

THE REALISATION OF CHILDREN'S RIGHT TO PARTICIPATION IN COMMUNITY CHILDREN'S CARE HOMES

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Abstract. *The article reveals the findings of a qualitative study the aim of which was to identify the realities of the realisation of the children's right to participation in the community children's care home (hereinafter referred to as CCCH). Research questions of the study: What are real possibilities for children to realise their right to participate in the decision taking in CCCH? How are children involved in decision taking? Nine social workers, working in CCCHs in different locations in Lithuania, participated in the study.*

The study revealed that to realise the child's right for participation a positive attitude of an employee towards child's participation. The positive attitude of an employee should be linked to a child-centre approach, which includes attentiveness to every child, openness to the child's experience, opinion, non-dominance of an adult and the acknowledgement of the child being the expert of his situation. To realise the child's right for participation establishment and maintenance of positive relationships with the child by employees which is linked to a respectful communication with the child, trust in the child and the child's trust in the employee. It is also important to provide the child with information regarding his right for participation by informing that employees are ready to listen to him and that he has a right to express his opinion on different topics regarding himself. Another important aspect of the realisation of the child's right for participation is cooperation with the child which is expressed through the provision of information in the manner which is understandable to the child, his empowerment to participate when taking decisions, listening to his opinion, taking into consideration his opinion, in order to ensure his best interests, the analysis of situations and discussions with children when taking decisions, assistance, but not substitutionary help when the child takes decisions.

The study revealed that CCCHs create conditions for the child's right for participation to be realised in his daily activity which is expressed the child's participation when drawing up CCCH's rules and adhering to them, planning and organising his leisure time, the child's involvement in the creation and maintenance of personal and common spaces, daily choruses.

Keywords: *children, children's home, community participation, right.*

Introduction

One of the rights of the child is to participate in the decision-making. The right of the child to participate in the decision-making is enshrined in Article 12

of the United Nations Convention on the Rights of the Child (United Nations, 1989). Article 12 of the Convention on the Rights of the Child states that the child has the right to freely express his opinion and views and to be heard (United Nations, 1989). General Comment 12 of the United Nations Committee on the Rights of the Child (2009) claims that it is a process in which a dialogue takes place between the child and the adult while exchanging information and on the basis of mutual respect. The General Comment states that the child's participation is not a momentary action, but a continuous process (United Nations Committee on the Rights of the Child, 2009). The children's right to participation is unique, because it acknowledges that that, although children are dependent on their parents and other adults, they have the right to participate in the decision-making that affects them (Lansdown, Jimerson, & Shahroozi, 2014).

When shaping child wellbeing policy, Lithuania relies on principal provisions of the United Nations Convention on the Rights of the Child. This convention was adopted in Lithuania in 1995. As it is noted in the Convention, participating states should respect and guarantee all the rights of every child set out by the convention. The right of participation provides children with the opportunity to be not discriminated, to be heard and to have an impact in the decision-making that directly affects them. This right contributes to the diversified education of children, improves their state of mind, dignity and self-esteem and contributes to the preparation for independent living of children (Fiorvanti & Brassard, 2014).

The child's right of participation depends on adult persons and how they assess and convey this right to children: by informing them on the possibility of participation, creating the possibility to them to voice their opinion, taking it into consideration in the decision-making regarding them (Merkel-Holguin et al., 2019). Children, while feeling their attention and attitude based on trust, become involved in the process of participation when taking decisions with increased willingness (Cossar, Brandon, & Jordan, 2014).

The studies that have been carried out demonstrate the relevance of the participation of the children, who live in institutional care, in the process of decision-making. It is acknowledged that children, who live in institutional care, are provided with limited possibility to participate in the decision-making in various areas, this acts as a break on the formation of independence in children and decreases the possibilities of their successful involvement in society (McPherson, et al., 2020). It is underlined that, when a person leaves the environment characterised by an inflexible daily schedule and rules, in which there is small amount of space for self-determination or free choice, it may be difficult for him to formulate and to express their wishes and to take independent decisions (Salazar, Spiers, & Pfister, 2021). Therefore, it is no coincidence that international (Deinstitutionalisationguide, 2012) and national (LR Ministry of Social protection and labour, 2014) documents, which regulate an institutional

care reform, emphasise that the focus of attention should be on the ensuring of the child's right of participation in the decision-making that directly affects them.

