

# Children and Young People's Participation in Child Protection Conferences.

## Definition of Participation

Participation means that the child or young person is aware of, informed about, and encouraged to communicate something about each child protection process that pertains to them, and that could result in significant life changes being decided on their behalf.

Participation can mean personal contributions at any stage of the process, including Child Protection Conferences, and could take the form of letters, drawings, telephone contact, or having their views represented by others. This can include the child or young person's attendance at any meeting concerning them, whether directly contributing or not.

Hertfordshire Child Protection and Statutory Review Service have now implemented Guidance and Feedback sheets for children and young people. It is the expectation that Social Workers and those working with children and young people will use these for children and young people who are subject to Child Protection Conferences.

## Reasons for Participation

- i. To achieve more effective protection for young people;
- ii. To assist in achieving better and more open working relationships with families and young people;
- iii. To fulfil the young person's right to be involved in and comment upon major decision-making in their lives;
- iv. To participate, even partly, in decision-making meetings may provide young people with a sense of involvement and of taking control in their own lives;
- v. To be in keeping with the requirements and philosophy of the Children Act and Article 12 of the UN Convention on the Rights of the Child:

*"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 them. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial or administrative proceedings affecting the child, either directly or through a representative."*

When a young person wishes to attend a Child Protection Conference and this is

assessed to be an appropriate form of participation, the following policy and guidelines should be referred to.

### **Guidelines for Participation in Child Protection Conferences**

Once a **Child Protection Conference** has been convened, discussion will take place between the Chairperson of conference (Child Protection Chair) and Children's Social Care Team Social Worker in order to clarify:

1. How the young person's views have been elicited throughout the child protection process thus far;
2. What form their participation will take in the conference process in light of their age, understanding and expressed wishes;
3. If the young person's attendance at the conference is considered to be an appropriate form of participation, a clear plan of attendance will be agreed between the Social Worker and the Chairperson (Child Protection Chair) which considers the following issues:
  - i. Confirm that Advocacy Service will be contacted by the Social Worker;
  - ii. The form of participation planned with the young person, i.e.
    1. By providing written information;
    2. Advocate speaks on behalf of young person;
    3. Child speaks directly to the conference;
    4. Child is supported in providing taped comments to conference;
  - iii. Consideration will need to be given to any ongoing civil or criminal proceedings and the implications for rules of evidence, etc.
  - iv. For legal and practical reasons, permission for children to attend conferences should be sought from their parents;
  - v. Consideration will need to be given to parental participation and any conflicts of interest which may impact on the young person's participation;

- vi. Where there is a conflict of interest, the attendance of adults with parental responsibility will take precedence over that of the child. The child's involvement will preferably not be curtailed by parental veto, however, and the type of involvement chosen may solve this problem in some cases;
- vii. Consideration will need to be given as to whether or not a closed section will be required and how this will be explained to the young person;
- viii. Any special needs arising from language, culture, disabilities;
- ix. Venue is booked allowing sufficient time for pre-conference discussions between chair and young person as well as parents;
- x. Consideration should be given to the impact on the child of the formality of the case conference environment and any appropriate adjustments made;
- xi. Confirm that Social Worker will provide all appropriate paperwork and information required to the young person and advocate.

Any disputes will be resolved at Team Manager or Service Manager levels.

### **3. Roles/Responsibilities**

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#### **3.1 Social Worker will be responsible for:**

- a. Assessing and explaining how they have reached the decision about form of child's participation;
- b. Providing the Feedback Guidance and Feedback Sheets to children and young people and assist in completing the feedback and make available to the Conference Chair Person.
- c. Making contact with the advocate in sufficient time prior to conference;
- d. Providing all required paperwork and information in sufficient time to allow adequate preparation;
- e. Negotiating with parents re their participation and how this may impact on the young person's involvement.

### **3.2 The Role of the Advocates**

- a. Advocates will prepare, support and advocate for young people who choose to participate in the case conference process;
- b. Advocates will be child focused and not expected to accept unquestioningly what those responsible for the young person believe to be in their best interests. However, they will take into account authority views of the young person's needs alongside the wishes, feelings and views of that young person.

### **3.3 The Principles of Advocacy Support in Preparing a Young Person would be:**

- a. Ensuring that all appropriate information has been supplied;
- b. Ensuring the young person understands that information;
- c. Helping them explore how they wish their views to be expressed and/or represented;
- d. Exploring their concerns and anxieties;
- e. Offering a view to chair prior to conference about whether the setting is suitable for that young person's planned form of participation;
- f. There is no expectation that advocate involvement will cause any delay;
- g. Debriefing the young person after the meeting;
- h. Discussing with the young person their rights to be heard, but that their view will be one of many.

## **4. The Role of the Chair of Conference**

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### **Chairing Tasks**

1. Where a Chairperson becomes aware that a young person wishes to attend a conference, in consultation with the social worker concerned, they will ensure other attendees are advised;
2. Chairs will consult with the social worker and the young person and/or the conference advocate where young people have asked to attend, about any proposed plan of attendance and to reiterate to the young person that their views will be clearly heard. However, these will be considered alongside other views in reaching any decision;

3. Chairs will consult with parents, if attending, in order to positively facilitate the proposed plan for the young person's attendance;
4. Chairs will deliver an opening statement which will advise conference of the need for attendees to be mindful of their responsibilities in avoiding questioning the young person in a manner which would subject them to evidential enquiry or to hear, read or give new evidential facts;
5. Chairpersons are responsible for facilitating introductions for young people, ensuring that language is appropriate, and managing the process in a way that is not oppressive to the young person;
6. The Chairperson will be available following conference to further advise the young person and/or their advocate of the outcomes of the conference if they so wish.