



# stronger together

**tackling modern slavery in supply chains**

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**Tackling modern slavery in global supply chains**

**A toolkit for business**

[stronger2gether.org](http://stronger2gether.org)

October 2017

# STRONGER TOGETHER PARTNERS AND SPONSORS



Please contact [info@stronger2gether.org](mailto:info@stronger2gether.org) or 00 44 (0)1276 919090 if you would like to discuss becoming a sponsor or a partner.

**Stronger Together is a multi-stakeholder initiative that brings together companies, labour providers, industry associations, NGOs and other key actors to address and help businesses tackle modern slavery.**

Stronger Together offers:

1. Good practice guidance and pragmatic resources to support employers and labour providers in at risk sectors to deter, detect and deal appropriately with forced labour, labour trafficking and other hidden labour exploitation;
2. A range of training and support solutions for tackling modern slavery in businesses and supply chains;
3. A network committed to tackling hidden labour exploitation and sharing best practice.

Stronger Together takes a collaborative approach to developing new strategies to support business in addressing modern slavery risks based on the corporate responsibility to respect human rights advanced in the UN Guiding Principles on Business and Human Rights.

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# THE PURPOSE OF THIS TOOLKIT

**This toolkit provides guidance and good practice for responsible businesses to develop a robust strategy to prevent, uncover and report modern slavery, particularly forced labour and human trafficking, which may be occurring within their supply chains.**

It has been developed primarily for staff with responsibility for formulating and implementing corporate strategies to address adverse human rights risks across the whole supply chain. It is targeted primarily at the consumer goods sector<sup>1</sup>, however representatives of other industry sectors operating complex supply chains<sup>2</sup> will benefit from reading it.

By implementing the Stronger Together good practice in this toolkit, businesses will:

- Pursue some of the necessary steps that will help them develop their annual “slavery and human trafficking statement” required under the S54 “Transparency in supply chains etc.” provisions of the UK Modern Slavery Act 2015, the California Transparency in Supply Chains Act (California Civil Code section 1714.43) and other legal requirements addressing modern slavery and human trafficking in supply chains that may be introduced
- Show investors, shareholders, employees, clients, non-governmental organisations (NGOs) and other stakeholders that their business has taken proactive measures to identify and mitigate the risks of slavery and human trafficking in its supply chains
- Display a positive approach to working with employee representatives and workforces in order to prevent worker exploitation
- Demonstrate a commitment to work with others to implement remedial steps should any instances of slavery or trafficking be identified.

**To supplement the information in this toolkit, additional Stronger Together information and resources are available at [www.stronger2gether.org](http://www.stronger2gether.org) See Appendix 2 for further information.**

1. In the context of this document, the consumer goods sector includes: food and beverages, household, health and beauty, garments and general merchandise.

2. Supply chains include: an organisation's direct 'first tier' suppliers, an organisation's indirect 'second and subsequent tier' suppliers – right back to the primary agricultural and extractive stages, labour providers and labour sourcing agents at all levels of the supply chain, services used, such as catering, security, office cleaning, the logistics and distribution of products, such as transport, shipping warehousing and final delivery, and contracting-out businesses that provide manned services to the organisation's direct and indirect suppliers.

# HOW TO USE THIS TOOLKIT

**This toolkit is divided into 16 sections.**

Sections 3 - 8 (pages 4 - 13) provide useful information on modern slavery including key definitions, current prevalence and how to identify enslaved and trafficked persons.

Section 9 (page 17) outlines the role of responsible business in tackling modern slavery and underscores the key legal, reputational and business triggers for proactively intervening to eradicate it in business operations.

Section 10 (page 20) introduces a strategic framework based on six key actions that businesses and supply chains can use for tackling modern slavery, inspired by the UN Guiding Principles on Business and Human Rights.

The Tools and Resources section (page 38 onwards) signposts many useful forms of awareness-raising and capacity-building guidance materials addressing modern slavery or business-related human rights issues that are available free to download from [www.stronger2gether.org](http://www.stronger2gether.org). It includes useful templates and guidance that can be adapted and modified to suit a business's or supply chains' needs.

This toolkit has been written using straight forward language and is user-friendly. Users should not feel bound to read the toolkit from cover to cover but rather, dip in and out of sections consulting the most relevant one(s) based on their needs and level of awareness of the issue.

TWO



# WHAT IS MODERN SLAVERY?

Slavery and forced labour are generally rooted in poverty, inequality and discrimination; motivated commonly by the pursuit of financial profit at the expense of vulnerable and unprotected workers.

## MODERN SLAVERY<sup>3</sup>

This is a broad term used to encompass the offences of slavery, servitude and forced or compulsory labour and human trafficking. The term extends to slavery-like practices such as debt bondage, sale or exploitation of children and forced or servile marriage. While varied in nature, all involve one person depriving another person of their liberty, in order to exploit them for personal or commercial gain<sup>4</sup>.

## FORCED LABOUR<sup>5</sup>

Refers to “all work or service which is exacted from any person under menace of any penalty” for which he or she has not offered themselves voluntarily. People are in a forced labour situation if they enter work or service against their free will and cannot leave it without penalty or the threat of penalty. This does not have to be physical punishment or constraint. It can also take other forms, such as the loss of rights or privileges, retention of identify papers or threats of denunciation to immigration authorities.

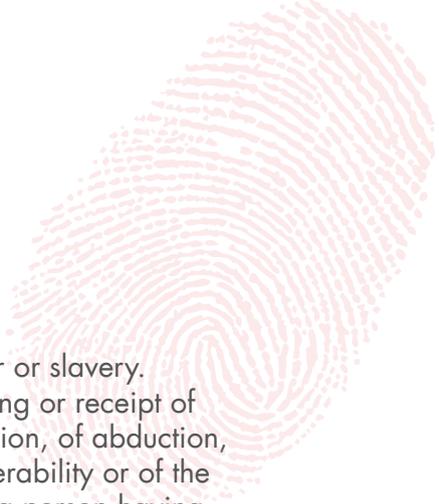


THREE

3. See OHCHR *Abolishing Slavery and its Contemporary Forms* - David Weissbrodt and Anti-Slavery International

4. For a model definition of terms, see Article 5. UNODC *Model Law against Trafficking in Persons*

5. International Labour Organisation, *Combating Forced Labour, A Handbook for Employers and Business*, 2015, definition from ILO Convention No. 29 (1930) [http://www.ilo.org/wcmsp5/groups/public/-ed\\_norm/-declaration/documents/publication/wcms\\_101171.pdf](http://www.ilo.org/wcmsp5/groups/public/-ed_norm/-declaration/documents/publication/wcms_101171.pdf)



## TRAFFICKING IN PERSONS<sup>6</sup>

Trafficking in persons, or human trafficking, can lead to forced labour or slavery. Trafficking is the act of “recruitment, transportation, transfer, harbouring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

When trafficking leads to forced labour, people are tricked and deceived or coerced into travelling to a job that either never existed or, if it did, does not meet the agreed terms and conditions. It is important to note that:

- The victim may consent to the travel, for example in cases where they are deceived by the promise of a better life or job or where a child is influenced to travel by an adult;
- Travel need not be cross border but may be within country;
- The exploitation of the potential victim does not need to have taken place - simply that the movement of the individual was with a view to exploiting them.

## BONDED LABOUR

Also known as debt-induced forced labour and debt bondage. This involves the taking of a loan or an advance of wages by a worker from an employer or labour recruiter in return for which the worker pledges his or her labour and sometimes that of family members to pay back the loan<sup>7</sup>. Debts may be passed onto the next generation.

**Stronger Together is focused on supporting businesses to tackle these most extreme forms of labour exploitation.**

6. Defined in the United Nations Convention against Transnational Organized Crime Protocol to Prevent, Suppress and Punish Trafficking in Persons Article 3, paragraph (a).

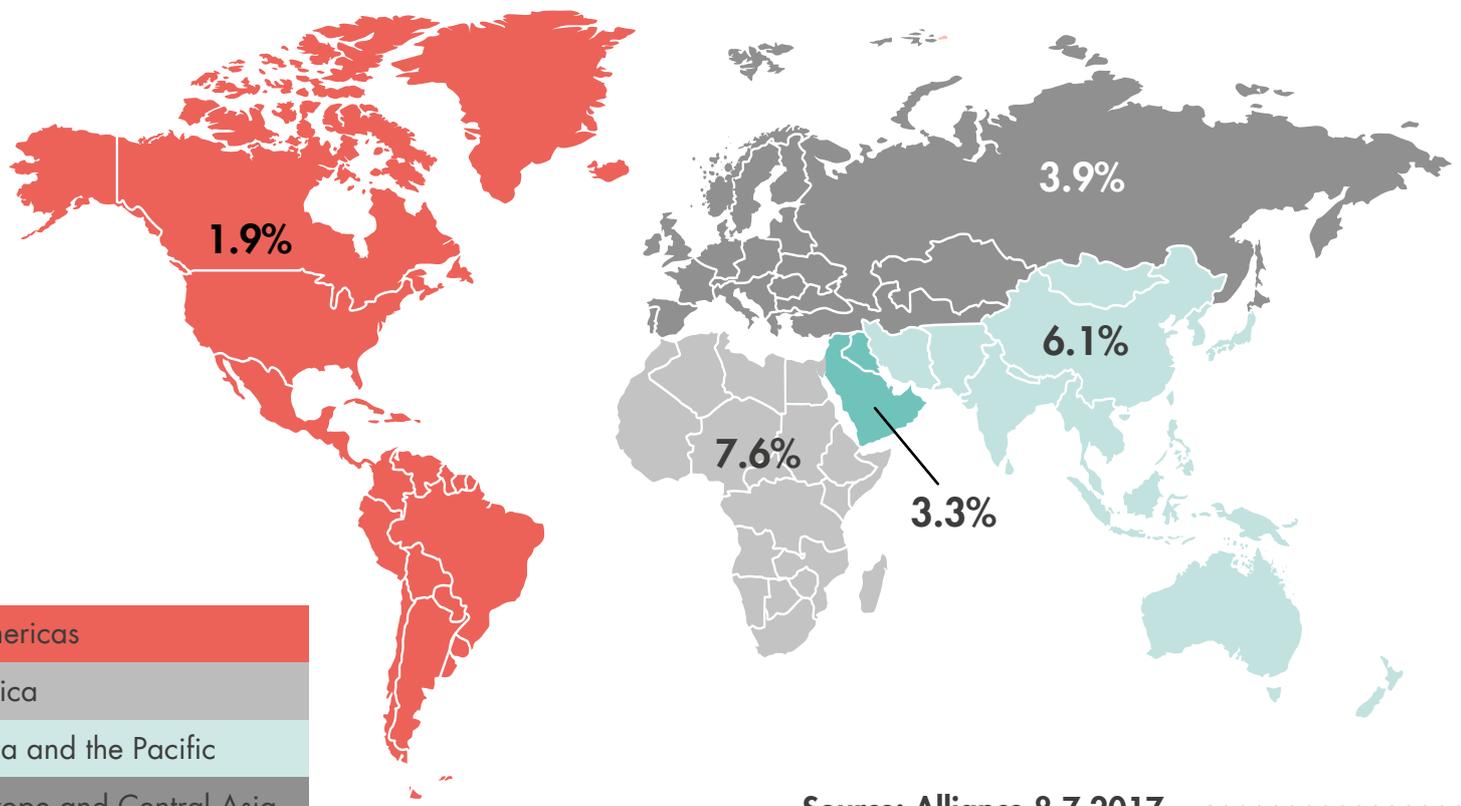
7. International Labour Organisation, *Combating Forced Labour, A Handbook for Employers and Business*, 2015 [http://www.ilo.org/wcmsp5/groups/public/-ed\\_norm/-declaration/documents/publication/wcms\\_101171.pdf](http://www.ilo.org/wcmsp5/groups/public/-ed_norm/-declaration/documents/publication/wcms_101171.pdf)

# THE SCALE OF MODERN SLAVERY

Slavery was abolished but never eradicated. In 2016, around 40.3 million men, women and children globally were victims of slavery<sup>8</sup>. Of these, 24.9 million were in forced labour in sectors such as construction, manufacturing, mining, utilities, agriculture, forestry, fishing and domestic work.

The trafficking of people and labour exploitation has become one of the fastest growing criminal industries, second only to the drugs trade. The ILO reports that trafficking in persons has an **annual trade value of around US\$150 billion per year**<sup>9</sup>. Two thirds, or US\$99 billion, of this trade is commercial sexual exploitation, while another US\$51 billion results from forced economic exploitation.

**Alliance 8.7 estimates of modern slavery as a % of total population by region<sup>10</sup>**



Americas
Africa
Asia and the Pacific
Europe and Central Asia
Arab States

Source: Alliance 8.7 2017

8. <http://www.alliance87.org/> ; <http://www.ilo.org/global/topics/forced-labour/lang-en/index.htm>  
 9. [http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_243201/lang-en/index.htm](http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_243201/lang-en/index.htm)  
 10. <http://www.alliance87.org/2017ge/modernslavery#!section=8>

# WHAT ARE THE MODELS OF FORCED LABOUR IN SUPPLY CHAINS?

There are four overarching models of forced labour in supply chains:

## STATE SPONSORED OR CONTROLLED

Such as forced prison labour or the annual mobilisation of children, public employees, the elderly and others to harvest agricultural crops.

## RECRUITMENT INTERMEDIARY CONTROLLED

Sourcing agents, labour brokers or any person providing labour can abuse their position in a variety of ways. This includes: charging recruitment fees, contract switching, debt bondage or retention of wages. They could also impose penalties that have the effect of holding workers in a forced labour situation. The employer may be complicit, negligent, naïve or genuinely duped by convincing and manipulative intermediaries.

## EMPLOYER CONTROLLED

An employer who knowingly holds workers in forced labour and/or applies conditions that have the effect of creating forced labour such as debt bondage, retention of wages, penalties, exceptionally low wages and excessive hours.

Employers may outsource work to illegal or uncontrolled sub-contractors or engage workers through a labour supplier at prices which can only be achieved through worker exploitation.

## GANG/EXPLOITER CONTROLLED

Organised criminal gangs and exploitative individuals who "recruit" workers and force them to work for legitimate employers and labour providers without these businesses being aware that the workers are being controlled.

This may include rogue supervisors, consultants and workers within good employers and labour providers who control workers to these same ends.

**Businesses need to be aware of the different models of forced labour that exist and work with their suppliers to address these risks.**

# WHO IS AT RISK OF BEING A VICTIM OF FORCED LABOUR?

**Forced labour involves one person or a gang depriving another person or group of people of their liberty in order to exploit them for commercial gain. Forced labour can happen in every country.**

The risks of slavery and forced labour increase where there is a supply of vulnerable people. Some groups are particularly at risk because of their gender, ethnic background, relative poverty or disability or migrant status:

- Workers who are part of a **group** that has **suffered a long-standing pattern of discrimination**  
For example, indigenous and tribal peoples in Latin America or low castes in south Asia
- Women workers
- Workers employed in **informal enterprises** including home-based workers and those in geographically remote rural areas
- **Displaced persons** forced to migrate because of **war** or **persecution**
- **Young people** and **unskilled** or **illiterate** workers who may be less aware of their legal rights than older, more skilled and better educated workers
- **Migrant workers**<sup>11</sup>, particularly those with an irregular status, whose vulnerability can be exploited through coercion.

Not having the appropriate immigration status or legal right to work in the country where they are located puts individuals seeking paid work at high risk of exploitation. In the majority of situations, victims rescued from forced labour situations have the right to work in that country.

**Migrant and displaced workers are particularly susceptible to being trapped in a forced labour situation because:**

- Their situation may mean that they must accept any work just to eat and survive
- Their work options are more limited, particularly where they have limited local language skills
- They may expect to pay for work if it is common practice in their own country
- They may be lured by “package deals” – transport, accommodation and work
- They trust fellow countrymen who make convincing but false promises of being able to arrange regular work and good pay
- They are targeted by exploiters and criminal gangs who know how to spot “easy victims” who are easier to control by threats or penalties to the worker or his or her family.

Modern slavery is a particular risk in sectors that are labour intensive and/or characterised by a high proportion of workers, often migrants, undertaking unskilled and irregular work and often supplied through recruitment intermediaries. Unskilled labourers from low wage countries may see working abroad as one of the only means of feeding their families and climbing out of poverty.

These sectors include food, garment and general merchandise manufacturing, agriculture and forestry; fishing and maritime; mining, utilities and construction; cleaning, catering and hospitality services in hotels, restaurants and bars.

11. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families defines a migrant worker as “a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a state of which he or she is not a national”. In some cases, “internal” migrant workers who are recruited within a country may face similar risks as those crossing international borders.”

# SPOTTING THE SIGNS OF EXPLOITATION IN VICTIMS

There is no set number of indicators for determining whether a person is a victim of trafficking or forced labour. Some signs may be more prevalent than others and each case should be considered on an individual basis. Staff who manage suppliers and labour providers should be trained to understand and spot the signs below within the context of other evidence (see Appendix 8 Supplier Questionnaire).

## PHYSICAL APPEARANCE

Exploited applicants and workers may show signs of physical or psychological abuse and/or appear:

- Malnourished
- Dirty
- Frightened, withdrawn and confused
- They may have injuries that seem to be the result of an assault.

## FEW OR NO PERSONAL POSSESSIONS

Exploited workers may have:

- No money
- No personal items such as purses, wallets or jewellery
- Few clothes. They may wear the same items all the time, or wear clothes that are unsuitable for work
- No mobile phones as they have been confiscated to prevent them from social interaction with their family and friends
- Little or no food.

## ISOLATION AND CONTROL

Exploited workers are rarely left to be on their own and may seem under the control and influence of others for example:

- Others present their identification documents and speak for them at recruitment
- Others try to book them onto shifts or speak on their behalf when answering calls regarding their availability to work
- One person speaks on behalf of a number of workers and the victims look to him or her for support or permission
- They are accompanied to work and back. For example, a driver may drop off and collect them.

## RELUCTANCE TO SEEK HELP

Exploited workers may be reluctant to seek help and may:

- Avoid eye contact
- Appear frightened
- Be afraid to talk
- Reject help when offered. This is often because they don't know who to trust or fear retribution.

Factors which further increase the risks faced by individuals include:

- Outsourcing of labour recruitment or employment to third parties
- A lack of awareness amongst communities of modern slavery meaning they fail to spot the signs of slavery or raise the alarm if they do
- Governments that lack the willingness and/or the resources to meet their obligations to reduce the risks of modern slavery and protect victims of slavery
- Businesses that apply unrealistic cost or time pressures on suppliers.



# HOW DO EXPLOITERS CONTROL AND EXPLOIT THEIR VICTIMS?

Exploiters and gangs use well practised methods to find, subdue, hold, break, control and maximise the economic return from modern slavery victims, making the means of escape or discovery extremely difficult.

## Workers are brought into slavery through<sup>12</sup>

- Birth into “slave” or bonded labour
- Physical abduction or kidnapping
- Sale of a person into the ownership of another
- Physical confinement in the work location – in prison or private detention
- Psychological compulsion i.e. an order to work, backed up by a credible threat of penalty
- Deception or false promises about types and terms of work
- Retention of identity documents or other valuable possessions.

## Workers are kept in slavery through<sup>13</sup>

- Actual and threatened physical violence against workers, their family or close associates
- Deprivation of food, shelter or other necessities
- Holding victims’ bank cards in order to take their wages, control their bank accounts, take out loans and other such arrangements
- Removal of rights or privileges including withholding of passports and other identification documents
- Financial indebtedness – having to pay off monies owed for items such as transport and food
- Threat of denunciation to authorities (police, immigration etc.) and deportation, sometimes by making them complicit in crime such as benefit fraud
- Threat of exclusion from future employment
- Isolating the victims from others and the local community by transporting them, restricting their accommodation, appointing “supervisors” to oversee them and speaking on their behalf
- Actual or threatened sexual violence
- Actual or threatened shift to even worse working conditions or exclusion from future employment
- Imprisonment or other physical confinement
- Being trapped through alcohol or drug dependency
- Lack of knowledge of rights and how to enforce them
- Distrust or fear of state authority
- A sense of shame and low self-worth.

