

Anti-Slavery & Human Trafficking Policy

Policy information

Policy Owner	Carl Moffat	Date of Issue	October 1, 2015
Author	Michelle Crown	Version	1
Department	HR	Policy Number	1.6
Applicable to:	All Gardner Companies	Next Revision Date	May 2017

Warning

Any printed copies of this document are uncontrolled

Revision Record

Page	Issue		Reasons for change + Revision summary
	Level	Date	
All	01		First Release

Contents

1. Chairman’s Statement.....	2
2. Principles	3
2.1 Who is affected?	3
3. Business Benefits	3
4. Recruitment Agencies – Level of Risk	4
4.1 Guidelines for Checking Recruitment Agencies	4
4.2 Checks to Perform Periodically	5
5. Supplier Obligations.....	5
6. Definitions	5
6.1 Definition of Slavery and Servitude	5
6.2 Definition of Forced or Compulsory Labour.....	6
6.3 Definition of Human Trafficking.....	6
6.4 Behaviour Constituting Modern Slavery.....	6
7. Useful References	7

7.1	UK Legislation:.....	7
7.2	International	7
8,	Appendix 1 Employee Declaration.....	9
9.	Appendix 2 - Supplier Declaration.....	10

Anti-Slavery & Human Trafficking Policy

1. CHAIRMAN'S STATEMENT

Gardner Aerospace completely supports the objectives of the Modern Slavery Act 2015 and will take every measure to ensure that no element of 'slavery, servitude, forced or compulsory labour' and 'human trafficking' is undertaken within the business or in its supply chain. As a business we commit to take the following measures to ensure full compliance with these requirements.

1. We will issue this statement with the Anti-Slavery and Human Trafficking Policy and provide follow-up instruction to relevant Gardner's managers and employees that manage either people or suppliers. We will require that every manager completes the attached declaration and returns it to us on an annual basis to affirm that they will comply with our Policy.
2. We will issue the Anti-Slavery and Human Trafficking Policy and statement to all of our labour suppliers globally and we will require that every labour supplier completes the attached declaration and returns it to us.
3. We will conduct a risk assessment on our labour supply chain and higher risk suppliers will be subject to an audit to ensure they are complying with their declaration and obligations under the Modern Slavery Act. S
4. All labour suppliers will be reissued with a refreshed statement and are obliged to sign a declaration on an annual basis.
5. We will update template commercial agreements to include an obligation that labour suppliers will comply with the Act and ensure that their suppliers and sub-contractors will too.
6. If any labour supplier is found to be in breach of the Modern Slavery Act we will discontinue all commercial activities with them.
7. If any employee is found to be in breach of the Modern Slavery Act this will be treated as Gross Misconduct and will be subject to disciplinary action.

Nick Sanders

Chairman & Chief Executive

2. PRINCIPLES

Modern slavery is a crime resulting in an abhorrent abuse of human rights. It is constituted in the Modern Slavery Act 2015 by the offences of 'slavery, servitude and forced or compulsory labour' and 'human trafficking'. The purpose of these measures is to prevent modern slavery in our organization and our supply chain. Our organization has created this Policy as a clear indication that we intend to deal with the issue. This Policy provides the framework for the implementation of the Modern Slavery Act.

The acquisition of people by improper means such as force, fraud or deception, with the aim of exploiting them, is the world's fastest-growing crime. Last year the Global Slavery Index estimated that there were 8,300 people in modern slavery in the UK. According to government figures, the estimated number of people in modern slavery or bonded servitude globally is 35.8 million.

2.1 Who is affected?

The Modern Slavery Act 2015 requires any business above a certain threshold, operating any part of their business in the UK, to report on what it is doing to address modern slavery throughout its supply chains, wherever they are, and so has UK and international implications.

The transparency obligations of the Act applies to all commercial organisations (corporate bodies and partnerships, wherever incorporated or formed):

- Operating wholly or partially in the UK regardless of where it is registered. An entity may be obligated even if only a small part of its business is conducted in the UK; and
- Companies exceeding a turnover of £36m

Companies below the threshold may be affected if it supplies to a business that is above it. They will therefore be required by their clients to implement policies and procedures similar to those described in this document in order to be eligible for future supplier selection processes.

It is imperative that all of our Gardner locations obey the law and ensure that their operations comply with relevant standards of ethics and business conduct. It is our obligation to reinforce throughout our networks that illicit activity like human trafficking not only puts our brand reputation at risk, but also has the potential to endanger our employees.

3. BUSINESS BENEFITS

A focus on tackling modern slavery not only protects vulnerable workers and helps prevent and remedy severe human rights violations, it can bring a number of business benefits too. Due diligence processes and reporting are essential management tools that improve risk identification and long-term social, environmental as well as financial performance. Other key benefits include:

- protecting and enhancing an organisation's reputation and brand;

- protecting and growing the organisation’s customer base as more consumers seek out businesses with higher ethical standards;
- improved investor confidence;
- greater staff retention and loyalty based on values and respect; and
- developing more responsive, stable and innovative supply chains.

