



International
Labour
Office
Geneva



Child Labour Monitoring

Training Manual ***Workshop 3*** **The CLM Design Workshop** **Handouts**

Test version



International
Programme on
the Elimination
of Child Labour
(IPEC)

Test Version

Workshop 3

The Child Labour Monitoring (CLM) Design Workshop

Handouts

Session: The Child Labour Situation in the District: Sharing Information and Experiences

Handout: Understanding the Problem of Child Labour

Child work and child labour

In some societies, the integration of children into social and working life may be so gradual that it is not possible to separate the phases. Others demarcate childhood from adulthood either by fulfilment of certain social rites and obligations, or by ages. It is age that international instruments generally use to define a child; they accord the rights and protection of a child for those under age 18 (the UN Convention on the Rights of the Child, and the ILO Worst Forms of Child Labour Convention No. 182), and set the minimum age of 15 for employment (ILO Minimum Age Convention No. 138, 1973).

Not all work is harmful to children. From a young age, many children help around the home, run errands, or assist their parents in the family farm or business. As they get older they take on light jobs or learn valuable traditional trades. In this way, children acquire the skills and attitudes they will need as future workers and useful members of the community. Light work, carefully monitored, can be an essential part of children's socialization and development process, where they learn to take responsibility, and gain pride in their own accomplishments. Work of this kind is not without risk, but it is not what is generally meant by child labour.

Child labour is classified as children's work which is of such a nature or intensity that it is detrimental to their schooling or harmful to their health and development. The concern is with children who are denied their childhood and a future, who work at too young an age, who work long hours for low wages, who work under conditions harmful to their health and to their physical and mental development, who are separated from their families, or who are deprived of education. Such child labour can create irreversible damage to the child and is in violation of international law and usually, national legislation.

Sources: Handbook for Labour Inspectors

Why do Children Work?

Child labour is a symptom of the underlying problem of widespread poverty and inequality in society. It is also a cause of poverty, and in this context it becomes self-perpetuating. The reasons for child labour are varied and complex.

- **Poverty** - Child labour is basically a symptom of the underlying problem of widespread poverty and inequality in society. It is also a cause of poverty, and in this context it becomes self-perpetuating. Poverty is deep-rooted and natural calamities, man-made disasters (war and civil strife), illiteracy, powerlessness and the lack of viable options further exacerbate the deprivations confronting poor parents who feel compelled to put a child to work. Poverty is not, however, the only factor in child labour and cannot justify all types of employment and servitude.
- **Parental attitudes and knowledge** - Parents' preference is for children to acquire skills over receiving an education, which in their opinion holds few promising prospects for gainful employment. Many poorly educated parents remain unclear about the long-term significance and value of education over the short-term economic gains of child work. Adult perceptions influence children's school attendance and labour force participation. For example, the

family's dependence on girls' labour at home and in the field, denies her access to educational and other opportunities.

- **Barriers to education** - Educational opportunities for poor children may be costly, inaccessible, of low quality or seen as irrelevant. Families resort to employing children to keep them busy and allow them to learn skills and earn money. Children may decide to work because of expectations in pooling resources of family members, since a major percentage of the child's income is generally remitted to the household head. Peer influence and being out-of-school also results in children joining their working friends on the streets or other locations.
- **Market demand** - Child labour is not accidental. Market demand for child labour determines children's employment in various enterprises and industries. Children are employed because they are docile, obedient, hired at cheaper rates than adults and dispensed off easily if labour demands should fluctuate. They involve no long term investment on the part of industry in terms of insurances and social security or other benefits and low paid child labour may be seen as a significant element for industries wishing to maintain a competitive edge in the national and international markets. With financial profits as the goal, the practice to employ cheap labour—and children are paid low wages, is understandably in line. In those industries which can utilise unskilled labour the move may be towards the employment of child workers. It may not be a likely scenario with adult employees organised in trade unions. Children are unprotected, powerless and silent as far as their rights as workers are concerned. Vested interests prefer to maintain the status quo and child labour continues.
- **Perceived suitability of children to certain types of work** - Children are often preferred in industries that are labour intensive, function with rudimentary technology, and require laborious/repetitive work for long hours. Although largely disproved, the myth persists that in certain industries, such as carpet-making or flower-picking, children are needed because of the dexterity of their small fingers.
- **Poor enforcement of existing legislation** - Child labour persists because the laws that do exist are not strictly enforced and because social and political commitment is weak.

(Source: *Labour Inspectors Sourcebook*)

Identifying where children work and what they do

Classifying children by sector or trade says little about the relationship between the children and the persons (clients, employers or members of the family) who, in one form or another, employ them. Thus, in the immensely diverse agriculture sector, which includes everything from multinational agribusinesses to family units, the child workers may be permanent, seasonal, pieceworkers, slaves, or family workers.

In the informal sector, which includes a vast range of traditional, unstructured, family, artisanal, and generally unregistered businesses, children may be found as paid workers, "apprentices", unpaid workers without contracts, domestic servants, home workers or subcontractors.

In the formal sector, which includes private, semi-public or state enterprises of varying sizes, children may be employed as permanent workers, seasonal or daily workers, apprentices with or without contracts, and children who are on the premises with a parent and may be asked to help.

Lastly, there are sectors on the margins of society which consist of illegal or quasi-illegal activities, where children may get a cut of the profits, be paid in kind, or have an informal "contract" with a supplier or manager.

These classifications can help to evaluate the constraints upon children arising out of their employment relationship and to establish priorities for action by taking account of the pressure suffered by children as a result of their legal or economic dependence. Classifying and understanding the precise employment status of the child is also important in unravelling the legal fictions commonly invoked to deny the existence of the employment of child labour.

Another way of classifying child labour is by their visibility. Whether the work is hidden behind walls or out in the open has important implications for how easily child labourers can be found. And whether they work alone or in groups will be a significant factor in how the situation can be addressed.

Classification by types of sector

<p style="text-align: center;"><u>THE FORMAL SECTOR</u></p> <p>A sector which also known as the modern or structured sector</p> <ul style="list-style-type: none"> - private, semi-public or state enterprises; - classified and registered by economic sector - enterprises of extremely variable size - enterprises characterized by the predominance of - permanent employees, who are generally covered by a contract or specific conditions of employment; - however, there are also varying numbers of: <ul style="list-style-type: none"> ♦non-permanent workers (seasonal or daily workers) ♦“apprentices”, children, young persons or adults who are generally not covered by a contract; ♦adults and children in servitude; ♦children who are being “looked after” by their parents, whom they may be called upon to help. 	<p style="text-align: center;"><u>SECTORS IN THE MARGINS OF SOCIETY</u></p> <p>Illegal or quasi-illegal activities</p> <p>child soldiers; hired assassins, armed guards, militiamen and armed bands; the production, transport or trafficking of drugs; child prostitution; the pornography industry (magazine and films); child tramps, street children without an activity; child beggars; children sold or used for begging; and children sold or used as blood or organ donors</p>
<p style="text-align: center;"><u>THE INFORMAL SECTOR</u></p> <p>The sector also known as the traditional unstructured, family or artisanal sector</p> <p>enterprise or activities in the private sector which are often not declared; enterprises in all branches of activity, including mines, industry, construction, commerce, transport and services; a complex, heterogeneous sector with ill-defined borderlines which covers several types of activities, enterprises and workers: 1) small and medium-sized non-agricultural enterprises in urban and rural areas, which provide work for employees and a majority of family workers, “apprentices” without contracts, and children both free and in servitude; 2) family and craft enterprises, small workshops, building sites, businesses and services employing essentially associates, family workers, “apprentices” and children; 3) self-employed workers, whether they are fixed, semi-ambulant or ambulant (such as street children; 4) domestic servants, household employees outside their own families; 5) homeworkers family workers employed on housework in their own family.</p>	<p style="text-align: center;"><u>THE AGRICULTURAL SECTOR</u></p> <p>A complex, heterogeneous sector composed of;</p> <p>individual or family farms, cooperatives, private, semi-public or state enterprises; multiple activities: agriculture, harvesting, stock-raising, hunting, forestry, forest crops, fishing; enterprises of varying sizes: individual or family farms; small and medium sized farms: large plantations, agro-industrial complexes; land occupancy of varying types, including: owner occupiers; tenant farmers, share-croppers; workers without land; workers employed under various employment relationships: <ul style="list-style-type: none"> ☛ permanent employees; ☛ non-permanent workers (such as seasonal or daily workers); ☛ workers paid by the task, often assisted be their family including children ☛ adults and children in servitude; ☛ farmers and share-croppers; ☛ members of agricultural cooperatives; ☛ individual farmers, self-employed workers, with or without additional labour; ☛ family workers, including: children, spouses and parents of the farmers. </p>

Source: Labour Inspectors Sourcebook

Classification by sector and trade

Branch 1. Agriculture, hunting, forestry and fishing

- in all developing countries and in most industrialized countries
- in the cultivation of food crops and in large commercial plantations
- for all agricultural work, whether manual or mechanical: including clearing and working the land and planting; looking after crops, weeding and watering; preparing and spreading fertilizers and pesticides; replanting rice; irrigations; gathering, harvesting, sorting, threshing, preparing and the preliminary processing of products, etc.
- guarding the fields (against robbers, birds and monkeys)
- all work in the following plantations:
 - sugar cane
 - tobacco
 - cotton, hemp, jute, flax
 - hevea
 - tea, coffee, cocoa
 - rice
 - bananas
 - pineapples
 - coconuts, palm oil, ground-nuts
 - plants for perfume (jasmine, ylang, cloves, basil, vanilla)
- market gardening, horticulture and forestry: tending, watering and gathering fruit and vegetables;
 - green beans, tomatoes, melons, peas, carrots, lettuce
 - strawberries, cherries, apples, pears
 - grapes onion, garlic
 - flowers
- cultivating crops:
 - rice, maize, millet, sorghum, wheat
 - root crops: manioc, yams, sweet potatoes
 - green vegetables: peas, beans
- rearing cattle and other animals, aviculture, all the tasks undertaken by shepherds, including looking after and guarding herds, gathering fodder, milking
- driving and caring for oxen and draught animals
- industrial, artisanal and traditional sea fishing, inshore fishing, and in lakes and rivers
- cutting firewood and timber
- digging and maintaining irrigation channels

Branch 2. Mining and quarries

- mines: coal, tin, gypsum, all minerals
- gold, diamonds
- quarries (stone, slate)
- extraction of sand, gravel
- extraction of salt (salt pans, salt marshes)

Branch 3. Manufacturing

Manufacture of food products, beverages and tobacco products

- slaughterhouses, abattoirs, meat conservation

- dairy products
- processing and preserving fruits and vegetables
- processing, drying, preserving and freezing fish
- manufacture of vegetable oil
- flour, rice milling
- manufacture of bread, cakes, biscuit
- manufacture of sugar
- cocoa, chocolate and sugar confectionery
- processing of vanilla
- manufacture of beverages
- manufacture of tobacco products, cigarettes and matches

3.2. Manufacture of textiles, wearing apparel and leather

- spinning, weaving, dyeing and finishing of textile products silk industry
- manufacture of hats
- tailoring, manufacturing of wearing apparel
- manufacture of carpets
- tanning and dressing of leather
- manufacture of leather apparel
- manufacture of footwear

3.3. Manufacture of wood and products of wood

- sawmills
- joinery
- manufacture of furniture and accessories
- manufacture of wooden toys
- manufacture of sculptured wooden objects

3.4. Manufacture of paper and paper products

- manufacture of packaging and boxes in paper and paperboard
- manufacture of envelopes and notebooks
- manufacture of household articles (glasses, plates) in paperboard
- printing

3.5. Manufacture of chemicals and chemical products

- manufacture of plastic products
- recuperation and processing of plastic waste
- explosives and ammunition
- fireworks
- matches
- distilling plants for perfume
- manufacture of candles
- manufacture of incense-based products

3.6. Manufacture of non-metallic mineral products

- manufacture of stoneware, porcelain and earthenware products
- manufacture of pottery
- glass industry
- brickworks

- manufacture of cement
- manufacture of slate

3.7-3.8 Manufacture of fabricated metal products

- forging
- casting
- ironmongery
- welding and cutting metals
- manufacture of all metal articles
- manufacture of art metalwork
- manufacture of office machines, electronics
- repair of various machinery
- garages, repair of automobiles, bicycles, carts
- manufacture and repair of metal furniture
- manufacture and repair of watches and clocks

3.9 Other manufacturing industries

- manufacture of jewellery and precious metals
- cutting and polishing precious stones
- manufacture of musical instruments
- manufacture of costumer jewellery
- manufacture of toys
- manufacture of wigs

Branch 4 Electricity, gas and water supply

- digging and maintenance

Branch 5 Constructions

- constructions sites (buildings, dams, roads) throughout the developing world

Branch 6. Wholesale and retail trade; hotels and restaurants

- keeping and helping in shops, supermarkets
- traders in markets
- traders in small stalls
- ambulant traders, door-to-door salesmen
- traders in fruit, vegetables, confectionery, beverages, bread, ready meals, ice cream
- traders in cigarettes, lottery tickets, gadgets, flowers
- traders of newspapers
- all work in restaurants, bars, hotels: cooks, waiters, washing-up, cleaning, maintenance.

Branch 7. Transport, storage and communications helping in collective transport delivery

- pushing trolleys, barrows
- pulling rickshaws
- porters

Branch 8. Banks, insurance and business services

- messengers
- cleaning, looking after premises

Branch 9. Services provided to the community, social services and personal services

- shows, circuses
- sporting competitions (jockeys)
- shoe-shiners
- launderers
- car-washers, windscreen-washers
- guards for cars
- distributors of publicity
- domestic servants, household employees
- child care
- gardeners, mowing loans
- guards for blocks, houses
- refuse collectors
- haircutting and beauty salons

Branch 10. Ill-defined activities

- child prostitution
- pornographic industry (books, photos, films)
- drug manufacture, trading, trafficking
- child soldiers
- assassins, armed guards, militiamen

Source: labour inspectors Sourcebook

Classification by visibility

Child Labour Situations		
	<u>Visible</u>	<u>Invisible</u>
<u>Concentrated</u>	<p><i>Child labour which is concentrated and visible includes children who work in one place, are easily observed, and can be approached from outside.</i></p> <ul style="list-style-type: none"> • Seamstresses, tailors, soccer ball stitchers, metal workers, woodworkers (and their helpers in open shops). • Bakers, confectioners, cooks (and their helpers) preparing food for passers-by. • Workers in small repair shops, e.g. automobile repair. • Service workers in congested areas, e.g. shoe shiners, car washers, car watchers. • Supermarket helpers, vendors, porters, cleaners, cashiers in markets. • Stone and brick breakers on road and building construction sites. • Plantation workers (sugar cane, coffee, vegetables), either alone or with their families. • In family production or harvesting for either domestic or export use. • Agricultural processing, fish processing. 	<p><i>Children in these situations work together or near each other, but cannot be seen or are inaccessible to outsiders.</i></p> <ul style="list-style-type: none"> • Brick kiln workers, quarry workers. • Carpenters, helpers and carriers at construction sites. • Factory workers or helpers producing pottery, glass, metal products, plastic goods, jewellery etc. • Factory workers processing food products. • Traditional carpet and textile weavers whether in groups of households or small workshops. • Cigarette makers. • Workers in match, explosive and firework factories. • Miners of coal and minerals. • Work on factory ships or on fishing fleets or fishing platforms.
<u>Dispersed</u>	<p><i>These children work alone and are, or may appear to be, self-employed.</i></p> <ul style="list-style-type: none"> • Delivery boys, messengers, and errand-runners. • Providing services or goods on the street, e.g. shoe-shiners, flower-sellers. • Hotel, restaurant, café workers who serve customers, wash dishes, clean the premises. • Entertainers and dancers who may move around with a troupe, camel jockeys, circus performers. • Professional beggars. • Helpers on long distance transport (buses, cargo steamers, passenger boats). • Children who guard fields against birds, monkeys, thieves. • Herders and those engaged in livestock care, milking, and fodder-gathering. 	<p><i>These are the children most unknown and hardest to reach; they work in remote areas, isolated and powerless.</i></p> <ul style="list-style-type: none"> • Domestic servants. • Children working in family-based industries, such as craftwork. • Children who assist with subsistence hunting, gathering, fishing and agriculture. • Children involved in stealing, picking pockets, smuggling, the drug industry or pornography. • Sexually exploited children. • Children held under conditions of slavery or bondage. • Children recruited into armed groups or providing services in conditions of armed conflict.

Source: Handbook for labour inspectors

How does child labour harm children?

Because children differ from adults in their physiological and psychological make-up, they are more susceptible to and more adversely affected by specific work hazards than adults. Because they are not yet matured mentally, they are less aware of the potential risks involved in the workplace.

The effects of hazardous working conditions on children's health and development can be devastating. The impact of physically strenuous work, such as carrying heavy loads or being forced to adopt unnatural positions at work can permanently distort or disable growing bodies. There is evidence that children suffer more readily from chemical hazards and radiation than do adults, and that they have much less resistance to disease.

Children are also much more vulnerable than adults to physical, sexual and emotional abuse and suffer more devastating psychological damage from living and working in an environment in which they are denigrated or oppressed. This is particularly true in the case of the very young and girls. Girls are more likely to:

- begin working at an earlier age than boys;
- be paid less than boys for the same work;
- be concentrated in sectors and areas that are characterized by low pay and long hours;
- be working in industries which are hidden and unregulated, making them more vulnerable to exploitation and abuse;
- be concentrated in industries which pose excessive dangers to their health, safety and welfare;
- be either excluded from education or suffer the triple burden of housework, school work and economic work.

Occupational health and safety experts consider agriculture – the sector which has the highest percentage of child labour – to be among the most dangerous of occupations. Climatic exposure, work that is too heavy for young bodies, and accidents, such as cuts from sharpened tools, are some of the hazards children face. Modern agricultural methods bring further hazards in their wake, for example, the use of toxic chemicals and motorized equipment. Many children are killed by tractors overturning, or by trucks and heavy wagons brought into the fields for transport.

In many countries, the hazards and risks to health are compounded by poor access to health facilities and education, poor housing and sanitation and the inadequate diet of rural workers. Protective legislation is limited in agriculture. In many countries, the places where children work are excluded from legislation as family undertakings. Even when there is legal protection, enforcement of child labour legislation is difficult given the geographically dispersed nature of the agricultural industry.

Why stop child labour?

- Child labour is work carried out to the detriment and endangerment of the child in violation of international law and national legislation.
- It includes work and activities that are mentally, physically, socially or morally dangerous and harmful to children.
- It is work that either deprives them of schooling or requires them to assume the multiple burden of schooling and work.
- It condemns children and their families to a downward spiral of poverty and deprivation.
- Being tender physically and immature in mind and spirit, children are inevitably at greater risk in the workplace than their adult counterparts.
- National surveys have found that a very high proportion of children are either physically injured or fall ill while working. Some of these children may never work again.
- In sectors where machinery and equipment is involved, such as agriculture, the potential for injury is much higher. Agriculture, mining and construction are very high-risk industries for child labourers.

