

Alcohol and substance abuse Policy

Policy Statement and Procedures, Jan 2022

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

The organisation is committed to ensuring the health, safety and welfare of its employees and those affected by its activities. It will take all reasonable steps to reduce, if not eliminate, the risk of injuries or incidents occurring due to individuals suffering from the effects of alcohol or substance abuse. This policy applies to all employees either working remotely or in one of our premises and all persons coming onto the organisation's premises. The organisation will undertake and regularly review risk assessments to identify and assess the risks associated with alcohol and substance abuse. The risk assessments will consider the scope of all work activities undertaken by the organisation (in particular any safety critical operations) to determine the appropriate policies and arrangements for managing the risks associated with alcohol and substance abuse by employees and, where relevant, contractors, customers and the public.

The organisation prohibits the drinking of alcohol by employees and contractors in the workplace or on company business other than reasonable drinking of alcohol in connection with approved social functions. The organisation regards drinking to an "unreasonable level" as any of the following situations:

- The individual is over the legal limit stipulated for driving (ie 35mcg/100ml of breath alcohol concentration).
- In the opinion of management, the individual's performance is impaired. This may be at less than the legal limit stipulated for driving.
- In the opinion of management, the individual's behaviour may cause embarrassment, distress or offence to others.
- The individual continues to drink when instructed to stop by a manager.

The organisation will take all reasonable steps to prevent employees carrying out work-related activities if they are considered to be unfit/unsafe to undertake the work as a result of alcohol consumption or substance abuse. The organisation expressly prohibits the use of any illegal drugs (including psychoactive substances, including those formerly known as "legal highs") or any prescription drugs that have not been prescribed for the user. It is a criminal offence to be in possession of, use or distribute an illicit substance and to produce, supply or possess with intent to supply psychoactive substances. If any such incidents take place on organisation premises, in organisation vehicles or at a company function, they will be regarded as serious, will be investigated by the organisation, and may lead to disciplinary action and possible reporting to the police.

No employee or other person under the organisation's control shall, in connection with any work-related activity:

- report, or endeavour to report, for duty having consumed drugs or alcohol likely to render them unfit and/or unsafe for work;
- consume or be under the influence of drugs or alcohol while on duty unless, in the case of alcohol, with the agreement of line management for the purposes of official company entertaining;
- store drugs or alcohol in personal areas such as lockers and desk drawers; or
- attempt to sell or give drugs or alcohol to any other employee or other person on the company premises.

Employees must inform a manager or line manager, regarding any prescribed medication that may have an effect on their ability to carry out their work safely, and must follow any instructions subsequently given. Drugs that cause drowsiness must not be used while at work.

Any employee suffering from drug or alcohol dependency should declare such dependency, and the organisation will subsequently provide reasonable assistance, treating absences for treatment and/or rehabilitation as any other sickness absence. (Failure to accept help or continue with treatment will render the employee liable to normal disciplinary procedures.)

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Anti-Harassment Policy

Policy Statement and Procedures, Jan 2022

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

Our commitment

We are committed to creating an inclusive and welcoming work environment free of harassment and bullying, where everyone can achieve their potential. You have the right to feel safe, welcome, and comfortable as you conduct your day-to-day work. You have the right to enjoy a work environment that is free from harassment, bullying and victimisation. You should feel empowered to raise challenges and make complaints if you experience any behaviour that falls below this standard.

Harassment and bullying can have very serious consequences for individuals and the organisation. Harassment or bullying may make people unhappy, may cause them stress and affect their health and family and social relationships, may affect their work performance and could cause them to leave their job. Harassment and bullying can even lead to mental illness and suicide. Effects on the organisation can include loss of morale, poor work performance, increased staff turnover, legal claims and damage to our reputation. Employees who harass or bully others will face disciplinary action, up to and including dismissal, could be personally liable to pay compensation in legal claims, and may find their own family and social relationships are adversely affected. Serious harassment may be a criminal offence.

We will not tolerate bullying and harassment of any kind. All allegations of bullying and harassment will be investigated and, if appropriate, disciplinary action will be taken. We will also not tolerate a person being victimised for making allegations of bullying or harassment in good faith or supporting someone to make such a complaint. Victimisation is a disciplinary offence.

The scope of this policy

This policy covers bullying and harassment of and by managers, employees, former employees, contractors, agency staff and anyone else we engage to work for us. If the complainant or alleged harasser is not employed by us, (for example if the worker's contract is with an agency), we will apply this policy with any necessary modifications. This could mean that we require the agency to remove the worker, if appropriate.

The policy covers bullying and harassment in the workplace, (including virtual settings), in any work-related setting outside the workplace, (e.g. business trips and work-related social events), and on social media.

What is bullying and harassment?

Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that is meant to undermine, humiliate, or injure the person on the receiving end.

Harassment is unwanted conduct related to protected characteristics, which are sex, gender reassignment (ie transgender status), race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age, that:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct.

Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a "joke" may offend another person. Different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.

Behaviour that any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable to them, e.g. sexual touching. It may not be so clear that some other forms of behaviour would be unwelcome to, or could offend, another person, e.g. certain "banter", flirting or asking someone for a private drink after work. In these cases, first-time conduct that unintentionally causes offence will not be harassment, but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that the behaviour is unacceptable to them.

Sexual conduct that is consensual, mutual and invited is not harassment. However, the conduct may become unwanted (for example, where a sexual relationship ends) and, if it continues, amount to harassment.

Harassment may also occur where a person engages in unwanted conduct towards another because they perceive that the recipient has a protected characteristic (for example, a perception that they are gay or have a disability), when the recipient does not, in fact, have that protected characteristic. Similarly, harassment could take place where an individual is bullied or harassed because of another person with whom the individual is connected or associated, for example if their partner is pregnant or they have a friend who is a devout Christian. A person may feel harassed even if the unwanted conduct is not directed towards them or related to their actual or perceived protected characteristic. For example, it may be harassment where a male or female employee is offended by a topless calendar.

There may also be circumstances in which an individual is subjected to unwanted conduct from a third party, such as a client or customer (for example, if a client makes a racist remark to a black employee). If you feel that you have been bullied or harassed by customers, suppliers, vendors or visitors, you should report the behaviour to your manager who will take appropriate action. Bullying or harassment of customers, suppliers, vendors or visitors or others will be dealt with through the disciplinary procedure.

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A single incident can be harassment if it is sufficiently serious.

All bullying and harassment is misconduct and is a disciplinary offence that will be dealt with under our disciplinary policy. Bullying or harassment will often be gross misconduct, which can lead to dismissal without notice. We will consider any aggravating factors that may play a part in any harassment when deciding on the appropriate disciplinary sanction (for example, where there is an abuse of power over a more junior colleague). Bullying or harassment will constitute unlawful discrimination where it relates to one of the protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age. Serious bullying or harassment may amount to other civil or criminal offences, e.g. a civil offence under the Protection from Harassment Act 1997 and criminal offences of assault.

Examples of bullying or harassment

Bullying and harassment may be misconduct that is physical, verbal or non-verbal, e.g. by letter, email or via social media (including messaging, posting or simply contacting on social media).

Examples of unacceptable behaviour include (but are not limited to):

- physical conduct ranging from unwelcome touching or sexual advances to serious assault;
- the offer of rewards for going along with sexual advances, e.g. promotion, access to training;
- threats for rejecting sexual advances, e.g. suggestions that refusing advances will adversely affect the employee's employment, evaluation, pay, advancement, assigned work, or any other aspect of employment or career development;
- demeaning comments about a person's appearance;
- unwelcome jokes or comments of a sexual or racial nature or about a person's age, disability, sexual orientation or religion;
- asking questions or making comments that may indicate a bias (often referred to as micro-aggressions), e.g. persistent questions about where a colleague comes from, or commenting that a colleague of a particular ethnicity should be good at maths;
- questions about a person's sex life;
- unwanted nicknames related to a person's age, race or disability;
- the use of obscene gestures;
- treating a person differently because they are associated or connected with someone with a protected characteristic, e.g. their child is gay, their spouse is black or their parent is disabled;
- treating a person differently because they are perceived to have a protected characteristic when they do not, in fact, have the protected characteristic, e.g. an employee is thought to be Jewish, or is perceived to be transgender;
- the open display of pictures or objects with sexual or racial overtones, even if not directed at any particular person, e.g. magazines or calendars;
- spreading malicious rumours or insulting someone;
- picking on someone or setting them up to fail;
- making threats or comments about someone's job security without good reason;
- ridiculing someone;
- isolation or non-cooperation at work; and
- excluding someone from social activities.

What is victimisation?

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Victimisation is subjecting a person to a detriment (essentially being treated badly) because they have, in good faith, complained (formally or otherwise) that someone has been bullying or harassing them or someone else, or supported someone to make a complaint or given evidence in relation to a complaint (the original complaint could be against our organisation or another employer). This would include isolating someone because they have made a complaint or giving them a heavier or more difficult workload.

Provided that you act in good faith, i.e. you genuinely believe that what you are saying is true, you have a right not to be victimised. We recognise that fear of victimisation can put people off reporting harassment, and we will always therefore take appropriate action to deal with any alleged victimisation, including disciplinary action. Making a complaint that you know to be untrue, or giving evidence that you know to be untrue, may lead to disciplinary action being taken against you.

What should I do if I think I am being bullied or harassed?

We encourage anyone who believes that they have been harassed or victimised to come forward and share their experiences and concerns with us. To facilitate this, we have robust procedures designed to assist our people to have open conversations, engage in dispute resolution and, where appropriate, implement a disciplinary process. You may be able to sort out matters informally. The person may not know that their behaviour is unwelcome or upsetting. An informal discussion may help them to understand the effects of their behaviour and agree to change it. You may feel able to approach the person yourself, or with the help of someone in human resources, a manager, trade union representative or another employee. Alternatively, an initial approach could be made on your behalf by one of these people. You should tell the person what behaviour you find offensive and unwelcome and say that you need them to stop it immediately. You may want to add that, if the behaviour continues, you intend to make a formal complaint to your manager or human resources. You should keep a note of the date and what was said and done. This will be useful evidence if the unacceptable behaviour continues and you wish to make a formal complaint.

If an informal approach does not resolve matters, or you think the situation is too serious to be dealt with informally, you can make a formal complaint by using our grievance procedure [policy on investigating claims of bullying and harassment]. If you raise a grievance, the normal grievance procedure is modified so that you can choose whether to raise your grievance with your manager or directly with the human resources department. We will ensure, where possible, that you can bring your complaint to someone of your own sex, if you prefer. In very serious cases, a criminal offence may have been committed and you may wish to notify the police. If that's the case, human resources can arrange for someone to accompany you to the police.

How we respond to complaints

All complaints will be investigated promptly and, if appropriate, we will bring disciplinary proceedings against the alleged harasser. You will have the right to be accompanied by a fellow worker or trade union official at any meeting dealing with your grievance in accordance with our grievance policy [policy on investigating claims of bullying and harassment]. We will keep in touch with you on the general progress of the process and, subject to data protection requirements, the outcome of any disciplinary proceedings.

We treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible. Investigation of allegations will normally require limited disclosure on a "need to know" basis. For example, your identity and the nature of the allegations must be revealed to the person you are complaining about, so they are able to respond to the allegations. Some details may also have to be given to potential witnesses, but this will be limited as far as possible, while ensuring a fair and sufficiently thorough investigation.

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We will emphasise the importance of confidentiality to witnesses. If, after the disciplinary proceedings have concluded, the person you have complained about remains in employment (for example, a sanction short of dismissal is appropriate), we may need to share some information with managers to prevent any risk of further harassment by that person against you or others.

Wherever possible, we will try to ensure that you and the alleged harasser are not required to work together while the complaint is under investigation. This could involve giving you the option of working from home, where possible, or remaining at home on special leave, if agreed. In the case of serious allegations, we may suspend the alleged harasser while the investigation and any disciplinary proceedings are underway.

If your complaint is upheld, and the person found to have bullied or harassed you remains employed, every effort will be made to ensure that, if possible, you do not have to continue to work alongside the harasser, if you do not wish to do so. We will discuss the options with you. These may include the transfer of the harasser or, if you wish, you may be able to transfer to another position.

If your complaint is not upheld, HR will support you, the alleged harasser and your manager(s) in making arrangements for you both to continue or resume working and to help repair working relationships. We will consider making arrangements to avoid you and the alleged harasser having to continue to work alongside each other, if either of you do not wish to do this.

Some types of bullying or harassment may constitute unlawful discrimination and may give rise to the possibility of other civil claims or criminal proceedings. There are strict time limits for bringing claims of unlawful discrimination to an employment tribunal.

What can I do to help stop bullying and harassment?

We all have a responsibility to create and maintain a work environment free of bullying, harassment and victimisation, and to treat our colleagues with dignity and respect. You can help to do this by:

- being aware of how your own behaviour may affect others and changing it, if necessary - you can still cause offence even if you are "only joking";
- treating your colleagues with dignity and respect;
- taking a stand if you think inappropriate jokes or comments are being made;
- making it clear to others when you find their behaviour unacceptable;
- intervening, if possible, to stop harassment or bullying and giving support to anyone who may have been harassed or bullied;
- reporting harassment or bullying to your manager or human resources and co-operating in investigations; and
- if a complaint of harassment or bullying is made, not prejudging or victimising the complainant or alleged harasser.
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Managers have a particular responsibility to:

- set a good example by their own behaviour;
- ensure that there is a supportive working environment;
- make sure that staff know what standards of behaviour are expected of them;
- intervene to stop bullying or harassment; and
- report promptly to human resources any complaint of bullying or harassment, or any incident of bullying or harassment witnessed by them.

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What happens if I am accused of bullying or harassment?

If someone approaches you informally about your behaviour, do not dismiss the complaint out of hand because you were only joking or think the complainant is being too sensitive. Remember that different people find different things acceptable, and everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. You may have offended someone without intending to. If that is the case, the person concerned may be satisfied with an explanation and an apology from you and an assurance that you will be careful in future not to behave in a way that you now know may cause offence.

If a formal complaint is made about your behaviour, we will fully investigate it and we may instigate disciplinary proceedings, if appropriate. We will follow our disciplinary procedure and you will have the rights set out in that procedure. You will have the right to be informed of the allegations against you, explain your account of events and to be accompanied to meetings by a trade union official or fellow worker. The procedure will be implemented at the appropriate stage for the seriousness of the allegation. Complaints of bullying and harassment will often be allegations of gross misconduct that, if proved, could lead to dismissal without notice.

We treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible. Investigation of allegations and future management of risk, if complaints are upheld, will normally require limited disclosure on a "need to know" basis. For example, some details may have to be given to potential witnesses, but this will be limited as far as possible, while ensuring a fair and sufficiently thorough investigation.

The importance of confidentiality will be emphasised to witnesses.

Wherever possible, we will try to ensure that you and the complainant are not required to work together while the complaint is under investigation. If the allegation is of gross misconduct, you may be suspended on full pay during the investigation and until disciplinary proceedings have been concluded.

If the complaint against you is upheld, we may impose a disciplinary penalty up to and including dismissal, taking into account the seriousness of the offence and all relevant circumstances. If the complaint is upheld, but you are not dismissed, we may decide to transfer you to another post.

