

# Consent and ethical considerations

There are consent and ethical considerations to consider before engaging with children. Here is some basic guidance to support engagements to occur in a way that is both meaningful and safe for children.

## 1. Is consent required?

Children must give their informed consent to participate in an engagement. To do this, provide age appropriate information about the questions to be asked and what their responses will be used for. Make it clear to children and young people involved that they are allowed to change their mind about participating at any time during the process.

Young people 16 years and over can legally make many of their own decisions without needing to get parental permission, including major decisions like leaving home and school. Therefore parental consent is not always required to gather the views of this age group. Their informed consent is sufficient (unless there are reasons to believe the young person needs additional support, e.g. they have a learning disability).

For children and young people 15 years and younger, whether parental consent (in addition to the child's consent) is sought depends on:

- the type of questions asked (i.e. whether a question could be considered sensitive for some children to discuss);
- the engagement methods used (i.e. an online survey, or focus group)
- the child's ability to make informed consent decisions.

For non-sensitive topics, simply informing parents or caregivers of the engagement in advance may be sufficient (e.g. for an anonymous survey asking children their views about what recreation activities they want in their community). However, if you are unsure about whether parental consent is required, we advise parental consent be sought.

## 2. Is the engagement ethical?

Engagement with children must always endeavour to be a positive participation opportunity, and must never cause harm. As well as seeking consent, ensure that:

- adults working directly with children are experienced or trained to work with children, and are screened and police vetted.
- ethical advice and approval from an ethics committee has been considered.
- when children share information that identifies risks to themselves or others, the right support is provided to them.
- children are not stigmatised or discriminated against.
- individual children are not identified in reports on the engagements.
- when possible, report back to the children how the information influenced decision making.

## 3. Will the engagement be inclusive of all children?

Children are unique and diverse in age, ethnicity, culture, interests and abilities. Consider how the engagement activities will be inclusive for all children.

## Further information on the OCC informed consent guidelines

At the OCC, we have clear guidelines around ascertaining informed consent and ensuring that any children and young people we engage with understand what's happening and know their rights.

These guidelines recommend:

- Discussing with the child/young person who you are and what you do
- Discussing with the child/young person what you want to talk to them about
- Discussing with the child/young person how long the interview/engagement will take and how you will capture/record their views
- Discussing with the child/young person confidentiality and limits of confidentiality
- Discussing with the child/young person what will happen with their views
- Letting the child/young person know they can withdraw from the interview/engagement at any time.

In order to be confident 'informed consent' has been obtained from children, these guidelines must be communicated in a developmentally appropriate way to support them to give their full and informed consent. We encourage organisations to have tailored forms for each engagement, specific to the cohort being engaged with at the time. For some children and young people, the concept of informed consent may be foreign and the approach taken would need to be different to a young person confident in this field (e.g. a member on a youth panel who has experienced participatory processes before.)

**For example**, through the *Education matters to me* engagement, when working with under 5s, having any written consent forms would have been tokenistic and not appropriate. In that case the best approach was to support the teacher to have a chat with the child before the engagement. This would then be repeated by the facilitator, in a creative way, such as drawing a picture or using an example to help the child understand the process, while giving regular opportunities for the child to opt out of participating. At the same time it was important to seek parental consent prior to engagement via a consent form.

For our Mai World project, as part of our ethics, we discuss how informed consent will be ascertained at the beginning of every engagement. We consider methods of working creatively with children and young people to both introduce and to confirm we have informed consent. In order to stay as up to date as possible with best practice child and youth participation we need to be amenable to change; the ways we are gaining informed consent is changing all the time.

We have clear guidance for our staff and facilitators about what informed consent is and how to establish whether we have ascertained it or not. We recently trialled an approach to consent with a small group of young people with appropriate reading and writing levels where we supported them to write their own consent forms. We lead a conversation with the group about informed consent using child friendly language, such as using the example of permission slips for school trips. Each child then spent time with a facilitator to compose and sign their consent form (one of the young people drew a flower as her chosen signature).

What was important here was the process. Taking this approach allowed our facilitator to have conversations with each young person and be confident they were happy to participate, understanding both what was going to happen and how their voices were going to be shared. One of the young people wrote one sentence – "I agree to our terms" and signed it. In this case, we had noted down the contents of our conversation as we had it, and knew what the "terms" were, so these did not need to be stated on the young person's version. Overall, we have learnt while it is important to have stringent guidelines around the ethics of an engagement; the approach must be tailored to the developmental needs of the child and the context the engagement is occurring in.