Examples of Hazardous Occupations

Occupation/ Industry	Main tasks	Hazards	Possible consequences
MINING	Underground digging; carrying heavy loads	Exposure to harmful dusts, gas, fumes, extreme humidity and temperature levels; awkward working positions (bending, kneeling, lying); cave-ins	Respiratory diseases that can develop into silicosis, pulmonary fibrosis, asbestosis, emphysema, musculo-skeletal disorders; fractures and death from falls/cave-ins
BRICK-MAKING	Processing of clay (extraction, crushing, grinding, screening and mixing)	Exposure to silicate lead and carbon monoxide; excessive carrying of weights; burns from ovens; accident-provoking equipment	Musculo-skeletal deformation; injury
AGRICULTURE	Working with machinery, agrochemicals, animals; picking crops and loading	Unsafe machinery; hazardous substances (insecticides, herbicides); heavy lifting; extreme temperatures	Chemical poisoning (chronic and acute); cuts and other bodily injuries; diseases
CARPET WEAVING	Weaving hand-knotted carpets on a loom	Inhalation of wool dust contaminated with fungal spores; poor (squatting) work posture; poor lighting; poor ventilation; hazardous chemicals	Respiratory diseases; musculo-skeletal diseases; eye strain and defective vision at premature age; chemical poisoning; aggravation of non-occupational diseases
CONSTRUCTION WORK	Digging earth; carrying loads; breaking stones or rocks; shovelling sand and cement; metal work	Being struck by falling object; stepping on sharp objects; falling from heights; exposure to dust, heat and noise; heavy lifting	Health impairments from noise, vibration and exposure to harmful substances; incapacitation through accidents and injury such as falls
TANNERY	Tanning and preserving hides and skins	Exposure to corrosive chemicals and bacterial contamination of the hides	Anthraxis, dermatitis and fungal infection
DEEP-SEA FISHING	Diving to depths of up to 60 metres to attach nets to coral reefs	Exposure to high atmospheric pressure; attacks by carnivorous and poisonous fish, congested and unsanitary conditions	Decompression illness (rupture of ear drums); death or injury; gastro-intestinal and other communicable diseases

Occupation/ Industry	Main tasks	Hazards	Possible consequences
GLASS FACTORY	Drawing molten glass, carrying molten loams	Radiant heat and thermal stress; noxious fumes; silica dust; stepping on or handling hot broken glass	Accident trauma; eye injuries; heat stress; respiratory diseases; serious burns and cuts
MATCHES AND FIREWORKS	Mixing hot (steaming) chemicals, making matchsticks and stuffing cracker powder into fireworks	Exposure to hazardous chemicals; fire and explosions	Synergistic effects of chemical intoxications; respiratory diseases; burns; injuries and death from explosions
SCAVENGING	Demeaning, unsanitary work; reclaiming usable material from garbage including dangerous waste from hospitals and chemical plants, often with bare hands	Cuts from glass/metal; exposure to hazardous substances; inhaling stench from putrefied matter; infestation by flies, temptation to eat leftover food	Cuts resulting in death from tetanus; chemical poisoning and risk of contracting or carrying infectious diseases; food poisoning; burns (from build-up of methane gas and explosions)
SLATE MAKING	Carrying heavy loads; making pencils and slates	Effects of carrying heavy loads; exposure to siliceous dust	Musculo-skeletal diseases; lung diseases and premature incapacitation

(Source: SCREAM Manual)

Session: Child Labour - International and National Law

Presentation #1: Child Labour - International and National Law

International Standards

One of the oldest and most important functions of the United Nations is the adoption of Conventions which set international standards for a wide range of action. The International Labour Organization establishes international standards concerning work. Conventions function much like treaties, which when ratified by member States, create binding obligations on the States to put their provision into effect. 'Recommendations', which accompany many Conventions on the same subject, give detailed guidance to States on the means of implementing the requirements laid down in the Convention on such matters as policy, legislation and practice.

United Nations Convention on the Rights of the Child

During the last two decades, there has been an unprecedented surge in the international community's concern for the welfare of children, and of child labour in particular. One of the most important developments was the adoption of the United Nations Convention on the Rights of the Child (by the United Nations General Assembly in November 1989). This is the most complete and comprehensive treaty on the rights of children ever put forward. It has now been ratified by almost every country in the world. Among the wide range of children's rights proclaimed by this Convention is the right to be protected from economic exploitation and any work that is likely to be hazardous; to interfere with the child's education; or to be harmful to the child's health or physical, mental, spiritual, moral, or social development.

The Convention on the Rights of the Child (CRC) consists of 54 articles relating to five clusters of rights: survival, development, protection, participation and mobilization. Applying a 'rights approach' involves understanding and formulating interventions that reflect all five clusters: no one cluster set takes precedence over the next. This concept of holism and holistic programming reflects the changing and enhanced mandate under the CRC.

The ILO Minimum Age Convention, 1973 (No. 138)

In 1973, the Member States of the International Labour Organisation (ILO) adopted a comprehensive Convention on child labour – *The Minimum Age Convention, 1973 (No. 138)*. This landmark Convention applies to all economic sectors and to all working children, whether they are employed for wages or working on their own account. It represents the most comprehensive and authoritative international definition of minimum age for admission to employment. It is a flexible instrument allowing for progressive improvement, and most importantly, for developing countries (i.e. whose educational and economic systems are not yet fully developed) to set lower ages for employment to start with. Exceptions are allowed for certain sectors (e.g. non-commercial agriculture in developing countries), for limited categories of work, for education and training, and for artistic performances.

Fixing the minimum age for admission to employment is a basic obligation of ratifying member States, and the Convention establishes three categories for this:

1. The minimum age should not be less than the age of completing compulsory schooling, and in no event less than 15 years of age. Countries whose economy and educational facilities are insufficiently developed may initially fix the age of admission to employment at 14.
2. A higher minimum age of 18 is set for hazardous work “which by its nature or the circumstances in which it is carried out is likely to jeopardize the health, safety or morals of young persons.” It is left to the individual countries to determine which these are, after consultation with employers’ and workers’ organizations. Recommendation No. 146 gives guidance on criteria that should be applied in determining which is hazardous work.
3. A lower minimum age for light work, i.e. work which is not likely to be harmful for children’s health or development or to prejudice their attendance at school may be set at 13. For a country that initially sets a minimum age of 14, the minimum age for light work may be set at 12.

Minimum Ages according to Convention No. 138

General minimum age	Light work*	Hazardous work**
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For most countries:

15 years or more (in any case not less than age of completion of compulsory schooling)	13 years	18 years (16 years under certain strict conditions)
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For those countries whose economy and educational facilities are insufficiently developed:

14 years	12 years	18 years (16 years under certain strict conditions)
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The ILO Worst Forms of Child Labour Convention, 1999 (No. 182)

The Worst Forms of Child Labour Convention, 1999 (No. 182) calls for immediate prohibition of the worst forms of child labour, defined by Article 3 of the Convention as:

- All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict.
- The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.
- The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in relevant treaties.
- Work, which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children (hazardous work)

The Convention provides that hazardous work should be defined by the competent national authority, after consultations with organizations of employers and workers.

Guidance on some hazardous child labour activities which should be prohibited is given in the accompanying Recommendation No. 190 and includes:

- Work which exposes children to physical, psychological or sexual abuse.
- Work underground, under water, at dangerous heights or in confined spaces.
- Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads.
- Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to health.
- Work under particularly difficult conditions such as work for long hours or during the night where the child is unreasonable confined to the premises of the employer.

The Convention also calls upon countries that ratify this Convention to:

- Design and implement programmes of action to eliminate the worst forms of child labour as a priority.
- Establish mechanisms to monitor implementation.
- Impose penalties and other measures to ensure compliance.
- Consider the importance of education in eliminating child labour
- Prevent children from being engaged in the worst forms of child labour.
- Remove children from the worst forms of child labour and rehabilitate and reintegrate them into society and provide access to vocational training.
- Acknowledge the special status of the girl child.

National Labour Laws

Present a summary of the national child labour laws in your country and the gaps in these laws as they relate to International Conventions, below is the example of the laws in Kenya regarding the employment of children.

Kenyan Laws Regarding the Employment of Children

Kenyan Employment Act (CAP 226) 1976 and the Employment of Children Legal Notice No. 155/77

The issue of employment of children is lumped together with that of women in Part IV of the Employment Act, which is entitled 'Employment of Women and Juveniles.' This Act does not clearly define who a child is. It defines a child as an individual, male or female, who has not attained the age of 16 years; a juvenile as a child or a young person; and a young person as an individual who has attained the age of 16 years but not the age of 18 years.

In the Children Act 2001, a child is any person under 18 years. This Act repealed the three main Acts relating to children, that is the Children and Young Persons Act, Guardianship of Infants Act and the Adoption Act. Since the Employment Act is still in force, it allows children between the ages of 16 -18 to engage in work. Nevertheless, in a bid to protect children, the Children Act has taken care of the lacuna by providing that 'the Minister of Labour shall make regulations in respect to periods of work and legitimate establishments for such work by children above the age of 16 years.'

The Act defines employment to mean the engagement in any labour for the purpose of gain whether the gain is directly to the person concerned or to another. The Employment Act is currently under review and may change drastically. However, currently it provides for the following:

- It allows the employment of members of the same family in an industrial undertaking (mining, quarrying, transport industry, construction, working in a factory, among others) unless there is a danger to life, health or morals of the employees.
- It does not apply to any technical school or institution which is approved by a public authority.
- No child can be employed in an industrial undertaking whether gainfully or not unless they are working under a contract as apprentices or indentured learners as prescribed by the Industrial Training Act. Such a child and no other may work on a machine. Employment of a child in an industrial undertaking is an offence that attracts a fine of Kshs 1000.
- The Act prohibits the working of children in any open cast mining or sub-surface mining, which are entered by means of a shaft or audit.
- Employing a child or causing a child to be employed otherwise than under a verbal contract is an offence.
- Unless there is a serious emergency and the Minister for Labour gazettes that there is a demand for women and children to work, no child shall be employed between the hours of 6.30 p.m. and 6.30 a.m. in an industrial undertaking. An employer, however, can be authorised to extend the time to midnight or from 5 a.m.
- Any person employing a child shall keep and maintain a register containing among other particulars, the age or date of birth of the child and the date of entry into and of leaving the employment.
- A doctor may medically examine any child in employment at any time during the period of employment.

- A labour officer may, by notice in writing served upon the employer, terminate or cancel any kind of contract of employment entered between the child and an employer (other than contract of apprenticeship and indentured internship) if he believes that the employer is an undesirable person or that the nature of the employment is dangerous, immoral or hazardous to the health of the child.

The Employment (Children) Rules provides that:

- No child can be employed without the prior written permission of an authorised officer. Contravention of this provision is an offence.
- No permission shall be granted for their employment where:
 - i) it would cause the child to reside away from the parents/guardians unless their approval has first been obtained in writing.
 - ii) In any bar, hotel, restaurant or club where intoxicating liquor is sold or as a tourist guide unless the Labour Commissioner's consent in writing has first been sought.
 - iii) Every person authorised to employ more than 10 children on a permanent basis shall designate a person to be approved in writing by the Labour Commissioner to be responsible for the welfare of the children.

Weaknesses of Kenya's Employment Act

The following are the main weaknesses of the Kenya's Employment Act:

- By the age of 16 years many children in Kenya today have not completed schooling.
- It does not address employment of children in the agricultural sector and in the privacy of domestic homes where it is more rampant than in industries.
- It is easy to abuse children under the pretext of apprenticeship.
- There is no lower age limit for apprentices and indentured learners.
- Penalties are extremely lenient.
- Lack of clarity about what the registers to be kept by employers' ought to include.
- Medical officer estimating the age of a child on the basis of appearance leaves a lot of room for error.
- It does not indicate any benefits apart from the salary.
- The fact that children can be employed in bars, hotels, restaurants, or clubs where intoxicating liquor is sold or as tour guides for as long as the Labour Commissioner has given his consent is a gross infringement of the rights of children who deserve protection from environments that are not conducive to their overall development.
It is hoped that these gaping holes will be adequately addressed in the current review of all the labour laws in the country. Top on the list will be the scrapping of the term 'juvenile' so as to conform to the Children Act, which has adopted the more friendly term, 'children.'

A positive move is the recent announcement by the Minister for Labour and Human Resources that the minimum wage for persons under eighteen years has been raised so as to be par with that of adults, thus, making it just as expensive to hire a child.

The Regulation of Wages and Conditions of Employment Act

The Regulation of Wages (General) Order makes mention of children in this way:

- No child shall be required to work more than 6 hours a day.
- The weekly rests of a child shall not be deferred.
- The employment of a child at sea is governed by the **Employment of Children at Sea (Medical Examination Rules) No 158 of 1977**. It prohibits the employment of a child in or on any ship apart from one in which only member of the family are employed without the production of a medical certificate of fitness for such work, signed by a registered medical practitioner.

The Children Act, 2001

The Children Act is the most comprehensive Act relating to issues of children to date. It addresses matters that usually affect children as a unique group in society, for instance, custody, maintenance, adoption, fostering and treatment of child offenders. The problem of child labour has not been delved into because children are not the only ones who carry out work. The only way to handle child labour is through the revision of the portions of the Employment Act that talk about children.

The Act in general terms affords children protection from economic exploitation and any work that is likely to be hazardous or to interfere with their education or to be harmful to the health or physical, mental, spiritual, moral or social development.

It defines child labour as any situation where the child provides labour in exchange for payment and includes:

- a) Any situation where a child provides labour as an assistant to another and his labour is deemed to be the labour of that other person for purposes of payment, or,
- b) Where a child's labour is used for gain by any individual or institution whether or not the child benefits directly or indirectly, or,
- c) Where a contract for services a child provides the services whether or not using the services does so directly or through an agent.

The Act goes a step further to describe a child, who is engaged in work likely to harm his health, education, mental or moral development as one in need of care and protection and the remedies available are:

- a) Rescue to a place of safety.
- b) Committal to the care of a fit person.
- c) Punishment for the offender.
- d) Arrangement for return to school or to vocational training institutions.

Session: An Overview of CLM and the Core Phases and Steps of CLM

Handout 1: An Overview of CLM

Presentation #1

An Overview of Child Labour Monitoring

1. What is child labour monitoring?

One of the most potent means of addressing child labour is to regularly check the places where children may be working. Child labour (CLM) is an active process that ensures that such observation is put in place and is coordinated in an appropriate manner. Its overall objective is to ensure that, as a consequence of monitoring, children and young legally employed workers are safe from exploitation and hazards at work.

- CLM is a way of mainstreaming child labour work into all levels of government.
- It is an active process to regularly check workplaces in order to ensure that children are not working there and that young workers are adequately protected. This is particularly effective at the local level where child labour occurs as it combines continuing identification of child labourer with their referral to available services.
- The information gathered from CLM is immediately used to provide assistance to children, but it also allows systematizing and analyzing information about the dynamics of child labour local and national levels.
- The main activity used by CLM is direct observation by monitoring teams. At the local level, CLM generally links information between work sites and schools/services to enable checking that children are provided with alternatives to work and as consequence of monitoring are better off and have not instead fallen into something worse.

Child labour Monitoring is an active process for stopping child labour. It involves direct observations, repeated regularly, to *identify* child labourers and to determine risks to which they are exposed, to *refer* them to services, to *verify* that they have been removed and to *track* them to ensure that they have satisfactory alternatives.

2. The origins of child labour monitoring

The concept of child labour monitoring grew out of a series of IPEC-assisted projects which have been underway for several years in the garment manufacturing sector (Bangladesh), carpet, soccerball, and surgical instrument sectors (Pakistan), the fishing and footwear industries in Indonesia and the Philippines, and the coffee and agricultural sectors (Central America). Alarmed that child workers—once removed from these industries—were not only returning to work but sometimes going to work in other sectors less visible and more dangerous, projects saw the need for a more comprehensive system of identification, inspection, tracking, and verification. They saw the need to monitor more than just the workplaces; the “social protection” activities (school, other alternatives for children removed from work) needed to be included as well. And they saw the need to monitor more than just the target sector; inclining them toward an **area-based** approach. The projects developed monitoring processes,

therefore, that enlisted new partners to identify child workers, ascertain the degree of risk, verify that they have been fully removed from work and involved in education or other suitable alternative. They shifted the focus, in other words, from the industry to the child.

3. How does it work?

CLM is always conducted at the local level: this is where the work and the service providers are located. The information that is generated can also be used at the national and regional levels to determine child labour trends for the purposes of policy improvement, enforcement of labour laws and social planning.

At the local level, CLM involves the active observation of workplaces to identify children at work along with the hazards they are exposed to, and to find meaningful alternatives such as school, informal education or skills development programmes that children can be referred to. This process also involves prevention: employers and parents are provided with advice about the ill effects of child labour and educated about child labour laws and work related hazards.

An important part of the CLM process is to ensure that once child workers have been identified follow-up action is taken and that the information generated through CLM is actively disseminated and used. This includes tracking children in order to know their whereabouts and verification of the information that has been generated through the CLM process (quality control).

At the national level, information generated through CLM can give an indication of the effectiveness of national measures that have been taken to eradicate child labour by providing numbers that can be compared over time. This is especially valuable for reporting on international commitments such as on the implementation of ILO Worst Forms of Child Labour Convention, 1999 (No. 182) and the Minimum Age Convention, 1973 (No. 138). Article 5 of Convention No. 182, in fact, calls for the establishment of appropriate mechanisms for monitoring the provisions of the Convention. This information on working children – who they are, where they come from, what hazards they are exposed to – helps policy-makers at all levels know where the problem lies so they can take action accordingly.

CLM should always be linked to and work through the labour inspection system as the main institution mandated to address child labour in the workplace. Through multi-sector teams that are linked to labour inspection and to local governments, CLM can extend the scope of action against child labour to traditionally hard to reach areas and sectors of child labour such as the informal economy and agriculture. Such multi-sector monitoring teams may involve social workers, teachers, community members, village committees and so on.

CLM requires a framework that allows for regular sharing of information among those who can contribute to the elimination of child labour. Agreements among these agencies help to create partnerships, enhance long-term commitments, promote the institutionalization of CLM and contribute to the sustainability of the monitoring process.

4. The CLM Framework

CLM requires a **framework** that allows regular sharing of information among those who can contribute to the elimination of child labour. Agreements among these agencies help to create partnerships, enhance long-term commitment, promote the institutionalization of CLM and contribute to the sustainability of the monitoring process. This framework incorporates and assigns a place to these parties in the monitoring process according to their differing capacities to access, assess, and act

on child labour.

CLM Framework:

The CLM Framework is the association of partners and agreements among them that operates and maintains the child labour monitoring process

The purpose of a CLM framework is to ensure the coordination of information management and the services provided to the child labourer through a multi-partner alliance.

Although child labour monitoring takes place at the local level, in order for it to be sustainable and to create real impact, it should be part of a larger enforcement and inspection policy. The CLM framework should, therefore, include government structures, such as the inspectorates (labour, health/safety, and school), and would be likely to take direction from a multi-sector national policy body.

In principle, all CLM processes should always be part of local government systems and operate under their supervision and authority. It is important that the CLM process connect with existing social planning and monitoring mechanisms of the local government wherever they occur.

Ideally CLM should be nation-wide and based on a set of national agreements about the information to be collected and how the CLM process will be managed. It should also use common tools and have a common database or repository of the information.

CLM should be developed in accordance with national development priorities and commitments of all main stakeholders working against child labour. It should capitalize on existing experiences on CLM and innovatively build new operational bridges across agencies, among different information collectors and various repositories of information. Consequently, setting up CLM may require procedural changes in existing information management systems.

