

Equality and Human Rights Commission: Investigating and tackling labour rights impacts and improving access to remedy

8.00 – 9.30am on Wednesday 3 December (Room XXIII)

This event was hosted by Equality and Human Rights Commission, a national human rights institution that protects and promotes equality and human rights in Great Britain. The Commission has a legal power to conduct an inquiry into anything relating to its equality and human rights duties; providing the means of collecting the evidence we need for a clear picture of equality and human rights in Great Britain

The event examined the Commission's investigation of human rights impacts in the UK's meat and poultry processing sector and in the cleaning industry. It also explored collaborative approaches with business, government and civil society to developing practical, cost effective solutions to the problems found in those sectors.

Moderator and panel:

The event was moderated by **Dr Karen Jochelson**, Director (Employment and Economy) at the Commission and featured panel presentations from:

- **Frances Goodwin**, Head of Ethical Trading (Group Procurement and UK Food), Tesco
- **Simon Parry**, Food and Drink Manufacture Sector, Health and Safety Executive
- **Alice Teague**, Programme Head (Employment and Economy), Equality & Human Rights Commission

Panel presentations:

The NHRI perspective:

Alice explained that in 2010, a Commission inquiry into employment practices in the meat and poultry processing sector found widespread exploitation and mistreatment of agency workers, particularly migrant and pregnant workers. It subsequently convened a multi stakeholder taskforce to improve practices but advised industry that if practices were not improved the Commission would take enforcement action. A review in 2012 found significant improvements in key areas: fair treatment of pregnant workers; no segregation of workers by nationality; better access to protective equipment; better provision of breaks and toilet breaks; and no reports of physical abuse in the workplace. No legal enforcement action taken but individual processing firms were followed up in response to reported discrimination.

The Commission adopted a similar approach to work focused on vulnerable workers in the cleaning sector in response to evidence of discriminatory treatment. It adopted a human rights based approach; highlighting key labour rights and developing a set of positive and negative indicators to help firms understand relevance to workplace. The Commission again convened a multi stakeholder taskforce with a focus on:

- Responsible procurement - encouraging sustainable and ethical procurement of cleaning services to prevent a race to the bottom
- Dignity and respect - valuing cleaners and their role
- Employment obligations and workers' rights - raising awareness of issues such as holiday and sick pay, support for line managers and supervisors.

The business perspective:

Frances explained that Tesco is a global retailer that sources from more than 70 countries. It is a founding member of the Ethical Trading Initiative. Over the past decade, it has sought opportunities to work collaboratively. Involvement in the Commission's meat and poultry processing taskforce provided an opportunity for multi-stakeholder collaboration and space to listen to civil society concerns, to explain the challenges the business faced and to develop practical and collaborative responses.

Participation has reinforced Tesco's view that collaboration is absolutely essential for sustainable impact and it has transferred lessons to subsequent involvement in initiatives such as the Bangladesh Accord, its work to combat slavery in the Thai prawn industry and the Commission's newly established cleaning taskforce.

The government regulator perspective:

Simon from the Health and Safety Executive (HSE), the UK's health & safety regulator, explained its mission to ensure that risks to people's health and safety from work activities are properly controlled. This means reducing risks and protecting people at work by providing advice and guidance on how to comply with the law, inspecting workplaces, investigating accidents and complaints and taking enforcement action where necessary.

Similarly, the HSE's involvement in the meat and poultry processing taskforce provided an opportunity to work collaboratively across the sector. The HSE was able to contribute a smart mix of regulatory interventions to improve health and safety practice and drive up management standards. The majority of processing operations employ fewer than ten people. The HSE embarked upon a four year inspection programme across the industry, now entering its final year, to raise standards and take enforcement action where necessary.

Key discussion themes:

Subsequent discussion focused on the following issues:

- The impact of outsourcing and the pressures on business to deliver high quality services at the lowest cost possible and the often associated negative impact on employment practices, pay, the intensity of work, job security and working hours
- The importance of responsible procurement for sustainable business and decent work
- The benefits of paying the Living Wage, including the business benefits through improved service delivery and reduced sickness absence and staff turnover
- The features and characteristics of effective operational grievance arrangements and the need for better sharing of business practice
- Effective supply chain management
- Better regulation and enforcement