

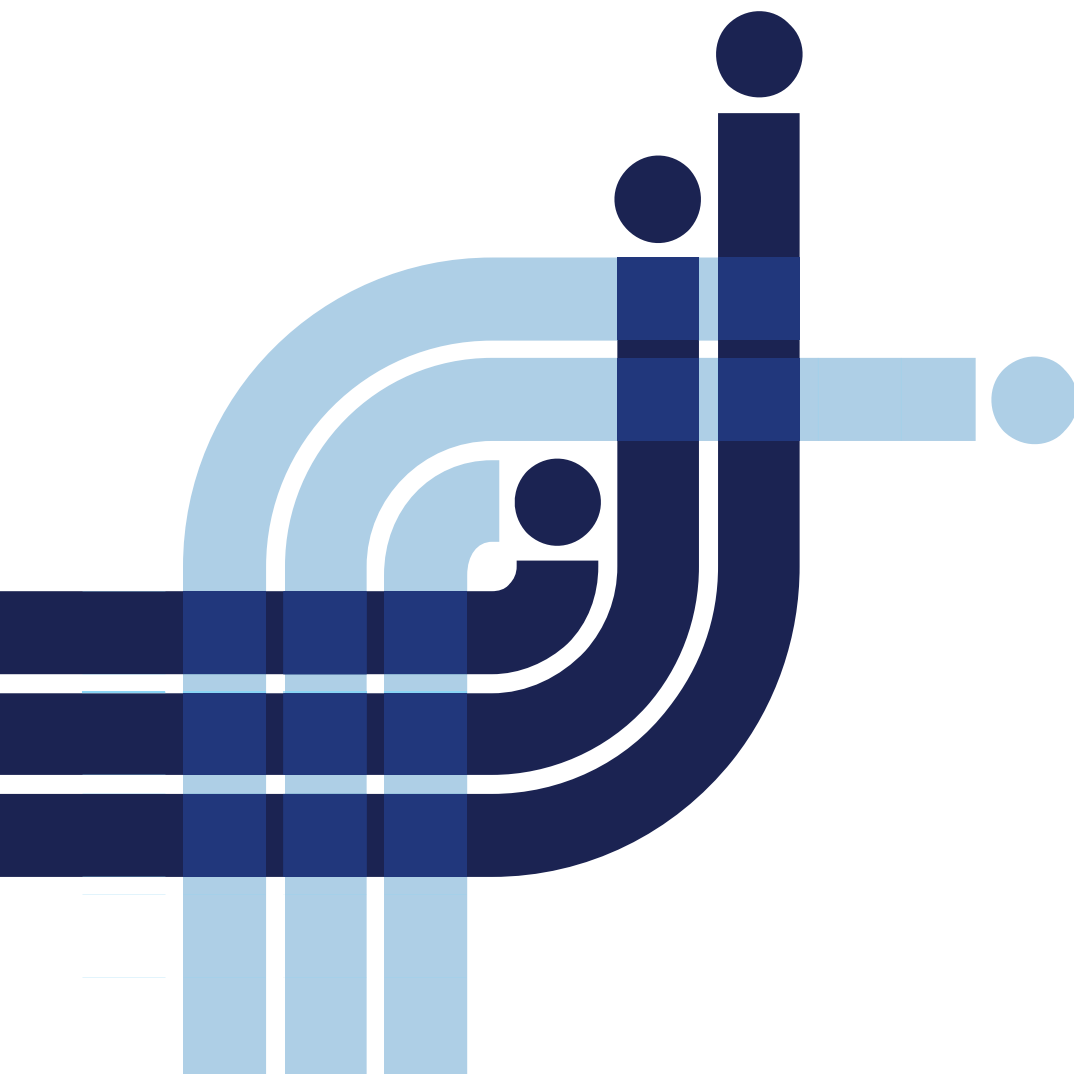


United Nations
Global Compact

Designing Effective Human Rights Training Aligned with the Corporate Responsibility to Respect in the UN Guiding Principles on Business and Human Rights

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Designing Effective Human Rights Training Aligned with the Corporate Responsibility to Respect in the UN Guiding Principles on Business and Human Rights¹

The United Nations Global Compact is a call to companies everywhere to voluntarily align their operations and strategies with ten universally accepted principles in the areas of human rights, labour, environment and anti-corruption, and to take action in support of UN goals and issues. In June 2006, the Global Compact Board established a Human Rights Working Group. In light of the growing recognition that labour rights are human rights and in order to ensure a coherent approach, the Chairs and members of the Human Rights Working Group and Labour Working Group merged to create the Human Rights and Labour Working Group (HRLWG) in 2013. The goal of the Working Group is to provide strategic input to the Global Compact's human rights and labour work. The following is one of an ongoing series of notes on good business practices on human rights endorsed by the Working Group. Rather than highlighting specific practices of individual companies, Good Practice Notes seek to identify general approaches that have been recognized by a number of companies and stakeholders as being good for business and good for human rights. The inclusion of company names does not constitute an endorsement of the individual companies by the UN Global Compact Office or the Human Rights and Labour Working Group.