Developing and agreeing to a CLM framework requires political will, adequate national resources and a long term view on how to mainstream child labour monitoring into existing systems of governance and information collection and planning processes.

5. The desirable characteristics for CLM are:

While each situation is unique, experience has shown that an effective child labour monitoring system includes the following characteristics:

- It is area-based and applicable to all types of child labour (formal and informal economies, agriculture, illicit work, etc.).
- It operates at the local level, covers work and service sites, and includes a referral system to access services.
- It has a legal mandate and operates under the authority and supervision of the local government or labour inspectorates.
- It is linked to national child labour policy and action.
- It is sustainable in terms of technical complexity, human resource requirements and cost.
- It is replicable and can be scaled up.
- It builds upon existing information collection systems.
- It is transparent.
- The information can be verified and there is a process of accountability.

6. The CLM Model

As each child labour situation is specific, the CLM created to deal with each situation will be unique in its composition. There is clearly no single template that could fit every one. The Guidelines that accompany this Overview present a comprehensive generic model of CLM that can be adapted to specific circumstances. It comprises the many activities that are part of the CLM process and how they can be linked together. Figure 1 provides an illustration of the model.

CLM Process:

The CLM process comprises the procedures, documents and forms that enable monitoring to be implemented correctly.

The CLM model has been divided into four phases:

Preparation

In this phase, you create the CLM framework and develop the CLM process. The preparatory phase ensures that the conditions necessary for monitoring are met and that the CLM process is designed and developed with the participation of a wide array of stakeholders.

Design, testing and training

- Design, testing and training ensures that the CLM process will function and that the practitioners will have adequate skills and capacities to manage and conduct the actual monitoring and referral activities.
- The design and testing of the CLM process must be consultative, participatory and based on a common agreement by all concerned.
- Before a proper testing is possible, both those managing CLM and those involved in the actual monitoring work need to be trained and familiarized with each other's roles and responsibilities.

Monitoring

- In this phase the monitoring in workplaces and referral to schools and other service sites takes place. The monitoring phase actively prevents child labour through regular visits to workplaces.

Follow-up

- In the final phase the information collected is made available for use, and girls and boys removed from child labour are actively tracked in order to ensure that as the consequence of monitoring children can have alternatives to child labour. The follow-up phase ensures that children have accessed available services, and the credibility of the overall child labour monitoring process through verification.

7. The main CLM activities

Besides the development of the CLM process there are two distinct regular phases in CLM: monitoring and follow up.

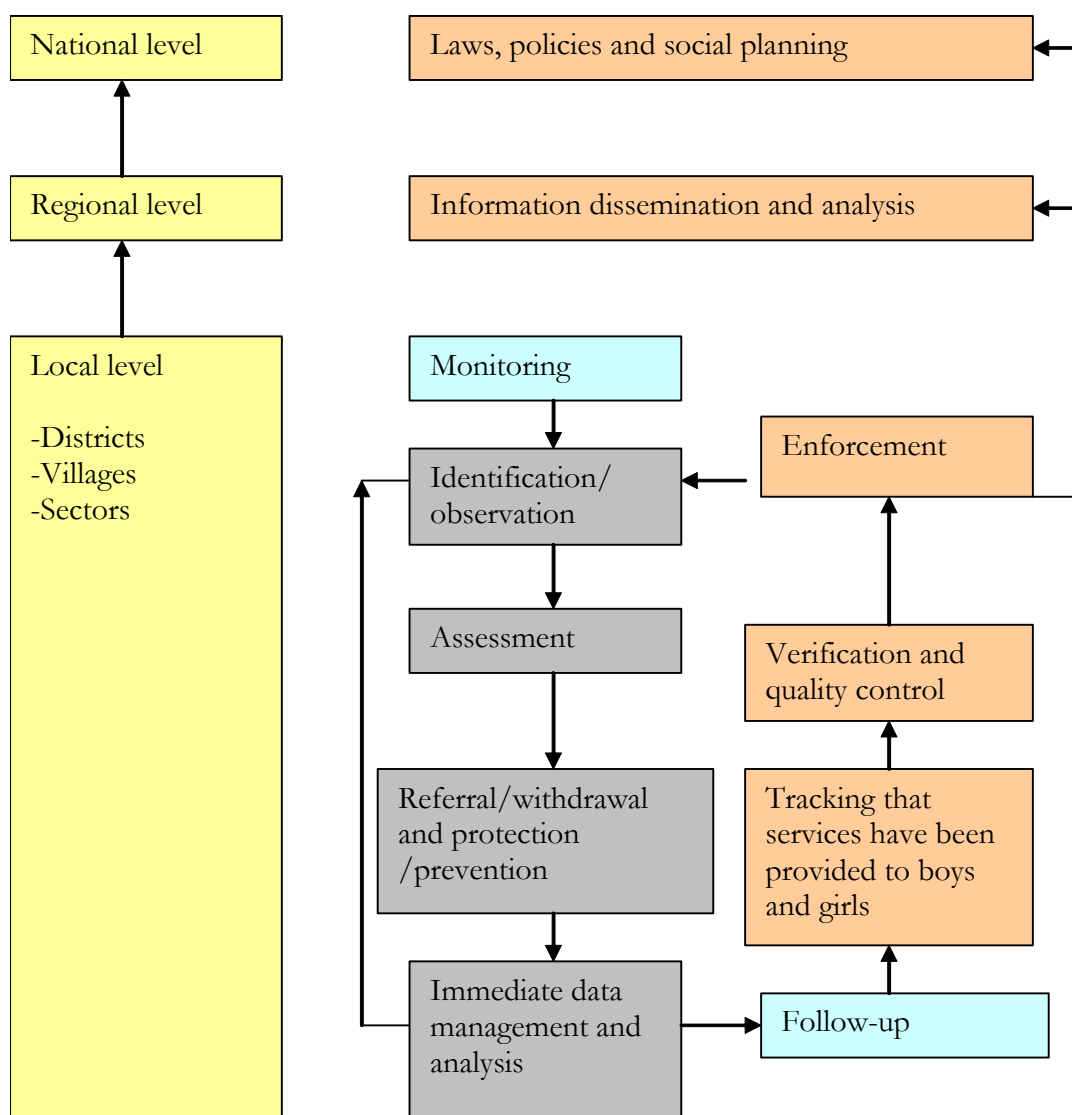
The principal activities of the monitoring phase are:

1. **Identification and assessment:** Girls and boys at work or in transit to work are identified.
2. **Referral:** If children are found, identified as child labourers and assessed to be at serious risk, they are removed and referred to services corresponding to their needs via a network of service providers and agreed procedures.
3. **Protection and prevention:** The workplace is checked to see what types of work-related hazards exist and to which child labourers may be exposed, using a common set of tools.
4. **Immediate data management and analysis:** After the monitoring visit information is recorded and reported upon for appropriate action.

The principal activities in the follow-up phase include:

1. **Tracking:** Checking that girls and boys covered by CLM are attending school or have been provided other suitable alternatives.
2. **Verification and quality control:** Checking that the information from CLM is credible and accurate.
3. **Providing information for enforcement or laws:** Making information about violations of laws related to child labour available for enforcement officials and the judiciary.
4. **Information dissemination and analysis:** Actively disseminating information to the regional and national levels. Information is used to review and promote anti- child labour laws, policies

Figure1. Basic CLM process



8. How to apply the general model to child labour monitoring

In order for CLM to be effective and sustainable, it is important to find the best possible institutional arrangements and monitoring processes for the local situation.

Examples of workplaces which may need to be monitored
<ul style="list-style-type: none">■ Factories, small and medium-sized enterprises■ Home-based industries■ Small-scale mines■ Fields■ Fishing vessels■ Shopping malls■ Streets■ Bus stations■ Marketplaces■ Ports <p>Bus stations and ports are of particular concern as they serve as both places of work and transit points for trafficking of child labour.</p>

CLM is most effective when it covers an entire area rather than a single sector as children may move from one type of work to another.

In the **formal economy** – manufacturing, commercial agriculture, etc. – child labour is likely to be addressed through the formal labour inspection mechanism. In this case, the task of CLM is to augment the coverage of existing systems to ensure that children and young workers are adequately serviced and that referral systems have been put in place. CLM must see that alternatives to child labour exist and make sure that labour inspectors and those participating in monitoring are knowledgeable about child labour. Strengthening of labour inspectors' capacities to understand child labour and to be able to address it effectively often is an important part of CLM work.

In specific child labour monitoring programmes, established typically for export industry sectors, monitoring can be conducted through external monitors specialized in child labour. Lately, there have been voluntary and private monitoring programmes where the child labour monitoring in a specific manufacturing sector has expanded to include other core labour standards as well.

In the **informal economy** and other areas (transit points of trafficking, home-based work and sometimes agriculture) CLM uses a wider range of partners, such as people's organizations and NGO's, with much of the emphasis of work put on prevention and raising of awareness of the ill effects of child labour.

CLM in the informal economy is often more focused on preventive work than inspection and enforcement of labour laws. Here, the social status of and esteem for the monitors are important to the credibility and authority of the CLM.

The task of CLM is to engage the community to monitor child labour through social mobilization, training and provision of tools and to link the monitoring activity to local government and official enforcement systems so that the information on child labour can be effectively used and the monitors have a degree of authority and mandate to fulfil their duties. Much of this work is focused on attitude change rather than on law enforcement.

In both cases monitoring must be regular and have a proper process of recording and documentation of data.

9. Key aspects of CLM

Monitoring should include a referral system that ensures that once a child in hazardous work is identified and removed, then both a service to receive the child and a mechanism to track the child through the process must be in place.

Monitoring is not possible without the active cooperation and involvement of key partners including labour inspectors, employers' organizations, trade unions, NGOs, community groups and parents. CLM creates an active partnership of key partners and encourages the evolution of a multi-sector alliance to reduce risks and hazards in the workplace.

It is important to **link education initiatives and the existing school inspection with workplace monitoring under the child labour monitoring framework**. This will help to identify children who may be working and ensure that child workers are not "lost" after being removed from work. This will promote access to basic education.

Monitoring is a form of prevention. Repeated acts of monitoring prevent child labour. As part of the process of setting up CLM and of monitoring workplaces, partners are re-oriented and sensitized on issues pertaining to child labour and when possible on occupational safety and health at work. CLM promotes a new "culture" in the workplace that aims at tackling the risk of child labour before it starts.

10. Conclusion

The concept of child labour monitoring has evolved from sector-specific and workplace-centred interventions to a more holistic and comprehensive approach to child labour. Child labour monitoring is used as a vehicle to sustain and continue the identification and referral of child labour work beyond specific projects. When mainstreamed into the regular work of local government, CLM promotes the institutionalization of a **permanent response mechanism to child labour** that can be shared across all actors in the society working towards the elimination of child labour.

In summary, CLM:

- is a local process that can best be employed as part of a larger child labour strategy for national action;
- can become a useful organizing principle for governments to coordinate information on child labour from different sources;
- directly contributes to the reduction and elimination of child labour in workplaces; and

- helps to consolidate and mainstream child labour issues into governance.

Handout 2: Core Phases and Steps of CLM

Presentation #2 Core Phases and Steps of CLM

Child labour monitoring is a process to institutionalize identification and active removal of girls and boys from child labour at the level of the workplace, community and government.

It ensures that action against child labour is mainstreamed into different levels of governance and promotes broader long-term impact on girls, boys, families, policies and institutions in countries working against child labour.

It uses regular observation, removal of girls and boys from child labour and preventive and protective strategies to ensure child labour free workplaces and better working conditions for young workers.

The CLM model has been divided into four phases:

Preparation

- In this phase, you create the CLM framework and develop the CLM process. The preparatory phase ensures that the conditions necessary for monitoring are met and that the CLM process is designed and developed with the participation of a wide array of stakeholders.

Design, testing and training

- Design, testing and training ensures that the CLM process will function and that the practitioners will have adequate skills and capacities to manage and conduct the actual monitoring and referral activities.
- The design and testing of the CLM process must be consultative, participatory and based on a common agreement by all concerned.
- Before a proper testing is possible, both those managing CLM and those involved in the actual monitoring work need to be trained and familiarized with each other's roles and responsibilities.

Monitoring

- In this phase the monitoring in workplaces and referral to schools and other service sites takes place. The monitoring phase actively prevents child labour through regular visits to workplaces.

Follow-up

In the final phase the information collected is made available for use, and girls and boys removed from child labour are actively tracked in order to ensure that as the consequence of monitoring children can have alternatives to child labour. The follow-up phase ensures that children have accessed available services, and the credibility of the overall child labour monitoring process through verification.

The monitoring and follow-up activities are repeated on a regular basis.

Each of these phases contains some core elements and steps which the experience of most of the child labour monitoring projects has shown to be important. As the child labour situation varies from place to place, these core elements and steps will need to be adapted accordingly.

In the following section the importance of these steps are explained in more detail. For further information about please see **the CLM Guidelines**.

The Preparatory Phase	
Steps	<ul style="list-style-type: none"> • Expected Outcomes • Review of essential laws, institutional structures and raised awareness of child labour and CLM
<ol style="list-style-type: none"> 1. Determining the problem and level of response 2. Reviewing the legal and child-labour-policy frameworks, information collection and management capacities 3. Raising awareness and building alliances 	<ul style="list-style-type: none"> • Problem setting • Review of the relevant policies and information collection capacities • Raised awareness

The Design, Test and Training Phase	
Steps	<ul style="list-style-type: none"> • Expected Outcomes : • Credible, simple, cost effective and sustainable CLM developed
<ol style="list-style-type: none"> 1. Setting up the management of the CLM 2. Developing and testing the monitoring tools 3. Developing a referral system 4. Organizing monitoring teams 5. Training monitors and building capacity 6. Testing the CLM design and thinking about replication 	<ul style="list-style-type: none"> • CLM management system established • Monitoring tools developed and tested • Referral system developed • Monitoring teams organized • Monitors trained and practical skills provided • CLM process tested and validated for replication

The Monitoring Phase	
Steps	<ul style="list-style-type: none"> • Expected Outcomes • Workplaces monitored regularly, child labourers identified and referred to services
<ol style="list-style-type: none"> 1. Preparing for the visit 2. Conducting the visit 3. Withdrawal and referral 4. Protection and prevention 5. Closing of the visit 6. Immediate data management and analysis 	<ul style="list-style-type: none"> • Visit prepared • Visit conducted • Withdrawal and referral implemented as necessary • Protective and preventive messages shared • Visit closed • Information treated and first analysis conducted

The Follow-up Phase	
Steps-	<ul style="list-style-type: none"> • Expected Outcomes • Information from the monitoring visits used for immediate follow -up and shared for social planning and policy review purposes
<ol style="list-style-type: none"> 1. Tracking of child labourers 2. Quality control and verification 3. Providing data for enforcement of laws 4. Information dissemination and analysis 5. Providing inputs to laws, policies and social planning 	<ul style="list-style-type: none"> • Information actively used to track ex-child labourer and to ensure their access to services • The accuracy and quality of the information has been checked • Information used to improve working conditions for legally working young workers and children withdrawn from child labour • Information on magnitude, location and trends of child labour disseminated widely and used for social planning and policy development

The Preparatory Phase

Introduction

The aim of the preparatory phase is to create an environment conducive to monitoring and establish the institutional and operational conditions necessary for a feasible and functional CLM.

The preparatory phase comprises three general steps that are important for setting up CLM. It ensures that the positions and points of view of partner agencies are reflected in the CLM design and that local resources and capacities are fully utilized.

The main steps in the preparatory phase and a rough estimate of the length of time that will be needed are as follows:

Step 1:	Determining the problem and level of response (0-6 months).
Step 2:	Reviewing the legal and child labour policy frameworks, information collection and management capacities and basic services (0-6 months).
Step 3:	Raising awareness and building alliances to create the CLM framework (6-12 months).

Why do you need these steps?

In the following sections the purpose of these steps are described. For further information about the steps please refer to the CLM Guidelines.

Step 1: Determine the problem and level of response

Why do you need to do this step?

- You need to identify the key problems of child labour that you are trying to address.
- You must be able to explain the rationale and purpose of CLM, why it is a necessary and meaningful process and convince your partners of its benefits.
- You need to have good basic knowledge about child labour in the particular sector or area that you intend to cover in order to be able to adapt and apply the model to your specific situation.
- You must be able to identify key partners and generate a common understanding and consensus about CLM.

Step 2: Reviewing the legal and child labour policy frameworks, information collection and management capacities and basic services

Why do you need to do this step?

- CLM must operate in accordance with existing laws, enforcement mechanisms (such as labour inspection) and official standards. A general assessment of the legal and administrative context and existing child labour policies helps to ensure this.
- If you are developing a national information base on child labour through CLM, you need to establish links and assess the strengths and weaknesses of information management systems already in place.
- You need to be aware of the basic service structures and methods of governance as they affect CLM.

Step 3: Raising awareness and building alliances to create the CLM framework

Why do you need to do this step?

The preparatory phase includes awareness raising in order to ensure community acceptance of child labour monitoring and the mobilization of the general public and potential partner agencies. CLM needs to be understood and appreciated as a collective effort that brings local resources together. Financial and human resources must be made available to develop CLM if it is to be effective and sustainable in the long run.

Institutional knowledge on data collection mechanisms and CLM may already exist among labour inspectors, social workers or NGO professionals. However, they may have differences of opinion and approaches to development issues. Awareness raising and alliance building will help you to unite all key institutions and actors under the common principles of CLM and to commit them to long-term work against child labour.

The design, test and training phase

During the design, test and training phase, the way in which the actual monitoring will be conducted is specified and the technical basis for the CLM established. Once the scope and operating principles of CLM have been agreed upon, the tools of the monitoring process have to be designed and tested, the management team organized, the monitors trained and the overall process tested.

Roles and responsibilities that have been agreed upon need to be formally recognized and written down. As part of the technical design of the CLM, you need to draft a *CLM profile* that describes and explains the different parts of the process and *operating guidelines* that provide guidance on how to operate specific areas of the CLM (see Annex C). This initial process design will be further developed and fine-tuned to better reflect local realities as part of a pilot testing and appraisal process.

This phase includes the following steps:

Step 1:	Setting up the management of the CLM (0-6 months)
Step 2:	Developing and testing monitoring tools (6-12 months)
Step 3:	Developing a referral system (6-12 months)
Step 4:	Organizing monitoring teams (12 months)
Step 5:	Training monitors and building capacity (12-18 months)
Step 6:	Testing the CLM design and thinking about replication (12-18 months)

Why do you need these steps?

Step 1: Setting up the management of the CLM

Why do you need to do this step?

There are several activities that need to be carried out before the CLM can be designed and tested. These include:

- designating a management team for the design of the CLM process;
- defining specific roles and responsibilities for setting up and operating the CLM process;
- agreeing on the authority and responsibilities of partner agencies; and
- ensuring effective administration and coordination mechanism and agreeing on the financial foundations of CLM

Step 2: Developing and testing monitoring tools

Why do you need to do this step?

Activities in this step involve developing and testing monitoring tools and agreeing on what core child labour indicators will be recorded through CLM. Specific monitoring techniques, such as how to verify the ages of child labourers, will be presented and specific issues discussed, including gender and the updating and storing of data.

