

Annex A. Engaging with children

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**RAINFOREST
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ENGAGING WITH CHILDREN

When you conduct Assess-and-address for child labor, you will be engaging with children as stakeholders, members of the community and potentially as children who are at risk of or experiencing child labor. This Annex provides you with the tools and guidance to engage with children safely and always putting their best interests first.

The best interest of the child

The best interests of the child is defined in article 3 of the CRC and states; the best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.

The best interests of the child are different for each individual child's situation, as children are not a homogenous group and their gender, age, ethnicity, culture and their unique situation need to be considered. This is further defined in General Comment number 14 on the CRC.¹

Checklist on best interests of the child

We advise you use the following “best interests” indicators as a checklist when making decisions affecting children involved in or at risk of child labor:

- What are the short-term, medium-term and long-term effect of the decision on the child and family?
- Is the child's right to be heard on all matters that affect him/her respected, in line with the child's growing capacities (e.g. the older a child is, the more “say” s/he should have about matters that affect them) (Article 12 of the CRC)?
- Does this respect the child's identity (e.g. if learning specific skills through work is an important element of a cultural identity of the child and his/her family, this needs to be taken into consideration when a child is found to be in child labor when learning these skills) (Article 8 of the CRC)?
- Does this decision respect the right of the child to a family environment (e.g. when considering removing a child from child labor and offering a centre-based skills training / vocational training course, thereby removing the child from his/her family, might increase the risk that the child is exploited in absence of the protective family environment) (article 9 of the CRC)?
- Does this decision ensure the care, protection and safety of the child (e.g. when removing a child from an exploitative child labor situation, care needs to be taken to ensure the child is protected from the exploiter)?
- Does this decision take into account the specific vulnerability of the child (e.g. when a child labourer comes from an extremely impoverished family that is unable to care for the child, this needs to be taken into account)?
- Does this decision affect the child's right to health (Article 24 of the CRC)?
- Does this decision affect the child's right to education (Article 28 of the CRC)?

¹ More information can be found on the CRIN website, which links to the General Comment and explains it further: <https://www.crin.org/en/library/publications/crc-general-comment-best-interests-child>



The importance of a child rights perspective

The UN Committee on the Rights of the Child provides more guidance (called General Comments) for governments, businesses and NGOs to help them ensure children's rights are respected and protected. General Comment 12 – the right of the child to be heard,² provides useful guidance for CH's in ensuring a child rights perspective can be taken in practice when seeking to manage the risk of child labor on your farm(s).

The right of all children to be heard and taken seriously constitutes one of the fundamental values of the CRC. It is important to ensure children's opinions are heard as they can provide a useful and unique insight into the issues your farm(s) face. This section provides guidance on why it is useful and important to ensure you engage with children and those who can speak on their behalf and how to ensure this is done safely and in the best interests of the child.

Working with children in Assess-and-address child labor

Throughout the various stages of Assess-and-address, you will be engaging with children especially when mitigating risks of child labor or remediating child labor, for example, if children are missing school in order to work, or doing tasks that are hazardous.

When investing in children's lives, we want to make sure our actions contribute to positive change and protect your farm and workers from child labor and exploitation. How can we make sure we do this? There are four key elements to child rights principles that should guide actions to prevent and mitigate risks of child labor.

- a. **Best interests of the child:** is your action improving the child's life in the best possible way?
- b. **Do no harm:** is your action not harming the child by removing income from a vulnerable family?
- c. **Child's right to participate:** is the child given opportunity to understand and influence actions to help him/her?
- d. **Non-discrimination:** Every child has rights, whatever their ethnicity, gender, religion, language, abilities or any other status.

The table below highlights when you are likely to engage with children during the Assess-and-address process and when you need to apply these principles.

Make sure that team members who are involved in managing or implementing these activities understand the key principles of how to engage with children safely and in the child's best interests.