4. RECRUITMENT AGENCIES – LEVEL OF RISK

Whilst outsourcing recruitment has many advantages, it can increase the risk of victims of human trafficking infiltrating Gardner’s labour supply chain. For example, an agency could fail to perform the right checks on workers background or could itself impose conditions on a worker which are tantamount to debt bondage and forced labour.

Our Company risk assessment considers working with a recruitment agencies to be a higher risk area due to the potential for the following:

- Workers charged illegal recruitment fees
- Workers uninformed or misinformed about terms of employment
- Workers not provided with understandable, legally compliant written contracts
- Fraudulently charging fees for travel, health checks or work documentation
- False Right To Work in the UK documentation

4.1 Guidelines for Checking Recruitment Agencies

- Check what regulations apply in the country you operate in terms of regulating agencies, employing agency staff, as well as laws relating the rights of agency workers e.g. working time, health and safety and minimum wages. Note that where there is no regulation of working hours by national law, working hours should not exceed forty-eight per week, and total working hours including overtime should not exceed 60 hours in a week.
- If the law does not require agencies to be licensed, is the agency a member of a national professional association or body, e.g. the Recruitment and Employment Confederation in the UK?
- Does the agency hold any additional affiliations, e.g. Investors in People, ISO standards? Whilst holding such does not constitute proof that an agency has no risk of forced or trafficked labour, they may be considered indicative of good management practice.
- Check that the contract between our Company and the agency contains all necessary provisions
- Does the agency have a code of conduct? Does this specify a clear prohibition of the use of forced / trafficked labour?
- What checks does the agency perform to establish a worker’s identity and eligibility to work? Note that it is a legal requirement in many countries to check that a person has the right to reside and work in that country.
- Is the agency able to show you an example contract for agency staff?
- Can the agency provide you with references from other clients?
- Are workers directly recruited from overseas?
- Does the agency use middle men to source staff e.g. migrant workers? If yes, how many sub-agents are there? What checks does the agency do to ensure the sub-agent(s) is working legitimately and adhering to standards?

- Who are workers under contract to – the agency or another labour broker, or both?
- Have any fees or deposits been paid by the workers, to either the agency or any middle men? What for, how much and are any of these refundable? Is there written documentation to substantiate this?
- Have any documents been retained, e.g. passport, bank book/card? What arrangements are there for returning or allowing staff access to these? Is there written documentation to substantiate this? Whilst not illegal in all countries, it is not considered good practice to take payment or retain documents and checks should clearly indicate that there are transparent procedures to deal with this.

4.2 Checks to Perform Periodically

- Check the payroll of agencies you use to see it matches agreed rates
- Talk to agency staff
- Have they been given a written contract that they understand and have agreed to? Are they happy with the relationship with the agency?
- Is there any indication that fees may have been paid, for the employment or other 'services' such as uniforms or meals?
- Are they forced to work overtime?
- Is there anything to give you cause for concern that they might be being controlled by someone else?

5. SUPPLIER OBLIGATIONS

The ideal Gardner Aerospace supplier is a strategic long term partner and an industry leader in their area of expertise. As Gardner expands its global operations into emerging markets, we are establishing partnerships with qualified suppliers who share our desire to succeed. It is vital that all our partners work towards the same high standards as Gardner and that they hold similar values in relation to ethics and conduct. We therefore require all suppliers to agree to comply with our Anti-slavery & Human Trafficking Policy and to declare this in writing using the Declaration attached.

6. DEFINITIONS

Modern Slavery is a term used to encapsulate both offences in the Modern Slavery Act: slavery, servitude and forced or compulsory labour; and human trafficking. The offences are set out in section 1 and section 2 of the Act, which can be found at:

<http://www.legislation.gov.uk/ukpga/2015/30/section/1/enacted>

<http://www.legislation.gov.uk/ukpga/2015/30/section/2/enacted>

6.1 Definition of Slavery and Servitude

Slavery, in accordance with the 1926 Slavery Convention, is the status or condition of a person over whom all or any of the powers attaching to the right of ownership are exercised. Since legal 'ownership' of a person is not possible, the key element of slavery is the behavior on the part of the offender as if he/ she did own the person, which deprives the victim of their freedom. Servitude is the obligation to provide services that is imposed by the

use of coercion and includes the obligation for a 'serf' to live on another person's property and the impossibility of changing his or her condition.

6.2 Definition of Forced or Compulsory Labour

Forced or compulsory labour is defined in international law by the ILO's Forced Labour Convention 29 and Protocol. It involves coercion, either direct threats of violence or more subtle forms of compulsion. The key elements are that work or service is exacted from any person under the menace of any penalty and for which the person has not offered him/herself voluntarily.