The monitoring tools referred to in this section comprise the manuals, monitoring forms, computer software and descriptive materials about CLM used in operating the CLM process. The monitoring techniques are the practices aimed at helping monitors conduct visits and respond to specific situations during their monitoring work.

This section includes information on:

- developing and testing monitoring tools;
- agreeing on core child labour indicators;
- recording monitoring data; and
- age verification

Setting up and operating CLM requires adequate capacities and operational knowledge of the purpose and operating principles of the CLM process. The following materials may need to be developed to respond to the capacity building and training needs of those developing and operating CLM processes:

- A CLM profile
- CLM operating guidelines
- A training manual for monitors (including forms and monitors' fact sheets/checklists)

Step 3: Developing a referral system

Why do you need to do this step?

Two expected outcomes of CLM are that child labourers who have been identified through monitoring are referred to appropriate service providers and a tracking system is in place to follow up and ensure that the child will not return to work or surface in another sector of child labour later on.

Step 4: Organizing monitoring teams

Why do you need to do this step?

Once partners for the monitoring and referral are identified and have agreed to participate in the monitoring effort, the monitoring teams can be formed. The monitoring team is the mechanism through which the observations at the worksite and in schools are conducted. They are the human hands and eyes of the monitoring system.

Step 5: Training monitors and building capacity

Why do you need to do this step?

The work of those involved in the actual monitoring is much more than just information gathering and sharing; it can involve interacting with employers, workers, family members and child labourers themselves. The members of a monitoring team need to be able to make many difficult judgements on the spot.

Step 6: Testing the CLM design and thinking about replication

Why do you need to do this step?

The functioning of your CLM is not only dependent on a good design. Key people and institutions must be trained and have the opportunity to test and learn their roles and functions in the CLM.

The procedures and tools used to collect the information needs to be tested and validated. This phase may require a considerable amount of time (possibly up to a year) and should not be rushed.

Testing is equally done to see how the actual monitoring and follow-up action works in the field and to allow the validation and further development of the monitoring tools. It will also help to clear any potential misunderstanding about CLM among your partners, as this will be the first time they are able to participate in this particular monitoring process and to see with their own eyes how it is run and operates.

The Monitoring Phase

Implementation of the monitoring process in workplaces

The preparatory and the design, test and training phase covered the steps that need to be taken in order to develop adequate conditions and technical basis for child labour monitoring. We will now consider the actual work involved in the act of monitoring and explore some key concepts related to monitoring and dealing with children and hazards in the workplace.

After going through the steps in preparatory phase you have:

- developed a common understanding about the purpose and operational principles of CLM;
- reviewed laws and existing information collection systems;
- committed partners and built a monitoring alliance;
- formulated and made institutional agreements;
- designed the CLM process;
- constituted and trained monitoring teams;
- developed operational guidelines and tools;
- tested the monitoring design in practice; and
- developed a quality management system.

This phase is divided into six steps. These areas of intervention cover the major activities that are undertaken immediately before, during and after the monitoring visit:

Step 1:	Prepare the visit
Step 2:	Conduct the visit
Step 3:	Withdrawal and referral
Step 4:	Protection and prevention
Step 5:	Close the visit
Step 6:	Immediate data management and reporting

Note that in some instances the activities comprised in these steps may overlap, particularly in the cases of Steps 2-4.

These steps can be applied with minor modifications to any CLM visit regardless of its size or scope.

The actual monitoring involves executing monitoring visits to workplaces on a regular basis and ensuring that the findings of the monitoring visits are properly documented and reported and information provided to competent bodies or service providers to act upon. Note that the term “workplaces” is used here to refer to any location where children may be working. This would include formal worksites, such as factories, commercial farms or fishing boats, and informal settings, such as streets or third-party homes.

The purpose of monitoring is to:

- identify child labourer and assess their needs;
- promote improvements in working conditions and OSH for the benefit of young workers;
- record information about the monitoring visits and the children identified;
- activate referral procedures (including withdrawal from workplaces and referral to school or services) if required; and
- promote protective measures and preventive messages, counsel, educate and motivate employers, factory owners, community members, parents and girls and boys on child labour.

By this point, all key partners should be familiar with the purpose and objectives of CLM. In monitoring workplaces it is important that all those involved in the monitoring visit and the follow-up have internalized and understood their functions and roles.

The institution responsible for initiating the monitoring visit should also have general background information with basic data and possible records of any previous visits to the workplace with mentions of any action taken or recommendations made to the employer.

The actual monitoring visit is the key element of the CLM that determines how effective the overall work against child labour in a given sector is or has been. Through the initial monitoring visit you establish the baseline information about child labour that your whole monitoring effort will be based upon. The rapport between the employer and the monitors and that paves the way for the future regular monitoring works is also established at this time.

After the initial visit when the basic information about the employer, family and child is collected, follow-up visits will be conducted to verify and check that measures have been taken to address possible problems and the commitments made are respected. In the case where children have been withdrawn from work and referred to services, the follow-up and subsequent visits to the workplaces ensure that they have access to these services and remain out of child labour.

Why do you need these steps?

Step 1: Prepare the visit

Why do you need to do this step?

In order for the monitoring visit to be successful, it is important to prepare for it. The monitors need to have sufficient information about the target establishment or areas, and practical issues, such as transport, need to be addressed. A good level of information about the locality and people to be met will also facilitate interaction during the monitoring visit and result into cordial and trustful relations between those concerned.

Preparing for the visit includes collecting background information about the site and location of the target area/establishment that will be monitored. If baseline information is available, the monitors should familiarize themselves with that. The existence of trade unions or workers' representatives on occupational safety and health committees should also be checked.

Step 2: Conduct the visit

Why do you need to do this step?

This step is where you actually enter the workplace. It is the crucial moment in which you identify potential child labourers and take decisions on how to proceed.

If the visit has been announced, then the monitors need to confirm the visit by contacting the employer or announcing the visit beforehand through a local government office or any other means available. In the case of an announced visit, the confirmation gives due time for the employer to arrange for documents and key persons to be available which will facilitate the conducting of the monitoring.

The downside to announcing the visit is that it also allows the employer to “hide” unwanted documents or people, thus making it impossible for the monitors to be able to see the workplace in an actual work situation. As the primary goal of CLM is to find and identify child labourers, it is important to use unannounced visits, if possible, as well or a combination of both methods. The announced visit can be very productive in terms of prevention and information sharing, but it is only through unannounced visits that you are able to secure **objective** and **first hand** information about

who is working at the worksite and under what conditions.

Once on site, the monitoring visit involves two principal areas of activity:

- **contact and formalities,**
- **observation** (including identification of child labourers, assessment of on working conditions; interviews with children and age verification).

Step 3: Withdrawal and referral

Why do you need to do this step?

Whenever the situation so requires, a referral system must be activated to ensure that the child is withdrawn and has access to education or social services. It is important to note that the nature of withdrawal is different depending on the location and type of work. In formal workplaces, such as factories, withdrawal may involve the physical removal of the child from the workplace through an agreed procedure. If the child is legally working but performing hazardous work, it may involve making sure that the child is provided with a safe alternative type of work.

Referral

Establishing a referral system means that an agreement is made with the service providers that they accept and assume the responsibility of providing assistance to child labourers found during the monitoring process.

This agreement must be formal and based on the practical realities and capacities of the service providers. The services may be provided through government entities (schools and health stations), NGOs or faith or community-based initiatives on education, skills training, counselling and self help.

You will need to consider:

- the resources and physical capacities of the service providers, and
- commitment and ability to receive and provide services,

When you develop a referral system you must also agree on the nature and responsiveness of the referral mechanism.

- Is it meant to be mechanism that can be activated immediately to address an urgent child labour situation in a workplace? This would be the case in some factory-based monitoring projects, for example, where girls and boys found working in hazardous conditions are immediately removed and enrolled in schools.
- Is it a slower step-by-step process where, once a problem is identified, a task force or similar group makes an assessment of different possible options? If so, the child labourers' situation is then addressed within the shortest delay possible.

Step 4: Protection and prevention

Why do you need to do this step?

In this step the workplace is checked to see what types of work-related hazards exist for child labourers. The role of the monitors is to advise the employers and parents about these risks and recommend further action, to convey messages about prevention of child labour and to inform employers, workers and parents about the ill effects of child labour.

Step 5: Close the visit

Why do you need to do this step?

The monitoring visit is closed through a discussion and briefing session with the management, employer, parents and/or community members concerned in order to discuss the findings of the visit. This allows for all those involved in the monitoring activity to get immediate feedback on the results of the visit and what the next steps will be.

Step 6: Immediate data management and reporting

Why do you need to do this step?

After the visit has been concluded there must be an immediate review of the visit by the members of the monitoring team. Notes can be compared to see that the members of the team agree on a common overall assessment of the workplace and child labour situation. There are two aspects to this phase of the visit: one is to agree on and record the findings of the visit and the other is to report the findings of the visit to those involved in the CLM either for follow-up action or for information.

he Follow-up Phase

Ensuring that the information collected is credible, accurate, accessible and used for action

The follow-up phase is meant to ensure that the information collected through the CLM is analysed and actively used for referral to provision of services, policy improvement, social planning and enforcement of child labour laws.

The principal steps of the follow-up phase are:

Step 1:	Tracking of child labourers to ensure that services have been provided
Step 2:	Quality control and verification
Step 3:	Providing data for the enforcement of laws
Step 4:	Information dissemination and analysis
Step 5:	Providing inputs to laws, policies and social planning

Why do you need these steps?

Step 1: Tracking of child labourers to ensure that services have been provided

Why do you need to do this step?

Tracking is part of child labour monitoring and imperative for the follow-up of the child.

A purpose of CLM is to make sure that child labourers identified through the CLM are helped and provided with better alternatives. CLM needs to be able to track the individual child labourer from when s/he is identified through the resolution of the problem.

Step 2: Quality control and verification

Why do you need to do this step?

An internal quality control mechanism and a management plan on how to organize continual improvement in CLM are essential both to making sure that the information collected is credible and to improving the monitoring work the ability to adapt to new challenges.

Verification, either internal or external, establishes the credibility of claims concerning the actual practices under scrutiny or the observance of agreements and norms dealing with the issue in question.

The major difference between quality control and verification is that quality control is a continuing effort to improve procedures, mechanisms and tools that form part of all work conducted under the CLM umbrella, whereas verification is conducted mainly for the purpose of correctness of the data.

Step 3: Providing data for the enforcement of laws

Why do you need to do this step?

CLM information should also be actively used to promote the enforcement of child labour laws and to provide information on gaps and challenges concerning the implementation and enforcement of existing laws.

As a multi-partner process, CLM promotes the general awareness of labour laws. CLM can also contribute to and promote the implementation of voluntary workplace and enterprise-related codes of conduct and collective agreements, which are often developed under the auspices of initiatives on corporate social responsibility.

Step 4: Information dissemination and analysis

Why do you need to do this step?

Information management involves the treatment, storage and preliminary analysis of the data received from CLM and its transmission to higher levels of governance from where it can be used for policy-making and social planning processes.

In CLM the data is likely to be of two different sorts:

1. **Quantitative information** about the incidence of child labour and the numbers of girls and boys who have been referred to remedial activities such as schooling
2. **Qualitative information** that reveals the gaps or weaknesses in substantive areas, such as workplace OSH and attitudes of employers/parents in regard to child labour and CLM.

Information management in the follow-up phase may include some or all of the following:

- treatment of information, preliminary analysis and making it available for use;
- inputs to formulation of child labour responses and goal setting;
- identification and formulation of child labour indicators for target setting;
- inputs into strategic monitoring and tracking of impact;
- inputs to research and analysis; and
- inputs to national social planning and development, (discussed in Step 5).

Step 5: Providing inputs to laws, policies and social planning

Why do you need to do this step?

Information generated through CLM can be used for assessing the impact of different child labour responses and can help in reaching desired child labour objectives and in the development of clear integrated and coordinated policies at the national level.

Recap of the CLM model

Child labour monitoring involves the identification and referral of child labourers through the development of a framework of partnerships and coordinated multi-sector process. The CLM **framework** is the association of partners and the agreements among them. It encourages commitment and regular sharing of information among those who can contribute to elimination of child labour. The CLM **process** comprises the procedures and tools that enable monitoring to be implemented correctly and can be divided into four phases: 1) preparation, 2) design, test and training, 3) monitoring and 4) follow-up.

The **preparatory phase** ensures that the conditions necessary for monitoring are met, and that the CLM process will be designed and developed in such away that it is feasible and reflects local institutional capacities and policies.

The design, test and training phase ensures that monitoring tools have been properly designed and that those concerned have adequate skills and capacities to manage and conduct the actual monitoring and referral activities. The design and testing of the CLM process must be consultative, participatory and based on a common agreement by all concerned parties.

In the **monitoring phase**, visits to workplaces and referral to schools and other service sites take place. The monitoring is conducted by multi-skilled monitoring teams who are selected for this task with established roles, responsibilities and procedures.

In the **follow-up phase**, the information collected through monitoring is made available for use, and girls and boys removed from child labour are actively tracked in order to ensure that as a result of monitoring children have alternatives to child labour.

The monitoring and follow-up activities are ongoing – they are repeated on a regular basis. As the child labour situation decreases, CLM is expected to decrease in intensity and gradually become mainstreamed into government social protection functions.

Session: CLM Case Study Exercise with Report Out in Plenary

Handouts: Case Studies

THE CASE OF THE BANGLADESH GARMENT INDUSTRY PROJECT

Introduction

An illustrative example of child labour monitoring can be found in the project: “*A partnership approach to improving labour relations and working conditions in the Bangladesh garment industry*” (2003-2005). This project is the latest and more comprehensive continuation of a number of projects started in 1996 and aimed at preventing and eliminating CL, as well as monitoring children working in the garment industry of Bangladesh. These different project phases were the result of the conclusion of various MOUs between the Government of Bangladesh, the Bangladesh Garment Manufacturers and Exporters Association (BGMEA), UNICEF and ILO since July 1995.

Description of the CLM

The monitoring process combines factory visits and monitoring of services provided to children who have been found by the monitoring teams and referred to education services.

Through repeated visits of workplaces, children at work are identified and the hazards they are exposed to are uncovered. In addition, the working children that are referred to education services are followed-up, to check whether they are enrolled and actually attending school.

The partners involved in the process are: the Bangladesh Government through the Ministry of Labour and Employment (MOLE), the Garment industry in Bangladesh represented by the BGMEA officers, UNICEF officials and ILO/IPEC staff. As for monitoring schools, school teachers and NGOs are also involved. These partners are grouped in monitoring teams, twelve teams of four people each, including: one monitor of the Government of Bangladesh, one monitor from the BGMEA and two ILO monitors. All partners regularly share information. The gender dimension is considered, as at least one of the ILO monitors is always a woman.

At national level, the MOLE supports the workplace monitoring process providing a number of monitors and staff in support of the project. This support shows the commitment of the MOLE to the monitoring process in the garment industry.

Process

The project monitors approximately 2500 factories (100 factories per month) and 350 schools (each visited once per month). There are 12 teams of 4 people each: 1 monitor of the Government of Bangladesh, 1 monitor of BGMEA and 2 ILO monitors. Ten teams are in Dhaka and 2 are in Chittagong. Each monitoring team monitors factories three days a week and schools two days a week for any given zone. Teams rotate every six months. Their main task is to identify child workers in the factories and to refer them to school. Monitoring at workplaces and schools is carried out through repeated observations, discussions and the filling out of questionnaires involving workers, supervisors and managers, as well as school teachers and supervisors.

Workplace monitoring requires: preparing monthly and weekly plans; researching the factories; visiting BGMEA member factories unannounced; identifying and withdrawing children under 14 years old (when the monitors find a child working they contact an NGO to come over to the factory and take him/her home and later to enrol the child in school); educating and motivating factory owners about national and international laws; keeping appropriate records of the information found; and

ensuring its confidentiality. Monitors are also asked to motivate factory owners not to recruit child labourers and to induce children to pursue their education. The monitoring is also meant to continuously improve the compliance of factories with national law and international best practices, based on a checklist designed to prepare workplace improvement plans (WIPs) for BGMEA member factories that have volunteered to participate. Through the factory visits, monitoring teams assist factory managers in the identification of problems that need to be addressed by the WIP and in the assessment of progress made.

There are four key elements in the workplace monitoring:

- The visits to factories are unannounced;
- The monitoring is conducted transparently;
- The information gathered is stored in a database;
- Factory managers learn how effective the process is.

School monitoring involves: preparing monitoring plans; visiting learning centres; visiting schools to verify attendance; following up on attendance; finding out the causes of drop outs; visiting homes to cross-check on enrolment, attendance and dropouts; attending parents' meeting; checking standards of education at the learning centres; and educating and motivating children, parents, and teachers about the importance of education. Monitors visit each school once per month. School supervisors also visit their schools and assess the needs of skills training for children and micro-credit for children's families.

The information collected by monitors, coming from observations and the filling out of questionnaires is entered into a database operated by the project. Key information include the identification and withdrawal of working children from the workplace, the enrolment of children into schools, the provision of skills training for children and micro-credit for their families, and the status of the children after completion of skills training. The information recorded is used by monitors to measure progress made by the garment factories.

ILO monitors prepare weekly reports and submit them to the National Project Co-ordinator (NPC). On the basis of these narrative weekly reports, the NPC prepares monthly monitoring reports which are used by the Chief Technical Adviser (CTA) for preparing a synthesis report once every three months.

For tracking and efficiency purposes, the NPC also uses this information to coordinate with other projects, BGMEA and implementing agencies. In case policy and technical issues arise from the reports, the NPC reports to the CTA immediately. The CTA discusses with the relevant agency to solve the problem.

Conclusion

This case involves monitoring and verification at both workplaces and schools. This ensures that withdrawn working children are not drawn to other forms of child labour, that they are enrolled and attending school, and the monitored factories do not recruit new children.

The project has been improving over the years, acquiring experience and becoming more sophisticated. It directly involves factory owners and workers and has developed training materials and conducted training and capacity building for monitors as well as a significant number of factory owners, managers and workers. The training materials include the manual “Improving working conditions and productivity in the garment industry” (adaptation and translation into Bengali of an ILO manual); the training manual on occupational safety and health in the garment industry; training materials on industrial relations and social dialogue; handbook on relevant national labour laws and regulations (Bengali and English); and a video film on good labour practices in garment factories. However, the project faces several challenges, including the high cost, complexity and difficulty of coordination, the lack of labour inspection capacities, and the low involvement of public authorities.

THE CASE OF THE CAMBODIA SCHOOL CHILD LABOUR WARNING SYSTEM

Introduction

An interesting example of monitoring is to be found in the action programme (AP) entitled “Strengthening and Mobilizing the Roles of Teachers as a Part of Support for the Elimination of Child Labour in Fishing Work in Sihanouk Ville”. In working with the children engaged in fishing work in Sihanouk Ville, IPEC supports the Municipal Department of Education, Youth and Sports, which includes both primary and secondary schools, to involve school administrators and teachers in child watch and in raising awareness among the children who are potential victims of child labour as well as the children who are already working but who have not yet dropped out of school.

