



Commissioner for Children and Young People
Western Australia



Child Impact Assessment Guidelines

Considering children and young people in decision-making



The Commissioner for Children and Young People WA

The Commissioner is the independent person who works closely with children and young people, their families, community and government to make WA a better place for 0 to 18 year-olds. The Commissioner reports to the WA Parliament.

The Commissioner undertakes projects, commissions research, publishes reports, and hosts events to highlight specific aspects of children and young people's wellbeing. Using research and the other evidence available, the Commissioner seeks to positively influence legislation, policy, services and attitudes.

Recognising Aboriginal and Torres Strait Islander People

The Commissioner for Children and Young People WA acknowledges the unique culture and heritage of our Aboriginal peoples and the contributions Aboriginal peoples have made and continue to make to Western Australian society. For the purposes of this publication, the term 'Aboriginal' is intended to encompass the diverse cultures and identities of the First Peoples of Western Australia and also recognises those of Torres Strait Islander descent who call Western Australia home.

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Alternative formats

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Children and young people in Western Australia represent almost

one quarter

of the total population

There are about

40,000

Aboriginal children and young people aged under 18 years living in WA

More than

400,000

households in WA have **one or more** children

Around

25%

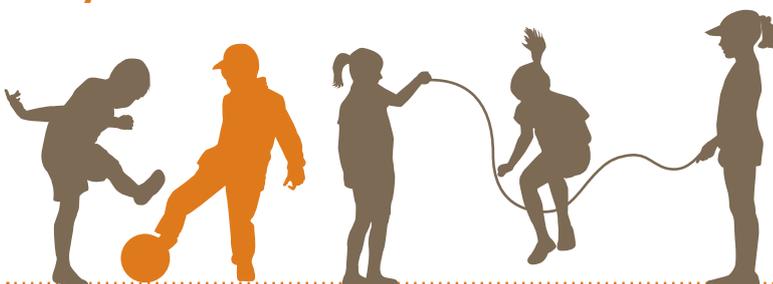
of WA children and young people live in regional and remote areas



The number of WA children and young people is projected to increase by **63 per cent**, to over

1 million

by 2066



63%
increase

What is a child impact assessment?

A child impact assessment provides a mechanism to determine the direct or indirect impact that proposed policies, services and legislation will have on the rights, interests and wellbeing of children and young people.

Why is a child impact assessment important?

Children and young people are affected by a wide range of laws, policies, service provision, and other decisions. While children have distinct needs and experiences to those of adults, their needs can be overlooked by decision-makers.

A child impact assessment process supports the rights and wellbeing of children and young people by assisting agencies to consider how their decision making may:

- directly and indirectly impact children and young people
- have long-term social impacts on children and young people, their families, carers, service providers and communities
- have long-term financial impacts on children and young people, their families, service providers and governments
- need to include strategies to mitigate against negative impacts and unintended consequences
- take into account the best interests of children and young people.

Who should undertake a child impact assessment?

All government departments, service providers and private sector organisations should assess the impact of proposed laws, policies, projects and their programs on the rights and wellbeing of children and young people.



“Young people and children need to be put first. Like not... just jump ahead without really thinking about what the child might think, how it might impact them and also if it’s reasonable for them.”

18 year-old

Guiding principles

Rights of the child

All children and young people have the right to be heard, and to have a say in decisions that impact them, under the United Nations Convention on the Rights of the Child (UNCRC), ratified in 1989.

Child Safe Organisations

All children and young people have the right to be safe, feel safe and be treated with respect wherever they are. The Council of Australian Governments (COAG) has agreed to National Principles for Child Safe Organisations. There is an imperative that children and young people are protected from harm and a community expectation that organisations will take appropriate steps to promote safety.

Empowering children and young people to participate

Giving children and young people opportunities to provide feedback and actively participate in decision making.

Best interests of children and young people

How a proposal directly and indirectly promotes or impairs the rights, safety, development and wellbeing of people under the age of 18 in both the short term and the long term.

Promoting equity and diversity

Considering whether a proposal may impact a particular group of children and young people more than it would the general population of children and young people, based on:

- age
- ability
- sex
- geographical location
- cultural background or
- whether they are vulnerable or disadvantaged for another reason.