If a complaint is made against you that is not upheld and we have good grounds for believing that the complaint was not made in good faith, we will investigate and, if appropriate, will take disciplinary action against the person making the false complaint.

You must not victimise a person who has made a complaint in good faith against you or anyone who has supported them in making the complaint or given evidence in relation to such a complaint. Disciplinary action will be taken against you if we have good reason to believe that you may have victimised the complainant or someone else.

If the complaint against you is not upheld, HR will support you, the complainant, and your manager(s) in making arrangements for you both to continue or resume working and to help repair working relationships. We will consider making arrangements to avoid you and the complainant having to continue to work alongside each other, if either of you do not wish to do this.

Some types of bullying or harassment may constitute unlawful discrimination and allegations may give rise to the possibility of other civil claims or criminal proceedings against you, which would proceed independently of our disciplinary proceedings. You could be personally liable to pay compensation to the complainant if a successful claim in the employment tribunal or other courts was brought against you. Criminal proceedings could lead to conviction and criminal penalties.

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Making this policy work

We will ensure that all existing and new employees and others engaged to work at the organisation have free and unrestricted access to this Policy to help them understand their rights and responsibilities under this policy and what they can do to help create a working environment free of bullying and harassment.

We will review the outcomes of cases where complaints of bullying and harassment have been made to check that the proper procedures have been followed and to identify any points that can be learned from those cases and implement any necessary changes.

We will also periodically monitor how successful this policy is/has been in creating a workplace free of bullying and harassment by other means which may include confidential staff surveys.

When carrying out any reviews or monitoring, we will ensure that individuals' personal data is handled in accordance with our [data protection policy](#).

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Disciplinary Procedure

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Introduction

We operate a disciplinary procedure to ensure the proper operation of our business and the health and safety of our employees. We will apply the following procedure in all instances where management regards disciplinary action as necessary, other than in cases of minor misconduct where an informal warning may be appropriate. However, in instances or repeated minor misconduct offences employees may receive a 1st warning, 2nd warning, followed by dismissal.

We reserve the right to implement the procedure at any stage as set out below taking into account the alleged misconduct. Employees will not ordinarily be dismissed for a first disciplinary offence. The time limits outlined in this procedure may be varied by agreement.

You have the right to be accompanied at a disciplinary hearing by: a fellow worker; or if applicable a trade union official employed by the union; or a trade union official who is certified in writing by the union as having the necessary experience or training to act as a companion.

Matters that we view as amounting to disciplinary offences include (but are not limited to):

- persistent bad timekeeping;
- unauthorised absence;
- damage to our property;
- failure to observe our procedures;
- abusive behaviour;
- unreasonable refusal to follow an instruction issued by a manager or supervisor;
- absences that are not genuine or not for the reason provided;
- data protection breaches and misuse of our information;
- smoking or use of an e-cigarette in non-designated areas of the organisation's buildings and premises;
- and
- bribery offences under the Bribery Act 2010.

Investigation

Your supervisor or manager (or, where appropriate, a different manager) will promptly and thoroughly investigate any matter that we reasonably suspect or believe to contravene any of our policies or rules or may otherwise be a disciplinary matter. You will be informed as soon as possible that an investigation is being carried out and when it has been concluded.

There may be instances where suspension with pay is necessary while we carry out investigations. We have the right to suspend you with pay (or without pay for instances of gross misconduct) where there are reasonable grounds for concern that you may tamper with or destroy evidence or pressurise witnesses prior to a disciplinary hearing, or if there is a potential risk to the business or other employees or third parties in allowing you to remain at work. Suspension is not, in itself, a form of disciplinary sanction.

Depending on the circumstances of the case, we may invite you to attend an investigatory interview. We will inform you at the outset that the interview is an investigatory interview. There is no right for a companion to accompany you at an investigatory interview. We reserve the right not to conduct an investigatory interview and to proceed directly to a disciplinary hearing.

Where it is not possible to hold a face-to-face meeting, we will conduct the investigatory hearing remotely. We will ensure that you have access to the necessary technology for participating in the process. Your rights will not be affected, and we will ensure that the procedure remains fair and reasonable.

Procedure

Where, upon completion of an investigation, there are reasonable grounds to believe that there is a disciplinary case to answer, we will invite you to attend a disciplinary hearing before your departmental/line manager or manager of a similar level to the departmental/line manager.

In some cases we will conduct the disciplinary hearing remotely. We will ensure that you have access to the necessary technology for participating in the process. Your rights will not be affected, and we will ensure that the procedure remains fair and reasonable.

In the event of a disciplinary hearing taking place, we will:

- a. give you a minimum of two working days' notice of the hearing;
- b. inform you of the purpose of the hearing, its possible consequences and that we will hold it under our disciplinary procedure;
- c. explain your right to be accompanied at the hearing;
- d. give you written details of the nature of your alleged misconduct; and
- e. provide you with all relevant information (including statements taken from any fellow employees or other persons that we intend to rely upon) not less than [two] working days in advance of the hearing.

Where you are unable to attend a disciplinary hearing and provide a good reason for failing to attend, we will rearrange the time and/or date of the hearing. We will comply with (a) above in respect of giving notice of the rearranged hearing. Unless there are special circumstances mitigating against it, if you are unable to attend the rearranged hearing, the rearranged hearing will take place in your absence. Your companion may attend in such circumstances and will have the opportunity to present your case. We will also allow you to make written submissions in such a situation.

Where your companion is unavailable on the day scheduled for the hearing, you may request that the hearing be rescheduled to an alternative time that is reasonable and within five working days of the scheduled date.

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Role of companion

Your companion has the right to address the hearing to put your case, sum up your case and respond on your behalf to any view expressed at the hearing. Your companion may also confer with you during the hearing. However, there is no requirement for us to permit your companion to answer questions on your behalf, or to address the hearing where you indicate that you do not wish this.

Recording of meetings

You, and any person acting on your behalf, are not normally permitted to record electronically any meeting held as part of the disciplinary process. This is to encourage openness and full participation by all parties during meetings. Any breach of this provision may lead to disciplinary action, up to and including dismissal.

In certain limited circumstances, we may permit the meeting to be recorded electronically (for example where it is a reasonable adjustment for an employee with a disability). Where we permit the meeting to be recorded electronically, we will take responsibility for making the recording.

Where we intend to record meetings held remotely, we will comply with our data protection obligations and obtain prior consent from all attendees.

Data protection

We process personal data collected during the investigation stage and any subsequent stages of disciplinary action in accordance with our **data protection policy**. In particular, data we collect as part of the investigation stage and any subsequent stages of disciplinary action is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the disciplinary procedure.

You should report any inappropriate access or disclosure of employee data in accordance with the organisation's data protection policy immediately as this constitutes a data breach. It may also constitute a disciplinary offence, which we will deal with under this disciplinary procedure.

The disciplinary hearing

A disciplinary hearing will normally be conducted by your departmental/line manager together with a member of the HR team (the panel). Any member of management responsible for the investigation of the disciplinary offence(s) shall not be a member of the panel, although such managers may present any relevant facts and material to the disciplinary hearing. You will be entitled to a full explanation of the case against you and we will inform you of the content of any statements provided by witnesses. You will be permitted to set out your case and answer any allegations. We will give you reasonable opportunity to ask questions, present evidence and call relevant witnesses. You will also have the opportunity to raise points about any information provided by witnesses. Both parties must give advance notice if they intend to call relevant witnesses.

We may adjourn the disciplinary proceedings if it appears necessary or appropriate to do so (including for the purpose of gathering further information). We will inform you of the likely period of any adjournment. If we gather further information, we will give you a reasonable period of time, together with your companion, to consider the new information prior to the reconvening of the disciplinary proceedings.

As soon as possible after the conclusion of the disciplinary proceedings, the panel will inform you of what, if any, disciplinary action is to be taken. We will confirm the decision in writing and notify you of your right of appeal under this procedure.

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Disciplinary action

Where, following a disciplinary hearing, we reasonably believe that you have committed a disciplinary offence, we may take the following disciplinary action:

- f. Where you have committed a minor offence or offences, you may be given a recorded/noted on your file oral warning. The warning will:
 - i. set out the nature of the offence;
 - ii. inform you that further misconduct is likely to result in further disciplinary action under this procedure;
 - iii. specify the period for which the warning will remain "live", after which we will review the warning/the warning will automatically lapse; and
 - iv. state that you may appeal against the warning.
- g. Where you have committed either a more serious disciplinary offence, or a further minor offence or offences following a recorded/noted on your file oral warning that remains "live", you may receive a first written warning. The warning will:
 - v. set out the nature of the offence committed;
 - vi. inform you that further misconduct is liable to result in further disciplinary action under this procedure;
 - vii. specify the period for which the warning will remain "live", after which we will review the warning/the warning will automatically lapse; and
 - viii. state that you may appeal against the warning.
- h. Where you commit a serious disciplinary offence amounting to gross misconduct, thereby justifying summary dismissal, but we decide, after taking into account all relevant circumstances, that a lesser penalty is appropriate, or, where you commit further disciplinary offences after a first written warning has been issued and remains "live", we may give a final (or combined first and final) written warning. Such a warning will:
 - ix. set out the nature of the offence committed;
 - x. inform you that further misconduct is likely to result in your dismissal;
 - xi. specify the period for which the warning will remain "live", after which we will review the warning/the warning will automatically lapse; and
 - xii. state that you may appeal against the warning.
- i. Where you have committed further acts of misconduct (these being acts of misconduct other than gross misconduct) following a final written warning, we may elect to dismiss with notice or payment in lieu of notice.
- j. Where we reasonably believe that you have committed an act of gross misconduct, you may be summarily dismissed without notice.
- k. Where we give you a final written warning, we may also impose (where your contract of employment allows):
 - xiii. a period of suspension without pay;
 - xiv. loss of seniority;
 - xv. stoppage of pay for such period as we see fit in the circumstances subject to a maximum of 2 weeks; or
 - xvi. transfer to a job of a lower status.

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We may impose the above sanctions in conjunction with other forms of disciplinary action, or as an alternative to dismissal.

Expired warnings

We may retain expired warnings on your personnel record as we may need to take account of the warning when considering future conduct, for example to establish a pattern of behaviour or an awareness of the relevant rules. We will not normally retain documentation relating to the expired warning unless there is a justification for this.

Appeal

You may appeal against any disciplinary sanction imposed against you, with the exception of an informal oral warning. Wherever possible, a senior manager who has not been involved in the disciplinary process to date will hear the appeal. The appeal manager is obliged to consider any representations made by you, your companion and those of the manager who conducted the investigation and the manager who conducted the disciplinary hearing and imposed the disciplinary sanction. If any new evidence is introduced during the appeal stage, you will be given the opportunity to consider it and raise any comments. Once they have thoroughly explored the relevant issues, the appeal manager will decide whether or not to uphold the disciplinary sanction. In the event that the appeal manager decides in your favour, they shall allow the appeal and shall remove all records of the disciplinary sanction from your record. In the event that the appeal manager does not decide in your favour, they must uphold the disciplinary sanction. In the event that the appeal manager partially decides in your favour, they shall partially allow the appeal and impose a lesser disciplinary sanction.

When lodging an appeal, you should state:

- l. the grounds of appeal; and
- m. whether you are appealing against the finding that you committed the alleged act or acts of misconduct, or against the level of disciplinary sanction imposed.

You must provide written notice of the appeal within five working days of being informed of the disciplinary sanction.

Appeal hearings will normally take place within fourteen days of receipt of a written notice of appeal. Where it is not possible to hold a face-to-face meeting, we will conduct the appeal hearing remotely. We will ensure that you have access to the necessary technology for participating in the process. Your rights will not be affected, and we will ensure that the procedure remains fair and reasonable.

Upon completion of the appeal, you will be informed of the decision which will be confirmed in writing within one week. Our decision at the appeal is final.

Where you appeal against a dismissal, you will not be entitled to be paid or reinstated (unless you are entitled to notice) between the date of dismissal and the conclusion of the appeal process. In the event however that we overturn the dismissal on appeal, you will be reinstated with immediate effect and be paid for any period between the date of the original dismissal and the successful appeal decision. Your continuous service will not be affected.

Gross misconduct

Gross misconduct is misconduct of such a serious and fundamental nature that it breaches the contractual relationship between an employee and the organisation. In the event that you commit an act of gross

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misconduct, we will be entitled to summarily terminate your contract of employment without notice or pay in lieu of notice.

Matters that we consider amount to gross misconduct include (but are not limited to):

- theft or fraud;
- other offences of dishonesty;
- unauthorised absence;
- falsification of a qualification that is a stated requirement of your employment or results in your financial gain;
- falsification of records including reports, accounts, expense claims or self-certification forms, whether or not for personal gain;
- data protection breaches, disclosure of company documents, trade secrets and other confidential information to unauthorised third parties;
- indecency;
- physical violence or bullying;
- deliberate damage to or misuse of property;
- gross insubordination;
- the use or distribution of illegal drugs while at work;
- serious incapability at work brought on by alcohol;
- possession, custody or control of illegal drugs on our premises;
- serious breach of the organisation's rules, including, but not restricted to, health and safety rules and rules on computer use;
- failing to comply with rules relating to the prevention of coronavirus (COVID-19) transmission, including rules required by customers, suppliers or other third parties;
- gross negligence;
- conviction of a criminal offence that is relevant to your employment;
- misuse or abuse of social media in and outside work;
- deliberately accessing pornographic, offensive or obscene material;
- making covert recordings of colleagues or managers;
- conduct that negatively affects our reputation; and
- unlawful discrimination or harassment.
-

Other acts of misconduct may come within the general definition of gross misconduct.

Miscellaneous

If you are an accredited representative of a trade union that we recognise for collective bargaining purposes, and are suspected of having committed a disciplinary offence, we will take no action under this procedure (with the exception of suspending you in a case of alleged gross misconduct) until, with your prior agreement, we have had a chance to discuss the matter with a full-time official of that trade union.

This procedure will be periodically reviewed. A Director or member of the HR team should notify employees of the date and summary of any changes made to it and of the date any change comes into effect. This may be via email.

This policy is non-contractual, and we may make changes to it from time to time.

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Equal Opportunities Policy

Policy Statement and Procedures, Jan 2022

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

Our commitment

We are committed to providing equal opportunities in employment and to avoiding unlawful discrimination against our staff or customers.

This policy helps us to put this commitment into practice. By complying with this policy, you are helping to ensure that we create a work environment that is free from discrimination, where everyone can achieve their potential. Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is an important aspect of ensuring equal opportunities and diversity and inclusion in employment. We have a separate anti-harassment policy to help us achieve this environment.

The law

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment (ie transgender status), pregnancy, maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, eg refusing to give a reference for a reason related to one of the protected characteristics.

It is unlawful for an employer to fail to make reasonable adjustments to its requirements, working practices or the physical features of the workplace where these put a job applicant or employee who is disabled at a substantial disadvantage. Employers are also under a duty to take reasonable steps to provide an auxiliary aid.

When we are providing services, goods or facilities, you must not discriminate against or harass a member of the public. We are under a duty to make reasonable adjustments to overcome barriers to using services caused by disability including the removal, adaptation or alteration of physical features. In addition, we need to think ahead and make reasonable adjustments to address any barriers that may impede disabled people from accessing a service.