The AP was designed to run for one year starting in March 2003. It involves 30 school teachers in 7 primary and secondary schools, 1,000 plus working children enrolled in the 7 schools, as well as potential drop-outs and other “at-risk” children in the schools. Activities include mobilization of teachers and administrators through trainings and workshops, integration of child labour and child rights issues into the curriculum, school child labour watch scheme, and awareness-raising activities for school children.

These activities are carried out in parallel with a community monitoring effort implemented, with IPEC support, by a local NGOs, the Catholic Child Bureau Organization, which has experiences in working with families and communities, to provide assistance such as non-formal education and skills training to the working children, provide different types of assistance to the children’s families, as well as mobilize the participation of the communities to establish the Community Child Labour Watch where community people themselves serve as committee members who watch out for potential child labourers, monitor the working children’s attendance in non-formal education and skills training programmes, as well as monitor the working hours of these working children.

Description of the System

IPEC-Cambodia has made efforts to work with teachers and school administrators both in primary and secondary schools to develop a Child Labour Warning System in schools, by promoting awareness, knowledge and understanding among teachers on the issues of child labour, child rights, and the worst forms of child labour. IPEC staff has conducted training and encouraged teachers to work with students to promote their awareness on these issues, and supported the teachers to identify children who are at risk of becoming victims of child labour. They also encourage the teachers to contact the children’s parents when they see confirmed signs that the children are regularly missing school or their school performance deteriorates significantly.

A number of such teachers attended a training of trainers facilitated by IPEC staff, staff from Cambodian League for the Promotion and Defense of Human Rights (LICADHO), which has been working on the issue of child rights, and staff from the Ministry of Social Affairs, Labour, Vocational Training and Youth Rehabilitation (MOSALVY), on the issues mentioned above, as well as on how to use LICADHO’s learning kit to raise awareness among the children. After attending the training, these teachers conducted two training sessions for fellow teachers on the same issues by using the same training techniques.

Process

After receiving the training, teachers worked with their students on a regular basis by trying to integrate the issues of child labour into the various subjects they taught as a routine. In addition

Benefits

The establishment of a School Child Labour Warning System such as the one established in Sihanouk Ville fulfils both a monitoring and a preventive function, both for the specific children at risk and for the indirect effects in terms of community awareness and learning. In this respect it may prove to be a particularly cost-effective option.

The Sihanouk Ville experience also demonstrates that monitoring can encourage cooperation between various agencies, both government and non-government, each one in their specialization and expertise. The development of the learning kit by an organization which specialized on the issues of human rights and child rights like LICADHO, in collaboration with a government agency which is responsible for prevention and enforcement like MOSALVY is a good practice as it promotes learning among organizations.

THE CASE OF THE COMMERCIAL AGRICULTURE PROJECT IN KENYA

Introduction

The development of a child labour monitoring process is a major component of the sub regional project on prevention, withdrawal and rehabilitation of children engaged in hazardous work in commercial agriculture in Eastern Africa (Kenya, Malawi, Tanzania, Uganda and Zambia), also known as the Comagri programme. The implementation of an action programme to this end started in Kenya at the beginning of 2004.

The Comagri project has three main objectives: withdrawing and rehabilitating children engaged in the worst forms of child labour in agricultural holdings and supporting their enrolment in educational institutions; preventing children from dropping out of schools and entering child labour in the agricultural sector; and helping parents of working children to improve their incomes.

The child labour monitoring process developed by the project aims at monitoring and verifying the child labour situation in smallholder and plantation agriculture in tea, coffee and sugar sub-sectors and implementing labour standards in these sub-sectors.

Description of the CLM

The CLM levels of intervention are in line with the levels of operation of the Comagri project in general. These are: the national, district, and community levels. A considerable number of actors and partners are involved in the CLM, and each of them corresponds to the three levels just mentioned. At community level, school teachers, local chiefs, councillors, opinion leaders, women leaders form *Community Child Labour Committees* (CCLCs) and work together with volunteers monitors, chosen among local people. At region/district level, government departments (including labour inspectors and other officials working on children issues), trade unions, implementing agencies and civil society representatives are grouped together in *District Child Labour Committees* (DCLCs). Such Committees establish a technical unit that supervises the monitors at lower level. At national level, Ministries and departments of the Kenyan Government; as well as workers' and employers' organizations and implementing agencies are the main partners, with the *National Steering Committee on Child Labour* (NSC) as the umbrella organisation.

The CLM as designed assigns the main implementing responsibility to the *Child Labour Division*, a unit of the Ministry of Labour and Human Resource Development (MoL&HRD). This division plays the main role of recruiting supervisors and monitors, linking the different actors involved in the process (at district and community level), and mobilizing them. The Division also provides continuous training and logistical support. For sustainability purposes, the Division is the institution that, once the project is over, will take up full responsibility of the monitoring process and extend it to other projects, sectors and districts/areas.

Process

The monitoring process is activated by the CL Division, in cooperation with other partners. From a bottom up perspective, field-based monitors (local people of high integrity and relatively high education level from the communities where the project is operating) collect information and pass it to the CCLC. The Community Committee checks the information received and serves as a main contact point for monitors. At district level, labour inspectors, children/education officers (as part of the technical unit) supervise and assist monitors (e.g. if workplace do not cooperate). Finally, the DCLC coordinates the monitoring work at district level.

At a higher level, the Child Labour Division (CLD) receives the monitoring information collected from the DCLC (labour inspectors and Children's officers) and the CCLC (monitors), and processes it into reports. It cross checks information with other implementing agencies in the ComAgri project. It provides continuous training, logistical support and coordination for monitors, CCLCs and DCLCs. The CLD also has the responsibility to keep ILO/IPEC informed through regular progress reports. Finally, the Division sends biannual monitoring reports to the NSC.

Monitors refer child labourers identified to schools and verify their attendance. School monitoring is done systematically (twice in a school term, two weeks after the term opens and at the end of the second month of the term). This allows to take early action on those children who have not reported back to school by the second week after the schools open, and to take stock of performance just before the end of term examinations. This monitoring also allows checking that children remain in the education system and do not return to their previous work or enter into other Worst Forms of Child Labour (WFCL).

All gathered information is transmitted to the Child Labour Division. It includes: a) for the child: personal details, involvement in commercial agriculture, family socio-economic situation, educational pursuit – previous and current, performance, and current opportunities and constraints; b) for the school: basic school profile, previous experience with child-labourers, performance of children under the Comagri Project, relationships between the school and other stakeholders (e.g. parents and former employers), incidents of children who are dropping out into child labour; and c) for the employer/workplace: ownership details, agricultural production process/working environment – isolating areas of hazardous and risky works, engagement of children prior to and after the project, obligations of the employer/workplace under the project. This information as gathered by monitors is stored in a database installed at Child Labour Division.

Training is a key element for the success of the Kenya CLM and is to be conducted for all the actors involved, also with the help of a training manual for monitors, aimed at explaining the monitoring instruments and providing tips on how to process monitoring, record information, overcome constraints, and gather support. The monitoring instruments, the training/guiding manual and data management software have been already presented to the principal stakeholders (MOL, NGOs, trade unions and employers) in a workshop in November 2003. The objectives of the workshop were: the understanding the Child Labour Monitoring process for Commercial Agriculture in Kenya, the validation of CLM instruments and the definition of roles each partner. All these objectives were successfully reached.

The monitoring process is to be established in three phases. First, the preparatory phase, which includes the formulation and validation of a CLM concept to serve as guide in the whole development of the CLM as well as the development and validation of monitoring instruments (e.g. questionnaires for children, school/education institutions and employers/workplaces), a training manual for monitors and a database. This phase is also meant to raise awareness on CLM issues among key partners.

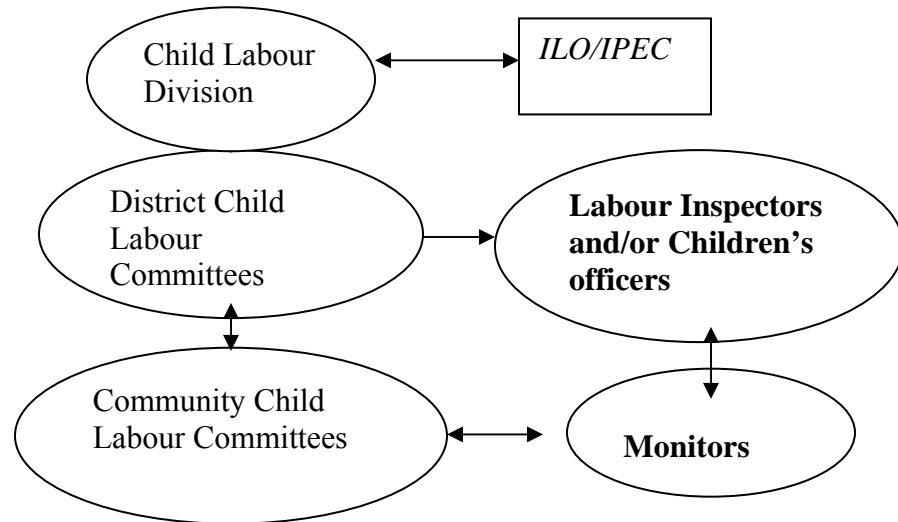
Second, the implementation phase aimed at developing concrete CLM action programmes. The CLM initiative is currently in this phase. An action programme is implemented by the Ministry of Labour and Human Resource Development through its Child Labour Division, and has four objectives: to develop a tracking system in consultation with social partners, and implementing agencies; to organise training of selected monitors from DCLCs and CCLCs and to raise awareness on CL issues within communities and in the plantations; to strengthen the capacity of the Labour department and the Directorate of Occupational Health and Safety Services of the

Ministry of Labour to carry out inspections and enforcement; and finally, to store data, analyse them and make it available to other government departments that may require such data.

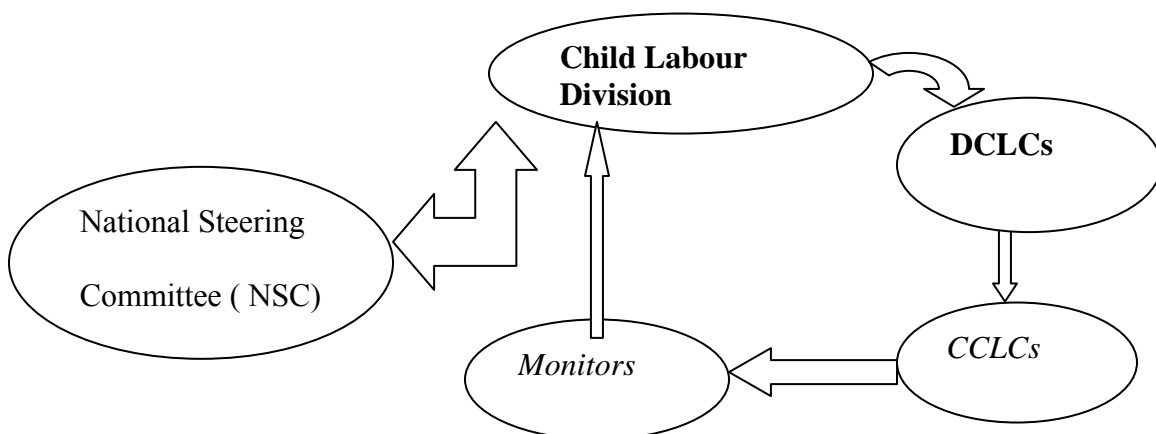
The third phase in the setting up of the CLM process in Kenya is to be devoted to feedback and response. In this phase the CL Division is to report every six months to the NSC, providing information on progress made (including targets, findings, lessons learned and proposed actions). Finally, on the basis of the report received by the Division, the NSC is to recommend appropriate responses in order to achieve an effective implementation of child labour interventions and provide direction for future monitoring actions.

Charts

This first chart illustrates which are the CLM actors and the relation between them.



The second chart shows the monitoring information flow among the different actors and committees.



Conclusion

The involvement, motivation and sense of responsibility of key actors, especially the CL Division at the Ministry of Labour, will be crucial for the sustainability of the monitoring actions.

Once the CLM process is fully established, it will be possible to generate reliable information on progress achieved and setbacks encountered by individual children benefiting from the Comagri interventions. More generally, it will also provide a basis for analysing the WFCL situation in the commercial agriculture sector. Furthermore, as a large number of partners are involved, this CLM promises to keep stakeholders engaged in the fight against child labour in commercial agriculture and thus sustain the CL agenda at policy level.

THE CASE OF THE SOUTH AMERICA MINING PROJECT

Introduction

A remarkable and instructive case of monitoring through community groups is to be found in the project: “*Prevention and progressively elimination of child labour in small-scale traditional gold mining in South America*”. The project operates in three Andean countries (Bolivia, Ecuador and Peru), in different mining locations (Tipuani and Potosí in Bolivia; Bella Rica in Ecuador and La Rinconada in Peru). It started in 2000 thanks to the financial contribution of the US. The project’s main objective is to contribute to the prevention and elimination of child labour in mines through awareness raising, capacity building and development of direct actions in selected mining communities. The development of CLM has been one of its major components.

Description of the CLM

The project’s monitoring component combines “workplace monitoring” with “social service monitoring” (education, health and other services provided by the project). The monitoring process developed under this project provides an individualized follow-up for all working children also through referral to social services, in particular ensuring that children are enrolled and attending school. Monitoring activities also aim at securing commitments, from both parents and employers, to stop the practice of CL in mining. Working towards the prevention of child labour in the sector ensures sustainability.

As far as partners and actors are concerned, the monitoring structure is organised at different levels. At local level, there is a *Mixed Local Committee*, including project staff and local (especially health and education) authorities, representatives of the mining cooperative, enterprises, community organisations and children’s family members. At national level, the *Mixed Monitoring team* involves IPEC-ILO staff, labour inspectors as well as local monitors who have played a key role in monitoring at the local level. At higher institutional level, the *National Committee* comprises the Ministries of Labour, Education, Health, Energy and Mines, Women and Social Development and is also part of the *National Steering Committee on Child labour*.

Process

The Mixed Local Committee identifies children working in mines, raises awareness on the importance of education for children, gathers and verifies the information and refers working children to the services provided by the project (mainly to school). The Mixed Local Committee reports to the Mixed Monitoring Team, which through periodical follow up (regular observation and interviews) informs, recommends and reports to the National Committee and to the National Steering Committee on Child Labour, as well as to other authorities. These authorities work for the improvement of services available to working children and the provision of alternatives. In some cases, they even impose sanctions (see chart below).

Although the three countries share the same system, each country has adapted it to its own specificities and needs. At the local level, the development and implementation of monitoring mechanisms is main component of the project’s activities in the selected communities. At national level, efforts have been deployed to link these activities to national policies. IPEC national coordinators have cooperated with national authorities in order to involve them in the implementation of the National Monitoring Framework for Child Labour in small-scale mines.

In Peru concrete steps have been taken for the establishment of the CLM process, such as the signature of an inter-ministerial agreement (involving the Ministry of Labour, Education, Energy

and Mines, Health and Social Development) for the design and implementation of the CLM initiative in the mining sector. Workshops with representatives of these ministries at national and regional levels were carried out, ensuring a participatory approach for the elaboration of the monitoring process. Training sessions on CLM implementation were provided to selected monitors (three for each Ministry: Education, Women's Promotion and Human Development (PROMUDEH), Labour, and Energy and Mines). Furthermore, a workshop in the mining community was held to explore the monitoring process at local level, and the two mixed local Committees (Mollehuaca and La Rinconada) were formally created and provided with training.

In Ecuador important actions also have been carried out. For example, the Ministry of Labour and Human Resources (in collaboration with IPEC/ILO, UNICEF, the National Institute for the Child and Family and others) established a National Process for Inspection and Monitoring of Child Labour within the Ministry of Labour. The process was set up through an inter-ministerial decree. At the local level, the Bella Rica Cooperative, which includes all the mining companies in the community of Bella Rica, agreed with the monitoring team to report cases of children working in the mines. Moreover, the Cooperative accepted to work in prevention activities, in order to avoid that new children get involved in mining work.

Finally, in Bolivia the Mining Sub-Commission worked arduously for the definition of the national CLM process. One of the first activities carried out by the Commission was the implementation of different awareness campaigns in the communities. Another key action was the training key local representatives on child labour monitoring in mines. Such training included general child labour issues and child labour monitoring, but also practical questions, such as the development of monitoring questionnaires, the database and guidelines on how to monitor child labour in small-scale mines.

In terms of data collection for the CLM developed in the three countries, at the outset the information was gathered through the baseline studies identifying the target group and providing information on working children and their families (child labour indicators; schooling hours; working conditions; schooling; health; family characteristics). Questionnaires have been used for the further systematic collection of information, which has been stored and elaborated making use of the database set up for project monitoring purposes. Data is shared with interested authorities (e.g. Ministry of Labour, Mines, National Sub-Commission on Mining).

Special material has been produced for monitoring purposes, such as guidelines and toolkit designed with the help of participatory workshops (providing observation and interview guides, data sets and training manuals).

Benefits

In line with the grass-root, participatory approach common to many development projects, the main feature of monitoring is the leading role of community representatives in establishing and implementing the system. They play a catalytic function also with regard to the other partners involved. Local people directly involved in the development of CLM are the best advocates of child labour prevention and elimination in small-scale mines. This provides an obvious advantage in terms of sustainability of these actions.

A further characteristic and positive element of the South America Mining Project is the close involvement of the authorities in the elaboration of CLM. Such commitment has led to the signature of agreements in the three countries showing the political will to eliminating child labour in the sector. The local monitoring processes as developed through the project are thus tightly linked to the national level, in order to create synergies and to apply national policies to the monitoring of child labour in the mining sector.

The CLM processes that are being developed in the three project countries are multidisciplinary monitoring processes, integrating labour, education, and health aspects, involving regular observations of the sites where children are working and individualised follow up and referral to schools and other social services. They have developed user-friendly systems that the communities and other actors involved are able to use without difficulty. Finally, the monitoring processes foresee and try to address the issue of child labour mobility to other mining zones where living/working conditions could be worse. They aim for low cost and complexity and try to maximize available resources and capacities.

Session: Establishing an Agreement to Take Action Against Child Labour

Handout: Basic Principles and Components of CLM Agreements

It is important that key partners involved in CLM draw up a written agreement which provides the official framework for the management and implementation of the monitoring process.

Agreements ensure that all parties are clear about the specific roles and responsibilities of key partners, how the different partners are going to work together, and the practical arrangements for the implementation of the CLM process.

The most common form of co-operation agreement is a memorandum of understanding (MoU) between the different partner organisations.

The box below sets out the basic components of a MoU.

Components of a Memorandum of Understanding

Partners

Partners to the MoU should be identified. Future cooperation will be easier if the MoU identifies a precise unit with an organisation, such as a special unit for combating child labour, and the specific NGOs that are to provide various services.

Purpose and Scope

The general purpose and specific aims of the CLM process should be stipulated. In the case of purely voluntary monitoring, the limitations of the process need to be clearly stated.

Authority

The authority for monitoring should be specified.

Target group

Listing the precise target groups (types of child labour present in the locality) will contribute to successful identification and withdrawal of child labourers.

CLM management and administration

The MoU should stipulate where the management of the CLM process is to be based. As a matter of principle the CLM should always be lodged in some form of official authority, typically represented by the local government. The actors responsible for coordinating the CLM process should be specified and the general responsibilities of the CLM coordinating group should be described.

