

THE RIGHT WAY

A Children's Rights Approach for Social Care in Wales

A Children's Rights Approach is a principled and practical framework for working with children, grounded in the UN Convention on the Rights of the Child



Making rights
a reality

THE RIGHT WAY

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WHY A CHILDREN'S RIGHTS APPROACH?

Foreword by Professor Sally Holland, the Children's Commissioner for Wales

As Wales' children's champion I aspire to a Wales where all children and young people have an equal chance to be the best that they can be. Whilst many children live safe and happy lives, in 2020-21 we all experienced huge changes in the way we live our lives with the Coronavirus Pandemic, requiring us to adapt very quickly to new ways of doing things.

Children across Wales had many of their rights directly impacted by this, in terms of how they play, see family and friends, go to school, clubs and access support, if they need it. Children's experiences will have varied enormously throughout the year, and our [Coronavirus and Me Surveys](#) with young people in Wales sought to explore this. Some have adapted well to the new ways of doing things, however for some children, they have felt isolated and unsettled with many families facing new pressures and uncertainty. Those working in social services will be acutely aware of the pressures children and families may be facing at this time. Never before have we needed to be so mindful of children's rights and how to protect these in the face of change.

Social services have worked hard to adapt to new ways of supporting children and families and this guide has been developed during the Coronavirus Pandemic. My team and I heard of many excellent examples of how services have worked hard to engage and listen to children, keep them involved in the delivery of their services, hear their experiences and adapt their support in a way that best suits children. We also heard how some groups of children faced greater pressures during this time, such as young carers who have taken on more responsibilities, care-experienced young people who have been unable to see their birth families as regularly and care-leavers who have found themselves isolated. We also heard of the powerful commitments of those supporting vulnerable children to keep engaging with children and to protect their wellbeing in this difficult time.

The Right Way:

Social Care has been developed with children and professionals across Wales who have experience of the social care sector. Following a number of virtual workshops with professionals and children (including one virtual sock puppet workshop!) we heard many examples of how services are implementing a children's rights approach, both in the delivery of services and in individual practice, as well as some challenges. The guide aims to share the common approaches used by services when implementing the principles of a children rights approach. It also includes advice and guidance from young people on what is important to them when developing relationships with those working to support them. This document has been developed to give Social Workers, Independent Reviewing Officers, Service Managers, Participation Workers, Children's Guardians and the many other professionals working to support children in a social care context, practical, real-life examples of how children's rights can be further promoted in everyday practice.

As a registered social worker I am proud that in Wales all those carrying out the functions of the Social Services and Well-being (Wales) Act 2014 bear the duty to pay due regard to children's rights. This guide aims to further strengthen this responsibility by bringing to the fore examples of how services are promoting rights for children in a bid to share inspiring case examples of how this duty is carried out in everyday practice.

The examples in this guide are a culmination of established good practice and some new ways of working. Children's rights have remained in place throughout the pandemic - but the ways in which they have been supported to access them have had to change. These examples demonstrate how a children's rights approach, when placed at the centre of our ways of working, can provide stability even when society is rapidly changing.

INTRODUCTION

A Children's Rights Approach is a coherent, politically neutral and practical framework for working with children, grounded in the United Nations Convention on the Rights of the Child (UNCRC). It is a durable approach that withstands social change.

It is about placing the UNCRC at the core of a child's experience when receiving care and support from children's services and it puts their rights at the centre of how those services implement decisions about a child's life. A children's rights approach can also be applied to how services include children in the planning, policies and practices of an organisation. This guide provide ideas for individual practice with children and young people as well as tips for developing organisational practices.

A children's rights approach can help to deliver better outcomes for children and their families as well as giving a supportive and coherent framework to practitioners in what can be a challenging area of work.

The framework of a children's rights approach helps organisations consider what they are already doing to support and promote children's rights, and also identify gaps and areas for development.

Policy and legislation on children in Wales is underpinned by the UNCRC. The Rights of Children and Young Persons (Wales) Measure 2011 and the Social Services and Well-being (Wales) Act 2014 all establish duties on public authorities that contribute toward the realisation of children's rights. The participation and involvement duties of the Well-being of Future Generations (Wales) Act 2015 also serve to further underpin this. A Children's Rights Approach is consistent with the duties placed upon those working in the social care sector, and will help those professionals meet their statutory duties. All professionals working with children should consider ourselves 'duty-bearers' in relation to the UNCRC. In other words we have a duty to support children to access their rights.

Social services staff at all levels work tirelessly to keep children safe and promote positive outcomes for some of the most vulnerable children in society. The work of children's social services takes many forms for children; from brief interventions with families to child protection work, supporting children with particular needs to becoming corporate parents for some. At

the core of this work is the need to work in a child's best interests, to support children to live safely and have their needs met. However, we know that social care professionals make difficult decisions each day for children and their families. This often means that a range of rights have to be weighed up and balanced, including rights to be listened to, to a family life, to safety from harm and for children to be supported to achieve their potential.