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1. Introduction

Developing effective human rights training is new territory for many companies committed to the UN Guiding Principles on Business and Human Rights (“Guiding Principles”).² A recent Economist Intelligence Unit (EIU) survey found that while 83% of business executives recognize the importance of their company’s impact on human rights, one of the main barriers to achieving progress is a lack of employee training and understanding around human rights.³

International human rights duties are traditionally imposed on state actors, not corporations. While many companies have now committed to the Guiding Principles, they understandably lack the resources and expertise to train employees on how to avoid human rights impacts. Nearly all companies have existing training on anti-bribery and anti-corruption. But human rights encompasses a broader employee group and a broader scope of responsibility, which is not clear in all cases, presenting a uniquely challenging training environment.

This Good Practice Note (GPN) provides guidance on developing human rights training and a practical training approach for all companies. It highlights good practices from emerging training programs and identifies challenges that can be avoided with proper planning. Several frameworks to measure the effectiveness of human rights training are also provided. While in early stages, metrics tracking the effectiveness of training will be necessary to demonstrate the long-term impact on reducing human rights harm.

2. Drivers for Developing Human Rights Training

Companies develop human rights training for a number of reasons. Common drivers applicable to all companies include reducing the risk of human rights harm; meeting the responsibility to respect human rights; and reducing legal, operational, and reputational risk.

A. Reducing Risk of Negative Human Rights Impacts

The chief driver for companies to develop human rights training is to reduce the risk of involvement in a negative human rights event causing harm to people. The Guiding Principles outlines that companies responsibility to respect human rights includes human rights due diligence to understand the company’s human rights risk profile and develop an approach to eliminate, mitigate and account for how they address their impact on human rights. Human rights training is necessary to equip employees in high-risk functions or regions (and eventually throughout the company) to understand the human rights implications of business decisions and learn how to make different decisions or operate within new business processes that account for human rights.

² UN Human Rights Council, Guiding Principles on Business and Human Rights, 2011.

³ Economist Intelligence Unit, “The Road from Principles to Practice: Today’s Challenges for Business in Respecting Human Rights,” May 2014.

Human rights risk should not be viewed in the same way as other risks to the business. Human rights risk should be viewed from the perspective of the impact on the rights holder. Companies have an obligation to eliminate the most severe existing negative human rights impacts, and to reduce or eliminate the risk that the negative events will occur, regardless of the impact to the business. The Guiding Principles recognize that companies cannot immediately eliminate all risk, and encourages companies to prioritize and address the most salient risks first, recognizing that all human rights risks need to be addressed eventually. Salient human rights risks are those whose potential negative impacts would be the most severe in terms of their scale, scope and remediability.⁴ The human rights training program should account for this prioritization.

B. Meeting Human Rights Responsibilities

Companies have an internationally recognized responsibility to respect human rights and to develop a suitable training program to ensure that employees are equipped to help reduce the risk of human rights harm. The 1948 Universal Declaration of Human Rights states that “every organ” of society shall strive to promote the realization of human rights.⁵ The Guiding Principles and other soft-law international instruments have achieved widespread buy-in from businesses, investors, civil society, governments, and academia.⁶ They make clear that the responsibility for businesses to address human rights exists regardless of whether states meet their own human rights obligations.

Specifically, Guiding Principle 16 requires companies to keep internal personnel “informed” of the company’s approach on human rights, and “make clear what the lines and systems of accountability will be . . . supported by any necessary training for personnel in relevant business functions.”⁷ Companies are further encouraged to reflect their human rights commitments in “operational policies and procedures necessary to embed [human rights] throughout the business enterprise.”⁸

States also are aligning resources and legislative agendas with the Guiding Principles. Several have adopted “National Action Plans” on business and human rights.⁹ The Dodd-Frank Conflict Minerals legislation and the California Transparency in Supply Chains Act in the U.S. and the more recent adoption of the U.K. Modern Slavery Act are representative of legislative advancements related to business and human rights.

Civil society expectations that businesses manage human rights impacts are increasing. Groups have developed business and human rights rankings, benchmarks, and tools to aid companies in implementing the Guiding Principles. International institutions and NGOs continue to document human rights abuses caused by business around the world. The Socially Responsible Investor (SRI) community screens companies for managing human

⁴ See UN Guiding Principles Reporting Framework Key Concepts: <http://www.ungpreporting.org/key-concepts/salient-human-rights-issues/>

⁵ [Universal Declaration of Human Rights](#)

⁶ For example, the Organization for Economic Cooperation and Development (OECD) provides [human rights guidelines](http://mneguidelines.oecd.org/text/) for multinational enterprises, available at <http://mneguidelines.oecd.org/text/>.

⁷ UN Guiding Principle 16 and commentary.

⁸ UN Guiding Principle 16.

⁹ See Business and Human Rights Resource Center, Database of National Action Plans, [here](#).

rights risks, declining to invest in those without genuine effort to address their human right risk.¹⁰

Pursuant to these expectations and commitments, companies have adopted human rights policies, conducted human rights due diligence to understand risks, and developed remedies where rightsholders have been harmed.¹¹ A robust training program is necessary to ensure adequate understanding and implementation of new or modified risk management programs that account for the company's human rights impact.