In many cases, victims of slavery and trafficking are unable to complain and need to be noticed, reported and rescued by others.

12. Adapted from International Labour Organisation, *Combating Forced Labour, A Handbook for Employers and Business*, 2015  
[http://www.ilo.org/wcmsp5/groups/public/-ed\\_norm/-declaration/documents/publication/wcms\\_101171.pdf](http://www.ilo.org/wcmsp5/groups/public/-ed_norm/-declaration/documents/publication/wcms_101171.pdf)

13. Adapted from International Labour Organisation, *Combating Forced Labour, A Handbook for Employers and Business*, 2015  
[http://www.ilo.org/wcmsp5/groups/public/-ed\\_norm/-declaration/documents/publication/wcms\\_101171.pdf](http://www.ilo.org/wcmsp5/groups/public/-ed_norm/-declaration/documents/publication/wcms_101171.pdf)

# HOW DOES THIRD PARTY EXPLOITATION HAPPEN IN PRACTICE?

**Hidden third party labour exploitation occurs within all types of business, including decent and responsible organisations. In addition, certain types of recruitment, labour supply or supervisory model make it easier for exploitation to flourish.**

The exploiters hold a position of power over their victims and abuse this for personal gain. It is well hidden and the victims are reluctant or too frightened to come forward.

Employers and labour providers often do not recognise the signs of third party labour exploitation occurring within their business or know how to deal with it once uncovered.

Hidden third party methods of labour exploitation include:

- **Work finding exploitation:** A labour sourcing agent who offers workers to a labour provider or employers “free of charge” which inevitably results in the worker paying a fee. Alternatively, this could involve someone acting informally as a work-finding agent who charges the worker for this service. They may pose as a relative, friend or helpful interpreter.
- **In work exploitation:** A recruitment consultant who charges workers a one-off recruitment or ongoing placement fee without the knowledge of the labour provider management.
- **Accommodation based exploitation:** An employer supervisor who, without the knowledge of management, selects workers on the basis that they use his sublet accommodation; or a landlord holding workers in debt bondage and controlling their bank accounts.
- **Organised criminal gangs and exploiters:** An organised gang that traffics workers and holds them in forced labour.

These methods of hidden third party labour exploitation are explained in more detail on the following pages.

## WORK FINDING EXPLOITATION

At its most informal, this could be an entrepreneurial individual described as a “friend” of the migrant worker or workers. At a more organised level, it could involve established labour sourcing agencies, often based in the countries where workers are sourced.

Whatever the setup, the most common exploitation methods involve variations on the following:

**The “helpful” entrepreneur:** Usually speaks good English/the local language and is well connected in a local migrant community. May position themselves as a friend, relative or Good Samaritan looking to help migrants find work. May escort them to the labour provider and/or place of employment. Often acts as an interpreter. He or she may start doing this as a favour, latterly spotting an opportunity to earn a bit of money providing this service. Although the intention could be completely benign to begin with, there is a risk that the situation could become more exploitative with the growing opportunity to earn increasing sums of money. Workers may experience varying levels of coercion, force and intimidation. By introducing workers, this person is operating in the capacity of employment agent or gangmaster and is consequently subject to the relevant UK legislation. In cases where the labour provider or employer are aware of these actions, they are also subject to the relevant legislation.

**The “piggy back” scam:** An individual copies an employer’s or labour provider’s logo from their website and mocks up job adverts and offer letters passing themselves off as part of a legitimate business. The fraudster posts bogus adverts on classified advertisements websites and elsewhere. Victims are dealt with remotely by phone and email but do not actually meet the scammer. They will be tricked into paying fees up front for work-finding services, transport and related costs.



Jobseekers have usually received only flimsy promises of work, but are told to report to the targeted employer or labour provider at a particular date and time. They will have been given poor or misleading information intentionally about the location or nature of the job. On arrival, workers discover that there is no work available, and that the company has no knowledge of the “supplier” the workers had been dealing with.

A variation on this scam is that workers pay fees in their home country and are told to meet someone at a key location such as a coach station. There, they receive further information, and are asked to pay additional fees. On arrival at the place of work, the employer says he was not expecting them and has no work of the type they were promised. However, workers are offered a different type of work for lower wages. The workers feel that they have no choice but to accept these unfair conditions. In such cases, the employer may actually be colluding with the other exploiter.

**Charging recruitment fees<sup>14</sup>:** A labour provider or employer may use the services of a labour sourcing agency to source or supply workers. Migrant workers are usually sourced from their home countries, but can sometimes come from local migrant communities in the same country.

Recruitment fees should be a business cost, not a cost for the jobseeker. Where a labour provider or employer uses the service of a labour sourcing agency, sufficient fees should be paid to the agency for there to be a sustainable business model.

ILO Convention 181 Article 7 (1) states that private employment agencies shall not charge directly or indirectly, in whole or in part, any fees or costs to workers or jobseekers. Thirty two countries have ratified the Convention.

In September 2016, the Tripartite Technical Meeting of Experts to Develop Guidance on Fair Recruitment held at the ILO in Geneva adopted the General Principles and Operational Guidelines on Recruitment. The Principles and Guidelines include a breakthrough principle that “no recruitment fee or other costs should be charged to workers and job-seekers”. The principle applies to all workers without discrimination or exemption, applies to all workers, whether low skilled or highly skilled, in the private or public sectors. This is a step further than what is stipulated in the ILO Convention 181.

In line with the ILO, a number of companies (and in some cases entire sectors) are beginning to commit to eliminating recruitment fees charged to workers. This includes:

- a. The Leadership Group for Responsible Recruitment, a collaboration between leading companies and expert organisations to drive positive change in the way that migrant workers are recruited, which have committed to the Employer Pays Principle
- b. The World Employment Confederation, representing the employment industry at a global level. Principle 3 of its Code of Conduct is “respect for free-of-charge provision of services of jobseekers”
- c. The Electronic Industry Citizenship Coalition, representing major electronics companies whose members have agreed the principle that “workers shall not be required to pay fees for their employment”
- d. The Consumer Goods Forum (CGF), representing retailers, manufacturers and service providers globally. It has produced a set of Forced Labour Priority Industry Principles which state that: every worker should have freedom of movement; no worker should pay for a job; and no worker should be indebted or coerced to work<sup>15</sup>
- e. The Global Social Compliance Programme (GSCP) is a business-driven programme open to buying companies (brands and retailers) across all sectors and geographies. The GSCP code of conduct includes the provision that “suppliers shall not use any form of bonded labour nor permit or encourage workers to incur debt through recruitment fees, fines, or other means”<sup>16</sup>

14. Any fee, charge or costs, may be a recruitment fee regardless of whether the payment is in property or money, deducted from wages, paid back in wage or benefit concession, paid back as a kickback, bribe, in-kind payment, free labour, tip or tribute, remitted in connection with recruitment, or collected by an employer or a third party including but not limited to: labour providers providing recruitment and/or employment services; subsidiaries/affiliates of the employer; any agent or employee of such entities; and subcontractors, sub agents and brokers at all tiers

15. <https://www.ihrb.org/employerpays/leadership-group-for-responsible-recruitment>

16. <http://www.theconsumergoodsforum.com/strategic-focus/social-sustainability/forced-labour-priority-industry-principles> <http://www.theconsumergoodsforum.com/gscp-our-work/reference-tools>

- f. International Recruitment Integrity System is a multi-stakeholder system for labour recruiters to support ethical recruitment of migrant workers. Principle 1 of the IRIS Standard is the “prohibition of recruitment fees and related costs to migrant workers”<sup>17</sup>
- g. Clearview, the global labour provider certification scheme which is aligned to international standards including the IRIS standard and Global Social Compliance Programme.

The charging of recruitment fees in supply chains is able to prevail, not only because of the vulnerability of migrant workers to exploitation, but also the complexity of labour sourcing models, which can make them difficult to monitor and detect. Labour supply chains often involve numerous parties, in many cases through informal relationships where terms and conditions are poorly defined. There can be many tiers of subcontracting in recruitment channels, involving sub-agents, brokers and middlemen, operating with or without written contracts. Smaller labour providers may also contract with agencies abroad to manage international recruitment processes<sup>18</sup>.

Hidden charges: Alternatively, or additionally, jobseekers may be forced to pay for services that are overpriced, unnecessary, for which there is no real choice, or are entirely fictitious.

Some chargeable services may be described as optional, but are so integral to the work-finding process that they are in fact a work-finding charge. This could include: providing information, advice and guidance on job vacancies; checking documentation required as part of the recruitment process; interview and assessment fees; completing recruitment-related paperwork; charging for translation of standard documents; sending documents to the hiring employer or fees associated with guaranteeing a placement or work for the following season.

Where additional goods or services are offered to jobseekers by labour sourcing agencies and labour providers they must be:

- Genuine, optional, meaningful and distinct from activities necessary for finding a person work
- Properly explained so that jobseekers understand that goods or services on offer are not compulsory
- Structured so that the jobseekers that take up the offer are not unduly favoured and do not receive preferential treatment compared to those who do not.

## IN WORK EXPLOITATION

Operating without the explicit knowledge of their managers, a rogue employer supervisor, worker or labour provider consultant may be acting alone or colluding with others or in association with an external gang to exploit workers for personal gain.

- The employer supervisor dictates which agency or casual workers get work, are given overtime or can be transferred from temporary to permanent status. Agency or casual workers can be required to pay cash bribes or kickbacks from wages. The supervisor ensures that he remains close to these workers if anyone in authority attempts to speak to them.
- The labour provider consultant has the power to dictate which agency workers get work or are sidelined on each shift, or can even terminate their employment. They receive the better paid or more regular jobs and may be able to fraudulently amend timesheets to add hours or ghost workers. They could implement a regular turnover of workers, in order to extract bribes for work upfront. They may also demand payment for guaranteeing future work.
- Worker at labour provider or employer could be an individual with good English/local language skills who may be regarded as an asset and used as an unofficial translator and organiser.

17. <https://iris.iom.int/iris-standard>

18. *Eliminating Recruitment and Employment Fees Charged to Workers in Supply Chains. A Practical Step-by-Step Guide for Retailers, Brands, Employers and Labour Providers* available at <http://responsiblerecruitmenttoolkit.org/>

This person may claim special connection with the labour provider or employer managers and claim to, or actually have, the authority to organise work for fellow workers. They may be a minibus driver who has the power to choose who gets on the bus to work and who doesn't, and may introduce "friends and relatives" to the employer. Once again, they may be acting benignly or may be using varying levels of coercion, force and intimidation. They may require payment or other favours for services. They may take a fee for organising work and or transport, either directly or through a third party contact.

## **ACCOMMODATION BASED EXPLOITATION**

- Labour provider consultant/employer supervisor controlled: Access to work may be made dependent on using a connected person's accommodation. There could be threats of no work if the worker leaves the accommodation and eviction if the worker leaves the job. The perpetrator may charge higher amounts for accommodation than the amount actually earned and reduce workers' hours as part of this process, to create a debt relationship.
- The rogue landlord: Accommodation may be provided free of charge on the basis of "pay me when you can or when you are working". This arrangement will immediately put the worker into debt and allow the landlord to apply uncontrolled interest rates, thereby trapping the tenants.

Accommodation may be unhygienic, unsafe, unlicensed and overcrowded. There will be no licence or tenancy agreement in place. Prohibitive interest rates will be applied through intimidation and force. There may be threat of violence or other detriment if they leave the accommodation.

This model enables people to be controlled without link to the provision of work. It may be tied into organised criminality.

## **ORGANISED CRIMINAL GANGS AND EXPLOITERS**

The business model of organised criminal gangs and exploitative individuals is based on:

- Recruiting their own team of workers
- Establishing control, dependency and entrapment through the methods explained in the previous section
- Forcing their victims to apply for work without telling the employers and labour providers that they are being controlled
- Retaining the victims' wages and exploiting whatever other opportunities there are to maximise revenue from them such as fraudulent claims for benefits and tax credits, bank loans and credit cards
- Establishing surveillance systems to monitor whether their activities are in danger of being exposed
- Rapidly moving workers when there is the potential of being caught out
- The security of knowing that they are unlikely to be caught, and, if so, the penalties are relatively minor.

# THE ROLE OF RESPONSIBLE BUSINESS IN TACKLING MODERN SLAVERY

**Forced labour, human trafficking and related forms of modern slavery can occur within the supply chains of any business where at-risk and vulnerable workers are knowingly or unknowingly employed. Responsible businesses put tackling the most extreme forms of labour exploitation at the heart of their business and human rights strategies.**

Your business needs to take responsibility for tackling modern slavery for a number of reasons:

## LEGAL COMPLIANCE

Forced labour and human trafficking are punishable as crimes in most countries around the world and businesses involved in such activities could face prosecution. Under national and state legislation such as the UK Modern Slavery Act 2015<sup>19</sup>, the California Transparency in Supply Chain Act 2010<sup>20</sup> and the French Corporate Duty of Vigilance law<sup>21</sup> certain businesses are required to undertake due diligence and practical steps to ensure there are no incidences of slavery or human trafficking in their supply chains. In addition, the vast majority of ILO member states have ratified Conventions 29 and 105 on forced or compulsory labour and the “Palermo Protocol” against human trafficking. In 2014, the ILO added a new Protocol to the existing ILO Convention 29 on Forced Labour from 1930. This Protocol sets legal requirements for states which include taking steps and applying due diligence in both the public and private sectors to prevent and respond to risks of forced labour, provide victims with protection and access to effective remedies<sup>22</sup>. The EU Temporary Agency Work Directive, 2008/104/EC Article 6.3 also bans the charging of fees to agency workers: “Temporary-work agencies shall not charge workers any fees in exchange for arranging for them to be recruited by a user undertaking, or for concluding a contract of employment or an employment relationship with a user undertaking after carrying out an assignment in that undertaking.”

## MANAGING RISK AND REPUTATION

Organisation’s reputations and legal status are put at serious risk by allegations of forced labour and trafficking. Customers frequently state operating ethically is a key determining factor for their purchasing decisions. Businesses – particularly those that supply consumer markets and have significant brand value – face new and growing expectations that production will comply with social and human rights criteria. Businesses that show leadership in this area not only mitigate negative exposure and damage but can also enhance their reputations.

19. <http://www.legislation.gov.uk/ukpga/2015/30/section/54/enacted>

20. <https://oag.ca.gov/SB657>

21. <https://business-humanrights.org/sites/default/files/documents/French%20Corporate%20Duty%20of%20Vigilance%20Law%20FAQ.pdf>

22. [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID,P12100\\_LANG\\_CODE:3174672,en](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID,P12100_LANG_CODE:3174672,en)

## TRADE AND INVESTMENT RISK

In some countries, trade regulations prohibit the import of goods produced by forced or trafficked labour. In these jurisdictions, such allegations can result in confiscation of imported goods by public authorities or disruption to trade and production schedules. Allegations of forced labour and trafficking can also significantly threaten investor relations and jeopardize access to public funds such as export credits.

## COMMITMENT TO UN SUSTAINABLE DEVELOPMENT GOALS<sup>23</sup>



In September 2015, all UN member states agreed a set of global goals – the Sustainable Development Goals (SDGs) – to guide development policy worldwide until 2030.

The SDGs state the need for businesses to “take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms” (Goal 8.7).

In recognition of the magnitude and complex nature of this challenge, the ILO called for the creation of a multi-stakeholder “Alliance 8.7”. This alliance of actors (state, civil society, academic, media, UN agencies), convened in 2016, has been charged with assisting in the elimination of forced and child labour – the achievement of SDG 8.7 – through such action as:

- Coordination of action at the global, regional and country level
- Campaigns and powerful advocacy to increase global awareness
- More effective policies and action plans
- Better monitoring and knowledge sharing.

23. <https://sustainabledevelopment.un.org/sdgs>

In 2017, 37 countries including Brazil, China, the UK and the USA signed a Call to Action to End Forced Labour, Modern Slavery, and Human Trafficking outlining practical actions to be taken to achieve SDG Target 8.7.

The independent international organisation, Global Reporting Initiative (GRI) provides useful resources outlining how your company can approach and support the SDGs: <https://www.globalreporting.org/information/SDGs/Pages/SDGs.aspx>

The particular risk of forced labour that your business faces depends on many factors, including where you operate, which business sector you are in, the nature of your supply chains, who your business partners are and the transparency in your supply chain.

**Eliminating recruitment fees** Until recently, businesses have focussed their efforts to tackle modern slavery on the farms and factories where their products are being grown and manufactured. However, businesses are now starting to recognise that many of the abuses are taking place during the recruitment process, before workers even arrive at the work site. The most abusive practices – such as charging exorbitant recruitment fees to workers and confiscating identity documents – can compel workers into forced labour, where they are working against their will under the threat of some form of punishment. Businesses need to take into account the fact that paying the costs of recruiting workers does not make them immune from illegal practices. Workers may still pay hidden fees and facilitation payments to brokers along the labour supply chain. Eliminating recruitment fees charged to workers is therefore a fundamental step that businesses must take towards ensuring slavery-free supply chains. No worker should pay for a job – the costs of recruitment should be borne not by the worker but by the employer. A formal remediation procedure which includes how workers will be reimbursed for any recruitment fees they have paid is also integral to the process<sup>24</sup>. More information on recruitment fees can be found here <http://responsiblerecruitmenttoolkit.org/>

**This toolkit provides one of the building blocks for business in developing a robust strategy and plan of action for preventing and responding to hidden labour exploitation.**

24. Reference: Eliminating Recruitment Fees Charged to Workers in Supply Chains – available on [www.responsiblerecruitmenttoolkit.org](http://www.responsiblerecruitmenttoolkit.org)

# A STRATEGIC FRAMEWORK TO TACKLE SLAVERY IN SUPPLY CHAINS

Since 2011, the UN Guiding Principles on Business and Human Rights (UNGP)<sup>25</sup> have been viewed as the authoritative global reference on business and human rights. They provide a clear framework that businesses can use to tackle modern slavery in their supply chains.

The UNGP provide a useful global approach for businesses to prevent and address the risk of business-related human rights abuses, including forced labour, trafficking and slavery. Importantly, they were unanimously endorsed by the UN Human Rights Council and have obtained wide acceptance from the business community, trade unions, civil society and governments around the world.

**The Guiding Principles are founded on three pillars:**

1. **Protect** – states have a duty to *protect*, promote and support human rights
2. **Respect** – companies have a responsibility to respect human rights and “do no harm”
3. **Remedy** – both must ensure that victims of business-related abuses have access to effective *remedy*.

While the language of “human rights” is unfamiliar to many businesses, most companies have policies and procedures that cover a number of human rights issues. Examples include occupational health and safety policies or procedures prohibiting the use of child labour or forced labour. The UNGPs recommend that businesses should expand what they already have in place to develop a “human rights due diligence” approach; through which they will be able to assure stakeholders that they are taking reasonable steps to avoid infringing upon the rights of others and tackling infringements where they occur.

Drawing on the UN Guiding Principles’ approach, this Stronger Together toolkit outlines six practical steps for businesses to take when tackling forced labour, human trafficking and modern slavery in their supply chains. This framework is aligned with Institute of Human Rights and Business’s ‘Six Steps to Responsible Recruitment’<sup>26</sup>.

