

# *Council of Europe policy review on child and youth participation 2010-2011*

## **Framework for the policy review process**

Final version March 2010

### **Background**

Child participation is one of the three thematic pillars in the Strategy 2009 – 2011 for the Council of Europe programme “Building a Europe for and with children”. In addition to the objectives set for the work on child participation in the Strategy, the actions have been built upon the experiences of the youth policy sector and with the involvement of the structures responsible for decision making and co-management. Co-operation between the children’s programme and the youth sector has also been reinforced by the “AGENDA 2020” and the CoE Resolution (2008) 23 on the importance of co-operation and co-ordination between child- and youth-related activities.

Against the aforementioned background, a Roadmap for Council of Europe actions on participation of children and young people under the age of 18 was devised in early 2009.

An Ad hoc Advisory Group on child and youth participation was established under the co-management structures of the Directorate of Youth and Sport. According to the Terms of Reference adopted by the Committee of Ministers, one of the main tasks of the Advisory Group is to develop a methodological framework for national policy reviews in the field of child and youth participation in pilot countries, support the work done in the participating countries and conduct the work on CoE guidelines for child and youth participation.

This document presents a framework and an implementation plan for a policy review process on child and youth participation in 2010-2011.

### **Objectives**

The overall objective for the review is (a) to provide member states with an analysis of the extent to which legislation and policy in their country complies with the rights in the UN Convention of the rights of the child pertaining to children and young people’s participation and influence in decision-making; (b) to give member states advice and recommendations that will help them to implement international and national provisions on child and youth participation in practice; (c) to work towards a

comparative framework in the field of child and youth participation in different member states and identify 'parameters' of participation. The outcomes of the review process will contribute towards

- creating Pan-European guidelines on how to mainstream child and youth participation at different levels of decision-making;
- developing educational and training tools on child and youth participation.

### **Expected results**

*At a member state level:*

- Independent recognition of positive developments and evidence of change;
- Advice on how to strengthen the legislative and policy framework for children and young people's participation, using the framework of the Convention on the Rights of the Child and positive developments in other member states;
- Increased awareness of children and young people's right to be heard and taken seriously, contributing towards a broad culture of participation;
- Positive contribution to government's preparations for periodic reviews by the UN Committee on the Rights of the Child.

*At the Council of Europe level:*

- Development of quality indicators, based on the results of the reviews and existing provisions (conventions and recommendations);
- Working methods which fully include children and young people in policy analysis at a national and European level;
- To produce a comparative framework identifying different parameters of participation in the reviewed countries.

### **Call for participants**

- Proposal to pilot the review in Finland 2010 was approved by the Joint Council for Youth in March 2010
- Proposal to launch a call for other countries (max 3) in late 2010, and begin the review in 2011
  - Criteria for selecting the countries and a timetable for the call will be discussed and decided in the 3<sup>rd</sup> meeting of the Advisory Group in autumn 2010 (September – see the Timetable sheet)

### **Parameters of a review**

- 1 The basic conditions for the implementation of the policy review process in a participating country are as follows

- a) The country volunteering for a review accepts the objectives and commits itself to the expected results listed above, complies with the procedure and accepts the independence of the process;
- b) The participating country sees to secure sufficient human and financial resources for fulfilling the different tasks which fall under its responsibility including the engagement of children and young people at a national level;
- c) There is an agreement, between the European review team and the country volunteering for a review, on the main dimensions to be covered by the national report, notably as a matter of comparability;
- d) The country sees the review as a positive learning process and an opportunity to further develop its policies and actions on child and youth participation;
- e) The country restates its commitment to the principles and provisions of the UN Convention on the Rights of the Child and other human rights instruments, as well as relevant Council of Europe recommendations;
- f) The review process takes into account the different stages of development among member states (reliability of data, inter-ministerial co-operation, training of staff in charge of research, etc.);
- g) A co-operative approach regarding the Pan-European review process is established.

## 2 Focus areas

The review will focus on child and youth participation in the following areas:

- Family
- Education (including kindergarten/early childhood education)
- Out of school activities (sports, arts, leisure, influence over public space)
- Public life/civil society (political activities, engagement in the democratic process at local and national level, child and youth led organisations and activities)
- Health care
- Alternative care
- Judicial and administrative proceedings (including criminal justice and immigration)
- Children in the media

### 3 Financial responsibilities

#### a) Funded by CoE:

- European consultant fee including travel costs
- costs of the European review team
- costs of preparing and disseminating the international report

#### b) Funded by the country (or partner institutions in the country, such as universities):

- organising meetings of in-country review team
- costs of the national consultant (in country)
- travel costs of the European review team within the reviewed country if needed
- costs of implementing the review, including interviews and organising a national hearing/working seminar
- costs of preparing and disseminating the national report(s) (printing, translation if needed)

