



Responsible Recruitment Working Group

The Food Network for Ethical Trade – 22 June 2023, 10.00 – 15.00 hrs



Competition Law Statement

“Today we are meeting to discuss a Food Network for Ethical Trade agenda on subject of Responsible Recruitment.

We take competition compliance seriously. Whilst discussions can cover matters of interest to our industry, we cannot discuss or exchange sensitive commercial information.

If at any time during this meeting, you think our discussions may be in breach of competition rules, please inform the Chair. The Chair may close the meeting at any time if she believes that discussions are in breach of competition law”



Purpose of today

Workgroup members to reconnect and accelerate collaboration

Re-energise working group members and foster collaboration

Providing practical steps for members to make progress towards RR in the operations & supply chains and how to utilise public reporting requirements to further tangible progress

Outline suggestions for FNET businesses to capture in their MSS coming from the accelerated actions.

Time	Agenda
10.00 – 10.15	Arrival at Tesco Checkout Building reception
10.15 – 10.30	Welcome and Introductions <ul style="list-style-type: none"> - run through agenda & purpose of the day - Housekeeping
10.30 – 11.15	The effectiveness of Modern Slavery Statements and current trends in reporting (through the lens of Responsible Recruitment) Q&A <i>Presenter - Bev Hall, supply Chain Consultant</i>
11.15 – 12.15	Small group exercise – Review selected Modern Slavery Statements through the lens of Responsible Recruitment Followed by small groups feedback summary of their MSS review to whole group
12.15 – 13.00	Lunch and networking
13.00 – 13.30	Responsible Recruitment toolkit update & recruitment trends / Q&A <i>Presenters - Bethan Hunt & Mariana Gomezgil, Stronger Together / Responsible Recruitment Toolkit</i>
13.30 – 14.00	Group discussion: <ul style="list-style-type: none"> - Sharing new or emerging risks or issues participants are seeing. - Sharing of any new resources and tools relevant.
14.00 – 14.30	Update on industry progress in implementing the Employer Pays Principle & The Leadership Group for Responsible Recruitment (LGRR) direction of travel. / Q&A <i>Presenter - Neil Wilkins, IHRB</i>
14.30 – 15.00	Next steps and close

Responsible Recruitment Working Group

Presenter: Beverley Hall

June 2023



FNET



*Every link
matters*

for people centred supply chain solutions

The brief



- ✓ Review Modern Slavery Statements with a Responsible Recruitment lens
 - ✓ Summarise activities & risk management actions
 - ✓ Identify gaps
- Four retailers & five suppliers covering including fruit, fish, soy, palm, cocoa, meat, poultry, processing, food services, logistics
 - UK & EU coverage
 - Recent reports (2022)
 - Portals, forums, initiatives & websites

Mapped against



1. Commit to and develop an EPP policy, then embed it across the company
2. Assess the risks of workers being charged recruitment
3. Integrate and act on the risk assessments
4. Communicate on effectiveness and share lessons
5. Remedy recruitment-related impacts early and directly

References:

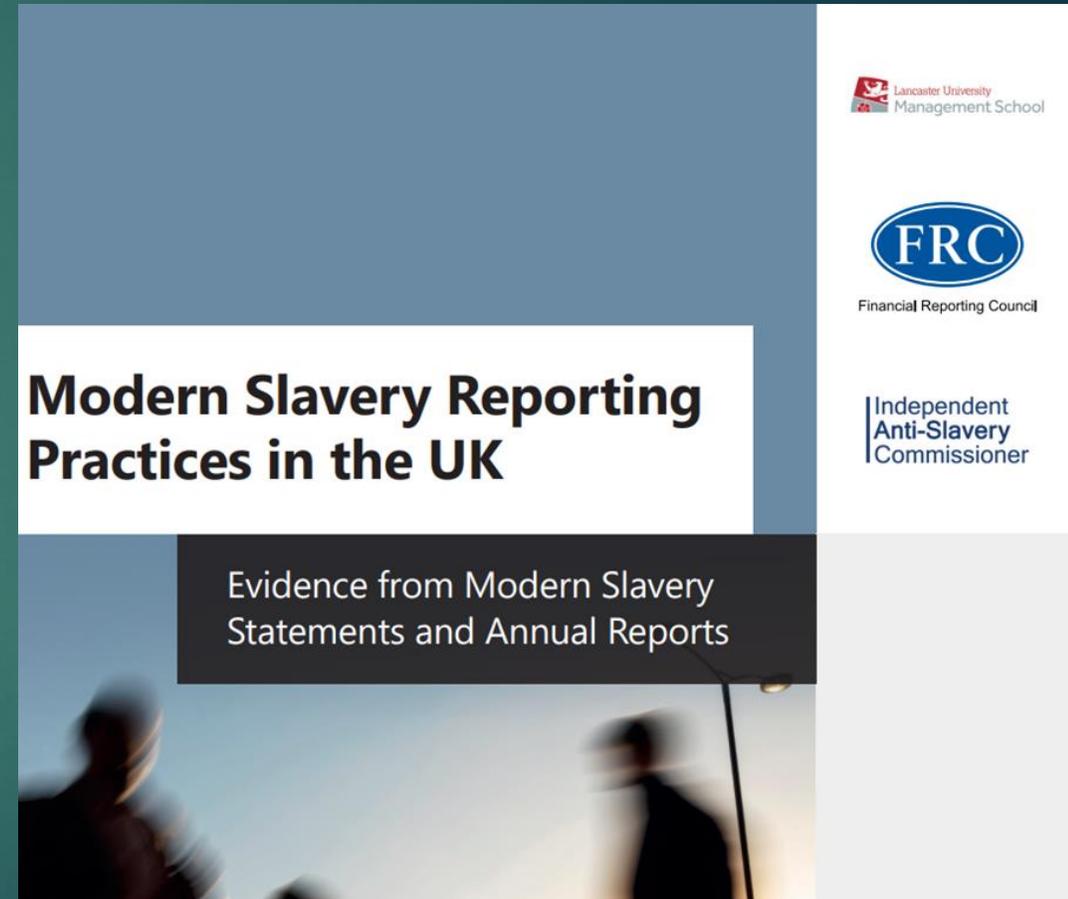
- IHRB [guidance on Responsible Recruitment & EPP](#)
- ETI [Modern Slavery Statement Framework](#)



Modern Slavery reporting review

Lancaster University & Financial Reporting Council 2022

1. Still not a mainstream concern for many boardrooms.
2. One in ten companies did not provide a modern slavery statement at all,
3. Where submitted, only one third of modern slavery statements considered clear and easy to read
4. In general, fragmented, lack of focus and complicated
5. Wholly backward-looking, very few with long-term strategies
6. Many reactive rather than proactive
7. KPIs to minimise modern slavery risks particularly poor



Modern Slavery reporting review

Lancaster University & Financial Reporting Council 2022

Sign off & disclosure

- 80% CEO and/or board Chair signs-off
- 46% described their policies on slavery and human trafficking in an informative manner. Disclosure is poor on detail (practice & effectiveness)

Planning & KPIs

- 25% disclosed results against their KPIs;
- 12% confirmed they have made informed decisions based on those KPIs.
- 37% identifying emerging issues
- 12% of companies providing a long-term plan

Risk assessments

- 55% of the sample reported that they assess modern slavery risk in their own business, and
- 70% of companies claimed to undertake a similar assessments in their supply chain

54% of companies	reported that they assess forced labour or modern slavery risks before signing contracts.
61% reported	having modern slavery provisions in their supply chain contracts.
33% of companies	stated that they require first tier suppliers to cascade their human rights and modern slavery standards down the supplier's own supply chains.
39% reported	that they actively participate in multi-stakeholder collaborations or industry initiatives on human rights and modern slavery.
57% reported	that they monitor suppliers on slavery and disclose results of these monitoring processes, but only 15% disclose that they work with suppliers to improve their labour rights practices.
18% of companies	disclosed that they engage directly with workers in the supply chain using mechanisms such as site visits and worker interviews as part of monitoring processes.



Pause for thoughts & reflections

Does this resonate? What are some of the challenges you've faced in preparing a MSS? How could you make a difference?