# TEN

25. [http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR\\_EN.pdf](http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf)

26. [https://www.ihrb.org/uploads/member-uploads/Six\\_Steps\\_to\\_Responsible\\_Recruitment\\_-\\_Leadership\\_Group\\_for\\_Responsible\\_Recruitment.pdf](https://www.ihrb.org/uploads/member-uploads/Six_Steps_to_Responsible_Recruitment_-_Leadership_Group_for_Responsible_Recruitment.pdf)

## Six steps for implementing the UN Guiding Principles



Overall ownership and accountability for implementing these six steps should sit at CEO or equivalent level and these individuals should be directly involved in setting the business's commitment to tackling modern slavery. The remaining five steps should be coordinated and implemented by a person or team with sufficient responsibility to engage staff, suppliers and key stakeholders in tackling modern slavery.

# STEP 1: COMMIT

## TO TACKLING MODERN SLAVERY

**The first step of implementing a UNGP approach is for senior management to commit to tackling modern slavery.**

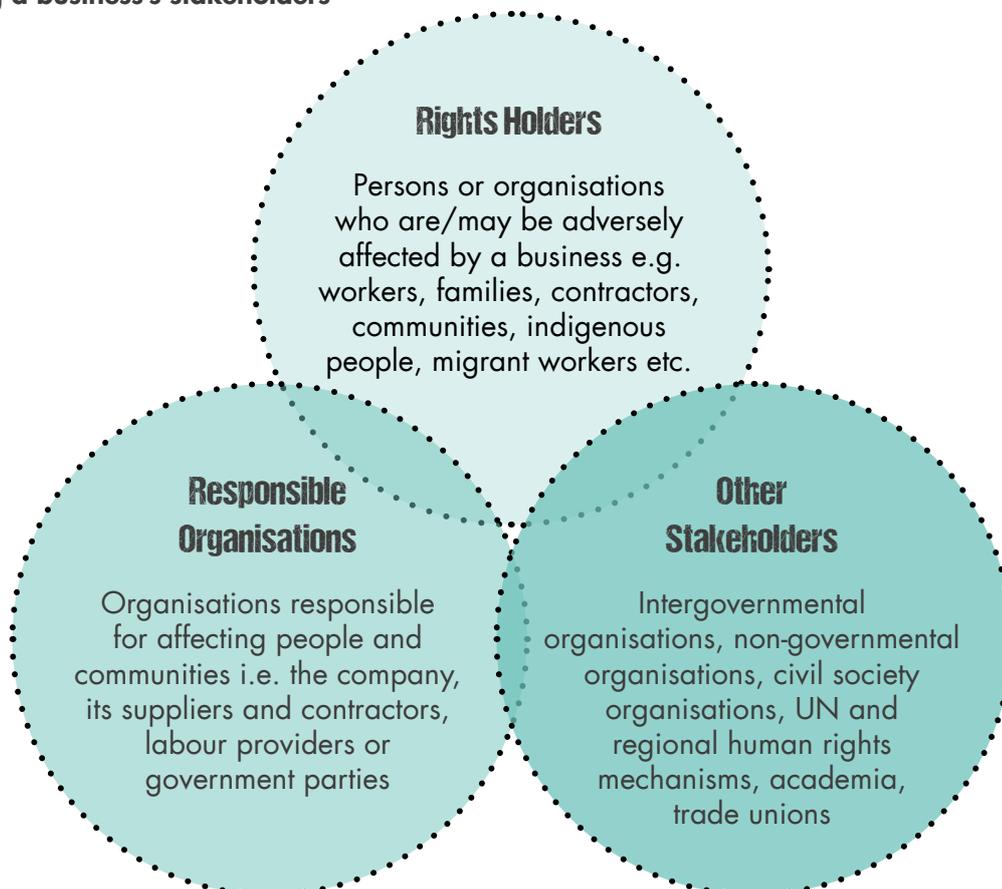
The starting point for businesses to tackle modern slavery is to assign responsibility for addressing human rights risks within the business and supply chain to a Board Director (or equivalent) and for senior managers to form a cross-functional strategic working group.

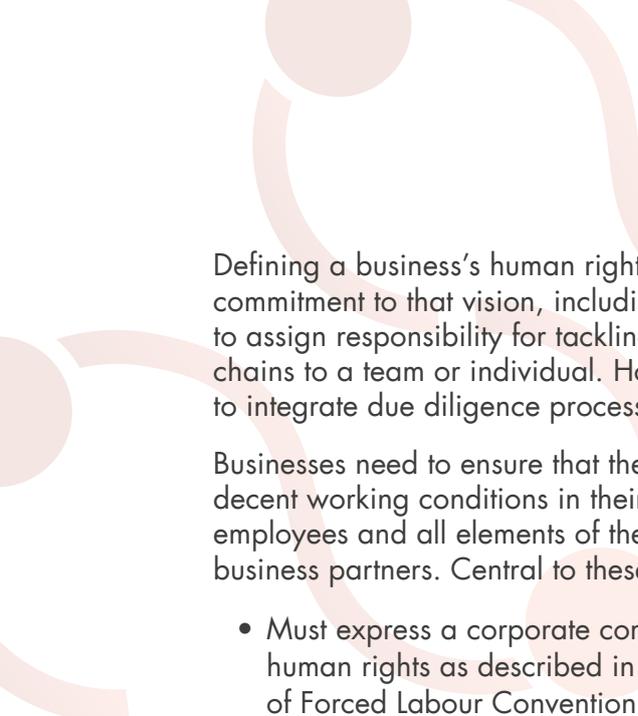
This working group must decide the scope of the business's human rights impact and define the business's vision for tackling modern slavery.

Businesses may be regarded as responsible in whole or in part for modern slavery in their supply chain, regardless of their size, location or type of business. Businesses should think carefully about which rights, stakeholders and situations they can and do affect, whether directly through their own actions, operations, products and services or indirectly through their interaction and relationship with others, including suppliers.

It is important that businesses understand who the people and/or organisations are that are affected by, or can affect, their actions, objectives and policies. These are the business's "stakeholders". Businesses can start by mapping their stakeholders in line with the diagram below in order to work out which individuals and groups they should be engaging with as they develop their strategy.

### Mapping a business's stakeholders





Defining a business's human rights scope and vision will enable senior management to make a commitment to that vision, including allocating sufficient resources. Larger businesses usually need to assign responsibility for tackling modern slavery and forced labour in their business and supply chains to a team or individual. However, it may be possible for small and medium-sized businesses to integrate due diligence processes into core business and decision-making activities.

Businesses need to ensure that they have policies in place that set out their commitment to securing decent working conditions in their supply chain. These policies should include the business's direct employees and all elements of their supply chains including suppliers, sub-contractors and other business partners. Central to these policies may be an Ethical Trade Code of Conduct. The Code:

- Must express a corporate commitment to legal compliance, ethical standards and fundamental human rights as described in the ILO's international law on forced labour such as the Abolition of Forced Labour Convention (C105) and Worst Forms of Child Labour Convention (C182)
- Should be worded to avoid ambiguity and include the prohibition of indirectly benefitting from or contributing to modern slavery
- Should directly address and prohibit practices that are well known to contribute to the risk of modern slavery, such as charging workers recruitment fees
- Should include due diligence requirements in the case of recruitment intermediaries at any stage of recruitment, management or hire
- Are strengthened by integrating specific provisions on key risks, for example eliminating recruitment fees charged to workers, prohibiting compulsory overtime or passport retention. Alternatively, businesses may choose to develop supplementary policies which address severe risks to their businesses or supply chains
- Should be integrated into contracts with suppliers and applied to sub-contractors, business partners, including service providers such as recruitment agencies
- Should include provisions for grievance mechanisms at the highest level of the organisation in order that workers have a confidential and safe process for raising any concerns
- Should take into account sector-specific and multi-stakeholder initiatives' Codes of Practice.

The steps that follow are intended as guidance for businesses making a commitment to tackle forced labour. The scale and complexity of response required will vary according to each business's size, sector, operational context, ownership, structure and severity of adverse human rights impacts. Medium-sized and large businesses, for example, may benefit from preparing a specific modern slavery strategy, while this may be less applicable for small businesses. It is up to the individual business to assess which points are most applicable to their vision and scope.

Businesses that implement an approach to identifying and tackling forced labour in supply chains using the UN Guiding Principles should also consider how this approach sits alongside addressing their business's other human rights impacts.



**COMMIT – MAKE A COMMITMENT AT SENIOR MANAGEMENT LEVEL TO TACKLE MODERN SLAVERY THROUGHOUT A BUSINESS’S SUPPLY CHAIN**

**TICK IF DONE**

**Responsibility: CEO**

- 1 : Give responsibility for addressing modern slavery and human trafficking to a Board level or equivalent Director and senior managers
- 2 : Form a cross-functional strategic working group to tackle modern slavery. Include senior managers, where relevant, from human resources, commercial, technical, procurement, legal & corporate affairs teams.

**Responsibility: Strategic Working Group**

- 3 : Review existing internal knowledge, experience and expertise of tackling slavery. Based on this review, decide whether you need capacity building, training of staff and/or specialist support.
- 4 : Map out your business’s key stakeholders including rights holders, responsible organisations and potential external partners. Include experts, NGOs, industry bodies, relevant initiatives etc. (see earlier diagram on mapping a businesses’s stakeholders)
- 5 : Decide the scope of the company’s responsibility for tackling forced labour and establish a modern slavery vision and objectives
- 6 : Seek agreement from CEO/Board on the vision and objectives
- 7 : Engage internally, communicating the tackling modern slavery vision and objectives and building allies.
- 8 : Develop an implementation plan, allocating roles, responsibilities and resources, clarifying tasks and setting clear expectations and timetables..

**Responsibility: individual/team responsible for implementation**

- 9 : Compile all policy and procedural documents that contain, or should contain, clauses related to tackling modern slavery, for example:
  - a. Company
    - Vision, values and principles
    - Ethical Trade Code of Conduct (See template in Appendix 6)
  - b. Procurement
    - Procurement Policy
    - Tender documents
    - Supplier contracts
    - Service provider contracts and service level agreements
  - c. HR/Training
    - Staff handbooks
    - Disciplinary procedures
    - Anti-Bribery and Corruption policies (See template in Appendix 3)
    - Induction and training programmes
  - d. Recruitment
    - Responsible recruitment principles, including policy towards recruitment fees (see [www.ResponsibleRecruitmentToolkit.org](http://www.ResponsibleRecruitmentToolkit.org))
    - Labour provider contracts and service level agreements
    - Labour provider ethical audit procedure
  - e. Technical
    - Supplier ethical audit procedure
    - Contracts and service level agreements with audit bodies
    - Grievance procedures
    - Access to remedy arrangements

**COMMIT – MAKE A COMMITMENT AT SENIOR MANAGEMENT LEVEL TO TACKLE MODERN SLAVERY THROUGHOUT A BUSINESS’S SUPPLY CHAIN - CONTINUED**

**TICK IF DONE**

- |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 10 | If relevant to your business and its supply chain, develop a clear business case for requiring suppliers to adopt the Employer Pays Principle                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| 11 | Undertake a gap analysis on existing policies, contracts and procedures. Do they: <ul style="list-style-type: none"> <li>a. Outline the business’s modern slavery vision and objectives</li> <li>b. Make clear the business’s commitment to tackle modern slavery</li> <li>c. Outline the business’s expectation that suppliers and labour will implement proactive good practice steps to prevent and tackle modern slavery (see the Stronger Together toolkit Tackling Modern Slavery in Businesses)</li> <li>d. Oblige all suppliers and labour providers to guarantee workers have freedom of movement and freedom to enter into and terminate employment</li> <li>e. Oblige all suppliers and labour providers to inform workers of their rights and obligations in the workplace</li> <li>f. Establish formal relationships with labour providers</li> <li>g. Establish a clear procedure for auditing suppliers and labour providers</li> <li>h. Ensure that ethical audits, where used, examine and effectively report on the operational indicators of forced labour (See Appendix 1 - Sedex Guidance on Operational Practice and Indicators of Forced Labour)</li> <li>i. Ensure suppliers and labour providers have the knowledge and resources to prevent and tackle modern slavery</li> <li>j. Demonstrate a commitment to the Employer Pays Principle - eliminating all recruitment fees charged to workers in the business’s supply chain</li> <li>k. Require suppliers and labour providers to work towards the Employer Pays Principle<sup>27</sup></li> <li>l. Require suppliers to have a clear victim-centred process for reporting forced labour and labour trafficking to the appropriate enforcement authorities and</li> <li>m. Require suppliers and labour providers to provide workers with access to channels to raise grievances anonymously and for these grievances to be addressed without fear of retribution</li> <li>n. Necessitate that effective and appropriate sanctions are in place for suppliers and labour providers who hold workers in a forced labour situation, collude with intermediaries who do, or whose negligence allows such conditions to exist</li> <li>o. Establish clear requirements and sanctions in case of violation of the Employer Pays Principle by suppliers or its subcontractors/sub-agents including the reimbursement of any fees found to have been paid by workers.</li> </ul> |  |
| 12 | Update contracts, service level agreements, tender documents, guidance documents and policies to reflect the requirements of point 11) above                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |
| 13 | Communicate draft policies, contracts and procedures internally for consultation and feedback                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| 14 | Finalise policies, contracts and procedures and translate them into all necessary languages for your business and supply chain, distribute them to and obtain written confirmation from suppliers that they have read your policies and are conforming to policy requirements or are actively working towards conforming within a set timeline (see Appendix 8 Self-Assessment Questionnaire)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| 15 | Train human resource, compliance officers, auditors and other relevant staff in how to implement your policies and identify the signs of forced labour                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| 16 | Communicate the Employer Pays Principle commitment publicly e.g. on company website or public-facing reports                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |

27. See ILO Convention 181 that “Private employment agencies shall not charge directly or indirectly, in whole or in part, any fees or costs to workers”;

# STEP 2 : ASSESS

## THE RISK OF MODERN SLAVERY

**The second step of implementing a UNGP approach is to identify where a business's greatest risks of slavery occur in their supply chain. A clear understanding of risk helps businesses to prioritise their resources and to develop an appropriate action plan to minimise potential human rights abuses.**

Slavery and human trafficking may occur in all industries and levels of supply chains, particularly where activities are sub-contracted out to agents such as labour provision, maintenance, cleaning or construction. The most serious human rights impacts are more likely to occur where the law is weak or not properly enforced. However, forced labour is found in developed economies in a wide range of sectors where vulnerable and migrant workers are employed.

Mapping a business's supply chain will identify not only where the risks of slavery and human trafficking are greatest but also where there is a lack of information about a business's direct and indirect suppliers. This process requires knowledge of the business, its supply chain, the countries and sectors operated in, and the risks associated with the operating environment. Any risk assessment will be improved by input from external stakeholders. A range of potential sources of risk information are listed in Appendix 1. Appendix 4 provides a detailed breakdown of the steps required to develop a risk assessment and use that to determine priorities and an action plan for gathering additional information. Additional information from the supply chain may subsequently be required to understand the risks posed, particularly if a business is sourcing from a number of different countries.

It is recommended that businesses read other resources available on the Stronger Together website in order to understand the specific risks posed by the recruitment and employment of workers via labour providers. Workers may be exploited during the recruitment and placement processes via: recruitment fees, the confiscation of identify documents, contract substitution, the provision of poor accommodation and transport, unfair deductions in pay and the nature of the employment relationship. The risks are greatest where labour provision is informal. Ensuring the responsible recruitment of workers requires, in the first instance, the formalisation of labour provider business structures and the business relationship between user enterprises, labour providers and any sub-agents and brokers involved in the labour supply chain.

# TWELVE

**ASSESS – AN ASSESSMENT OF WHERE A BUSINESS’S GREATEST RISKS OF SLAVERY OCCUR**

**TICK IF DONE**

17	Map your supply chains from raw materials to finished product including any organisations that provide labour into your own business or into your suppliers	
18	Collect the data you need to put together a risk assessment using the guidance in Appendix 4. This data should include supplier information and commercial information	
19	Draw up a high level risk assessment of all levels of your supply chain including, where feasible, direct and indirect suppliers, labour providers and contractors to identify low, medium and high risk suppliers. Use the detailed guidance in Appendix 4 and Appendix 5 to step you through what is required and to help you identify your priorities	
20	Refine your risk assessment through engagement with the cross-functional strategic working group and/or relevant staff members and/or external stakeholders for example customers, NGOs or trade unions	
21	Combine risk score with commercial data to determine your priorities using the guidance in Appendix 4	
22	Implement an action plan for your priorities using the guidance in Appendix 4. Consider gathering additional information about your supply chain from the sources listed in Appendix 4, including: a. Supplier questionnaires b. Supplier interviews c. Spot checks d. Management system certification e. Ethical audits f. Human rights impact assessments.	

# STEP 3 : IMPLEMENT

## AN ACTION PLAN TO TACKLE SLAVERY

The third step of adopting a UNGP approach is to develop and implement an action plan to prevent or reduce the risks of modern slavery or forced labour occurring.

Businesses that have assessed their supply chain and determined their ethical trade priorities, will need to implement an action plan to reduce the identified risks and to prevent issues re-occurring. The actions taken will be driven by the nature of the risks identified in Step 2. Businesses should focus initially on their highest priorities.

The implementation steps listed below are in line with UNGP guidance which states that “Potential impacts should be addressed through prevention or mitigation, while actual impacts – those that have already occurred – should be a subject for remediation”. Remediation is addressed in Step 4. The implementation steps have been summarised into 7 areas:

1. Ensure your policy framework addresses your business’s salient risks
2. Develop an approach to engage relevant stakeholders
3. Take action to prevent or mitigate potential impacts
4. Take action to assess whether salient issues are being managed effectively
5. Identify changes in the nature of each salient human rights issue
6. Integrate findings about each of the salient human rights issues into decision making processes and actions
7. Manage tensions between the prevention or mitigation of impacts related to a salient issues and other business objectives.

The checklist below is intended as a recommended plan of action that a business can take in response to the risks identified in Step 2: Assess. The extent to which the points are used will depend on the resources available to the business and the risks associated with its supply chain.