### **Review teams, consultants, and their roles and responsibilities**

#### **a. In-country review team** consists of

- Representatives from the government, NGOs, Children's Commissioner/ombudsperson or other independent body responsible for promoting and protecting children's rights, academics, professionals working for and with children, min of one representative of the group
- 5 children/young people representing different backgrounds, interests and possibilities to participate.
- Roles and responsibilities of and in the in-country review team:
  - The governmental representative convenes the first meeting of the in-country team and ensures that all relevant partners are included in the work of the team;
  - The in-country review team in consultation with the national authorities hires a national consultant (see the roles and responsibilities of the consultant below, part d.);
  - The team, in co-operation with a group of Children and young people willing to contribute to the research team, and facilitated by the national consultant, is responsible for gathering the preliminary data of the review according to the instructions of the European consultant;

- The team assists the European consultant (and the European team) to assess the preliminary data (organising and taking part in face-to-face meetings etc.);
- The team organises a national hearing/working seminar with all relevant stakeholders to discuss the draft report towards the end of the review. A separate hearing/seminar with children and young people could be considered where appropriate;
- After the final report, the team ensures that results of the review will be disseminated through all relevant formal structures in the country (human rights institutions and ombudsoffices, schools, local and national authorities etc.) aiming at wide media coverage. Different reports for different audiences could be considered where appropriate.

**b. European review team includes**

- 2 consultants (one European consultant remaining across all reviews, and one national consultant with knowledge and experience in working in international teams), two members from the Advisory Group (one with research background, the other familiar with policy development) and one member of CoE secretariat.
- Roles and responsibilities of and in the European review team:
  - Supporting and steering the work of the European consultant (see the roles and responsibilities of the consultant below, part d.), the European team participated in assessing the preliminary data gathered by the reviewed country, and advises the European consultant in further evidence gathering<sup>1</sup>;
  - Attends the national hearing/working seminar organised by the country reviewed;
  - Assists the European consultant to elaborate the final report.

**c. European and national consultant**

- European consultant
  - is hired by the Council of Europe as a project leader for the whole policy review process on child and youth participation 2010-2011;
  - is responsible for developing and elaborating the methodology for the review process in consultation with the European review team;
  - attends the necessary meetings with the Council of Europe secretariat and with the in-country review team;

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<sup>1</sup> The meeting of the European review team can be organised online or as a tele-conference.

- carries out the face-to-face meetings with relevant partners indicated by the national consultant, including reporting of the meetings, OR guides the national consultant to carry out the necessary face-to-face meetings<sup>2</sup>
  - leads the European team and the assessment process
  - prepares the draft report and the final report (according to a table of contents prepared by him/her)
  - attends the national seminar (working seminar or a hearing) organised by the country reviewed;
  - reports to the European review team.
- National consultant
    - Has knowledge and experience in working in international teams;
    - Facilitates the work in the in-country review team following consultation and agreement with the European consultant
    - Participates in the work of the European team
    - Assists the European consultant in reporting
    - Carries out the face-to-face meetings and reports from them according to the instructions of the European consultant when needed

#### **d. Role of the Advisory Group**

- The Ad hoc Advisory Group on child and youth participation will choose two of its members to represent itself in the European review team;
- The Advisory Group has an overall responsibility to oversee and guide the review process;
- The European consultant/CoE secretariat will report to the group regularly.

#### **Methodology of the review**

- Gathering preliminary data through
  - Desk research
    - Legal and policy analysis (Acts of Parliaments, national policy documents, legal judgments, concluding observations from UN Committee on the Rights of the Child and other monitoring bodies)
    - Participatory structures (e.g. school councils, youth councils, children in care councils, Ombudspeople)
    - Evidence of participation in practice (academic research, consultation results, polls, open call for evidence)
    - Media monitoring

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<sup>2</sup> Depending on the financial resources available.

- Online survey (target  $\pm 0.25\%$  of the official national children/young people population)
    - Different for different target groups (children, NGOs, municipalities/local authorities, schools...)
  - Assessment and in-depth survey
    - Evidence gathering (face-to-face interviews with stakeholders including children and young people, national hearing/working seminar)
  - Reporting
  - Use of WWW and other means of national dissemination (e.g. through schools, child and youth NGOs)
- ➔ Working methods to implement the policy review will be developed further by the European consultant by end April/early May.

**Timetable** (separate)

### **Follow up/assessment**

The objectives of a follow up for the policy review process include

- improving the review process;
- identifying elements for future guidelines and a comparative framework of children and young people participation in the reviewed member states;
- identifying ways to support public authorities in the reviewed country to implement the results of a review.

### **Co-operation with international partners**

To ensure wide exchange of information, to avoid parallel review processes on child and youth participation and to benefit from the work done by partners in the field, it is important to collaborate with other international organisations in the field. The key partners in this respect are:

- UN Committee on the CRC
- UNICEF
- European Commission
- Fundamental Rights Agency
- ChildOnEurope