

## MODERN SLAVERY & TRAFFICKING POLICY

### Policy Statement on Modern Slavery and Child Slavery

This policy has been produced in accordance with the Modern Slavery Act 2015 and sets out the actions that Chiel Construction Limited will take to understand potential modern slavery & trafficking risks related to its business activities and supply chains.

This policy relates to actions and activities during the financial year ending January 2020.

The following definitions are encompassed within the term 'modern slavery' for the purposes of the Modern Slavery Act 2015, these are:

- 'Slavery' is where ownership is exercised over a person.
- 'Servitude' involves the obligation to provide services imposed by coercion.
- 'Forced or Compulsory Labour' involves work or service extracted from any person under the menace of a penalty and for which the person has not offered himself voluntarily
- 'Human Trafficking' concerns arranging or facilitating the travel of another with a view to exploiting them.
- Child Slavery is the enforced exploitation of a child for someone else's gain, meaning the child will have no way to leave the situation or person exploiting them.

Chiel Construction Limited is committed to preventing modern slavery & trafficking in its business activities and its supply chains. Chiel recognises that 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. These 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.

The attached Modern Slavery Procedure details the actions that have been implemented, and will continue to be, with the aim of fulfilling this commitment.

This policy will be subject to review following any significant change event (eg change in workforce, employment conditions, supply chain), knowledge transfer, lessons learnt, identification of non-compliance and as a minimum annually.

As the individual ultimately responsible for company compliance I endorse this policy.

Signed on behalf of Chiel Construction Limited



**Martin Rush**  
**Managing Director**  
**24th March 2022**

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## PROCEDURE

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### 1. Organisation, Structure and Supply Chains

- 1.1 Chiel Construction Limited are involved in building and minor civil engineering projects throughout the Midlands region. Chiel deliver high quality framework contracts for blue chip clients in the manufacturing, commercial and education sectors.
- 1.2 Chiel Construction is a Limited Company, registered in England, and owned by the company’s Directors who are actively involved in the business operations.
- 1.3 At March 2021, the company direct employs circa 20 people. The majority of managerial are of UK / EU origin. Non-managerial staff / workers comprise UK, EU and other nations, however the company ensures that the employment and work rights of these individuals is assured (see Section 4).
- 1.4 Work can be seasonal due to the education sector being a key customer, workload thus can be higher in the summer holidays and for shorter contracts in the Easter, Christmas and half term breaks. To mitigate this the Directors and Managers try to ensure that adequate work is available in other sectors to provide a base line workload.
- 1.5 The supply chain comprises:
- Construction labour – these are indirect employed workers who are either self-employed CIS or individual limited companies, the majority being micro or small companies.
  - Building material suppliers, the majority being national large companies.
  - Workwear and Personal Protective Equipment Suppliers.
  - Business support services.
- 1.6 The business operating model is based on standard construction industry tender and other enquiry processes usually within construction industry agreements and contract conditions.

### 2. Policies in Relation to Slavery and Human Trafficking

- 2.1 Whilst Chiel Construction Limited is not a large company and thus not covered by the specific requirements of the Modern Slavery Act, Chiel is key contractor to large companies, and thus form an essential part of their due diligence programmes.
- 2.2 This Modern Slavery Policy is delivered through a range of associated policies and procedures:
- PP01 Business Management System Manual: Procedure PP01-06 Control of Outsourced Activities

- PP01 Business Management System Manual: Procedure PP01-04 Human Resources Management - Recruitment
- PS06 Corporate Responsibility, Ethics and Sustainability Policy
- PS12 Work Safe & Whistleblowing Policy

### 2.3 Responsibilities for Modern Slavery and Human Trafficking Compliance

- 2.3.1 Managing Director has ultimate accountability for ensuring prevention of modern slavery and human trafficking. This responsibility includes establishing and monitoring of employee salary, working conditions, employment rights, supply chain performance and for leading investigations into non-compliance.
- 2.3.2 Operations Director is responsible for ensuring the adequate provision of human resources, for deployment, working conditions and fatigue management.
- 2.3.3 Finance Manager is responsible for ensuring that employment contracts are established, that employees have the right to work in the UK, that supply chain payments are made within contractually agreed time periods.
- 2.3.4 Administrator is responsible for checking that sub-contractor’s declarations of compliance to Modern Slavery Act and Employment Act rules are received, and that their workers have the right to work in the UK.
- 2.3.5 Project Managers are responsible for the nomination of competent and trustworthy suppliers and sub-contractors, and for agreeing ethical supply terms and conditions.
- 2.3.6 Site Workers are responsible for maintaining diligence in identifying potential signs of modern slavery and for reporting this to Site Supervisors / Project Managers.