IMPLEMENT – IMPLEMENT A PLAN TO PREVENT AND MITIGATE MODERN SLAVERY RISKS		TICK IF DONE
23	Ensure your policy framework addresses the salient risks you have identified in Step 2. Revisit Step 1 and identify whether your business needs to provide additional guidance for suppliers for example on critical issues such as responsible recruitment or child labour	
24	Engage relevant stakeholders to each of your salient risks. Start by identifying who those stakeholders are and establishing how you will engage them. Stakeholders can include workers, government and civil society organisations (e.g. NGOs)	

- 25 Take action to prevent or mitigate potential impacts related to your risks. These actions are designed to decrease the likelihood of the risk occurring by reducing the negative impacts of any risks and addressing underlying causes. Actions will be required at different levels and may include some of the following:
- a. Supplier level – supplier engagement (see point 26 below), training and awareness raising, strengthening supplier HR expertise, formalising relationships with labour providers (see point 27 below), supporting mature industrial relations and accreditation (where suitable)
  - b. Internal – strengthening internal policies, procedures and accountability, training and awareness raising and a review of whether purchasing practices support the business’s modern slavery goals (see point 28 below)
  - c. Industry – collaborating with others and taking part in joint initiatives, engagement with third party audit providers (see point 29 below)
  - d. Government - advocating for changes to legislation or investment in infrastructure and engagement in specific projects

- 26 Supplier engagement
- a. Where issues are identified through third-party assessments, businesses should work with suppliers to implement corrective actions within a set timeframe
  - b. Review supplier policies and practices on recruitment practices, working hours, health and safety and discrimination and provide support where there are gaps
  - c. Add a review of commitment to and progress in implementing the Employer Pays Principle into regular meetings with suppliers
  - d. Communicate clear expectations to suppliers on continuous improvement including a process for severing relationships where there is no commitment to improve
  - e. Review opportunities to support suppliers to use audits and certifications to strengthen their understanding of risks in their supply chains e.g. a requirement that only certified labour providers are used in the supply chain

- 27 Labour providers
- a. Formalise labour provider relationships along the supply chain
  - b. Visit [www.ResponsibleRecruitmentToolkit.org](http://www.ResponsibleRecruitmentToolkit.org) and identify any gaps in your approach
  - c. Train suppliers to identify the risks associated with labour recruitment and employment
  - d. Support suppliers to monitor their labour providers

- |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 28 | <p>Purchasing practices</p> <ul style="list-style-type: none"> <li>a. Develop transparent and open relationships with suppliers and customers – consider reducing the number of suppliers you source from to allow for the development of long-term business relationships and increased leverage, openness and cooperation.</li> <li>b. Assess whether prices paid to suppliers enable provision of decent wages and safe working conditions</li> <li>c. Review internal purchasing practices to ensure there is no unintended impact on charging of recruitment fees such as short lead times, short-term contracts, sudden changes in workload and unsustainable purchase prices which could mean labour providers have less time to implement necessary due diligence</li> <li>d. Work with suppliers to agree a sustainable price</li> <li>e. Incentivise suppliers that implement the Employer Pays Principle and demonstrate robust management systems and due diligence to manage this. Performance incentives could be based on: retention of migrant workers on sites, results of post-arrival worker interviews, responses to and outcomes of grievances raised through effective mechanisms or consistent compliance with the Employer Pays Principle</li> <li>f. Update performance standards for procurement and technical staff to ensure social targets are evaluated alongside commercial deliverables.</li> </ul> |  |
| 29 | <p>Collaborative working and advocacy</p> <ul style="list-style-type: none"> <li>a. Identify other companies sourcing from the same suppliers/producers and, where possible identify opportunities to collaborate – especially where there are high risks or incidences of workers’ rights abuses</li> <li>b. Identify opportunities for collaboration to tackle more systemic issues such as with fee charging or debt bondage with peers, business partners, industry groups, civil society, public bodies and unions and to advocate for improvements in legislation, regulation and enforcement relating to fee-charging to workers</li> <li>c. Build partnerships with trade unions, government agencies, civil society organisations, experts and multi-stakeholder initiatives to ensure long-term prevention and mitigation</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| 30 | <p>Review your priorities on a regular basis, ideally every six months and identify any new issues and/or changes in the nature of existing issues. Communicate these changes internally</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| 31 | <p>As part of your review, identify on a regular basis what you have learnt from managing your business’s salient human rights priorities</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
| 32 | <p>Present what you have learnt to senior management and integrate those findings into your business’s decision-making processes and actions. Ensure all staff and suppliers understand the key findings</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| 33 | <p>Work with your business’s cross-functional working group and senior management to identify and manage any instances where the resources and commitment required to tackle modern slavery (human and financial) create tensions with other business objectives</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| 34 | <p>Devise a process for monitoring the progress you have made in managing your salient human rights issues. This should link in to the information you monitor on a regular basis (see Step 5)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |

# STEP 4: PROVIDE REMEDY FOR MODERN SLAVERY VICTIMS

**The fourth step of implementing a UNGP approach is to provide access to grievance mechanisms that allow workers along the supply chain to voice concerns and to develop appropriate methods of remediation for victims of slavery and human trafficking**

Remediation is the process of providing a remedy for a harm<sup>28</sup>. It can take a variety of different forms, including apologies, restitution, rehabilitation, financial and non-financial compensation and punitive sanctions. Remediation is applicable to all human rights abuses, including slavery and forced labour and access to remedy should be provided through a coherent system of effective grievance mechanisms<sup>29</sup>.

There are many ways to resolve grievances or claims and/or provide access to remedy for human rights abuses. The UNGP categorises these into three broad types:

- State supported mechanisms which are typically judicial and provided by national tribunals such as courts
- Non-judicial state-supported mechanisms including administrative and legislative means which can include national human rights institutions, labour tribunals, ombudsmen and national contact points
- Mechanisms offered by non-state actors including businesses.

Judicial mechanisms lie at the core of ensuring access to remedy and businesses need to respect these mechanisms by ensuring that workers are aware of them and know how to access them<sup>30</sup>. Some situations will require businesses to cooperate with or support other remedial processes including industrial relations processes involving management and trade unions which are themselves a form of grievance mechanism. In other situations, for example where judicial mechanisms are not available or are corrupt, business grievance mechanisms may be the best route to resolve worker grievances and provide access to remedy.

An operational-level grievance mechanism is a formalised means for affected stakeholders to raise concerns about any impact they believe a company has had on them in order to seek remedy. It includes how grievances are filed, assessed, acknowledged, investigated and responded to. Mechanisms require effective management systems which govern the process, roles and responsibilities, resources and competencies and monitoring requirements. Grievance mechanisms should be drawn up to demonstrate that a company respects the human rights of all workers and can meet its legal responsibility towards them.

The mechanism should:

1. First, support the identification of adverse human rights impacts by providing channels for those directly impacted to raise concerns and
2. Second, make it possible for grievances once identified to be addressed and for harm to be remediated early and directly by the company.

28. [https://www.ihrb.org/uploads/reports/EC-Guide\\_ERA-12\\_Part3-Section-VI.pdf](https://www.ihrb.org/uploads/reports/EC-Guide_ERA-12_Part3-Section-VI.pdf)

29. <http://www.global-business-initiative.org/wp-content/uploads/2017/03/Access-to-Remedy-The-Next-Frontier.pdf>

30. <http://www.ohchr.org/documents/issues/business/A.HRC.17.31.pdf>

Operational level grievance mechanisms should be<sup>31</sup>:

- **Legitimate:** have a clear, transparent and sufficiently independent governance structure to ensure no party to a particular grievance process can interfere with the fair conduct of that process
- **Accessible:** publicised to those who may wish to access it and providing adequate assistance to parties who may face barriers to access, including language, literacy, awareness, finance, distance or fear of reprisal
- **Predictable:** provide clear and known procedure with a time frame for each stage and clarity on the types of processes and outcomes it can and cannot offer as well as means of monitoring the implementation of any outcome
- **Equitable:** ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair and equitable terms
- **Rights compatible:** ensure that its outcomes and remedies accord with internally recognised human rights standards
- **Transparent:** provide sufficient transparency of process and outcome to meet public interest concerns at stake, particularly around the receipt of complaints and their outcomes
- **Based on dialogue and engagement:** focused on direct or mediated dialogue to seek agreed solutions and leaving adjudication to an independent third-party mechanism.

Businesses should provide easy access for all workers, especially migrant workers, to grievance mechanisms without fear of punishment or retribution<sup>32</sup>. In reality, it is extremely challenging for businesses to establish grievance mechanisms for workers outside of their direct operations. Instead, they need to focus on the mechanisms which their suppliers, labour providers and supply chains have in place for capturing and managing grievances.

Businesses should work with their supply chains to communicate their expectations around grievance mechanisms, understand the extent to which grievance mechanisms exist and, where they exist, to ensure they meet seven points listed above. Practical questions to ask suppliers and labour providers include<sup>33</sup>:

- Do they have a grievance mechanism?
- How has the grievance mechanism been designed? The design process should be as close to the level it will operate and include input from any group for whom the mechanism is intended
- Do clear guidelines exist about raising grievances including the information required to address an allegation? Does the mechanism comply with legal requirements and industry standards?
- Are different channels provided for workers to raise issues depending on the nature of the issue and who the complaint is regarding? Are channels also available to third parties to raise issues?<sup>34</sup> Are organisations who represent workers identified and asked to raise issues if they become aware of them? Channels may include: dedicated email addresses, dedicated phone lines, text messages or social media contacts
- How are workers made aware of the mechanism? This may require dedicated resources and consideration of methods such as posters in local languages, visits to ensure posters are visible, training for workers and factory management about the mechanism, and building relationships with international unions and NGOs in sourcing countries
- What is the process for managing grievances and who is involved in this process? How are workers protected through this process? A single coordination point should exist to manage the process with sufficient expertise to act on behalf of the organisation
- What methods exist for resolving grievances e.g. internal investigations, human resource action, external third party investigations<sup>35</sup>

31. <http://www.ohchr.org/documents/issues/business/A.HRC.17.31.pdf>

32. <http://helpwanted.verite.org/helpwanted/toolkit/suppliers/establishing-effective-grievance-mechanisms/tool-1>

33. <http://learninglegacy.independent.gov.uk/documents/pdfs/sustainability/cs-sustainable-sourcing-code-complaints-mechanism.pdf> and <http://www.acas.org.uk/media/pdf/9/g/Discipline-and-grievances-Acas-guide.pdf>

34. [https://www.shiftproject.org/media/resources/docs/Shift\\_remediationUNGP\\_s\\_2014.pdf](https://www.shiftproject.org/media/resources/docs/Shift_remediationUNGP_s_2014.pdf)

35. [https://www.shiftproject.org/media/resources/docs/Shift\\_remediationUNGP\\_s\\_2014.pdf](https://www.shiftproject.org/media/resources/docs/Shift_remediationUNGP_s_2014.pdf)

- Does a process exist for communicating the outcomes of any investigation in an appropriate form (e.g. using anonymised aggregated data or case studies)?
- Does a regular review process exist to ensure the grievance procedure continues to serve the needs of the business and its workers, identifies human rights issues and provides suitable remedy?

Companies' grievance procedures should also include a process for providing for or cooperating in victims' remediation through legitimate processes where the company identifies that they have caused or contributed to adverse impacts. A suspected case of forced labour should be dealt with immediately, effectively and comprehensively in line with international law under which forced labour and modern slavery are crimes. Remedial measures<sup>36</sup> can include:

- **Restitution** – Judicial or other methods to restore the victim to the original situation before the abuses occurred. This may include: following due legal processes to prosecute those responsible for the abuses; restoration of employment; payment of unpaid wages or, repatriation, if desired by the worker.
- **Compensation** – Providing financial or non-financial compensation that is appropriate and proportionate to the gravity of the violation, including physical and mental harm, and consideration of lost opportunities, such as employment (loss of earnings) and benefits, if relevant.
- **Rehabilitation** – Including offering victims medical, physiological and psychological care, where relevant, access to legal and social services, and retraining and reintegration into the labour market and the community.
- **Punitive sanctions** – whether criminal or administrative, such as fines.
- **Satisfaction and guarantee of non-repetition**<sup>37</sup> - A public apology by a business or its supplier may be required to adequately acknowledge the violation and accept responsibility. Businesses should also identify the steps required to prevent future violations, which may require an analysis of root causes.

Businesses should cooperate with public or non-governmental victim service providers with expertise in supporting victims of forced labour and with elected worker representatives, where possible.

In some cases, businesses may have limited leverage and power to resolve issues that arise from the actions of suppliers or business's partners. Collaboration with others who have the same interests may be required to resolve the issue and prevent the issue from re-occurring. Where evidence of fees being charged to workers is revealed, the business(es) responsible for the violation should immediately seek to reimburse workers, and to provide other forms of remedy (e.g. access to legal assistance, psychological care) where necessary, including for violations committed by labour providers' sub-agents where this was within their reasonable due diligence control. Other parties in the supply chain that are not responsible for the violation but are associated with the violating business, should use their leverage to ensure effective remedy is carried out.

The checklist that follows outlines potential steps that businesses can take to implement grievance mechanisms and remedial actions where violations of human rights are found in their supply chains. Businesses will need to review the steps and determine what is appropriate for their company and its supply chain.

36. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/RemedyAndReparation.aspx>

37. [http://www.ohchr.org/Documents/Issues/Trafficking/Bratislava\\_Background\\_paper1.pdf](http://www.ohchr.org/Documents/Issues/Trafficking/Bratislava_Background_paper1.pdf)

**REMEDY – DEVELOP APPROPRIATE METHODS OF REMEDIATION FOR VICTIMS OF SLAVERY**

**TICK IF DONE**

35 Ensure the business includes a requirement for site-level grievance mechanisms in the business's Ethical Trade Code of Conduct or equivalent

36 Include an assessment of grievance mechanisms in ethical audits and labour provider audits

37 Raise awareness with suppliers and labour providers about the role that grievance mechanisms can play and offer capacity building to support them in establishing grievance procedures

38 Monitor suppliers and labour providers to ensure that they have grievance mechanisms in place and that those mechanisms comply with best practice

39 Develop, communicate and implement a remediation policy (See Appendix 11) which includes:

- a. Gathering views from those affected on what it would take to remedy the wrongs
- b. Correcting the situation for the victim(s) which may involve restitution, compensation, rehabilitation and satisfaction
- c. Contribution to programmes to assist victims through vocational training and other appropriate measures
- d. Statements clearly acknowledging victims' rights to pursue other forms of remedial action, at any stage in the process, beyond company grievance or other internal remedy mechanisms

40 Establish a company process for responding to complaints or reported violations (see Appendix 11) which should include:

- a. Conducting an initial assessment of the suspicions/allegations to ensure sufficient information to understand the exploitation discovered and actions to remedy them
- b. Ascertaining if suppliers are implicated in the violation
- c. Protecting and supporting at risk individuals and protecting their identities
- d. Reporting violations to relevant authorities
- e. Capturing evidence about the violations under the lead of a competent trusted manager (See Appendix 1 for guidance on gathering evidence when cases of forced labour are found - SEDEX Guidance on Operational Practice and Indicators of Forced Labour)
- f. Gathering information from those affected on what it would take to remedy the wrongs (see Appendix 12 Remedy Tool)
- g. Correcting the situation for the victim(s) which may involve restitution, compensation, rehabilitation or satisfaction
- h. Contributing to programmes and projects to assist victims through vocational training and other appropriate measures
- i. Working with local governments and/or competent local organisations to verify progress
- j. Reviewing the efficacy of remedial steps taken over a suitable time period by gathering anonymous feedback from victims
- k. Providing feedback to suppliers on the remediation process (where appropriate) and steps required to stop violations re-occurring

41 Consider the root causes of exploitation on a regular basis and build learnings into future strategy.

# STEP 5 : MONITOR

## PROGRESS IN TACKLING SLAVERY

The fifth step of implementing a UNGP approach is to track and record the progress of a business's due diligence efforts.

Incorporating regular monitoring of progress towards agreed improvement measures gives confidence in a business's commitment to improving standards in its supply chain. Businesses should consider tracking efforts, using tools and indicators that are already used to manage suppliers, including complaints and feedback systems.

Additional support on tracking progress will be provided from 2018 via the Stronger Together Tackling Modern Slavery Progress Reporting Tool available via the <http://stronger2gether.org/resources/>.

MONITOR – TRACK AND RECORD PROGRESS		TICK IF DONE
42	Establish a mix of quantitative and qualitative indicators for measuring your efforts to reduce, prevent and remedy negative impact. These may include:	
	a: Quantitative indicators	
	i. Number of high risk suppliers	
	ii. Percentage of high value or high volume suppliers who are/have a high risk modern slavery rating	
	iii. Percentage of suppliers that have provided written acknowledgement committing to (1) uphold standards, (2) submit to company monitoring and (3) collaborate in remediation	
	iv. Percentage of suppliers who have had a third-party ethical audit	
	v. Percentage of audits raising non-conformances related to modern slavery	
	vi. Percentage of modern slavery non-conformances closed within the timeframe stipulated by the ethical auditor	
	vii. Number of projects and collaborations established to prevent and address risks in your supply chain	
	viii. Amount of compensation expenditure paid over the last 12 months	
	ix. Percentage of suppliers trained in preventing/identifying modern slavery	
	x. Percentage of suppliers that have a grievance mechanism in place	
	xi. Number of suppliers who are aware of modern slavery and taking steps to manage modern slavery risks	
	b: Qualitative indicators	
	i. Victims' feedback on outcomes of complaints and efficacy of grievance procedures and whistleblowing procedures	
	ii. Stakeholder feedback on efficacy of forced labour strategy	
	iii. Changes in awareness of suppliers about modern slavery issues	
	iv. Level of engagement of high priority suppliers	

**MONITOR – TRACK AND RECORD PROGRESS - CONTINUED**

**TICK IF  
DONE**

43	Consult with stakeholders to ensure indicators accurately reflect the information that needs monitoring.	
44	Establish systems to track what mitigation and remediation actions are taking place along your supply chains and whether or not they are effective. This may include: a. Supplier questionnaires b. Supplier meetings c. Feedback from third parties	
45	Establish a method to independently verify whether mitigation and remediation actions have benefitted affected workers	
46	Establish methods for gathering the information you require at least annually. Communicate monitoring and reporting requirements to suppliers.	
47	Gather data and analyse to understand trends and root causes.	
48	Use your analysis to undertake a review of policies and procedures and to determine changes required to the business's approach to tackling modern slavery	



# STEP 6 : COMMUNICATE PROGRESS IN TACKLING SLAVERY

The final step of implementing a UNGP approach is to communicate openly to stakeholders about progress made and the challenges faced.

Businesses should identify what information to share, and how to share it, with internal and external stakeholders. Open communication contributes to increased trust and encourages cooperation.

General principles to apply should include: keeping information as up to date as possible; communicating via appropriate channels, focussing on actual activities and their impact; being open about challenges and efforts to address the challenges; using real voices to provide authenticity, and not compromising or posing a risk to affected stakeholders, such as workers, suppliers and local communities. The most relevant options for communication will vary depending on the size of the business and the type and amount of information to be communicated.

COMMUNICATE – COMMUNICATE YOUR CHALLENGES AND PROGRESS TO RELEVANT STAKEHOLDERS		TICK IF DONE
49	Identify what information you want to share and how you want to share it with stakeholders.	
50	Update the business's website to share policies and activities where appropriate.	
51	Produce a public report on corporate policies, strategies and actions to manage, mitigate and prevent risk of human rights violations and modern slavery. Report the extent to which the measures you have implemented have been successful, referring to the quantitative and qualitative indicators you have established in Step 5 as evidence. Provide credible evidence of steps taken where risks are found and demonstrate year on year progress.	
52	Devise a media plan, which could include investor newsletters, stakeholder meetings, annual reports and social media updates.	

# APPENDICES

**ALL APPENDICES MAY BE DOWNLOADED AT**  
[www.stronger2gether.org](http://www.stronger2gether.org)

# APPENDIX 1

## RESOURCE BANK

The below resources are 'public goods' and are accessible free of charge.