C. Reducing Legal, Operational, and Reputational Risk

Where companies are involved in or even perceived to be involved in negative human rights events, significant legal, operational, and reputational consequences may follow. High profile human rights litigation can result in millions of dollars in legal fees and settlement costs. Researchers in the extractive industry have demonstrated the financial link between community conflicts and operational delays leading to millions of dollars in lost productivity.¹² Reputational harm can affect ability to recruit and keep talent, and may even lead to consumer and NGO boycotts. Training employees on human rights can reduce the risk of negative human rights events from occurring, and the legal, operational, and reputational consequences that follow.

3. Developing an Effective Training Program

Practitioners interviewed for this GPN noted that careful planning in the development of a training program can help avoid pitfalls and improve the effectiveness of training. The five stages below present an approach to roll-out an effective human rights training program. The framework reflects the planning stages used by practitioners at many companies, and provides good practice examples to illustrate the concepts in each planning stage. The five stages are:

1. Understand Risk and Identify Training Objectives
2. Identify and Segment the Training Audience
3. Assess Current Business Processes Affecting the Target Training Group
4. Develop Appropriate Training Modalities
5. Measuring the Effectiveness of Training

The framework should be tailored to fit the needs of individual companies. Some companies may already be along this journey and should orient themselves accordingly to learn more

¹⁰ Felicitas Weber and Olivia Watson, "Human Rights and the Extractive Industry," Principles for Responsible Investment, 2015. This report uses the Guiding Principles as a "Framework for Engagement," specifically stating that training is "a key element of embedding human rights into practice."

¹¹ For guidance in developing corporate human rights policies, please see Cheryl Joseph and Julia Cherlow's Good Practice Note, "Developing Corporate Human Rights Policies and the Role of Legal Counsel."

¹² Rachel Davis and Daniel M. Franks, "Costs of Company-Community Conflict in the Extractive Sector," 2014. Corporate Social Responsibility Initiative Report No. 66. Cambridge, MA: Harvard Kennedy School.

about good practices identified in that stage.¹³

A. Understand Risk and Identify Training Objectives

At the outset, it is important to understand the human right risk profile of the company. A common approach is to conduct a corporate-wide human rights impact assessment.¹⁴ This will identify human rights hotspots within the company and gaps between current management approaches and requirements in the Guiding Principles. It will also identify high risk business functions where initial training efforts should be focused.

The next step is to determine the training objectives for particular training audiences. The learning objectives will differ between, for example, all-employee training focused on human rights awareness-raising and a targeted training workshop for a functional team adapting a new business process incorporating human rights.

Training objectives broadly fall into three main categories.

- **Awareness Raising.** Training intended to teach a new knowledge area and possibly impart new skills, but the primary goal is to raise awareness of human rights and require a minimum level of follow-up action from the training audience. *Example:* All-employee training on human rights to raise awareness of the company's human rights impacts but require only minimal action, e.g. calling an internal hotline to raise concern about an event.
- **Business Process.** Training intended to teach a participant how to do a particular task following formal policies, procedures, and guidelines. Process training occurs when employees begin a job, and can also occur when existing processes are modified and new process training is required. Process training may carry formal penalties for non-compliance which can be monitored with appropriate checks built into the process. *Example:* Developing training for a sales team on new human rights due diligence processes in a proposed sales transaction.
- **Behavior Change.** This training is intended to incentivize individuals to make different decisions in their jobs where the decisions are not governed by specific processes. While different action will be required from the training audience, it is difficult to systematize or monitor behavior change, and accountability will often lie with individuals.¹⁵ *Example:* Reducing individual micro-biases in a workplace which can lead to discriminatory hiring, promotion, pay, and other workplace decisions.

Understanding the broad objective of the training will help practitioners allocate resources, manage expectations, and develop appropriate training content. Objectives may change over

¹³ Additional human rights training resources include: Office of the High Commissioner for Human Rights, "Evaluating Human Rights Training Activities: A Handbook for Human Rights Educators," 2011; Introductory and Advanced Online Training by the German Roundtable on Human Rights in Tourism (German only), available at <http://www.menschenrechte-im-tourismus.net/en/online-training/compact-course.html>

¹⁴ BSR, "Conducting an Effective Human Rights Impact Assessment." March, 2013, available at http://www.bsr.org/reports/BSR_Human_Rights_Impact_Assessments.pdf

¹⁵ Two resources on effective behavior change with direct applicability in the human rights context are by Chip and Dan Heath, "Made to Stick: Why Some Ideas Survive and Others Die" (Random House, 2007) and "Switch: How to Change Things when Change is Hard" (Random House 2010).

time depending on specific audiences identified. It's important to adjust the content to continuously align with objectives.

