that the opportunities be provided for children to express their views. The question therefore asks whether the worker/ organisation has a range of ideas and activities to help children express their views. This should include age-appropriate techniques for consulting children, which could involve creative visual methods using games and art activities as well as surveys and interviews. It will also require the workers to have effective communication skills for eliciting the opinions of disabled children or those whose first language is not English. Again to achieve this stage may require specific training for workers in how to facilitate participation.

The third stage again requires that this way of working be established as the organisation's policy, so that workers are obliged to take the necessary range of actions to ensure children are enabled and supported in expressing their views.

Level 3: Children's views are taken into account

Whilst level two goes further than level one in actively seeking out children's views, it offers no guarantee that these views will be taken into account or influence the organisation's decision making. It may be argued that there is no point in enabling children to express their views if they are not going to be taken into account. However, there are so many reported instances of tokenism and manipulation, this cannot be assumed. For example, an out of school worker was quoted as saying, "it's good to do this so the children have the feeling that we are listening to them." (Ball, 1998). That is why taking children's views into account marks the third level of this model.

It is important to note that this is the level of participation that is mandatory for any authority or organisation that has adopted or endorsed the United Nations Convention on the Rights of the Child. Article 12.1 states that every child who is capable of forming his or her own views has "the right to express those views freely in all matters affecting the child" (equivalent to the second level of participation in this model), "the views of the child being given due weight in accordance with the age and maturity of the child" (equivalent to level three).

Taking children's views into account in decision-making does not imply that every decision must be made in accordance with children's wishes, or that adults are bound to implement whatever children ask for. Children's views are one of several factors that will have to be taken into account in many policy decisions. Even when we ensure that the children's views are "given due weight", other factors may still outweigh this, and the children may not get what they ask for. As Penelope Leach so neatly put it, "children must be given their *say*, but they do not always have to be given their *way*".

Although the United Nations Convention does not mention the giving of feedback to children who have expressed their views, several authorities have pointed out that this is good practice. Particularly where adults have decided there is some over-riding reason why children's wishes should not be carried out, it is important to let the children know why this decision has been made and, where appropriate, to help them explore alternative ways to achieve their objectives.

As with the previous levels, the model has three stages at level three. The opening occurs once the worker/organisation is ready to take children's views into account. The opportunities arise when the organisation has a decision making process that enables children's views to be taken into account. And the obligation exists when the organisation makes it it's policy to implement Article 12 of the United Nations Convention; that it to ensure that children's views are given due weight in it's decision-making.

Level 4: Children are involved in decision-making

This level can be seen as marking the transition from consultation to active participation in decision-making. Hart's model regards consulting as a legitimate form of participation. However the crucial distinction is that at the lower levels, the children participate by providing an input (their views) to aid the decision-making process, but do not participate at the stage where decisions are actually made, and therefore do not have any real decision making power. Thus at the lower levels children can be said to be "empowered" only in the weaker sense meaning "strengthened" or "supported", but not in the stronger sense meaning that those who hold the power give up some of it in their favour. Decision-making remains the province of adults.

At level four this begins to change, because children are directly involved at the point where decisions are made. For example the staff team in a play centre wish to draw up a holiday activity program. If they organised a survey of all the children to find out what activities they would like to see included, then met as a staff team to devise the program, and in doing so gave serious consideration to the children's ideas, this would be level three (and fully in keeping with the letter of the UN Convention). If however, a group comprising staff and children met together and jointly planned the program, this would be level four.

As noted earlier, the United Nations Convention does not make it mandatory to have children involved at the actual point of decision-making. It only requires that adults find out what the children's views are and give them due weight when they make their decisions. Why then should organisations seek to operate at these higher levels?

Children's participation in decision-making has been shown to be beneficial in many ways. The benefits include improving the quality of service provision, increasing children's sense of ownership and belonging, increasing self esteem, increasing empathy and responsibility, laying the ground-work for citizenship and democratic participation, and thus helping to safeguard and strengthen democracy.