“Plan for young people’s activities when planning infrastructure and consult with them about what they would like to see.”

Leadership WA workshop participant



Conducting a child impact assessment

The Child Impact Assessment template (Assessment template) on page 8 can be used to complete the assessment in the following stages.

An initial screening considers:

- how a proposal might directly or indirectly impact children and young people
- whether a full assessment should take place – proposals that are deemed to have an inconsequential or trivial impact do not need to undertake a full assessment process. Reasons for not proceeding further should be outlined and properly recorded.

An assessment considers:

- positive or negative impacts on the rights of children and young people as below:
ccyp.wa.gov.au/our-work/projects/rights-of-wa-children-and-young-people/
- groups of children and young people who may be disproportionately impacted, including based on their age, ability, gender, economic position, cultural background, geographical location, or any specific vulnerabilities
- the scale of impact on children and young people including the number of children and young people who will be affected or the length of time the impacts will be felt

- whether proceeding is in the best interests of children and young people, including how the impact on children and young people balances with any competing priorities and interests
- strategies to mitigate any negative impacts for children and young people.

A comprehensive evaluation includes:

- documenting of any research undertaken, including desk-based inquiry, to build the evidence base to inform your final decision
- consulting with children and young people and stakeholders
- using the Guideline's companion resources to gain a deeper understanding of the guiding principles.



Consultation with children and young people and stakeholders

Children and young people have a right to contribute to decision-making and should be encouraged and supported to share their views. Some ways in which children and young people can be directly consulted include:

- focus groups or interviews
- surveys
- field research or observation
- youth summits or other community events.

The Commissioner has published advice¹ on how to effectively engage with children and young people. This and other participation resources are listed at the end of these guidelines and are available on the Commissioner's website.

Depending on the type of proposal, other relevant stakeholders might typically include those who work with and for children and young people, including:

- advocates or peak representatives for children and young people, such as the Commissioner for Children and Young People, the Youth Affairs Council of WA, or special interest groups such as the Youth Disability Advocacy Network WA or CREATE Foundation (representing children in care)
- service providers or local councils
- research bodies and universities
- relevant government agencies or departments.



“Ensure that the decisions I make... as an employer have factored in the impact it may have on my children and the children of my team. If this impact is significant, look to engage the children before committing any action.”

Leadership WA workshop participant

¹ Commissioner for Children and Young People Participation Guidelines



Assessment template

Initial screening stage

1 Description of proposal.

Include the title, purpose, expected outcomes of the proposal and responsible agency/organisation.

2 Does this proposal directly impact on children and young people?

Yes

No

Children and young people will be directly impacted by a proposal if the proposal is explicitly targeted at them.

Does this proposal have an indirect impact on children and young people?

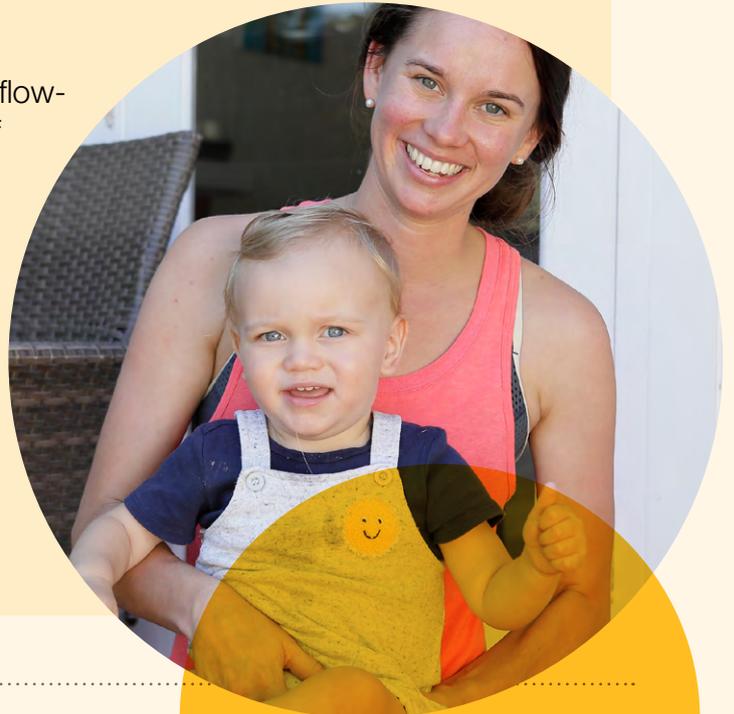
Yes

No

Indirect impacts may result from intended flow-on effects or unintended consequences of a proposal. Proposals that directly impact parents and families, access to services, community resources or recreational activities, are likely to indirectly impact children and young people.