Responsible recruitment

	Retailers	Suppliers
Responsible recruitment in MSSs	100%	60%
Responsible recruitment policy other / web	100%	60%
Responsible recruitment KPIs	100%	60%

Policy documents & KPIs clearer on website, annual reports & CoPs

R1: sign off for labour agencies sits at Director level and requires full compliance approval prior to being onboarded

S5: does not tolerate the use of any form of forced labour – including prison labour, indentured labour, bonded labour, and any forms of modern slavery or trafficking – anywhere in our own operations and supply chains. We will act to eliminate any form of forced labour from our own operations and supply chains

Employer pays principle

	Retailers	Suppliers
Employer Pays Principle in MSSs	50%	0
Employer Pays Principle: policy, other / web	100%	40%

S1: Workers should not pay recruitment or similar fees to obtain employment. The costs of recruitment should be borne by the employer

R2: It is a policy requirement that all suppliers of food, non-food, and goods and services not for resale - align with the Employer Pays Principle

Remedy

	Retailers	Suppliers
Remedy for victims / direct in MSSs	75%	40%
Remedy for victims / third party – other	100%	60%

R2: Within our full year 2022/23 we have supported suppliers in Thailand and Malaysia to reimburse and cover costs for workers of a total of USD 442,672 through our responsible recruitment policy and driven further compliance with the Employer Pays Principle.

S1: survivors of modern slavery and labour exploitation Practical guidance and support is provided through our Survivor Care Standards for Business Handbook

Remedies include compensation for material damages such as medical costs, unpaid wages, legal fees, and loss of earnings. It can also include moral damages such as pain and emotional distress

Weight of consequences / position

	Retailers	Suppliers
Consequences clear / MSS	25%	40%
Consequences / other	75%	20%

R2: Non-compliance with our modern slavery stance may result in the immediate termination of any relationship with ##. In all cases of noncompliance, we may report the matter to the relevant authorities.

R3: Any employment relationships founded on debts between the employee and the employer or recruiter (or any other relevant third party) are strictly prohibited in ## supply chains

Positive practices

- ▶ Acknowledged in CEO/CE statement (All retailers)
- ▶ **Labour agencies / brokers**
 - ▶ final sign off for labour agencies sits at Director level, requires full compliance approval prior to being onboarded
 - ▶ Interrogating the labour brokers / recruitment agencies about their business operations and management practices. Also, on what they thought the biggest threats to their business models were in terms of labour exploitation and modern slavery.
- ▶ **Identifying / mitigating risk**
 - ▶ Predicting labour shortages & dedicated risk assessments
 - ▶ Fees paid up front by the Retailer
 - ▶ Using a limited number of selected providers
 - ▶ Worker focussed approach / Bangladesh, China, India and Turkey. Early identification of labour shortages & recruitment drives



Positive practices

- ▶ **Stakeholder engagement & training**
 - ▶ Internal teams, site champions & trade union reps
 - ▶ Multiple platforms, portals, forums & guidance
- ▶ **Graded / traffic light response according to risk**
- ▶ **Scale & scope**
 - ▶ Predominantly Tier one & key supply chains
 - ▶ Expanding into new areas, geographies & industries

Focused on areas of greatest risk presented through our data, Responsible Sourcing has three response mechanisms based on risk. If an in-scope location is deemed to be:

- **High risk** sites would be expected to provide an audit (less than 12 months old) with any findings closed out in-line with the specified time frame. Failure to do so would result in a breach of our Standards for Suppliers, and potentially reduction or termination of business.
- **Medium risk** sites are expected to engage with our toolkits and resources provided through the Asda Supplier website to improve their management practices, further reduce their risk scores and drive continuous improvement.
- **Low risk** sites may be requested to provide best practice and partner with other Asda suppliers to improve global supply chains for the better.



Reflection or questions



Areas needing improvement

▶ **Transparency of RR & EPP**

- ▶ Where available, embedded in overall HRDD policy – found more detail in ESG & annual reports
- ▶ Good stand-alone policies on forced labour that included RR/EPP - with full explanation
- ▶ Referenced in CoC Not in public domain

▶ **Key Performance Indicators**

- ▶ Entry level, forward looking & proactive
- ▶ Long term strategy & planning

▶ **Remedy practice**

- ▶ Deferred remedy via legal system
 - ▶ Help lines & Apps
 - ▶ Use of collective leverage – assumed by evidence of collaborative platforms/providers
 - ▶ Scale of risk and potential
- ▶ Clear consequences (Work with you to rectify, No further business, legal)

Policy example (R1)

Abide by the Employer Pays Principle. No worker (including migrant workers) should pay for a job (based on the ILO definition of recruitment fees) the costs of recruitment should be borne by the employer.