Detailed description of different responsibilities

In order to ensure effective cooperation the specific roles and responsibilities of different partners should be clearly defined. The different advisory, enforcement and supervisory functions must be clearly understood and established.

It is particularly important to distinguish between the function and authority of labour inspectors and other institutions vested with similar powers for the purpose of CLM. Partners who operate and function as part of an *integrated monitoring team* must understand that their role may be a complementary and supportive one rather than that of enforcement.

The different roles that the partner agencies have in the CLM should be linked to the main functions of the monitoring process

The details of the co-operation procedure between the partners

The procedures the partners are to follow in the identification, referral, verification and tracking of child labourers should be detailed in the MoU.

Mutual communication of information

CLM partners should undertake to treat personal information regarding children in a responsible fashion and as confidential.

Different partners should exchange information concerning the child labour situation and mechanisms for sharing such information should be clearly defined.

Financial contributions

Details regarding any financial contributions that will be made by each of the signatory partners should be specified (if appropriate).

Details of other sources of financial support for implementing CLM and the amount to be contributed should also be specified.

Quality control

Mechanisms by which the quality of the services provided are evaluated should be detailed in order to ensure that the children are well treated and that the services provided are appropriate.

Time when the MoU comes into effect

The MoU comes into effect upon signature by all relevant parties

Amendment and expansion of the MoU

On the basis of mutual consultation

Session: CLM Design and Development – Key Activities

Presentation Handout: CLM Design and development – Key Activities

For the actual design and development of CLM the following issues need to be considered

Objective: to design and develop the CLM process and prepare for the actual monitoring activities to be tested and started in practice.

Rationale: It is through the development of the actual monitoring process that direct observations, carried out in a routine and professional manner can happen. This is the level at which CLM process is actually designed and planned in practice.

Output: CLM process developed and tools, training and capacity building efforts planned to be tested at the local level with adequate commitments and capacities in place

The CLM Coordinating Group selects child labour places and sectors of priority focus. The CLM Coordinating Group directly oversees action (of labour or agricultural inspectors in the case of government, of teachers, and social workers in the case of NGOs) and delegates authority to the local CLM team. This is, in short, where tangible planning can take place and commitments made, both of funds and manpower

Key Activities

Based on the agreements made at the regional and district level meetings/workshops organize a coordination mechanism, orient local partners and constitute monitoring teams. Key CLM design and development activities include:

CLM Design Activities

- 1. Confirming the scope and objectives of the CLM and the financial foundations of the process**
- 2. Developing and deciding upon the CLM operational process of identification-referral-verification-tracking**
- 3. Drawing up a written agreement defining the roles, responsibilities and authority of partner agencies**
- 4. Deciding on administration and coordination mechanisms with CLM administrative structures**
- 5. Developing the referral system**
- 6. Agreeing on a data management system (the agency responsible and the capacity and tools required)**
- 7. Developing monitoring materials (CLM profile, CLM operating guidelines)**

Planning to test the CLM Process Activities

- 1. Developing and deciding on tools to be used (format, key indicator etc.)**
- 2. Organizing the monitoring teams by deciding on the composition of the monitoring team, their function and roles and responsibilities**
- 3. Deciding on the required training and capacity building needs**
- 4. Developing a plan to test the CLM in chosen target areas.**
- 5. Developing a plan for verification and cross-checking of information from available sources**
- 6. Developing a plan for continuing quality control and improvement of the monitoring process i.e. capacity building, review and self-evaluations etc.**

Session: CLM Design and Development – Key Activities

Handout: Defining Roles Responsibilities & Authority

Specific roles and responsibilities must be agreed through a *written agreement*, which clearly reflects how different partners work together and what the practical arrangements are for the implementation of various processes and procedures of the CLM.

In the case of purely voluntary monitoring, the limitations of the process need to be clearly stated and different **ADVISORY**, **ENFORCEMENT** and **SUPERVISORY** functions must be clearly understood and established.

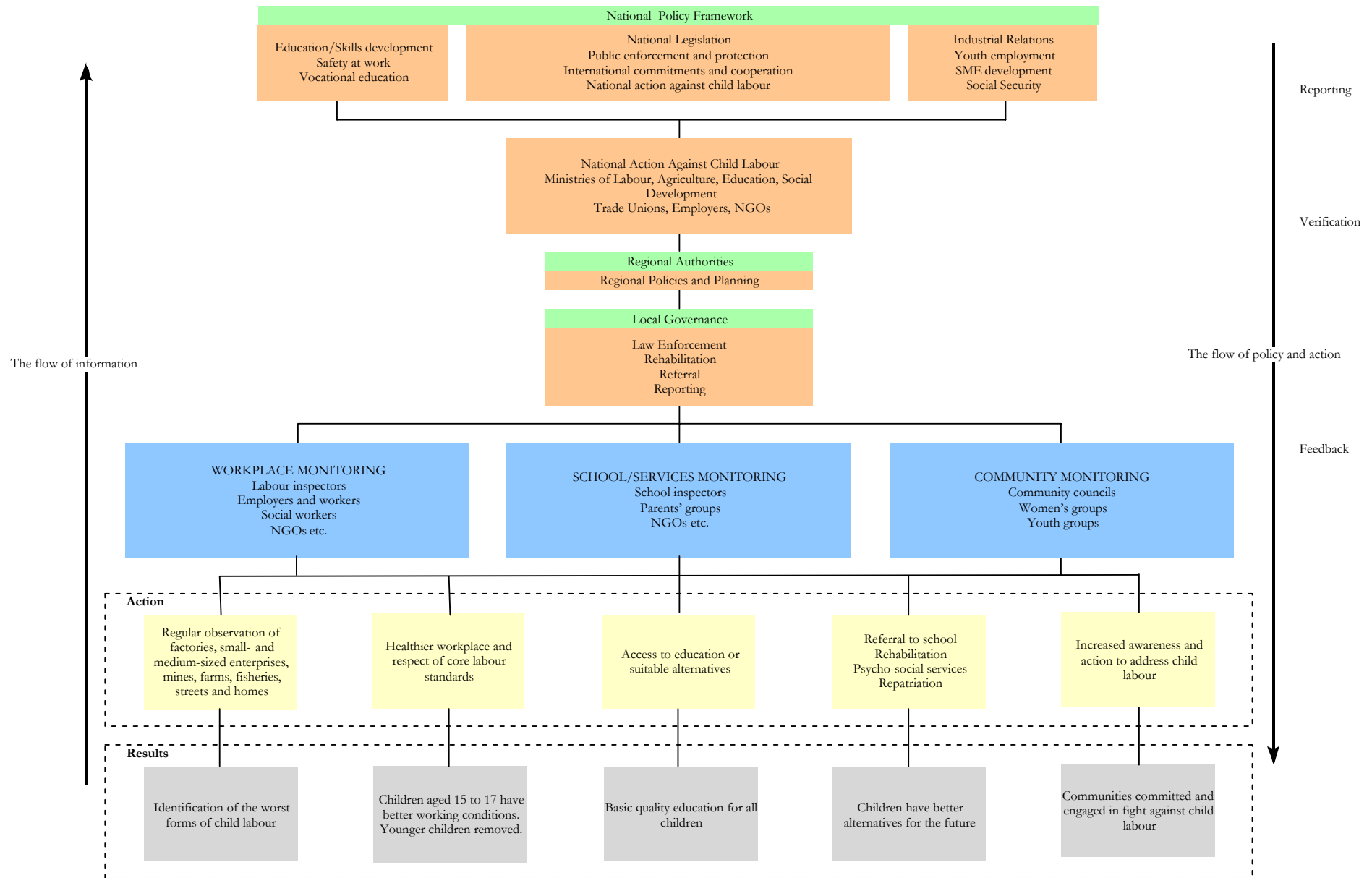
An important part of this step is to establish levels of *accountability* of different partnering organizations.

It is particularly important to distinguish between the function and authority of labour inspectors and other institutions vested with similar powers for the purpose of CLM. Partners who operate and function as part of an *integrated monitoring team* must understand that their role may be a complementary and supportive one rather than that of enforcement. They must recognize the difference and communicate it to the management of institutions/employers that are being monitored to avoid any misunderstanding on the factory floor/worksites being targeted for monitoring.

In a community-based process the roles of the monitors can be agreed through a short description of duties and responsibilities via participation of the community members. All concerned parties must be made aware of the intent and authority for monitoring and be part of a transparent process when these agreements are made. As a matter of principle the CLM should always be lodged into some form of official authority, typically represented by the local government.

The different roles that the partner agencies have in the CLM should be linked to the main functions of the monitoring process.

The CLM Framework Structure



Session: CLM Design and Development – Key Activities

Handout: Reviewing Existing Information Management and Data Collection Systems

In order to avoid duplicating existing information management and data collection systems you need to review to what extent these structures can be of use in developing CLM. The review provides a better understanding of the types of information collected and available: you then use this information for the design or selection of data collection methods for the CLM.

- What are the different levels and types of information (indicator) collected?
- What is the value of these mechanisms to child labour work?
- How does the labour inspectorate collect information?
- What about education information system (school inspection)?
- Is it possible to assign a focal agency to coordinate and operate the CLM process?
- Who are the end users of this information?
- What are the existing mechanisms for sharing and disseminating information?
- What type of information technology is used (database/forms)?

The key agencies collecting child labour data need to determine synergies and complementarities of work in order to ensure that a proper coordination mechanism is put in place. This mechanism must be built upon and take into account mandates and capacities of partnering agencies and institutions.

CLM can be conceived from the start as an integrated framework linking sector and/or area specific child labour efforts to national level information collection on child labour. If this is the case then CLM can potentially become the organizing principle on child labour information and provide data about child labour that can feed into policy development and social planning. This information can also be used by the governments to follow up on their progress in the implementation process of the Convention No. 182 on worst forms of child labour.

Possible data collection sources to consider

- National population censuses
- Specific Surveys and on child labour (such as ILO-IPEC assisted national surveys or rapid assessments)¹
- National Education Databases (based on school surveys, inspection etc)
- Living Standards Measurement Surveys (World Bank)
- Multiple Indicator Cluster Surveys (UNICEF)
- National Labour Market Information System

Handout: Reviewing Existing Information Management and Data Collection Systems

Some existing data collection methods are externally funded, costly and very complex in nature. They can be important in providing indicative information about child labour but do not adequately cover the needs of CLM to be able to review and check changes in child labour on a regular basis.

It is important to remember that at the local level there are many mechanisms that generate information that are not linked to any national level information gathering systems. These include community help system such as “half way houses”, “help lines”, “women’s shelters”, orphanages and others. These systems can play a crucial role in providing the most accurate information about child labour through their every day contact with children.

Session: CLM Design and Development – Key Activities

Handout : Agreeing on Core Child Labour Indicators

There must be agreement on a minimum set of indicators that monitors need to collect in order to perform their tasks. This must include: incidence of child labour, type and nature of work performed by the child and links between work and education and/or other services. The general identifier information must include age, sex and residence.

Indicators that are agreed to be collected must be so simple, that even if there are several partner agencies responsible for collecting and moving information to the level of decision making, the analysis and action quality of the data will remain unchanged.

Information collection must remain as simple and free of cost as possible given the information collection method (through community action, NGOs, labour inspectors etc). The set of basic information should be relevant, collectable and comparable between different types of child labour interventions that you are dealing with.

At the local level information is typically collected and recorded manually. Data from the workplace and schools is expected to be used either immediately for direct action or for purposes of verification and prevention (ensuring that the child stays in school and does not enter or re-enter child labour). Experience has shown that it is better to start from a basic simple data collection system that relies on checklists and record books rather than to start designing vulnerable and costly electronic and network based systems.

Considerations concerning computerizing

Aggregation and inputting of CLM information to levels above the community (local government) may prove to be time consuming and difficult if there are no computerized databases.

If the CLM process is intended to operate beyond the local community level a more sophisticated mechanism may be needed for storing and moving data into regional/provincial and national databanks on child labour.

Key questions:

Are resources available to operate such mechanism in a sustainable and cost effective way?

Can you incorporate key child labour indicators into an existing partner database that has adequate technical capacity and resources to store, manipulate and analyse this data? For example, a Labour Market Information System (LMIS) in the Ministry of Labour or a central database in a social planning and development office.

Handout : Agreeing on Core Child Labour Indicators

Examples of types of information that could be collected		
Indicator	CLM	School Data
Core Indicator	Name Age Address Sex Schooling (Yes /No – Full/ Part Time) Working (Yes /No – Full/ Part Time) Type of Work (by sector) Condition of Work (hours, hazards) Place of Work	Name Age Address Sex Schooling (enrolment) Attendance Drop-Out
Services	Services Provided Schooling Non Formal Education Income Generation Health etc...	Services Provided Counselling After school activities Nutrition programmes etc.

Session: CLM Design and Development – Key Activities

Handout: Child Labour Monitoring Profile

Sample Outline

1. Objective of the System

The CLM process aims to contribute to the mainstreaming of child labour issues into systems of governance by institutionalizing a process of identification and removal of children from child labour at the level of the workplace ...

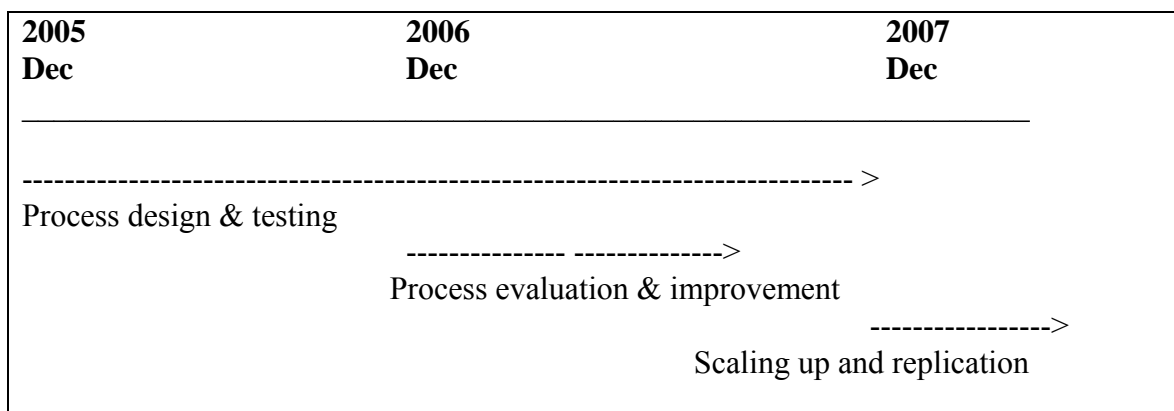
The CLM process can be used for assessing trends and incidence of Child Labour and used for social planning and policy development at different levels of Governance – local, state and national.

2. CLM System Strategy

The strategy is based on design, adaptation and testing of CLM process in selected pilot location through ... XXX programme. The process development would include:

- ✓ Building partnerships for establishing a CLM framework at the XXX and XXX levels
- ✓ Technical process and tool design, development and testing
- ✓ Capacity building & training of key partners and monitors
- ✓ Pilot implementation
- ✓ Process appraisal
- ✓ Scaling up and replication
- ✓ Continuing process improvement
- ✓ Phase –out of external resources

Linear process development chart:



3. System Profile

Scope of the CLM framework

The CLM process is intended to serve and operate in XXX. The process will involve monitoring workplaces and XXX. The process aims at ensuring that children do not work in XXX employment and are in schools.

Key partners (Summary)

At the local level XXX the XXX will be involved in monitoring the workplaces in the organised or formal economy and Education XXX in monitoring the informal economy,

Information management (Summary)

The information from these two levels will be collated at the XXX level and put forward to the XXX to take policy decisions. The XXX will collect, consolidate and present the data and information to the XXX for further follow-up and action.

Background: Current Systems of enforcement and information collection on child labour

- Key actors and coordination mechanisms
- Existing legal framework
- Law enforcement – key challenges

The structure of the CLM framework

- Areas and sector to be covered
- Involvement of different levels of government (National/ State/ Region/ District/ Village)
- Involvement of key partners
- Key functions (roles and responsibilities)

Overview of the CLM process

- Key operating principles (How is monitoring conducted?)
- Composition of the CLM team (By whom is the monitoring conducted?)
- Information management (How is the information acted upon and documented?)

The outline of the referral system

- Key service provides participating in the referral
- Key operating principles (How does referral take place in different situations?)
- Key criteria for activating referral (When will removal – withdrawal take place?)

CLM process key elements

- Identification/Assessment

Identification of child labourers and children at risk and assessing on what action needs to be taken

- Removal/Referral

Removal of children at risk and their referral to services through agreed process

- Reporting/Verification/Tracking

Documenting and making information available for action and as inputs to social planning and policy. Ensuring that the information is accurate and credible and that adequate measures have been taken based on the information.

4. Type of information collected/ Indicators

Examples of types of information that could be collected		
Variables/Indicators	CLM	School Data
Identifiers	Name Age Address Sex	Name Age Address Sex
Core Indicators	Schooling (Yes /No – Full/ Part Time) Working (Yes /No – Full/ Part Time) Type of Work (by sector) Condition of Work (hours, hazards) Place of Work	Schooling (enrolment) Attendance Drop-Out
Services	Services Provided Schooling Non Formal Education Income Generation Health etc...	Services Provided Counselling After school activities Nutrition programmes etc.

5. Information flow

To be presented in a flow chart:

Information will be collected and recorded manually and be based on names of individual children and establishments up to XXX level. Information will be aggregated and inputted at the XXX level into XXX (computerized/hard copy) database, from where it will be fed into XXX (district, state and potentially to national information system for policy improvement.

6. Capacity Requirements

Setting up and operating CLM process requires adequate capacities and operational knowledge of the purpose and operating principles of the process. Following minimum capacity building and material development requirement are envisioned:

Material development:

- CLM Operations Manual
- Training Manual for CLM actors
- Field Workers Fact Sheet
- Record Books/Database Software/Manual
- Monitoring Form etc.

Training:

For purposes of setting up CLM process several different levels of training are required:

- Orientation/Sensitization (for state, district decision makers and managers)
- Training of Trainers on CLM (for CLM trainers and community facilitators)
- Training of local CLM Teams

Pilot testing:

Community Organizing:

There is a need to do social mobilization and community organizing in order to provide communities with adequate orientation of CL and to ensure their commitment and cooperation. Advocacy and awareness raising strategy is needed to ensure that adequate information is provided to the target groups.

Awareness raising and communication strategies:

Before starting the actual testing of the monitoring it is important to inform and consult all concerned in particular those who will be the object of the monitoring activity in order to prepare them for the moment the actual monitoring starts.

7. Steps to be taken

Following steps need to be taken for the setting up of the CLM system in the pilot location:

1. Design of Draft CLM framework, process and overview operational guidelines – Month / Year
2. Validation of the process design (National, State and District levels) – Month / Year
3. Development of capacity building and training strategy – Month / Year
4. Selection of capacity building and training providers (State and District levels)
5. Development of CLM material (training, operations guidelines, database and information collection tools) – Month / Year
6. Testing and validation of the material – Month / Year
7. Constitution of management structures and monitoring teams– Month / Year
8. Pilot Testing CLM process at chosen levels – – Month / Year
9. Appraisal and Evaluation – Month / Year
10. Mainstreaming and replication – Month / Year
11. Continuing technical support – Month / Year Phase-out – Month / Year

8. Key challenges and pre- conditions

- List key challenges
- List general and project/site specific condition that need to be met before the start up of the monitoring exercise such as information on child labour, agreements etc.