² <http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-GC-12.pdf>



Figure 1. Assess-and-address engaging with children

<p>Risk assessment and mitigation</p>	<ul style="list-style-type: none"> • When assessing potential risks e.g. family work or under-age work • When designing prevention and mitigation activities for children
<p>Monitoring</p>	<ul style="list-style-type: none"> • When monitoring potential risks e.g. family work or under-age work • When monitoring remediation activities
<p>Remediate</p>	<ul style="list-style-type: none"> • When removing a child from child labor and ensuring their safety and well-being • When assisting a child with either going back to school or with accessing appropriate skills training • When assisting a child with transferring to a safe and age appropriate type of work • When assisting a family with finding alternative sources of income to make up for the loss of income from the child • When taking remedy action for larger groups of children / communities (e.g. education, awareness about dangerous tools / pesticides)
<p>Report</p>	<ul style="list-style-type: none"> • When reporting on cases of child labor internally, or sharing with government monitoring teams / databases or when reporting to law enforcement agencies

The benefits of engaging with children and child right’s experts

There are many benefits to engaging with children, or those who are experts in child rights or who have unique insight into the experiences of children affected by your farm(s) activities. These include:

- Hearing, understanding and responding to children’s unique opinions, views, experiences and information, can be useful to your farm(s) when conducting risk assessments and human rights due diligence.
- Obtaining information about child rights impacts can also serve as an early indicator or ‘red flag’ to your farm(s) and its broader human rights risks.
- Gaining insight on how you can mitigate risks or how to address opportunities to advance children’s rights.
- Building trust and long-lasting relationships among wider communities and avoid unnecessary grievances and reduce potential for community conflict.
- Ensure that children are regarded as equal stakeholders and demonstrate commitment to taking children’s views and welfare seriously.

How to work with children safely and respectfully



When working with children either to assess the potential risk of child labor or in implementing preventative and remedial activities, there are several areas that need special consideration such as how to ensure children are safe during and after participation and how to store their data safely.

It might not always be necessary to engage with children, as it may cause more harm or child rights experts, parents or teachers may be able to provide you with the information you need.

Preparing for child stakeholder engagement

Preparation for stakeholder engagement with children is critical to its success and to ensure you do not cause harm. Once you have used the guidance in module 2 on how to identify your stakeholders it can be useful to make a plan of engagement. The following diagram (figure 2) provides a suggestion for the steps you can include in your plans.