All practitioners interviewed for this GPN emphasized the need to gain senior level buy-in for the training program before deploying the content. The EIU survey found that successful companies are more likely than others to have a CEO who takes an active role in promoting a human rights policy (59% compared with 39%), and for the CEO's activity to be a top driver of the firm's commitment to respect these rights (34% versus 21%).¹⁶

Building senior support also helps offset employee resistance. As one interviewee cautioned, "Do not be naïve and think people will love new human rights training. Predicting where the resistance points will be and accounting for them is important."¹⁷

To account for this, some companies sent communications from senior management to employees prior to the training to explain the importance of human rights training. Others said that having senior management present at the training, or provide an introduction, sends a strong signal that the topic is important. "When you have an executive or a department leader sit in on the training that means a lot. People realize how important it is. If you tell employees to do this, but the boss doesn't have to, the signal is that it's actually not that important."¹⁸

B. Identify and Segment the Training Audience

The second stage is to identify and segment the employees who need training on human rights. Typically, this process will be informed by a company's human rights due diligence. Several companies use all-employee training to first raise general awareness around human rights, then roll-out targeted training for specific trainee groups.

1. All-Employee Training

The primary goal of all-employee training is to elevate awareness levels around business and human rights and explain the company's specific human rights risks and opportunities.¹⁹ All-employee training helps embed human rights in the culture of the company and signals that the company expects employees to understand the human rights implications of the business and manifest respect for human rights in their day-to-day jobs.

A sample all-employee training outline is provided in Appendix I. Generally, the training should reference the company's human rights policy and other company-wide initiatives on human rights. It should provide instructions on how to take immediate action to report a potential human rights issue, such as through an internal hotline or confidential email address, and point employees to additional internal and external resources for more in-depth learning.

¹⁶ Economist Intelligence Unit survey.

¹⁷ Interview.

¹⁸ Interview.

¹⁹ The [UNGC Business and Human Rights Learning Tool](#) is a useful resource for developing training that helps to explain "what human rights are, why human rights are relevant for business, and the key elements of what it means to respect and support human rights in practice."

Practitioners cautioned against trying to do too much with all employee training. Awareness-raising is the first step to behavior change but is not the same thing. Content should be short, high-level, and relevant to corporate-wide risks and impacts rather than focus too narrowly on one business unit, geography, or high-risk issue. Companies should also use examples from their industries, or point to other industries, to provide a range of the types of human rights issues impacted by business.²⁰

Some companies make all-employee training mandatory—even at companies with over 200,000 employees worldwide. Other companies have made all-employee training available voluntarily on an internal platform for employees to access.²¹

2. Targeted Training for Specific Employee Groups

Once the company's human rights risk is understood, companies should develop targeted training for employee groups exposed to high-risk human rights issues. This often takes the form of a particular cohort level or geographic location, a product team, or a business function.

The goal of targeted trainings should be twofold: (1) ensure that specific human rights risks or impacts are explained clearly and understood by the target audience, and (2) provide concrete actions the sub-group can take to mitigate or eliminate the risk or impact.

Depending on the issue and the target audience, business processes used by the audience may need to be modified or created before the training occurs. In these cases, the training will be less about awareness raising and more about how to do their jobs differently, according to new business processes that aim to mitigate human rights impacts. These trainings are generally conducted in workshop style formats, and may feature scenario role-playing, hypothetical situations, or demonstrations of new tools or processes.²²

3. Understand Audience Motivations

One tactic to increase effectiveness of training is to tailor the content to incorporate pre-existing motivations among the audience members. This could be based on any number of factors. Several interviewees tailored training content based on demographics such as age and gender, or other relevant factors including education level, literacy, and familiarity with technology. Others took into account previous knowledge of human rights and the target audience's general attitude toward learning new ways of doing their job.

• Rewarding Trainees

- Prizes or awards may help incentivize trainees to act differently, but not all valuable rewards have monetary value.
- One extractives company conducting human rights training for security guards in Africa knew that actual, paper certificates of achievement were meaningful to training participants. Trainees would often take home the

²⁰ As an example of industry issue aggregation, the [IPIECA Human Rights Training Tool](#) provides human rights information specific to the gas and oil industry.

²¹ Interviews.

²² For example, NEC, a Japanese technology company, provides targeted training for its employees in regions identified to be high risk. In-person workshops are held in Latin America and China, and focus on high risk human rights issues in those regions, including forced labor, child labor, and discrimination. See NEC, "Respecting Human Rights," available at http://www.nec.com/en/global/csr/human_rights/index.html.

certificates and display them proudly, and so the company provided actual paper certificates of completion after the course.

- Other companies have developed quiz show-style trainings and offered prizes during interactive Q&A sessions.
- **Prestige and Recognition**
 - A handful of companies interviewed sent a personalized letter from the CEO to participants who completed an in-depth workshop.
 - Other companies have “Human Rights Champions” networks, which have competitive entry processes to increase the prestige of the program. Participants are recognized internally and externally, and represent the company at various human rights events.
- **Increasing Job Competence**
 - Presenting human rights as a way to improve job performance can leverage motivation within audiences that are looking to advance within the company.
 - Creating promotion paths that require an understanding of human rights and demonstrated commitment to human rights may also be effective.
- **Emphasize Core Company Values**
 - Emphasizing that the company is committed to understanding and managing human rights can help build loyalty to the company for the right audiences.
 - Research has shown that the so-called millennial generation chooses employers for reasons other than just pay, taking into account corporate values and demonstrated commitment to social responsibility.