In Lithuania, the child care reform includes the creation of new and the development of the existing community-based services which are alternative to institutional care. One of the forms of the provision of community-based services is a community children's care home (CCCH), which is a children's care home operating in a model close to a family environment (up to 8 children) established in separate premises (e.g., a house, an apartment) in the community. It is noteworthy that, in the Description of community children's care home (LR Ministry of Social protection and labour, 2021), particular emphasis is put on the ensuring of the child's right of participation. However, having performed the analysis of the studies, which examine the deinstitutionalisation process of childcare institutions in Lithuania, which began in 2014, it was established that there is a lack of studies, which reveal the realisation of the children's right of participation at CCCH. The realization of the children's right of participation in the decision-making that affects them is closely related to decision-making skills in children. Scientific studies demonstrate that children, who had lived in institutional care, having begun to live in CCCH, lack decision-making skills (Raudeliūnaitė & Gudžinskienė, 2018). The process of institutional care reform, which is conducted in Lithuania, has reached the second phase, therefore, it is expedient to research how, after the living conditions of children have changed while they live in an environment close to the family at CCCH, their right of participation is realised. The objective of the study is to identify the realities of the realisation of children's right of participation at CCCH.

Research methodology

Method of data collection. To conduct the study, qualitative type of research was chosen. The method of a semi-structured interview was used in the study, which enables to move closer to the perception of human experiences, the identification of meanings, the definition of situations and the interpretation of reality (Creswell, 2014). In order to reveal the realities of the realisation of children's right of participation at CCCH, during the interview, the social workers were given the following questions: What are real possibilities for children to realise the right of participation in decision-making at CCCH? How are children involved in decision-making?

Method of data processing. The obtained data were analysed by using the content analysis method. According to J. W. Creswell (2014), a content analysis is a technique, which, having examined the specificity of a text, allows to draw reliable conclusions objectively and systematically. When performing a qualitative content analysis this consistency was adhered to: multiple reading of the transcribed interview texts and reflection on them, data encoding while

singling out semantic units in the text, grouping codes into subcategories, formation of categories from subcategories, integration of categories/subcategories into the context of the phenomenon under analysis, the interpretation of study data (Creswell, 2014). J. W. Creswell (2014) emphasises that content analysis is a valid method for making specific inferences from the analysed text.

The research data was analysed by two researchers. Before beginning the data analysis, the researchers agreed regarding the data analysis. Y. Zhang & B. Wildemuth (2017) note that when study data is analysed by a few researchers it is necessary to discuss data encoding rules and to practically verify that all the researchers uniformly understand them. The primary data analysis was performed by the researchers individually, while encoding data and forming primary subcategories and categories. After that the researchers compared the primarily distinguished subcategories and categories, discussed and finally formed them by common agreement.

The sample of the research. Targeted selection of the study participants was used in the study. The participants of the study were selected according to the following criteria:

- 1) social workers who have a degree in the area of social work;
- 2) social workers who work at CCCH, 3) at least 3 years of work experience at CCCH.

The study was conducted in the April - June of 2022. All the interviews were conducted remotely while recording interviews at the same time. Nine social workers, working in CCCHs in different locations in Lithuania, participated in the study. Collection of the research data was stopped in compliance with the data saturation principle. When it was noticed that the answers obtained during interviews started repeating the earlier received data, the new research participants were not included in the research.

Ethics of the research. The study was based on the respect for personal privacy, benevolence and attitude not to harm a researcher, confidentiality and anonymity (Aluwihare-Samaranayake, 2012). The participants of the study participated voluntarily. They were briefed on the purpose and the use of the study, the method of study data collection and the procedure of the study, anonymity and confidentiality were ensured. Study participants were assigned a code by using the letter 'A, B, C' and so on. The encoded data of all the study participants are available only to the researcher.

Research results

The right of the child to participate in the decision-making is an integral part of the child wellbeing and the child's social rights. The environment, which encourages participation, significantly contributes to the implementation of

children’s rights (Venninen, Leinonen, Lipponen, & Ojala, 2014). One of the functions of the employees of institutions, working in the area of the realisation of children’s right of participation, is the implementation of children’s right of participation. In order to achieve that, it is important that employees would demonstrate attention to the child, would search for ways, methods allowing the child to realise the child’s right of participation, to appreciate the realities of the realisation of the child’s right of participation, that they would remove obstacles for the realisation of the child’s right of participation. The study is aimed at revealing the realities of the realisation of the children’s right of participation in the community children’s care home.