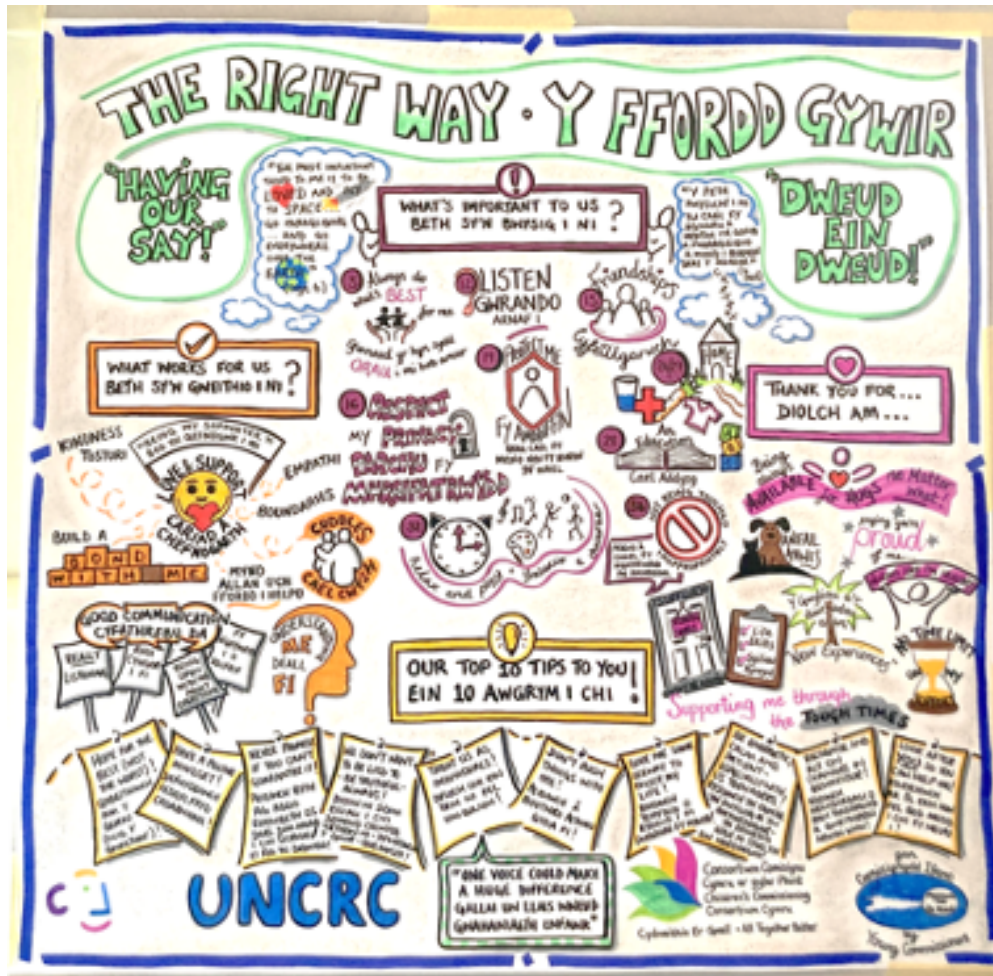
Often, rights work is taking place in services and in individuals' practice, even when not labelled as such. The driver of social work is to support children and keep them safe, which is linked strongly to Article 3 of the UNCRC – to always do what is best for a child. However, children have many other rights too. In our discussions with children and professionals when preparing this guide, it seemed harder to demonstrate how all the rights of children were being promoted and proactively considered in reaching decisions. Whilst professionals aim to make decisions which support rights and which support a child's best interests, children don't always feel this is clearly explained to them. Children informed us that at times it doesn't feel that their other rights are given the same regard and consideration, such as rights to have their say and be listened to (Article 12), to have information (Article 13) and rights to privacy (Article 16). This guide aims to support practitioners to build children's rights thinking throughout their everyday practice and to support young people in receipt of social care services to be aware of and access all of their rights under the UNCRC.

What did children and young people tell us was important to them?

Throughout The Right Way Social Care Project, we engaged with children who were receiving support from their local social services. Some were care-experienced, some had been adopted and some attended young carers' support groups. They shared with us what were important qualities in an adult working to support them and how they would like to be treated when interacting with supporting adults;

Children shared with us their experiences of relationships with professionals and had common experiences of wanting honesty from professionals, and to be seen as an individual, listened to and understood.

- "Keep our confidentiality (to an extent) and help us build a good relationship with you."
- "A child may not understand the situation as well as much as an adult would"
- "Don't treat young children (7 or 8) as babies and just as normal"
- "Don't speak to me like a baby."
- "Be patient"
- "Put us first and listen to us before another adult speaks"
- "Be my advocate. Help put our voices across and be supportive in times of need."
- To speak freely: Freedom of speech is important.
- "Don't pressure someone, be very caring and take into consideration that some people have been through a lot and may need some extra support. Be kind and you shouldn't assume before you know everything."
- "Being an education advocate: Listened to my opinion. I sometimes need a break as some teachers in the past have said I don't do enough to have one."
- "Speak to me with respect to be spoken to with respect"
- "Speak like they want to be spoken to"
- "Just be honest, I just want to know"
- "It can't be the same for everybody, has to be treated as an individual case."



For children, communication and confidentiality were important to them. Children did not want too many adults involved in their care and support, as building trusting relationships was very important to them. Trusting and respectful relationships helped develop accountability for children on an individual level. Trust can be built by honesty, including being told when something hasn't been able to happen. Children told us:

- “Too many people are involved in my case on times – Universal credit – I had everyone in one office calling me!”
- “Communicate between each other! I had a long term social worker and a generic one and they didn't know they both existed!”
- “Even if you can't get something done- explain that to me”
- “Always keeps in contact, be there for us not only when we need them”
- “They explain even if they can't do what I've been asked. I like to know they have tried and failed rather than thinking they don't care about me”

For many children and young people, their main messages were about forming trusting relationships, getting good quality information, getting feedback on what has been done with their views and having a broad range of rights upheld, including privacy, information, right to family life.

