

Child Labour Remediation Best Practice

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Introduction

The John Lewis Partnership sources from over 50 countries and a number of different industries and sectors, some of which pose a high risk for child labour, including (but not exclusive to) agriculture, horticulture and artisan production such as rugs, basket weaving, hand embroidery. As per the Responsible Sourcing Code of Practice, The Partnership specifically prohibits child labour however we recognise that risk remains and where found must be addressed.

Scope and Definitions

This best practice procedure is to be enacted if a case of child labour is found within our own operations, or a production site within our supply chains. A thorough investigation should be conducted to establish the facts of the case and the child's circumstances.

The John Lewis Partnership classifies a child as *any person less than 15 years of age unless local minimum age law stipulates a higher age for work or mandatory schooling, in which case the higher age shall apply*. If however, local minimum age law is set at 14 years of age in accordance with developing country exceptions under ILO Convention No. 138, the lower will apply.

The John Lewis Partnership classifies a young person as *any worker over the age of a child as defined above and under the age of 18*.

The John Lewis Partnership classifies child labour as *any work by a child or young person younger than the age(s) specified in the above definitions, which does not comply with the provisions of the relevant ILO standards, and any work that is likely to be hazardous or to interfere with the child's or young person's education, or to be harmful to the child's or young person's health or physical, mental, spiritual, moral or social development*. This includes all slavery, including the sale and trafficking of children, forced labour to pay off a debt, and any other type of forced labour including using children in war and armed conflict.

All types of work are within scope of this guidance, including permanent, temporary, contract or home-working, whether directly or indirectly (via a subcontractor or in family work) employed by the management of the workplace as well as children who have been trafficked or sold into work.

Key Principles

- **The safety and security of the child are paramount, and the protection of the child comes first.**
- **A child should not be dismissed without a plan in place for what will happen to him or her.**
- **Any resolution or remediation action must ensure that the child is not going to suffer financial losses, and should not leave a child vulnerable to abuse.**
- **Investigations and remediation plans should be made in conjunction with the child's parents or guardian and consultation should be sought from relevant local and trusted professionals, including the local government authorities and child protection agencies.**
- **Remediation plans for young workers who are engaged in hazardous or night work should include the offer of an alternative role, without penalty for them.**

John Lewis Partnership Commitment

- The John Lewis Partnership will continue to work with and support suppliers who find child labour within their supply chains as long as the supplier continues to engage with the remediation process and develop solutions that are in the best interests of the child and their access to education.
- Where suppliers are not continually engaging with the remediation process then they will initially be formally warned that they will be exited as a supplier, and if the lack of engagement continues then the trade between the two parties will cease.

Expectations of our Suppliers

- The John Lewis Partnership expects suppliers to monitor their supply chains to ensure that they are not employing child labour - including young workers in hazardous conditions or night work. This should include, at a minimum, ensuring:
 - Age verification checks are being conducted and records maintained
 - Checks are conducted when third party contractors are employed to ensure that they are not employing child labour
 - Records are maintained of young workers who are employed, along with details such as date of birth, results of health checks and medical assessments and results of specific risk assessments.
 - Young workers are registered with the appropriate authorities
- Where child labour is found, the John Lewis Partnership expects suppliers to inform us as soon as possible and to have effective remediation guidance in place in case instances of child labour are discovered. John Lewis will provide further specific guidance for the investigation based on the individual case.

Remediation

- Where a child worker is found then they should be informed of why they should not be working and what is going to be happening with regards to their job, their income and the confirmation that they will be able to have a job when they are no longer a child.
- Where a young worker is found to be working in hazardous conditions, or involved in night work, it should be explained to them why they cannot work in that role, and an alternative position should be found for the worker which meets the criteria for the employment of young workers but does not penalise them by reducing their income.
- The child must be afforded appropriate protections as required by local law, to ensure their rights are upheld.
- Where a child worker is found and there is evidence of criminal activity or trafficking then, as the first port of call, the child should be placed into the care of the local authorities for their safety. This must be done by a trusted party so as not to alert the criminals to the process.
- When planning the remediation process, consult with the child and his/her family to understand their wishes, and where possible these should be prioritised.
- Work with the site, and direct supplier where relevant, to ensure that there is a plan of action in place with assigned responsibilities.
- Whilst any investigation is ongoing, ensure that the child is not at a financial loss; ensure that compensation is being paid for any lost earnings and that this will cover accommodation and food costs with some extra leftover.
- Where possible, offer the job to an adult member of the family so that the family income is retained.
- Ensure the child has the opportunity to return to school and that they are compensated for school fees.

Follow Up

- Ensure that the supplier receives training to address gaps in the hiring process which allowed the child to start work on-site - for example training on how to verify the legitimacy of ID, interview techniques to try and confirm an applicant's age.
- Ensure that the supplier carries out a Root Cause Analysis to understand how the child was able to start working on-site. Analysis should aim to understand the child's recruitment pathway and the gaps in the hiring process that enabled them to access employment.
- Ensure that the supplier maintains a record of where the child is living and retains contact with them so they do not 'disappear' or move back into child labour with another employer
- Ensure that child remains in school
- Ensure a follow-up and monitoring process so that the situation does not occur again.