### INTERNATIONAL FRAMEWORKS AND GUIDANCE ON HUMAN RIGHTS

- European Court of Human Rights: Guide on Article 4 of the Convention: Prohibition of Slavery and Forced Labour- [http://www.echr.coe.int/Documents/Guide\\_Art\\_4\\_ENG.pdf](http://www.echr.coe.int/Documents/Guide_Art_4_ENG.pdf)
- The International Bill of Human Rights <http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx>
- The International Labour Organisation's Declaration on Fundamental Principles and Rights at Work <http://www.ilo.org/declaration/thedeclaration/textdeclaration/lang-en/index.htm>
- UN Guiding Principles on Business and Human Rights [http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR\\_EN.pdf](http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf)
- UN Sustainable Development Goals (in particular 8.7) <https://sustainabledevelopment.un.org/sdgs>

### GENERAL SOURCES OF INFORMATION AND TOOLS ON HUMAN RIGHTS AND FORCED LABOUR

- Human Rights Watch - <https://www.hrw.org/topic/migration/exploitation-forced-labor-trafficking>
- International Labour Organisation - <http://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/forced-labour/lang-en/index.htm>
- International Labour Organisation tools and resources for business on forced labour: [http://www.ilo.org/empent/areas/business-helpdesk/tools-resources/WCMS\\_144883/lang-en/index.htm](http://www.ilo.org/empent/areas/business-helpdesk/tools-resources/WCMS_144883/lang-en/index.htm)
- UN Global Compact (Human Rights) - <https://www.unglobalcompact.org/library/341/> / <https://www.unglobalcompact.org/library/search?search%5Bissues%5D%5B%5D=121>

### TOOLKITS ON HUMAN RIGHTS DUE DILIGENCE

- Ethical Trading Initiative Norway and Norwegian Ministry of Foreign Affairs (2016), A Guide to Human Rights Due Diligence in Supply Chains <http://etiskhandel.no/noop/page.php?p=Artikler/10080.html&d=1>
- European Commission (2011), My business and human rights: a guide to human rights for small and medium-sized enterprises [http://ec.europa.eu/growth/industry/corporate-social-responsibility/in-practice/index\\_en.htm](http://ec.europa.eu/growth/industry/corporate-social-responsibility/in-practice/index_en.htm)
- International Labour Organisation (2015), Combating forced labour: A Handbook for Employers and Business [http://www.ilo.org/global/topics/forced-labour/publications/WCMS\\_101171/lang-en/index.htm](http://www.ilo.org/global/topics/forced-labour/publications/WCMS_101171/lang-en/index.htm)

### CODES OF CONDUCT

- ETI Base Code - <http://www.ethicaltrade.org/eti-base-code>
- ETI Norway – template Code of Conduct [www.ieh.no/Guide](http://www.ieh.no/Guide)

### SOURCES OF COUNTRY AND INDUSTRY INFORMATION REGARDING RISK ASSESSMENT

- Danish Institute for Human Rights – Country Risk and Business Country Guide <http://hrbcountryguide.org/>
- Freedom in the World Report, Freedom House [https://freedomhouse.org/report/freedom-world/freedom-world-2015#.VsyF\\_vmLTIU](https://freedomhouse.org/report/freedom-world/freedom-world-2015#.VsyF_vmLTIU)
- International Trade Union Conference (ITUC) – WTO Reviews <http://www.ituc-csi.org/documents>
- Made in a Free World's online country and industry risk software <http://slaveryfootprint.org/>
- Responsible Sourcing Tool <http://responsiblerecruitmenttoolkit.org/>

- Transparency International Corruption Perception Index <http://www.transparency.org/research/cpi/overview>
- UNICEF & Global Child Forum – Children’s Rights and Business Atlas <http://www.childrensrighsatlas.org/>
- US Department of Labour’s List of Goods Produced by Child Labour and Forced Labour <http://www.dol.gov/ilab/reports/child-labor/list-of-goods/>
- US Dept. of State Country Reports on Human Rights Practices <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>
- US State Department Trafficking in Person’s report (TIP) <http://www.state.gov/j/tip/rls/tiprpt/>
- Verisk Maplecroft –supply chain risk intelligence <https://www.maplecroft.com/> (limited free information)
- Verité Forced Labour Commodity Atlas <http://www.verite.org/Commodities>
- Walk Free Foundation’s Global Slavery Index <http://www.globalslaveryindex.org/>

## **TOOLS FOR MONITORING AND SOCIAL AUDITS**

- Ethical Trade Norway (IEH) - Self-Assessment Questionnaire [www.ieh.no/Guide](http://www.ieh.no/Guide)
- Ethical Trade Norway (IEH) - Risk Assessment and Identification Database (RAND) [www.ieh.no/Guide](http://www.ieh.no/Guide)
- SEDEX [www.sedexglobal.com/ethical-audits/smeta](http://www.sedexglobal.com/ethical-audits/smeta)
- Standards Map – a free online tool to help identify industry specific standards, codes and other protocols and guidelines relevant to specific industries [www.standardsmap.org](http://www.standardsmap.org)

## **HUMAN RIGHTS IMPACT ASSESSMENT TOOLS**

- Human Rights Impact Assessment Guidance and Toolbox - [http://humanrights.dk/sites/humanrights.dk/files/media/dokumenter/business/hria\\_toolbox/hria\\_guidance\\_and\\_toolbox\\_final\\_feb2016.pdf](http://humanrights.dk/sites/humanrights.dk/files/media/dokumenter/business/hria_toolbox/hria_guidance_and_toolbox_final_feb2016.pdf)
- Guide to Human Rights Impact Assessment and Management - International Business Leaders Forum, International Finance Corporation and UN Global Compact <https://www.unglobalcompact.org/library/25>

## **GUIDANCE FOR IDENTIFYING AND ADDRESSING CASES OF FORCED LABOUR**

- Guidance on Operational Practice and Indicators of Forced Labour (SEDEX 2016)
- Information sources about potential remediation for cases of forced labour
- Tool 10, Making a Plan for Remediation, Walk Free Foundation, Tackling Modern Slavery in Supply Chains A Guide 1.0 (2014) <http://business.walkfreefoundation.org/>

## **GUIDANCE ON REPORTING PERFORMANCE**

- Ethical Trade Norway – (IEH) reporting template [www.ieh.no/Guide](http://www.ieh.no/Guide)
- Global Reporting Initiative (GRI) [www.globalreporting.org](http://www.globalreporting.org)
- UN Guiding Principles Reporting Framework <http://www.ungpreporting.org/consult-the-reporting-framework/download-the-reporting-framework/>
- Stronger Together Tackling Modern Slavery Progress Reporting Tool <http://stronger2gether.org/resources/>

## **GUIDANCE ON ELIMINATING RECRUITMENT FEES**

### **Adidas**

- Guidelines on Employment Standards: [http://www.adidas-group.com/media/filer\\_public/2013/07/31/guidelines\\_on\\_employment\\_standards\\_english.pdf](http://www.adidas-group.com/media/filer_public/2013/07/31/guidelines_on_employment_standards_english.pdf)

### **Amnesty International**

- Turning People Into Profits: Abusive Recruitment, Trafficking and Forced Labour of Nepali Migrant Workers: <https://www.amnesty.org/en/documents/asa31/6206/2017/en/>

### **Business Social Responsibility**

- Migrant Worker Management Toolkit: A Global Framework: [https://www.bsr.org/reports/BSR\\_Migrant\\_Worker\\_Management\\_Toolkit.pdf](https://www.bsr.org/reports/BSR_Migrant_Worker_Management_Toolkit.pdf)

## **Coca Cola**

- Issuance guidance: <http://coke-journey.s3.amazonaws.com/35/0e/62529fc346efbdb5dee0b9e4c581/issuance-guidance.pdf>

## **European Commission**

- Employment and Recruitment agencies and the UNGP: [http://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/employment\\_and\\_recruitment\\_agencies.pdf](http://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/employment_and_recruitment_agencies.pdf)
- My business and human rights - A guide to human rights for small and medium-sized enterprises: <https://business-humanrights.org/sites/default/files/documents/SME-BHR-guide-EU.pdf>

## **GLAA**

- Job finding fees and providing additional services: <http://www.gla.gov.uk/media/1527/glabrief-38-job-findingfeesandprovidingadditionalervices.pdf>

## **Hewlett-Packard**

- Company Supply Chain Foreign Migrant Worker Standard Guidance Document: <http://www8.hp.com/h20195/v2/GetPDF.aspx/c05116077.pdf>

## **ICCR**

- The “No Fees” Initiative - Promoting Ethical Recruitment Policies in Global Supply Chains: [http://www.iccr.org/system/files/reportpub\\_prop\\_attachments/2015iccrnofeesfinal06.30.15.pdf](http://www.iccr.org/system/files/reportpub_prop_attachments/2015iccrnofeesfinal06.30.15.pdf)
- Best Practice Guidance on Ethical Recruitment of Migrant Workers: [http://www.iccr.org/sites/default/files/iccrsbestpracticeguidanceethicalrecruitment05.09.17\\_final.pdf](http://www.iccr.org/sites/default/files/iccrsbestpracticeguidanceethicalrecruitment05.09.17_final.pdf)

## **IHRB**

- Recruitment Fees briefing: [https://www.ihrb.org/uploads/briefings/2016-05%2C\\_IHRB\\_Briefing%2C\\_Recruitment\\_Fees.pdf](https://www.ihrb.org/uploads/briefings/2016-05%2C_IHRB_Briefing%2C_Recruitment_Fees.pdf)
- Fees and IDs: Tackling recruitment fees and confiscation of workers’ passports: [https://www.ihrb.org/pdf/2013-09-06\\_IHRB\\_Fees-and-IDs-Report.pdf](https://www.ihrb.org/pdf/2013-09-06_IHRB_Fees-and-IDs-Report.pdf)
- Six steps to Responsible Recruitment – Leadership Group for Responsible Recruitment: [https://www.ihrb.org/uploads/member-uploads/Six\\_Steps\\_to\\_Responsible\\_Recruitment\\_-\\_Leadership\\_Group\\_for\\_Responsible\\_Recruitment.pdf](https://www.ihrb.org/uploads/member-uploads/Six_Steps_to_Responsible_Recruitment_-_Leadership_Group_for_Responsible_Recruitment.pdf)
- Migrant worker recruitment fees – the increasing debt burden - [https://www.ihrb.org/uploads/member-uploads/Migrant\\_Worker\\_Recruitment\\_Fees\\_-\\_The\\_Increasing\\_Debt\\_Burden\\_-\\_Leadership\\_for\\_Responsible\\_Recruitment.pdf](https://www.ihrb.org/uploads/member-uploads/Migrant_Worker_Recruitment_Fees_-_The_Increasing_Debt_Burden_-_Leadership_for_Responsible_Recruitment.pdf)

## **ILO**

- General principles and operational guidelines for fair recruitment: [http://www.ilo.org/wcmsp5/groups/public/-ed\\_norm/-declaration/documents/publication/wcms\\_536755.pdf](http://www.ilo.org/wcmsp5/groups/public/-ed_norm/-declaration/documents/publication/wcms_536755.pdf)

## **NYU Stern: Center for Business and Human Rights**

- Recruitment of the Migrant Labor Force in the Gulf Construction Industry: <https://static1.squarespace.com/static/547df270e4b0ba184dfc490e/t/58ec1e9ed1758e3915cb4c5b/1491869348464/FINALFINAL-MakingWorkersPay-Report-Digital.pdf>

## **Responsible Business Alliance (previously EICC)**

- Definition of fees: <http://www.eiccoalition.org/media/docs/Definition%20of%20Fees%20Final%20Approved%20Aug%202015.pdf>

## **Responsible Recruitment Toolkit**

- Responsible Recruitment online Toolkit [www.ResponsibleRecruitmentToolkit.org](http://www.ResponsibleRecruitmentToolkit.org) (launching early 2018)
- ‘Eliminating Recruitment and Employment Fees Charged to Workers in Supply Chains - A Practical Step-by-Step Guide for Retailers, Brands, Employers and Labour Providers [www.ResponsibleRecruitmentToolkit.org](http://www.ResponsibleRecruitmentToolkit.org)

## **Sedex**

- Guidance on Operational Practice & Indicators of Forced Labour - <https://cdn.sedexglobal.com/wp-content/uploads/2016/03/Sedex-Guidance-on-Operational-Practice-and-Indicators-of-Forced-Labour.pdf>

## **UNGC**

- Eliminating recruitment fees: [https://www.unglobalcompact.org/docs/issues\\_doc/labour/tools\\_guidance\\_materials/labour-recruitment-fees.pdf](https://www.unglobalcompact.org/docs/issues_doc/labour/tools_guidance_materials/labour-recruitment-fees.pdf)

## **Verite**

- Fair Hiring Framework: [http://helpwanted.verite.org/sites/default/files/images/Verite-Help-Wanted-A\\_Fair\\_Hiring\\_Framework\\_for\\_Responsible\\_Business.pdf](http://helpwanted.verite.org/sites/default/files/images/Verite-Help-Wanted-A_Fair_Hiring_Framework_for_Responsible_Business.pdf)
- An ethical framework for crossborder labour recruitment: [https://www.verite.org/wp-content/uploads/2016/12/ethical\\_framework\\_paper.pdf](https://www.verite.org/wp-content/uploads/2016/12/ethical_framework_paper.pdf)

## **World Employment Confederation**

- Code of conduct: [http://www.wecglobal.org/fileadmin/templates/ciett/docs/Corporate\\_literature/W.E.C.\\_Code\\_Conduct\\_-\\_NCM.pdf](http://www.wecglobal.org/fileadmin/templates/ciett/docs/Corporate_literature/W.E.C._Code_Conduct_-_NCM.pdf)

# APPENDIX 2

## OVERVIEW OF STRONGER TOGETHER GUIDANCE AND TEMPLATES AVAILABLE

The following documents are available on [www.stronger2gether.org](http://www.stronger2gether.org):

1. Checklist for employers and labour providers
2. Template policy on preventing hidden labour exploitation
3. Template recruiter compliance principles
4. Template worker questionnaire
5. Template worker induction powerpoint
6. Sample worker interview questions
7. Template record of potential third party exploitation
8. Guidance on Preventing Forced Labour for smaller businesses
9. Template policy on bribery and corruption
10. Template risk screening tool
11. Template risk scorecard for supply chains
12. Template responsible user of labour providers in supply chains
13. Template policy on ethical trade
14. Template policy on forced labour
15. Ethical trade and human rights self-assessment questionnaire for suppliers
16. Template for conducting supplier visits
17. Template remediation policy
18. Template for remedy tool
19. Tackling Modern Slavery in Businesses Toolkit
20. Effective Communication with a Multi-Language Workforce

# APPENDIX 3

## TEMPLATE POLICY ON BRIBERY AND CORRUPTION

**N.B. This is a template; to be modified as required and for inclusion within a wider supplier policy document.**

### **POLICY STATEMENT**

[Company] commits to conducting all of our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate whilst implementing and enforcing effective systems to counter bribery.

### **Coverage**

[To which supply chain(s) does this policy apply?]

### **Responsibility**

[Who has overall responsibility for this policy?]

[Who (which jobholders) have specific responsibilities for various aspects of this policy?]

### **Policy commitments**

It is our policy to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate whilst implementing and enforcing effective systems to counter bribery.

### ***Purpose and scope of policy***

This Policy sets out the Company's position on any form of bribery and corruption and provides guidelines aimed at:

- Ensuring compliance with anti-bribery laws, rules and regulations in any country within which the Company may carry out its business or in relation to which its business may be connected.
- Enabling employees and persons associated with the Company to understand the risks associated with bribery and to encourage them to be vigilant and effectively recognise, prevent and report any wrongdoing, whether by themselves or others.
- Providing suitable and secure reporting and communication channels and ensuring that any information that is reported is properly and effectively dealt with.
- Creating and maintaining a rigorous and effective framework for dealing with any suspected instances of bribery or corruption.

This Policy applies to all permanent and temporary employees of the Company (including any of its intermediaries, subsidiaries or associated companies). It also applies to any individual or corporate entity associated with the Company or who performs functions in relation to, or for and on behalf of, the Company, including, but not limited to, directors, agency workers, casual workers, contractors, consultants, seconded staff, agents, suppliers and sponsors ("associated persons"). All employees and associated persons are expected to adhere to the principles set out in this Policy.

### ***Legal obligations***

The legislation on which this Policy is based is [insert relevant country] legislation and it applies to the Company's conduct in all the countries that it operates. A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

It is an offence in [insert relevant country] to:

- [Insert details of relevant legislation]

You can be held personally liable for any such offence.

It is also an offence in [insert relevant country] for an employee or an associated person to bribe another person in the course of doing business intending either to obtain or retain business, or to obtain or retain an advantage in the conduct of business, for the Company. The Company can be liable for this offence where it has failed to prevent such bribery by associated persons. As well as an unlimited fine, it could suffer substantial reputational damage.

### ***Policy statement***

All employees and associated persons are required to:

- Comply with any anti-bribery and anti-corruption legislation that applies in any jurisdiction in any part of the world in which they might be expected to conduct business;
- Act honestly, responsibly and with integrity;
- Safeguard and uphold the Company's core values by operating in an ethical, professional and lawful manner at all times.

Bribery of any kind is strictly prohibited. Under no circumstances should any provision be made, money set aside or accounts created for the purposes of facilitating the payment or receipt of a bribe.

The Company recognises that industry practices may vary from country to country or from culture to culture. What is considered unacceptable in one place may be normal or usual practice in another. Nevertheless, a strict adherence to the guidelines set out in this Policy is expected of all employees and associated persons at all times. If in doubt as to what might amount to bribery or what might constitute a breach of this Policy, refer the matter to your line manager or to the [insert relevant role].

For the Company's rules and procedures in relation to the receipt of business gifts from third parties and corporate hospitality offered to or received from third parties, please refer to the [insert relevant policy]. They form part of the Company's zero tolerance policy towards bribery and they should be read in conjunction with this Policy.

The giving of business gifts to clients, customers, contractors and suppliers is not prohibited provided the following requirements are met:

- The gift is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage;
- It complies with local laws;
- It is given in the Company's name, not in the giver's personal name;
- It does not include cash or a cash equivalent (such as gift vouchers);
- It is of an appropriate and reasonable type and value and given at an appropriate time
- It is given openly, not secretly;
- It is approved in advance by a director of the receiving Company.

In summary, it is not acceptable to give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given, or to accept a payment, gift or hospitality from a third party that you know or suspect is offered or provided with the expectation that it will obtain a business advantage for them.

Any payment or gift to a public official or other person to secure or accelerate the prompt or proper performance of a routine government procedure or process, otherwise known as a "facilitation payment", is also strictly prohibited. Facilitation payments are not commonly paid in the [insert relevant country] but they are common in some other jurisdictions.

Any recruitment fees charged to workers to secure employment, whether directly for the company or for one of its suppliers or sub-contractors, are also strictly prohibited. Payments to facilitate employment are not paid in [insert relevant country] and are not tolerated by the company anywhere in its supply chain. There is clear evidence of links between recruitment fees and slavery and forced labour.

### ***Responsibilities and reporting procedure***

It is the contractual duty and responsibility of all employees and associated persons to take whatever reasonable steps are necessary to ensure compliance with this Policy and to prevent, detect and report any suspected bribery or corruption in accordance with the procedure set out in the Company's Disclosures in the Public Interest Policy. You must immediately disclose to the Company any knowledge or suspicion you may have that you, or any other employee or associated person, has plans to offer, promise or give a bribe or to request, agree to receive or accept a bribe in connection with the business of the Company. For the avoidance of doubt, this includes reporting your own wrongdoing. The duty to prevent, detect and report any incident of bribery and any potential risks rests not only with the directors of the Company but equally to all employees and associated persons.

The Company encourages all employees and associated persons to be vigilant and to report any unlawful conduct, suspicions or concerns promptly and without undue delay so that investigation may proceed and any action can be taken expeditiously. In the event that you wish to report an instance or suspected instance of bribery, you should follow the steps set out in the [insert relevant policy]. Confidentiality will be maintained during the investigation to the extent that this is practical and appropriate in the circumstances. The Company is committed to taking appropriate action against bribery and corruption. This could include either reporting the matter to an appropriate external government department, regulatory agency or the police and/or taking internal disciplinary action against relevant employees and/or terminating contracts with associated persons.

The Company will support anyone who raises genuine concerns in good faith under this Policy, even if they turn out to be mistaken. It is also committed to ensuring nobody suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or corruption offence has taken place or may take place in the future.

### ***Record keeping***

All accounts, receipts, invoices and other documents and records relating to dealings with third parties must be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off the record" to facilitate or conceal improper payments.

### ***Sanctions for breach***

A breach of any of the provisions of this Policy will constitute a disciplinary offence and will be dealt with in accordance with the Company's disciplinary procedure. Depending on the gravity of the offence, it may be treated as gross misconduct and could render the employee liable to summary dismissal.

As far as associated persons are concerned, a breach of this Policy could lead to the suspension or termination of any relevant contract, sub-contract or other agreement.

### ***Monitoring compliance***

The Company's [insert relevant role] has lead responsibility for ensuring compliance with this Policy and will review its contents on a regular basis. They will be responsible for monitoring its effectiveness and will provide regular reports in this regard to the directors of the Company who have overall responsibility for ensuring this Policy complies with the Company's legal and ethical obligations.

### ***Training***

The Company will provide training to all employees to help them understand their duties and responsibilities under this Policy. The Company's zero tolerance approach to bribery will also be communicated to all business partners at the outset of the business relationship with them and as appropriate thereafter.

# APPENDIX 4

## TEMPLATE RISK ASSESSMENT TOOL

N.B. This is a template; to be modified as required for inclusion within a wider strategy to tackle forced labour in supply chains.