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Treating a part-time worker less favourably than a comparable full-time worker, and a fixed-term employee less favourably than a comparable permanent employee, is also unlawful unless the less favourable treatment can be objectively justified.

Types of unlawful discrimination

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic (for example refusing to employ a woman because she is pregnant).

In very limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim (for example requiring employees to have held a driving licence for 10 years may be indirect age discrimination, unless that requirement could be objectively justified).

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity which are covered by direct discrimination provisions in the Equality Act 2010) that has the purpose or effect of violating a person's dignity; or is reasonably considered by that person to create an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic (although it does not cover harassment because of marriage and civil partnership, and (according to guidance from the Government and Acas) pregnancy and maternity).

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that they have a particular protected characteristic when they do not, in fact, have that protected characteristic (other than marriage and civil partnership, and pregnancy and maternity).

Victimisation occurs where an employee is subjected to a detriment (essentially where the employee is treated badly), such as being denied a training opportunity or a promotion because they made or supported a complaint or raised a grievance under the Equality Act 2010, or because they are suspected of doing so. For example, if a blind employee raises a grievance that the employer is not complying with its duty to make reasonable adjustments and is then systematically excluded from all meetings. However, an employee is not protected from victimisation if they acted maliciously or made or supported an untrue complaint in bad faith.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a person who is disabled at a substantial disadvantage compared with someone who does not have that disability and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

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Equal opportunities in employment

We will strive to avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline, and selection for redundancy.

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability and personal or home commitments will not form the basis of employment decisions except where necessary.

We will consider any possible indirectly discriminatory effect of our working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done. We will refuse requests for variations to working practices only if we have good reasons for doing so, that are unrelated to any protected characteristic. We will comply with our obligations in relation to statutory requests for contract variations and will also make reasonable adjustments to our working practices for individuals with a disability.

We will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

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Grievance Policy & Procedures

Policy Statement and Procedures, Jan 2022

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

Grievance Policy

1. Introduction

BlueKit Medical Ltd. recognises that from time-to-time individual employees may have a grievance relating to their employment.

BlueKit Medical Ltd.'s policy is to ensure that employees, who feel aggrieved about the way that they have been treated, either by their colleagues or by management, are given every opportunity to express their views and have the issue raised, resolved in a fair, timely and just manner.

Solutions to some issues will involve compromise and for that reason it may not be possible to resolve every issue to the total satisfaction of those concerned. Employees may not raise a grievance in regard to disciplinary action being taken. Please refer to the Disciplinary Policy & Procedures.

2. General Principles

An employee has the right, at any stage of this grievance procedure, to be accompanied by a work colleague of their choice.

The normal starting point for anyone with a grievance will be at an informal level as detailed below. However, if a grievance is raised against management, the individual may take their grievance to a person nominated in the next stage of the process.

Time limits are provided to ensure prompt decisions. However, time limits may be modified by mutual agreement. Where an employee fails to comply with a time limit the procedure will cease and the grievance will be considered settled or withdrawn. If the appropriate person within the specified time limit does not deal with a grievance, unless it is agreed that it was not reasonably practicable to do so, the employee shall have the right to proceed to the next stage of the procedure.

At all stages, the parties may take advice from other parties.

All cases dealt with under this procedure, whether formal or informal, will be conducted in strictest confidence, unless otherwise agreed by all parties.

Records will be kept detailing the nature of the grievance raised, the employer's response, any action taken and the reasons for it. Records will be kept confidential and retained in accordance with the Data Protection Act 1998 and any subsequent appropriate Acts, which requires the release of certain data to individuals on their request. Copies of any meetings will be made available to the individuals concerned although in certain circumstances some information may be withheld, for example to protect a witness.

In any case concerning a Director, where oversight by another Director is not acceptable to the employee, the employee and the Company will select an independent arbiter, who is acceptable to both the employee and the Company.

3. **Procedures**

a. **Stage 1 – Informal Discussion**

An employee, who has a grievance, should raise the matter with their Line Manager or if the grievance is with the Line Manager, a Member of the HR team immediately, either verbally or in writing. The Line Manager or Member of the HR team will investigate and will seek to resolve the matter within 5 working days, unless both parties agree upon an extended period of time. It is expected that the majority of concerns will be resolved at this stage, however, if the matter is not resolved to the satisfaction of the individual, then a formal written grievance should be submitted to a Director.

b. **Stage 2 – Formal Discussion**

The written grievance must be submitted to HR or a Managing Director/Partner within 10 working days of the original response to the employee's grievance. HR or a Managing Director/Partner will investigate the matter fully and meet with appropriate individuals. A written response to the grievance will be provided within 10 working days. If the employee, who raised the grievance does not consider that this written response constitutes a satisfactory resolution to their grievance, they may appeal within 10 working days.

c. **Stage 3 - Appeal**

The appeal must be made in writing to HR or a Managing Director/Partner, who will convene a Grievance Panel to review the case. If appropriate and practicable, this will be in consultation with, the employee and other relevant employees and/or managers. Any Manager or Director, who is the subject of the grievance will not take part as a member of the Grievance Panel, and if necessary, may be replaced by an independent arbiter, who is acceptable to all the parties involved in the grievance.

The Chair of the Grievance Panel will respond in writing within 20 working days. This decision is final and there is no further right of appeal. However, where all parties agree that there would be some merit in referring the matter to a third party for advice, conciliation or arbitration, arrangements will then be made to find a mutually acceptable third party.

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4. **Conduct of Grievance Meetings**

The procedure:

- The Chair of the meeting will detail the status of the hearing and explain the procedure to be followed and will remind all parties that each is to always treat the other with courtesy and respect.
- The grievance will be fully discussed and if appropriate additional employees may be called forward to present supporting accounts.
- All parties will be given the opportunity to present their case, question the statements made and the witnesses.
- Both sides shall have the opportunity to sum up their position.
- One or both parties may be recalled after the meeting has closed if the Chair of the meeting requires clarification on any point.
- At all stages the Chair of the meeting will consider whether the grievance is valid or invalid. If valid the Chair of the meeting will take the necessary action to resolve the grievance. This may include disciplinary action and in severe cases of harassment or bullying could result in dismissal.
- The person chairing the meeting will make the decision and notify the parties concerned, in writing, of the decision and the reasons for it within 10 working days.
- If the procedure is in Stages 1 or 2 the individual, who raised the grievance will be informed of the right to appeal against the decision.
- Notes will be taken at formal meetings held under Stages 1 to 3 of this procedure and meetings conducted virtually may be recorded but only by the company and only if all parties agree. A report of the full case will be made, which will be kept on the employee's personnel file. All parties to the grievance may request a copy of the report. Requests to amend or make additions to the report will be noted.

5. **Disputes**

A dispute is a collective grievance raised by more than one employee. It is in the interest of both the Company and its employees that disputes should be resolved fairly and quickly. If the dispute cannot initially be resolved in an informal matter, the same process as mentioned above will be followed, however consideration should be given as to whether the problem might be better raised and handled by either a designated representative of the employees or by a third party on behalf of all employees.

6. **Communications**

The initial formal notification of a grievance must be provided in paper form and signed by the employee or their representative. Subsequent Letters and other communications may be sent electronically if agreed by both the employee and BlueKit Medical Ltd. management, providing appropriate confidentiality is maintained.

Holiday & Holiday Pay

Policy Statement and Procedures, Jan 2022

Key details

- **Policy prepared by: Pete Bird**
 - **Approved by board/ management on: Jan 2022**
 - **Policy became operational on: Jan 2022**
 - **Next review date: Jan 2023**
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- The Working Time Regulations (SI 1998/1833) entitle workers to a minimum of 5.6 weeks' paid annual holiday, comprised of four weeks under reg.13, and an additional 1.6 weeks under reg.13A.
 - During the first year of employment, the amount of leave that workers can take at any time is limited to the amount of leave that they have accrued.
 - Workers must be paid at the rate of a "week's pay" for each week of their statutory annual leave.
 - Workers must receive their "normal remuneration" during their four-week leave entitlement under reg.13, and the amount that is payable under their contract of employment during the additional 1.6 weeks leave under reg.13A.
 - The rules governing accrual and carry-over of annual leave for workers on sickness absence relate to the four-week leave entitlement under reg.13 only.
 - The leave entitlement under reg.13 and reg.13A may not be replaced by a payment in lieu, except where the employment is terminated.
 - Workers who are denied their right to statutory paid annual holiday or payment in lieu of untaken holiday accrued on termination, may complain to an employment tribunal.

Please note figures and times will be adjusted if you're contracted on a pro rata basis.

Induction Policy

Policy Statement and Procedures, Jan 2022

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

BlueKit Medical Ltd. believes that all new employees **MUST** be given timely induction training. This training is regarded as a vital part of staff recruitment and integration into the working environment. This policy, associated procedures, and guidelines define the Company's commitment to ensure that all staff are supported during the period of induction, to the benefit of the employee and Company alike.

AIM

1. It is the aim of BlueKit Medical Ltd. to ensure that staff induction is dealt with in an organised and consistent manner, to enable staff to be introduced into a new post and working environment quickly, so that they can contribute effectively as soon as possible. This induction policy, associated procedures, and guidelines aim to set out general steps for managers and staff to follow during the induction process. It is expected that all managers and staff will adhere to this policy.

2. The Company expects that the implementation of good induction practice by managers/supervisors will:

- Enable new employees to settle into the Company quickly and become productive and efficient members of staff within a short period of time.
- Ensure that new entrants are highly motivated, and that this motivation is supported.
- Assist in reducing staff turnover, lateness, absenteeism, and poor performance generally.
- Ensure that employees operate in a safe working environment.
- Will reduce costs associated with repeated recruitment, training and lost production.

THE COMPANY'S COMMITMENT

3. BlueKit Medical Ltd. will:

- Issue guidelines to familiarise managers and staff with the induction process.
- Maintain and update the Induction Policy.
- Provide a checklist for managers and staff to follow during the induction period.
- Ensure there is effective monitoring of the induction process particularly in the first three months.
- Deal with any problems promptly.
- Provide relevant training where necessary to assist the induction.

GUIDELINES FOR MANAGERS/SUPERVISORS

4. GENERAL

Starting a new job is a demanding and often stressful experience. Quite apart from the obvious challenge of tackling new tasks, there is also the need to become accustomed to a new organisation, a new environment and new colleagues. The purpose of induction is to support new employees during this difficult period and to help them become fully integrated into the Company as quickly and as easily as possible.

Induction has benefits for all involved in the process. Employees who settle quickly into the Company will become productive and efficient at an early stage and in turn will experience feelings of worth and satisfaction.

It is generally recognised that new employees are highly motivated, and an effective induction process will ensure that this motivation is reinforced.

5. INDUCTION CHECKLIST

The Induction checklist is a very useful way of ensuring that information is imparted to new employees when they are likely to be most receptive. It avoids overloading employees with information during the first weeks whilst ensuring that all areas are covered. Managers/supervisors should ensure that these matters have been properly understood whilst the checklist is being completed, perhaps in the form of a regular/daily/weekly chat with the new entrant. Arrangements should also be made to familiarise staff with the physical working environment and facilities. At the end of the process the induction checklist should be signed by the relevant parties and placed in the member of staff's personnel file.

6. FIRST DAY OF EMPLOYMENT

Preparations should be made for the arrival of the new entrant well in advance

Most new employees tend to be concerned primarily with two matters:

- a) whether they can do the job, and
- b) how they will get on with their new colleagues.

It is therefore important to introduce them to their new workplace and colleagues at the earliest opportunity. An introductory talk will be appropriate at this time and can be combined with the provision of general information and exchanging any necessary documentation. This talk should be as brief as possible because the employee is

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unlikely to be receptive to detailed information at this stage and should be conducted by someone who is well prepared and has sufficient time available. Managers/supervisors should refer to the Induction Checklist and use it as a basis for discussion thus ensuring all documentation is complete.

The new entrant will want to get to know their colleagues and quickly become part of the team and time should be made for this process. Colleagues should be briefed on the new entrant's arrival. If possible one of the new entrant's colleagues should be nominated to ensure that they have every assistance in settling in quickly.

7. A description of the company should be arranged for the new entrant allowing the Company to be viewed as a whole and the recruit to see where they fit into the organisation.

8. INDUCTION PROGRAMMES

Induction programmes must be geared to the individual's needs. Some of the more obvious new members of staff requiring special attention are as follows:

School Leavers

9. For most new employees, induction is concerned with getting accustomed to a new job. For school leavers, however, it is about adjusting to a whole new way of life - the world of work. Consequently, school leavers are likely to need more support than other groups. Wherever possible, induction and subsequent training should relate to knowledge and skills which go beyond the employee's own job. School leavers will need guidance on wider issues, such as career planning, coping with the routine and discipline of work.

It would also be helpful for school leavers to be introduced to an approachable person to whom they could take any queries they might have.

Graduates

10. Graduates tend to have a high-level of knowledge but may not always have the skills relevant to the job. They will want to feel that they are contributing from early on and to understand the organisation of the Company and their role within it. Also, it's quite likely that they will want to have a clear picture of future career prospects and to gain broad experience with this in mind. Receiving such information from a senior manager - who can organise the necessary breadth of experience and offer advice and support in relation to career progression may well be beneficial.

Managers

11. Whilst many of the points in the checklist apply equally to all new managerial staff, in most cases individual induction programmes will be necessary. These should be drawn up in consultation with new managers, considering their backgrounds and experience and the nature of their new roles.

Ethnic Diversity

12. BlueKit Medical Ltd. supports a diverse workplace, and we will address the special needs or requirements relating to different cultural needs. BlueKit Medical Ltd. will not tolerate racist or prejudiced behaviour in any form.

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Long-term Unemployed

13. Previously long-term unemployed people who have been recruited may have been absent from the working environment for some time so it will be helpful to recap on some of the issues relating to school leavers. These should, of course, be adapted to suit older workers, who may need to build up confidence, and the induction process can be used to update knowledge of technology which may be new.

Other Groups

14. Other groups that may need consideration include disabled employees and women and men returning to work after having raised a family.

15. Other groups may require a tailored induction procedure accounting for their needs. Disabled employees, for example, may have all or a combination of induction needs, but these needs may be compounded by their disabilities. Part of the induction process for disabled employees will involve checking such things as access to parts of the workplace, toilets, and lifts etc. and the required level of personal support. The necessary reasonable adjustments to the workplace required to accommodate the disabled individual should be completed prior to them commencing and carried out in discussion with the individual or their adviser.

COMPLETING THE INDUCTION PROCESS

16. Induction can be said to end when the individual becomes fully integrated into the organisation. Of course, there is no set timescale within which this will happen and follow ups are essential. Giving new employees the opportunity to ask questions several weeks into employment can be useful, and the induction checklist will provide this opportunity. In some areas, such as understanding wider aspects of the organisation.

BlueKit Medical Ltd.

INDUCTION PROGRAMME FOR NEW STAFF

NAME OF EMPLOYEE

JOB TITLE

DATE COMMENCED

This is a checklist of information for Induction which managers / supervisors should use with new staff as part of their induction programme within the first few days, and certainly within the first two weeks of employment. Health and Safety items should be identified immediately. The new employee should be asked to tick each subject as they have been informed about it and sign the end of the form. The manager / supervisor then saves the form for inclusion in the employee's personnel file.

