

# Suspected Child Labour Violation Procedure

## 1. Purpose

To ensure child labour is quickly resolved if found or suspected in ANC's operations.

## 2. Scope

This policy applies to all workplace participants which include; employees, contractors (and their employees), consultants, visitors, volunteers and labour hire of ANC.

## 3. Definitions

### ANC

*All land, property, buildings, warehouses, structures, installations, aircraft or vehicles owned by, controlled by or under contract or lease to ANC.*

### Child

*Any person who carries out work for ANC, who is aged less than 18 and below the minimum working age for their particular State or Territory. This includes employees, contract carriers, volunteers, trainees/apprentices, work experience students and labour hire companies.*

## 4. Responsibilities

### *Managers and Supervisors*

- Ensuring compliance with this procedure.

### *Human Resources*

- Ensuring compliance with this procedure;
- Provide access to contractual and legislated information; and
- Support the child and the supervisor/manager during any investigation.

## 5. Procedure

The following shall be done on-site, when a possible Child Labour case is discovered.

### 5.1. Interview the child and collect facts about the suspected violation

- Within 24 hours of notification, the Manager and HR should interview the child:
  - Very informally break ice with the child by showing interest in his/her work;
  - There should not be any indication to the child that there is something wrong and child is responsible; instead try to approach the situation calmly and establish a rapport with the child;
  - The place where conversation should be carried out should be an area where child can feel comfortable and not threatened; and
  - Do not let the supervisor be present during your talk with the child and take care not to frighten the child.
- The initial few minutes should be spent creating a comfortable atmosphere, by asking general questions in a friendly manner like:
  - The name of the Child;
  - Where is he/she from, which part of the city;
  - Parent's existence and their whereabouts;
  - Who taught him/her the work;

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- Where the child went to school;
- Encourage the child to talk about him/herself and their work, such as by asking about siblings and daily work routines.
- After a reasonable comfort level is reached ask more specific questions e.g.
  - How long have you been working here?
  - Do you do any other kind of work besides the work being done at that instance?
  - Do you have any relatives working in the same business/site?
  - Do you come to work every day?
  - Where do you live - address?
  - What is your age?
  - How much do you earn?
- It would be best not to take down notes in front of the child, however, if necessary, do it as discretely as possible.

## 5.2. Interview the PC

- The Manager and HR should immediately take up the issue with the PC, away from the child with the facts;
  - Ask for an explanation, remaining calm and firm with the PC, taking note of their views and not arguing or becoming involved in dispute;
  - Inform that all actions shall be in the best interests of the child;
  - Make clear that we under no circumstances can accept that the child “disappears” during the coming investigation.

## 5.3. Check age records

- The Manager and HR check age records to validate the child’s date of birth, regardless of what the child and the PC claim the child’s age to be.

## 5.4. Document the findings and inform relevant parties

- The Manager should summarise the findings in a document, ensuring that all views are represented in the report and mark it “confidential”;
- Provide the report to the National Manager Operations, National Manager HR and IKEA management;
- If not already done so, IKEA Management should be informed of the suspected violation within 24 hours of notification.

## 5.5. Determine if it is a Child Labour Violation or not

- The Manager must consult with National Manager Operations and National Manager HR to determine if a child labour violation has occurred or not;
- If a child labour violation has not occurred, advise the PC of the outcome.

## 5.6. If a child labour violation is confirmed

- Once the violation is confirmed, an immediate Delivery Stop shall be launched;
- The Manager must prepare a Corrective and Preventive action plan with the support of the National Manager Operations and the National Manager HR:
  - The action plan must be presented within 5 working days from the day when the Child Labour case was confirmed;
  - Corrective Actions taken by ANC should be in the best interests of the child, including that ANC must ensure Family & Community Services (FACS) are

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advised of the situation so they can ensure that the child remains in the school and does not drop out until end of mandatory schooling;

- Preventive Actions taken by ANC must analyse the circumstances that led to the violation and ensure that Child Labour violation is not repeated again;
- Included in the action plan, must be actions for education/training of children's rights and the importance of eradication of child Labour (UNICEF, Save the Children or other NGO can be of help in this work).

## 5.7. Conduct spot checks

- It is important to ensure that ANC's action plan is being implemented.
- HR must organise for the conduct of spot checks or unannounced visits at sites to be carried out to monitor the progress of the Action Plan; the main purpose here is to verify that no additional Child Labour is occurring.

## 5.8. Follow up on the progress of the child

- HR must follow up with FACS to confirm that the children under violation cases remain at school or that an alternative is found (such as vocational training).

## 6. Related Documents

- Fair Work Information Statement
- A guide for young workers best practice guide (<https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/best-practice-guides/a-guide-for-young-workers>)
- Work Health and Safety Policy
- Anti-Discrimination, Harassment & Bullying Policy
- WHS Incident or Hazard Report Form

## 7. References and contacts

- Fair Work Ombudsman's Best Practice Guide to employing young workers
- Fair Work Act 2009
- Work Health and Safety Act
- Work Health and Safety Regulation
- ACT Work Safety Commissioner ([www.worksafety.act.gov.au](http://www.worksafety.act.gov.au))
- ACT Office for Children, Youth and Family Support ([www.communityservices.act.gov.au/ocyfs](http://www.communityservices.act.gov.au/ocyfs))
- WorkCover NSW ([www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au))
- New South Wales Office of Industrial Relations ([www.industrialrelations.nsw.gov.au/Young\\_workers.html](http://www.industrialrelations.nsw.gov.au/Young_workers.html))
- Queensland Workplace Health and Safety ([www.deir.qld.gov.au/workplace/index.htm](http://www.deir.qld.gov.au/workplace/index.htm))
- Queensland Department of Justice and Attorney-General ([www.justice.qld.gov.au](http://www.justice.qld.gov.au))
- SafeWork SA ([www.safework.sa.gov.au](http://www.safework.sa.gov.au))
- WorkSafe Victoria ([www.workcover.vic.gov.au](http://www.workcover.vic.gov.au))
- Business Victoria ([www.business.vic.gov.au](http://www.business.vic.gov.au))
- WorkSafe Western Australia ([www.commerce.wa.gov.au/WorkSafe](http://www.commerce.wa.gov.au/WorkSafe))
- Labour Relations – Western Australia ([www.commerce.wa.gov.au/LabourRelations](http://www.commerce.wa.gov.au/LabourRelations))

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