Child Impact Analysis
Achieving quality in decisions that concern children and young people

Analysing and assessing impacts for children and young people is a complex process. When and how are the analyses to be made and how extensive should they be? A systematic way of working increases the chances of the best interests of the child being considered in the decisions, which contributes to achieving higher quality in activities that concern children and young people.

Child impact analyses are tools for translating the UN Convention on the Rights of the Child (CRC) into concrete action and making the best interests of the child visible. By means of child impact analyses local and regional decision-makers can work systematically and ensure that decisions have a child perspective. The aim is to improve children’s and young people’s living conditions.

A way of working for the best interests of the child

As early as 2001, the Ombudsman for Children in Sweden developed a model for child impact analyses that was intended to support local authorities, county councils and government agencies in their efforts to include the best interests of the child in the decisions. Since then we have seen a need to clarify and develop the model so that it describes a way of working in order to systematically make the best interests of the child visible.

It can be used to make assessments of the best interests of a single child or a group of children or the best interests of children in general on the basis of a specific measure or question. And it can be used by all types of organisations and at all levels of society. It is important that what is done is adapted to the specific role and responsibility of the organisation and to the issue that is to be assessed.

We would like to emphasise that child impact analyses are not to be performed alongside the regular work. It is a question of identifying what decision processes concern children and young people and determining what additions or changes might need to be made in the regular work.

In this section we describe a way of working that consists of a number of steps. The actual content of the various steps may differ depending on the type of decision or matter involved. There are, however, some aspects that we consider should be included and documented in several of the steps.

Keep to the fundamental principles of the CRC

Despite the fact the articles of the CRC do not describe the best interests of the individual
child, the fundamental principles in articles 2, 3, 6 and 12 do give general guidance and a necessary foundation for a child impact analysis.

Article 3, which deals with the principle of the best interests of the child, is to be regarded as an ethical and moral basic rule in the realisation of all the rights described in the CRC. More important guidance can be found in article 12, about respect for the child’s opinions, which is intimately linked to article 3.

In order to be able to assess the best interests of the child, the child must be given the opportunity to put forward his or her own views. In order for the best interests of the child to be provided for, the child’s opinions must be considered to be important. Not until the child has been allowed to put forward his or her own opinions and they have been included in the decisions, can the best interests of the child be emphasised and made the primary consideration in any true sense.

The other fundamental principles in the convention, dealing with non-discrimination and the right to life and development, articles 2 and 6, are also necessary when assessing what the best interests of the child are. The conventions’ other articles also define a number of rights related to children’s needs and interests. In this way it defines what should be considered the best interests of the child in different situations that have to do, for example, with health care services, education, recreation and leisure, and children at risk. Other human rights conventions may also provide guidance in some cases.

The prerequisites are set by legislation, regulations and guidelines.
Performing child impact assessments requires a professional attitude to the decision processes that concern children and young people. By professional is meant that a person who makes child impact analyses must have a basic knowledge of how children’s interests or rights are worded in national legislation, the preparatory work behind the legislation, guidelines, regulations or policies in relation to the question that is to be assessed.

The basic knowledge comes from research, analyses and studies.
It is also a necessity that the child impact analysis be based upon knowledge of children’s needs, development and interests in the area in question. Earlier research was to a large extent based on the notion that it was possible to establish definite criteria for children’s needs. Child research in recent decades has shown that children’s needs and the best interests of the child are changeable and not fixed once and for all.

It is difficult to predict a child’s development, because it is changeable. Not all a child’s prerequisites are known or definable. Unforeseen events occur and other factors can
change the child’s development and steer it in an unexpected direction. Some of the most central concepts are relative and difficult to relate to in practice.

At the same time, researchers continue to seek clear causal connections. Today we make even greater demands as regards analyses of environmental and health risks and the demands on different types of organisations are growing when it comes to being able to show the benefit of the efforts made in schools, health care, the social services and other similar organisations. It is therefore important that methods be tested and the content of central concepts be discussed simultaneously in many arenas. But above all, practitioners and researchers need to develop new forms for meeting on these complex issues.

Make the child perspective visible.
Article 12 of the CRC, that states that children and young people have the right to express their opinions in all matters that concern the child, is one of the convention’s most far-sighted and important messages. The article expresses a child perspective where the child is an individual in his or her own right with full dignity as human beings and opinions that must be respected. Since article 12 so unambiguously states that a child has the right to be heard, it is the opinion of the Ombudsman for Children in Sweden that their views must be part of the decision basis that forms the foundation for an analysis in order to arrive at the best interests of the child in such decisions. An assessment of what are considered to be the best interests of a child or a group of children in a given situation must always be made by the adult who has responsibility for the decision.