## 3. Due Diligence Processes

- 3.1 As described in Section 4 Risk Assessment and Management below.

## 4. Risk Assessment and Management

### 4.1 Internal Direct Risks

- 4.1.1 The key direct internal risks of Modern Slavery to Chiel Construction are detailed in Table 4.1 below:

<b>Table 4.1.1 Modern Slavery Direct Internal Risks</b>	
<b>Issue</b>	<b>Risk</b>
No Contracts of Employment	No contract of employment means that the rights of the worker are undefined or unclear.
Zero Hours Contracts	Zero hours contracts produce uncertainty of if or when working will be provided and can include restrictive clauses preventing the worker working for other employers.
Under Pay – Living Wage	Under pay of workers means that workers are not receiving a living wage, and thus cannot meet their own expenditure and welfare needs.
Under Pay - Market Rate	Under pay of the sector’s average market rate means that workers are not being adequately recompensed for the work they are doing, which can lead to dis-satisfaction and mental health impacts.

Issue	Risk
Late Payment of Invoices	Late payment of invoices can create cash flow problems in the suppliers company which can lead to pressure on paying their own staff or supply chain.
Excessive working hours	Working excessive working hours, defined by the NHS as working greater than 56 hours per week, or not providing suitable rest periods – 20 minutes for every 6 hours worked, 11 hours between shifts, one day off per week, and adequate changes between day and night shifts, can lead to tiredness and fatigue with links to impacts on physical health, mental health, awareness and safety.
Entitlement to Work in Country of Employment	Lack of entitlement to work in the country of employment means that the worker is working without authority or permit, and may be subject to forced expulsion from the country with no rights.
Working in poor physical working conditions	Work in poor physical working conditions, including in workplaces with poor arrangements for health, safety and welfare, can lead to work-related injury and ill-health.
Bullying, discrimination and harassment in the workplace.	Poor social conditions in the workplace can lead to mental health conditions, and potentially physical attack.

4.1.2 To tackle the above risks, Chiel Construction has implemented the following risk control measures as detailed in Table 4.1 below:

<b>Table 4.1.2 Modern Slavery Internal Risk Control Measures</b>	
Issue	Risk
No Contracts of Employment	All employees have contracts of employment.
Zero Hours Contracts	The company does not use Zero hours contracts.
Under Pay – Living Wage	All employers are paid the current living wage.
Under Pay - Market Rate	All workers are paid the agreed sector’s average market rate.
Late Payment of Invoices	The Finance Manager is responsible for the timely payment of supplier invoices.
Excessive working hours	<p>The Directors will ensure that adequate human resource is provided to achieve business, customer and other interested parties needs and expectations.</p> <p>All employees sign Working Hours Opt Agreements.</p> <p>No worker will be forced to working excessive working hours.</p> <p>Where longer working hours are required to achieve business objectives then a fatigue risk assessment shall be undertaken, and the risk shall be demonstrated to be as low as reasonably practicable. Compensatory rest shall be provided as soon as possible.</p>

Issue	Risk
Entitlement to Work in Country of Employment	Individuals have the right to work in the country of employment. Evidence of right to work in the UK is received eg UK Passport or UK Birth Certificate, Work Permit or other suitable evidence recognised by UK Borders Agency.
Working in poor physical working conditions	Safe and healthy working conditions for the prevention of work-related injury and ill health shall be provided.  The company has an established health and safety policy and management, certified by Safety Schemes in Procurement (SSIP) and PAS91 Common Assessment Standard (CAS) accreditation schemes.
Bullying, discrimination and harassment in the workplace.	Bullying, discrimination and harassment is not permitted or tolerated in any form.

## 4.2 Due Diligence in the Supply Chain

Note: In regards our supply chain our company is a medium sized company and thus our ability to influence the supply chain is limited.

### 4.2.1 We implement due diligence in our supply chain in relation to modern slavery:

- Our subcontractor evaluation form requires sub-contractors to declare their conformity to the Modern Slavery Act.
- Our contractual requirements require that modern slavery is not permitted.
- All our direct suppliers are UK based. The majority are large national organisations.
- In the unlikely event of us directly procuring products or services from high risk countries, we will undertake additional due diligence regards modern slavery.

## 4.3 Customer Partnership Expectation

### 4.3.1 We expect our customers to deliver the same ethical treatment of us as a supplier, particularly in regard to:

- Providing realistic schedules of rates, to ensure that financial resources are provided to achieve compliance obligations.
- Conformity with payment terms and conditions, and timely payment of applications.
- Providing safe and healthy working conditions for the prevention of work-related injury and ill health.
- Ensuring that no bullying, discrimination and harassment is permitted or tolerated in the workplace.