Having performed the study data analysis, it was established that children, living at CCCH, are provided with opportunities to realise the right of participation. Having analysed the study data, five categories, which are associated with the realisation of the children’s right of participation at CCCH, were distinguished: a child-centred approach, the creation of positive relationships with the child, the provision of information to children concerning their right of participation, cooperation with the child when realising his right of participation and the creation of conditions to realise the child’s right of participation in his daily activity (Table 1).

Table 1 The expression of the child’s right of participation in the community children’s care home (made by Authors)

Categories	Subcategories
A child-centred approach	Attentiveness to every child
	Openness to the experience and opinion of the child
	Non-dominance of adults
	The recognition of the child as an expert of his situation
The creation and maintenance of relationships with the child	Respectful communication with the child
	Trust in the child
	The child’s trust in the employee
The provision of information to children concerning the right of participation	The informing of children regarding them being giving a hearing
	The informing of children regarding the expression of their opinion
Cooperation with the child while realising his right of participation	The provision of information to the child in a way understandable to him while empowering him to participate in decision-making
	Listening to the child’s opinion
	The consideration of the child’s opinion in order to achieve his best interests
	The analysis and discussion of situations with children when making decisions
	Supportive, but not substitutionary assistance for the child when he makes decisions

The creation of conditions to realise the child right of participation in his daily activity	Child participation while creating CCCH rules and adhering to them
	Child participation when planning and organising leisure
	The involvement of the child in the creation and maintenance of personal and common spaces
	The involvement of the child in housekeeping

The study revealed that, when realising the child's right of participation, an important role is played by the positive position of adults concerning child participation. Positive position of an employee is expressed through a child-centred approach. A child-centred approach is associated with attentiveness to every child. According to the study participants, "every child should be visible, he should feel important, necessary. To that end, time should be given to communicate with every child, because this is the only way you can know him better, a closer relationship, trust, openness is established" (H). An employee, by paying his attention to every child, shows that he and his opinion are important.

A child-centred approach is also expressed through the openness of an employee to the child's experience, his opinion and the non-dominance of adults. According to the study participants: "you shouldn't look down at the child's experience, override him" (A), "it is very important to be interested and open to the child's experience, not to disparage or ignore it. It assists in understanding the child's situation better, his approach" (I), "to take such a position that not only my opinion, as the specialist's or the adult's, the person's with experience, is important, but also that of the children and to demonstrate that to them, to help understand" (C). That demonstrates that, in order to realise the right of child participation, it is important to recognise the child as the expert of his situation. J.Strömpla & K. Luhamaa (2020) also note that there should be attitude towards children as experts of their own situation that they are able to perceive and interpret their life circumstances themselves. According to the authors, one of important steps, which should be taken in order to give a hearing to children, is to look at a situation through their lenses. Only the giving of a hearing to children and looking at their experiences seriously gives a reason to expect their openness, only then children may provide with important information and participate in the decision-making that affects them (Pöllki, Vornanen, Pursiainen, & Riikonen, 2012).

The study has established that the creation and maintenance of positive relationships with the child are important when realising the child's right of participation. When creating and maintaining positive relationships, respectful communication of the adult with the child and trust in the child and the child's trust in the employee are important. According to the study participants: "in order to ensure child's participation, it is important that employees would communicate

with children respectfully, would listen to the opinion of children and that they would trust the child and would believe in him” (D), “if we want that children would participate when making decisions, then, first of all, they must trust us... that their security would be guaranteed and promises would keep during decision-making and after” (B). Having won children`s trust, it is possible to convey information to children easier, to listen to them and to involve children in the processes of decision-making regarding issues that are related to them. Children, feeling the attention and the positive attitude of adults, which is based on trust, privacy and integrity, will want to become involved in the process of participation (Cossar, Brandon, & Jordan, 2014).

