

Respecting and capturing the voice, experience and expertise of children and young people

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1. Introduction

In Jersey, the Child's Voice is a phrase that is used to describe the real involvement of children and young people. It means more than seeking their views:

“Respecting the voice, experience and expertise of children and young people means ‘working with them’ rather than ‘doing to them;’ involving them in decision-making wherever possible and, where decisions cannot align with their wishes (for safety reasons, for example), having honest conversations around this. These behaviours form the basis of meaningful participatory practices. A child-centred approach to participation provides

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opportunities for children and young people to exercise control and choice.”, [Research in Practice](#).

In practice this means that children and their families should be involved in decision making about everyday spaces that they inhabit, such as communities, services and their education. As well as their voices being heard when strategies, programmes and laws are formed where these should be informed by the lived experiences of children and young people in Jersey.

Children and young people have expertise in their own lives but are not the only ones! Adults also have expertise but do not always know how children feel, what they think and like. Therefore, it is important that adult decision makers listen to children and young people and give weight to their views ([HUB na nOg – young voices in decision making](#)).

Serious Case Reviews and Rapid Reviews demonstrate the poorer outcomes that happen to children and young people when there is a failure to capture their voice and understand their lived experience. Please see: -

- Serious Case Reviews ([nationally](#) and [locally](#))

2. Scope

This guidance is for all practitioners (paid or unpaid) who work with children (including the unborn child) and young people; those who work with adults who are parents/carers and therefore hold responsibility for safeguarding and promoting the welfare of children. It is intended to be read alongside the [Children and Young People \(Jersey\) Law 2022](#), the commensurate [Statutory Guidance](#) and the Jersey Children’s First Framework ([JCF](#)).

Practitioners must follow the [Statutory Guidance](#) on sharing information (which follows the [Data Protection \(Jersey\) Law 2018](#)) and follow [SPB Child Protection Procedures](#) and the [SPB Children and Young Person Safeguarding Referrals Procedure](#).

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Children must have the opportunity to describe things from their point of view. It is important to pay particular attention to those children and young people who may be under-represented, for example disabled children and young people, children living away from home, those with complex health needs including mental health, children and young people who have no recourse to public funds, and those from ethnic minority groups (see SPB Jersey [Safeguarding Practice Guidance](#)).

This chapter contains information about the approaches and legal frameworks which practitioners should use to listen to and capture the voice of children and young people using their voice, experience and expertise to describe their lived experiences.

3. Legislation

Recognising children and young people's right to have a say about matters that affect them, is reflected in conventions, legislation and guidance, locally, nationally and internationally.

Capturing the voice of the child in all aspects of safeguarding work from front line through all levels of the Safeguarding System is key to silencing abuse ([Beckett and Pearce 2019](#)).

The local legislation in Jersey which means practitioners must work together and in a child centred way are the:

- [Children and Young People \(Jersey\) Law 2022](#) and the commensurate [Statutory Guidance](#).
- [Children's \(Jersey\) Law 2002](#)
- [Human Rights \(Jersey\) Law 2000](#)
- [Capacity and Self Determination Law 2016](#) and commensurate [Code of Practice](#)
- [United Nations Convention on the Rights of the Child \(UNCRC\)](#) - Article 12 of the UN Convention on the Rights of the Child states that children and young people have a right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions considered.

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The United Nations Convention on the Rights of the Child is a legally binding international agreement, setting out overlapping rights and obligations. These rights belong to all children, and the obligations are with governments and those acting on behalf of them.

Rights extend to parents (if they do not impact on the child's rights). Articles 5 and 18 of the UNCRC provide a strategy outlining the relationship between the child, their family, and the Government. Therefore, it is important we consider the rights of the parents within this strategy whilst balancing this with the paramount rights of children.

Where for example child protection plans that have been co-created with the parents/carers and involves the participation of the child finds there is more commitment and ownership of the plan is deepened. UNCRC Article 19 on children's right to be protected from harm highlights the connection between protection, prevention, and participation.

Where there can be multiple benefits associated with this approach, including:

- Improved Services;
- Improved Decision-making;
- Enhancing Children and Young People's Skills;
- Changing Attitudes on hearing the voices of children and their families;
- Better-Informed policies and programmes; and
- Improved outcomes for children and young people using our services.

4. Children and Young People's Views

Children and Young people have told adults repeatedly that what they value most is having good relationships with people they trust and those that focus on their needs.

One of the most fundamental things practitioners can do to support children and young people is to build trusting, genuine relationships with them. This provides foundations, ways of giving them information, so they know their rights and choices and gives them a say.

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Advocating ways of working with children and young people as partners in their care fosters opportunities to maximise their safety and wellbeing. It also offers a way of gauging whether services are fit for purpose and offer children and people services which create opportunities to achieve their best outcomes, (Beckett & Warrington, 2015; Williams, 2021 cited in [Research in Practice](#)).

Listening to children and young people helps them to build an understanding of what is most helpful to reduce the risks they are experiencing. Listening offers them space to articulate the harm they have experienced. Through active listening, practitioners are given a clearer understanding of what the child or young person prioritises as their need, which helps practitioners to support them more effectively. Opportunities given to children and young people to express their experiences will reflect the individual stage, age and capacity of each child or young person. Enabling them to have a say in what they need from the adults around them to improve things in their lives.

Barriers to this way of working

Practitioners should read along with this chapter Responses to child exploitation and extra-familial harm in [Research in Practice](#). This document gives reasons to why making children and young people partners in their care is not always easy. There are barriers to this way of working, Practitioners and the Multi-Agency working with children and young people should recognise the barriers, to be able to overcome them.

