

1

# Clarifying roles and responsibilities

**This section explores why and how children's rights is a responsibility for a company's top management and provides resources and examples on how companies can incorporate and embed children's rights into corporate governance structures.**

## 1.1 WHO IS RESPONSIBLE FOR THE CHILDREN'S RIGHTS AGENDA IN YOUR COMPANY?

The board of directors is ultimately responsible for committing a business to respect human rights (including children's rights) through its formal governance structure. As such, boards are increasingly expected by governments, civil society and consumers to proactively ensure that businesses respect children's rights throughout their respective operations.

In addition to various guidance documents setting out how companies can choose to act with respect for human rights and children's rights, there are also legal requirements in some countries that stipulate actions required at the board level. Two examples are:

**UK'S MODERN SLAVERY Act** requires the approval, signing and publication of annual statements outlining efforts to eradicate modern slavery from company operations and supply chains.<sup>2</sup> This ensures that the issue of modern slavery (which includes the Worst Forms of Child Labour) is discussed at board meetings.

**THE FRENCH DUTY of Vigilance Law** requires action from parent companies to identify and prevent adverse human rights and environmental impacts resulting from their own activities as well as those of subcontractors and suppliers. The law requires companies to identify, analyse and rank risks and have in place established procedures to regularly assess subsidiaries, subcontractors and suppliers.<sup>3</sup>

## 1.2 WHAT DOES THE RESPONSIBILITY ENTAIL?

Businesses have a responsibility to respect human rights and children's rights. In order to comply with this, the UN Guiding Principles on Business and Human Rights<sup>4</sup> state that businesses should have in place policies and processes that are appropriate to their size and circumstance, including (to the right):

**COMPANIES THAT ARE** proactively investing in children's rights often anchor a children's rights



### UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS

A policy to respect human rights, including children's rights.

A human rights due diligence process to identify, prevent, mitigate and account for how businesses address their impacts on human rights, including children's rights.

Processes for remediation of any adverse human rights impacts a business causes or to which they contribute. Or in other words, all victims of exploitation or abuse which the company has caused or have played a part in, have a right for their situation to be corrected, for example through compensation .





agenda at the board level by making a public corporate commitment. This commitment can take a number of forms, including as an addition to a vision or mission statement, or by communicating intentions or making a pledge related to children’s rights.

### 1.3 HOW TO EMBED CHILDREN’S RIGHTS INTO YOUR COMPANY’S PROCESSES?


Once your company has made its commitment to children’s rights, engaging the relevant internal stakeholders, will help to develop and communicate your overall children’s rights vision. Ensuring you have clear, actionable goals for each department. This allows internal stakeholders to take responsibility for – and action on goals related to children’s rights in their respective departments, increasing a sense of ownership and engagement throughout the organisation. For a business with a less developed human rights strategy, initial support from the sustainability and/or legal departments will almost certainly be needed to assist in setting goals. Outside support from experts may also be considered.


Once in place, these defined, actionable goals should ideally be integrated into business activities and governance processes for each department or business unit. By doing so, parallel processes for business and children’s rights goals are avoided, and existing reporting structures can be leveraged for follow-up.

Because every business is unique, you can choose to develop governance systems or models to take action and monitor activities to embed children’ rights that align with your company specifically. These could include:

- Cross-functional working groups bringing together relevant functions across the business.
- Sustainability guiding functions which focus on awareness raising, information sharing, support and guidance.
- Legal or compliance driven models where emphasis is on oversight and accountability.
- Separate responsibilities in different departments across the business.

#### ADDITIONAL TOOLS

 **Shift:** “Business and Human Rights: A Five-Step Guide for Company Boards” provides practical guidance for directors on how to make sure senior management is aware of and is addressing human rights issues.

 **UN Global Compact:** “Organizing the Human Rights Function within a Company” can be useful for children’s rights and provides a suggested setup for the human rights function in your organisation.



#### CHECKLIST: CLARIFYING ROLES AND RESPONSIBILITIES IN YOUR BUSINESS

##### Actions for senior management/ board of directors:

Senior management are engaged.

Senior managers have assigned responsibility to a key individual or team with the ability within their roles to take accountability for work on respecting and supporting children’s rights.

Choose or develop a governance system to ensure action and monitor activities to embed children’s rights.

Schedule board meeting or senior level meetings for presentation on key issues and plans for embedding children’s rights – this should be scheduled fairly early on into this work.

After completing the work in chapter 2 and 4 of this workbook you will have developed a business-wide action plan, from this you can develop Key Performance Indicators (KPIs) and as the senior leadership you should ensure they are integrated into your business strategy.