



clearview

Global Labour Provider Certification Scheme

Evaluating Recruitment Agencies

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Association of Labour Providers



We know that recruitment agencies / labour providers are now critical in many supply chains:

- ✓ Providing effective workforce sourcing and staffing solutions
- ✓ Allowing clients to flex with daily, seasonal workforce variations
- ✓ Enabling clients to plan and react efficiently and economically to varying production orders or shortfalls



But we also know that:

- Poor recruitment, supply and management practices leave workers vulnerable to unsafe and unacceptable employment conditions
- Unscrupulous labour providers exploit work seekers and workers to gain unfair competitive advantage against legitimate and ethical businesses

Labour Provision and Casualisation of Labour are “Global Megatrends”

- A ‘race to the bottom’ for sourcing labour as the pressure on prices drives labour costs down
- A growing trend in many countries for low-paid labour to migrate from the formal to the informal sector, from permanent to “zero hour” contracts with an ‘erosion of the protection granted to atypical workers.’

Verisk Maplecroft - Top Human Rights Risk 2016/17

Labour Brokers: Building trust in ethical recruitment

Corrupt Recruitment: Bribery in recruitment as a key driver of modern slavery

What is Clearview?

A global social compliance certification scheme for labour providers.

Created through a collaborative multi-stakeholder consultation, with a multi-stakeholder Technical Advisory Committee.



clearview

Global Labour Provider Certification Scheme

Why is a labour provider social audit required?

- (1) Increasing regulation and expectation.
- (2) No single scheme yet operating in this arena.
- (3) Businesses really waking up to the fact that labour supply is a major risk area for them.

Context - NGO and External Focus

- **ILO** – Fair Hiring Initiative
- **IOM** – International Recruitment Integrity System
- **IHRB** – Leadership Group on Responsible Recruitment – The “Employer Pays” Principle
- **UN SDG 8.7** - Eradicate forced labour, modern slavery and human trafficking and the worst forms of child labour



State / National Legislation Transparency in Supply Chains

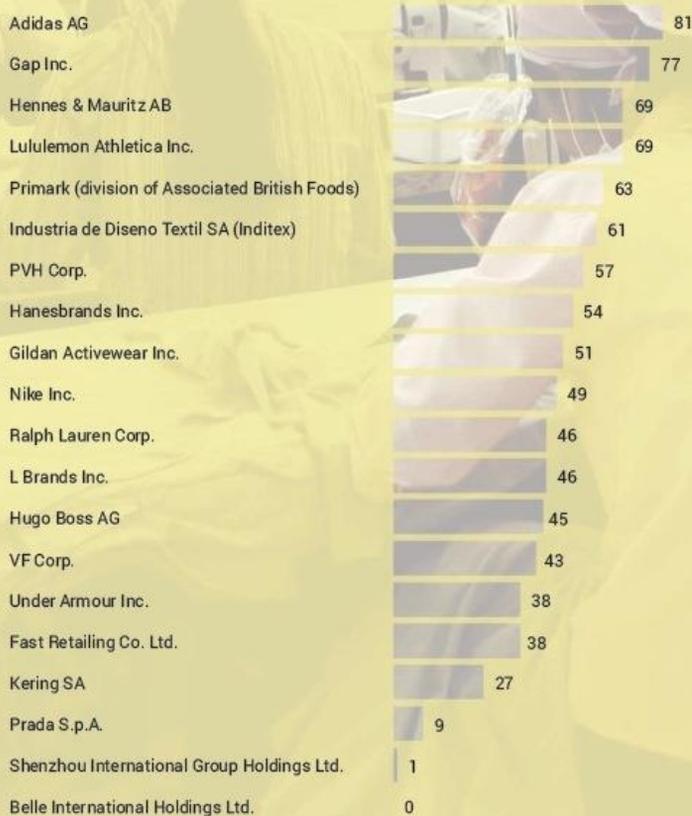
Transparency in Supply Chains etc.
A practical guide



Guidance issued under section 54(9) of the Modern Slavery Act 2015

- US - Federal Acquisition Regulation (FAR) Executive Order 13627, “Strengthening Protections Against Trafficking in Persons in Federal Contracts,” and Title XVII of the National Defense Authorization Act for fiscal year 2013, “Ending Trafficking in Government Contracting.”
- US - California Transparency in Supply Chains Act
- Canada = S118 of the Immigration and Refugee Protection Act (IRPA) / Private Member’s Bill C-452, An Act to amend the Criminal Code
- UK - Modern Slavery Act Transparency in Supply Chains reporting
- France – Corporate duty of vigilance law
- Australia and others reviewing legislation

Figure 1: Overall Company Scores



How your company's response to slavery will be rated



Apparel & Footwear Benchmark Findings Report

How are 20 of the largest companies addressing forced labor in their supply chains?