Session: Key Issues in Developing the CLM Process

Handout: Key Issues Concerning CLM

Ownership

CLM must be applicable to all types of child labour and involve as a large partnership of actors as possible in order to adequately cover all worksites where child labour is found. As CLM is most effective when it is mainstreamed and operated within the system of governance it is paramount that key Government agencies lead the process of developing CLM and that the CLM framework is aimed to become the organizing principle of Government led monitoring activities on child labour.

Employer, Trade Union, NGOs, and other development partners all have an important role to play in CLM. Their roles and responsibilities must be agreed upon and developed through a participatory process which builds commitment and ownership to participate and be actively involved in CLM processes at all levels.

In order for the CLM to be truly appreciated its usefulness and relevance to national CL policy, enforcement and action must be understood by all partners. How CLM through the chain of action that it evokes - identification, assessment, referral, removal, reporting and verification – contributes to immediate action at the local level and how it can influence policies and practices at the intermediate and national levels as well.

Different partnering agencies and actors must be able to see the benefit of participating in CLM in order assume ownership and to be fully committed to sustain CLM processes in the long run.

Comprehensiveness

As CLM must cover all types of child labour (formal and informal sectors, agriculture, illicit work and be able to match information from worksites and education/service sites together for maximal coverage of different CL sectors. This is important in order to be able to follow up on children and address the issue of **mobility and migration of target groups** from one location to another.

CLM is a process that operates under a law enforcement and service referral framework where as a consequence of monitoring children and young workers are safe from exploitation and work hazards. The monitoring part of CLM focuses solely on the identification, assessment and referral process; for this process to have any meaning it must be supported by the other elements of the framework – the service provisions and active use of the information generated through the monitoring.

Comprehensive CLM framework if operated at a national scale aims to cover all sectors and areas of work no matter how difficult to reach to and to provide with a platform for active cooperation among government agencies and with active partners.

Transparency

For CLM to be credible it must be based on good governance and transparency. There should be an open process of accountability and means to verify the data and records that the CLM information is based upon.

This means that records on the monitoring visits and consequent action taken must be properly kept and preserved so that the CLM process and information obtained can be followed back to its initial source. Verification of CLM data can be conducted both through internal or external verification.

Sustainability

The process of developing CLM and operating it as a system must be based on a thorough understanding off the key objective of **continuing and institutionalized observation** of child labour that requires long term commitment and resources to be effective.

Sustainability must be addressed both in terms of political commitment and allocation of adequate financial and human resource for CLM, as well as in terms of technical complexity, and operational cost.

The overall aim of the “developmental” phase of CLM is to build a monitoring partnership, develop the tools and operational mechanisms for monitoring and to test how cost effective and feasible the CLM is for the intended purpose. This process may take a number of years and require different approaches (such as control groups/areas etc.) in order to assess the potential of CLM as a large scale developmental strategy.

-Technical design and cost: CLM should be based on existing foundations of information collection systems and draw upon/contribute to strengthening of available local, regional and national monitoring/inspection capacities. The technical design of CLM must innovatively seek effective and yet simple solutions and possibilities for data collection and treatment and whenever possible use these options for financial and technical gains.

For the CLM to be feasible after initial testing period is over it must be easy and simple to operate and require minimal technical skills and equipment. The design of the CLM can thus differ greatly depending on the country and sector where CLM is applied to.

The operating cost of CLM has to be in line with possible human and financial resources available for the effort. When CLM is incorporated to existing activities of government agencies the main cost involved pertains to training, tool development and development of cooperation mechanisms. The operational costs must be in line with the challenges and constraints of the government systems at various levels.

-Political commitment and relevance to policies: In order for CLM to truly become part of regular government activities it must be supported by all key Government agencies and partners at the national level. It must be accepted as the organizing principle/tool for active collection of information on child labour. This requires that the process of developing CLM -its strengths and weaknesses –are documented and analysed in order to make a case for replication and scaling up of CLM as part of government activities.

Experiences learned from CLM need to be actively analysed and discussed through multi sector dialogue and used for further enhancing cooperation and joint activities among key partner departments and agencies.

In order for CLM to be accepted as a regular feature of Governance and as a real contributing factor to social development it must be clearly linked to national policy priorities such as poverty reduction strategies, attainment of Millennium Development Goals (MDGs) and similar initiatives that aim at policy and legislative changes at broader national scale.

Session: Referral of Child Labourers: Criteria, Process, and Authority for Removal & Referral

Presentation Handout: The Removal and Referral of Child Labourers

When ever the situation so requires a referral system must be activated to ensure that the child is withdrawn and has access to education or social services. It is important to note that the nature of withdrawal is different depending on the location and type of work. In formal workplaces such as factories the withdrawal process may involve the physical removal of the child form the workplace (through an agreed process). If the child is legally working but in risk of hazardous work it may involve making sure that the child is provided with an alternative to the work that s/he was carrying out in order to make sure that the risk that the chid was exposed to is dealt with.

Immediate removal of the child labourer

In some of the formal sector workplace monitoring processes a specific mechanism has been established for situations covering the **immediate (urgent) removal of a** child from the workplace. There must be an agreed criteria and a corresponding process for withdrawal which provides clear steps on how and by whom the child is taken care of.

This process could include the following action and steps:

- Activate the withdrawal process at the workplace (usually a factory)
- Accompany the child home
- Accompany the child to school or other service site
- Record and follow up on the child through a tracking system

This process may include:

- Explaining to the child what is happening and why
- Contacting and informing the family of the child (discussing options, schooling, stipends etc.)
- Discussing and agreeing on the withdrawal with the employer
- Informing the possible service provider (school or other services) about the child and organizing the enrolment of the child to services
- Accompany the child home to provide counselling to parents

The first step is to make an initial diagnosis whether there is reason to start a withdrawal process. If there is adequate basis for withdrawal and the employer is responsive (was not aware of the age of the child or about the laws; did not know about the danger of the work etc.) and willing to help the situation and corrective action can be discussed together with the management.

In case that immediate physical withdrawal is needed then the process of calling in for social workers, teachers or NGO members pre-identified in the process must be activated and the withdrawal organized with the employer. This process must include and take into consideration the parents and family of the child.

If the employer is not cooperative then the monitors need to refer to the agreement made by the employer and try to insist on the agreed process. If the employer still refuses to cooperate then it must be noted and the competent authorities with legal powers called in to assist in the withdrawal process.

Sometimes the children are not cooperative and try to hide or run away in fear of being punished by the employer of the parents. In these cases special attention must be paid to convincing the child that the removal is in their interest and that no harm will come to them. It is important to follow up on the process of securing the child with services and to engage the parents and the child in discussions about the laws concerning child labour as well as the benefits of the services being proposed.

It is important to note that the institutions involved in CLM often have limited resources to actively engage in processes of immediate physical removal. Partner agencies and institutions often participate in CLM above and beyond their regular duties and functions and have limited capacities to act immediately and to receive and take care of child labourer found through the monitoring process.

Some specific approaches have been developed for situations of unconditional forms of child labour as well as **trafficking of children** for labour exploitation where physical withdrawal is often the only option available. This is often the case when concerned with illegal activities such as sexual exploitation and trafficking of children.

Withdrawal of children in these cases are often done by special rapid action teams and law enforcement teams constituted of police, social workers and psychologist and the referral is conducted through an agreed process of immediate psycho social assistance and help.

Referral through multi-skilled monitoring teams

The process of referral may be somewhat different when the child labourers have been identified through a monitoring process involving labour inspectors and partners of a multi-skilled monitoring team. The role of labour inspectors is to counsel the employer about child labour laws, OSH risks and in the case of flagrant disregard and violation of these laws to uphold them through enforcement procedures.

In the context of multi-skilled monitoring teams child labourers who have been identified through the monitoring visit should be recorded and a withdrawal process applied in which the children's status and identifier information is verified. Depending on the situation and availability of the monitoring team member, either the child is escorted to his/her residence or asked to go home. The referral process would include the immediate transfer of the information concerning the child to the agreed clearance house or base unit for the monitoring to coordinate action for the child to be enrolled to schools or other services.

This referral process may involve a visit of social workers to the child's family to explain the process and reasons for the referral and counselling about schooling and opportunities in terms of skills development and vocational training options.

This institutional model can be used both in formal and non-formal urban child labour situations.

In a specific urban sector of child labour like street children and drug traffickers there are different degrees of community involvement through parents associations, NGOs and other partners.

Formal monitoring processes may be complemented by establishment of **social (neighbourhood) watch** type of system, that may result into identification of child labour and information about where the child lives (streets, dormitory, church etc.), why he/she is not in school, what type of work the child labourer is engaged in and other information that will establish some core facts about the conditions in which the child is living and working. These facts will then be the basis for any decisions made on how to promote the child's schooling and on how to "withdraw" the child from child labour situation. A "case management plan" or an individual follow-up plan can then be used to come up with a record and an action plan on how to remedy the situation of the child.

Referral in rural and informal economy CLM

When the identification of child labourers is performed through a rural community centred CLM the process of activating the referral is different from the previous two scenarios. The monitoring rarely would involve physical removal of the child; it would be more targeted to ensure that the child is not subject to hazardous work and that all involved understand what is considered child labour and what types of labour children should not be engaged in.

Community monitoring has a strong preventive and protective element: the word "withdrawal" is used in the sense that any violation of the agreement made by the community will be noted and discussed in public. The monitoring team will then ensure that a process is started not to allow the child to participate in dangerous work and to access schooling. This process must be discussed and agreed upon by the parents and those involved in the work situation. The agreement must be recorded and followed up by the monitoring team.

In community centred monitoring the involvement of key figures of the locality in advocating and working against child labour helps to provide the monitoring with adequate social acceptance. At the community level the act of monitoring is also very much an act of awareness raising and prevention, as it is that of ensuring that the voluntary agreements are kept and that commonly agreed principles are applied. Schools and teachers have a central role in community based monitoring as an important actor in ensuring that children stay in school and that absenteeism is reported and child labour eliminated as a cause.

Any findings of child labour by the monitoring team need to be discussed with the leaders of the community, parents and/or immediate employers of the child. The discussion and agreements made should be recorded for follow-up purposes.

Definition of withdrawal from Kenya Child Labour Division Guidelines for Administering CLM Tools

Withdrawal of Children

This is the act of removing children from a labour situation to a more favourable situation that gives hope for a better future. This includes:

- Children who are working are stopped from working
- The children are provided with alternative, normally education
- Children working in hazardous conditions are removed to safer work situations

If needed a special “follow-up plan” for the child can be developed that is intended to ensure that the child will not be allowed to work any more and that a process is put in place for the schooling or other services needed.

Referral to schooling is usually the favoured option that is sought. As teachers often are part of the monitoring team, agreements and arrangements about the schooling of the child labourer can be made immediately. This information is then transferred to those concerned such as school principals, other teachers of the local schools etc.

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If the referral network includes other service providers such as NGOs providing health, income generation or skills development services then their involvement and possible services may be discussed. Arrangements can be made for the children and the families to access these services as consequence of the community-based monitoring. Important part of the referral process is **to assess the education level and possible other needs** of the child labourer so that the best available services can be provided to the child.

The referral process at the simplest could have the following steps:

- Decisions made with the family/employer
- Assessment of education level and other possible needs (health, psycho- social counselling)
- Arrangements for schooling
- Arrangement for other services
- Agreements on follow up

What is important in the referral at the community level is that there is a clear mechanism to follow up on the agreements made and the social pressure to comply with the agreements made is upheld. When ever possible advocacy, social mobilization and awareness raising campaigns could be developed and used to promote the vigilance against child labour and to continue to make the point that the community based monitoring is continuing feature and that real behavioural change is required in terms of children’s participation in work.

Session: Referral of Child Labourers: Criteria, Process, and Authority for Removal & Referral

Presentation Handout: Withdrawing Children from Work – the strategy of the “Combating Child Labour in Commercial Agriculture” initiative in Kenya

Working children are at risk. Already, many of them do not attend school. Their inability to go to school limits the type and quality of skills that they will have and therefore, that they can use as adults to improve their lives, and that of their families and communities. It also exposes them to risks of being endangered in hazardous forms of work where their health, safety or morals may be endangered. Consequently, withdrawing children from work and reintegrating them into the education system (be it formal, non-formal, or vocational) is essential. The following strategies have been identified for use in reintegrating working children and those that have dropped out of school, into the school system.

- Tracking children who are out of school and those who are working;
- Visiting sites where children are suspected to be working;
- Guiding and counselling of identified and withdrawn children;
- Using of provincial administration and other government departments to enforce laws and implement policies at local level;
- Involving the children in choice of interventions and implementation;
- Sensitisation of affected communities;
- Establishment of data gathering systems and reporting desks;
- Educating teachers on how to use continuous assessment to track children;
- Using parents and PTA meeting;
- Providing basic education or vocational training to affected children;
- Socially and economically empowering of institutions and households;
- Follow-up and monitoring of supported children.

Needs of Children Removed from Work

Unless children's needs are addressed, it may not be easy to ensure that children removed from work do not get re-engaged. The following is a list of some of the needs that should be considered when a 'removal from work strategy' is being formulated.

- Food, shelter and clothing (basic needs);
- Protection, love and care;
- Medical examination and care;
- Security/peace;
- Guidance and counselling;
- Education/life skills;
- Vocational skills training;
- Conducive learning environment;
- Direct support in the form of school uniforms, books and other educational supplies;
- Alternative means of support since they are made to abandon their source of livelihood;
- Rehabilitation and re-integration;
- Acceptance;
- Continuous follow up and monitoring.

How to Support Children Removed from Work

(a) Make the School Environment more Attractive

This is viewed as a means of keeping children in school. This may be achieved by upholding the ban on corporal punishment, providing writing and other school materials, adequate desks, classrooms and school uniforms. Sanitation facilities at school have also been identified as key factors in determining whether children stay in school or not. They should be made available. These include toilet facilities as well as basic sanitation for the girl child. Violence and sexual harassment especially of girls has been identified as a key factor in pushing children out of school, and should therefore be eradicated.

(b) Provision of Food in Schools

Many children withdrawn from work and those at risk of dropping out of school to join the labour force come from poor families. Often such children are not fed at home for days and often end up dropping out of school due to hunger. They are thus vulnerable to being engaged in various forms of work to fend for themselves or moving to the streets. These children therefore need direct support in the form of feeding programmes while at school. Such programmes have been identified as a strategy for increasing enrolment and retention in school.

(c) Placement in Formal Primary Schools or Non-Formal for Basic Education

Education is the place for children and any child withdrawn from work should be enrolled in either a formal or non-formal school. However, emphasis should always be to enrol children in formal schools with non-formal education only serving as a transit point to formal education.

(d) Vocational Training and/or Apprenticeship

This is the best placement for children aged over 15 years. Basic literacy skills should complement vocational training, as some children withdrawn from work need to acquire skills in basic literacy. Including a component of life skills in vocational training would also allow skilled community members to be actively involved in the re-integration process of the withdrawn children.

(e) Initiation of Income Generating Activities (IGAs) in Schools

This is necessary to sustain any support provided to vulnerable children. It is expected that schools assisted in starting IGAs would be able to raise extra income to continue supporting needing children. Proceeds from food crop-based IGAs could be used to provide lunch for pupils in schools. Schools can start IGAs without any external support, to enable them to support needing pupils and improve the school infrastructure and facilities.

(f) Encouragement of Extra-curricular Activities

Extra-curricular activities such as sport, needlework, art and music can complement academic objectives by allowing children to discover or build on other talents that they have. Apart from boosting their self-confidence, these non-academic skills may later create an interest in children to pursue such skills even when they do not proceed with education beyond the basic level.

(g) Support Low-income Families by Assisting them to Develop Micro-Credit Associations

Micro-credit associations are important avenues for low-income families to secure credit, build motivation and relationships among themselves and improve on their incomes. When funds for

micro-credit schemes are not readily available from funding agencies it is advisable to link families with micro-credit agencies once initial organisation has taken place.

(h) Monitoring Children under Support

The children who need support are former child workers, those at risk of dropping out of school and other vulnerable children. The following monitoring methods can be considered:

- Regular spot-checks to be made to schools by the monitors;
- School and/or class registers be inspected regularly to ascertain the attendance of the children;
- Pupils' written class work be checked to see whether they attend classes;
- Report forms be used to show performance;
- An updated list of beneficiaries be produced by the schools for dissemination;
- Visits to pupils' homes to confirm living conditions and talk to parents or guardians;
- Visits to sites where children have been identified to work;
- Interviews with supported children and their parents on the progress of children;
- Regular reviews of progress of supported children by monitors and schools.

Monitoring Children Withdrawn from work

These children need close monitoring to ensure that they avoid re-engagement. The following are some of the ways in which this can be carried out:

- Reviewing performance;
- Keeping and reviewing class register to monitor attendance;
- Monitoring their participation in school activities;
- Regular checks on their homework and other assignments;
- Monitoring their health improvement and general health condition;
- Assigning the pupil responsibilities such as being in charge of the IGAs with other pupils who are not supported;
- Taking note of the pupil's punctuality in attending school;
- Keeping track of the degree of participation in class and extra-curricular activities;
- Involving the school committee, other pupils and parents in supporting the children;
- Making home visits and holding discussions with the parents and guardians;
- Establishing children's own perceptions of help given and progress;
- Monitoring workplaces to ensure that withdrawn children do not go back to work or that new ones are not hired.

Session: Referral of Child Labourers: Criteria, Process, and Authority for Removal & Referral

Handout: Sample Criteria for Referral

Child Labour Monitoring Profile

Sample Criteria for Referral

1. Objective of the Referral system

The CLM referral system aims to ensure that after the initial identification of a child labourer through CLM process working in (or at the risk of) unacceptable working condition measures are taken to remove the child from work and to:

- a) provide the child with alternative services such as schooling or/and skills development with the aim of removing the child from work
- b) ensure that in the case that the child is legal work age S/he will not be exposed to hazardous work
- c) in view of the urgency of the situation withdraw the child physically from the workplace (conditions such as prostitution, bonded labour etc.)

2. The outline of the referral system

- Key service provides participating in the referral (listing of services)
- Key operating principles (How does referral take place in different situations? Who can be contacted, when, what is the process by which services to children will be accessed and how will this process be followed up!)
- Key criteria for activating referral (When will removal – withdrawal take place?)

3. The criteria

The criteria for referral differs based on the scope and focus of the CLM process and needs to be adjusted to the special situation at hand. In essence the three different types of situation presented in the objectives of the referral system all require their own criteria:

Basic criteria for referral

Referral should take place if;

- Child is below the minimum age established for the type of industry or work performed;

- Child works more than the maximum number of hours established for their age, the industry, or type of work;
- Child works in unsafe conditions.
- Child is at serious risk of being exposed to hazardous condition
- Child expresses that s/he is obliged/forced to work and does not want to continue to work based on the initial and following contacts
- There is reasonable doubt to believe that the child is ill treated and physically abused in the work place

Referral in un-conditional worst form of child labour

- a. When child is identified to be working in unconditional forms of child labour the removal of a child from the source of work is the only option.
- b. The identification and removal of the child in this case is an immediate act of rescue and often conducted by specialized rapid action teams or multi sector monitoring/law enforcement task forces.
- c. The referral in this context means that the child is immediately physically removed and attended to by qualified child friendly service providers (health, psychological counselling and social assistance).

