



Obtaining Informed Consent for OSHLSP Communications

In order to promote your OSHLSP to the local community, school, philanthropic partners or donor agencies you may find yourself wearing a communications hat as part of your role as coordinator. Telling the story of the impact your project is having will often involve the students and tutors themselves, either through photos or their own words about their experiences in the OSHLSP. This can be an exciting and positive experience for students, who are all too often not given a chance to voice their opinions and outline their experiences. However, there are risks involved to having your image or story in the public domain, as such, it is important to maintain the culture of child safety by always obtaining informed consent. The following skills brief outlines what informed consent requires and some strategies to use when involving primary aged children in the process.

Summary points

- Informed consent must be obtained for all communications that include information or photographs about a child/children
- Written informed consent (in first language where appropriate) must be obtained by parents/guardians for all persons under 18 years old
- Good practice dictates that consent must also be gained from the student involved
- If a student changes his/her mind and wants to withdraw consent, material must be deleted and consent forms destroyed
- For child protection reasons no identifying information of students under 18 should be used in publications.

What is informed consent

Consent is the process of asking an individual who is the subject of a photo, story, research or communications piece, whether or not they agree to be part of the process and have their information in the public domain. To be *informed* consent an individual must understand what they are consenting to. It should be clear what the purpose of the information or image is and how it may be used.

“An informed consent form should generally show the purpose, nature, method and process of collecting the information, the role and rights of the person giving the information, and the potential risks and benefits of providing the information.”

Minimum Standards for Child Protection in Humanitarian Action, Child Protection Working Group, 2012:54

Wherever possible attempts should be made to ensure subjects are able to view the resulting communications piece and be told how this was used. This is both respectful and empowering. Students in particular are often not asked for their opinions and experiences so the process of sharing their opinions and then seeing the resulting article or publication can be a very positive one.



Obtain and document informed consent

All students below the age of 18 who are the subjects of your communications piece must have the informed consent of a parent or guardian. From a child rights perspective, it is also good practice to obtain the informed consent of the student as well. **A student's refusal to give consent can never be overridden no matter what their age. However, if they do give their consent you still need to obtain consent from a parent or guardian as well.** This is because a young student may not have the capacity to assess the risks to the same extent as an adult.

In all cases, it must be explained to the parent/guardian and the student that they are not under any obligation to agree to the use of the images, information or story. When a parent has limited English the information regarding consent must be conveyed in their own language – both with a translated form and an oral interpretation of the explanations of the consent process and intended use of the information or photographs.

It must also be made clear that a child or their guardian is able to withdraw their consent at any time throughout the process. CMY's photography policy states:

CMY acknowledges that young people's consent may change over time. If a young person changes his/her mind and wants to withdraw consent, photographs must be deleted and consent forms destroyed.

It is useful to view consent as a work in progress, rather than a single task – therefore it is necessary to keep checking the child or guardian are comfortable with how things are progressing. This means you are actively providing an 'opt out' option throughout your interaction with the child. This is important because no matter how informed you believe the person is before you begin, their understanding will develop as they are involved in the process.

International child rights agency, Save the Children states that

“Informed consent is a process, not a form. Being informed gets priority over getting consent.”

Ensuring flexibility in the consent process is a good idea, as people can be comfortable with some forms of media and not others. Through a simple check-the-box system, CMY enables people to consent to certain types of communication such as printed material, and refuse consent for others, such as pieces for social media. If an individual only gives consent for the information to be used in a specified way, you must ensure this limit on the consent is recorded clearly to avoid others in your organisation using the information outside of the limits of the consent.

Tick where appropriate
<p>YES, I am happy to be photographed and or filmed by CMY, and for my photos and or videos to be used on:</p> <p><input type="checkbox"/> CMY social media channels (Facebook, Twitter, Youtube, Instagram)</p> <p><input type="checkbox"/> CMY website</p> <p><input type="checkbox"/> CMY published material (reports, research etc)</p> <p><input type="checkbox"/> CMY promotional material (flyers, posters etc)</p> <p>_____</p> <p><input type="checkbox"/> No I do not want to be photographed or filmed by CMY</p>



Be sure to properly assess risks

Any communications work involving children should be subject to a risk assessment that prioritises the best interests of the child. This requires a comprehensive analysis of the circumstances of the child and how these could be changing. Think through the risks that apply to different age groups, gender, and capacities (including disabilities) of the children. Also consider the attitude of the carers and community members regarding both the content and the very act of focusing on children, as well as how risks may change over time.

A simple story about how a student experiences their OSHLSP is likely to have a low level of risk, but it is still a necessary to consciously assess what risks are present, or have the potential to arise. However, a more in depth analysis is required if that story includes more personal information or upsetting elements. A risk analysis is also an ongoing process – you may have assessed the risk of a story but then once the child begins to speak additional information you did not predict is revealed, and therefore a revised risk assessment is necessary.

You must always assess not only the impact of the child's involvement in terms of the general context but also how their friends, siblings and other families may react to their involvement. Risks are not necessarily physical, or from the public, but could include unwanted attention on the child from others involved in the OSHLSP. Some children will thrive with this attention, others may find it quite stressful.

Importantly **your duty of care is not relieved once consent is obtained**. It is up to you to ensure risks are monitored and if a situation changes, consider whether this impacts the terms of consent. If you believe this to be the case, you must obtain renewed consent if possible or avoid using the material.

Consider ways to obtain Informed consent from younger children

Often the default position is to gain consent from a parent or guardian without full explanation to the child involved. However, the child should also be informed fully and their consent obtained as well. It is still necessary to obtain the consent of a guardian but it is good practice to also gain the child's consent.

Plan International Australia, a child focused aid and development agency, has developed techniques for obtaining informed consent from children as young as age 3. The techniques ensure they understand exactly what their participation in program, research and communications activities will be and how their images and voices will be used and represented.

Techniques include using example sheets (see picture) of how photos might be used, filming children and playing it back to them so they understand the filming process, visual consent forms that non-literate children can use and showing previous films, photos or advertisements on laptops.

An option to decline consent but still be part of the process is also useful. This can mean children who do not want their photo used can still have it taken then deleted, or take photos themselves.