The study identified that, in order to realise the child`s right of participation, the provision of information to children concerning their right of participation, that they are able to voice their opinion and that they will be heard, are important. The study participants pointed out that “it is necessary to inform children that they can voice their opinion and it will be heard, understood (F), „children know that I will hear and will understand them, therefore, they openly voice their opinion, propose a way out, solutions” (E). The provision of information to children is a necessary condition, in order to involve children in meaningful participation in the process of decision-making (Križ & Roundtree-Swan, 2017). S. Bessell (2011) states that the participation of children is influenced by the fact whether they have enough information on the possibility of participation, whether they have the possibility to freely express their views, whether the child opinion influences the decision.

The study revealed that when realising the child`s right of participation it is important to cooperate with the child. Having analysed the experiences of the study participants, it was identified that social workers, working at CCCH, cooperate with children by making various decisions that affect them, presenting information during the decision-making process in a way understandable to them and empowering them to participate in the decision-making, listening their opinion, taking into consideration the child`s opinion, in order to achieve his best interests, analysing situations and discussing with children when making decisions. The study participants noted: “it is important to present information on issues related to them while using words understandable to the children taking into consideration their age and understanding” (A), “it is important to talk with children both in those cases when their wishes will be adhered to and when there is no possibility to adhere to their wishes, in a case like this, it is important to explain to the child that he would understand why it is so” (G), “if the child`s opinion is ignored, then it should be explained clearly and reasonably why so while assisting him in understanding through a discussion, and he shouldn`t be left in the dark by imposing such decision from on high“ (H), “it seems to me that the hearing of the child's opinion does not depend on the age of children, but on the fact how much effort we, adults, put to hear and to understand the child“. In

addition, the study participants noted that “it is very important to use appropriate methods of communication with the child, tools which would assist in understanding his wishes, expectations, possibilities” (B), „an individual approach to every child is very important, because not everyone is able say what he wants, therefore, it is important to use various tools both to get information and to present it” (D). The study participants also pointed out that some children do not express their wishes due to the circumstances, in which they find themselves, in their environment, because others have not encouraged them to express their wishes, would not ask their opinion, but made decisions instead of them, therefore, “there is a need to put considerable efforts into winning in the child that he would understand that his opinion is important, there is a wish to talk, to consult with him” (F). Thus, the statements made by the study participants demonstrate that children can influence the decisions, which are made, by expressing their thoughts. In addition, the study demonstrates that it is necessary to talk with children about their opinion, which they have expressed, and the influence they wield on their further decisions. P. Pöllki et al. (2012) also note that it is necessary to talk to children about reasons and possible consequences when making decisions. According to the authors, it is very important to convey all information to children on the issues related to them. The provision of information to the child assists in expressing his opinion easier, influencing or making a well-considered decisions and giving feedback.

The study demonstrated that some children encounter difficulties when making decisions, therefore, they need the assistance of CCCH employees. However, the study highlighted that supportive, but not substitutionary assistance should be provided to the child when making decisions. Supportive assistance in the taking of decisions is focused on the promotion of the child's autonomy, his will is respected and acknowledged, his dignity is not infringed and decisions are not made in place of the child. Substitutionary decision-making means that the child is deprived of the right to make autonomous decisions, and other persons make decisions in place of him, which, in turn, devalues one of the basic rights of the child – the right to decision-making, the child becomes defeated. The study participants noted that, when providing assistance regarding decision-making, it is important „to provide the child with the fullest information on the possible consequences of his decisions and behaviour in ways and a language which are understandable to him“ (C), „ although sometime the wishes and decisions of children may seem unreal, however, the duty of the social worker is not to deny them, but to assist the child in understanding his situation and possible consequences for various decisions“ (G). That demonstrates a child-centred approach of social workers which encourages to look for methods, tools, in order to increase the empowerment of the child in the taking of decisions. J. Strömpla & K. Luhamaab (2020) claim that children should be provided with assistance

which can help them express their approach. Every child has different abilities, therefore, adults must have appropriate methods and tools to reveal them.

The study revealed that the employees, who work at CCCH, create conditions for children to realise the right of participation in their daily activity. The study demonstrates that children participate in the creation of rules at CCCH. The study participants pointed out: “we involve children in the creation of CCCH rules, we encourage children to make proposals, we consider them and, by common accord, we adopt them” (E), “when children participate in the creation of rules they adhere to them more responsibly, because they participated in the creation and maintenance of them” (D). The involvement of children in the design of CCCH rules creates conditions for children to voice their opinion, to hear another’s opinion, to consider proposals and to make decisions and to assume responsibility for their execution.

