

Consent Policy

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3.0	Final	17 January 2023	Evelyn Santoro, Head of Public Affairs	Corinne Habel, Chief Development Officer	Document updated, related policies updated.

Related policies and guidelines

- Communications Policy
- Child Safeguarding Policy
- Child and Youth Participation Policy

Introduction

ChildFund Australia is committed to working in partnership with local actors, families and communities. We design and deliver programs that are inclusive of children and communities currently living in vulnerable conditions.

Partnership with ChildFund is voluntary and requires that there is full understanding of the nature and implications of the partnership.

Informed consent is vital to ensure that the rights of community partners are respected and that all partnerships are equitable. Achieving informed consent is a critical step in empowering communities to create an environment that encourages initiative, leadership, inclusiveness and equity.

ChildFund Australia is committed to supporting communities to provide informed and independent consent.

Policy statement

All participants in activities supported by ChildFund Australia will be given the opportunity to consent to, or to decline involvement, in a free and informed manner.

Scope

Achieving informed consent is the responsibility of all those who participate in the work of ChildFund Australia. This includes:

- Board members
- Staff (Australia and country offices and including volunteers and interns)
- Supporters
- Any person representing the organisation at ChildFund Australia's request (including Ambassadors)

As a condition of organisational partnership, ChildFund Australia also expects compliance with the Consent Policy by:

- Partner organisations
- Consultants (both organisations and individuals)
- Suppliers and Contractors

Exclusions

Nil.

Definitions

Informed Consent

Informed consent is when an individual agrees to engage in activities based upon a clear appreciation and understanding of the facts, implications, and consequences of their participation. The values of integrity, respect, benefit and justice underpin the act of consent and consent must be properly informed and freely given. Informed consent cannot be achieved through a one-time activity; it is a product of on-going community engagement.

ChildFund activities

All of ChildFund Australia's activities are undertaken to allow us to work in partnership with children and their communities to create lasting and meaningful change by supporting long-term community development and promoting children's rights.

Informed consent is obtained at an organisational, not a functional level. Within ChildFund activities, consent is required in a number of instances:

- Community partnerships; communities must consent to engage with ChildFund in defined activities leading to defined outcomes/outputs over a defined time period.
- Communications; communities/individuals must consent to individual information being used in media stories, fundraising materials, organisational reports or case studies (such as the use of photographs, quotes, audio or video).
- Sponsor relations; individuals and their guardians must consent to being sponsored, which may include providing photographs, providing information for annual child progress reports, writing to sponsors and participating in sponsor visits.
- Project activities; individuals/communities must consent to participate in individual activities within community partnerships such as child/youth clubs, social media initiatives, research and consultations.

Children and youth

The United Nations Convention on the Rights of the Child defines 'children' as persons up to the age of 18 years. The United Nations defines 'youth' as persons between the ages of 15 and 24.

While ChildFund usually defines children as persons under the age of 18 years, in this policy 'children' refers to people under the age of 15 and 'youth' refers to people aged 15 to 24 years. This distinction is made on the basis that youth are ordinarily capable of providing consent themselves.

Policy principles

This policy is based on the following core principles:

- Consent to participate in any ChildFund activity is strictly voluntary and should be given based on a clear understanding of the facts, implications, and possible future consequences of participation.
- Consent is properly informed and freely given and adequate time will be given for individuals and communities to consider consent.
- Children, youth and adults have the option to withdraw their consent at any time both for individual activities and for participation in programmes as a whole (including sponsorship, communication and research activities).
- Seeking informed consent is not a single event, it is part of an ongoing community engagement process intrinsic to ChildFund's development model.
- The basic values of integrity, respect, benefit and justice underpin the act of consent.
- Achieving informed consent requires ongoing community education to ensure that the concept is fully understood.
- Children's consent (defined in this policy as a person under the age of 15 years) is ordinarily required in conjunction with that of a guardian or parent.
- Youth (defined in this policy as a person between 15 and 24 years of age) are ordinarily able to give consent themselves.

Policy in action

Types of consent

Three tools for informed consent are utilised by ChildFund Australia:

- Participatory consent: where an individual voluntarily consents to engage in a ChildFund activity having had adequate opportunity and information to understand the implications of that action.
- Verbal consent: where consent to participate is communicated in a language understood by both parties.
- Written consent: where an individual demonstrates understanding and consent by giving a written statement, signature, thumbprint or other personal mark on a document.

Depending on the type of activity (see Attachment 1), some or all of these tools may be utilised by ChildFund Australia. ChildFund Australia also recognises that the application of these tools for consent may not always result in informed consent, however, throughout programming work, efforts will be made to raise community awareness of their rights in relation to informed consent.

Seeking consent from children & youth

ChildFund Australia staff are responsible for supporting communities to ensure they have the knowledge and skills to provide informed consent. Attachment 1 and Attachment 2 provide a framework for staff to utilise the tools that can support the informed consent process.

