

## The Voice of the Child in the Code of Practice

---

**Hayley Vingerhoets and Kirsty Wagner**

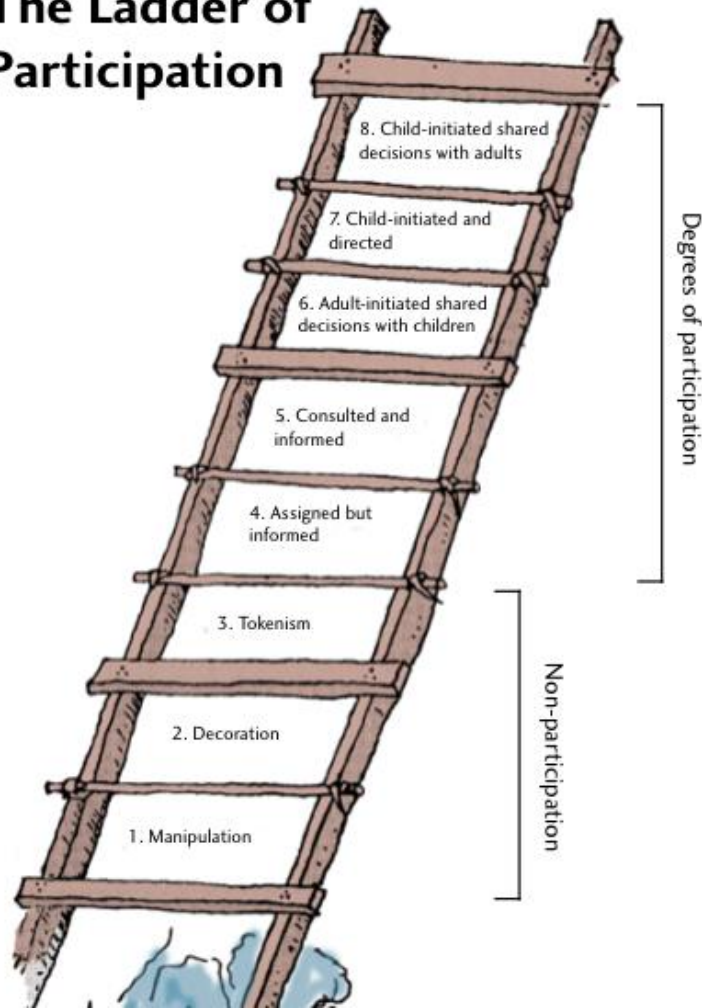
*Year-2 Trainee Educational Psychologists, University of East London*

One of the key principles underpinning the Code of Practice (CoP, DfE, 2014) is that Local Authorities must have regard to views of the child or young person and their parents. Furthermore, the importance of the child or young person participating as fully as possible in decisions about their Education, Health and Care Plan (EHCP) is stressed. Any professional supporting a child or young person must provide the necessary information and support to allow them to participate, and the inclusion of these principles as part of the Children and Families Bill (2014) makes them a legal requirement.

The shift to a person-centred way of working is arguably not a new philosophy for Educational Psychologists (EPs). The United Nations Convention on the Rights of the Child (United Nations, 1989) specifically highlights a child's right to express an opinion, and it states that adults who are involved in making decisions which influence the life of a child or young person must have regard to their views. Similar philosophies are also evident in the previous editions of the Code (SEN CoP, 2001). However, the extent to which children and young people were allowed to express their views is contentious. Research has shown that prior to the new SEND reforms there have been few genuine attempts to involve children and young people in the assessment process. Armstrong (1993, cited in Harding & Atkinson, 2009) reports that children and young people rarely believed that EPs made an effort to encourage them to contribute to their assessment.

Whilst on placement in a London Borough Educational Psychology Service during Year 1 of our doctoral training programme, we were asked to contribute to a team meeting, as experienced EPs were interested in hearing our perspectives as EPs in training on new or best practice techniques with regards to eliciting pupil voices. Aware of the emphasis on person-centred working, the EPs were keen to ensure that their practice reflected the principles underpinning the CoP (DfE, 2014). One of the main models we were aware of from previous experiences was Hart's (1992) Ladder of Participation (see Figure 1). The ladder was first published in *Children's Participation: From Tokenism to Citizenship* by UNICEF and was designed to enable professionals working with children to reflect upon their practice. The ladder is a metaphor to depict the degree of participation of children and young people in decision making. The lower three levels (manipulation, decoration and tokenism) describe non-participation; at these levels, children have little or no voice, or are given a voice but have no choice regarding how their voice is communicated. Hart (1992) suggested that adults working with young people commonly mistake these lower levels as meaningful participation. The subsequent upper five rungs of the ladder are categorised as degrees of participation. Ideally, an adult working with a child should be working towards the top of the ladder (child-initiated, shared decisions with adults). However, the CoP does not clarify the degree of participation that it is aiming for.