Migrant workers shall not be required to pay for their employment and should be provided with an understandable and accurate contract in their native language prior to travel from their home country.

Suppliers are expected to hold agents and labour agents to the same standards, allow workers freedom of movement without undue restrictions and comply with all applicable laws, regulations, agreements and industry requirements.

Costs and fees associated with recruitment, travel and processing of migrant workers from their home community to the workplace, including through to return when the relocation is not permanent, shall be covered by the employer.

Suppliers should have policy, plans, evidence of practice, remedy on outstanding debt, identified occurrence and move to a responsible recruitment model in which the full cost of recruitment is borne by the employer. If any fees are identified during the period of moving to a responsible recruitment model, these could be repaid collectively by relevant labour supply chain partners

Identification & leverage (R2)

UK Seasonal Workers (response to visa scheme) in order to fulfil the seasonal need for labour identified as high risk particularly through recruitment fees, discrimination, and poor accommodation standards, among other forms of labour abuses.

The design of the government scheme is not aligned with the Employer Pays Principle, due to the requirement for workers to cover costs for their own visas and travel.

- Co-funded the development of a Seasonal Worker-specific module of the Just Good Work App, providing free and independent advice and resources to potential recruits.
- Responded to calls for evidence to government bodies on the human rights challenges of UK labour shortages and visa schemes.
- Delivered a webinar for growers to better understand challenges and responses.
- Launched a grower survey on how seasonal labour is used in our supply chain and analysed this data to better understand our connection to potentially vulnerable workforces.
- Co-funded multi-stakeholder roundtables to bring together growers, labour providers, retailers and NGOs to align on root causes and solution opportunities.
- Participated in the independent review of the UK Seasonal Worker Scheme

Pre-qualification & planning (S1)

Before a labour provider starts working with us, they must complete and sign ## Agreement, in which the following data is collected: data from both companies, services provided, applicable local and national legislation, training, payment, health and safety, hours, transport, accommodation, obligations and rights of workers, as well as commitments to comply with the Group's standards.

- A section regarding modern slavery was included in the agreement - ensuring that agencies include a policy in which they establish controls, training and mechanisms to avoid and prevent modern slavery.
 - This allows us to associate a labour exploitation risk score to agencies and supports business units to choose those with least risk.
- the Responsible Use of Labour Providers policy was developed to outline the due diligence which must be carried out before and during the use of labour providers.
 - The purpose of this is to have a documented and structured labour provider management procedure to ensure that all labour providers are fully risk assessed to identify potential risks of labour exploitation or breaches of company standards and commitments.
- The use of external labour providers is structured by three categories: programmed, contingency and emergency. This allows greater control over the assessment of labour providers in order to use those with the lowest risk on modern slavery and have improved planning processes for audits during peak season



Discussion

What are the internal challenges to developing long term & forward-looking modern slavery indicators?

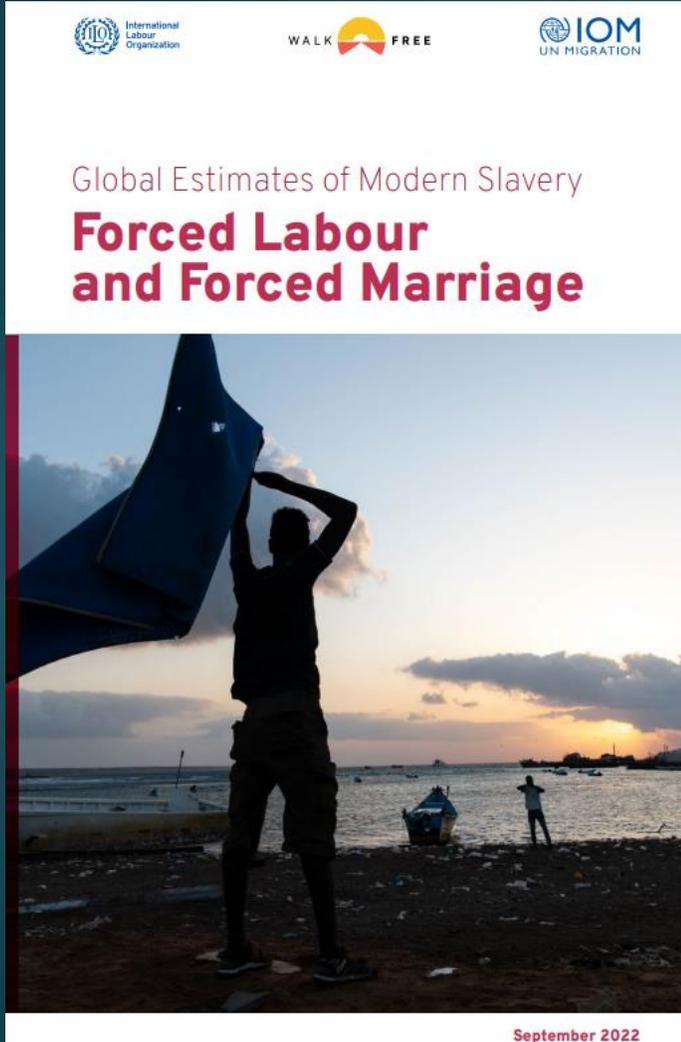
Thinking about reactive & pro-active scenarios what could be done to bring balance?

