



Child Impact Assessments

Guidelines and templates for use in the ACT Government's Triple Bottom Line Assessment framework

Acknowledgements

This document was created by the ACT Children & Young People Commissioner (CYPC) for use by ACT Government officials within the Triple Bottom Line Assessment framework.

CYPC has utilised material developed by Scotland's Commissioner for Children & Young People, and the Children & Young People Commissioner in Western Australia.

What are child impact assessments?

Child impact assessment involves assessing a proposed law, policy or decision to determine its likely impact on children and young people. During an assessment, we determine whether the impact of a proposal is likely to be in the best interests of children and young people, then make adjustments to avoid or mitigate the negative outcomes and maximise the benefits.

The process is flexible. For small scale proposals, simple child impact assessments can be completed quickly and with little effort and cost. For complex proposals, a detailed child impact assessment will assist in the planning process, and contribute to the analysis which supports an eventual cabinet submission.

Aims of child impact assessments

The aim of the child impact assessments process is to contribute to more effective policy making by improving the quality of information available to decision makers:

- providing a broad range of perspectives on the costs and benefits of proposals,
- preventing conclusions being based on incorrect assumptions and stereotypes,
- helping decision makers understand the impact that proposals may have, and which groups of people will be advantaged or disadvantaged by them,
- helping agencies understand the diverse needs and priorities of children and young people, and
- helping agencies undertake appropriate consultation with stakeholders, and ensuring that the interests of children and young people have been properly considered.

Why are child impact assessments useful?

Child impact assessments can benefit children and young people, your organisation, and the whole community. They can:

- promote better informed policy development and decision making,
- avoid or mitigate any negative impacts that a law, policy or decision may have,
- make more effective law/policy, and deliver more effective programs,
- save money and time, by helping to identify problems or improvements at an early stage,
- help agencies meeting statutory human rights obligations,
- involve children and young people in the development of law/policy that affects them,
- help agencies act in the best interests of children and young people, and
- contribute to making Canberra a child friendly city.

In summary, '[t]he advantage of the [child impact assessment] process is that it avoids the preventable blunders that can arise when children's interests are overlooked'.¹

Purpose of these guidelines

These guidelines have been developed by the ACT Children & Young People Commissioner to encourage inclusion of the voices and perspectives children and young people within policy-making processes.

Children and young people can easily be overlooked in the processes of government. We are likely to think about children and young people when, for example, we are reviewing adoption laws or writing school policy documents. However we may not immediately consider children and young people when we are making infrastructure decisions, offering business subsidies, amending animal welfare regulations, or designing a grants program for artists.

Yet children and young people, or the people they live with, use most ACT services and facilities, and are affected by many of the Territory's laws and policies. Children and young people are not merely 'future citizens', they are active participants in our community today.

These guidelines aim to encourage law makers and policy makers to think about the impact of your work on children and young people. This document is intended to be a practical tool to help you to reflect on your practice, and assist you in your work.

Further information and assistance

Once you have considered the suggestions in these guidelines, and developed a draft plan for a child impact assessment, you are welcome to contact the ACT Children & Young People Commissioner if you would like to talk through your ideas.

The CYPC encourages agencies to consult with children and young people on issues that affect them, and can offer guidance about appropriate strategies and approaches. Contact CYPC on 6205 2222 or at ACTkids@act.gov.au.

Children and young people have different backgrounds and experiences

The fundamental task to perform in a child impact assessment is to think about the different groups of children and young people in the ACT, and how they could be affected by the proposed law/policy.

It is important that the people conducting the analysis have an awareness of children and young people. An effective child impact assessment should explore a diversity of perspectives.

In some situations, it is helpful to think about children (aged 0-11 years) and young people (aged 12-25 years) as a coherent group. However, in most situations it is useful to remember that children and young people are not all the same. They have different backgrounds and experiences, as demonstrated in the list below.

These categories do not define children and young people; they are just one aspect of their identity. They are not presented as labels, but rather as flexible concepts which help us think about the diversity of circumstances in which children and young people live.

¹ Kirsten Hanna, Ian Hassall and Emma Davies (2006) 'Child Impact reporting' *Social Policy Journal of New Zealand*, November 2006

Characteristics of some children and young people

- Young adults, teenagers, children, preschoolers, toddlers, or babies
- Aboriginal children and young people, or Torres Strait Islander children and young people
- Children and young people who have recently moved to Australia, who are learning to speak English, or who speak two languages at home
- Children and young people who never get sick, who have regular temporary illnesses, or who have a long term chronic illness
- Children and young people living with a physical disability, or an intellectual disability
- Children and young people who are comfortable with reading and writing, who are less confident, or who have learning difficulties

Circumstances in which children and young people might live

Children and young people:

- with one, two or several parents; with siblings or no siblings
- who are homeless, or who live with foster carers, or extended family
- staying in a youth justice facility, mental health facility, or out of home care facility
- who use walking as a form of transport, ride bikes, catch buses, are driven in cars, or drive their own cars
- who spend time online every day, or who don't have access to a computer
- who participate in sport, music, art, drama, dance, or none of these activities
- who attend temple, mosque, synagogue, church, or none of these places of worship
- whose parents are in paid employment, or unemployment

Roles performed by some children and young people

- Children and young people who attend public schools, independent schools, alternative education programs, home schooling, or who are not engaged with school
- Young people who are employed in paid work, participate in voluntary work, or who are unemployed and looking for work
- Children and young people who care for a parent or sibling with a physical illness, mental illness or a disability
- Young parents

Simple Child Impact Assessment

Impact on children

- How will this proposal impact on children?
- Will the impact on particular groups of children be different?
- What will the impact be on particularly vulnerable children?

Information & Consultation

- Will you consult children? If so, who will you consult and how?
- What other sources of information are available about the impact on children?

Alternatives

- Is there another way to achieve the same aims which would have better outcomes for children, particularly vulnerable children?
- Can negative aspects of this proposal be alleviated or positive ones enhanced?

Conclusions and recommendation

- Are there competing interests either between groups of children or children and other groups?
- Given the evidence, what do you propose?
- How will the impacts on children be measured or monitored?

Full Child Impact Assessment Process

A template is included below in Attachment 1.

1. Understand the issues

Describe the current situation, and what changes are intended through the proposed law, policy or decision.

2. Gather relevant information

Take advantage of existing knowledge. Through a search of your organisation's records, and some research, you could find out:

- The lessons learned by your organisation in the past when creating new law/policy in this area.
- Whether the proposed law/policy has been implemented in other jurisdictions, and how children and young people have been affected in these communities.

3. Consult – ask children, young people and other stakeholders for their views

Your analytical skills will assist you to identify many of the possible consequences of the proposed law/policy. However you will find it helpful to talk directly to some of the people who will be affected by the law/policy to gain a more complete understanding. To be meaningful and fully effective, child impact assessments should involve speaking with children and young people, their parents/carers, or the people who work with them.

For more information about consultation processes with children and young people, see Part 4 of the Community Engagement Manual published by the ACT Chief Minister's Department, which was drafted by CYPC. Further resources are also listed at the end of these guidelines.

4. Consider the impact on children and young people

Think about the different groups of children and young people in the ACT, and how they could be affected by a proposed law/policy.

5. Consider alternatives to the proposal

Decide whether the predicted positive impacts of your proposed law/policy are significant enough to outweigh the predicted negative impacts. Then consider what can be done to address the negative impacts.

You have an opportunity to:

- Revisit the purpose, design and implementation of the proposed law/policy, and make it more effective for children and young people.
- Develop strategies to eliminate, reduce or offset the negative impacts.

6. Form conclusions and make recommendations

A child impact assessment is a framework to identify positive and negative impacts. It will not provide a clear answer in cases where there are competing interests. In other words, a child impact assessment will not necessarily help you determine the best policy response; it is a method for creating a strong evidence base to inform better decision making.

Understand and analyse the information you have gathered:

- Weigh the likely impacts – Your proposed law/policy may have complex outcomes. Some outcomes may be negative, and some positive.
- Weigh competing interests –The interests of children and young people may conflict with those of parents/carers, or other community groups, or the economy. Further, there may be different impacts on different groups of children and young people.

Form conclusions/recommendations about the proposed law/policy, and explain the basis for your assessment:

- Judgments need to be based on data and evidence. Explain the sources of information on which the child impact assessment is based (research, data, consultations etc).
- Acknowledge any limitations to the assessment process (eg. information not available, or lack of time to consult).
- Acknowledge differences of opinion; any disagreements over the likely impact on children and young people (eg. if government policy states one point of view, but child advocates articulate another point of view, this should be acknowledged).
- If the proposed law/policy will have a negative impact on children and young people, but you recommend that it progress unchanged, explain why interests other than those of children and young people should be allowed to take precedence.

Detail what will happen from here; if your recommendations require follow up actions, specify who will take responsibility for ensuring these actions are carried out.

7. Monitor – evaluate the impact of the proposal

Establish a process to ensure the recommendations from the assessment are followed up.

Establish a process to assess the impact of your child impact assessment.