Key Findings Report

A detailed briefing on the 2017 results. Find the highest and lowest scoring companies in each industry by measurement theme, analysis of trends, and emerging practice.

DOWNLOAD

BAND RANGE	COMPANY	INDUSTRY
60-69%	BHP Billiton	Extractives
	Marks & Spencer Group	Agricultural Products / Apparel
	Rio Tinto	Extractives
50-59%	Nestle	Agricultural Products
	Adidas	Apparel
40-49%	Unilever	Agricultural Products
	Total	Extractives
	Hennes & Mauritz	Apparel
	Kellogg	Agricultural Products
	Anglo American	Extractives
	Gap	Apparel
	Freport-McMoRan	Extractives
	BP	Extractives
	Tesco	Agricultural Products / Apparel
	ConocoPhillips	Extractives
	Chevron Corporation	Extractives
The Coca-Cola Company	Agricultural Products	

10-19%	Prada	Apparel
	Fatabella	Agricultural Products / Apparel
	CNOOC	Extractives
	Eni	Extractives
	Rosneft Oil	Extractives
	China Shenhua Energy	Extractives
	Hermes International	Apparel
	Heilan Home	Apparel
	Kraft Heinz	Agricultural Products
	Kweichow Moutai	Agricultural Products
0-9%	Petrobras	Extractives
	Under Armour	Apparel
	Fast Retailing	Apparel
	Wal-mart Stores	Agricultural Products / Apparel
	McDonald's	Agricultural Products
	Coal India	Extractives
	China Petroleum & Chemical	Extractives
Ross Stores	Apparel	
Kohl's	Apparel	
Oil & Natural Gas Corporation	Extractives	
Yum! Brands	Agricultural Products	
Grupo Mexico	Extractives	
Macy's	Apparel	
Costco Wholesale	Agricultural Products / Apparel	

Context – Labour Standards and Social Compliance Auditing

- Audit frameworks are geared to direct employment not to labour supply
- Little time allocated to auditing labour providers
- Auditors lack capability in risks associated with labour provision
- Do not account for:
 - Irregular employment
 - Labour sourcing
 - Recruitment law
 - Tripartite relationship – labour provider / labour user / worker



Context – UNGP Supply Chain Risk Mapping

- Informal / precarious work
- Predominance of vulnerable migrant workers
- Outsourcing exploitation
- Recruitment fee debt bondage
- Organised criminality
- Modern Day Slavery



- Pioneering multi-stakeholder business collaboration launched in October 2013
- Objective “To reduce forced labour, labour trafficking and other hidden third party labour exploitation”

stronger together

tackling modern slavery in supply chains



Stronger Together provides...

**stronger
together**

tackling hidden labour exploitation

A toolkit for employers and
labour providers



www.stronger2gether.org

- Free good practice toolkits:
 - Tackling Modern Slavery in Business
 - Tackling Modern Slavery in Global Supply Chains
 - Tackling Modern Slavery in the Construction Sector
- Free tools and resources – videos, posters, leaflets, policies, forms etc.
- Support for businesses in tackling modern slavery
- A “safe” network to collaborate, develop and share good practice
- Regional workshops and elearning

Modern Slavery in Supply Chains

Business Models

- **The Employer** – knowingly holds workers in slavery
- **The Intermediary** – supplies workers to the employer
 - Employer is complicit, negligent, naïve or genuinely duped by convincing and manipulative individuals
 - Variety of means to control and hold in forced labour
- **The Organised Criminal Gang / Individual**
 - Feed workers into the legitimate supply chain

Each require a different approach to tackle

Is your labour supply chain:



- Criminal?
- Corrupt?
- Incompetent?
- Compliant?
- Leading?