Horizon scanning

Policy & enforcement

- Call to merge three major enforcement bodies: the Gangmasters and Labour Abuse Authority, the Employment Agency Standards Authority and the National Minimum Wage Unit at HM Revenue and Customs
- Procurement Bill, Illegal Migration Bill and Seasonal Workers Visa bill all link to or reference modern slavery
- the Modern Slavery (Amendment) Bill was introduced into the House of Lords, proposing a criminal offence for the supply of a false modern slavery statement.
- Campaign for mandatory due diligence legislation

Horizon scanning



No region of the world is spared from forced labour. Asia and the Pacific is host to more than half of the global total (15.1 million), followed by Europe and Central Asia (4.1 million), Africa (3.8 million), the Americas (3.6 million), and the Arab States (0.9 million).

COVID-19 pandemic – disruption to income increased vulnerability & greater levels of debt

Promote fair and ethical recruitment, to protect workers from abusive and fraudulent practices during the recruitment and placement process.

<https://flbusiness.network/library-publication/>

Recommendations

- ▶ KPIs & long-term strategy
 - ▶ Collaborative effort in your sphere of influence - industry, geography & commodity
 - ▶ What change do you want to see?
 - ▶ What needs to change for the workforce / communities?
- ▶ Proactive versus reactive (Aligned to KPIs) Regular trend monitoring and horizon scanning
- ▶ Joining the dots
 - ▶ ESG / sustainability reporting – add MS, RR to the ‘S’ / Demonstrate similar commitment to MSS & RR
 - ▶ Thematic (gender, climate, SDGs etc)
- ▶ Collaborative impact assessments/evaluations on training, leverage, portals & Apps
- ▶ Broaden audience – internal, supply chain, MSIs & community networks
- ▶ Worker focussed approach



Reflections or questions



Thank you



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- www.everylinkmatters@co.uk

Small Group Activity: Modern Slavery Statements

Time allocated: For discussion 45 minutes & 2 minutes reporting to full meeting

Appoint a chair, a scribe and someone to report to the plenary

1. - Any reflections on the previous presentation
2. - Review modern slavery statements provided
3. - Identify any good practices in relation to Responsible Recruitment
4. - Feedback to whole group

Lunch

Walking over to the Heart building

Return for 1pm start

Responsible Recruitment toolkit update & recruitment trends / Q&A

[PRESENTATION SLIDE DECK HERE](#)

Presenters - Bethan Hunt & Mariana Gomezgil, Stronger Together / Responsible Recruitment Toolkit



Neill Wilkins – Head of Migrant Workers Programme

- Global Forum for Responsible Recruitment
- Responsible Recruitment Register
- Remittances



- 6th Global Forum
- 100 in-person delegates
- 1200 online registrants
- Series of panel discussions, interviews and presentations

Responsible Recruitment Register

Launched during GFRR 2022, the Responsible Recruitment Register is a list of companies or business associations whose recruitment policies align with the Employer Pays Principle

Currently 202 companies

All companies or associations featured on the Register have a publicly available policy on recruitment that prohibits recruitment fees to migrant workers. It also notes which of those companies also include a clause on Employer Pays.

The Register is intended to add greater transparency and accountability around companies' recruitment policies and encourage other companies to introduce similar policies in their own operations.