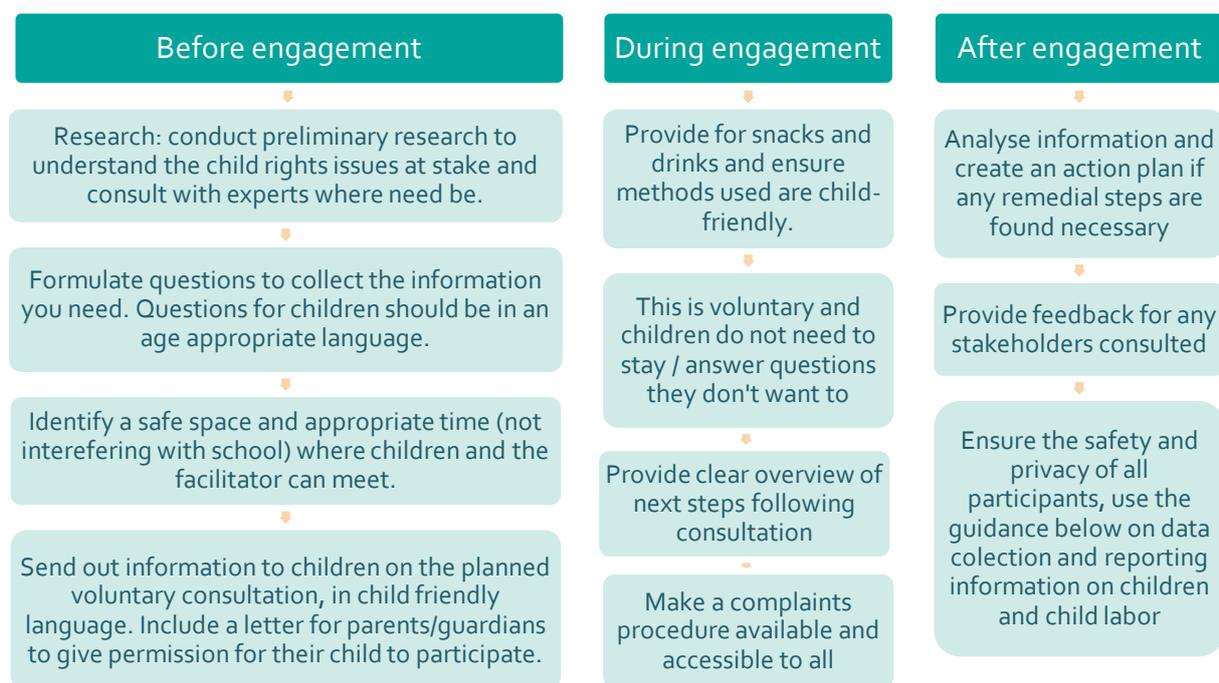


Figure 2. Stakeholder engagement plan outline

Considerations for child participation

Stakeholder engagement on farms should be an ongoing process to hear the opinions of workers and communities including children. However, when engaging children or seeking to use information about children in reports there are certain precautions and considerations that need to be taken into account to ensure their rights are protected. General Comment 12 outlines 9 requirements for child participation these states that any processes in which a child or children are engaged must be:

1. **Transparent and informative** – children must be provided with full, accessible, diversity-sensitive and age-appropriate information about their right to express their views freely and their views to be given due weight. As well as information about how the participation will be take place, its cope, purpose and potential impact.



2. **Voluntary** – children should never be coerced into expressing views against their wishes and they should be informed that they can cease involvement at any stage.
3. **Respectful** – children’s views have to be treated with respect and they should be provided with opportunities to initiate ideas and activities.
4. **Relevant** – the issues on which children have the rights to express their views must be of real relevance to their lives and enable them to draw on their knowledge, skills and abilities.
5. **Child-friendly** – environments and working methods should be adapted to children’s capacities. Adequate time and resources should be made available to ensure that children are adequately prepared and have the confidence and opportunity to contribute their views.
6. **Inclusive** – participation must be inclusive, avoid existing patterns of discrimination and encourage opportunities for marginalised children, including both girls and boys, to be involved.
7. **Supported by training** – adults need preparation, skills and support to facilitate children’s participation effectively, to provide them, for examples with skills in listening, working jointly with children and engaging children effectively in accordance with their evolving capacities.
8. **Safe and sensitive to risk** – in certain situations, expression of views may involve risks. Adults have a responsibility towards the children with whom they work and must take every precaution to minimize the risk to children of violence, exploitation or any other negative consequence of their participation.
9. **Accountable** – a commitment to follow-up and evaluation is essential. Children must be informed as to how their views have been interpreted and used.³

Research tools with children

It is very important that all safeguarding and protection principles are adhered to when talking to children and that the person interviewing children has received training to work with children. For example, the interviewer should have a background check and no reported offense related to child abuse.

Save the Children and other child focused agencies have developed many child friendly research tools that can be used instead of questionnaires, which can be found in the Resource Library. These include:

1. **Child labor mapping** – drawing a map of the community and fields together with children, you can then ask guiding questions to find out about cases of child labor or risk of child labor, in and outside your crop / farms.
2. **Timelines / seasonal calendar** – drawing a timeline or seasonal calendar can help to discuss what children do during what season of the year and can give you a good indication of when they are involved in or at risk of child labor and when they are in school.
3. **Describe your day** – children can describe their day from morning to evening, which helps to find out what activities they are involved in, which they might not consider child labor but might be classified as such by law.
4. **Circle analysis** – helps to find out patterns of inclusion and exclusion in communities, showing which children might not go to school or be discriminated against and might be involved in child labor
5. **Other creative tools** – children can use drawings, drama, poetry, singing to express issues, if this feels more natural to them than the above tools used for group discussions

³ <http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-GC-12.pdf>



Once you have collected all data on the issues that children face, you can include the identified risk data in the management plan template to help determine follow-up actions.