Not all the following subjects are applicable to all. Should this be the case, record N/A.

Please read the guidance notes below before completing this form.

Guidance Notes

Certain groups of staff have specific induction needs. The main groups are detailed below; points to take account of are described.

Staff who describe themselves as having a disability

Disabilities include for example physical handicap, deafness, blindness, mental illness. Consider the following for discussion:

1. Confirm the nature of the disability.
2. Clarify if the employee has any special needs relating to disability.
3. Explore with them any reasonable adjustments that could be made for them.
4. Check whether the employee has any concerns regarding the workplace.

Graduates and College/School Leavers

These staff may have no previous work experience and will need careful integration into the department. Discuss the following:

1. Their specific role within the department.
2. Reporting responsibilities and the importance of good timekeeping.
3. Allocation and prioritisation of work.
4. Where to go if they need advice or help.

Staff Returning to Work after a Period of Absence

This includes staff who were previously unemployed, women returning after starting a family, or after any other prolonged period of non-employment. Discussion should include, for example:

1. The difference between the employee's previous working environment and this new one.
2. Changes in skills required for this area of work.
3. Requirement for training to update skills.
4. Concerns they might have about returning to work

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Managers

These staff need a broader induction to put their post in context.

1. Structure and culture of department and Company
2. Role in relation to Department / Company as appropriate.
3. Training course in supervisory and management skills, if required.

ITEMS TO COVER WITH EACH NEW EMPLOYEE

The Organisation/Department

1. Organisation structure and strategy
2. Department function
3. Introduction to colleagues
4. New entrant's own job
5. Supervision

Conditions of Employment

1. Information on hours of work
2. Time recording, flexitime (if applicable)
3. Payment/bonus scheme, allowances (if applicable)
4. Probationary periods of employment
5. Reporting in when sick including when on leave
6. Arrangements for requesting leave: annual leave, unpaid leave, compassionate leave
7. Reporting notice of termination of employment

Health and Safety

1. Health and safety information

Conduct

1. Personal presentation
3. Courtesy to the customer and the public
4. Confidentiality
5. Standards of Business Conduct

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Education, Training, Promotion

- 1. Learning opportunities
- 2. Means of advancement, promotion opportunities
- 3. Employee one to one
- 4. Employee appraisal, review systems

OTHER RELEVANT ISSUES SPECIFIC TO DEPARTMENT

I have been informed about and understand the above items.

Signature: Date:

I confirm that the above Induction Programme has been completed for the above member of staff.

Signature of Supervisor / Manager: Date:

Pay Policy

Policy Statement and Procedures, Jan 2022

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

Payment of basic salary

Salaries for permanent and temporary members of staff (excluding agency workers) are paid monthly by transfer directly into each individual's nominated bank or building society account.

Payments to employees are made on the final working day of each month. Payments to casual workers, freelancers and contractors are made on the final working day of each month unless invoice terms have otherwise been agreed by management.

Employees will receive itemised pay statements of their earnings and deductions on the date on which they are paid. All employees will have access to and receive an electronic pay statement via our accountants.

It is the responsibility of each employee to ensure that the organisation:

- has details of their bank or building society account number and sort code;
- is advised of any changes to their bank or building society account; and
- is told about any payment anomalies that the employee discovers (e.g. overpayment of wages) at the earliest opportunity.

Employees who have any queries or problems concerning payment of their salary should contact management.
Levels of basic pay

BlueKit Medical is committed to ensuring that:

- it regularly reviews pay levels during the lead up to annual appraisals;
- individuals are not discriminated against because of gender, marital or civil partnership status, race, religion or belief, sexual orientation, age, disability, gender reassignment, pregnancy and maternity, or because they work part time or on a fixed-term contract;
- it will seek to eliminate any gender pay gaps and will look to identify any differences in the average pay between male and female workers that share equivalent titles and job roles;
- workers are paid at the level of at least the relevant national minimum wage rate on average for each hour worked in a relevant pay reference period.

Pay reviews

Employees' basic rates of pay will normally be reviewed annually, although any increases will be at the absolute discretion of the organisation. Reviews may take place at other times of the year to reflect a change in circumstances. Any resulting changes to pay will be notified to employees in writing (including emails). Any revision in employee pay rates will be paid in the month following the decision.

Data protection

The organisation processes personal data as part of the payroll process in accordance with its data protection policy. The organisation has in place arrangements with its payroll provider to ensure that it has measures safely and securely to process employees' personal data. In particular, data collected during the payroll process is held securely and accessed by, and disclosed to, individuals only for the purposes of paying you in accordance with your employment contract. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the organisation's disciplinary procedure.

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Pension Scheme

Policy Statement and Procedures, Jan 2020

Key details

- **Policy prepared by: Rebecca Porter**
- **Approved by board/ management on: Jan 2020**
- **Policy became operational on: Jan 2021**
- **Next review date: Jan 2024**

As an employee you will automatically be enrolled into our company pension scheme after a successful probation period or three (3) months of continuous service (whichever is the shortest).

We use NEST as our pension provider, and they will get in contact with all the information you will need in order to sign up and login to their system.

If you have any queries regarding this pension scheme that the NEST service team cannot answer via their online portal, then please get in touch with a company Director or your supervisor. Should you not wish to be entered into the company's pension Scheme then you will have the option to "opt out". Please consult an advisor or qualified person before making this decision.

Redundancy Policy

Policy Statement and Procedures, Jan 2022

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

Introduction

We value our employees and are committed to providing long-term job security and managing the business in the best way possible to safeguard your employment.

There may be occasions when financial pressures, changes in our working practices, advances in technology or external factors, have an impact on our workforce. Where this is the case, we will explore alternative measures such as placing restrictions on recruitment, reducing overtime, redeployment and the non-renewal of fixed-term contracts to avoid a redundancy situation. Where appropriate, we will initially seek volunteers for redundancy. However, despite our best efforts, certain business situations may arise where redundancies are unavoidable. This policy sets out our approach to dealing with potential redundancies. It does not form part of your terms and conditions of employment and may be subject to change at the discretion of management. The policy will be applied fairly and equally to all employees, and without any form of discrimination.

We understand that redundancy situations can be extremely difficult for those affected. This policy aims to set out clearly the process involved and signpost the help and support available.

Measures to avoid or minimise redundancy

We will consider possible alternative measures to minimise or avoid a redundancy situation. Depending on our business needs at the time, we may explore:

- natural wastage - we would not replace employees who have resigned or retired;
- freezing recruitment - we would not recruit new permanent members of staff;
- stopping or reducing the use of temporary workers;
- stopping or reducing overtime;
- freezing or reducing pay;
- offering career breaks or other types of unpaid leave;
- flexible working arrangements;
- retraining or redeploying employees;

- inviting early retirements;
- short-time working - reducing the hours of work for a temporary period; and
- lay-offs - suspending paid work for a temporary period; and
- "furlough" under the Coronavirus job retention scheme.

Voluntary redundancy

To reduce the need for compulsory redundancies, we may seek volunteers for redundancy. Whether or not additional payments will be offered in relation to voluntary redundancies will be a matter for consultation and will depend on the circumstances.

We will send voluntary redundancy invitations to relevant employees by email together with an application form. This opportunity will be available for a defined period, and we will confirm the closing date for applications in our email. Applications will be assessed against a set of objective criteria decided at the organisation's discretion. Unfortunately, we may not be able to accept all applications for voluntary redundancy. We will let you know by email whether or not you have been successful.

Consultation

We recognise the importance of consultation. We will ensure that we consult with all employees who are potentially affected by the redundancy situation and not just those who are at direct risk of redundancy. Where it is not possible to hold a face-to-face meeting, we will conduct the consultation process remotely. We will ensure that you have access to the necessary technology for participating in the process.

Redundancy selection

Selection pool

In a redundancy situation, we will identify how many roles are at risk and will determine a fairly defined pool from which we will select employees for redundancy. The pool will normally consist of employees who carry out the same, or similar, work and perform jobs that are interchangeable, whether or not in the same department. However, this may not always be the case, for example where redundancies are expected to involve the whole organisation or just one specific role.

Selection criteria

We will, as far as is possible, ensure that selection criteria are objective and supported by documentary records, data or other evidence such as attendance records or sales figures. We will take all reasonable steps to construct a fair and robust set of criteria following appropriate consultation.

The selection criteria used will be at our discretion, subject to factors such as business needs at the time and the roles under consideration.

Potential criteria include:

- attendance;
- disciplinary records;
- performance;
- qualifications and training; and
- knowledge and experience.

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Provisional selection

We will inform you via email if you are provisionally selected for redundancy and invite you to a meeting.

Alternative work

If you are selected for redundancy, we will take reasonable steps to find you suitable alternative employment within the organisation. We will consult with you about this and give you details about the application process, if there is one.

If we offer you suitable alternative employment, but you unreasonably refuse to accept it, you will lose your right to a statutory redundancy payment.

If you are on maternity leave, we will offer you any suitable alternative role that is available and you will not need to submit an application.

Time off work for training or to look for a new job

We recognise and understand the financial and emotional strains that come with redundancy. We support our employees during this difficult time by, where possible, giving you a reasonable amount of paid time off to look for alternative employment. This could include time off to arrange training, visit a job centre or attend a job interview.

We recognise and understand the financial and emotional strains that come with redundancy. You can request reasonable time off to arrange training or look for a new job, if you have a minimum of two years' continuous service with the organisation.

You should discuss the arrangements for taking time off with your line manager.

Additional support

We understand that redundancy situations can cause stress and feelings of insecurity. If you are concerned about your wellbeing or that of a colleague, you should speak to your/their line manager or a senior member of the HR team. Alternative help may be available.

We recommend the external support and information available at:

- www.acas.org.uk/redundancy, for free online and telephone information and advice on employment law issues; and
- www.gov.uk/redundancy-your-rights, for free information from the government on employment law and rights.

Notice of redundancy

If your selection for redundancy is confirmed, you will be given written notice of the termination of your employment in accordance with the notice period set out in your contract of employment or the statutory minimum notice period, whichever is greater.

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Redundancy payment

You are entitled to receive a statutory redundancy payment if you have worked for us for at least two continuous years. This payment will be calculated in accordance with the relevant statutory redundancy pay provisions in force at the time. You will receive a written statement showing how your redundancy pay has been calculated.

Pension

Please discuss any queries you may have concerning your pension options with a member of the HR or Payroll teams.

Data protection

We process your personal data, including special categories of your data, in accordance with our data protection policy at all stages of the redundancy process.

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Smoking Policy

Policy Statement and Procedures, Jan 2022

Key details

- Policy prepared by: Pete Bird
- Approved by board/ management on: Jan 2022
- Policy became operational on: Jan 2022
- Next review date: Jan 2024

Introduction

We recognise that the health, safety and welfare of employees, sub-contractors, and anyone else directly affected by our organisation's operations are of prime importance. We have therefore developed this dedicated smoking policy which conforms to the requirements of the smoke-free legislation.

Application

This policy is mandatory and applicable to all employees, as well as sub-contractors who undertake activities on behalf of the organisation and any visitors/customers on any of our non-remote working premises.

Prohibition on smoking

Smoking is strictly prohibited in all parts of our public premises, including at entrances or any non-specifically designated areas on the grounds. Smokers are restricted to taking one short smoking break in the morning and one in the afternoon, with a maximum of 10 minutes per break. You should inform your manager if you wish to take a smoking break and ensure that there is sufficient cover before taking a break.

Vehicles

Smoking is not permitted in company vehicles at any time. For the purposes of the legislation, any time includes sitting in a stationary car.

Electronic cigarettes

We acknowledge that some employees may wish to make use of e-cigarettes or vaporisers in the workplace, particularly as an aid to giving up smoking. E-cigarettes are battery-powered products that release a visible vapour that contains liquid nicotine that is inhaled by the user. As they fall outside the scope of smoke-free legislation, we allow employees to use e-cigarettes or vaporisers outside of the premises but only in certain designated areas provided that they get the prior agreement from their line manager.

Homeworkers

Homeworkers are not required to refrain from smoking or the use of e-cigarettes during the course of work that is carried out for the organisation in their home, unless they invite others into an area of their home for work purposes.

Signage

No-smoking signs will be displayed in all company vehicles. For avoidance of doubt, if a no-smoking sign has been removed or is not visible within any company vehicle for any reason, smoking is still prohibited.

Assistance for employees to give up smoking

We recognise the difficulty that employees who wish to give up smoking may face. Although we are not currently equipped to offer any professional help, assistance is available from the NHS Smoking Helpline/other NHS services/doctors/local support groups.

Non-compliance

Any infringement of these rules by an employee may result in appropriate disciplinary action, which will be dealt with in accordance with our disciplinary procedure. Employees are also reminded that it is a criminal offence for employees to smoke in smoke-free areas, with a fixed penalty of £50 or prosecution and a fine of up to £200.

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Time off Policy

Policy Statement and Procedures, Jan 2022

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

Introduction

This policy sets out our organisation's rules in relation to holiday. It is important that you take regular holidays for your wellbeing and to take some time away from work. We encourage you to take your full entitlement and to spread out your holiday throughout the year to prevent building up an excessive period of leave at the end of each holiday year.

Your entitlement

The holiday year runs from 1 January to 31 December. Your contract will provide you with your annual entitlement of paid holiday per holiday year or a pro rata equivalent if you work part-time. This information should be kept and stored within our online system to ensure that we have an accurate record. Please note that there will already be a certain number of hours booked off in advance. These hours include bank & public holidays and any mandatory Company Holidays that fall within the holiday year (such as, over the Christmas period).

If your employment starts or terminates part way through a holiday year, your holiday entitlement during that year will be calculated on a pro rata basis. Apart from specific entitlements that maybe specified within your contract and except where set out in this policy and/or otherwise required by law, all holiday must be taken during the holiday year in which it is accrued otherwise it will be lost.

Booking holiday

To book annual leave, you must send a request to your manager. All holiday must be approved in advance by your line manager or senior manager. You must give as much notice as possible. The notice period for taking leave is at least twice as long as the amount of leave a worker wants to take, plus 1 day. For example, a worker would give 3 days' notice for 1 day's leave. When booking leave you must verbally run the request past your immediate manager to give them adequate time to cover any work you may have been scheduled to carry out. Every effort will be made to meet a holiday request. However, there may be circumstances where your line manager or senior manager may turn down your holiday request due to operational needs or where there is insufficient capacity within our organisation to accommodate high levels of leave.

Taking holiday During the first year of your employment

Unless your line manager or senior manager has given permission in writing, the amount of leave that you may take is limited to the amount of leave that you have accrued at that time. We reserve the right to require you take leave on specified dates including periods of shut down and to avoid staff accruing large amounts of untaken holiday. In such circumstances, you will receive notice that is at least twice the number of working days that you are required to take.

Holiday pay

You will receive normal pay during any day taken as part of your holiday entitlement. You are not entitled to pay in lieu of holiday not taken, except on termination.