### RISK SCREENING TOOL<sup>38</sup>

The tool below sets out a process for businesses to assess their supply chains' human rights risks based on supplier's location, sector, workforce etc. and a business's spend with suppliers. The tool should be used by businesses as a step-by-step guide to mapping risk in supply chains using a basic scoring methodology. Small, medium and large businesses can use the tool to establish a basic risk picture of their suppliers.

SECTION	STEP NO.	STEPS	ACTIVITIES	CONSIDERATIONS
Mapping	1	Map your supply chain	<ul style="list-style-type: none"> <li>Map your supply chain from raw material to finished product</li> </ul>	<ul style="list-style-type: none"> <li>Have you included any organisations that provide labour into your business or into your suppliers' businesses?</li> </ul>
Data collection	2	Identify required data	<ul style="list-style-type: none"> <li>List all of your suppliers – include all tiers of your supply chain as mapped in Step 1</li> <li>Collect information on your annual spend and volumes from each supplier</li> <li>Create a report that shows the location of all your suppliers, what volumes you buy from them and how much you spend with each of them, including forecast spend for the following twelve months. Add in any other relevant commercial information e.g. critical suppliers to your business</li> <li>Within the report, create categories for your suppliers, for example high, medium and low spend</li> </ul>	<ul style="list-style-type: none"> <li>Have you included all your direct and indirect suppliers?</li> <li>Have you included labour providers?</li> <li>Have you included sub-contractors?</li> <li>Are there any gaps in your information?</li> <li>What information do you need to accurately forecast spend from suppliers?</li> </ul>
	3	Categorise spend	<ul style="list-style-type: none"> <li>List suppliers by total spend</li> <li>Categorise into spend areas based on goods/services being purchased</li> </ul>	<ul style="list-style-type: none"> <li>Determine what is considered high spend for your organisation</li> </ul>
	4	Internal engagement	<ul style="list-style-type: none"> <li>Identify contract owners</li> <li>Educate stakeholders on the reason for risk profiling</li> <li>Gain understanding of any potential future changes in spend with suppliers</li> <li>Identify suppliers that provide goods and services from high risk sources</li> </ul>	<ul style="list-style-type: none"> <li>Ensure you have not missed any areas of spend. Budget owners will be able to identify gaps.</li> <li>What will the challenges be for your business of working with high risk suppliers? For example, do you have a formal supplier management programme in place?</li> <li>Are any other teams in your business conducting or have they ever conducted risk profiling on suppliers that you need to take into account?</li> </ul>

38. Adapted from *Tackling Modern Slavery in Supply Chains*, Walk Free Foundation <http://business.walkfreefoundation.org/>

Assess risk (complete either by category or for each supplier)	5	Assess supply chain risk	<ul style="list-style-type: none"> <li>Populate the report you have created to show supply chain risk using Steps 6 and 7 below</li> <li>Identify any missing information</li> <li>Apply a 1-5 score based on where the risk is greatest in the supply chain (5 being the highest)</li> <li>Consider the saliency of the risks – how likely it is that the risk will occur and how severe the impact will be if it does</li> </ul>	<ul style="list-style-type: none"> <li>Does your business have visibility of your suppliers' first and second tier supply base?</li> <li>What information do you need from internal and external stakeholders to close any gaps identified in this step?</li> </ul>
	6	Assess country and industry risk factors	<p>Allocate a 1-5 score where:</p> <ul style="list-style-type: none"> <li>Supply chains in countries or regions of countries where labour rights are not protected score higher than others.</li> <li>High risk industries previously affected by undeclared labour, illegal labour and human trafficking score higher than others.</li> <li>Supply chains that include vulnerable workers score higher than others. Include migrant workers, unskilled, temporary and/or seasonal labour, workers engaged by foreign or local temporary staffing agencies, workers who have paid recruitment fees, workers performing outsourced functions at night or in remote placed (include home-based workers), marginalised workers subject to discriminatory laws and treatment, young people under 18 years old, displaced people forced to migrate because of war or persecution, workers who are part of a group that has suffered a long-standing pattern of discrimination Supply chains with sub-contractors (possibly with several links in the supply chain), temporary staffing agencies and short term seasonal contracts score higher than others</li> </ul>	<ul style="list-style-type: none"> <li>What reliable sources exist on country/sector/supplier risk?</li> <li>Do you have information about vulnerable workers?</li> <li>What gaps are there in the information your business needs?</li> <li>What information can you collect to close any gaps?</li> <li>Are there key stakeholders who can help you do this, for example, trade unions?</li> </ul>
	7	Assess supplier capacity	<ul style="list-style-type: none"> <li>Do suppliers have a code of conduct that addresses slavery?</li> <li>Do suppliers have sourcing policies that address slavery?</li> <li>Do they have demonstrable management processes in place to manage the risk of slavery in their supply chain?</li> <li>Have they been identified through third party audits, in the media, or through businesses that monitor risk as having instances of slavery?</li> <li>If so, what remediation took place?</li> <li>Has the supplier signed the company agreement on forced labour?</li> <li>Review supplier's internal management process e.g. do the contracts have appropriate clauses addressing the prevention of slavery, does the supplier have any reporting requirements on high risk areas?</li> <li>Review the supplier's requirements of their suppliers and labour providers – how do they manage the risks of forced labour down their supply chains?</li> <li>Has the supplier completed training on anti-slavery practices<sup>39</sup>?</li> <li>Apply a score 1-5 (with five as the highest score for those that have no policies, process and have been identified as having breaches).</li> </ul>	<ul style="list-style-type: none"> <li>Ensure you assess the supplier information either via their websites or through the Supplier Self-Assessment Questionnaire (Appendix 8)</li> <li>Where you cannot find answers to these points, score the supplier more highly as these can be addressed in the remediation plan.</li> <li>Ensure that all considerations are recorded as these will feed into a remediation plan.</li> </ul>
	8	Assign overall score	<ul style="list-style-type: none"> <li>Add the total scores for each supplier and/or category.</li> <li>List by highest score to complete highest priority list.</li> <li>Categorise all suppliers as high, medium or low risk.</li> </ul>	<ul style="list-style-type: none"> <li>Are there any changes in your business strategy that you should take into account based on your risk analysis?</li> </ul>
Prioritisation	9	Determine priorities	<ul style="list-style-type: none"> <li>Combine risk score with commercial data from step 3 to determine your priorities</li> </ul>	<ul style="list-style-type: none"> <li>Do you have a reasonable number of priorities given the resources available to you?</li> </ul>

39. Such as training on modern slavery by the GLA and University of Derby: <http://www.gla.gov.uk/media/2347/gla-brief-issue-44-academy-2016.pdf>

Action Planning	10	Implement an action plan for your priorities	<ul style="list-style-type: none"> <li>• List your priorities by supplier and/or type of supplier and an analysis of whether further information is required or whether improvements are immediately evident</li> <li>• Engage internal stakeholders to communicate findings</li> <li>• Identify where you need more information to understand the human rights risks posed by your supply chain</li> <li>• Determine how you will work with your suppliers and/or independent third parties to gather that information</li> <li>• Gather information via: <ul style="list-style-type: none"> <li>○ Supplier questionnaires – consider sending out a questionnaire to suppliers to understand their engagement in modern slavery and the steps they are taking to prevent and tackle it. See Appendix 8 for a template Self-Assessment Questionnaire. Review and respond to this information</li> <li>○ Supplier interviews – check worker and trade union rights at supplying sites, including agency, part-time, migrant and seasonal workers – a Collective Bargaining Agreement can usually be considered as evidence of well-functioning worker-management relations and constitutes good practice for ensuring decent working conditions</li> <li>○ Spot checks – conduct unannounced or semi-announced supplier visits where feasible – see Appendix 9 for a visit template</li> <li>○ Management system certification: Request suppliers to gain management system certifications – for instance ISO 9001, ISO 14001, OHSAS 18001 or SA800 all include processes that could be enhanced to include assessments of negative impacts on human rights.</li> <li>○ Ethical audits: Commission unannounced or semi-announced social or ethical audits. Request that the audit firms include indicators of forced labour, modern slavery and human trafficking in their methodologies (See Appendix 1 for guidance on identifying forced labour - SEDEX Guidance on Operational Practice and Indicators of Forced Labour)</li> <li>○ Human rights impact assessments: Carry out detailed human rights impact assessments in areas of highest risk. Assessments are an independent process by which companies can systematically identify, predict and respond to the potential human rights impacts of a business activity taking into account who is affected, the company's policy and procedures and the business sector in which it operates.</li> </ul> </li> <li>• Work with suppliers and/or independent third parties to address risks and gaps in capacity.</li> </ul>	<ul style="list-style-type: none"> <li>• What tools do you want to use to gather further information on your supply chain? For example, ethical audits or human rights risk assessments?</li> </ul>
	11	Understand your influence	<p>Work with stakeholders to answer the following:</p> <ul style="list-style-type: none"> <li>• Do you have enough leverage with high and medium priority suppliers to invoke change?</li> <li>• Whom could you collaborate with to get more leverage?</li> <li>• Are your suppliers willing to be supported to improve policy and practice?</li> <li>• Will your supply chain be willing to provide more information on the human rights impact of their business? If not, will you continue to work with them?</li> <li>• Does your business represent &gt;0.5% of supplier's turnover?</li> </ul>	<ul style="list-style-type: none"> <li>• With whom could you collaborate to gain more leverage?</li> <li>• What relationships do you have with government in the relevant country, and how could they support you to tackle the risks identified?</li> </ul>

# APPENDIX 5

## TEMPLATE RISK SCORECARD FOR SUPPLY CHAINS

N.B. This is a template; to be modified as required for inclusion within a wider strategy to tackle forced labour in supply chains.

### HUMAN RIGHTS RISK SCORECARD<sup>40</sup>

The risk scorecard tool is intended to be used in conjunction with the risk screening tool in Appendix 4 to give businesses guidance about which suppliers they should prioritise as high and medium risks of human rights abuses including forced labour. Businesses need to allocate each supplier a weighted score for each area identified. They should also add any additional criteria that are relevant to their situation and business model.

CATEGORY OF RISK	RISK WEIGHTING	ANSWER	SCORE	WEIGHTED SCORE
<b>COUNTRY RISK INFORMATION: Country of Manufacture or Service Delivery</b>				
On Freedom House (Partly Free) <sup>41</sup>	10%		0	0
On Freedom House (Not free) <sup>42</sup>	10%		0	0
Transparency International Corruption Perception Index (CPI) <sup>43</sup> Highly Corrupt (29 or below)	10%		0	0
<i>Additional forced labour risk information</i>	5%			
<b>SUPPLIER RISK INFORMATION: Goods or Services Provided</b>				
Category or industry of supplier	5%		0	0
Type(s) of employment relationships	5%		0	0
Percentage of foreign migrants in workforce	10%		0	0
Do you have information – such as the result of a previous audit – that may be a cause for concern?	5%			
Has the supplier made a commitment to tackle modern slavery, for example through a code of conduct or CSR report?	5%			
<b>SUPPLIER RELATIONSHIP</b>				
Total annual spend with supplier	10%		0	0
How long have you had a relationship with supplier?	5%		0	0
Is supplier producing branded product for you or is it a highly visible relationship?	5%		0	0
Does supplier have own profile high brand?	5%		0	0
<b>COMPANY SPECIFIC QUESTIONS</b>				
<i>Additional questions regarding supplier risk</i>	10%		0	0
Total	100%			
<b>% Risk</b>				
<b>Risk Status</b>				

40. Adapted from Tackling Modern Slavery in Supply Chains, Walk Free Foundation <http://business.walkfreefoundation.org/>

41. <https://freedomhouse.org/report/freedom-world/freedom-world-2016>

42. <https://freedomhouse.org/report/freedom-world/freedom-world-2016>

43. <http://www.transparency.org/cpi2015#map-container>

# APPENDIX 6

## TEMPLATE SUPPLIER CODE OF CONDUCT FOR ETHICAL TRADE

**N.B. This is a template; to be modified as required for inclusion within a wider Sustainability or Corporate Responsibility policy.**

### **POLICY STATEMENT**

[Company] recognises the responsibility that they share with their suppliers to operate ethically. Promoting decent working conditions in our supply chains is part of our strategy to act in a social responsible manner. In pursuit of our aims, we require that all our suppliers comply with our Code of Conduct for Ethical Trade which is based on the Fundamental Conventions of the International Labour Organisation (ILO) and national and international laws.

We expect all our suppliers to have ethical processes and policies in place throughout their supply chain. We will monitor supplier compliance with this policy through [insert method] and/or through a range of other tools to support the risk management, continuous improvement and capacity building of our suppliers, including the requirements for suppliers to provide reasonable information as evidence of compliance to with our Ethical Trading Policy.

### **Coverage**

[To which supply chain(s) does this policy apply?]

### **Responsibility**

[Who has overall responsibility for this policy?]

[Who (which jobholders) have specific responsibilities for various aspects of this policy?]

### **Specific Supplier Requirements**

[What are suppliers required to do to ensure that they show commitment to the policy? E.g. Register on SEDEX, conduct ethical audits, audit labour providers?]

### **Policy Commitments**

Suppliers to [Company] shall commit to ensure that:

#### **1. Employment is freely chosen**

1.1. There is no forced, bonded or involuntary prison labour.

1.2. Workers are not required to lodge "deposits" or their identity papers with their employer and are free to leave their employer after reasonable notice.

#### **2. Freedom of association and the right to collective bargaining are respected**

2.1. Workers, without distinction, have the right to join or form trade unions of their own choosing and to bargain collectively.

2.2. The employer adopts an open attitude towards the activities of trade unions and their organisational activities.

2.3. Workers representatives are not discriminated against and have access to carry out their representative functions in the workplace.

2.4. Where the right to freedom of association and collective bargaining is restricted under law, the employer facilitates, and does not hinder, the development of parallel means for independent and free association and bargaining.

### **3. Working conditions are safe and hygienic**

- 3.1. A safe and hygienic working environment shall be provided, bearing in mind the prevailing knowledge of the industry and of any specific hazards. Adequate steps shall be taken to prevent accidents and injury to health arising out of, associated with, or occurring in the course of work, by minimising, so far as is reasonably practicable, the causes of hazards inherent in the working environment.
- 3.2. Workers shall receive regular and recorded health and safety training, and such training shall be repeated for new or reassigned workers.
- 3.3. Access to clean toilet facilities and to potable water, and, if appropriate, sanitary facilities for food storage shall be provided.
- 3.4. Accommodation, where provided, shall be clean, safe, and meet the basic needs of the workers.
- 3.5. The company observing the code shall assign responsibility for health and safety to a senior management representative.

### **4. Child labour shall not be used**

- 4.1. There shall be no new recruitment of child labour.
- 4.2. Companies shall develop or participate in and contribute to policies and programmes which provide for the transition of any child found to be performing child labour to enable her or him to attend and remain in quality education until no longer a child; "child" and "child labour" being defined in the appendices.
- 4.3. Children and young persons under 18 shall not be employed at night or in hazardous conditions.
- 4.4. These policies and procedures shall conform to the provisions of the relevant ILO standards.

### **5. Living wages are paid**

- 5.1. Wages and benefits paid for a standard working week meet, at a minimum, national legal standards or industry benchmark standards, whichever is higher. In any event wages should always be enough to meet basic needs and to provide some discretionary income.
- 5.2. All workers shall be provided with written and understandable information about their employment conditions in respect to wages before they enter employment and about the particulars of their wages for the pay period concerned each time that they are paid.
- 5.3. Deductions from wages as a disciplinary measure shall not be permitted nor shall any deductions from wages not provided for by national law be permitted without the expressed permission of the worker concerned. All disciplinary measures should be recorded.

### **6. Working hours are not excessive**

- 6.1. Working hours must comply with national laws, collective agreements, and the provisions of 6.2 to 6.6 below, whichever affords the greater protection for workers. Sub-clauses 6.2 to 6.6 are based on international labour standards.
- 6.2. Working hours, excluding overtime, shall be defined by contract, and shall not exceed 48 hours per week.\*  
*\*International standards recommend the progressive reduction of normal hours of work, when appropriate, to 40 hours per week, without any reduction in workers' wages as hours are reduced.*
- 6.3. All overtime shall be voluntary. Overtime shall be used responsibly, taking into account all the following: the extent, frequency and hours worked by individual workers and the workforce as a whole. It shall not be used to replace regular employment. Overtime shall always be compensated at a premium rate, which is recommended to be not less than 125% of the regular rate of pay.
- 6.4. The total hours worked in any 7 day period shall not exceed 60 hours, except where covered by clause 6.5 below.

- 6.5. Working hours may exceed 60 hours in any 7 day period only in exceptional circumstances where all of the following are met:
- this is allowed by national law;
  - this is allowed by a collective agreement freely negotiated with a workers' organisation representing a significant portion of the workforce;
  - appropriate safeguards are taken to protect the workers' health and safety; and
  - the employer can demonstrate that exceptional circumstances apply such as unexpected production peaks, accidents or emergencies.
- 6.6. Workers shall be provided with at least one day off in every 7 day period or, where allowed by national law, 2 days off in every 14 day period.

## **7. No discrimination is practised**

- 7.1. There is no discrimination in hiring, compensation, access to training, promotion, termination or retirement based on race, caste, national origin, religion, age, disability, gender, marital status, sexual orientation, union membership or political affiliation.

## **8. Regular employment is provided**

- 8.1. To every extent possible work performed must be on the basis of recognised employment relationship established through national law and practice.
- 8.2. Obligations to employees under labour or social security laws and regulations arising from the regular employment relationship shall not be avoided through the use of labour-only contracting, sub-contracting, or home-working arrangements, or through apprenticeship schemes where there is no real intent to impart skills or provide regular employment, nor shall any such obligations be avoided through the excessive use of fixed-term contracts of employment.

## **9. No harsh or inhumane treatment is allowed**

- 9.1. Physical abuse or discipline, the threat of physical abuse, sexual or other harassment and verbal abuse or other forms of intimidation shall be prohibited.

# APPENDIX 7

## TEMPLATE POLICY ON FORCED LABOUR

**N.B. This is a template; to be modified as required for inclusion within a wider Sustainability or Corporate Responsibility Policy.**

### **POLICY STATEMENT**

[Company] recognises the responsibility that they share with their suppliers to tackle forced labour. The principles below are drawn from ILO Conventions, Protocols, Recommendations and Instruments such as the Declaration on Fundamental Principles and Rights at Work and the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the UN Guiding Principles on Business and Human Rights. The principles address businesses and aim to provide clear and practical interpretation of international labour standards. They should be applied by [Company's] suppliers and their labour providers.

### **Coverage**

[To which supply chain(s) does this policy apply?]

### **Responsibility**

[Who has overall responsibility for this policy?]

[Who (which jobholders) have specific responsibilities for various aspects of this policy?]

### **Specific Supplier Requirements**

#### ***Prison Labour***

1. Work or service can only be required from prisoners who have been convicted in a court of law. Such work or service must be carried out under the supervision and control of a public authority, for example the prison administration of a State-run facility. Prison workers must not be hired to or placed at the disposal of private individuals, companies or associations. Compulsory work or service by prisoners is not allowed for private undertakings either inside or outside the prison, or within privately administered prisons.
2. Work or service performed by prisoners in a private undertaking must be voluntary. Prison workers must give their consent to working for a private employer without being subject to a threat or penalty, including the loss of rights or privileges within the prison.
3. Conditions for prisoners who have consented to work within private undertakings should approximate the conditions enjoyed by free workers. Prison workers should have access to wage levels, social security benefits and occupational safety and health standards that approximate a free labour relationship. Reasonable differences in wage levels are acceptable on the basis of deductions made for board and lodging.