A 'CHILDREN'S RIGHTS APPROACH'

The model set out in this guide has been developed with professionals and children from across Wales, working in a variety of social care settings. It is designed to be applicable to both statutory and non-statutory provision involved in the delivery of children's social care. Our case studies illustrate practice that can be adapted to suit different services and can be modified to support children of different needs and ages.

Many services will already have procedures and practices in place which are consistent with a **Children's Rights Approach**. In the development of **The Right Way; Social Care**, we held workshops with professionals from across the sector who shared the approaches present in their services, as well as discussing the shared challenges they faced in adopting a children's rights approach. These discussions have been central in shaping this guide. We recommend that this guide is used in the following ways:

- To help services and individual practitioners map the ways in which they are already implementing a children's rights approach;
- To identify gaps or areas for further development;
- To be inspired by our case studies and stimulate innovation.

A Children's Rights Approach is a framework for supporting children's 42 rights under the [UNCRC](#).

The five principles of a Children's Rights Approach are:

- **Embedding children's rights**
- **Equality and Non-discrimination**
- **Empowering children**
- **Participation**
- **Accountability**

Embedding children's rights

Embedding children's rights means deliberately and systematically using children's rights in the language an organisation uses, ensuring that staff understand children's rights through training and development, and integrating rights thinking into service development.

Embedding rights in these ways mean that staff understand that they are duty-bearers; in other words they have a professional duty to uphold and promote children's rights. It also means that children and their families hear the clear message that they receive services they need because they have a right to the support they need to achieve their potential. This avoids a deficit approach and sends an important signal to children of their inherent worth no matter what life's thrown at them.

What did professionals tell us?

In our discussions with professionals, some explained how rights training for all levels of staff had helped to embed an understanding of **rights across** the service. Others had found that providing training of rights such as during induction or under-graduate/post-graduate training, helps embed rights awareness at the earliest opportunity. Others noted how **explicit links to rights in policies** helped support rights-aware practice across the organisation.

Some felt that rights work is very often taking place within their organisation on a strategic level, but it was more challenging to link rights work to everyday practice – this often depended on individuals' awareness of rights. Some professionals noted that as formal or statutory assessment templates are not always designed to demonstrate clear consideration of rights to be evidenced in decision making, practitioners are not always encouraged to make direct links between the rights of children (and how they promote these) in decision making, despite considering them in practice. Compounding this were concerns that constraints on practitioners' time and resources were seen as barriers to thorough application. Ways of combating these barriers can include having **links to rights made in documents or tools** used in everyday practice, in office displays such as posters. Some organisation use **Charters for Children** to display in children friendly language how children can expect their rights to be respected when using the service.

The most effective embedding of rights will happen when all agencies who work together to support families share the same values and understanding of rights. Practitioners shared with us that a partnership approach is hugely important for children to enjoy consistent recognition of their rights, and that different agencies should work together to meet the holistic needs of children.

Quotes from Professionals;

'We have embedded a children's rights training session into inductions for new staff'.

'Getting rights at a senior level is essential'

'We can often face challenges in terms of processes to follow and having funding approved by the group manager, where the social worker has to 'make a case' and justify why they think a child needs a particular service or short break in order for their needs to be met.'

Wrexham – Embedding The Right Way, The Adoption of a Children’s Rights Approach by Wrexham Council

Following work with Wrexham Public Service Board (PSB), Wrexham Council agreed to pilot The Right Way. This work was supported by the Children’s Commissioner’s Office and a pilot developed in four Wrexham County Borough Council departments; Children’s Social Care, Adults Social Care, Housing and Economy and Education.

Wrexham’s project team and staff worked hard to complete the self-assessment with most of the team managers in Children’s Social Care and in Adult Social Care, as well as with the Departmental Management Team amongst other services; workshops were held with senior management and an intention to embed Children’s Rights in strategic plans and the development and trial of a new Children’s Rights Impact Assessment Tool were made. The pilot has raised awareness of Children’s Rights and the need to adopt and implement The Right Way and there is a real willingness to engage with this agenda in Wrexham, with high-level support.

A number of external challenges including internal inspections, changes in leadership and the global pandemic affected the pilot’s aims. Despite this the PSB has prioritised a sustained focus on children and young people, inequality and the environment as being critical to Wrexham’s recovery post-COVID-19, so there is an opportunity and a commitment on partners to really do things differently.

Post-COVID-19 may bring unknown opportunities for a focus on Children’s Rights in Wrexham Council and an increasing focus on continuous learning could lead to the development of a UNCRC action learning set to develop easy, quick actions to make small steps in the right direction on a regular basis.

By involving senior leaders and winning the hearts and minds of senior leaders, the commitment to a Children’s Rights Approach has been able to embed across the Service

Practical ways to embed children's rights in a social care setting;

- Ensure all policies and internal documents are underpinned by and explicitly mention the UNCRC. Reference to rights should be explicit and incorporate standards such as the National Participation Standards for Young People.
- Ensure that staff, senior leadership and council are aware of children's rights and how they can be upheld in everyday practice, individual roles and the delivery of the service.
- Secure executive leadership support for embedding rights language, and consider developing a Children's Charter or other form of organisational commitment to children.
- Adopt a whole service approach to accountability to create a culture that understands and respects children's rights. Senior managers should ensure training programmes on rights and rights issues should be prioritised; this includes regular and consistent refresher training, and incorporating data and research into training.
- Explore how consideration of rights can be routinely embedded into the questions or approach for statutory assessment planning and review procedures to reinforce consideration of rights at every stage of a child's experience. This can help make links between embedding rights strategically and within individual practice.
- Identify key individuals and/or a team with responsibility to act as champions or designated lead on children's rights, who are able to support other staff to develop their practice.
- Carry out an initial and then regular audit of all policies to assess compliance with the values of the UNCRC, as well on-going evaluation of practitioners' demonstration of their knowledge and understanding of children's rights across the service.
- Allocate sufficient human and financial resources to support the setting to implement a children's rights approach.
- When decisions are made to change policies or services conduct a children's rights impact assessment (CRIA) on the proposals.
- In commissioning contracts, ensure providers and services commit to upholding children's rights and ensure this is embedded into service agreements.

