

MARKS &  
SPENCER

A licence to operate  
new approaches to tackle  
exploitation of temporary workers in  
UK agriculture

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# Temporary Labour is Vital

- Consumers demand= fresher or fashion products from the supply chain with quicker response to their changing needs
- Lack of indigenous Labour force and affordable housing in key production areas
- Industry needs a flexible labour supply to respond to these demands

**BUT that flexibility cannot be provided at the expense of workers or by breaking the law.**

# How did M&S get involved?

- 1999 Global Sourcing principles and joining the ETI
- 2001 M&S Guidelines on the employment of seasonal Labour introduced
- Weekly Media Exposures
- Frustration from Industry on how to tell the Good from the Bad Operators
- Serious abuse of workers

Encouraged the formation of TLWG

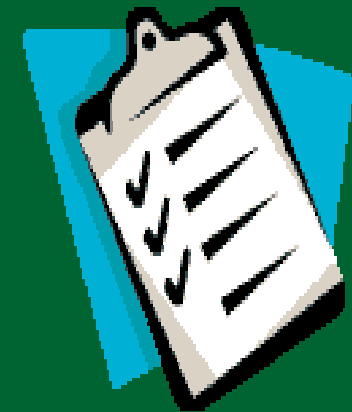
# Why did we need the code or licensing?

- Much is existing Legislation but its difficult to enforce
- To create a tool to provide a clear distinction between legal and illegal operators
- Provide a business development tool to upskill Labour providers

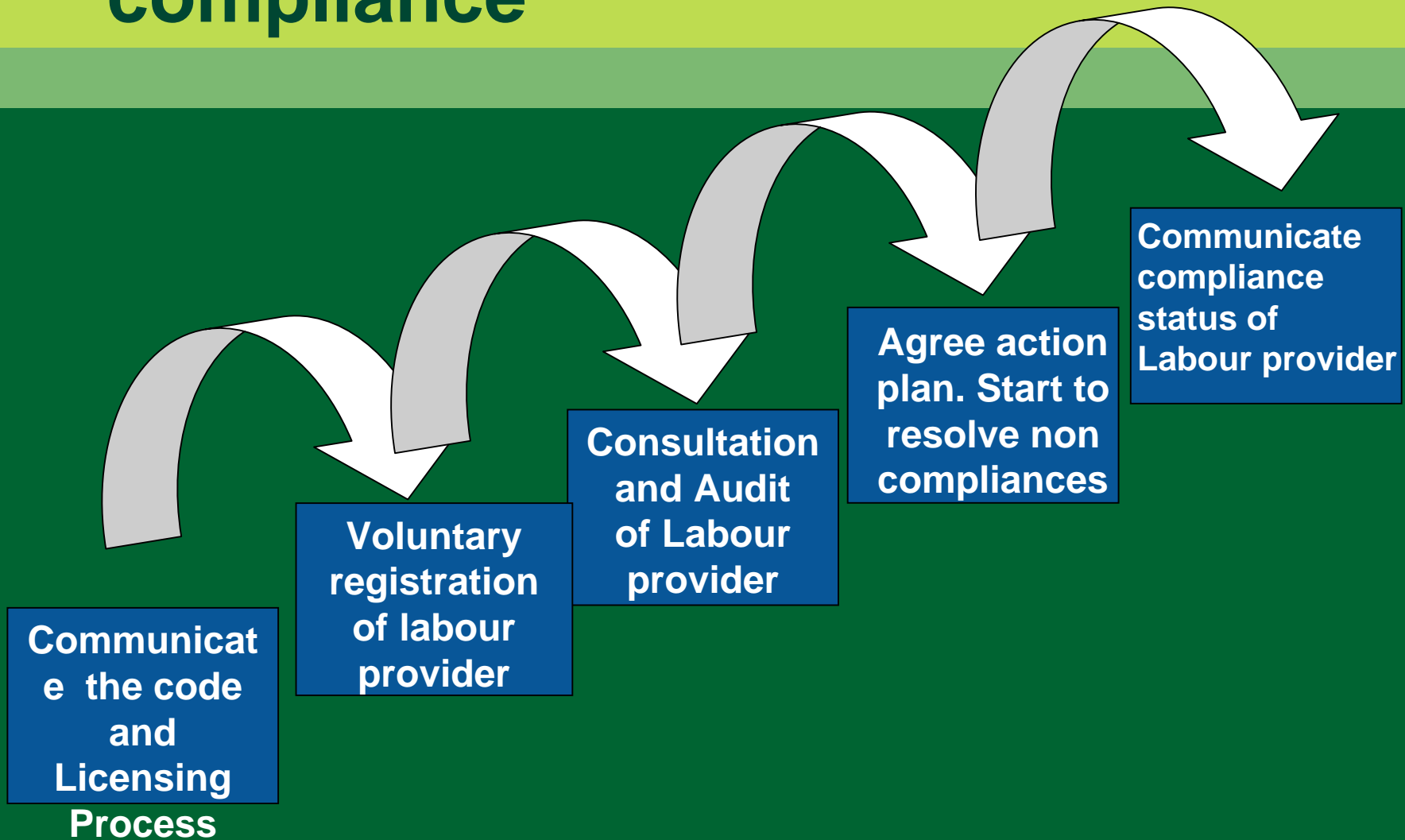
# What did we learn from the process?

## Outcomes

- Code of Practice
- Implementation process developed
- Auditor Tools developed and Auditors trained
- Labour Providers Toolkit
- Statutory Licensing of Gangmasters has been achieved
- 450+ labour providers now registered on TLWG website
- 11 information workshops held informing 600+ Labour Users and providers
- To date 26 Audits completed



# Defined process...Steps towards compliance



Providing building blocks for statutory Licensing Process

# What did we learn from the process?

Audits- critical non compliances

- **Bonded/Forced Labour**
- Serious defects on vehicles used to transport workers
- No H&S training or responsibility
- Illegal deductions (to below Minimum wage)
- No checks of Sub Contractors or their Labour
- Poor and overcrowded accommodation
- **Youngsters (14 year olds) driving fork lifts**



# What did we learn from the process?

Audits- Major non Compliances

- Lack of Contracts between User & Provider
- Long hours with no opt out being signed
- No days off within 7/14
- Discrimination
- Unclear benefits (Sickness Holiday Pay etc)
- Transport charges without a PSV licence



# What did we learn from the process

## Lobbying for change

- One clear message to Government, Media and Supply chain
- Strength, Breath and knowledge of the group enabled audiences with key political players
- Role of responsible Media

# What made TLWG a successful multi stakeholder group?

- Joint commitment to solving the problem
- Shared aims and clear ground rules
- Complimentary skills
- Trust, Respect and confidentiality agreement
- Independent moderator chair
- Balanced representation
- Bottom up approach
- Expert input
- Joint Resource/investment
- Structure
- Profile of the issue

# But working together is challenging !

- Resource
- Seamless transition from project to full implementation without losing momentum
- Slow decision making
- Size of group can be difficult for all to maintain the same knowledge base
- Trust v Personal Agendas
- Supporting Key Individuals

Could this multi-stakeholder experience be replicable in other parts of the supply chain ?

**Yes**

Achieving success <HEBI

< Columbia Flower Project

< WIETA

Collaboration needs to be a key part of all organisations future strategies