#### ***Coercion***

4. Freedom of Employment: All workers shall have the right to enter into employment voluntarily and freely, without the threat of a penalty.
5. Termination of Employment: Workers shall have the freedom to terminate employment of indefinite or long duration by means of notice of reasonable length (in accordance with national law or collective agreement) at any time without penalty. Workers on contracts of fixed duration shall not be required to serve beyond the expiry of their contract. Employers shall not use means to restrict a worker's ability to terminate employment, for example by requiring deposits, withholding employee documentation, threats or use of violence, imposing financial penalties or requiring payment of recruitment fees.

6. Threat of Violence, Harassment & Intimidation: Employers shall not exact work or service from any person under the menace of any penalty. This includes the use or threat of physical or sexual violence or harassment.

### ***Coercion in Wage Payment, including Debt Bondage and Bonded Labour***

7. Wages shall be paid regularly and methods of payment are prohibited that deprive workers of the genuine possibility of terminating employment. Wage payments shall not be delayed or deferred such that wage arrears accumulate.
8. Wages shall be paid directly to the worker and should be paid in legal tender, or by cheque or money order where permitted by law, collective agreement or with the consent of the worker. Payment in the form of vouchers, coupons or promissory notes is prohibited.
9. Payments "in-kind" in the form of goods or services shall not be used to create a state of dependency of the worker on the employer. "In-kind" payments should only be partial to ensure that the worker is not totally deprived of cash remuneration and are permitted only if authorised by national law, regulation or collective agreement.
10. Workers that earn wages calculated on a performance-related or piece-rate basis shall not earn less than the legally mandated minimum wage.
11. Workers shall not be held in debt bondage or forced to work for an employer in order to pay off an actually incurred or inherited debt.
12. Deception in wage payment, wage advances, and loans to employees shall not be used as a means to bind workers to employment. Advances and loans, and deductions from wages made for their repayment, shall not exceed the limits prescribed by national law. Workers shall be duly informed of the terms and conditions surrounding the granting and repayment of advances and loans.
13. No deductions from wages shall be made with the aim of indebting a worker and binding him or her to employment, and measures should be taken to limit wage deductions to prevent such conditions. Workers shall be informed of the conditions and extent of wage deductions, and only deductions authorised by national law, collective agreement or arbitration award shall be made.
14. Workers shall not be compelled to make use of stores or services operated in connection with an undertaking. Where access to other stores or services is not possible, employers shall ensure that goods or services are sold or provided at fair and reasonable prices, without the aim of indebting or otherwise coercing the workers concerned.

### ***Disciplinary Measures***

15. Disciplinary measures should not include sanctions that result in an obligation to work.
16. Compulsory labour shall not be used to discipline workers or as punishment for participation in a strike.

### ***Compulsory Overtime***

17. Workers shall not be forced to work overtime above the limits permitted in national law and collective agreements under the menace of a penalty, for example the threat of dismissal.
18. Work or service outside normal daily working hours shall not be imposed by exploiting a worker's vulnerability under the menace of a penalty. For example, employers shall not set performance targets that result in an obligation to work beyond normal working hours because of the worker's need to be able to earn the minimum wage.
19. Freedom of Movement: Coercion shall not be used to physically confine or imprison workers to the workplace or related premises, for example employer-operated residences. Mandatory residence in employer - operated residences shall not be made a condition of employment.
20. Conditions relating to Skills Development & Vocational Training: Training opportunities provided to employees shall be undertaken voluntarily. Employers that provide such opportunities shall not unreasonably impose work or service as a means of recovering the costs associated with them.

## **Human Trafficking & Forced Labour**

### ***Migration for Employment***

21. Migrant workers, irrespective of their legal status, shall be treated fairly, and measures shall be taken to prevent abusive conditions and fraudulent practices that may lead to coercion and trafficking for labour exploitation.
22. Migrant workers shall benefit from conditions of work no less favourable than those available to local workers, and shall have the right to enter into and terminate employment (with reasonable notice in accordance with national law or collective agreement) voluntarily and freely, without the threat of a penalty.
23. Employers shall not threaten irregular migrant workers or their family members with denunciation to the authorities or otherwise coerce such workers into taking up or maintaining employment.
24. Recruitment of Migrant Workers: No fee or cost for recruitment shall be charged directly or indirectly, in whole or in part, to the worker. If an exception is made, it should be in the interest of the workers concerned, and after consulting the most representative organisations of employers and workers. All costs related to recruitment should be disclosed to the workers.

### ***Document Retention***

25. Practices such as confiscating or withholding worker identity documents or other valuable items (e.g. work permits and travel documentation) are prohibited.
26. However, if requested by workers, employers may provide secure storage for such documents. Workers must then be free to access them at any time upon request.
27. Employers shall not retain personal documents for the purpose of binding workers to employment.

### ***Private Employment Agencies***

28. Within their sphere of influence and to the best of their ability, employers that engage private employment agencies to recruit members of their workforce shall take measures to:
29. Ensure that such agencies do not engage in fraudulent practices that place workers at risk of forced labour and trafficking for labour exploitation;
30. Prevent the abuse of workers contracted by such agencies, for example by ensuring that such workers receive adequate protection in relation to wage-related matters, working hours, overtime and other working conditions;
31. To the greatest extent possible, ensure that fees or costs related to recruitment are not borne by workers but by the contracting company;
32. Use only those recruitment agencies that are licensed or certified by the competent authority.

### ***Contracts of Employment***

33. Employers shall provide written contracts of employment in language that migrant workers can easily understand and that clearly indicate their rights and responsibilities with regard to payment of wages, working hours, valid grounds for termination, and other issues related to preventing forced labour.

### ***Worst Forms of Child Labour***

34. Employers shall take immediate and effective measures to prevent and eliminate the engagement of children in the worst forms of child labour, including debt bondage, serfdom, forced or compulsory labour, and all forms of slavery and practices similar to slavery, such as the sale and trafficking of children.
35. Employers that engage private employment agencies shall ensure that such agencies do not engage children in the worst forms of child labour as indicated above.

# APPENDIX 8

## ETHICAL TRADE AND HUMAN RIGHTS SELF-ASSESSMENT QUESTIONNAIRE FOR SUPPLIERS

**N.B.** This is a template; to be modified as required for inclusion within a wider supplier policy. It can be used by businesses to assess new and existing suppliers' policies and practices on forced labour and slavery. Information received from suppliers should be checked and triangulated by competent staff.

### SELF-ASSESSMENT QUESTIONNAIRE<sup>44</sup>

Dear [Supplier X],

Our company believes in being a socially responsible business. Promoting decent working conditions in our supply chains is part of our strategy to act in a social responsible manner. We see cooperation with our suppliers as crucial to achieving this aim.

Based on our code of conduct for suppliers, we want to ask you a few standard questions that may improve our understanding of your operations and help us establish a baseline of labour conditions in our supply chains. Please note that this is not a test: there are no "right" or "wrong" answers. We would like to collaborate with you to find practical solutions and improvements if there are any issues related to labour relations and decent working in your company. Please reply openly and honestly. If there are issues you would like to discuss with us in detail, please contact [insert relevant contact details].

QUESTION	RESPONSE
Company name:	
Company location:	
Your name:	
Your title:	
Phone number:	
Email address:	
Site/s name:	
Site/s location:	
Have you received the company's guidance on forced labour and returned your signed agreement to the Company?	Y/N

QUESTIONS ABOUT YOUR COMPANY AND ITS POLICIES	RESPONSE
1. Do you currently have a programme to ensure that forced labour does not exist in your operations and supply chain?	Y/N and details
2. Do you work with third parties to identify the risks of slavery and human trafficking in your supply chains?	This may include mapping your supply chain, identifying high risk sources and understanding the risks related to specific supply chains
3. How many suppliers do you have (direct and indirect)?	Numerical response
4. Which of your suppliers do you regard as the highest risk from an ethical perspective?	Based on a risk assessment of your suppliers

44. Adapted from *Tackling Modern Slavery in Supply Chains*, Walk Free Foundation <http://business.walkfreefoundation.org/>

QUESTIONS ABOUT YOUR COMPANY AND ITS POLICIES - CONTINUED		RESPONSE
5.	Do you currently conduct independent unannounced audits of your operations and suppliers?	Y/N and details including audit frequency and selection process
6.	Does your auditing programme include auditing labour providers, including overseas labour brokers or employment agencies?	Y/N and details
7.	Do your audits include specific provisions on slavery and human trafficking?	Y/N and details
8.	Summarise the results of your audits in the last calendar year	Details of analysis
9.	Have you established consequences for non-compliance of suppliers with your standards?	Y/N and details
10.	Do you require direct suppliers to certify that all materials incorporated into your final product were sourced, processed and manufactured in compliance with the human trafficking and slavery laws of the country or countries in which they operate?	Y/N and details
11.	Do you have company standards on forced labour and slavery for employees and contractors?	Y/N and details
12.	Have you established consequences for non-compliance of employees and contractors with your standards?	Y/N and details
13.	In the event that abuses are uncovered, do you have a process to remediate the abuses?	Y/N and details
14.	Have your employees, particularly those in charge of supply chain management, been trained to understand forced labour and slavery and how to mitigate the risk of them in their respective supply chain?	Y/N and details
15.	Have you identified any instances of slavery in your supply chain?	Y/N. If Yes, what remediation was taken?
QUESTIONS ABOUT YOUR SITES		RESPONSE
16.	What management systems do you have in place at your sites to tackle forced labour?	Y/N and details
17.	How many workers are there on site? How many men/women? What nationality are your workers? What languages do they speak?	Worker breakdown
18.	How many of your workers have a permanent contract? Please include workers employed through a third party labour provider.	Worker breakdown
19.	How many of your workers have a temporary contract? Please include workers employed through a third party labour provider.	Worker breakdown
20.	Do all your workers have the right to enter into employment voluntarily and freely, without threat of penalty?	Y/N and details
21.	What is your process of recruitment? Do workers pay fees or owe debts?	Details
22.	How many tiers of labour brokers and agents do you use?	Numerical response
23.	Do you retain workers' documents? If so, where are documents kept and do you have a policy to manage this?	Y/N and details
24.	How do you manage health and safety?	Details of resources, policies and processes

QUESTIONS ABOUT YOUR SITES - CONTINUED		RESPONSE
25.	How do you ensure workers know their rights of employment?	Details of resources, policies and processes
26.	Do workers have the freedom to terminate employment at any time without a penalty?	Y/N and details
27.	Do you have a collective bargaining agreement with your employees?	Y/N and details
28.	Does your site implement a second level collective bargaining agreement?	Y/N and details
29.	Is there a trade union representative on site?	Y/N and details
30.	If so, which trade unions are represented?	Details
31.	Do you provide accommodation on site? If so, detail the cost of the accommodation and how it is paid for. How do you ensure living conditions are up to standard on site?	Y/N and details
32.	What grievance mechanisms do you have in place?	Details

I certify that the answers given above are correct and to the best of my knowledge and agree that it may be followed up by means of audits or checks.

Place and date:

Name and surname:

Role:

# APPENDIX 9

## TEMPLATE FOR CONDUCTING SUPPLIER VISITS

N.B. This is a template; to be modified as required for inclusion within a wider supplier policy.

### CONDUCTING SUPPLIER VISITS

The following guidance is suggested for use by employees of [Company Name] when visiting direct and indirect suppliers and viewing production sites. Employees should document the evidence they have seen for each area and any questions or comments. Suppliers should be supported to resolve any areas of concern which are identified through the tool. Responses should be recorded with other supplier data.

QUESTION	EVIDENCE REQUIRED	INFORMATION GATHERED	COMMENTS
<b>1. Site Profile</b>			
How many workers are there on site?	Payroll Timesheets Staff sign in list		
How many have permanent contracts?	Payroll Worker files		
How many have temporary contracts?	Payroll Worker files		
How many third-party labour providers are being used?	Labour provider contract		
Does the site have a contract with all the labour providers being used?	Labour provider contract		
Does that contract include a requirement to take steps to mitigate the risks of forced labour?	Labour provider contract		
How many migrant workers are there on site?	HR records		
Countries of origin of foreign migrant workers	HR records		
<b>2. Modern Slavery awareness</b>			
Does the site have a policy which covers Modern Slavery?	HR records		
How has the policy been communicated to staff?	HR records		
What procedures does the site have in place to ensure the policy is complied with?	Employee handbook Management training		
What training has been conducted on modern slavery/forced labour on site?	HR training records		
<b>3. Recruitment practices</b>			
Does the site have a personnel file on every worker?	Personnel files		
Are written contracts of employment provided to all workers in a language they can easily understand?	Worker files Worker interviews		

QUESTION	EVIDENCE REQUIRED	INFORMATION GATHERED	COMMENTS
Do contracts of employment clearly indicate the rights and responsibilities of workers with regard to wages, working hours, valid grounds for termination and other issues related to forced labour?	Worker interviews Contracts Wage slips Interviews with third party employment agencies		
Does the site use private recruitment agencies to hire workers? If yes, do they monitor them and how is this done?	Contract with recruitment agency Third party employment agency contracts Audits/checks of employment agencies		
Is there a recruitment fee involved?	Contract with recruitment agency		
Who pays the fee?	Sample pay slips		
Are workers given a written contract in a language they understand?	Personnel files		
<b>4. Trade union relations</b>			
Is there a collective bargaining agreement on site?	CBA		
Is there trade union representation on site?	Trade union agreement		
<b>5. Forced labour</b>			
What is the site's understanding of prison labour?	Interview		
Does the site employ prison labour?	Interview Site visit		
Are workers able to terminate their employment at any time without a penalty?	Employment policies Contracts Worker interviews		
Do workers retain control over their personal documents? If no, under what circumstances	Employment policies Contracts Worker interviews		
Are workers free to leave the facility and dormitories during non-work hours and at the end of shift?	Employment policies Contracts Worker interviews		
If workers identify a suspected case of Forced labour, what is the procedure for reporting this?	Employment policies Worker interviews		

QUESTION	EVIDENCE REQUIRED	INFORMATION GATHERED	COMMENTS
<b>6. Threat of violence, harassment and intimidation</b>			
Does the company have a written policy that clearly states a commitment to prevent harassment and abuse in the workplace?	Employment policies Worker interviews		
What procedures do you have in place to ensure the policy is adhered to?	Employment policies Worker interviews		
Is there any evidence of the use or threat of physical or sexual violence, harassment or intimidation against workers, their families or close associates?	Employment policies Worker interviews Relevant authorities		
Does the employer use irregular, delayed, deferred or non-payment of wages to bind workers to employment?	Employment policies Wage slips Payroll Contracts Worker interviews Third party labour provider records		
Are non-cash or "in-kind" payments used?	Employment policies Contracts Worker interviews		
Is there any evidence that wages are paid in the form of vouchers, coupons or promissory notes?	Employment policies Wage slips Payroll Contracts Worker interviews		
Do workers earning wages on a piece-rate or performance rate-related basis earn the legally mandated minimum wage?	Wage slips Payroll		
Is there any evidence that workers are required to lodge deposits or that unlawful or unauthorised deductions from wages are made?	Wage slips Payroll		
Do wage advances or loans provided to workers comply with national law?	Wage slips Payroll		
Are workers forced to work in order to repay an actually incurred or inherited debt?	Wage slips Payroll Contracts Worker interviews		

QUESTION	EVIDENCE REQUIRED	INFORMATION GATHERED	COMMENTS
<b>7. Disciplinary measures</b>			
Is there any evidence that disciplinary sanctions require or result in an obligation to work, for example through punishment for having participated in a strike?	<ul style="list-style-type: none"> <li>Worker interviews</li> <li>Disciplinary procedures</li> <li>Written warnings or reprimands</li> </ul>		
<b>8. Compensation and Hours of work</b>			
Does the company pay all workers the legal minimum wage and legally mandated benefits?	<ul style="list-style-type: none"> <li>Payroll records</li> <li>Worker interviews</li> <li>Daily time sheets</li> <li>Company policies</li> </ul>		
Does the company ever have irregular, delayed or deferred payments? If yes, under what circumstances	<ul style="list-style-type: none"> <li>Payroll records</li> <li>Worker interviews</li> <li>Daily time sheets</li> <li>Company policies</li> </ul>		
Are workers ever required to work more overtime hours than allowed by national law or (where relevant) collective agreement?	<ul style="list-style-type: none"> <li>Worker interviews</li> <li>Daily time sheets</li> <li>Company policies</li> </ul>		
What happens to workers who do not agree to work overtime?	<ul style="list-style-type: none"> <li>Worker interviews</li> <li>Company policies</li> </ul>		
How does the company ensure workers can take all the holiday and leave they are legally entitled to?	<ul style="list-style-type: none"> <li>Worker interviews</li> <li>Company policies</li> </ul>		
How does the company ensure there are no unauthorised or illegal deductions from employee's wages?	<ul style="list-style-type: none"> <li>Worker interviews</li> <li>Company policies</li> </ul>		
<b>9. Freedom of Movement</b>			
Is there evidence that workers are physically confined to the workplace or to employer-operated residences outside working hours?	<ul style="list-style-type: none"> <li>Company policies</li> <li>Worker interviews</li> <li>Site inspection</li> <li>Accommodation inspection</li> </ul>		
<b>10. Migrant Workers</b>			
Are migrant workers treated fairly and do they benefit from conditions of work that are no less favourable than those available to locally-recruited workers?	<ul style="list-style-type: none"> <li>Company policies</li> <li>Worker interviews</li> <li>Site inspection</li> </ul>		

QUESTION	EVIDENCE REQUIRED	INFORMATION GATHERED	COMMENTS
Is there evidence that migrant workers or their family members have been threatened with denunciation to the authorities to coerce them into entering or maintaining employment?	Company policies Worker interviews Site inspection		
Have measures been taken by the employer to prevent abusive conditions and fraudulent practices that may lead to coercion and trafficking for labour exploitation?	Wage records Company policies Migrant workers contracts Worker interviews		
<b>11. Child labour</b>			
What is the minimum hiring age of workers in your company?	Worker interviews Company policies		
What is the age of the youngest worker in your company?	Personnel files Worker interviews Company policies		
How are workers' ages verified?	Worker interviews Company policies		
What are the working hours for young workers below the age of 18?	daily time sheets Worker interviews Company policies		
What type of work are workers below the age of 18 doing in your company?	Worker interviews Company policies		
Is there any evidence that children have been engaged in the worst forms of child labour?	Age estimation techniques and cross-referencing through site interviews, interviews with workers and management		
<b>12. Grievance and Remediation</b>			
What is the company's grievance procedure to allow workers to bring concerns to management's attention?	Company policies Worker interviews		
Does the procedure allow workers to remain anonymous? If so, how?	Company policies Worker interviews		
How many complaints have been received in the last year?	HR records		
How many complaints have been investigated in the last year?	HR records		
How many have been resolved?	HR records		

QUESTION	EVIDENCE REQUIRED	INFORMATION GATHERED	COMMENTS
<b>13. Living Conditions</b>			
Do workers stay in factory/site owned dormitories or caravan accommodation?	Site visit		
How many workers per room or caravan?	Site visit		
Where can workers store their personal belongings?	Site visit		
Are the dormitories or caravans guarded?	Site visit		
Do workers need to register when they come and go?	Company policies Employee handbook Site visit		
How much does it cost for each worker to stay in the accommodation?	Company policies Payroll records		
<b>14. Suppliers and sub-contractors</b>			
How many suppliers do you have?	Interview		
Do you sub-contract any of your production?	Interview		
How do you ensure suppliers and sub-contractors do not employ forced labour or child labour?	Interview		

# APPENDIX 10

## TEMPLATE EMPLOYER PAYS PRINCIPLE AND REPAYMENT OF RECRUITMENT FEES POLICY FOR BRANDS/RETAILERS

**N.B. This is a template; to be modified as required for inclusion within a wider Ethical Trading/Ethical Procurement/Human Rights/Responsible Recruitment Policy.**

### 1. Scope

This policy applies to [Brand] suppliers in situations where they use workers that are supplied by labour providers and includes an organisation's goods for resale and goods not for resale suppliers and service providers, such as catering, security, office cleaning, logistics and distribution.