A combination of tactics can be used to understand the motivations of a particular training audience:

- Surveying participants or other coworkers who work with members of the target population to understand more about their underlying motivations for performing well at work, and the types of rewards that may spur improved performance.
- Conducting formal or informal interviews with representative members or previous participants.
- Working with experts who understand the population group based on previous experience.
- Engaging stakeholders to understand learning patterns.
- Reviewing and incorporating evaluations from previous learning.

No audience will be the same, and extensive audience research is not needed for every training audience. However, taking the time to understand what motivates a target audience has been shown anecdotally to greatly improve the effectiveness of training.

C. Assess Current Business Processes Affecting the Target Training Group

At this stage, practitioners warned about the temptation to jump straight into content development and training delivery after identifying risk and segmenting the audience. However, training is only a means to an end, and may require an assessment and modification of business processes before developing the training. The training content then

switches from awareness-raising and behavior change to new business process training, and teaches employees how to do their jobs differently with new human rights compatible processes.

As one human rights expert noted: “Most training focuses too much on assessing and explaining the impacts, and not enough about what you should *do* when you see a human rights risk. Good training starts in the preparation: identify your high-priority human rights issues, figure out how you want to address them, figure out what you want people to do differently in their jobs, and *then* start your training.”²³ The effectiveness of training is maximized when the problem can be explained, *and* employees are empowered to take concrete action to mitigate the problem.

Awareness raising and behavior change training is valuable for the right audiences, but integrating human rights into business processes first may be a more effective long-term approach for the right functions. It will not be possible in all cases to systematize decision making, but it’s worth identifying processes that can be modified to address human rights, modifying those processes, then developing the training focused on how to use them.

As an example, some ICT companies have developed targeted training for their sales divisions to prevent selling certain products in markets with high risk customers. Prior to rolling out the training, however, human rights risk indicators were integrated into due diligence processes. The human rights training then focused on how to implement new human rights due diligence processes, not on an overview and history of human rights. Employees within the division not only learned new material but also learned how to change the way they do their job.²⁴

D. Develop Appropriate Training Modalities

The fourth stage is to consider appropriate training modalities. The most effective methods will be different across companies, functions, geographies, and will be tailored to meet the needs of the audience.

Appendix II provides a training plan tool to help determine the right modality. Practitioners provided several tips on developing content for all types of training: (1) keep it simple, (2) make it relevant to the training group, (3) provide concrete examples of the risk, and (4) provide concrete actions for trainees to take following the training.²⁵ The following section provides examples of different ways to develop and deliver training content.

1. Bolting-On Human Rights to Existing Training

Many companies have integrated human rights training into existing platforms. For example, companies often include a slide or chapter on human rights training in their general Code of Business Conduct or Code of Ethics training. This can be an efficient way to raise awareness on human rights and point employees to other resources. While a limited amount of information can be conveyed in this form, it is important to ensure that the training clearly explains the sources of human rights, their relevance to the company, and any concrete

²³ Interview.

²⁴ Interview.

²⁵ Interviews.

actions that employees can take, even if only calling a hotline to raise concerns.

Some companies incorporate human rights training into other existing platforms. One extractives company integrated human rights scenarios into an existing four-day “Stakeholder Engagement Academy” to highlight various human rights issues that could arise in the course of community relations.²⁶ Finding an appropriate existing training platform can provide an opportunity to feed in human rights examples.

2. Train-the-Trainer and Ambassador Programs

Several companies reported success using train-the-trainer or ambassador programs to efficiently and cost-effectively deploy training throughout the company. A select group of internal trainers or ambassadors from various functions and geographies are trained by a lead trainer (internal or external), and are then responsible for conducting training within their respective units.

Interviewees noted these models work well because the trainers or ambassadors are seen by trainees as “one of our own” rather than an outsider telling them what to do. “Not having a third-party trainer involved provided space for us to speak very openly with other colleagues about the issues. So that’s a good opportunity for us to hear more about the issues that concern our colleagues in the field and the concerns that they face.”²⁷

One challenge when deploying an ambassador program is ensuring that internal trainers are well-informed and capable of subsequently articulating business and human rights issues to fellow employees. It may be worthwhile to engage with human rights experts to develop or review training content even if it will be delivered by internal personnel. One company interviewed used external experts to train ambassadors in person and create a slide deck for the ambassadors to subsequently use in their own trainings.²⁸

3. Using Dilemmas, Scenarios, and Role Playing

Interviewees recommend incorporating dilemmas, scenarios, and role playing in their human rights training programs. Several successfully incorporated dilemmas that their audiences will face as an effective method to make human rights issues real and allow key concepts to sink in.²⁹

Other companies developed role-playing scenarios to act out in small group settings. One company designed a role-playing board game to communicate key human rights concepts. Another company developed a scripted role-playing game where participants play the roles of a company, the government, a human rights NGO, and the rights-holder. A training expert noted that role playing can help to reframe the impacts and broaden perspectives, especially in situations where a company employee is playing the role of a human rights activist.³⁰

4. Outside-the-Box Approaches

²⁶ Interview.

²⁷ Interview.

²⁸ Interview.