Sickness before or during holiday

If you fall sick or are injured while on holiday, you may choose to take your holiday as sick leave subject to the following conditions:

- The total period of sickness must be fully certificated by a qualified medical practitioner.
- You must contact your manager/the HR department as soon as you know that there will be a period of sickness during your holiday.
- You must submit a written request no later than five days after returning to work setting out how much of your holiday was affected by sickness and the amount of leave that you wish to take at another time. If you fall sick or are injured before a pre-booked holiday, you may choose to cancel your holiday, and take any part that is interrupted by incapacity as sick leave subject to the following conditions:
 - The total period of sickness must be fully certificated by a qualified medical practitioner.
 - You must contact your manager/the HR department (by telephone if possible) as soon as you know that there will be a period of sickness during your holiday.
 - You must submit to your manager/the HR department a written (email is acceptable) request to cancel or change your pre-booked holiday, setting out the amount of leave that you wish to take at another time. Any holiday leave that is adjusted to sick leave will be treated in accordance with our policy on sickness absence.

Holiday entitlement and sick leave

You will continue to accrue your holiday entitlement during any period of sick leave. If you are unable to take your full holiday entitlement due to sickness absence, or if you are still absent at the end of the holiday year, you may carry over any unused holiday to the next holiday year with the agreement of your line manager or senior manager. Any holiday that is carried over under this provision must be taken within 12 months of the end of the holiday year in which it was accrued. Alternatively, you may book a period of holiday while on sick leave to receive holiday pay for that period, provided that you give your manager and the HR department as much notice as possible of your proposed holiday dates.

Holiday entitlement and family leave

You will continue to accrue your holiday entitlement during any period of family leave (ie maternity, paternity, adoption and shared parental leave, ordinary parental leave, and parental bereavement leave). You should make every effort to take any outstanding holiday entitlement before commencing family leave or immediately after your family leave has ended. Any holiday entitlement that has not been taken because of family leave can only be carried over into the next holiday year with the agreement of your manager/the HR department.

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Holiday pay on termination of employment

On the termination of your employment, you will receive a payment in lieu of accrued and untaken statutory holiday for that holiday year. You may be required to take outstanding holiday during your notice period. If, on the termination date, you have taken more holiday than your accrued entitlement, the corresponding amount will be deducted from your final salary payment. If you are dismissed for gross misconduct, or if you leave before the contractual notice period has expired, you will not be entitled to payment in lieu of accrued contractual holiday over and above the statutory minimum.

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Whistleblowing Policy

Policy Statement and Procedures, Jan 2022

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

Introduction

This policy applies to all employees and officers of the organisation. Other individuals performing functions in relation to the organisation, such as agency workers and contractors, are also encouraged to use it.

It is important to the business that any fraud, misconduct or wrongdoing by workers or officers of the organisation is reported and properly dealt with. The organisation therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the business or the way in which the business is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Background

The law provides protection for workers who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The worker has no responsibility for investigating the matter - it is the organisation's responsibility to ensure that an investigation takes place. A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.

The organisation encourages workers to raise their concerns under this procedure in the first instance. If a worker is not sure whether or not to raise a concern, they should discuss the issue with their line manager or the HR department.

Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Workers should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the worker who raised the issue.
- No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the organisation's disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, workers should not agree to remain silent. They should report the matter to a director.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, they should use the organisation's grievance procedure.

Procedure

(1) In the first instance, and unless the worker reasonably believes their line manager to be involved in the wrongdoing, or if for any other reason the worker does not wish to approach their line manager, any concerns should be raised with the worker's line manager. If they believe the line manager to be involved, or for any reason does not wish to approach the line manager, then the worker should proceed straight to stage 3.

(2) The line manager will arrange an investigation into the matter (either by investigating the matter personally or immediately passing the issue to someone in a more senior position). The investigation may involve the worker and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The worker's statement will be taken into account, and they will be asked to comment on any additional evidence obtained. The line manager (or the person who carried out the investigation) will then report to the board, which will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required, the line manager (or the person who carried out the investigation) will report the matter to the human resources department and start the disciplinary procedure. On conclusion of any investigation, the worker will be told the outcome of the investigation and what the board has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

(3) If the worker is concerned that their line manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the board, they should inform a director of the organisation Rebecca Porter - +44 (0) 7703284052, who will arrange for another manager to review the investigation carried out, make any necessary enquiries and make their own report to the board as in stage 2 above. If for any other reason the worker does not wish to approach their line manager they should also in the first instance contact Rebecca Porter - +44 (0) 7703284052. Any approach to the director will be treated with the strictest confidence and the worker's identity will not be disclosed without their prior consent.

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(4) If on conclusion of stages 1, 2 and 3 the worker reasonably believes that the appropriate action has not been taken, they should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs;
- the Financial Conduct Authority;
- the Competition and Markets Authority;
- the Health and Safety Executive;
- the Environment Agency;
- the Independent Office for Police Conduct; and
- the Serious Fraud Office.

Data protection

When an individual makes a disclosure, the organisation will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

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Working Time Policy

Policy Statement and Procedures, Jan 2022

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

Introduction

This policy sets out the organisation's principles in relation to working hours.

We strive to provide a safe working environment and ensure the safety and wellbeing of all our workers. We are committed to ensuring that your health is not compromised by the workplace and that your working hours provide for a satisfactory work-life balance.

Your manager has a responsibility to ensure that working hours are kept within reasonable limits and will monitor your working hours for this purpose. You also have a duty to ensure that you are not working excessive hours and to inform your manager directly if you consider that you may be doing so.

This policy does not form part of your contract of employment, and we reserve the right to amend or withdraw it at any time.

Scope

This policy applies to workers only. It does not apply to contractors, consultants or any self-employed individuals working for the organisation.

Normal working hours

Full-time workers are contractually obliged to work the number of hours per week as agreed in your most recent contract.

You may be required to work additional hours over and above your normal hours of work to meet the needs of the organisation. However, we cannot require you to work longer than an average of 48 hours per week. You can choose to work more than the maximum 48-hour week by signing an opt-out agreement. In some circumstances, we may ask you to sign an opt-out agreement. However, it is entirely your decision and you do not have to agree to opt out of the legal limit. If you do opt out, you are entitled to change your mind at a later date by giving us two (2) weeks written notice to end the agreement.

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Unless your contract provides otherwise, you are not entitled to payment of overtime for hours worked in excess of your normal hours of work.

Flexibility

We recognise the benefits of being flexible. If you think that you would benefit from flexibility in your contractual hours, or any other form of flexible working, you can make a request to a Director or senior manager and we will consider this request at the earliest opportunity (Usually withing 10 working days).

Rest break

You have the right to an interrupted rest break of 20 minutes during any working day that exceeds six hours. This should be taken away from your workstation and not at the beginning or end of the working day. If your lunch break is over 20 minutes, this will count as your daily rest break.

Unless your contract provides otherwise, rest breaks are unpaid. It is important that you take regular rest breaks for your health and mental wellbeing.

Rest periods

You also have the right to the following uninterrupted rest periods:

- at least 11 consecutive hours in each 24-hour period that you work for us; and
- at least 24 hours in each seven-day period that you work for us; or
- at least 48 hours (or two uninterrupted rest periods each of at least 24 hours) in each 14-day period that you work for us.

These rights do not apply to shift workers who do not have enough time to take their rest period between the end of one shift and the start of the next, or to workers who work split shifts. In such circumstances, we will allow you to take an equivalent period of compensatory rest at a time agreed with your line manager/senior manager.

Young workers

A young worker is someone under the age of 18 but over the compulsory school leaving age.

If you are a young worker, you have the right to a rest break of 30 minutes during any working day that exceeds four and a half hours. You also have the right to the following uninterrupted rest periods:

- at least 12 consecutive hours in each 24-hour period that you work for us; and
- at least 48 hours in each seven-day period that you work for us.

If there are exceptional circumstances resulting in you not being able to take your breaks or rest periods, we will allow you to take an equivalent period of compensatory rest at a time agreed with your manager.

We cannot employ a young worker to work more than 40 hours in any week or for more than eight hours on any day. If you are a young worker that has a second job, you must let your manager know.

We may require a young worker to work longer hours, but only where this is necessary to maintain continuity of production or service or to respond to a surge in demand. This is provided that there is no adult worker available to carry out the work and any training or educational needs of the young worker are not negatively affected.

We do not permit young workers to work between the hours of 8pm and 7am.

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Working time

Working time means any period that you are working and carrying out activities and duties on behalf of the organisation. Working time includes job-related training, business travel, working lunches, and on-call time.

Working time does not include rest breaks, travel time outside your normal working hours, periods during which you receive non job-related training or travel from your home to your place of work. However, if you do not have a fixed place of work, time spent travelling from home to your first appointment of the day and from your last appointment of the day to your home does count as working time.

For the avoidance of doubt, working time does not include time when you (despite being at the workplace) are not available to work or you are pursuing outside interests during that time.

Complaints

If you feel that you have been unfairly treated regarding your working hours (for example being required to work excessive hours or not being permitted to take sufficient rest breaks), you should raise this informally with your manager. If your complaint relates to your manager, you can raise this with a more senior manager. If an informal approach does not resolve matters, or you think the situation is too serious to be dealt with informally, you should make a formal complaint using our grievance procedure.

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Absence Management Policy

Policy Statement and Procedures, Jan 2022

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

1. Statement of Policy

BlueKit Medical Ltd. recognises the contribution of its employees and is committed to providing good working conditions and health and safety standards.

It is the responsibility of BlueKit Medical Ltd. to make the most effective use of its employees and the Absence Management Policy contributes to that objective.

2. Key Principles

This procedure enables managers to address absence issues, both short- and long-term, in a fair, consistent and equitable manner. It is recognised however that all cases must be dealt with on an individual basis because of differing circumstances therefore this procedure gives an outline of the principles to be observed.

This procedure will be invoked where management has cause for concern regarding an employee's short-term persistent or long-term absence.

BlueKit Medical Ltd. recognises that everybody is sick or subject to emergencies from time to time, however, attendance at work is a contractual requirement.

Short-term absenteeism refers to a series of illnesses that are often unconnected which result in frequent, short periods of absence.

It is acknowledged that occasions do arise when people are away from work on a long-term basis as a result of chronic or acute ill health. Although each case will be dealt with on an individual basis this policy outlines certain principles that will always be observed. Long-term absence would normally be classed as at least six weeks continuous absence.

This procedure applies to ALL staff within BlueKit Medical Ltd. except for employees currently in their probationary period.

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Advice should be taken from the Human Resources Department / Head Office at all formal stages of this procedure to ensure the consistent application of this procedure throughout the Company.

To ensure equality for all, this policy will not discriminate, either directly or indirectly, on the grounds of age, disability, gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation trade union membership, or any other personal characteristics.

The policy and procedure will be reviewed periodically giving due consideration to any legislative changes.

3. General Points

BlueKit Medical Ltd. procedure for managing absence MUST be followed. It is the responsibility of every employee to report any absence and only in exceptional cases should this procedure be carried out by someone else on their behalf.

If an employee knowingly gives any false information or makes false statements about their sickness it may be treated as misconduct and may result in disciplinary action being taken. In proven cases of gross misconduct, it could lead to dismissal (e.g. absent on sick leave and working elsewhere).

BlueKit Medical Ltd. reserves the right to request a doctor's Certificate for periods of absence of less than seven days in cases of short-term persistent absence.

4. Reporting Absence

All employees must contact their line manager as early as possible on the first day of absence. The employee must make this call. The only exception is where it is clearly not possible for employees to ring personally – such as admission to Hospital.

Employees must talk directly to their line manager / supervisor and not leave messages with anybody else. If the line manager / supervisor is unavailable a message must be left with their immediate manager giving the reason for the absence.

When reporting absence employees must give the following information:

- the reason for the absence (if known)
- the expected length of absence (if known)

In cases of continued absence, employees must contact their line manager to provide them with up to date information.

5 Sickness Certification

If an absence lasts for seven calendar days or less, on the first day back at work, employees will be required to complete a Sickness Self-Certificate giving the reasons for absence. The Certificate will be countersigned by a manager / supervisor and subsequently will be kept in the individual's personnel file.

If an absence exceeds seven calendar days a doctor's statement of fitness to work certificate must be submitted to the line manager, no later than the tenth day of absence, covering the absence from the eighth day. The certificate will be forwarded to the HR Department / Head Office for processing.

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If an absence continues beyond the period covered by the initial medical certificate, further fitness to work certificates must be submitted to give continuous cover for the period of absence. On eventual return to work employees must complete the Company's Sickness Self Certification (Appendix A) in respect of the first seven days or less not covered by a doctor's medical certificate.

If the doctor's medical certificate does not specify the period of absence covered, it will be classed as covering a period of seven calendar days only.

6. Return-to-Work Discussion

On returning to work, employees will be required to attend a return-to-work discussion with their line manager to discuss their absence.

The discussion should allow for an exchange of information and be as frank and as open as possible as this will prevent any misunderstandings concerning the nature of the absence.

This will also enable the line manager to discuss any assistance or reasonable adjustments that may be possible to enable an employee to return to work or prevent further absence occurring.

A record of the discussion should be kept by the line manager.

7. Short-Term Persistent Absence

BlueKit Medical Ltd. operates an accurate method of recording and monitoring levels of absence. If the amount of time being taken off for illness is giving cause for concern, the supervisor / manager will discuss this with the employee at the return-to-work interview.

8. Disciplinary Action

Continued non-attendance may result in disciplinary action being taken if no underlying medical condition can be identified. This may be in the form of either a verbal, first written or final written warning, and could ultimately lead to dismissal.

9. Long-Term Absence

In cases of long-term absence, the line manager must arrange to conduct regular 'care and concern' interviews to discuss possible courses of action should the absence continue (these interviews should be recorded and notes sent to the employee concerned). Employees may choose to be accompanied by a work colleague or trade union representative. The line manager may also choose to be accompanied, normally by a Human Resources Adviser or another manager.

In cases of long-term absence, regular medical assessments must be sought.

10. Returning to Work

Wherever possible BlueKit Medical Ltd. will make its best endeavours to aid a return to work on a permanent basis. To establish the most effective way of doing this the Company may request seek further medical advice.

This may include making reasonable adjustments to the employee's job, allowing a phased return to work, or by allowing the employee to return to work on a reduced or alternative hours basis.

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Where an employee requests a phased return to work themselves, annual leave should be taken for days not worked or they may opt to receive payment only for the hours worked.

Redeployment

If medical opinion is that an employee is unfit to return to their former employment, the possibility of alternative employment will be considered. However, depending on the availability of alternative posts, this may not be possible.

11. Resignation

At any time during this process an employee may choose to resign from their employment. They are required to give their contractual notice.

Dismissal on the Grounds of Capability

Should the dismissal of an employee be identified during the final care and concern meeting as the only appropriate option (i.e. all other options as outlined above have been investigated and found to be inappropriate) a formal capability review meeting must be held with the employee in question and their line manager to fully consider the situation again.

Following the meeting if the employee is dismissed, they will be given a letter confirming the reason for dismissal, the date of dismissal, their right to appeal, any payment in lieu of contractual notice and any other outstanding payments to which they are entitled e.g. annual leave.

12. Sick Pay Regulations

The sick pay regulations are financial provisions and indicate an entitlement to sick pay and in no way indicate the amount of sickness absence to which an employee is entitled.