For the purposes of this policy, the supplier is the first-tier supplier to [Brand] who is responsible for the application of this policy to their own labour providers and to all the labour providers used by their suppliers i.e. [Brand's] second, third, fourth tier etc. suppliers.

### 2. Background

Labour providers operate throughout global supply chains sourcing and supplying workers, often across borders, into businesses across all sectors. There are costs associated with providing the range of services integral to recruitment including sourcing workers, interviewing, worker documentation, work placement, orientation and transportation to the country.

Currently, the dominant business model in most countries is to pass on these costs to the workers meaning that these practices are taking place in the supply chains of many businesses. Many vulnerable workers, especially those migrating abroad for work, are often desperate to find work, poor and low-skilled with limited access to employment in their own community and so accept the fees for the promise of a job. Businesses are increasingly recognising that the practice of charging recruitment fees to workers is exploitative and can lead to situations of debt bondage and forced labour. As such, eliminating recruitment fees charged to workers is one of the crucial ways that companies can ensure slavery-free supply chains.

Where suppliers make use of labour providers, this policy requires that they shall apply their own appropriate due diligence to ascertain that workers have not paid recruitment fees at any point in their recruitment and employment journey.

### 3. Policy Principles

- **Employer Pays Principle:** No worker should pay for a job – the costs of recruitment should be borne not by the worker but by the employer.
- **Repayment of Recruitment Fees:** If it is discovered that workers have paid recruitment fees, the full cost of those fees should be reimbursed to the worker by the business partner that is responsible for the violation, including for any sub-agents in the recruitment supply chain where this was within the reasonable due diligence control of the business partner.

## 4. Supplier Policy Implementation

Suppliers of [Brand] branded products must implement appropriate management processes to meet the following requirements:

- Labour providers shall not charge a worker for finding them a job or for services that are integral to the work-finding process. Suppliers must ensure that labour providers (and any third-party labour sourcing agents that may be used in the recruitment supply chain) comply with Article 7 of ILO Convention C181 *“Private employment agencies shall not charge directly or indirectly, in whole or in part, any fees or costs to workers.”* *“Indirectly”* in this context means that a labour provider must not:
  - » charge workers for purportedly optional services which are in fact integral to the work-finding process;
  - » make providing work-finding services conditional on the worker using other services or hiring or purchasing goods provided by the labour provider or any person connected to them.
- Suppliers and Labour Providers must not require workers to lodge deposits or withhold any guarantee money, ‘runaway insurance’, surety bond, commitment or membership or reservation fees, deposits or recruitment fee sums from pay or otherwise to enable or facilitate recruitment, discourage departure or other similar purpose.
- Suppliers (including employees and representatives) must not, nor require or accept the labour provider to, charge back or accept reimbursement from any worker supplied to recover any fees paid by the supplier or labour provider in the recruitment or hiring of the worker.
- Suppliers must ensure that labour providers provide full transparency of their recruitment supply chain including written details of the use of any third-party labour sourcing agents and sub-agents that may be used and the terms of engagement that exist.
- Recruitment costs must be paid directly where possible. When not possible, or where the worker is legally required to pay a fee or cost directly, the worker shall be reimbursed by the employer as soon as practicable upon discovery.
- Suppliers must ensure through appropriate systems and due diligence that workers are informed during the recruitment process and again on commencement of employment that they do not bear any costs of recruitment and fully understand any authorised expenses payable such as accommodation.
- Suppliers and their labour providers should have mechanisms in place for the confidential reporting of violations of these standards by their employees, workers and their representatives.
- Suppliers must have a repayment of recruitment fees policy commitment which sets out how workers will be compensated for any recruitment fees that they have incurred both in situations where this was within the due diligence control of the labour provider and for where it was outside of the labour provider’s control.
- The commercial agreement between the supplier and the labour provider should contain clauses to the above effect and:
  - » hold labour providers liable for their own violations and also for those of the sub-agents in the recruitment supply chain where this was within the reasonable due diligence control of the labour provider;
  - » include a requirement and process to reimburse current and ex-workers that have been charged direct or indirect recruitment fees.

## 5. [Brand] Policy Implementation

[Brand] will also implement the Policy in relation to its own business:

- [Brand] will communicate the principles and terms of implementation of this Policy with our own employees, with appropriate training on its application and with sanctions in place to censure employees found to be in breach of the policies. [Brand] will also publicly communicate our commitment to the Employer Pays Principle and advocate for wider adoption of this approach amongst the business community.
- [Brand] will undertake our own due diligence to ensure that the above policies are implemented for labour providers into our own operations and by suppliers and labour providers throughout our supply chain.

- [Brand] will include the principles and terms of implementation of this Policy in all contracts and service agreements with suppliers and labour providers with penalties in case of non-compliance with the Policy.
- [Brand] have our own mechanisms to support the confidential reporting of violations of these standards by our own workforce and the workers of suppliers and labour providers in our supply chain. These include:
  - » [Include details of all internal, confidential, and third-party grievance mechanisms accessible to your own employees and to workers in your supply chains (whether provided by the Brand or its suppliers).]
- Where workers are found to have paid recruitment fees in our supply chain, [Brand] will seek to use the terms of our contracts and our leverage to ensure effective remedy including restitution, compensation, rehabilitation and satisfaction and guarantee of non-repetition as appropriate.

# APPENDIX 11

## TEMPLATE REMEDIATION POLICY

**N.B. This is a template; to be modified as required for inclusion within a wider Sustainability or Corporate Responsibility policy. It should be designed with those likely to be impacted by the policy i.e. managers and workers.**

### **POLICY STATEMENT**

[Company] recognises the responsibility that they share with their suppliers to provide remedy to victims of slavery. Successful remediation is not easy to achieve and requires a victim-led, consultative and multi-stakeholder approach. The policy below is drawn from best practice guidance on remediation and build on the requirements of ILO Conventions, Protocols, Recommendations and Instruments such as the Declaration on Fundamental Principles and Rights at Work and the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the UN Guiding Principles on Business and Human Rights. The policy is intended to provide a practical framework for businesses to apply remedy should they encounter victims of slavery in their business or in their supply chains.

### **Coverage**

[To which supply chain (s) does this policy apply?]

### **Responsibility**

[Who has overall responsibility for this policy?]

[Who (which jobholders) have specific responsibilities for various aspects of this policy?]

### **Basic Principles**

These principles apply to all workers regardless of their employment status or length of service. This includes permanent, temporary or casual labour whether directly or indirectly employed. The response to a situation of forced labour will depend upon the scale of the issue identified.

#### **1. Employment is freely chosen**

- 1.1. There is no forced, bonded or involuntary prison labour.
- 1.2. Workers are not required to lodge "deposits" or their identity papers with their employer and are free to leave their employer after reasonable notice.

#### **2. No worker should pay for a job –**

- 2.1. The costs of recruitment should be borne not by the worker but by the employer.

### **Remediation Procedures**

If modern slavery is found, it is vital to act quickly and to protect the victim.

#### **Step One: Definition of a complaint**

[Company] defines a complaint as a report of violation against [Company's] Code of Conduct that has occurred in [Company's] supply chain and has a direct adverse human rights impact. The complainant should be able to produce sufficient information to demonstrate the relevance and seriousness of the complaint.

#### **Step Two: Designing a remediation procedure**

[Company] recognises that is important to identify and establish a remediation team in order to develop the

business's remediation procedure. This should be made up of representatives from the workforce, managers, trade unions (if active in the workplace) and local NGOs with expertise in modern slavery and forced labour where available. If there is an existing government or civil-society backed organisation, process or project providing remedy for victims of modern slavery these should be identified and involved in the development of the remediation procedure.

Protecting the victim of slavery must be the first priority of the remediation programme. The remediation team must understand the specific needs, circumstances and aspirations of each victim and what it was that pushed them into modern slavery.

[Company] will take the following steps in designing its remediation procedure:

1. Identify a remediation team, including local experts where available
2. Define roles and responsibilities of each party
3. Decide who will be funding the remediation programme
4. Document what would constitute a grievance and what information the complainant should be able to provide to demonstrate the relevance and seriousness of the complaint
5. Document what channels are available to workers and relevant third parties for raising grievances
6. Ensure that workers and relevant third parties are aware of all of these channels
7. Document how the company will carry out an investigation should an incident of modern slavery be identified
8. Identify and document what remedy the business will offer to victims of modern slavery including restitution (restoring victim to original situation before abuses occurred), compensation (financial or otherwise), rehabilitation (medical, physiological or psychological care) and satisfaction and guarantee of non-repetition
9. Identify and document relevant government and/or civil-society backed support mechanisms which victims of slavery can access
10. Ensure the procedure acknowledges that victims have the right to pursue other forms of remedial action at any stage beyond internal remedy mechanisms
11. Decide and document how the business will contribute to programmes to assist victims of modern slavery e.g. through vocational training or other appropriate measures
12. Decide and document how the outcomes of any investigation will be communicated, bearing in mind the need to protect victims
13. Establish a review procedure to ensure the remediation policy is effective and to review the root causes of any incidents of modern slavery.
14. Share the remediation procedure with all workers on site.

### **Step Three: Dealing with a case of modern slavery**

Protecting victims of slavery is the most fundamental principle of any remediation policy. [Company] acknowledges that once an allegation of modern slavery is made victims should be:

- Taken to a place of safety, out of view
- Supported by a colleague or trade union representative if possible
- Provided with reassurance and welfare (food, drink, medical assistance)
- Informed of the business's remediation procedure and the support that is available to them
- Asked what remediation they are looking for e.g. financial, psychological support.
- Given access to relevant government or third party remediation services
- At all stages, [Company] will take steps to protect confidentiality and collect evidence including:
- Ensuring that suitable managers are responsible for running the investigation without links to the allegations
- Recording what the victim says and making full notes of all the circumstances
- Keeping multiple victims separate, speaking to them individually and noting signs of suspects trying to make contact.
- Having an independent/telephone interpreting service ready to use.

The [Company] process for responding to violations will be to:

1. Conduct an initial assessment of the allegations to ensure there is sufficient information to understand the exploitation discovered and remedy it
2. Ascertain if a supplier or labour provider is implicated
3. Report the allegations to relevant authorities
4. Capture evidence about the violations, using an independent third party if necessary
5. Gather information from those affected
6. Take steps to correct the situation for the worker
7. Contribute to programmes and projects to assist the victims of slavery
8. Work with local authorities and competent local organisations to provide assistance
9. Review progress over a suitable time period and verify that progress with local authorities and local organisations
10. Document remedial steps taken (see Appendix 12, Remedy Tool)
11. Build learnings into remediation procedures and operational procedures to prevent re-occurrence.

#### **Step Four: Ongoing support and monitoring**

It is important for [Company] to monitor the progress of the remediation programme and to provide ongoing support for victims of slavery. Monitoring will include the following steps:

- Monitoring the victim's progress if the victim has been referred to a government or civil-society managed referral mechanism or similar
- Evaluating how effective the remediation procedure was and amending it accordingly
- Reviewing internal policies and procedures to determine what needs to change to prevent slavery from re-occurring.

Ongoing support required should be determined with the victim. It may take the form of a financial stipend whilst the victim is not working.

# APPENDIX 12

## TEMPLATE FOR THE REMEDY TOOL

**N.B. This is a template; to be modified as required for inclusion within a wider supplier policy.**

### REMEDY TOOL<sup>45</sup>

The following tool is suggested for use by businesses for documenting remedial steps taken when cases of forced labour are found. Businesses should ensure they have taken the following steps once a case of forced labour has been identified:

1. Have you investigated the violations effectively, promptly, thoroughly and impartially and, where appropriate, taken action against those allegedly responsible in accordance with domestic and international law?
2. Have you provided the victims of the human rights abuse with access to justice, irrespective of who may be responsible for the violation?
3. Have you provided effective remedy to the victims, including reparation?
4. Have you considered what needs to change to ensure that the abuses do not reoccur?

The following information should be completed by the individual in the business who is responsible for implementing the company's policy for remedy of human rights abuses:

REQUIRED INFORMATION	CASE-SPECIFIC RESPONSE
: Location of abuse	
: Date/s of abuse	
: Nature of human rights abuse	
: Individuals or organisations responsible for human rights abuses	
: Investigation undertaken into the violations	
: Date/s of investigation	
: Findings of investigation	
: Access to justice offered to victim of abuse	
: Remedy requested by victim of abuse	
: Proposed remedy offered to victim of abuse	
: Actual remedial steps implemented	
: Steps taken to restore the victim to their original situation before the abuses took place. <i>E.g. restoration of employment, return of property, payment of due wages</i>	
: Steps taken to compensate the victim for the abuses that took place. <i>This compensation may be financial or otherwise.</i>	

45. Adapted from the United Nations, Office of the High Commissioner, *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law* (2005) <http://www.ohchr.org/EN/ProfessionalInterest/Pages/RemedyAndReparation.aspx>

<p>Steps taken to rehabilitate the victim. <i>This may include medical and psychological care as well as legal and social services.</i></p>	
<p><b>REQUIRED INFORMATION</b> <span style="float: right;"><b>CASE-SPECIFIC RESPONSE</b></span></p>	
<p>Steps taken to satisfy the victim that the abuses will not reoccur. <i>This may include changes to business processes or the engagement of government.</i></p>	
<p>Timeframe for remedy</p>	
<p>Involvement of suppliers in remedy</p>	
<p>Involvement of local groups/NGOs/charities in remedy</p>	
<p>Involvement of victim's family in remedy</p>	
<p>Involvement of local or national government in remedy</p>	
<p>Other comments</p>	

# **ALP, IHRB AND IOM ISSUE NEW TOOLKIT FOR BUSINESS ELIMINATING RECRUITMENT AND EMPLOYMENT FEES CHARGED TO WORKERS IN SUPPLY CHAINS**

Global NGOs, industry organisations and businesses are increasingly recognising that charging recruitment and employment fees to workers is exploitative. In the worst cases it can lead to situations of debt bondage and forced labour and as such eliminating recruitment fees charged to workers is a fundamental action that companies working towards slavery-free supply chains must implement.

The new 'Eliminating Recruitment and Employment Fees Charged to Workers in Supply Chains' Toolkit has been developed by the ALP in partnership with the Institute for Human Rights and Business (IHRB) and the International Organization for Migration (IOM) and has been written in straightforward language to support brands, retailers, employers and labour providers to implement the standards and necessary systems to eradicate the charging of fees to workers in their operations and supply chains.

The Toolkit is available to download for free from [responsiblerecruitmenttoolkit.org](http://responsiblerecruitmenttoolkit.org). The Responsible Recruitment Toolkit website will launch in full in early 2018, providing practical, interactive guidance for brands, retailers, employers and labour providers across the breadth of responsible recruitment good practice.

The 'Eliminating Recruitment and Employment Fees' Toolkit provides a framework and pragmatic steps to eradicate fee-charging to workers by working towards one clear premise: established in law in many countries, including the UK; by the ILO Private Employment Agencies Convention 181 Article 7; by the Consumer Goods Forum as the Forced Labour Priority Industry Principle "No worker should pay for a job"; by the World Employment Confederation Code of Conduct Principle 3 "Respect for free-of-charge provision of services to jobseekers" and by the IHRB as 'The Employer Pays Principle': No worker should pay for a job - the costs of recruitment should be borne not by the worker but by the employer.

John Morrison, Chief Executive for IHRB said, "Ensuring workers do not pay the costs of recruitment, by moving to an "Employer Pays" model, is a critical action by which companies can protect workers from vulnerability to forced labour and trafficking and ensure efficient and sustainable supply chains".

Marina Manke, Head of Labour Mobility and Human Development Division, in IOM Headquarters in Geneva said, "Migrant workers should not be charged fees to take up overseas employment. This makes them more vulnerable to exploitation, debt bondage, and in extreme cases, forced labour. IOM is pleased to support the development of this toolkit, which clearly explains why and how companies should eliminate recruitment fees in their business operations and supply chains".

David Camp, ALP Chief Executive said, "Since 2004, the ALP has been supporting labour providers in the consumer goods sector to recruit responsibly. The "Eliminating Recruitment and Employment Fees" toolkit is a valuable new resource to support businesses and their supply chain in all sectors to ensure that no worker has to pay for a job. We very much welcome comment and input to further improve this guidance."

The Toolkit has been issued as a public draft for consultation to stimulate debate and to inform where more detail and clarity is required. We welcome feedback to [info@labourproviders.org.uk](mailto:info@labourproviders.org.uk) and an updated toolkit containing these revisions is planned to be issued within six months.

# NOTES



# NOTES



# NOTES



# PREPARED FOR STRONGER TOGETHER IN 2017 BY

Louise Herring, Jantine Werdmuller von Elgg and David Camp

## ACKNOWLEDGEMENTS

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# SUPPORTING YOUR BUSINESS IN TACKLING FORCED LABOUR



tackling modern slavery in supply chains

## THE CHALLENGES



**24.9 MILLION PEOPLE** in forced labour globally



Behind every statistic is a person... held in forced labour



Growing statutory and civil law, supply chain and moral imperatives



Increasing human rights benchmarking of companies is influencing clients, customers, NGOs, investors and shareholders

## THE MODEL FOR CHANGE

Stronger Together's unique business-led model to tackle modern slavery includes:



Detailed yet pragmatic business-focused **guidance**, resources and sector-specific programmes



**Collaboration** between national and global businesses, suppliers, subcontractors and labour providers



A **safe platform and support network** for sharing challenges and good practice with peers and experts



Internationally accepted **methodology** to prevent, tackle and remediate forced labour long-term

## WHO WE WORK WITH

### HIGH RISK INDUSTRIES



FOOD & DRINK



RETAIL



AGRICULTURE



CONSUMER GOODS



CONSTRUCTION



FISHING & MARITIME

### BUSINESSES



INTERNATIONAL BUSINESSES



LABOUR PROVIDERS



SUBCONTRACTORS



SUPPLIERS

### DEPARTMENTS



CEO  
SENIOR MANAGEMENT  
HUMAN RESOURCES  
PROCUREMENT  
RESPONSIBLE SOURCING  
CSR/ETHICAL TRADE  
COMPLIANCE  
FRONTLINE STAFF

## THE JOURNEY WITH STRONGER TOGETHER



### PRAGMATIC & FREE RESOURCES

- 1 Toolkits
- 2 Training & Awareness Videos
- 3 Worker Posters & Leaflets
- 4 Templates & Checklists



### TRAINING

- 1 Tackling Forced Labour in Businesses
- 2 Tackling Forced Labour in Global Supply Chains
- 3 Bespoke, In-house Training
- 4 UK & Global E-Learning



### PROGRESS MONITORING & REPORTING

- 1 Online Supplier Assessment
- 2 Ongoing Engagement Across Supply Chains
- 3 Expert & Peer-to-Peer Support Network
- 4 Involvement In Programme Can Be Referenced In Your Human Rights Reporting



### CONSULTING

- 1 Strategy & Policy Development
- 2 Training & Capacity Building
- 3 Supply Chain Mapping, Identifying & Assessing Risk
- 4 Monitoring & Communicating Effectiveness

## GET INVOLVED

Contact us today to find out more information:

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## BENEFITS

Reduce workers' vulnerability to exploitation

Promote a safe, non-exploitative working environment

Improve communication within your supply chain

Support according to your business' needs and learning at your pace

Build and demonstrate leadership

## PROJECT SPONSORS





# stronger together

tackling modern slavery in supply chains

**Stronger Together is a multi-stakeholder initiative that brings together companies, labour providers, industry associations, NGOs and other key parties to address and help businesses tackle modern slavery.**

**Stronger Together takes a collaborative approach to developing new strategies to support business in addressing modern slavery risks based on the corporate responsibility to respect human rights advanced in the UN Guiding Principles on Business and Human Rights.**

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