A central issue is whether the activity or decision concerns an individual child, children in general or a defined group of children. Article 3 contains both a collective and an individual aspect. The first section of the article begins by referring to children in the plural and goes on to speak about the child in the singular: “In all actions concerning children ... the best interests of the child shall be a primary consideration”. The two levels covered by the article may be a dilemma in some situations. A decision can affect both an individual, a certain group of children or all the children in a particular country. The best interests of an individual child may also conflict with the best interests of a group of children. Here we need to illuminate what decisions may affect an individual or all the children in a municipality or county, or what decisions affect children in general.

It is also important in the assessment to remember that children are not a homogenous group. Children have different prerequisites and needs depending, for example, on gender, age, socio-economic conditions, cultural and ethnic background and any disabilities. A child’s best interests in a given situation is not necessarily the best interests of another child. Something that is to the advantage of one group may be very unfair to another group
and so on. Ways must therefore be found of handing these different perspectives, both at
the level of the individual and of groups, specifically for each individual situation.

The best interests of a child or a number of children may also clash with other public
interests. In cases where the a child’s or children’s best interests have been set aside in
favour of some other interest, it is especially important that the analysis and decisions be
documented so that the basis for the prioritisation is quite clear. It is also of the utmost
importance that the child’s or children’s own opinions and wishes are brought out and
documented.

**Starting from existing work processes**
The Ombudsman for Children in Sweden does not give complete answers for all steps and
details that should be included in a work and decision process that takes the best interests
of the child into consideration. Both content, form and work process must be adapted to
the particular organisation and the issue at hand.

According to the recommendations of the National Audit Office, impact analyses should be
made in a special way for every organisation and follow documentation procedures. The
analysis should be brief, preferably illustrated with figures and tables, contain well-
arranged summaries, and be edited so that the salient points are brought to the fore. The
analysis must be easy to understand by those concerned by the decision.

The aim is that the child impact analysis will contribute to the decision having the intended
effect. In the following section we describe a possible work and decision process for a child
impact analysis where the following elements should be included: survey, description,
analysis, scrutiny and decision, and evaluation.

**Step 1: Mapping**
The first part of the work process should contain a survey and a plan for how and from
where the knowledge and information needed are to be obtained. It is also necessary to
assess whether the factual basis is sufficient or whether more surveys, statistics or research
are needed in order to be able to make a decision. The knowledge basis must show what
groups of children the issue concerns and may have an impact upon and what groups of
children can be excluded. It is important to pay attention to children’s living conditions as
regards, for example, special needs, mental or physical ill-health etc. The child’s or
children’s own opinions must also be brought out.

**Step 2: Describing**
The next step is to draw up a description based on the material that has been obtained. It is
important that the issue in question, the proposal, the budget or the policy decision be put into context and that the aim is clear. The current regulations that apply in the particular area should be described, together with how the proposal relates to the articles of the CRC.

The description should make clear which child or children are concerned directly or indirectly by the measure, in what way they are concerned, and how they have been identified. It may sometimes be a good idea to elucidate the issue on the basis of the child’s or children's gender, age, level of development and their own prerequisites within their families, in their environment, and in their own networks including, for example, their day-care centre, their school, their leisure time and their friends.

Describe what the concerned children’s opinions are, how they were given the opportunity to express themselves and what information they were given in order to be able to express themselves on the issue at hand. Make some alternative suggestions as regards the issue and write down what compensatory, damage-prevention or improvement measures can be taken. It is also important to describe what costs the issue at hand involves, for whom and for what groups, and what basis was used in the cost calculations.

**Step 3: Analysing**

The third step should consist of a problem analysis where the motivation behind the proposal and its impact are described in more detail. A basic condition for a proposal to be given a hearing is that there are more positive impacts than negative ones. What factors, problems or needs lie behind the proposal? What are its objectives and aims? Have the bases for the proposal changed as a result of the opinions that came to light in the dialogue with the children. An important part of the analysis phase is of course to assess how the proposal relates to the undertakings in the CRC. Here it is a question of analysing the factual material and trying to predict the effects of different decisions. In this respect it is important to make a special review of how the proposal relates to those groups of children with special needs that may have been identified at the survey stage.

**Highlight conflicts of interest**

Conflicts of interest as regards the best interests of the child in relation to other interests must also be brought out in the analysis, for example the child’s guardian’s interests or public economy interests, and how much weight they are given in relation to the best interests of the child. The analysis should also contain details of the child’s or children’s needs, interests or rights and how they can be provided for with compensatory measures or efforts. The analysis must also show whether the best interests of the child or children will have to stand aside for other interests.
The consequences in the form of costs must also be analysed. It is just as important to try to analyse the gains that may exist as it is to analyse the costs. There may be socio-economic gains in the form of better health and education for children in general, but there may also be gains from an individual child’s perspective such as the absence of future mental problems.

We are often good at reporting the cost of society’s efforts for children and young people. But we are less accustomed to systematically reporting benefits and gains. By describing lines of reasoning about the consequences that different alternative actions may have, we can also show gains. Gains might for example include greater influence and participation, greater accessibility for children with disabilities, reduced ill-health or improved road safety. Use the CRC to help you concretise the gains.