BlueKit Medical Ltd. does not provide occupational sick pay.

Employees may take paid holiday to cover any sick day if they have entitled hours remaining.

Employees may be entitled to Statutory Sick Pay (SSP), a Government payment made to employees who are incapable of work and have been off work sick for 4 or more days in a row (including non-working days). It can be paid for up to 28 weeks for any one period of sick leave in a three-year period. An employee must return to work for eight weeks or more before a new period of incapacity for work under the SSP scheme can start.

13. Trigger Points - Irregular Attendance

Trigger points are used to remind managers that the amount of sick leave being taken may be a problem and that it should be addressed.

Before considering action, line managers should consider each case on its merits and take account of:

- Isolated illnesses/accidents which should not lead to formal action in an otherwise good attendance record;

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- Staff who are disabled, where special consideration may have to be given to a higher level of absence;
- Whether the absence has resulted from an industrial injury or illness, in these circumstances further action may not be appropriate;
- Whether the absence is related to pregnancy or an assault in connection with their duties, in which case no further action should be taken.

Line managers should consider taking formal action when:

- Self-certificated absences in any twelve-month period exceed 14 days;
- Absences exceed 7 days in a six-month period or less, although one isolated absence of 7 days would not necessarily require action;
- Absences fall regularly on specific days, e.g. a Friday and/or Monday;
- Eight or more spells of sickness absence are taken in a twelve-month period, or four or more spells are taken in a six-month period or less, irrespective of the length of the absences;
- Absences for frequent and unrelated non-specific illnesses, e.g. headache, stomach ache, back trouble, especially where these are self-certificated.

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Appendix A.

Sickness Self Certification Form

Any member of staff who is absent from work due to sickness should complete this form and return it to the HR and Development Manager. A medical certificate will be required for an absence of more than 7 calendar days.

Name -----

Absence Start Date -----

Absence End Date -----

Number of working days absent -----

Reason for absence -----

Signature of staff member -----

Date -----

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Data Protection Policy

Context and Overview

Key details

- **Policy prepared by: Rebecca Porter**
- **Approved by board/ management on: Nov 2021**
- **Policy became operational on: Jun 2017**
- **Next review date: Jun 2024**

Introduction

BlueKit Medical Ltd needs to gather and use certain information about individuals.

These can include customers, suppliers, business contacts, employees and other people the organisation has a relationship with or may need to contact.

This policy describes how this personal data must be collected, handled and stored to meet the company's data protection standards — and to comply with the law.

Why this policy exists

This data protection policy ensures that BlueKit Medical Ltd:

- Complies with data protection law and follows good practice
- Protects the rights of staff, customers and partners
- Is open about how it stores and processes individuals' data
- Protects itself from the risks of a data breach

Data protection law

The Data Protection Act 1998 describes how organisations — including BlueKit Medical Ltd — must collect, handle and store personal information.

These rules apply regardless of whether data is stored electronically, on paper or on other materials.

To comply with the law, personal information must be collected and used fairly, stored safely and not disclosed unlawfully.

The Data Protection Act is underpinned by eight important principles. These say that personal data must:

1. Be processed fairly and lawfully
2. Be obtained only for specific, lawful purposes
3. Be adequate, relevant and not excessive
4. Be accurate and kept up to date
5. Not be held for any longer than necessary
6. Processed in accordance with the rights of data subjects
7. Be protected in appropriate ways
8. Not be transferred outside the European Economic Area (EEA), unless that country or territory also ensures an adequate level of protection

People, risks and responsibilities

Policy scope

This policy applies to:

- The head office of BlueKit Medical Ltd
- All branches of BlueKit Medical Ltd
- All staff and volunteers of BlueKit Medical Ltd
- All contractors, suppliers and other people working on behalf of BlueKit Medical Ltd

It applies to all data that the company holds relating to identifiable individuals, even if that information technically falls outside of the Data Protection Act 1998. This can include:

- Names of individuals
- Postal addresses
- Email addresses
- Telephone numbers
- ...plus any other information relating to individuals

Data protection risks

This policy helps to protect BlueKit Medical Ltd from some very real data security risks, including:

- **Breaches of confidentiality.** For instance, information being given out inappropriately.
- **Failing to offer choice.** For instance, all individuals should be free to choose how the company uses data relating to them.
- **Reputational damage.** For instance, the company could suffer if hackers successfully gained access to sensitive data.

Responsibilities

Everyone who works for or with BlueKit Medical Ltd has some responsibility for ensuring data is collected, stored and handled appropriately.

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Each team that handles personal data must ensure that it is handled and processed in line with this policy and data protection principles.

However, these people have key areas of responsibility:

- The **board of directors** is ultimately responsible for ensuring that BlueKit Medical Ltd meets its legal obligations.
- The **data protection officer, Rebecca Porter**, is responsible for:
 - Keeping the board updated about data protection responsibilities, risks and issues.
 - Reviewing all data protection procedures and related policies, in line with an agreed schedule.
 - Arranging data protection training and advice for the people covered by this policy.
 - Handling data protection questions from staff and anyone else covered by this policy.
 - Dealing with requests from individuals to see the data BlueKit Medical Ltd holds about them (also called 'subject access requests').
 - Checking and approving any contracts or agreements with third parties that may handle the company's sensitive data.
- The **IT manager, Rebecca Porter**, is responsible for:
 - Ensuring all systems, services and equipment used for storing data meet acceptable security standards.
 - Performing regular checks and scans to ensure security hardware and software is functioning properly.
 - Evaluating any third-party services the company is considering using to store or process data. For instance, cloud computing services.
- The **Marketing Manager, Rebecca Porter**, is responsible for:
 - Approving any data protection statements attached to communications such as emails and letters.
 - Addressing any data protection queries from journalists or media outlets like newspapers.
 - Where necessary, working with other staff to ensure marketing initiatives abide by data protection principles.

General staff guidelines

- The only people able to access data covered by this policy should be those who **need it for their work**.
- Data **should not be informally shared**. When access to confidential information is required, employees can request it from their line managers.
- **BlueKit Medical Ltd will provide training** to all employees to help them understand their responsibilities when handling data.
- Employees should keep all data secure, by taking sensible precautions and following the guidelines below.
- In particular, **strong passwords must be used** and they should never be shared.

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- Personal data **should not be disclosed** to unauthorised people, either within the company or externally.
- Data should be **regularly reviewed and updated** if it is found to be out of date. If no longer required, it should be deleted and disposed of.
- Employees **should request help** from their line manager or the data protection officer if they are unsure about any aspect of data protection.

Data storage

These rules describe how and where data should be safely stored. Questions about storing data safely can be directed to the IT manager or data controller.

When data is **stored on paper**, it should be kept in a secure place where unauthorised people cannot see it.

These guidelines also apply to data that is usually stored electronically but has been printed out for some reason:

- When not required, the paper or files should be kept **in a locked drawer or filing cabinet**.
- Employees should make sure paper and printouts are **not left where unauthorised people could see them**, like on a printer.
- **Data printouts should be shredded** and disposed of securely when no longer required.

When data is **stored electronically**, it must be protected from unauthorised access, accidental deletion and malicious hacking attempts:

- Data should be **protected by strong passwords** that are changed regularly and never shared between employees.
- If data is **stored on removable media** (like a CD or DVD), these should be kept locked away securely when not being used.
- Data should only be stored on **designated drives and servers**, and should only be uploaded to an **approved cloud computing services**.
- Servers containing personal data should be **sited in a secure location**, away from general office space.
- Data should be **frequently backed up**. Those backups should be tested regularly, in line with the company's standard backup procedures.
- Data should **never be saved directly** to laptops or other mobile devices like tablets or smart phones.
- All servers and computers containing data should be protected by **approved security software and a firewall**.

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Data use

Personal data is of no value to BlueKit Medical Ltd unless the business can make use of it. However, it is when personal data is accessed and used that it can be at the greatest risk of loss, corruption or theft:

- When working with personal data, employees should ensure **the screens of their computers are always locked** when left unattended.
- Personal data **should not be informally shared**. In particular, it should never be sent by email, as this form of communication is not secure.
- Data must be **encrypted before being transferred electronically**. The IT manager can explain how to send data to authorised external contacts.
- Personal data should **never be transferred outside of the European Economic Area**.
- Employees **should not save copies of personal data to their own computers**. Always access and update the central copy of any data.

Data accuracy

The law requires BlueKit Medical Ltd to take reasonable steps to ensure data is kept accurate and up to date.

The more important it is that the personal data is accurate, the greater the effort BlueKit Medical Ltd should put into ensuring its accuracy.

It is the responsibility of all employees who work with data to take reasonable steps to ensure it is kept as accurate and up to date as possible.

- Data will be held in **as few places as necessary**. Staff should not create any unnecessary additional data sets.
- Staff should **take every opportunity to ensure data is updated**. For instance, by confirming a customer's details when they call.
- BlueKit Medical Ltd will make it **easy for data subjects to update the information** BlueKit Medical Ltd holds about them. For instance, via the company website.
- Data should be **updated as inaccuracies are discovered**. For instance, if a customer can no longer be reached on their stored telephone number, it should be removed from the database.
- It is the marketing manager's responsibility to ensure **marketing databases are checked against industry suppression files** every six months.

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Subject access requests

All individuals who are the subject of personal data held by BlueKit Medical Ltd are entitled to:

- Ask **what information** the company holds about them and why.
- Ask **how to gain access** to it.
- Be informed **how to keep it up to date**.
- Be informed how the company is **meeting its data protection obligations**.
- (in anticipation of GDPR.) The right to be forgotten.

If an individual contacts the company requesting this information, this is called a subject access request.

Subject access requests from individuals should be made by email, addressed to the data controller at [email address]. The data controller can supply a standard request form, although individuals do not have to use this.

Individuals will be charged £10 per subject access request. The data controller will aim to provide the relevant data within 14 days.

The data controller will always verify the identity of anyone making a subject access request before handing over any information.

Disclosing data for other reasons

In certain circumstances, the Data Protection Act allows personal data to be disclosed to law enforcement agencies without the consent of the data subject.

Under these circumstances, BlueKit Medical Ltd will disclose requested data. However, the data controller will ensure the request is legitimate, seeking assistance from the board and from the company's legal advisers where necessary.

Providing information

BlueKit Medical Ltd aims to ensure that individuals are aware that their data is being processed, and that they understand:

- How the data is being used
- How to exercise their rights

To these ends, the company has a privacy statement, setting out how data relating to individuals is used by the company.

[This is available on request. A version of this statement is also available on the company's website.]

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Diversity Policy

Policy Statement and Procedures, June 2021

Key details

- **Policy prepared by: Rebecca Porter**
- **Approved by board/ management on: Jun 2021**
- **Policy became operational on: Nov 2017**
- **Next review date: Jun 2024**

Mission Statement

It is our mission at BlueKit Medical Ltd to continually rise to meet the increasing demand for infection control and operational efficiency in a highly pressurised and highly competitive industry in which we are all driven to achieve **operational excellence**.

BlueKit remains focussed on the formation of **pre-packaged, sterile, single use medical kits and surgical packs**, designed and assembled to avoid waste, avoid compromise, and promote safety.

Our rationale is to reduce costs, time and handling for improved operative efficiency, supporting clinicians, whilst enhancing the patient journey through surgery.

In pursuing this mission, BlueKit Medical Ltd aims to ensure that all people within the community have equal access to the benefits created by the company's activities. We therefore seek continually to eliminate barriers to access and to ensure that there is no less favourable treatment to anyone on the grounds of gender, marital status, race or ethnicity, disability, religion or belief, age, sexual orientation or gender identity, or trades union activity.

The company values the diversity of its staff, customers, suppliers and the local communities in which it operates, and promoting diversity and good relations is integral to all stages of delivering our services.

We are committed to the promotion of equality of opportunity for all, and we accept our responsibilities under the human rights directives and anti-discrimination legislation for implementing codes of practice aimed at positive action to redress inequalities.

In promoting diversity, the company will develop effective measures for ensuring that all groups and individuals are able to work in an environment which is free from discrimination and harassment on the grounds of gender, race, ethnicity, nationality, disability, sexual orientation, gender identity, age, marital status, family responsibility, trades union activity or religious belief. We will work towards the elimination of racism whether overt or covert both within the company and in all aspects of our service delivery and sub-contractors, and with suppliers.

We will pursue policies for widening access and enhancing staff and customer diversity with the monitoring of achievement of these policies.

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All employees and suppliers are required to comply with this policy and to promote a culture that actively combats discrimination and values diversity and equality of opportunity in all areas of the company's activities. Breaches of the policy will be regarded as misconduct and could result in disciplinary action.

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Statutory responsibilities and rights of employees and employer

- Policy prepared by: Pete Bird
- Approved by board/ management on: Jan 2022
- Policy became operational on: Jan 2022
- Next review date: Jan 2024

As soon as a member of staff begins working in the company, they are entitled to certain statutory rights.

These rights relate to health & safety, terms and conditions of employment, equal opportunities, pay and more. The company will:

- Pay employees at least the national minimum wage.
- Provide staff with an itemised payslip (it should include a detailed breakdown of pay and deductions if any).
- Provide employees with a clean and safe work environment (including first aid equipment, protective clothing, drinking water etc.).
- Offer employees a daily rest period of at least 20 minutes if they work longer than six hours a day.
- Keep to the 48-hour average working week (unless agreed upon by employer and employee and confirmed in writing).
- Provide a certain amount of paid holiday each year (depending on employment type: full-time or part-time).
- Give at least one-week of dismissal notice if an employee has been with your company for longer than one month but less than two years. And two weeks' notice if employee has been with your company continuously for two years with an additional one week for every year after that.
- Offer eligible workers statutory sick pay, statutory redundancy pay, statutory pay for maternity, paternity, adoption and shared parental leave.

Health & Safety responsibilities of employers

Under British law, the company are responsible for the health & safety of all staff members. That means protecting them from anything that could cause them harm.

The company will:

- Conduct risks assessments to identify and address all risks.
- Act on any risks whether injury or health that may arise from risks assessment.
- Provide information on these risks and how we are protecting employees from such risks.
- Instruct and train employees on how to deal with risks in your workplace.
- Consult with staff members on health & safety issues.

Responsibilities of employers: Discrimination

Under the Equality Act 2010, it's against the law to discriminate against individuals because of any of the protected characteristics. Including:

- Gender reassignment.
- Being married or in a civil partnership.
- Being pregnant or on maternity leave.
- Race including colour, nationality, ethnic or national origin,
- Religion or belief.
- Sexual orientation.
- Employees that complain about, or support, another staff member with their discrimination claim are also protected from discrimination.

Responsibilities of employers: Pay & Benefits

The Employment Rights Act 1996 addresses workers' rights regarding pay and the protection of it. As well as providing a payslip that details calculations of payments and deductions we will also provide:

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- Statutory payments.
- Payment in Lieu.
- Holiday pay.
- Guarantee pay among others.

Deductions to consider include:

- Income tax.
- National insurance.
- Pension (if applicable).
- Student loan (if applicable).