Some practical ways to embed children's rights into everyday practice;

- Use rights language in your everyday practice with children and their families. For example, 'You have a right to be listened to and taken seriously. That's why I want to meet up and hear more about.....'
- Use rights language to advocate on behalf of the children and young people you are working with. For example, 'She has a right to the support as she needs to recover from the abuse she experienced (article 39, UNCRC) therefore there is a strong case for providing this psychological support.'
- Encourage consideration of children's rights in team discussions and supervision sessions.

Embedding rights directly into policies and practice in ways like the examples set out above will contribute towards the delivery and realisation of the following articles of the UNCRC:

- Article 3; Everyone who works with children should always do what is best for each child.
- Article 13; Children's right to have information.
- Article 42; The government must let children and families know about children's rights

Equality and Non-Discrimination

Equality is about ensuring that every child has an equal opportunity to make the most of their abilities. It is about ensuring children can develop to their fullest potential, and that no child has to endure poor life chances because of discrimination. Much of the work social services do for children is to help level the playing field for children who experience disadvantages. Services should be designed with the support needs of children at the centre. However, not all children will access this support in the same way and some will experience additional barriers due to poverty, racial prejudice, being disabled and other forms of inequality and marginalisation.

What did practitioners say?

Practitioners will be familiar with the Equality Act 2010 protected characteristics. However, from our discussions it was not always clear how services were strategically embedding the principle of equality and non-discrimination.

In the workshops we held with children and professionals with social care experience, the principles of equality and non-discrimination were discussed at length. Professionals raised how they felt some groups of children were less likely to enjoy their rights than others. For example, children with disabilities were a key group that professionals recognised did not always get the chance to take up all their rights and may require additional support in accessing them.

Others recognised that care-experienced children who are placed out of county face additional barriers when seeking entitlements or support, perhaps with accessing school, seeing family or engaging with participation networks. Others discussed the needs of children of Black, Asian and minority ethnic backgrounds and how services may need to adapt to ensure they are fully inclusive of these groups of children.

Openly acknowledging barriers can feel exposing to some at first, but the important step is to then work to address or overcome those barriers rather than just stating that they are there.

For children, discussion about equality and non-discrimination was about being seen as an individual, and being supported in a way which was respectful and free from assumptions and prejudices.

Embedding the principle of equality and non-discrimination is about acknowledging this and that for some children, a universal offer of support may in itself not be equally accessible. In order to fully embed this principle, services must engage with the children they support, understand their varying needs and ask questions about representation and inclusion. They should also critically scrutinise their data on accessing their services and outcomes to look for any trends or patterns. Following this, it is about putting in practical steps to overcome any challenges that may be present.

Quotes from Professionals;

'Some children face digital disadvantages'

'It can be challenge to engage with care-experienced children who may have a disability'

'Do an internal audit. What position are you in? If you don't know how can you make sure there is no inequality and discrimination?'

'How can we recruit so that officers have a good understanding of engaging marginalised groups?'

'Children are sometimes discriminated against - access to education, access to schools, a lack of aspiration. How do we set a baseline? How do we adapt and tailor services so ALL children are able to access and enjoy their rights?'

Practical ways for services to put the principle of equality and non-discrimination into practice

- Include a clear commitment to promoting equality and tackling direct and indirect discrimination against specific groups of children in all significant policies, and share this as a clear and consistent message across the service.
- Undertake [Children's Rights Impact Assessments](#), which incorporate analysis of equality issues, to consider how decisions at service level may impact different groups of children and what steps will be needed to mitigate this.
- Provide space for practitioners to understand and discuss challenges of equality and non-discrimination. For example, this can take the form of reflective opportunities to discuss cognitive bias and the use of oppressive language. Provide opportunities for training to help staff better understand the needs of specific groups.
- Gather relevant data, including disaggregated data, to enable identification of discrimination or inequalities to identify children who may be discriminated against in policies and practice.
- Develop trusting and reciprocal relationships with specific interest groups for children and parents, particularly those who are often marginalised, to help understand the barriers or challenges they face when accessing support. Build on their experiences to promote more inclusive practice and targeted support.
- Ensure a variety of media and approaches are used to engage children and that information is tailored accessibly in a way that best meets their needs.
- Recognise that it may take time to find a way to work effectively with a child experiencing barriers; build this in to caseload expectations.

Some practical ways for individual practitioners to put the principle of equality and non-discrimination into practice

- Be aware of power differentials in meetings and assessments and consider ways to assist children and their families to be able to fully participate.
- Ask about communication preferences, including preferred language and style of communication.
- Consider literacy and cognitive levels when communicating in writing or speech and adjust accordingly. Avoid jargon or acronyms.
- Avoid hetero-normative assumptions and gender stereotypes when talking with or about children and young people. For example asking if they have a boyfriend/girlfriend or talking about 'typical' girls or boys.
- Understand that Black, Asian and other minority ethnic children and their families will have experienced racism, whether direct or indirect, and hear and where necessary act on those experiences.
- Acknowledge that some groups and communities have a history of poor experiences with public bodies and that this will impact on their ability to trust your intentions to support their rights. This includes Gypsy, Traveller and Roma communities and some refugee families who have fled war or oppression.
- Poverty is an overwhelming experience for many families receiving social care. Make income maximisation a goal by providing or arranging debt counselling and benefits take up.