In addition, ChildFund Australia recognises there are specific considerations that need to be taken into account when seeking consent from children and youth:

- Consent for children's participation in activities is usually sought from their parent, carer or guardian. However, ChildFund is also committed to ensure that children understand the facts, implications and future consequences of their participation. Engagement should be commensurate with the child's age and developmental level.
- Where there is a difference of view between a child and parent/carer/guardian regarding participation, further discussion that takes into account potential power differentials should be undertaken to try and reach agreement. In the event that agreement is not reached consent has not been achieved and participation should cease.
- Children and youth have the right to withdraw their consent and cease participating in activities if they choose and space for this should always be provided.
- Although formal written consent is not required every time ChildFund engages with children and youth, participatory consent is required as a minimum; this is the assumption that ongoing participation in activities confirms consent. It is considered good practice to check in with children and youth regularly to ensure that they still understand the nature and expectations of the engagement, to let them know of any changes and to ensure they have the opportunity to withdraw or alter their terms of participation.
- The process leading to informed consent should provide an opportunity for constructive engagement and discussion of issues raised by the child or young person, as well as the opportunity to explore expectations and promote a mutually beneficial partnership.
- Children and youth have a right to understand the parameters of their participation. Tools for consent needs to be provided in an appropriate language and in a child-friendly format before activities commence.
- When formal written consent is required for youth (15 to 24 years) they are able to sign their own consent forms. However, staff should ensure that this complies with local law, for example, in some countries, youth must be over 18 to sign a consent form. In this example the parent/guardian would need to sign the written consent form and the youth would need to also give consent through the appropriate tool. Other cultural and programmatic factors may also need to be considered in decision-making around obtaining consent from youth.
- Staff must use discretion if children and youth do not understand what is meant by the provision of consent, for example if a child or young person has an intellectual disability. If there are any doubts in this regard, staff must gain consent from the parent/guardian/carer.

Attachment 1: Requirements for obtaining informed consent for various activities

Consent for community partnerships

1. The process of gaining consent with a community is best undertaken as part of ChildFund's 'cycles of community engagement' approach. It is a demonstration of ChildFund's respect for communities, empowers communities to make decisions regarding their partnership with ChildFund and helps ensure that a community-driven and owned agenda is achieved. Gaining informed consent at this stage involves discussions with the community about the partnership, roles, responsibilities and expectations need to be made clear for both parties.
2. ChildFund's engagement with a community should be agreed with community representatives before programs or projects begin.
3. Consent should be formalised with a written partnership agreement signed by duly authorised community leaders and authorised ChildFund staff.
4. The signed document should be available or visible (using locally relevant practices) to all members of the community – for example, on a community notice board. It should also be communicated verbally to members of the community through an appropriate means, such as an open community meeting attended by ChildFund.
5. Community level agreement does not compel every individual in the community to participate in activities. Individual consent is still required for participation in sponsorship, project participation, communications, etc. ChildFund should ensure that this is understood by community members.
6. Minutes should be kept of formal meetings by ChildFund, local partners and community leaders.

Consent for communications activity (including media, fundraising, M&E reports, funding reports, story collection etc)

1. Individual consent is not required when photos, videos, voice recordings, stories are produced about people whose identity is not recognisable (faces obscured, names not known, other identifying features not shown), nor is it required for public figures in a public space and large groups of people who are in a public space.
2. Verbal consent is required when photos, videos, voice recordings, stories are produced about children, youth and adults whose identities are recognisable but no personal information is being revealed (eg the person's name is not used in a related story). Verbal consent involves explaining the purpose and intended use of the material (eg, photo) and asking permission of the people concerned. Willing participation in the photos, videos, voice recordings, stories, etc, means that consent has been achieved.

3. Formal written consent is required when photos, videos, voice recordings, stories are produced about any person for whom private or personal information is revealed in the photograph, video, voice recording and corresponding story (ie person's name is used in the story). When the story is about a child, the child should give verbal consent and the child's parent or guardian must give formal written consent.
4. It is recommended that the people involved be shown examples such as copies of ChildFund publications, newspaper articles, website screenshots, television or video footage, play back of audio recordings. This will help children, youth and adults understand how communications material may be used.
5. Staff should also refer to the Communications Policy.