Resources

Child impact assessments

1. Laura Paton and Gillian Munro (2006) *Children's Rights Impact Assessment: The SCCYP Model*, Scotland's Commissioner for Children and Young People, Edinburgh. (www.sccyp.org.uk/publications/adults/cria)
2. Commissioner for Children and Young People Western Australia (2010) *Improving Legislation for Children and Young People: Guidelines for assessing the impact of proposed legislation on children and young people*, Perth. (www.ccyp.wa.gov.au/content.aspx?cId=259)
3. Northern Ireland Commissioner for Children and Young People (2006) *Children's Rights Impact Assessment*, Belfast. (www.niccy.org)

Consulting with children and young people

1. Kids Central (Institute of Child Protection Studies, Australian Catholic University)
http://www.acu.edu.au/about_acu/research/our_research/research_centres_and_institutes/institute_of_child_protection_studies/kids_central/
2. TAKING PARTicipation Seriously (NSW Commission for Children & Young People)
<http://kids.nsw.gov.au/kids/resources/participationkit.cfm>
3. Involving Children & Young People: Participation Guidelines (WA Commissioner for Children and Young People) <http://www.ccyp.wa.gov.au/files/resource/Participation%20Guidelines%20-%202009.pdf>
4. Child Safe Child Friendly (NSW Commission for Children & Young People)
<http://kids.nsw.gov.au/kids/working/safefriendly.cfm>
5. Improving Legislation for Children and Young People (WA Commissioner for Children and Young People)
<http://www.ccyp.wa.gov.au/content.aspx?cId=259>

1. Understand the issues
What is the current situation? What is the reason/purpose for the proposed law, policy or decision? Have children, young people or other stakeholders been consulted in the development of the proposal?

2. Gather relevant information
What information or evidence is available to help you understand the likely impact of the proposal on children and young people? How robust is this information or evidence? Is further information or evidence required, and how can it be obtained?

3. Consult – ask children, young people and other stakeholders for their views
Is it appropriate to consult with children and young people before the law, policy or decision is finalised? Who should be consulted? What format should the consultation take?

4. Consider the impact on children and young people			
What type of impact will the proposal have for these groups of children and young people?			
	None	Positive	Negative
Characteristics of children and young people			
Babies, toddlers, preschoolers			
Children aged 5 – 12 years			
Teenagers and young adults			
Aboriginal or Torres Strait Islander children and young people			
Children and young people who have recently moved to Australia, who are learning to speak English, or who speak two languages at home			
Healthy children and young people			
Children and young people experiencing short term or long term illness			
Children and young people living with physical disability			
Children and young people living with intellectual disability			
Children and young people who are confident with reading and writing			
Children and young people with learning difficulties			
Circumstances in which children and young people live			
Children and young people with two or more parents/caregivers			
Children and young people with one parent/caregiver			
Children and young people who are homeless			

Children and young people who live with foster carers or extended family			
Children and young people staying in a youth justice facility, mental health facility, or out of home care facility			
Children and young people who use walking or cycling as a form of transport			
Children and young people who catch buses			
Children and young people who are driven in cars			
Young people who drive themselves in a car			
Children and young people who spend time online every day			
Children and young people with no access to a computer			
Children and young people who participate in organised recreational activities (eg. sport, music, art, drama, dance)			
Children and young people who attend temple, mosque, synagogue or church			
Children and young people who are not connected with community activities			
Children and young people not engaged in physical activity			
Children and young people whose parents are employed			
Children and young people whose parents are unemployed			
Roles performed by children and young people			
Children and young people attending an ACT Public School			
Public school			
Independent school			
Children and young people attending an alternative education program			
Children and young people attending a special education school			
Children and young people engaged in home schooling			
Children and young people who are disengaged from school			
Children and young people employed in paid work			
Children and young people engaged in voluntary work			
Children and young people who are unemployed and looking for work			
Children and young people who care for a parent or sibling with a physical illness, mental illness or disability			
Young parents			

What proportion of children and young people in the ACT will be affected positively?
Which groups of children and young people will be affected positively?
What proportion of children and young people in the ACT will be affected negatively?
Which groups of children and young people will be affected negatively?
 Are they vulnerable in some way?
 What protective factors do they possess – will they be able to adapt and cope well?
 How long will the impact last – short, medium or long term?

5. Consider alternatives to the proposal

Is the proposed law, policy or decision the best means of achieving its aims, taking into account children and young people's interests?
 Can any alternatives be suggested to the proposal?
 If the proposal would have a negative impact on children and young people, what changes could be made to alleviate

this?

If the proposal would have no impact on children and young people, what options could be considered to produce a positive effect?

What compensatory measures might be needed to mitigate a negative impact on children and young people?

6. Form conclusions and make recommendations

Are there any competing interests between different groups of children and young people?

Do the interests of children and young people conflict with those of parents/carers, or other community groups, or the economy?

What conclusions have you reached about the proposed law, policy or decision?

What recommendations will you make about the proposal? (eg. that the proposal not go ahead; that it be reviewed, that it be amended, that compensatory measures be taken, that further research or consultation is required)

Explain the data or evidence on which you base your conclusions and recommendations.

Acknowledge any shortcomings in the assessment process (eg. information not available, or lack of time to consult)

Acknowledge differences of opinion (ie. is there disagreement as to the likely impact of the proposal on children and young people?)

If your recommendations require follow up actions, who will take responsibility for ensuring these actions are carried out?

7. Monitor – evaluate the impact of the proposal

How will the proposal be monitored and evaluated to ensure the child impact assessment has been considered and acted upon, and by whom?

If the policy is implemented, how can its impact on children and young people be measured or monitored?