The study demonstrates that child participation in the planning and organising of leisure is one more opportunity to realise their right of participation. The social workers noted that they listen to each child’s wishes about, how they would like to spend their leisure, and plan leisure pursuits both at the home and outside CCCH together. Attention should be drawn to the fact that the children’s right of participation is realised not only by planning leisure, but also by organising it. The study participants noted that „when we plan leisure with children, they undertake its organisation willingly, assume responsibilities for one or other activities” (A), „by getting involved in various leisure organisation activities children learn to make proposals, to voice their wishes, to listen to each other, to perceive another’s needs and wishes, they learn agree” (I). Children, when getting involved in the planning and organisation of various activities, they develop problem-solving skills. A. M. Salazar, S. S. Spiers, & F. R. Pfister (2021) maintain that children should be involved in the planning, organisation, execution of various activities and their analysis. That provides an opportunity to children to be listened to and heard, to undertake an initiative and to achieve self-fulfilment.

The study identified that children realise the right of participation by getting involved in the creation and maintenance of personal and common spaces. At CCCH, every child has his personal space which he can create according to his needs and wishes, he also contributes to the creation and maintenance of common spaces and is responsible for order in them. The study participants pointed out: “we give opportunities for children to fit out their room according to their wishes themselves” (B), “we consult with children how we will decorate common spaces, how we will fit them out” (E), “when children contribute to the creation of cosiness at the home they make greater efforts to maintain order there, they assume responsibility” (C). Children realise the right of participation by getting involved in household chores at CCCH. The study participants noted that household chores, for children, are not allocated, but there is consulting,

discussion regarding them, arising problems are conversed about, solutions are sought together: “our family conducts meetings, we talk over various household chores, children express their wishes, needs, complaints, we also talk with children individually” (G), “at least once a week, we all gather together to talk over household chores, leisure, purchases, successes and failures. During every meeting, we endeavour that all the children would express their opinion on a given topic: we encourage the timid ones, we try to respond to the needs of children by discussing, resolving arising problems, to introduce certain changes according to the proposals of children” (F). This demonstrates that employees endeavour to give a hearing to the opinion of children and to consult with them when making decisions. When the child is enabled to share his opinion and adults listen to his opinion and take it into consideration, thereby children feel not only the respect of adults, but also his support, and then they are more willing to share their opinion and reflect on their own views (Tisdall, 2017). Children always appreciate and open up more and speak their mind when an interest and flexibility concerning them is demonstrated (Van Bijleveld, Dedding, & Bunders-Aelen, 2015). In order to respect the child's approach and an experience he has gone through, it is important to converse with the child, to hear and to understand him, to support and to encourage him to be active when making decisions that affect them.

Conclusions

The study revealed that, in order that the right of participation of children living at CCCH be realised, a child-centred approach of employees, the creation of positive relationships with the child, the provision of information to children concerning the right of participation, cooperation with the child when realising his right of participation and the creation of conditions to realise the child's right of participation in his daily activity are important.

A child-centred approach is attributable to attentiveness to every child, openness to the child's experience, his opinion, the non-dominance of adults and the recognition of the child as an expert of his situation. The creation and maintenance of positive relationships with the child by social workers are important in the context of the child's right of participation. The creation and maintenance of positive relationships with the child are attributable to respectful communication with the child, trust in the child and the child's trust in the employee. When realising the child's right of participation, it is important to provide children with information concerning their right of participation by informing children that they can voice their opinion and their opinion will be heard. The cooperation of social workers with the child is also important when realising the child's right of participation at CCCH. Cooperation with the child is attributable to the provision of information to the child in a way he understands, his empowerment to participate in the decision-making, the listening to his

opinion, the taking into account of the child's opinion, in order to achieve his best interests through the analysis of situations and discussion with children when making decisions, supportive, but not substitutionary assistance to the child when making decisions.

At CCCH, conditions are created to realise the child's right of participation in his daily activity. In their daily activity, children realise their right of participation by participating in the creation of CCCH rules and adhering to them, participating in the planning and organising of leisure, getting involved in the creation and maintenance of personal and common spaces, and performing household chores.

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