²⁹ Helpful resources in designing case studies and dilemmas include the UN Global Compact’s [Dilemmas website](#) and “Human Rights Translated,” a guidebook published by the Office of the High Commissioner for Human Rights.

³⁰ Interview.

Some companies have successfully deployed non-traditional types of training to connect better with audiences that may not otherwise understand the issues. While creativity is encouraged, it should be deployed cautiously. Practitioners noted that it can be difficult to strike the right balance between conveying the gravity of human rights issues and taking a lighter approach that may be more palatable to the audience.³¹

A few examples of good practice:

- **Animated Video on Privacy and Law Enforcement.** In 2014, Google produced an animated video, “The Way of a Warrant,” to explain the right to privacy and the internal process for addressing law enforcement requests for user data.³² The video tracks Google’s internal procedures from the moment the law enforcement request is filed to Google’s final decision on whether to disclose information. The video includes light humor and catchy music to keep the audience engaged. The video never uses the words “human rights” or “training,” even though it provides Google’s users with training on a critical human rights issue. The video has over 1 million views and 9,000 “likes” on YouTube—unprecedented for a corporate training video on human rights.³³
- **Human Rights Training in Comic Book Form.** Another company with operations in Africa created a comic book series specifically designed for its security personnel. The company engaged with experts and local stakeholders to decide that a comic book approach would resonate best with the training audience. The comic book characters were security agents, and featured a hero who acted appropriately in a challenging human rights situation and a villain character who did not. The company reports that the training was well received by the security personnel, and company representatives say that it worked because it played to the strengths and motivations of the audience and communicated to them within their “communication domain.”³⁴
- **Mobile Applications as a Human Rights Resource.** In 2015, Coca-Cola developed a mobile application dedicated to explaining its approach to human rights. The app provides interactive tools for users to assess human rights risks and impacts. The use of mobile applications as a human rights resource is a growing trend. Volkswagen has created an internal app for its employees,³⁵ and the US Department of Labor released “Sweat & Toil,” a mobile app allowing users to synthesize and catalogue global labor data.³⁶

Additional resources from the fields of psychology and sociology may be appropriate to consult when determining whether creative approaches will be effective and to help generate ideas on appropriate content development and implementation.³⁷

³¹ Interview.

³² Google, The Way of a Warrant, available at <https://www.youtube.com/watch?v=MeKKHxcJfh0>.

³³ Another useful introductory video with broader application created by Mike Babb is entitled “The UN Guiding Principles on Business and Human Rights: An Introduction,” available at <https://www.youtube.com/watch?v=BCoL6JVZhrA>.

³⁴ Interview.

³⁵ Volkswagen Corporate Governance Report, available at <http://annualreport2014.volkswagenag.com/group-management-report/corporate-governance-report/compliance.html>.

³⁶ US Department of Labor, News Release, “Sweat and Toil Mobile App on Child and Forced Labor,” Feb 11, 2016, available at <https://www.dol.gov/newsroom/releases/20160211-4>.

³⁷ See Frank Dobbin and Alexandra Kaley, “Why Diversity Programs Fail,” Harvard Business Review, July-August, 2016; Duhigg, Charles, “The Power of Habit: Why We Do What We Do in Life and Business,” Random House, 2012;

5. Sequencing Training Delivery

A comprehensive approach to human rights training should include a plan for delivering follow-up training. Good training should not be a one-off exercise, but should include reinforcement signals that continuously highlight key messages and ensure that materials are kept up-to-date.

Changes in the external operating environment, newly prioritized or identified human rights risks, or changing business trends affecting human rights (e.g. the rise of big data analytics on rights to privacy and non-discrimination) should be integrated into updated training. The frequency that materials should be updated will vary by company; most interviewees updated training content every three years.

Practitioners spoke highly of “burst learning” modalities. These can come in various forms, including short 3-4 minute videos on key human rights topics and emerging trends that provide a quick “burst” of follow-up learning. “You could spend 30 minutes with a new video on all of these topics,” one interviewee said, “but it’s not nearly as effective as consistently reminding, reminding, and reminding through short bursts.”

6. Follow-up Resources

Some companies have developed detailed manuals or internal reference books on human rights to provide a follow-up resource to training.³⁸ The references generally include company-specific human rights issues, risks, and management tools. Follow-up resources should serve to reinforce key messages from the initial training and provide more detailed guidance for interested employees.

One company in the extractive sector developed follow-up references consisting of a 90-minute web-based slide deck that provided a more detailed explanation on the definition and background of human rights, why it’s important for the industry, and four deep-dive scenarios. Other companies established internal human rights help desks where the human rights lead or external human rights experts provided office hours or an open hotline for employees to ask follow-up questions.

Other companies have developed intranet pages dedicated to human rights including, for example, training materials and videos, and a discussion forum for employees to post questions, thoughts, and ideas regarding human rights.³⁹

E. Measuring Effectiveness of Training

Measuring the effectiveness of human rights training is one of the more difficult challenges to developing a complete training program. This challenge is not unique to human rights, but the difficulty is intensified because program designers must show a causal link between the delivery of training, the employee’s decisions and actions taken as a result of the training, and the *non-occurrence* of a human rights event. There are many reasons why an adverse event may *not* have occurred, and isolating the causal link to training is challenging.