Do you know? How do you determine this?

Do you even know which labour providers are used in your business? The agents that supply them?

What about your first tier suppliers and beyond?

CRIMINAL - Labour Providers

“The Force has several ongoing investigations into allegations of labour exploitation involving West Yorkshire businesses. In each case we have found that recruitment agencies have been used to recruit labour.” **September 2016**



Clearview's Focus

The conditions faced by unskilled /base skilled workers in their recruitment and supply by labour providers to work in global supply chains

Clearview is a Management Systems Audit placing significant emphasis on Worker Voice, Access to Remedy and Forced Labour Indicators Assessment.





NSF
Around
the
Globe



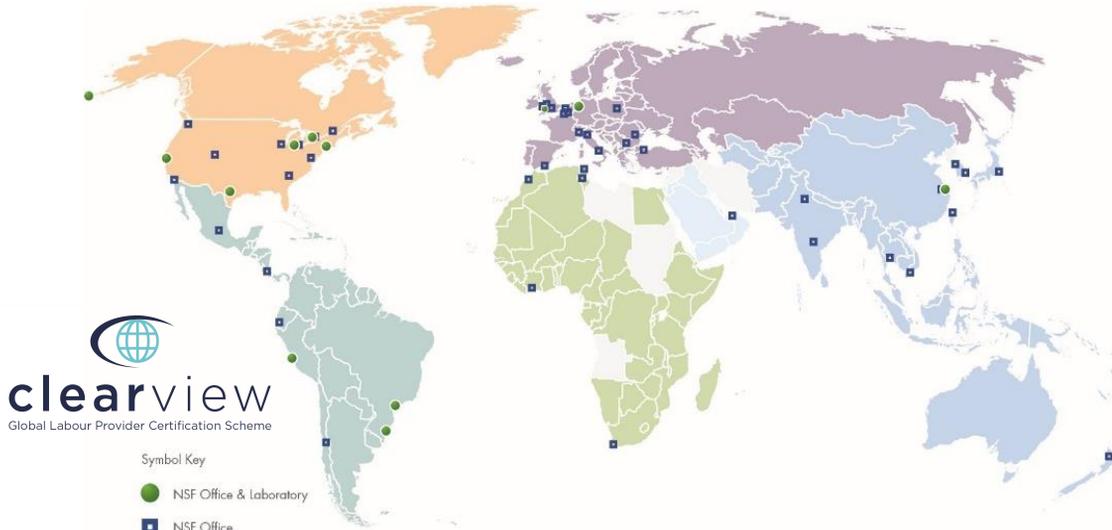
NSF provides services in 168 countries with 63 office locations. NSF International is dedicated to being the leading global provider of public health and safety-based risk management solutions while serving the interests of all stakeholders, namely the public, the business community and government agencies.

Key Features of the partnership



ALP - is the *Scheme Owner*, responsible for the management and technical development of the standard and the scheme.

NSF – is the *Scheme Manager*, providing scheme management, registration and administration.



ALP

Trade association for organisations that supply the workforce to the consumer goods, food, agricultural sectors.

Mission

For labour provision in the UK consumer goods supply chain to be recognised as a model of good practice.

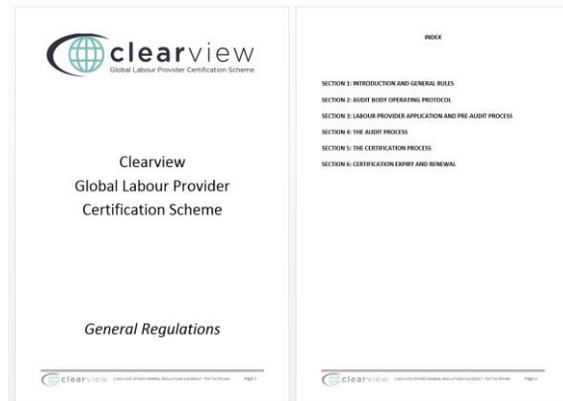


Approved Audit Bodies

- Provide trained and qualified auditors to carry out assessments
- Ensure auditors are trained by Clearview regarding:
 - How the Clearview Scheme works
 - Auditing protocols
 - Content of the Standard
- Carry out audits of labour providers, sampling a number of sites to which they supply labour
- Conduct the audit process according to the scheme regulations
- Meet the Integrity and Compliance Standards