*If you answered **Yes** to either or both of the above, please go to **Section 3**.*

*If you answered **No** to both of the above, there is no need to proceed any further.*



Assessment stage

3

Describe how the proposal will positively and/or negatively impact on the rights of children and young people. Outline the evidence you have used to inform this assessment.

Think about the purpose, expected outcomes, flow-on effects and unintended consequences of the proposal. How will they directly or indirectly impact the safety, learning, health and/or wellbeing of children and young people? The views of children and young people, parents, carers, service providers and other relevant stakeholders should be considered when making this assessment.

Are there any particular groups of children and young people who are likely to be more greatly impacted by the proposal compared to children and young people in general? List these groups, and outline the evidence you have used to inform this assessment.

Certain groups of children and young people may be disproportionately impacted by a proposal as a result of common factors they share, (for example age, ability, sex, economic or cultural background, geographical location) or because of common roles they play in the community (for example students, service users, family members, employees and community stakeholders).

4

Consider the answers you have provided above. How would you assess the significance of the proposal's impact on children and young people?

- Trivial or Inconsequential** (no need to complete **Sections 5-7**)
- Minor** (Complete **Sections 5-7**)
- Moderate** (Complete **Sections 5-7**)
- Major** (Complete **Sections 5-7** using the Child Impact Assessment Guidelines to comprehensively evaluate proposal).

Explain why you have assessed the proposal as having this level of impact.

The significance of the impact a proposal has on children and young people will be influenced by a range of factors. Relevant factors include the number of children and young people affected, whether an affected group of children and young people are disadvantaged or vulnerable in some way, the ability of affected children and young people to cope with the impact, and the length of time the impact will be likely to last.

5

Consider whether the proposal is in the best interests of children and young people.

Where decisions made or actions taken may impact children and young people, their best interests must always be prioritised.

If your proposal deals exclusively with the wellbeing of children and young people, their best interests should be the paramount consideration. If your proposal does not deal exclusively with the wellbeing of children and young people, their best interests should be a primary consideration.

6

Outline measures that will be implemented to address any negative impacts the proposal will have on children and young people in general, or the groups of children and young people you have identified. If no measures will be implemented, record the reasons for this decision.

Mitigation strategies should be balanced against the significance of the negative impact and the likelihood of the negative impact; they should be practical and implementable.

7

Outline any other evidence that you need to collect regarding children and young people in order to successfully complete the design and implementation of this proposal.

Undertaking a child impact assessment may identify knowledge gaps that could affect the successful delivery of a proposal. As part of a comprehensive evaluation, relevant information should be collected throughout the assessment process by:

- undertaking research, including desk-based inquiry to build evidence base
 - consulting with children and young people and stakeholders
 - using the resources included in these guidelines and on the Commissioner for Children and Young People's **website**.
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Final recommendation stage

8

A final recommendation regarding the proposal is made.

The final recommendation should be informed by these guidelines.

Resources

Commissioner for Children and Young People

Child Safe Organisations WA resources, including the national child safe principles

Profile of children and young people in WA – January 2020

Statement of Commitment to Western Australia's children and young people

Involving children and young people: Participation Guidelines

Engaging Aboriginal Children and Young People Toolkit

UNICEF

The Convention on the Rights of the Child

Participation resources

Advocate for Children and Young People New South Wales Government –

Engaging children and young people in your organisation

Children and Young People's Commissioner Scotland –

7 Golden Rules for Participation

New Zealand Children's Commissioner –

How to engage with children – Supporting Guides. Available at occ.org.nz



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The quotes in this document are not from the children, young people or adults pictured.