Implementing these practical tips will directly contribute to breaking down equality and discrimination barriers, and towards the delivery and realisation of the following articles of the UNCRC:

- Article 1: Everyone under 18 has these rights.
- Article 2: All children have these rights no matter what.
- Article 5: Governments should help parents to help children to know about and use children's rights as they grow up.
- Article 8: The government should respect children's right to a name, identity, nationality and family.
- Article 22: Refugee children have the same rights as children born in Wales.
- Article 23: Children have a right to special care and support if they have a disability so they can lead a full and independent life.
- Article 27: All children have a right to a good standard of living.
- Article 29: All children have a right to become the best they can be.

Case study: Empowerment, equality and non-discrimination; Jig-So, Swansea Social Services and the Swansea Bay Midwifery unit Partnership

Jig-So is a team of midwives, nursery nurses (health), family facilitators and early language development workers (Local Authority). This partnership project has been developed to support young parents with their parenting journeys, many of whom are 18 or younger. They provide ante-natal and post-natal support to parents, and provide spaces for parents to support each other as peers. Young parents often feel that they face discrimination due to stereotypes and assumptions about their backgrounds, behaviours and capabilities.

We met with parents receiving support from Jig-So. They shared how the project had empowered them through their personal support, such as helping to advocate for the parents and child when required and giving time and practical tips to parenting. This joint project is a positive example of how services can work together to empower young parents through targeted support. It also demonstrates how services have worked to promote equality and non-discrimination by supporting families to reach their potential.

Empowering Children and Young People

Human rights should empower children. Empowerment means enhancing children's capabilities as individuals so they are better able to take advantage of rights, and to engage with, influence and hold accountable the people and organisations that affect their lives.

Children need to understand that they have rights and to have positive experiences of receiving them to help them feel empowered.

Those working with children in a social care context have a duty to help ensure children know that they have rights, have real opportunities to take them up and feel empowered by their rights. This takes many different forms for children; from using rights language with children, to making sure they can see their rights reflected in their interactions with professionals and the support they receive, to having their rights protected when they are faced with barriers to accessing them. This element of a children's rights approach is about making rights a reality for children.

Children who receive support from social services may not always feel empowered if they believe decisions are made about them, as opposed to being made with them. This was clear from the conversations we had with children – they wanted to know why decisions were made and to be fully included in the decision making. Children told us that at times, they will not always receive the outcome they wanted, but they want to know how that decision was made.

Empowerment changes the relationship between children and adults in social care settings. This is because it means adults handing over or sharing decision making with children. This principle applies equally to younger children and should be seen as an important contribution to the development of the child (guaranteed by Article 6 of the UNCRC). Whilst many practitioners will make difficult and sensitive decisions regarding children and their families, the use of age-appropriate, inclusive and terminology free language can help break down barriers to communicating why decisions have been made.

For children, empowerment was about being supported to participate, understand rights and be supported to exercise these rights.

- “Adults can help by taking steps to help improve our situation, and being patient”
- “They make me feel safe. When we were little we couldn't live with our mum we had to be safe with someone else. They helped me feel safe.”

What did professionals tell us about empowerment?

- “Empowering children doesn't always have to be technical. Empowerment can be the things you do as an adult to provide opportunities and experiences for children to grow and make decisions, and doesn't always have to be rooted in technical rights language.”
- “The importance of trusted relationships cannot be underestimated”.
- “Facilitating platforms for children means taking opportunities to where they are. Children have been more comfortable, and available, during lockdown via remote platforms such as whatsapp/zoom. This has removed barriers for some and increased contact with some children who have been harder to reach in the past.”
- ‘Explore with children prior to their reviews what they feel their priorities are... they can tell us how they want their review to be conducted and who they want present’.
- ‘A lack of understanding in some services can be a real barrier to children thriving and having opportunities’
- “Use of advocacy is fairly well managed and fairly widely accessed, though the impact of children's views and rights upon their care planning can be hard to evidence.”
- “[Some] practitioners frequently are risk centred and this prevents children and families developing their own solutions to the difficulties they present with.”

Practical ways for services to put the principle of empowerment into practice

- Provide children with accessible information and education to develop their understanding of their human rights. There are many resources available to support this: www.childcomwales.org.uk/resources/
- Provide children with opportunities and the skills to engage with and influence services' policies and processes. Offer training and information accessible to children and establish clear guidelines for how children will influence decisions.
- Make data gathered about children available to them in an appropriate way so that they can share decision making about the services' priorities and strategies.
- [Provide children and young people with opportunities to act collectively to develop ideas and proposals, to take action and to influence decisions.](#)
- Consider how all children can take part, for example, ensure that there are mechanisms by which children who use the service can be genuinely representative of views held by other children, for example by enabling groups to discuss agenda items prior to meetings.
- It is equally important that children on an individual level feel empowered to challenge decisions made by a service. This is more than just about making complaints; children need to be routinely involved in the decisions made about their lives (more on this is discussed in the accountability principle below).
- [Proactively identify opportunities for children to take decisions according to age and maturity, including opportunities to make significant choices which transform their lives, and inform children of these opportunities. This is about presenting options to children and helping them be empowered to determine their own actions.](#)
- Provide children with accessible information about local and national services and the Children's Commissioner. Our Ambassador schemes will support this: www.childcomwales.org.uk/our-schemes

Practical ways for individual practitioners to put the principle of empowerment into practice;

- Children (and adults) feel disempowered when they don't think they will be listened to, when they don't trust those they are working with and when they don't have faith that positive change will happen. When children are feeling disempowered they may not feel motivated to take up their rights to say what they want and need, to take part in decision-making and to engage with services on offer.
- Empowerment is based on developing trusting relationships. Trust is developed by being seen to be fair, honest, reliable and caring. Being back in touch when you say you will be, even if it's to explain that a decision has not yet been taken, is important to young people.
- Work with children and young people to identify what information they are missing and what information they would like to receive. Work could be done with young people to produce information for others.