## The Ladder of Participation



Hart (1997) further warned that one should not always be aiming for the top rung, as the level of participation of the child should partly depend on the level at which they feel comfortable. A process such as the assessment for an EHCP consists of several parts. The child may therefore be most comfortable participating at different levels for different parts of the process, and therefore it is too simplistic to simply think that the final goal is to move up to the top rung.

The purpose of introducing this ladder to the team was to provide a model which supported EPs in reflecting upon their practice and to help them consider the extent to which their involvement with children and young people is truly participatory. In our own work with children and young people, the ladder has helped us to recognise that some of our work in gaining the views of the child may previously have been tokenistic and that there are significant improvements we could make to improve the degree of our participation.

The ladder of participation has helped us to recognise that true participation is not without challenges. Hobbs et al. (2000) warn EPs that it is unrealistic to expect children and young people (CYP) to express their views simply because EPs ask them to. Armstrong (1995, cited in Harding & Atkinson, 2009) concludes that this may be because CYP do not necessarily know what to say when asked for their view. Adults therefore need to use a variety of tools to facilitate discussion and to help access the voice of children and young people.

We felt it was pertinent, as part of our presentation in the team meeting, to highlight some person-centred tools that we have previously found useful to assist with eliciting pupil views. For example, tools such as one-page profiles and community circles as introduced by Helen Sanderson Associates have become increasingly popular across education, health and social care professions (Corrigan, 2014). The fact that 'one-page profiles' are mentioned in the draft CoP (2013) suggests that they are a useful tool to facilitate person-centred practice. These tools provide a method for eliciting the views of the CYP that goes beyond direct questioning and involves meaningful conversations with young people that take a more creative and positive approach. There is a risk that using these tools can become a meaningless paper exercise, however, reflecting the tokenistic stage of Hart's ladder. We would encourage adults working with children and young people to ensure that the principles of person-centred working are embedded in their thinking prior to application.

From our experiences as EPs in training, we believe that EPs are making advances towards higher degrees of participation for the children and young people that they work with. While most EPs are working with children and

young people to gather their views as part of the process of psychological assessment, we feel that once the perspectives of children and young people are gathered they can easily become lost. This may be because the profession lacks confidence to take them forward and ensure that decisions are truly child-initiated. Or perhaps the nature of multidisciplinary work acts as a barrier to meaningful participation of children and young people; with so many professionals involved, who will take ownership for ensuring that the voice of the child or young person involved remains at the centre? This, in addition to high workload and a lack of resources and training, may add to challenges in the implementation of the CoP. Despite these challenges and the period of change that the CoP has initiated, we feel that the EP profession has embraced the reforms and now endeavours to move towards empowering children and young people to take a more active role in decision making.

## References

- Department of Education and Skills. (2001). *Special Educational Needs Code of Practice*. Retrieved from <https://www.gov.uk/government/publications/special-educational-needs-sen-code-of-practice>
- Department for Education (DfE). (2014). *Children and Families Act*. Retrieved from The National Archives [http://www.legislation.gov.uk/ukpga/2014/6/pdfs/ukpga\\_20140006\\_en.pdf](http://www.legislation.gov.uk/ukpga/2014/6/pdfs/ukpga_20140006_en.pdf)
- Department for Education, Department of Health. (2015). *SEND code of practice: 0 to 25 years* (DfE Publication No. DFE-00205-2013). Retrieved from <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>
- Corrigan, E. (2014). Person-centred planning 'in action': Exploring the use of person-centred planning in supporting young people's transition and re-integration to mainstream education. *British Journal of Special Education*, 41(3), 268–288.
- Harding, E., & Atkinson, C. (2009). How EPs record the voice of the child. *Educational Psychology in Practice*, 25(2), 125–137.
- Hart, R. (1992). *Children's participation from tokenism to citizenship*. Florence, Italy: UNICEF Innocenti Research Centre.
- Hart, R. (1997). *Children's participation*. London, England: UNICEF.
- Hobbs C., Todd E. S., & Taylor J. (2000). Consulting with children and young people: Enabling educational psychologists to work collaboratively. *Educational and Child Psychology*, 17(4), 107–115.
- United Nations. (1989). *United Nations Convention on the Rights of the Child (UNCRC)*. Geneva, Switzerland: United Nations.