The first of these benefits, improving service provision, can be achieved with lower levels of participation, along the lines of market research (equivalent to levels one and two). All the other benefits, however, can only really come into play when children become actively involved in the decision-making process. Thus even though not strictly required by the United Nations Convention, the case for children's active involvement in decision-making is a powerful one.

The three stages of level four follow the same pattern as the previous levels. An opening occurs when the worker/organisation is ready to let children join in its decision-making processes (which may require a greater degree of willingness to accept change than the previous levels). Opportunities arise when a procedure is established to make it possible for children to join in decision-making. Again this may require significant changes in the way an organisation is run. The times, venues, procedures, paperwork, jargon, ethos and mode of operation of most decision-making committees are extremely un-child-friendly. It tends to be easier to involve children in decisions relating to local projects and activities (behaviour code in a play centre, or program of activities at an after school club, for example). It is more difficult to find non-tokenistic ways to involve children in planning and policy-making at regional or national level (Shier, 1998).

The third stage, obligation, is achieved when the organisation makes it a policy requirement that children must be involved in decision-making and therefore commits itself to overcoming the obstacles that stand in the way of this.

Level 5: Children share power and responsibility for decision-making

There is, perhaps less of a clear distinction between levels four and five. The difference is more a matter of degree. At level four, children can be actively involved in a decision-making process, but without any real power over the decisions that are made. This occurs, for example when young people are given a number of seats on an adult committee. If they are confident and articulate, they can put forward their views, and the adults will generally listen respectfully. However they are clearly outnumbered and the adults have an effective veto.

To fully achieve level five, therefore requires an explicit commitment on the part of adults to share their power, that is, to give some of it away.

As with level four, there is no obligation under the United Nations Convention for adults to share their power with children. Decisions about how and when to share power must be based on the risks and benefits of doing so. The benefits have been mentioned earlier and many of these will be multiplied when children have the experience of genuinely sharing decision-making power with adults. It is particularly important that, at this level, we are talking about sharing power and *responsibility* for decisions. There is always a risk that a decision made in this way may have adverse consequences, and then adults and children also have to learn to share responsibility for the decision.

This model makes no suggestion that children should be pressed to take responsibility they do not want, or that is inappropriate for their level of development and understanding. However, in practice, adults are more likely to deny children developmentally appropriate degrees of responsibility than to force too much responsibility on them.

A sound policy is to look for areas where, weighing up all the possible risks and benefits, it is appropriate for children to share power and responsibility for decisions, then to make this happen in a supportive environment. As with any innovation in practice, the outcomes should be monitored, so that the policy can be reviewed and adjusted if necessary.

At level five the opening occurs when the worker/organisation is ready to share decision-making power with children. Opportunities arise when there is a procedure that enables this to happen, and an obligation is created when it becomes the organisation's policy that children and adults should share power and responsibility, at least in certain areas of decision-making.

This covers the five levels of the model. It differs form Hart's model in that there is no separate level where children make decisions independently of adults. This happens all the time, especially in play projects; indeed the opportunity to do one's own thing without reference to adults is part of the essence of children's play. Whilst the importance of opportunities for children's independent decision-making must be recognised, it does not fit neatly into this model, since the model identifies levels of participation through modes of interaction between adults and children.

Using this model as a practical tool

I hope that by presenting an ordered sequence of fifteen questions, this model will serve as a usable tool for individuals, teams and organisations working with children. In using the model, it is probably not helpful to see it as a point-scoring exercise, just ticking off as many boxes as possible.

The most useful discussion will probably occur when the answer to a question is "no". Then it can be asked:

- "Should we be able to answer yes?"
- "What do we need to do to answer "yes"?"
- "Can we make these changes?" and …
- "Are we prepared for the consequences?"

Working with this model could thus be a useful first stage in developing an action plan to enhance children's participation in all kinds of organisations working with children.

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