When children are supported and empowered, the following Articles of the UNCRC will be engaged and delivered:

- Article 2; All children have these rights no matter what.
- Article 13; Children have a right to have information.
- Article 19; Children should not be harmed and should be looked after and kept safe.
- Article 20; Children should be looked after properly if they can't live with their family.
- Article 25; Children who are not living with their families should be checked on regularly to make sure they are okay.
- Article 36; Children should be protected from doing things that could harm them;
- Article 39; Children should get special help if they have been abused or experienced trauma.

Empowerment; supporting children to take up their rights

Safe Stars, TGP Cymru, Ceredigion

The Ceredigion Safe Stars are a Junior Local Safeguarding Children's Board representing children and young people across Ceredigion. The young people range between the ages of 11-18 and meet on Zoom fortnightly. They aim to promote and raise awareness of keeping children and young people safe, ensuring they are supported and that their rights are upheld. They also work to ensure that children and young people's voices are heard, that they are being listened to and are included in decision-making processes that affect them at a local level.

Safe Stars feed into the Mid and West Wales Senior Safeguarding Board (CYSUR) and meet with other Junior Safeguarding Board's across Mid and West Wales (CADW) to ensure that young people are supported and are safe and healthy.

The Safe Stars have helped contribute to many important projects such as making a film about Advocacy with TGP Cymru. They have also created many resources such as a Safeguarding Rap, a 'Stay home, Stay Safe and Drink Tea' video during the COVID-19 Pandemic and also during their time at home, organised 'Safe Stars vs the Professional' online sessions. The group took part in several Question & Answer sessions with a variety of professionals whose role is to safeguard children and young people across Wales including a Police Officer, Nurse, Head Teacher and The Children's Commissioner, Sally Holland.

Participation

Participation means listening to children and taking their views meaningfully into account. All children should be supported to freely express their opinion; they should be both heard and listened to. Their views should be taken seriously when decisions or actions are taken that affect their lives directly or indirectly (as guaranteed by Article 12 of the UNCRC).

Participation can take place in different forms, appropriate to different circumstances. Children should be supported to take part in decisions that contribute to their lives, shape the services they use and the communities in which they live. Children should be encouraged to openly share their views, wishes and feelings and receive appropriate information and support on how to achieve this.

What did professionals say?

We heard of many positive examples where services had developed groups for children to participate in the delivery of the services they use and positive examples of how children are being empowered to participate in decisions regarding their own lives. Many services had participation champions. Not all, however, were sure as to how their services demonstrated how participation had led to tangible changes in the service, and how they were able to feedback to children how their contributions had been taken in to account and helped deliver change.

For many children who receive support from their Social Services, the Active Offer of Advocacy has been an important step in the systematic inclusion of children's wishes and feelings in the decisions that impact their lives. Many professionals in our workshops welcomed this entitlement for children, but recognised that more was needed in addition to this to be sure that children were encouraged to be actively involved in their care and support. Reporting back to children and informing of the changes they have invoked was an area that few services have robustly developed.

Children's views will need to be taken into account and given due weight in light of their age and maturity, but young age or relative immaturity is no reason for discounting children's opinions or for giving them less attention in decision-making processes. Children reinforced this message in our workshops. Children should be fully informed and given opportunities to be involved in decision making. It should be clear how children have influenced decisions and how their views have been taken into account, with feedback always given to the children who are involved in the process. Participation should not be understood as an end in itself, but as a process, which is safe, enabling and inclusive, and which supports dialogue between children and professionals.

The [National Participation Standards](#) which are supported by Welsh Government can help organisations to deliver effective participation.

Quotes from professionals;

'Participation is not just about setting up groups - it is about children participating in their own care with social worker or key worker'.

'Plans, assessments and statements should be written to reflect the voice of the child and be addressed to the child.'

'When working with families we use a framework that involves the children and young people. We gather the thoughts and views of children and young people and ensure that these are incorporated within and used to create the agreed action plan.'

'Accessing advocacy for children who are non-verbal or have disabilities is a challenge. We often have to reply on parents or carers to advocate on behalf of the child.'

Empowerment; supporting children' right to information

YoVo and Lleisiau Bach/Little Voices, Neath Port Talbot Children's Services;

YoVo is a youth council of care-experienced young people in Neath Port Talbot. The group collaborated with Lleisiau Bach/Little Voices to undertake research with care-experienced young people to ask about the information they received before meeting and living with new foster carers. The young people's research found that 30% of children were not given prior information about foster care. Before meeting foster carers less than 25% of children had information on things like, siblings living with them, location or where they would go to school. Children wanted more information BEFORE they go in to foster care.

YoVo presented their research to Neath Port Talbot Corporate Parenting. As a result, foster carers are now asked to update information booklets. These are given to children and young people before placement. Social Workers make sure booklets are kept up to date.