Session: An Overview of the Monitoring Process

Presentation: Conducting and Following up a Monitoring Visit

The actual monitoring involves executing monitoring visits to workplaces on a regular basis and ensuring that the findings of the monitoring visits are properly documented and reported and information provided to competent bodies or service providers to act upon. Note that the term “workplaces” is used here to refer to any location where children may be working. This would include formal worksites, such as factories, commercial farms or fishing boats, and informal settings, such as streets or third-party homes.

The purpose of monitoring is to:

- identify child labourer and assess their needs;
- promote improvements in working conditions and OSH for the benefit of young workers;
- record information about the monitoring visits and the children identified;
- activate referral procedures (including withdrawal from workplaces and referral to school or services) if required; and
- promote protective measures and preventive messages, counsel, educate and motivate employers, factory owners, community members, parents and girls and boys on child labour.

After the initial visit when the basic information about the employer, family and child is collected, you will conduct follow up visits to verify and check that measures have been taken to address possible problems and that the commitments made in terms of use of children in forbidden work are respected. In the case of withdrawal and referral of children to services it is through the follow up and the subsequent visits that you ensure that they have access to these services and remain out of child labour.

In conducting the monitoring visit it is important that some basic steps are followed:

These areas of intervention cover the major activities that are undertaken immediately before, during and after the monitoring visit:

- Step 1: Prepare the visit
- Step 2: Conduct the visit
- Step 3: Withdrawal and referral
- Step 4: Protection and prevention
- Step 5: Close the visit
- Step 6: Immediate data management and reporting

Preparing for the Visit

Outcomes:

Monitors will have the necessary information regarding the child labour situation they will be investigating, they will have made the necessary plans and will have everything they need in order to conduct the visit.

The process of monitoring and preparing for the visit depends on whether the monitoring visit is going to be conducted announced or unannounced. Labour inspectors for instance have the mandate to do both in order to ensure that they get accurate information about the situation in the workplace. If you announce the monitoring visit before hand then the nature of the visit becomes preventive and you may not be able to see the workplace in a typical working day situation. The negative side in pre-announcing visits is that it also allows the employer to “hide” unwanted documents or people, thus making it impossible for monitors to be able to see the workplace in an actual work situation. As the primary goal of CLM is to find and identify child labourers, it is important to use unannounced visits as well or in combination of both methods. The announced visit can be very productive in terms of prevention and information sharing, but it is only through unannounced visits that you are able to secure **objective** and **first hand** information about by whom and in what condition the work is carried out on the worksite.

If the monitoring process uses unannounced visits and the monitoring is operated in a large area where it is difficult to cover all sites in a short period of time you may need to **randomize visits**. This technique is used to ensure that the order of monitoring and the sites that you are visiting are randomly chosen and gives an objective picture of the overall area/sector to be monitored. Sometimes the randomization is made in such a way that even the monitors themselves do not know before their assignment what location or worksite they are going to monitor that day in order to assure full integrity of the monitoring process.

In community based monitoring you may also have a detailed plan for conducting monitoring visits based on rotation between villages or municipalities. In the agricultural and rural sectors, monitoring visits can also be scheduled according to harvest times, school year and weather conditions in order to capture the actual natural and social conditions of the target group.

Preparing for the monitoring visit includes:

- 1) Collecting background information about the site and location of the target area/establishment that will be monitored – location, contact person, workplace plans, any baseline information that is available, etc
- 2) Reviewing the existence of any mechanism of worker representation such as Trade Unions or worker representatives in occupational safety and health committees.
- 2) Establishing a monitoring plan – areas of work and cycle of frequency of when and where to conduct the visits.
- 3) Determining the types of visit – routine, follow-up, special visits.
- 4) Determining whether visits will be announced or unannounced.

5) Preparing materials needed during the visit – monitoring forms, ID, a short description of the purpose of the monitoring, copies of any document (authorization) that provides them with the authority vested in them, awareness raising materials, etc.

6) Arranging transport to worksites.

The actual act of monitoring is conducted through a step by step plan and the visit is duly recorded using basic tools such as monitoring forms and checklists.

During the first visit the monitor must be prepared to establish relations with the owner/employer and to use some time to get to know the location, the work process and to have an overall picture of the hazards and risk management processes in place in the workplace. Basic information such as the number of workers (men and women) and attitudes of different parties involved (worker, employer, family members etc. must be collected.

If monitors have visited the workplace before then they should go through the records of the previous visit and see if any recommendations or actions were taken. With employers that have been visited more than once the team would have established a working relationship and the process of monitoring would be familiar to all those involved.

Besides routine visits the monitors may conduct special visits and follow-up visits intended to either look into a particular issue (such as a specific type of work or area to be visited) or to do a follow up on a shortcoming or a situation involving children that does not warrant a withdrawal process.

In a community centred monitoring situation the key is that the monitoring visit is properly announced and the purpose of the discussion with the community members is clear to everyone participating in the event. The record of previous visits or discussions can be referred to and the status of children's engagement in work and their schooling discussed and facts verified.

Conducting the visit

Outcomes:

Monitors will have inspected the workplace, interviewed any child labourers found, informed employers of the laws and possible repercussions and motivated employers not to hire child workers.

Conducting the visit includes:

- 1) Initial contact and formalities
- 2) Inspection of the premises and interviewing child workers
- 3) Closing the visit

Contact

The contact phase involves introduction and entry in the workplace. In a formal workplace the senior management should be immediately informed and contacted about the visit. There should be a process for cases where entry is refused. Usually this would involve a filing of a non-cooperation form and contacting a competent and authorized body that has or can secure the right of entry to the workplace (labour inspector, police, etc.)

If the monitoring is conducted in a vast and open area (agricultural field, quarry etc.) the monitors should try to identify the key local figures, explain the purpose of the visit and ask for their assistance in conducting the visit.

CLM in the informal economy may include visits to worksites and a general discussion with the community members depending on the type of work. The visits can be conducted with local government officials or traditional chiefs that are not part of the actual monitoring team. Monitors can also choose to come to the community un-announced and make their visits based on a previous agreement and contact the local authorities at a later stage to discuss the findings.

After the initial contact has been made there should be a visual inspection of the premises (workplace) to have an overview of the work process and the different types of work. This inspection of the production area can include spot interviews with workers and, if children or young persons are identified, interviews with them to establish their age and their participation in the work process.

In community monitoring this observation phase can be conducted in the streets, in the mining sites, fishing vessels or agricultural plots that are not in the immediate vicinity of the farm. Children, co-workers and family members can be interviewed and asked about children's work and presence at the worksite.

Possible flow of a monitoring visit in a formal sector workplace

- Contact
- Visual assessment
- Interviews with suspected child workers
- Assessment of OSH
- Review of records and documents
- Closing the visit

Possible flow of a visit in community monitoring

- Contact
- Discussion and review of baseline and school attendance documents
- Interviews with parents and suspected child workers
- Assessment and discussion of OSH
- Closing the session

After a visual assessment and possible interviews the monitors can proceed (if their mandate allows this) to review any records and documents of relevance – such as salary records, identification cards etc. Missing files and document may prove to be evidence that the employer has something to hide.

Withdrawal and referral

Whenever the situation so requires, a referral system must be activated to ensure that the child is withdrawn and has access to education or social services. It is important to note that the nature of withdrawal is different depending on the location and type of work. In formal workplaces, such as factories, withdrawal may involve the physical removal of the child from the workplace through an agreed procedure. If the child is legally working but performing hazardous work, it may involve making sure that the child is provided with a safe alternative type of work.

Immediate removal of child labourers

In some formal-sector workplace monitoring, a specific mechanism has been established for situations covering the **immediate (urgent) removal of a** child from the workplace. There must be agreed criteria and a corresponding protocol for withdrawal that includes clear procedures on who takes charge of the child and how.

This could include the following actions:

- activating the withdrawal process at the workplace (usually a factory);
- accompanying the child home;
- accompanying the child to school or other service site; and
- recording and following up on the child through a tracking system.

This protocol may also include:

- explaining to the child what is happening and why;
- contacting and informing the family of the child (discussing options, schooling, stipends, etc.);
- discussing and agreeing on the withdrawal with the employer;
- informing the possible service provider (school or other services) about the child and organizing the enrolment of the child to services; and
- accompanying the child home to provide counselling to parents.

The first step is to make an initial diagnosis whether there is reason to start withdrawal procedures. If there is adequate basis for withdrawal and the employer is responsive (was not aware of the age of the child or about the laws; did not know about the danger of the work, etc.), corrective action can be discussed together with management.

If immediate physical withdrawal is needed, then the protocol must be activated and the withdrawal organized with the employer. This will very likely include calling in social workers, teachers or NGO members who have been previously identified for this purpose.

The parents and family of the child also must be taken into consideration in the withdrawal process.

If the employer is not cooperative, the monitors need to refer to the agreement made by the employer and try to insist on the agreed procedures. If the employer still refuses to cooperate, then it must be noted and the competent authorities with legal powers called in to assist in the withdrawal process.

Protection and prevention

When the monitoring visit is conducted for the first time an initial assessment of occupational health and safety risks can form part of the monitoring visit. This can be done by walking around the work area and observing and taking notes about the work situation. It is important that whenever there is doubt about the nature and degree of the OSH risks competent authorities with special skills are called upon.

Determination of OSH risks and knowledge about the degree of hazards that children can be exposed to in a particular sector of CL are an important pre-condition for operating CLM as it dictates if children or young legally employed workers are engaged in child labour or not. This preliminary work should have been conducted already at this stage and it now depends on the function and role vested in the monitoring teams how OSH issues are dealt with as part of the monitoring process.

Prevention is an important aspect of any child labour intervention. In the context of child labour monitoring it involves advocacy about the ill effects of child labour and laws and practices governing the legal employment of young workers. It also carries a more specific meaning as part of protection of workers from workplace hazards.

Prevention as part of child labour monitoring translates into monitors function to ensure that the employers and the workers know and are abreast of labour laws, OSH practices and current developments in work against child labour. As part of the monitoring visits the monitors are expected to motivate and educate those responsible for the workplace. This generic preventive task could be summarized as:

“To counsel, educate and motivate employers, factory owners, community members, parents and children on child labour and on protective measures”

Prevention is viewed as a long term effort. Some child labour programmes may need to engage and develop responses for immediate concerns at the workplace this may include counselling, capacity building and training targeted to the employer about how to implement protective measures at the workplace in order to lower potential risks to young workers.

Closing the monitoring visit

Provided that child labourers have not been identified then the next step is to close the monitoring visit through a discussion and briefing session with the management, employer, parents and/or community members concerned in order to discuss the findings of the visit. If no major violations have been found the occasion can be used to discuss solutions to problems that have been identified. Preventive material can be distributed and OSH and national laws and policies concerning child labour discussed.

In a community monitoring situation the results of the visit need to be discussed with community members and key leaders of the community. Any violations to the agreements that have been previously made must be openly discussed and marked for improvement.

If particular sectors or problem areas are identified then the monitors can go through them in open session where the reasons for the recommendation and observation are discussed. Sometimes it is better to discuss particular cases only with the employer (or parents and the family) in question.

In community monitoring it is important to remember not to shame or disgrace anybody. The power of the community centred monitoring lies in its preventive nature and its ability to change attitudes through social pressure. This is why it is important that all members of the community sign in to the agreement of not to use child labour and understand the rationale of such a commitment.

Immediate Data Management and reporting

Outcomes:

Monitors will have agreed on and recorded the findings of the visit and reported the findings of the visit forward to those involved in CLM either for follow-up or for information.

After the visit has been concluded there must be an immediate review of the visit by the members of the monitoring team. Notes can be compared to see that the members of the team agree on a common overall assessment of the workplace and child labour situation. There are two aspects to this phase of the visit: one is to agree on and record the findings of the visit and the other is to report the findings of the visit to those involved in the CLM either for follow-up action or for information.

In workplace monitoring it is important that the visit is properly recorded. The observations, conclusions and recommendations as well as identifying information about the people the monitors have dealt with need to be included. Information about the workplace such as number of workers (men and women), ratio of young workers and child labourer, need to be obtained and properly recorded. In gathering the information the monitors are guided by the indicators that have been agreed in the operational guidelines of the CLM.

It is important that the data is recorded in as much in detail and as accurately as possible to avoid any confusion at a later stage. If the monitors are not able to get the information they need they must write down the reason for that in order to be guided accordingly during the next visit.

Reporting

Reporting of the visit includes forwarding the monitoring report with information on action taken and recommendations made to the body assigned to treat the information and to act upon it if necessary. It is important to forward this information as soon as possible to avoid any delays in possible action and also to avoid the loss of the information.

Following up the monitoring visit:

Tracking of children – tracking mechanism

“Tracking is part of child labour monitoring and imperative for the follow up of the child”

A major element of CLM is to be sure that child labourers identified through the CLM process are helped and provided with better alternatives. The monitoring process needs to be able to track the individual child through the process of identification to the resolution of the problem. An active tracking mechanism ensures that proper action has been taken and that information about this action is recorded, available and stands scrutiny.

The tracking mechanisms may also be used for assessing the impact of CLM and associated child labour interventions as it generates data about the results of the workplace monitoring. This could include an assessment of data on how many child labourers have been identified, what types of services have been provided to them and how successful the referral system has been in providing child labourer with access to education or other services.

If the CLM process includes setting up a database then the tracking mechanism can be incorporated into it. The software can be designed in such a way that it can accommodate information from schools and other service providers and allow for matching the information that is generated from different sources such as school registers, skills development facilities and so on. In some cases these services may include psycho-social rehabilitation and occupational integration as well.

Information dissemination and analysis

Information management involves the treatment, storage and preliminary analysis of the data received from the CLM process for active use and its transmission to higher levels of governance to be fed into policy improvement and social planning processes. It is important to note that this data can be both qualitative and quantitative and that both types of

information can be referred to under information management.

In CLM the data is likely to be of two different sorts:

- Quantifiable information about the incidence of child labour and the number of children that have been referred to remedial activities such as schooling
- Gaps that have been identified on substantive issues such as workplace OSH processes and changes in attitudes of employers/parents in regard to CLM

The issue of confidentiality and access to information must be addressed as part of developing the CLM, but it is at this level of the process that some safeguards must be in place to ensure that the information will not get into wrong hands or will be used for other purposes than indicated in the agreements made about CLM.

Monitoring Schools and Services

The key idea in establishing CLM is to ensure that integrated process of ongoing monitoring of the workplace and services provided to the child are linked together. The CLM process must be able to link key information about the child and his/her situation throughout the process of identification and referral to schooling or to other services and keep tracking the child until s/he has completed education or reached the age of legal entry to the workforce. In some instances such monitoring initiatives have been referred to as “social service monitoring” in order to emphasize that these monitoring systems are focused on ensuring that children are covered by education and welfare services.

Successful referral requires direct coordination with the service providers and a continuing follow up of individual children through his/her cycle of schooling, rehabilitation or skills development services. The overall objective is not to lose sight of the child and to make sure that as result of the referral the child ends up in a better situation than before.

Key challenges:

- Establishing cooperation between different parties
- Roles and responsibilities
- Sharing of information (roles, timing, quality of information)
- Technical and statistical comparability of information (choice of variables, mandatory information, sources and references etc.)

Linking workplace and education information together

At the national and provincial levels, it is useful to be able to compare information about child labour trends and information about the schooling of children. This information can be used for purposes of policy improvement and better social planning. In order for this to be possible, the CLM process must be able to link and match workplace monitoring information with available data from education information systems.

Monitoring other services

The referral system may include also other types of services than basic education. Depending on the agreements made and the scope of the referral network children can be provided with services such as:

- Skills Development and Vocational Training
- Apprenticeship programmes
- Health and nutrition
- Psycho social rehabilitation
- Enterprise development
- Income generation and micro finance schemes

Some of these mechanisms are provided for parents of children that have been identified through the monitoring efforts. The CLM process may include the monitoring of these establishments (looking at the conditions and the quality of the services provided) and the inclusion of the information about the ex child labourers attendance of the services. This information should be part of the process of continuing assessment and improvement of the functioning of the CLM process.

The importance of school and service place monitoring as part of the CLM process is that there is a coordinated effort between different service providers that allows for the child and the family to be able to access appropriate services at appropriate times.

Possible scenarios of coordinated referral services

- Identification of the child labourer
- Assessment of the need for immediate action and referral
- Assessment of the education level and other possible needs (health, psycho-social counselling)
- Basic education and informal education
- Apprenticeship and skills development

The service providers need to be covered by a monitoring tool that allows the information to be collected and fed into a common database.

It is important that the CLM include a form of quality control of the services that are provided to ensure that the children are well treated and that the services provided are appropriate. Some traditional apprenticeship mechanisms, for instance, can be quite demanding in terms of children's participation. Likewise, livelihood and income generation programmes targeted for the parents of former child labourer need to be verified at regular intervals in order to ensure that agreed services are provided to the target groups.

Session: Next Steps: Action Planning in Sub-Coordinating Groups

Handout: Action Plan Checklist Format Example

Designing and Testing the CLM process Action Plan Checklist Format Example				
What We Need to Explore	Check	Actions to be Taken	Actors Involved	Date to be done by
Has the scope and objective of the CLM been confirmed?	√√			
Is child labour information collected and available?				
Have the financial foundations of the process been confirmed?				
When are Coordinating Group Meetings going to be held?				
Has the Coordinating Group Mission Statement and general strategy been established?				
Has the CLM management strategy been established?				
Has the operational process of identification-referral-verification-tracking been developed and decided upon?				
Has a written agreement defining the roles, responsibilities and authority of the different partners been signed?				
Have administration and coordination mechanisms been decided upon?				
Is the referral system in place?				
Has the data management system been agreed upon?				
Have monitoring materials (CLM profile, CLM operating guidelines) been developed?				
Have the monitoring tools been developed?				
Have the required training and capacity building needs				

been decided upon?				
Has a plan to test the CLM in chosen target areas been developed?				
Have monitor trainees been selected for training				
Have CLM training field visits been set up?				
Have child labour prevention and awareness-raising materials been developed?				
Has a plan for verification and cross-checking of information from available sources been developed?				
Has a plan for continuing quality control and improvement of the monitoring process been developed?				
And any others...				

Session: CLM Coordinating Group Meeting

Effective Meeting Checklist

Item	Yes/No	Comments
Is an annotated agenda provided – indicating expected outcomes and action required?		
Are agendas and supporting documents sent in advance?		
Are agenda items appropriate?		
Is adequate time allocated for each agenda item?		
Do meetings start and end on time?		
Do members come prepared?		
Do meeting ground rules exist and are they followed by all members throughout the meeting?		
Does the group (rather than only the chair) accept responsibility for ensuring that ground rules are followed?		
Is the decision making process defined and understood by all members?		
Is “sidetracking” avoided?		
Does everyone participate?		
Once a decision is made, is it truly made? (unless new information is brought forward)		
Does each member “own” group decisions?		
Does the group have the opportunity to contribute to the development of future agendas?		
Are a few minutes spent, at the end of the meeting, evaluating the effectiveness of group interactions and process? Are notes taken and distributed in a timely fashion, identifying group decisions, timeline, next steps and responsibility?		

Source: <http://www.associationworks.com>
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