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Environmental Policy

Key details

- **Policy prepared by: Rebecca Porter**
- **Approved by board/ management on: Jun 2021**
- **Policy became operational on: Nov 2017**
- **Next review date: Jun 2024**

Introduction

BlueKit Medical Ltd is a medical device development company that develops and supplies medical and surgical supplies for use in healthcare facilities. We are committed to reducing the impact of our day-to-day operations on the environment and continually reducing the carbon footprint of the business. We aim to take a sustainable approach to our business operations.

We are committed to complying with the requirements of all applicable environmental legislation and where possible exceeding their requirements. We recognise that our activities interact and affect the environment on an ongoing basis and have identified the production of waste and energy usage as our main environmental impacts. We endeavour to control these impacts and prevent pollution through the following actions:

Energy

- Reduce carbon energy use through implementing switch off policies and green energy tariffs.

Pollution

- Staff are encouraged to take public transport to business meetings.
- Cycling to work is actively encouraged.
- Staff use of home and remote working to reduce total annual journeys.
- Working with customers and suppliers to find the most carbon free means and routes for the transit of products.

Waste

- Reduction, re-use and recycling of consumables including paper, glass, cans, toners and plastic.
- Double-sided printing on recycled paper wherever possible to reduce paper wastage.
- Re-use and recycling of unwanted furniture and equipment.
- Compliance with [Duty of Care](#) regulations.

Water

- Implement water saving measures in our office environment where possible.

Purchasing

- Where possible we will use local suppliers to reduce the impact on congestion and carbon emissions.
- We will source product supplies that have a lower impact on the environment.

Delivery of Services

We will promote environmentally responsible and sustainable practices within the delivery of our services. We will actively support of businesses that seek to develop sustainable business based upon recycling of other products, low energy consumption or carbon reduction.

We endeavour to continually improve our environmental performance through regular objective setting, and we undertake a review of this policy on a sixth-monthly basis.

The Director is responsible for implementing this policy, which is communicated to all staff, clients and contractors of the company and is available on request to interested parties.

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Health & Safety Policy

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

The organisation regards the management of health and safety as an integral part of its business and as a management priority. It is our policy that all activities and work will be carried out in a safe manner, and we will ensure the health, safety and welfare of our employees and others who may be affected by our activities.

Our target is for zero accidents and zero work-related ill health to be achieved by applying current best practice in health and safety management. Compliance with current health and safety legislation is therefore regarded as the absolute minimum standard acceptable.

Proper management of health and safety issues is seen as an integral part of the efficient management of the organisation's activities, and critical to developing the professional culture of the organisation and establishing and maintaining a solid reputation with all our clients.

The Directors and Managing partners are responsible for health and safety issues and the arrangements to implement this policy. The objectives of this policy are fundamental to our business and senior management is responsible for ensuring that the requirements of this policy are achieved.

Management, staff, and operatives have responsibility for implementing the specific arrangements made under this policy throughout the organisation. All employees are expected to read the relevant sections of the employee/staff handbook, familiarise themselves with its provisions and carry out their defined responsibilities. A copy of the employee/staff handbook will be made available to all employees.

Employees are expected and encouraged to be proactive on health and safety issues as part of the continued development of the health and safety culture of the organisation.

All employees, contractors and sub-contractors are required to cooperate with the organisation and their colleagues in implementing the policy and shall ensure that their own work is without risks to themselves and others as far as reasonably practicable.

The organisation will provide appropriate training and make available competent health and safety advice and adequate resources including time and money so that legal obligations may be met.

An accident book shall be maintained at the workplace. All workplace accidents and injuries shall be reported to the Director immediately.

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Operational Policy: Quality Control

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

System wide policies are guiding principles that express the company philosophy. Policies promote consistency and operational efficiency, with a view to enhancing risk management. Policies define the company's major operational objectives.

Procedures are step-by-step descriptions of the tasks required to support policies and policy objectives. Procedures explain the process for achieving the company's policies and will articulate the course and order of action required to ensure consistent and efficient operational control.

All policies and procedures will be subject to extensive and periodic review with executive level approval.

POLICY STATEMENT

It is the Policy of BlueKit Medical Limited to effectively manage their undertaking in such a way as to ensure the manufacture and production of BlueKit Medical products adheres to a defined set of quality criteria and meets the requirement of our clients, customers, and end-users.

All standard operating procedures are implemented to ensure that product quality is maintained and/ or improved and that manufacturing errors are reduced and at best eliminated. All standard operating procedures define a set of quality criteria to result in good quality control.

Quality Policy Statement

Key details

- **Policy prepared by: Pete Bird**
- **Approved by board/ management on: Jan 2022**
- **Policy became operational on: Jan 2022**
- **Next review date: Jan 2024**

BlueKit Medical is committed to the research, development, design, and supply of a high standard of medical devices to the healthcare industry and global life sciences sector. The Company recognises the integral disciplines of quality, health, and safety as part of its management function.

This policy underpins the strategic objectives and commitments of the Company to provide healthcare products that determine, represent, and drive a culture of reliable and resilient healthcare delivery, supporting preventative measures and embedding best practice.

We have a commitment to provide our customers with products and services that meet or exceed their agreed requirements, and to achieve complete customer satisfaction.

It is the Company's policy to undertake consistently and continually to operate to the highest standards, with a periodic and cyclic process of review, assessment, and implementation.

Our Operational Policy with Standard Operating Procedures for Quality Control is designed to ensure that all contractual and regulatory requirements are acknowledged and that procedures are designed to best meet and maintain these requirements.

Universal Objectives:

The Company will

- Comply with all legislative and regulatory requirements for the supply of Medical Devices in the EU, ensuring all suppliers manufacture to ISO standards, and all medical devices are CE marked,
- Adhere to the Company's Policies and Procedures, designed to maintain and enhance good working practice and high standards of product and service delivery,
- Ensure on-going training for staff to maintain product knowledge and enhance professional development,
- Perform on-going reviews of all operational and staffing aspects of the business,
- Make the best use of its management resources to improve service delivery,
- Consistently strive to meet or exceed customer's expectations,

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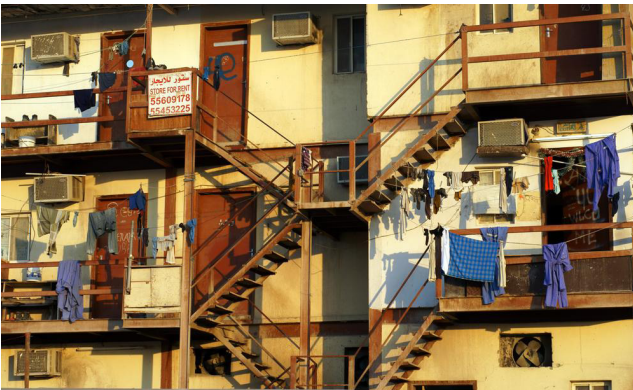
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Company Registered In England 08097913 | VAT Registration No. 141004673

- Maintain a working approach that is motivated by improving and enhancing the patient journey, with the patient and end-user always in mind,
- Operate with periodic and cyclic review, assessment, and implementation to ensure that best practice is maintained and improved.

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Transparency in Supply Chains etc.

A practical guide



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Home Secretary Foreword



Modern slavery is a heinous crime that affects communities and individuals across the globe. That is why the transparency in supply chains provision in the Modern Slavery Act 2015 is so vital in our fight against this evil. A truly groundbreaking provision, the transparency measure will require businesses to be transparent about what they are doing and will increase competition to drive up standards.

I want to support, motivate and incentivise organisations to understand the complex issue of modern slavery and how they can tackle it. Organisations with significant resources and purchasing power are in a unique and very strong position to influence global supply chains.

It is simply not acceptable for any organisation to say, in the twenty-first century, that they did not know. It is not acceptable for organisations to ignore the issue because it is difficult or complex. And, it is certainly not acceptable for organisations to put profit above the welfare and wellbeing of its employees and those working on its behalf.

We must take a strong and collective stand to stop the callous and brutal individuals who are prepared to abuse men, women and children for their own personal gain. I know that many large global organisations are already tackling this issue head on but we must not let our guard down.

By increasing supply chain accountability, more workers will be protected and consumers will have greater confidence in the goods and services they buy. That is why the transparency in supply chains provision is world leading and will bring about the change that is so vitally needed.

I am most grateful to the range of organisations and trade bodies who have contributed to the development of this important guidance.

Rt Hon Theresa May MP

Home Secretary

1. Introduction

The Transparency in Supply Chains provision in the Modern Slavery Act seeks to address the role of businesses in preventing modern slavery from occurring in their supply chains and organisations.

1.1 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’. A full definition of modern slavery is included at Annex A.

1.2 Many organisations are already taking action to promote ethical business practices and policies that protect workers from being abused and exploited in their own organisation and global supply chains.

1.3 However, there are still far too many people in the world being treated as commodities. There are also far too many organisations ignoring such abuses or who are knowingly responsible for policies and practices that result in workers being subjected to modern slavery in their operations.



1.4 The Government has introduced a provision in the Modern Slavery Act 2015 which requires certain businesses to produce a statement setting out the steps they have taken to ensure there is no modern slavery in their own business and their supply chains. If an organisation has taken no steps to do this, their statement should say so. The measure is designed to create a level playing field between those businesses, whose turnover is over a certain threshold, which act responsibly and those that need to change their policies and practices. However, the Government wants to encourage businesses to do more, not just because they are legally obliged to, but also because they recognise it is the right thing to do.

1.5 One key purpose of this measure is to prevent modern slavery in organisations and their supply chains. A means to achieve this is to increase transparency by ensuring the public, consumers, employees and investors know what steps an organisation is taking to tackle modern slavery. Those organisations already taking action can quickly and simply articulate the work already underway and planned. Organisations will need to build on what they are doing year on year. Their first statements may show how they are starting to act on the issue and their planned actions to investigate or collaborate with others to effect change.

1.6 This document sets out the basic requirements of the legislation, as well as advice on what can be included in a statement to give assurance to those scrutinising the statements.

This document provides guidance on how the Government expects organisations to develop a credible and accurate slavery and human trafficking statement each year and sets out what must be included in a statement.

1.7 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.

1.8 It is important for large organisations to be transparent and accountable, not just to investors but to other groups including employees, consumers and the public whose lives are affected by their business activity. Due diligence processes and reporting are essential management tools that improve risk identification and long-term social, environmental as well as financial performance.

1.9 Reporting requirements can drive better strategic understanding of the risks and impacts of an organisation's core activities in relation to the environment and human rights. The disclosure of these management tools allows investors to move capital towards more sustainable, responsible organisations and strengthen the long-term ethical sustainability of the financial system.

2. The Modern Slavery Act 2015

Every organisation carrying on a business in the UK with a total annual turnover of £36m or more will be required to produce a slavery and human trafficking statement for each financial year of the organisation.

2.1 Section 54 of the Modern Slavery Act 2015 gives the Secretary of State the power to issue guidance. Section 54 is contained in Annex A.

2.2 The provision in the Act requires that any commercial organisation in any sector, which supplies goods or services, and carries on a business or part of a business in the UK, and is above a specified total turnover, must produce a slavery and human trafficking statement for each financial year of the organisation. For the purposes of this requirement, 'supply chain' has its everyday meaning. Regulations have set the total turnover threshold at £36m. The statement must set out what steps they have taken during the financial year to ensure that modern slavery is not occurring in their supply chains and in their own organisation. Further information on calculating the turnover of an organisation is contained in Chapter 3.

2.3 The Act specifically states that the statement must include 'the steps the organisation has taken during the financial year to ensure that slavery and human trafficking is not taking place in any of its supply chains, and in any part of its own business'. When the Act refers to ensuring that slavery and human trafficking is not taking part in any part of its supply chain, this does not mean that the organisation in question must guarantee that the entire supply chain is slavery free. Instead, it means an organisation must set out the steps it has taken in relation to any part of the supply chain (that is, it should capture all the actions it has taken).

2.4 The provision requires an organisation to be transparent about what is happening within its business. This means that if an organisation has taken no steps to ensure slavery and human trafficking is not taking place they must still publish a statement stating this to be the case.

2.5 The Government encourages all businesses to develop an appropriate and effective response to modern slavery. Businesses may choose to take further action over and above what is prescribed by the Act but this will be a decision for individual businesses themselves. The provision seeks to create a race to the top by encouraging businesses to be transparent about what they are doing, thus increasing competition to drive up standards.

Failure to comply

2.6 If a business fails to produce a slavery and human trafficking statement for a particular financial year the Secretary of State may seek an injunction through the High Court (or, in Scotland civil proceedings for specific performance of a statutory duty under section 45 of the Court of Session Act 1988) requiring the organisation to comply. If the organisation fails to comply with the injunction, they will be in contempt of a court order, which is punishable by an unlimited fine.

2.7 In practice failure to comply with the provision will mean the organisation has not produced a statement, published it on their website (where they have one) or has not set out the steps taken by the organisation in the relevant financial year. This can include setting out that it has taken no such steps, or is just beginning investigations. Whilst we would encourage clear, detailed and informative statements legal compliance does not turn on how well the statement is written or presented (provided that it sets out the steps taken or that no steps have in fact been taken).

2.8 We expect organisations to build on their statements year on year and for the statements to evolve and improve over time. However, a failure to comply with the provision, or a statement that an organisation has taken no steps, may damage the reputation of the business. It will be for consumers, investors and Non-Governmental Organisations to engage and/or apply pressure where they believe a business has not taken sufficient steps.

3. Who is required to comply?

3.1 Any organisation in any part of a group structure will be required to comply with the provision and produce a statement if they:

- are a body corporate or a partnership (described as an “organisation” in this document), wherever incorporated;
- carry on a business, or part of a business, in the UK;
- supply goods or services; and
- have an annual turnover of £36m or more.

3.2 Total turnover is calculated as:

- a. the turnover of that organisation; and
- b. the turnover of any of its subsidiary undertakings (including those operating wholly outside the UK).

3.3 “Turnover” means the amount derived from the provision of goods and services falling within the ordinary activities of the commercial organisation or subsidiary undertaking, after deduction of—

- a. trade discounts;
- b. value added tax; and
- c. any other taxes based on the amounts so derived.

3.4 If any organisation in any part of a group structure meets these requirements, it is legally required to produce a statement. Where a parent and one or more subsidiaries in the same group are required to produce a statement, the parent may produce one statement that subsidiaries can use to meet this requirement (provided that the statement fully covers the steps that each of the organisations required to produce a statement have taken in the relevant financial year).

3.5 A ‘commercial organisation’ is defined at section 54(12) as a body corporate or partnership which carries on a business, or part of a business, in the UK wherever that organisation was incorporated or formed. The key concept here is that of an organisation which ‘carries on a business’. The courts will be the final arbiter as to whether an organisation ‘carries on a business’ in the UK taking into account the particular facts in individual cases. However, the following paragraphs set out the Government’s intention as to how this should work.

3.6 There are many ways in which a body corporate or a partnership in the UK can pursue business objectives. The Government expects that whether such a body or partnership can be said to be carrying on a business will be answered by applying a common sense approach. So long as the organisation in question is incorporated (by whatever means) or is a partnership, it does not matter if it pursues primarily charitable or educational aims or purely public functions. The organisation will be caught if it engages in commercial activities and has a total turnover of £36m - irrespective of the purpose for which profits are made.