Practical ways for services to put the principle of participation into practice

- Recognise that there are different levels of participation, relevant to different circumstances. A participation model can help clarify the degree of ownership that young people will experience in each process. A participation strategy supported by a robust children's rights impact assessment will help guide the service on embedding of this principle.
- Include a clear commitment to participation of children in all significant policies, proposals and service developments;
- Provide a platform for children's voices to be reflected in all areas of practice that affect the child's life. This can include development panels and forums. Examples were shared where involvement was evident in a range of areas including recruitment and policy development.
- Through the use of templates and forms, such as for statutory meetings and reviews ensure that children receive information on how they can be involved in the development of their own plan and assessments. Ensure this is an integral part of the process and monitor its take-up. Ensure this is taken up meaningfully by children in an age appropriate way.
- Explore how reviews and assessments can be delivered in an age appropriate way and share best practice. Ask children about their experiences of reviews and assessments and develop them in ways that will help children feel comfortable to contribute to them.
- Provide feedback to children and staff on the outcomes of children's involvement, highlighting any changes brought about by their participation.
- Ensure that resources (human / financial) are identified to support meaningful participation.

Practical ways for individual practitioners to put the principle of participation into practice;

- Provide opportunities for children and young people to be listened to. Tools and exercises can help structure this but so can spending time doing an activity with a child or young person, or simply going for a walk together.
- If a child or young person is finding it difficult to express their views as part of your assessment or routine contact with them, ask them how they'd like to be heard. Some might prefer to write down or video/audio record their views, perhaps with the help of a foster carer, parent or teacher. Remember to offer an advocate too.
- As discussed under the 'accountability' principle below, it is vital to provide a feedback loop, so that children and young people know what you have done after listening to their views.

When children are encouraged and enabled to participate, at a service development and individual level, the following Articles of the UNCRC will be engaged;

- Article 12; Children have a right to say what they think should happen and be listened to.
- Article 13; Children have a right to have information.
- Article 15; Children have a right to meet with friends and join groups and clubs.
- Article 29; Children have a right to become the best that they can be.
- Article 30; Children have a right to use their own language.

Participation – supporting children to take up their rights.

Pitchin', in the Kitchen, Swansea Council in Partnership with Mess Up the Mess Youth Theatre

Pitchin', In the Kitchen is a set of activity packs designed to build relationships and combat feelings of isolation that young people have seen as a priority during the Coronavirus pandemic lockdowns. These packs were created in collaboration with the amazing Care Experienced young people of Swansea, Swansea Children's Services Team and Mess Up The Mess Theatre Company, as part of a Well lawn project funded by the The National Lottery Community Fund. In the midst of COVID-19 lock-down, Mess Up The Mess had the pleasure to meet a wonderful group of young people over Zoom. This was a very different way of working but still a lot of fun. Young people were missing connection and how it is vital that in the future we start connecting with friends and family more. They also said it needed to involve food!

The pack was created in partnership with a talented team of artists, and cake designers to make the young people's vision come true. The young people have been vital to designing this pack from start to finish. The pack contains a number of activities including opportunities to have fun, bake together, play together, and laugh together – in either the real or virtual world.

Anyone who would like to check out the tasty recipes or fun activities that bring people together and make them feel extra special, you can find Pitchin', In the Kitchen at www.messupthemess.co.uk/pitch-in/

This project is fundamental to the principle of participation, not only in listening to what matters to children and young people, but also in supporting them to feel connected and part of a community, in times where it is easy to feel isolated.

This work has also been instrumental during lockdown for social care practitioners, who have made effective use of it to build rapport and relationships with children, young people and families, where they usually do so face to face.

There is the potential to continue to use these methods in the future – either as face-to-face activities or to bring together groups of children who are geographically isolated through video calls.

Accountability

All staff working to support children in a social care context will have responsibilities and take decisions and actions that impact children. As corporate parents, these are statutory duties, and decisions must be made in a child's best interest. Without clear lines of accountability and adequate information provided to children on why these decisions have been made, some children and their families can be left feeling disempowered.

Children should be provided with information and given access to procedures which enable them to question and challenge decisions that have been taken, should they wish to. For this to be effective, services need to be transparent and provide reasons for their decisions and actions. Wherever possible these should be linked to children's rights. To obtain any right a child must know they are entitled to it and be able to actively claim it, including when making a complaint or challenging decisions and actions. Accountability means holding decision-makers to account, which requires information and data on performance against children's rights standards.

What did professionals say about accountability?

In our workshops with professionals, many talked about how their services had processes in place which enabled children to provide feedback, which was used for service development. However, few shared examples of how children on an individual level could hold the service/professional accountable for the decision made. Professionals talked about how there are collective duties and collective input into decision making, creating challenges in accountability on an individual practice level. This might include reinforcing or explaining a decision which they did not make. Many practitioners associated accountability with being 'open and transparent' with young people, recognising the complexity of involving/not involving children in receipt of social care, in decisions that affect them. This was particularly relevant for those in receipt of statutory social care, where often decisions are made to protect children's safety.

Quotes from Professionals;

'Create minimum expectations with children and young people'

'Do children know where to go? Do we inform children about how they can complain?'

'Complaints aren't a scary thing they are part of an accountability framework'.