Clearview establishes:

- Responsible Recruitment supply chain Codes of Practice
- General Regulations – how the scheme will operate
- Technical Standards – the control points against which labour providers may be audited and certificated
- A global certification framework operated through NSF
- Appointment and training of competent audit bodies
- Auditing software to drive a consistent approach to auditing



Clearview – Technical Standards

Mapped to:

- The IOM International Recruitment Integrity System (IRIS)
- IHRB Rights Dhaka Principles
- Global Social Compliance Code
- ETI Base Code
- Gangmasters Licensing Standards
- CIETT Code of Conduct
- UN Guiding Principles on Business and Human Rights
- Corporate Human Rights Benchmark
- Fair Labor Association Workplace Code of Conduct

The Clearview Standards

Three Sections

1. Business Structure and Systems
2. Labour Sourcing
3. Labour Management and Supply

- **47 Technical Standards**

- **168 Audit Control Points**

ALLIANCEHR

- CCP 2.4.6
- [-] S2.5 Personal Data
 - MCP 2.5.1
 - MCP 2.5.2
 - MCP 2.5.3
 - MCP 2.5.4
 - MCP 2.5.5
- [-] S2.6 Recruitment Discrimination
 - MCP 2.6.1
 - MCP 2.6.2
 - CCP 2.6.3
 - CCP 2.6.4
 - MCP 2.6.5
- [-] S2.7 Child Recruitment
 - CCP 2.7.1
- [-] S2.8 Freedom of Association
 - MCP 2.8.1
- [-] S2.9 Local Recruitment
 - MCP 2.9.1
 - MCP 2.9.2
- [-] S2.10 Eligibility to Work
 - MCP 2.10.1
 - MCP 2.10.2
 - CCP 2.10.3

- [-] Clearview Template Documents
- [-] Clearview Reports
- [-] Documentation Evidence

Current Audit: [1] [a] [26/02/2016] [a] [a]

S2.10: Has the labour provider implemented appropriate management systems to establish that all workers are legally eligible to work in the job roles, countries and regions in which they are deployed?

CCP 2.10.3: Do a sample of workers' identity documents (ID) copies held on file confirm that there are no workers in employment whose:

- 1) Nationality means they are not legally entitled to work in the country of deployment
- 2) Visa is expired or excludes the type of work undertaken or hours worked

Guidance:

Audit Evidence	Corrective Action Required	Rectification Audit Evidence
Click here to add or edit notes	Click here to add or edit required actions	Click here to add comments

Compliance Status [Click here to clear Status](#)

- Audit Evasion** There are obvious signs of forged/impostor documents which are readily identifiable; attempts to pro...
- Non Compliance** Copies of original identity documents and other evidence indicate that over 5% of workers sampled do...
- Partial Compliance** Copies of original identity documents and other evidence indicate that up to 5% of workers sampled d...
- Standard Compliance** Checks are recorded by recruiters that show that prior to commencing work copies of original identit...
- Beyond Compliance** As Standard Compliance plus recruiters have undergone expert Eligibility to Work checking training a...

Audit Completion 100%	Compliance Score 99%	Certification Outcome Performing
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Previous



Exit Audit



Exit Audit Tool

Clearview Process Flow

Register with NSF

Select an approved
Clearview audit body
& prepare for the audit

Audit

Submit corrective evidence
to audit body (if applicable)

Certificate issued (if applicable)

Process Key Features

- Detailed Audit Planning Phase
- Multi-site auditing
- Consistent Audit Methodology
- Audit owned by labour provider
- Management systems approach
- Labour provider evidences compliance
- Audit Report Agreement Process
- First Audit Report issued
- 12 week CA Rectification Period
- Corrective Action Rectification Visit
- Certification Report Issued
 - Not Certificated
 - Alert
 - Developing
 - Certificated
 - Performing
 - Leading

Clearview – Key Principles

- The scheme must add value to all stakeholders in the labour supply chain – brands / suppliers / labour providers / workers
- Providing certification that not only goes beyond measurement of base level compliance, but also drives behavioural change and continuous improvement in labour provision, which in turn delivers competitive advantage
- A scheme standard with ‘best in class’ technical and operational infrastructure

Clearview – Labour Provider Benefits

- Consistent approach to developing ethical practices through template Code of Conduct
- Consistent approach to independent third party auditing
- Reduce audit duplication
- Competitive advantage through market differentiation



Independent audit shared with many clients saving time, cost and ethical trade audit duplication.