Consent for child sponsorship participation

1. Formal written consent for a child's participation in child sponsorship is required from the child's parent, caregiver or guardian. It is extremely important that children understand what sponsorship involves and should provide their verbal consent if old enough to do so.
2. ChildFund staff or representatives must carefully explain to the parent/caregiver/guardian and the child how child sponsorship operates, the requirements involved, how their photos and information will be used, the expectations that come with child sponsorship.
3. ChildFund staff or representatives must also explain that the family can opt out of the sponsorship at any time.
4. Formal written consent from parents, caregivers or guardians should be gained at time of enrolment of the child.
5. Signed formal written consent forms and individual child photos are to be kept either at the Field Office (if applicable) or the Country Office, with individual child photos.
6. Community members should be shown examples of materials eg Child Progress Reports (CPRs) etc so that they gain a clear understanding of the use of their images and personal information.
7. Consent should only be taken where the child and parent/caregiver/guardian agree:
 - They will participate in sponsorship activities. This involves maintaining a continuous relationship with ChildFund and the sponsor through letter writing, Child Progress Report (CPRs), Field Office Information Requests (FOIRs), possible visit by the sponsor, as well as active participation in ChildFund program activities (eg: school attendance).
 - No direct, unmediated contact between sponsor and child is permitted. All correspondence must go through the ChildFund Office.
 - They will notify ChildFund if there is a major change of circumstances, eg, planning to move away from area, death of a child, child leaves school, child marries or becomes pregnant.

Consent for project activities (including research)

1. Each time ChildFund runs a project activity that requires participation from community members e.g. a group meeting, a committee meeting or a community consultation, it is recommended that the facilitator explain the purpose of the meeting and provide the opportunity for those present to participate in the activity or not.
2. At all times, it must be made clear that choosing to not participate in a project activity does not affect activities of ChildFund, however, it is important that the community in partnership with ChildFund makes decisions based on the viewpoints of everyone in the community.
3. It is recommended that a short, written record of project meetings and activities be held by ChildFund (at the local ChildFund office), signed by the facilitator and a nominated leader of the group gathered at each event. These records should describe how consent was addressed in discussions with the group e.g. "participation is voluntary, decide you no longer wish to be involved then you can leave at any stage". This process needs to be integrated into all ChildFund activities and should be designed to take a minimum amount of time and effort, whilst being integrated into activity introduction. It is anticipated that after a period of engagement with communities, this process will become second nature to both staff and community partners.
4. Formal written consent is usually required when seeking participation in a research project. ChildFund staff or representatives need to explain the purpose of the research and how the information to be provided will be used. If a University or other research body is undertaking the project, they will usually have consent forms and processes that can be applied.

Attachment 2: Summary of the types of consent required for each activity

Type of consent	PARTNERSHIP	MEDIA/FUNDRAISING/ INTERNAL REPORT	SPONSORSHIP	PROJECT ACTIVITIES
Individual child (persons 0-14 years)				
Written consent from parent/guardian	No	Yes; when private or personal information is revealed in the photograph, video, voice recording AND corresponding story	Yes; when an individual child is enrolled	No
Written consent	No	No	No	No
Verbal consent	No	Yes; at all times (except in large groups or public places)	Yes; at the beginning of any individual sponsorship activities	Yes; at the beginning of any individual project activities
Individual youth (persons 15-24 years) Please note in some countries people under 18 may not be legal able to sign their own consent forms. If this is the case in your country, please use the Individual Child section				
Written consent from parent/guardian	No	No	No	No
Written consent	No	Yes; when private or personal information is revealed in the photograph, video, voice recording AND corresponding story	Yes; at the beginning of any individual sponsorship activities	No
Verbal consent	No	Yes; at all times (except when in large groups in public spaces)	No	Yes; at the beginning of any individual project activities
Individual adult				
Written consent	No	Yes; when private or personal information is revealed in the photograph, video, voice recording AND corresponding story	No	No
Verbal consent	No	Yes; at all times (except when in large groups in public spaces)	Yes; at the beginning of any individual sponsorship activities	Yes; at the beginning of any individual project activities

Community groups				
Written consent from group representatives	No	Yes; when private or personal information is revealed in the photograph, video, voice recording and corresponding story	No	Yes; at the beginning of any individual project activities
Verbal consent	Yes; at the beginning of all individual program (including research and consultation) activities	Yes; any group photographs, video or sound recordings (except when in large groups in public spaces)	Yes; at the beginning of any individual sponsorship activities	Yes; at the beginning of any individual project activities
Community leaders				
Written consent from community representatives	Yes at an initial partnership stage i.e. the beginning of a project; communities should 1) agree to the project/s and the parameters of that project 2) agree to their possible participation in media activities 3) agree to their possible participation in sponsorship 4) agree to the types of activities within an identified project			
Verbal consent	No	No	No	No

Special notes:

1. Staff must use discretion if children, youth or adults do not understand what consent means or what the implications of participation will mean for them, for example the child, youth or adult may have a developmental disability. In this case staff will need to gain consent from the guardian/carer.
2. For some research activities specific written consent will be required. Information about this will be provided as required prior to research activities being undertaken. All formal research activities engaging with our community partners, including children, should receive prior approval from the relevant University Ethics Committee (if relevant). Research activities engaging with our community partners, including children, which do not require prior approval of a relevant ethics committee, should be subject to a peer-review of at least five (5) persons, as designated by the Country Director.