Companies Register		Associations Register				
Company	HQ Location	Recruitment Policy Prohibits Charging of Fees/Costs to Workers	Recruitment Policy Specifies Fees/Costs Should be Borne by Employer	Reference Document	Implementation Guidance	Sector
2 Sisters Food Group	UK	Job applicants will never be charged fees of any kind or expected to provide gifts/other incentives in connection with their job application, whether for a temporary or permanent position. Any complaints of hidden labour exploitation, including 'cash for jobs', will be dealt with in accordance with the company's Disciplinary Policy & Procedure.		The Prevention of Hidden Labour Exploitation Policy		Food and Beverage
A.S. Watson Group	Hong Kong	ASW Follow Amfori Code Conduct. The Code of Conduct makes it mandatory for the signatory to Adhere to international principles of responsible recruitment, including the Employer Pays Principle, and require the same from their recruitment partners, when engaging and recruiting all workers, either directly or indirectly, especially members of vulnerable groups such as temporary and migrant workers	✓	amfori BSCI Code of Conduct	ASW SUSTAINABILITY REPORT 2021	Retail
Abercrombie & Fitch Co	USA	We commit to work with our global supply chain partners to create conditions so that: No workers pay for their job; Workers receive a timely refund of fees and costs paid to obtain or maintain their job;		Commitment to Responsible Recruitment	Human Rights Policy	Apparel and Footwear
Accenture	Ireland	Accenture suppliers do not use, encourage or engage in human trafficking. They do not, among other things: charge workers recruiting fees		Supplier Standards of Conduct May 2022		Technology / Electronics
Adidas	Germany	Committed to eliminating the practice of migrant workers paying recruitment costs and fees to secure their employment. Adidas support the Dhaka Principles for Migration with Dignity to enhance respect for the rights of migrant workers from the moment of recruitment, during employment and through to further employment or safe return.	✓	Policy on Responsible Recruitment	Adidas Group: Guidelines on Employment Standards	Apparel and Footwear

What the Register will do

- Record which companies or associations have dedicated policies that prohibit the charging of recruitment fees to migrant workers
- Allow direct comparison between policies
- Encourage companies/associations not featured to work towards a prohibition of fees in their operations
- Provide a useful reference for companies/associations establishing their own policies.
- Show increases in companies with appropriate policies over time.
- Provide clear data that can be used in advocacy

What the Register will not do

- Undertake an analysis, assessment or benchmarking of the effectiveness of companies/associations policies



Knomad – World Bank

2022 Migrant workers remitted:

\$600 Billion through formal channels

\$400 Billion through informal channels

Total \$1 Trillion

ODA in the same period \$204 Billion

Close

Thank you!



Resources links

Responsible Recruitment Toolkit - [Responsible Recruitment Toolkit](#)

IHRB - [Institute for Human Rights and Business \(ihrb.org\)](http://ihrb.org)

IHRB Responsible Recruitment register - <https://www.ihrb.org/employerpays/responsible-recruitment-register>

Every Link Matters (Bev Hall) - [Home page - Every Link Matters](#)

Australia's Modern Slavery Act: is it fit for purpose? [Australias Modern Slavery Act.pdf \(business-humanrights.org\)](#)

Review of Australian MS statement - <https://acsi.org.au/research-reports/compliance-without-ambition-taking-stock-of-asx200-reporting-under-australias-modern-slavery-act/>

Modern slavery statements for review

1. **Nestle** [Nestle-Modern-Slavery-Report-2021.pdf](#)
2. **Mars** - [Mars 2021 Modern Slavery Act Statement](#)
3. **Boohoo** - [2022-boohoo-group-modern-slavery-statement-26-08-48.pdf \(boohooplc.com\)](#)
4. **Primark** - [primark-modern-slavery-statement-2022 \(bigcontent.io\)](#)
5. **Lego** - [LEGO-Modern-Slavery-Transparency-Statement-22 - Signed.pdf](#)
6. **Sir Robert McAlpine** - [srm-modern-slavery-document-2023.pdf](#)
7. **Woolworths Group Australia** - [WOW MSS 2022 FINAL.pdf \(woolworthsgroup.com.au\)](#)
8. **Coles**: [Modern_Slavery_Statement.pdf \(colesgroup.com.au\)](#)
9. **IHG** [ihg-modern-slavery-statement-2022.pdf \(ihgplc.com\)](#)
10. **Reckitt** [reckitt_modern_slavery_statement2022-pdf.pdf](#)