Consistency and harmonised certification of scheme approach, reduces auditor subjectivity.



Competitive advantage to current and prospective clients through independent assessment of business standards.

Clearview – User Enterprise / Supplier Benefits

- Demonstrate legal and ethical due diligence providing client reassurance
- Independent assurance of labour provider ethical treatment of contingent labour
- Scheme drives beyond compliance aspirational performance



Independent audit to certified standards providing customer reassurance, confirming ethical treatment of contingent labour in the workplace



Independent audit to certified standards demonstrating CSR due diligence to ensure brand protection



The scheme methodology drives continuous improvement in ethical and operational labour supply standards

Clearview – Brand / Retailer Benefits

- A standardised ‘Responsible Use of Labour Providers’ policy developed to match global social compliance standards
- Globally leading initiative
- A collaborative best practice approach to drive continuous improvement
- A methodology to address slavery risks generated through irresponsible recruitment practices in supply chains



Greater trust and increased transparency in labour supply chains



A single certified approach to labour provider auditing allows collaborative working across brands to drive supply chain consistency and best practice methodology



A programme to assess modern slavery risks in labour provision many tiers down in the labour supply chain

Clearview – Benefiting Workers

- Developing baseline assessment of impact on workers and benefits to businesses
- Improve worker voice
- Improve access to remedy
- Remove recruitment fees
- Tackle hidden exploitation

EMPLOYEES STAY WHEN THEY ARE:



Paid well



Mentored



Challenged



Promoted



Involved



Appreciated



Valued



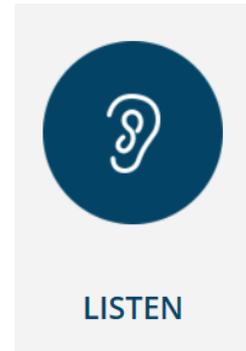
On a mission



Empowered



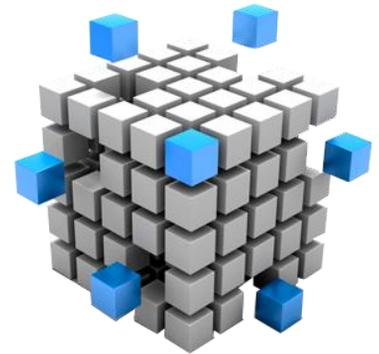
Trusted



Evaluating Recruitment Agencies

Pilot Outcome - Process Challenges

- A more complex audit
- Multiple work placement sites
- Central processes / onsite application
- Critical Pre-Planning process
- Auditor Competency
- New social compliance audit areas
- Global standards / national laws
- Multi-level labour supply chain
- Low professionalism / low barriers to entry / informality
- Increased criminality / forced labour / corruption
- Exploitation is endemic and normalised



Timing

- Pilots completed April 2017
- www.clearviewassurance.com launched
- Launch late Summer 2017
- Contact info@labourproviders.org or clearview@nsf.org

**ILO
“Global
labour
recruiters
operate
in a world
that is
half-light
and half-
shadow”**



The screenshot shows a web browser window with the Clearview logo and text. The logo features a globe icon above the word 'clearview' in a sans-serif font, with 'Global Labour Provider Certification Scheme' underneath. Below the logo, a message states: 'Welcome to the Clearview Global Labour Provider Scheme website currently under construction.' A paragraph follows: 'Clearview is a global social compliance certification scheme for labour provider businesses. Clearview focuses on the conditions faced by unskilled and base skilled workers in their recruitment and supply by labour providers to work under the supervision and direction of user enterprises.' At the bottom, there are three elements: the ALP logo (Association of Labour Providers), a link to 'Download Global Labour Provider Scheme Flyer' and 'Clearview Scheme Overview Brochure.pdf', and the NSF logo (National Skills Foundation).

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