**Use the impact chain for support**

The impact of different courses of action can be predicted using so-called impact chains. An impact chain can provide guidance when the analysis is being structured and shows whether the prerequisites exist for the measure to lead to the goal in question. The impact chain can also provide guidance as to whether the proposal is the right one and also bring out the positive and negative side-effects that may result from the measure.

**Step 4: Testing and decision**

The fourth step in the process has to do with the actual purpose of a child impact analysis, viz. to examine in detail and take a decision. The scrutiny of the best interests of the child, that is to form the basis for the decision, must be based on the knowledge that has been obtained.

The scrutiny step involves making a total assessment of all relevant factors based on the survey, the description and the analysis. Here it is important to include in the assessment everything that concerns the child’s or children’s physical and mental well-being and development, for example their right to protection and care and to play and leisure.

Both the short-term and the long-term impact for the child or children must also be taken into consideration as far as possible. General knowledge about children’s needs and development are necessary ingredients of a child impact analysis, but it is not always possible to transfer what is best for children and young people in general to an individual child or a specific group of children. The best interests of the child must therefore be interpreted as the best possible solution for every individual child or group of children. In this step it is important that we really take a position when we encounter conflicts of interest and that we justify our viewpoints.
**Give due weight to the best interests of the child**

In its pronouncement on article 3 and the best interests of the child, the United Nations Committee on the Rights of the Child put forward its opinion that the principle must always be taken into consideration and be given great weight. In situations where the best interests of the child or children are in conflict with adults’ interests, the best interests of the child shall as good as always have precedence. “The best interests of the child shall be a primary consideration.”

An example of when the best interests of the child have been given greater weight is in the investigation into eviction and homelessness among families with children (SOU 2005:88), from which the following extract is taken.

“Proposal: That the Social Services Ordinance be extended to include a regulation that when the social welfare board is informed by a landlord that notice has been given that a rental agreement is to be terminated, the social welfare board shall immediately appoint an administrator in the matter, inform the landlord, and contact the individual concerned.

The National Board of Health and Welfare should contribute to developing and securing the local authorities’ procedures by publishing a handbook for efforts to counteract evictions among families with children.

The proposal that the social services must act as soon as they receive information from the landlord affects the child since attention is paid to the family earlier on in the process. This means that the social welfare board in the municipalities that introduce the procedure according to the proposal is involved at an earlier stage and has more scope to resolve the situation for the family.

There is a conflict of interest between the need for an early response and intervention in these matters and the parents’ right to decide themselves as to what contact they have with the authorities.

Securing the child’s right to a stable living environment, in my opinion, has greater weight than any interest the parent may have in excluding the social services from such matters.

There is a further conflict of interest in this and other proposals of an organisational nature that lies in the local authorities’ interest of organising their own activities without being controlled by the legislators.
Regarding costs and gains to society, the local authorities that work actively with visiting activities report lower costs in respect of social-security payments for rent arrears than when they had a more passive attitude. The proposal that the National Board of Health and Welfare publish a handbook may lead to better procedures to protect children threatened with eviction.

The best interests of the child are to be considered and shown
Even if the opinion of the United Nations Committee on the Rights of the Child is that the principle of the best interests of the child is to be given considerable weight, at the same time the committee says that the interests of the child cannot always be given the greatest weight. There may be situations when other interests have greater weight and are therefore given precedence. The states, or those to whom a state has delegated the right of decision, must nonetheless always ensure that the best interests of the child have been detailed in the decision process.

Should such scrutiny reveal that other interests than the best interests of the child have greater weight, then the decision-maker responsible must be able to show that the best interests of the child have been considered and detailed in the decision process. The decision-maker must also be able to give reasons why interests other than those of the child have been allowed to take precedence.

In other words, it is the responsibility of the decision-maker to show that the best interests of the child have been considered, and this includes an obligation to report the basis for the decision. When the best interests of an individual child or group of children must be set aside in favour of other interests, the decision-maker should also think about compensating the decision in some way.

Step 5: Evaluating
It is also important to evaluate what effects the decision had in reality and how far they were in agreement with the premises upon which the child impact analysis was based. The final step in the process is therefore to follow up and check whether the measures had the desired impact.

Such impact analyses are called impact evaluations. An impact evaluation allows an assessment to be made of whether the desired impact has been achieved or whether further measures are needed. Children affected by the decision must also be given the opportunity to participate in such impact evaluations. By carrying out evaluations of this kind the organisation gains experience and becomes increasingly better at making child impact analyses. If we always allow the best interests of the child to be our guiding-star in
the decisions, this will gradually contribute to higher quality in all municipal and regional activities that concern children and young people.

Source: Uppnå kvalitet I beslut som rör barn och unga