Children have told us they want practitioners to:

- Get to know us; spend time with us and give us your attention.
- Don't get us to repeat our story over and over again.
- Keep us at the centre of the decisions you make.
- Be honest with us and explain in a way we can understand.
- Let us make some decisions about our own life.
- Don't make assumptions about our thoughts and feelings.

What practitioners can do:

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- Notice when something is troubling a child or young person, not just by their verbalisation but in their behaviours, and their body language.
- Create a safe environment following trauma informed practice such as those recommended by [Brook](#) or the [Trauma Recovery Model](#).
- Take time to get to know the child or young person and expect that this will take repeated points of contact, at times that suit the child or young person.
- Give children and young people diverse ways to express their thoughts and feelings.
- Understand ambitions and aspirations and work towards practical ways to achieve these.
- Understand the child's wellbeing, health and developmental needs by using the [Jersey Childrens First Framework \(JCF\)](#).
- Identify what is important to the child and record it.
- Keep children and young people involved in a realistic way (age, ability and stage considered)
- Acknowledge the reality of the child's life, directly with the child and record the painful issues along with how they can be addressed.
- Explain the reasons when decisions are made on their behalf and in their best interests and be honest with them.
- Document the child or young person's journey through the service you provide.
- Keep a single and multi-agency chronology ([JCF](#)) to understand the child's experiences from needing help, receiving help to the outcome.
- Capture the child's voice in their chronology, in any referral, assessment, action taken on behalf.
- Thread the child's voice through all recording, using tools to support the capture of their voice with creative activities, e.g., using [tools](#) from [The Multi-Agency Neglect Strategy](#).
- Work with parents as partners, seek consent where required and where at all possible, and record their parents fears and expectations (where this does not compromise the welfare of the child).

5. Talking with Children and Young People

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Even initial discussions with children should be held in a way that minimises any distress to them and maximises the likelihood that they will feel enabled and supported in sharing their own information with the practitioners. Children and young people need time and more than one opportunity to develop trust. Practitioners must consider and meet the needs of children and young people who have a communication impairment, learning disability, are young or are experiencing mental health problems.

6. What it looks like when we get it right

- **Evidence of a child centred approach** - When the child or young person is central to the story being told they feel important. The child or young person's voice should jump off the page. As no child is too young to have a voice, the child's voice should be captured regardless of their age. With creative methods used to involve the child or young person. Please see for example the [Children and Families Participation Toolkit](#).
- **Evidence of collaborative working practice** – with co-production of plans, assessment and reviews, where children and young people have participated in producing essential documents about their lives.
- **Evidence of Communication and Co-Ordination** – with co-ownership and commitment across the agencies sharing understanding and meaning of the child's voice.
- **Evidence of consistency** – with a shared use of language and terminology to avoid misunderstanding.

7. Where to reflect the voice of the children and young people

Capturing the child's wants, wishes, thoughts and feelings, should be embedded in practice and reflected in records. These should be updated regularly, particularly when circumstances change for the child or there is a change of plan.

All records should be clear, separating fact, opinion and professional judgement so that when a child becomes an adult and requests access to their records, they should be able to

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understand how decisions were made about the services provided to them and they should be able to see any recording of their own contributions in whatever format.

The voice of the child should be recorded within documents and exemplars in the electronic records. They can also be attached or scanned into records where the child has written their own views or tools have been used which are handwritten or completed by the child.

The requirement to keep records should be explained and the child or young person should be supported to make comments too.

There is a potential breadth of examples where the child's voice may be recorded some of these are mentioned below: -:

- Health Records
- Single Agency Documentation which records work with children and young people.
- Referrals to the Children and Family Hub
- Wellbeing, Health and Development Assessments
- Child Protection Plans
- Children Looked After Care Plans
- Court statements
- Supervision Records
- Fostering & Adoption Records
- Residential Records
- Family Support Records
- Planning and review meetings

This list is not exhaustive.

8. Effective forward planning

- Involving the child in key decision-making processes whilst also being honest when their wishes cannot be upheld due to their safety.

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- Providing appropriate information to the child about his or her right to protection and assistance.
- Inviting children to make recommendations about the services and assistance they need and/or are available to them.
- Ensuring children have access to independent advice and support (for example, through advocates or children's rights officers) to be able to express their views and influence decision-making.
- Considering with them, issues arising in relation to identity, diversity, culture, faith, sexual orientation language, disability, low confidence and trust.

9. The Child's Voice: Quality Standards

- Evidence the use of advocacy to assist children to put their views forward where this is required.
- Evidence the child's voice is threaded through all records of interaction with the children.
- Records should reflect how rapport has been built with children and young people and the activities, which have been done together.
- Gather feedback from children and young people from the start, not just the finish.
- Use single and multi-agency audit to understand how we have done.

10. Strategic Planning

In addition to individual practitioners shaping support around the needs of individual children, organisations need to have a clear understanding of the collective needs of children locally when commissioning effective services.

The Children's Commissioner for Jersey works on behalf of children and young people in Jersey and to promote and protect their rights and best interests. The voice of the child is paramount to the Commissioner's role.

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The [Children's Plan](#) was launched in response to the Independent Jersey Care Inquiry. The Plan sets out key outcomes for services to work towards to make a positive difference to children's lives. The voice of the child encompasses the plan and children and young people helped create the plan.

[Further information](#)

Involving children and young people in decision making is a key priority for the Government of Jersey please see: -

[Participation Standards for children and young people](#)

[Amendments to this Chapter](#)

This chapter was updated in March 2024 to align with the Children and Young People (Jersey) Law 2022, the commensurate Statutory Guidance, and the Jersey Childrens First Framework. The chapter is updated with research from Research in Practice, updated with thanks to Research in Practice, NSPCC and Jersey Multi-Agency Oversight.