6.3 Definition of Human Trafficking

An offence of human trafficking requires that a person arranges or facilitates the travel of another person with a view to that person being exploited. The offence can be committed even where the victim consents to the travel. This reflects the fact that a victim may be deceived by the promise of a better life or job or may be a child who is influenced to travel by an adult. In addition, the exploitation of the potential victim does not need to have taken place for the offence to be committed. It means that the arranging or facilitating of the movement of the individual was with a view to exploiting them for sexual exploitation or non-sexual exploitation. The meaning of exploitation is set out here: <http://www.legislation.gov.uk/ukpga/2015/30/section/3/enacted>. Recent figures from the UK National Crime Agency (NCA), show that the most prominent exploitation type recorded for potential victims first exploited as a child (where this is known), was labour trafficking.

6.4 Behavior Constituting Modern Slavery

Identifying potential victims of modern slavery can be a challenge because the crime can manifest itself in many different ways. There is a spectrum of abuse and it is not always clear at what point, for example, poor working practices and lack of health and safety awareness seep into instances of human trafficking, slavery or forced labour in a work environment. However, businesses have a responsibility to ensure that workers are not being exploited, that they are safe and that relevant employment including wages and work hours, health and safety and human rights laws and international standards are adhered to, including freedom of movement and communications. There will be cases of exploitation that, whilst being poor labour conditions, nevertheless do not meet the threshold for modern slavery – for example, someone may choose to work for less than the national minimum wage, or in undesirable or unsafe conditions, perhaps for long work hours, without being forced or deceived. Such practices may not amount to modern slavery if the employee can leave freely and easily without threat to themselves or their family. Organisations do still nevertheless have a legal duty to drive out poor labour practices in their business, and a moral duty to influence and incentivise continuous improvements in supply chains.

7. USEFUL REFERENCES

7.1 UK Legislation:

<http://www.legislation.gov.uk/>

- The Employment Agencies Act 1973
- The Conduct of Employment Agencies and Employment Businesses Regulations 2003
- The Agency Workers Regulations 2010

The Employment Agency Standards Inspectorate is the UK government agency charged with upholding standards and investigating complaints.

UK Government guidelines on using agencies to find staff. The following guidance makes clear the responsibilities of the Agency and those of the company hiring staff via an agency. It also provides a link to guidance on the **Agency Workers Regulations 2010** <https://www.gov.uk/using-a-recruitment-agency-to-find-staff>

Recruitment and Employment Confederation <http://www.rec.uk.com/home> – the professional body for the recruitment industry in the UK with 3,776 corporate members. Has a hospitality sector group and listings of member agencies. Members sign a Code of Practice.

Investors in People – UK ‘people management’ standard whereby companies demonstrating best practice in hiring and human resource management may apply for the Investors in People certification <http://www.investorsinpeople.co.uk>

7.2 International

Verité

<http://www.Verité.org/helpwanted/toolkit>

Presents a framework of action for what brands can do to reduce the risk of forced labour in the supply chain.

International Labor Organization (ILO)

<http://www.ilo.org/> Founded in 1919 and part of the United Nations, the ILO works to promote rights at work, encourage decent employment opportunities, enhance social protection and strengthen dialogue on work-related issues.

www.ilo.org/sapfl/Informationresources/ILOPublications/WCMS_101171/lang--en/index.htm

International Confederation of Private Employment Agencies (Ciett)

<http://www.ciett.org>

Works to promote the interests of the temporary agency work sector through promoting standards within the staffing industry. Ciett consists of 44 national federations of private employment agencies and seven of the largest staffing companies worldwide. Code of Practice does not refer to trafficking but useful guidance nonetheless. See also Eurociett (European Confederation of Private Employment Agencies): www.eurociett.eu

8. APPENDIX 1 – GARDNER EMPLOYEE DECLARATION

Anti-Slavery & Human Trafficking Declaration

Please read through the attached Anti-Slavery & Human Trafficking Policy (“the Policy”) very carefully. Should you not understand the Policy or have any queries about any of its contents, please raise these with the most senior colleague at your site or an appropriate member of the HR department as soon as possible.

By signing and returning this Declaration you are confirming that you:

- Have received, read and understood the Policy.
- Understand your obligations under the Policy.
- Understand your Company obligations under the Policy.
- Understand the consequences of your failure to comply with the Policy.
- Will continue to comply with the Policy.

Signed

Name

Position

Date

Status of this Policy

This policy does not give contractual rights to individual employees. The company reserves the right to alter any of its terms at any time although we will notify you in writing of any changes.

9. APPENDIX 2 – GARDNER SUPPLIER DECLARATION

Anti-Slavery & Human Trafficking Declaration

Please read through the attached Anti-Slavery & Human Trafficking Policy (“the Policy”) very carefully. Should you not understand the Policy or have any queries about any of its contents, please raise these with YOUR Gardner Aerospace contact or contract manager as soon as possible.

By signing and returning this Declaration you are confirming that you:

- Have received, read and understood the Policy.
- Understand your obligations under the Policy.
- Understand your Companies obligations under the Policy.
- Understand the consequences of your failure to comply with the Policy.
- Will continue to comply with the Policy.

Signed

Name

Position

Date