Storing and using children's data safely

Children need particular protection when you are collecting and processing their personal data because they may be less aware of the risks involved. If you process children's personal data, then you should think about the need to protect them from the outset and design your systems and processes with this in mind⁴.

Children have the same rights as adults over their personal data which they can exercise as long as they are competent to do so. Where a child is not considered to be competent, an adult with parental responsibility may usually exercise the child's data protection rights on their behalf. Some countries determine that children of 12 or 13 years and over are able to provide their own consent, but you should check the law in your country to ensure you comply. Some of the businesses you sell to or work with may need to comply with the EU's laws, therefore if you are storing or using children's data online, then it is useful to be aware of the new European Union (EU) General Data Protection Regulation (GDPR) which assigns a prominent role to parental consent in order to protect the data of minors online. The GDPR states that any information given to, or communication with, a child must be in "such a clear and plain language that the child can easily understand". This is useful guidance to follow when helping a child understand what their data is being used for.

Child-friendly grievance mechanisms

Grievance mechanisms are a complaint or feedback process and can provide an avenue for follow-up for all those engaged in your work to manage the risk of child labor. An effective grievance mechanism can help increase your knowledge of issues and how to act to remedy negative impacts. Children may be too young to access grievance mechanisms themselves, so they should also be available to those who can act on behalf of children such as parents, guardian or child protection specialists. To ensure that incidences of child labor are reported and can be dealt with effectively, farmers and workers as well as other key stakeholders should be informed about the available channels to report incidences as well as how to recognize child labor.

Outreach on the grievance mechanism should be incorporated into training on child labor and you should think about the different ways a grievance mechanism can be created (in person, paper, email, phone etc). Any grievance mechanism should provide anonymity, confidentiality and data protection to users.

In some cases, workers may pursue formal grievance mechanisms through the government Labor Departments, however these are not always known to workers or feel accessible due to the formality of these approaches. Farm-level complaints handling mechanisms are more accessible to workers and can play an important role for you and your farm(s) in managing the risk of child labor.

⁴ <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/applications/children/>



It is important to be aware of the barriers for vulnerable stakeholders such as children and migrant workers to access grievance mechanisms. A child-friendly grievance mechanisms will provide children and communities with a safe, confidential means of voicing complaints and opinions on issues. A child friendly grievance mechanism should:

- Have multiple entry points; i.e. ways in which complaints be submitted such as suggestion boxes, complaints desks, a telephone hotline, meetings, community engagement committees (you could use existing structures and expand their scope)
- Be age-appropriate and accessible; so, considers the language used, the content and considered children of different ages, abilities, genders, ethnicities and cultures and considers literacy rates,
- Be trusted, so that stakeholders feel it useful, legitimate and that action will be taken,
- Consider the process and how to support children throughout their reporting journey including the response to their feedback, therefore transparency is useful,
- Protect the identity and privacy of the child, including in how the information is stored and shared

A child-friendly grievance mechanism can include information about what children can complain about; i.e. cases of child labor, farm management, the risk assessment process/ interviews etc. It may also be useful to think about using a third-party, such as NGO or trade union for grievance mechanisms as they could feel more trusted and impartial to those who have a fear of complaining and any repercussions of voicing concerns.

Key takeaway

Children's safety, identity and privacy must be protected throughout the reporting procedure to ensure there are no negative repercussions from reporting. The process must be trusted in order for it be used and useful.