Glass, Ira, “This American Life Episode #549: Amateur Hour, Act I, Theater of War,” Feb. 27, 2015 (describing creative delivery of basic health and safety training).

³⁸ Interviews.

³⁹ Cisco, “CSR Report 2015,” available at http://www.cisco.com/assets/csr/pdf/CSR_Report_2015.pdf.

While a precise formula to measure effectiveness does not exist, companies must find ways to demonstrate the value of human rights training. Data on the effectiveness can be used to improve the training, which eventually leads to better outcomes for rights-holders, and will help justify funding for ongoing training programs.

Borrowing from the field of business ethics, some practitioners have proposed a “Robustness” and “Effectiveness” framework to track effectiveness of anti-corruption programs.⁴⁰ “Robustness” refers to the good-faith development and implementation of the program, e.g. training 75% of the workforce on human rights. “Effectiveness” metrics track understanding and implementation of the content, e.g. a follow-up survey with trainees 6 months after the training to track understanding and retention of key messages and behavior changed as a result of the training.

The next two sections provide guidance on measuring quantitative and qualitative metrics. Robustness indicators are primarily found in the description of quantitative measurements below, and effectiveness criteria are found primarily in the qualitative section below.

1. Quantitative Measurements

While still in early days, quantitative frameworks are emerging that attempt to measure causal relationships between training and reduced human rights impacts. A few examples of good practice:

Outputs, Outcomes, and Impacts Framework

BSR’s HERproject uses an “output,” “outcomes,” and “impact” framework to measure the effectiveness of in-factory women’s health training programs.⁴¹ The quantitative measurement framework tracks metrics attached to these three concepts.

- **Output metrics.** The number of trainings conducted, the number of people trained, and other objective metrics that can be collected once the training has occurred.
- **Outcome metrics.** Behavior change due to the training. Quantitative measurements track the number of health grievances reported (an initially higher number reported supports the link that training is working), the number of confirmed workplace incidents in the factory, the number of follow-up action plans completed, etc.
- **Impact metrics.** The actual impact on rights-holders due to the training, such as the reduced number of health issues at the on-site clinic over a period of time, and reduced absenteeism and turnover due to proper healthcare practices.

The framework is not perfect in terms of drawing a causal link between training and impact, but it provides a framework to begin capturing key concepts underpinning the attribution of training to real-world impact. A similar approach could support data for human rights training programs.

⁴⁰ Jonathan Drimmer and Matthew Herrington, “Developing Key Performance Indicators and Tracking Metrics for an Anti-Corruption Program (Two Part Series),” The FCPA Report, Feb. 24, 2016.

⁴¹ HERproject, more details on the impact measurement framework and Return on Investment (ROI) of in factory training programs is available at <http://herproject.org/>.

Isolating and Measuring Elements of Human Rights Impacts

One interviewee recommended a measurement approach focusing on the non-occurrence of adverse human rights events. The approach begins at the micro-level by isolating the elements of the human right at stake and attaching quantitative measurements to the elements wherever possible. Quantitative measurements may become apparent once the key elements of the right are isolated.

For example, a forced labor violation involves several elements, including restricting an individual's freedom to leave a job. One way this manifests itself is through passport confiscation. If a company knows that 1500 passports were confiscated by labor recruiters supplying workers to a first-year supplier last year, eventually the company would like to see zero passport confiscations. While it may not demonstrate that forced labor has been 100% eradicated, reducing passport confiscation offers a quantifiable data point that the problem may be declining. This is the type of measureable goal that can be quantified after a human rights training or capacity building is delivered to the supplier, assuming accurate supplier data.

2. Qualitative Measurements

Several companies with human rights training programs obtain qualitative feedback from multiple sources on the effectiveness of the training. While not always as singularly compelling as quantitative data, practitioners did not downplay the usefulness of qualitative data. Anecdotal evidence of success is still evidence of success, and has been used to justify the broader deployment of training.

Qualitative feedback can be obtained through several methods, depending on the timing and target audience. Popular methods include:

- Focus groups before the training to test and review the content
- Anonymous feedback channels to collect feedback after the training
- Formal surveys and questionnaires; rapid benchmark assessments before and after training
- Follow-up interviews with trainees one month, 3-months, 6-months, and one year after the training to test retention of key messages⁴²
- Observation during training

Appendix III provides a chart with several recommended forms of obtaining feedback before, during, and after training is delivered.

3. Triangulating Data Inputs

Quantitative and qualitative data on training effectiveness should be triangulated to provide an accurate view. Data triangulation helps avoid confirmation bias and subjectivity in data inputs. If similar findings emerge from several triangulated sources, the conclusion reached is more robust. Conflicting answers may mean that conclusions are not clear and that research methods need to be reconsidered. Data triangulation should be used particularly

⁴² Interview.

where only subjective qualitative data is being collected.⁴³ Appendix IV provides an example of data triangulation.

While the challenge of collecting robust evaluative data on the effectiveness of human rights training remains, practitioners should seek to incorporate at least qualitative data, and strive to incorporate quantitative data wherever possible.