Practical ways for services to put the principle of accountability into practice

- Provide opportunities for senior management and, in local authorities, cabinet members to be scrutinised by children.
- Ensure clear lines of accountability are in place in regards to decision making. Ensure this can be communicated to children if required;
- Develop good feedback loops with children and build these into service-wide expectations. Children should understand what decisions have been made in relation to their support and care and how their views have been taken into account. The same principles apply when children and young people have been involved as a group in service development.
- Review policies regarding confidentiality and information sharing and involve children in this process to develop a robust, children's rights informed approach to sharing sensitive information which protects children's rights to privacy.
- Include a clear commitment to accountability in all significant policy statements or other documents such as forms and templates, setting out the vision or key objectives.
- Staff supervision should reinforce individuals' duties to uphold children's rights, so this should be an active part of the regular supervision conversations.
- [Ensure that the service has in place a robust and accessible complaints and feedback process, which children can utilise. Encourage children to use this and promote its existence.](#)

Practical ways for individual practitioners to put the principle of accountability into practice

- Make sure children and young people have all the information they need in a format they can understand, including websites, leaflets, letters written to them or a visual map of the process of decision making and the people involved in their care
- Inform children and young people regularly what is happening with decisions they are waiting for, even if there is no concrete news yet. Offering a video call or phone call is important if you have to cancel a visit or meeting.
- Inform children and young people how their views and preferences have been taken into account
- Take children's complaints seriously. Respond to them as best you can and if they remain dis-satisfied arrange for them to speak to your manager (or whatever the next stage of your complaints process is).
- Don't take for granted that children will understand or know about decisions that have taken place in the past. As well as being of therapeutic importance, life-story work can also be seen as an exercise in accountability. Write your records knowing that children may wish to read these later in their life and understand why and how decisions were taken.

Accountability – Wrexham Social Services

Wrexham Social Services and The Young People's Care Council and Senedd Yr Ifanc

In the course of work on the Children's Social Care Engagement Strategy, it was noted that the Authority did not have a child friendly version of the complaints procedure for children and young people. In order to progress this, they worked with an example from Monmouthshire and young people in Wrexham to develop their own version.

Young people were involved in the content, design and launch. The document demonstrates the Accountability principle of The Right Way approach by providing children with accessible information on the process for making complaints. It makes express reference to the UNCRC as a framework for the process ensuring that both children and adults are aware of children's rights.

When services and individuals are accountable to the children and families they work with, this will enhance or supplement the delivery of the following UNCRC articles:

- Article 3; Everyone who works with children should always do what is best for each child;
- Article 4; The government should make sure that all these rights are available to all children.
- Article 5; Governments should help parents to help you to know about and use children's rights as you grow up.

GETTING STARTED

There is a lot of information in this guide which should be used to inspire new ideas in your own area of practice, service or individual role. However, implementing a children's rights approach is a journey of continual improvement. The guide should sit alongside service delivery and review, with practitioners and managers returning to it periodically to remind themselves and consider what they might change or adapt in their work.

Implementing a children's rights approach is not a case of overhauling everything in one go, and many of the principles may be part of your work already without you even knowing. Starting off with the [children's rights matrix](#) can help map what your service is already doing to involve and support children, and this can act as your road map forward, identifying what works, what can be strengthened and what gaps can be filled if any, to really bring children's rights to each element of your service.

What is important is to actively realise and work towards the implementation of these principles in a systematic way, but every step in doing so is achieving our duties under the UNCRC and bringing children's rights to life along the way.

We keep our case studies and resources up to date and would love to hear how it is going – from practitioners who've implemented a new way of working or from families who have experienced this for themselves, and what it meant or what outcome it was able to achieve. We want to help services to continue to shape and define what a children's rights approach looks like in all corners of our services, and how they are working to make rights a reality in Wales.

Step one: reflect on what your service, organisation or team already has in place to promote children's rights. Our Children's Rights Matrix is available [here](#) and can help you consider how organisations are already upholding the principles of a children's rights approach, and can help you think about what more could be done to strengthen these principles.

Some key questions to consider are below. It is also helpful to think about setting SMART Goals (Specific, Measurable, Achievable, Realistic, Time-Based), to help you strengthen what is already in place;

- **Embedding:** Do we clearly state our commitment to the UNCRC and Children's Rights? Are all staff and children and families aware of this? Could we enhance this with training? Are we allocating enough resource to support our commitment?
- **Equality and Non-Discrimination:** Be explicit in wanting to tackle inequality and potential discriminations. Consider how are we supporting the needs of different groups of children? Are we providing information to children in a language or format appropriate to their age, maturity, culture or disability? Commit to using [Children's Rights Impact Assessment](#) to consider how decisions can affect groups of children differently.
- **Empowering:** How are we informing children about their rights? How can we give them more opportunities to develop their experience, confidence and skills to take up their rights?
- **Participation;** How are we involving children in the services and decisions that affect them? How do we listen to them and hear their views?
- **Accountability;** How do we communicate change to children? How can children hold us to account? How do we inform children about decisions and how their views have been taken into account?

Step two: reflect on the existing opportunities and consider any proposals to strengthen your approach in line with a [Children's Rights Impact Assessment](#). This can be adapted to fit policy decisions or decisions about your own practice. Utilise the practice recommendations in the guide and explore The Right Way Hub for inspiration on how other services are implementing approaches that could work for you. Feel free to contact us with any new developments or approaches which could be shared to help other organisations.

Step three; Adapt, revisit when needed and evolve.

Implementing a children's rights approach is an active process and things will change over time. From a service perspective, you are likely to adapt more as you embark on your journey and learn more about the young people who utilise your services. On an individual perspective, your approach can strengthen with your learning. As we have seen in 2020-21 with the Coronavirus Pandemic, we all must adapt with our approaches to engaging with children. However, if your organisation has a strong structure in place that commits to children's rights and upholds the principles of a children's approach, these principles and the understanding of the needs of children captured through CRIs and effective participation work, can help guide your adaptations. Ultimately, the considerations of children's needs and your commitment to promote equality and non-discrimination in your approach will provide a solid foundation.

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