## 5. Key Performance Indicators to Measure Effectiveness of Steps Being Taken

### 5.1 The risk control measures shown above shall be monitored as part of the annual strategic management review process.

## 6. Training on Modern Slavery and Trafficking

6.1 Directors and Managers will be communicated their roles and responsibilities in relation to the elimination of modern slavery and trafficking through the communication of this Modern Slavery and Trafficking Policy.

6.2 Non-Manual Workers will be communicated awareness of modern slavery and trafficking issues through Toolbox Talks (Appendix A) and inclusion in Employee Awareness Handbooks.

**7. Non-Conformity and Corrective Actions**

7.1 Should an occurrence or potential occurrence of modern slavery be identified, either internally related to employment practice or working conditions or externally with the supply chain then appropriate corrective action shall be taken in line with the company’s Control of Non-Conformity Procedure [PP01-09].

7.2 The Directors will appoint a competent investigator, usually the external HSQE Advisor.

7.3 All non-conformities shall be recorded, and the required actions implemented in a timely manner.

7.4 The following regulatory authorities / services have responsibility for modern slavery and trafficking. Where parties do not stop anti-modern slavery practices then the company Whistleblowing Policy will be enacted, and the authorities informed.

Regulatory Authority / Service	Website	Telephone
Modern Slavery	<a href="https://www.modernslaveryhelpline.org/report">https://www.modernslaveryhelpline.org/report</a>	08000 121 700
Advisory, Conciliation and Arbitration Service (ACAS) – Employment Issues	<a href="https://www.acas.org.uk/contact">https://www.acas.org.uk/contact</a>	0300 123 1100
Crimestoppers	<a href="https://crimestoppers-uk.org/give-information/forms/give-information-anonymously">https://crimestoppers-uk.org/give-information/forms/give-information-anonymously</a>	0800 555 111
Police – Non-Emergency Report	-	101

END

## APPENDIX TOOLBOX TALK – MODERN SLAVERY AND HUMAN TRAFFICKING

Modern Slavery can take many forms including the trafficking of people, forced labour, servitude and slavery. Modern Slavery is immoral and illegal.

Whilst we ensure that our direct employees are well paid, have employment contracts, have the right to work in the UK, have their health, safety and welfare protected, aren't expected to work excessive hours, are free from bullying, harassment and intimidation, and are looked after, we could find ourselves targeted by unscrupulous gangmasters offering a ready supply of labour at knocked down rates.

Traffickers and illegal or unlicensed gangmasters target a range of industries including those involved in construction. Trafficking can also occur in prostitution, catering and other industries.

Victims of this crime are often Eastern European, Central Asian or African people who are promised a job in the UK and then forced by traffickers to work as labourers for little or no money. Through threat, violence or coercion they may be forced to live in squalid accommodation and have their identity documents or passports taken from them.

To avoid this, if we are using indirect labour, either self-employed, from gangs or from labour agencies, we will always require them to declare that they are complying with the Modern Slavery Act requirements and to prove the workers' right to work in the UK.

We might however find ourselves working alongside other gangs who are using forced labour. Some ways of identifying modern slavery are:

- *Transport:* Are a group of workers dropped off or picked up at unusual times of the day, are they all taken to the same property?
- *Appearance:* Do the workers look malnourished, unkempt, or appear withdrawn? Do they have few personal possessions and often wear the same clothes? What clothes they do wear may not be suitable for their work.
- *Medical Care:* Does the person have old or serious untreated injuries? Have they delayed seeing a healthcare professional, and are they vague, reluctant or inconsistent in explaining how the injury occurred?
- *Behaviour:* Are the workers withdrawn or appearing frightened, unable to answer questions directed at them or not speaking for themselves and / or an accompanying third party speaks for them? If they do speak, are they inconsistent in the information they provide, including basic facts such as the address where they live? Do they appear under the control / influence of others and rarely interact with colleagues?
- *Fear of Authorities:* Is the person afraid of the authorities, for instance police, immigration, the tax office, safety auditors? Are they scared of removal or what might happen to their families?
- *Debt Bondage:* Does the victim perceive themselves to be in debt to someone else or in a situation of dependence? Are they paid in cash?

If you identify possible slavery on a site that you are working on tell your manager and we will report it to the Client. If you think you've identified a trafficker or illegal gangmaster you can call the police on 101, or the Modern Slavery helpline on 0800 0121 700 or visit [www.modernslaveryhelpline.org](http://www.modernslaveryhelpline.org).

Should you have any concerns or require any advice on the above feel free to contact a member of the management team. END

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