4. Conclusion

Important elements of the corporate responsibility to respect human rights outlined in the Guiding Principles includes to build capacity among employees and business partners to understand their human rights impacts, to identify and avoid risky situations, and avoid to cause, contribute or be directly linked to negative human rights impacts on rights-holders. Effective employee training is a cornerstone of achieving that vision.

An individualized training approach designed to meet the needs of your company will yield the most benefit to employees, at-risk rights-holders, and the business through smart allocation of limited resources. One single training activity will not in itself create overnight behavior change. Training is one of many tools in the Guiding Principles toolbox to reduce the risk of human rights harm.

As one interviewee reflected, “We can’t expect behavior change through training alone. We use training as an entry point to raise awareness. But we can’t necessarily believe that they will change the way that they work, or that business processes will change immediately.”⁴⁴ A robust training program is the first entry point toward embedding human rights into the corporate mindset, culture, and processes so that over time respect for human rights becomes business as usual.

⁴³ Office of the High Commissioner for Human Rights, “Evaluating Human Rights Training Activities: A Handbook for Human Rights Educators,” 2011.

⁴⁴ Interview.

5. Appendices

The following resources and tools can be used to help develop human rights training programs.

Appendix I: Sample Content for All-Employee Training

- 1. Overview & Background of Human Rights**
 - A.** Provide a brief overview of modern human rights, including a discussion of the Universal Declaration of Human Rights (1948) and other fundamental human rights documents.
 - B.** Discuss how the concept of Business and Human Rights came to prominence and culminated around the Guiding Principles on Business and Human Rights in 2011.
 - C.** Provide a brief overview of the commitments required in the Guiding Principles—including building employee capacity on human rights through human rights training.

- 2. Business Case & the Company's Impact on Human Rights**
 - A.** Discuss why the company is committed to the Guiding Principles: customer, investor, stakeholder pressure; ethical reasons; and legal, operational, and/or reputational risk.
 - B.** Discuss human rights impacts, focusing on child/forced labor, discrimination, health and safety, and wage laws.

- 3. Human Rights Risks, Impacts, and Management at the Company**
 - A.** Explain human rights risks in the industry.
 - B.** Reference the company's Human Rights Policy.
 - C.** Provide an overview of the company's management strategy, its Human Rights governance, and performance goals for mitigating risk and promoting opportunities.

- 4. Concrete Actions Employees Must Take in Their Job**
 - A.** Walk through the new anonymous grievance hotline employees should contact if they are concerned about a potential human rights impact.
 - B.** Discuss expectations, including how human rights impacts can only be mitigated over the long term with improved awareness.

- 5. Next Steps**
 - A.** Display the company's human rights intranet page, which includes a web-based slide deck, a video from the CEO discussing human rights, and a discussion forum.
 - B.** Introduce the human rights lead at the company and a calendar of her office hours.
 - C.** Explain that specific training may be coming to their department in the future.

Appendix II: Human Rights Training Plan

Human Rights Training Plan						
Audience	Training Objective	Motivations	Expected Outcome	Business Processes Affected	Process Modifications	Training Modalities
All-Staff	Awareness	Efficiency, relevance	Understand company's	None	None	10-min video

			impact on human rights; where to find more information			
Public Sector Sales Department	Learn new due diligence system (business process)	Efficiency, no additional "red tape", avoid negative headlines / bad reputation, avoid lawsuits, competitive	Understand how to use new sales due diligence tools	Sales due diligence	Designed and built human rights risk filters into the due diligence system	1/2 day in-person workshop; include negative headlines from sales; follow-up "office hours"; distribute easy reference book

Appendix III: Types of Effectiveness Data Collection

Tools	Timing	Type of Data Collected	Purpose
Internal Focus Groups	Pre-training	<ul style="list-style-type: none"> Observe learners interacting with content Interview learners post-training for direct feedback 	<ul style="list-style-type: none"> Test content and messaging with small focus group before rolling-out more broadly
Formal Evaluation Surveys	Post-training	<ul style="list-style-type: none"> Immediate perception and reaction of learners to the training content Formative data to revise training before it's given again 	<ul style="list-style-type: none"> Obtain immediate feedback on the training while still fresh with training audience
Training Observation	During training	<ul style="list-style-type: none"> Observe real-time reactions of trainees Identify content when engagement with trainees is at its highest and lowest levels 	<ul style="list-style-type: none"> Observe trainees reacting to the content in real-time
Debriefing Interviews with learners	Post-training	<ul style="list-style-type: none"> Immediate feedback on training content Ability to probe learners for specific ideas, suggestions Longer-term interviews in 3-month intervals to test retention effectiveness 	<ul style="list-style-type: none"> Obtain more nuance feedback, positive and negative, from participants about what worked what didn't
Informal Discussion with Trainers/Trainees	Post-training	<ul style="list-style-type: none"> Anecdotal evidence of longer-term effectiveness Ideas to improve effectiveness of training 	<ul style="list-style-type: none"> Opportunity to obtain less formal feedback

Appendix IV: Data Triangulation Example

An example of data triangulation is provided in the image below.