3.7 As regards bodies incorporated, or partnerships formed, outside the United Kingdom, whether such bodies can properly be regarded as carrying on a business or part of a business 'in any part of the United Kingdom' will again be answered by applying a common sense approach.

3.8 However, we anticipate that applying a common sense approach will mean that organisations that do not have a demonstrable business presence in the United Kingdom will not be caught by the provision. Likewise, having a UK subsidiary will not, in itself, mean that a parent company is carrying on a business in the UK, since a subsidiary may act completely independently of its parent or other group companies.

Franchise models

3.9 Some organisations operate under a franchise model. Where the turnover of a franchiser is above the £36m threshold they will be required to produce a slavery and human trafficking statement. In determining the total turnover of a business operating a franchise model, only the turnover of the franchiser will be considered. The turnover of any franchisee using the franchiser's trademark and distributing goods or providing services will not be used in calculating the franchiser's turnover. However, franchisers who meet the turnover threshold may wish to consider the impact on their brand of the activities of franchisees in relation to modern slavery, and in so doing report on the steps taken to ensure the franchise as a whole is free from modern slavery.

3.10 Where the turnover of a franchisee is above the £36m threshold they will be required to produce a slavery and human trafficking statement in their own right.

Parent and Subsidiary organisations

3.11 Each parent and subsidiary organisation (whether it is UK based or not) that meets the requirements set out in 3.1 above must produce a statement of the steps they have taken during the financial year to ensure slavery and human trafficking is not taking place in any part of its own business and in any of its supply chains. If a foreign subsidiary is part of the parent company's supply chain or own business, the parent company's statement should cover any actions taken in relation to that subsidiary to prevent modern slavery. Where a foreign parent is carrying on a business or part of a business in the UK, it will be required to produce a statement.

3.12 There is nothing to prevent a foreign subsidiary or parent from producing a statement, even if they are not legally obliged to do so. This provision is all about improving transparency to prevent slavery and forced labour occurring.

3.13 If a parent company is seen to be ignoring the behaviour of its non-UK subsidiaries, this may still reflect badly on the parent company. As such, seeking to cover non-UK subsidiaries in a parent company statement, or asking those non-UK subsidiaries to produce a statement themselves (if they are not legally required to do so already), would represent good practice and would demonstrate that the company is committed to preventing modern slavery. This is highly recommended, especially in cases where the non-UK subsidiary is in a high-risk industry or location.

4. Writing a slavery and human trafficking statement

4.1 The slavery and human trafficking statement will be a public-facing document. To aid transparency the statement should be written in simple language that is easily understood (the Plain English Campaign is well placed to assist with this - <http://www.plainenglish.co.uk/>). The statement can be succinct but cover all the relevant points and provide appropriate links to relevant publications, documents or policies for the organisation.

4.2 The Government has not been prescriptive about the layout or specific content of a slavery and human trafficking statement. It is up to organisations how they present information in the statement and how much detail they provide. However, organisations must include in the statement all the steps they have taken. The information presented in the statement will be determined by the organisation's sector, the complexity of its structure and supply chains, or the particular sectors and nations its suppliers are working in.

Top Tips

Keep the statement succinct but cover all the relevant points – if you can provide appropriate links to relevant publications, documents or policies for your organisation, do so.

Writing the statement in simple language will ensure that it is easily accessible to everyone.

The statement should be in English but may also be provided in other languages, relevant to the organisation's business and supply chains.

Specifying actions by specific country will help readers to understand the context of any actions or steps taken to minimise risks.

4.3 An organisation may already be undertaking procedures or have specific policies (such as CSR or Ethical Trade activities) that go some way to addressing the issue of modern slavery and may already be disclosing this in some form (for example, via a strategic statement as required under Chapter 4A of the Companies Act 2006). Therefore, it is not necessary for an organisation to start from scratch. Any relevant material used in other related reports may be used in an organisation's slavery and human trafficking statement. Statements should be true and refer to actual steps undertaken or begun.

4.4 It is not necessary for businesses to replicate the wording of an organisation's policies on every issue directly in the statement. Instead, a business may choose to support the narrative in the statement by providing relevant links to a particular document or policy that is publicly available and already published on the organisation's website.

Case study

ITP (the International Tourism Partnership), part of Business in the Community, is a non-profit member organisation which brings the hotel sector together to collaborate on social and environmental issues. Since 2010, the organisation has run a human trafficking working group to raise awareness, share best practice and develop practical solutions to tackle the risk of human trafficking and modern day slavery in the hotel industry. Children and adults may be trafficked via hotels for sexual exploitation and the volume of lower-skilled jobs in the industry can provide an opportunity for unscrupulous individuals and agencies to put people into forced or bonded labour. ITP also provides an interface for dialogue with specialist organisations working in this area. Outputs to date include a Position Statement, Know How Guide and Guidelines for Checking Recruitment Agencies. Fran Hughes, ITP Director, says; “Collaboration on this issue has accelerated learning and action on this key issue and helped the hotel industry work together to develop resources and responses. I would urge other sectors to come together to see how they may work together and with their stakeholders to advance activity to address trafficking and slavery risk.”

To access ITP’s resources, see:

<http://tourismpartnership.org/human-trafficking/>

5. The Structure of a Statement

A statement must contain the steps an organisation has taken to prevent modern slavery in its supply chains and own business.

5.1 The Modern Slavery Act, does not dictate in precise detail what a statement must include or how it should be structured. It does, however, provide a non-exhaustive list of information that may be included.

5.2 A statement may include information about:

- a. the organisation's structure, its business and its supply chains;
- b. its policies in relation to slavery and human trafficking;
- c. its due diligence processes in relation to slavery and human trafficking in its business and supply chains;
- d. the parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk;
- e. its effectiveness in ensuring that slavery and human trafficking is not taking place in its business or supply chains, measured against such performance indicators as it considers appropriate;
- f. the training and capacity building about slavery and human trafficking available to its staff.

5.3 It is not compulsory for an organisation to include these points in its statement, (except in so far as these reflect the actual steps the organisation has taken during the financial year to ensure that slavery and human trafficking is not taking place in their supply chains or own business). These points provide guidance and examples as to the type of information to include in a statement so as to paint a detailed picture of the steps the organisation has taken to address and remedy modern slavery, and the effectiveness of such steps.

5.4 **Annex E** provides information on the type of activity that could be included under each heading and why such information would be useful in a statement. This is intended as a guide only.

6. Commencing the provision

Businesses with a year-end of 31 March 2016 will be the first businesses required to publish a statement under the transparency provision.

6.1 The requirement for organisations to publish a statement was commenced on 29 October 2015. However, many organisations may not be in a position to produce a statement immediately. Therefore, transitional provisions have been included to allow organisations sufficient time to understand the requirement and produce a statement. Businesses with a financial year-end date between 29 October and 30 March 2016 will not be required to publish a statement for that financial year of the organisation.

6.2 Businesses with a year-end of 31 March 2016 will be the first businesses required to publish a statement for their 2015-16 financial year. These organisations will be required to produce a statement covering the full financial year of the organisation. However, where an organisation has only recently undertaken activities they may choose to produce a statement that indicates that activity undertaken covers a particular part of the financial year.

6.3 An organisation is required to complete a statement for each financial year (of that organisation) in which their turnover exceeds the specified threshold. However, we strongly recommend that businesses who produce a slavery and human trafficking statement in one financial year should continue to produce a statement in future years even if their turnover has fallen below the £36m threshold. Producing a regular annual statement will ensure organisations can build upon earlier statements and demonstrate to the public, consumers and investors that they are being transparent, not because they are required to do so but because they consider it important.

6.4 To ensure the information contained is relevant and up to date, we expect organisations to publish their statements as soon as reasonably practicable after the end of each financial year in which they are producing the statement. Organisations may well choose to publish the statement alongside any other annual or non-financial reports they are required to produce. In practice, we would encourage organisations to report within six months of the organisation's financial year end.

Example 1

Business V has a financial year-end of 30 November 2015. The transparency provisions do not take effect in relation to financial years ending before 31 March 2016. Business V, therefore, does not need to complete a statement for the financial year-end 30 November 2015. Business V's first statement will need to be produced for the financial year 1 December 2015 to 30 November 2016.

Example 2

Business W has a financial year end of 31 March 2016 and so is required to produce a statement for the current financial year. Business W has undertaken a number of activities throughout the financial year relating to tackling modern slavery and wider human rights issues, including activity prior to the

commencement of the provision. Their statement should cover all the relevant activities undertaken by the organisation during the period 1 April 2015 to 31 March 2016.

Example 3

Business X has a financial year-end of 30 April 2016 and so is required to produce a statement for the current financial year. Business X has only started to undertake activities related to tackling modern slavery since the provision was commenced. Their statement covers the financial year from 1 May 2015 to 30 April 2016 but only details the activity undertaken since the transparency provision commenced in October 2015.

7. Approving a statement

The statement must be approved and signed by a director, member or partner of the organisation.

7.1 The Modern Slavery Act requires a slavery and human trafficking statement to be approved and signed by an appropriate senior person in the business. This ensures senior level accountability, leadership and responsibility for modern slavery and gives it the serious attention it deserves. An organisation's top management will be best placed to foster a culture in which modern slavery is not tolerated in any form. They need to lead and drive the measures required to address this problem throughout the business.

7.2 To effectively combat modern slavery, senior managers will need to ensure everyone in an organisation is alive to the risks of modern slavery. This is to ensure informed decisions are made in a timely way which mitigate and manage these risks, and to monitor the implementation of relevant policies. They will need to ensure credible evidence is used in identifying and reporting on human rights risks in supply chains, as well as to remedy workers and rectify problems where appropriate.

7.3 The person who is required to sign the statement depends on the type of organisation. For a body corporate (other than a limited liability partnership), the statement must be approved by the board of directors and signed by a director (or equivalent). Where the organisation is a limited liability partnership it must be approved by the members and signed by a designated member. For a limited partnership, registered under the Limited Partnerships Act 1907, a general partner must sign it and if the organisation is any other kind of partnership, a partner must sign it.

8. Publishing a statement

The statement must be published on an organisation's website with a link in a prominent place on the homepage.

8.1 The Act requires each organisation to publish a slavery and human trafficking statement on their website and include a link in a prominent place on its homepage. The purpose of this measure is to increase transparency and it is vital that the statement can be easily accessible by anyone who wants to see it – the public, consumers, employees, NGOs or investors. For organisations with no website, a copy of the statement is to be provided to anyone who requests one in writing. The copy must be provided to the requestor within 30 days of the receipt of the request, where a statement has been produced and is available.

8.2 In some instances, where there is a complex organisational structure, an organisation may have more than one outward-facing website. For organisations where there is more than one website we recommend placing the statement on the most appropriate website relating to the organisations business in the UK. Where there is more than one relevant website we recommend placing a copy of the statement or a link to the statement on each relevant website. This will increase transparency and ensure recognition for the efforts the business is making.

8.3 The Act is clear that the link must be in a prominent place on the home page itself. A prominent place may mean a modern slavery link that is directly visible on the home page or part of an obvious drop-down menu on that page. The link should be clearly marked so that the contents are apparent. We recommend a link such as 'Modern Slavery Act Transparency Statement'.

8.4 Organisations should seek to publish their statement as soon as reasonably practicable after the end of their financial year. In practice, we would encourage organisations to report within six months of the organisation's financial year end. Organisations may wish to publish these statements at the same time as they publish other annual accounts.

9. Responding to an incidence of modern slavery

Any incidence of modern slavery should be dealt with appropriately and relevant remedies made available to potential victims.

9.1 Modern slavery is extremely prevalent across the globe. The ILO estimates that there are 21 million people in forced labour in the world today. It is important that businesses do not deny or try to ignore the problem. The Modern Slavery Act provisions are designed to encourage businesses to tackle slavery head on.

9.2 If a specific case of modern slavery is identified here in the UK, it should be reported to the police immediately on 101. If potential victims are in immediate danger the standard 999 emergency number should be used.

9.3 In the UK, mechanisms are in place to assist victims of slavery and human trafficking. If you identify a potential victim they can be referred to the National Referral Mechanism to be formally identified as a victim of modern slavery and offered Government-funded support. Referral for potential adult victims is by consent. Government-funded support is provided through a range of specialist providers across the UK. A list of the relevant organisations is provided at Annex F.

9.4 When training employees in the UK to identify the signs of modern slavery and to flag up potential issues, you should inform them about the Modern Slavery Helpline on 0800 0121 700. This will allow anyone who thinks they may have come across an instance of modern slavery, or indeed who may be a victim themselves, to call for more information and guidance on what to do next.

9.5 If modern slavery is identified or suspected abroad, then the response should be tailored to the local circumstances. In some cases the most appropriate response will be to engage with local NGOs, industry bodies, trade unions or other support organisations to attempt to remedy the situation. In other cases, it will be more appropriate to contact local Government and law enforcement bodies. Organisations must always consider which approach would produce the safest outcome for the potential victims but should always remember the economic influence and control which the organisation holds over those who may be committing these crimes.

9.6 If the local response seems inadequate and the local company seems unable to address coercion, threat, abuse and exploitation of workers, then the organisation should seek to give that company more support, guidance and incentives to tackle the issue. This could include working with at-risk suppliers to provide training, messages and business incentives or guidance to implement anti-slavery policies.

9.6 If, after receiving support, the supplier is not taking the issue seriously, the organisation ultimately could reconsider their commercial relationship with that supplier. These actions could then be included in the next statement produced.

9.7 Organisations can benefit from working collaboratively with others – such as industry bodies and

multi-stakeholder organisations – to improve industry-wide labour standards and to advocate for improved laws and policies in sourcing countries, where appropriate. This could be more likely to achieve long-term change than working alone.

9.8 The Organisation for Economic Co-operation and Development (OECD) has produced detailed guidance for Multi-National Enterprises (MNEs) on responsible business conduct. Whilst not specifically focused on modern slavery, they provide principles and standards for responsible business conduct in areas such as employment and industrial relations and human rights which may help organisations when seeking to respond to or prevent modern slavery. The full guidelines can be accessed online here: <http://mneguidelines.oecd.org/text/>. There are other useful guides, such as Walk Free Business Guide <https://business.walkfree.org> and Verite, 2011 'Fair Trade Hiring Kit' www.verite.org/helpwanted/toolkit.

9.9 The Ethical Trading Initiative provides advice, support and training on these issues. [The ETI Base Code](http://www.ethicaltrade.org) is a globally recognised benchmark for businesses on ethical trade. www.ethicaltrade.org

Annex A

Modern Slavery Definition

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>

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 behaviour 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.

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/her self voluntarily.

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.

Behaviour 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 (include wage and work hour), 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.

Annex B

Section 54 - Transparency in supply chains etc

(1) A commercial organisation within subsection (2) must prepare a slavery and human trafficking statement for each financial year of the organisation.

(2) A commercial organisation is within this subsection if it—

(a) supplies goods or services, and

(b) has a total turnover of not less than an amount prescribed by regulations made by the Secretary of State.

(3) For the purposes of subsection (2)(b), an organisation's total turnover is to be determined in accordance with regulations made by the Secretary of State.

(4) A slavery and human trafficking statement for a financial year is—

(a) a statement of the steps the organisation has taken during the financial year to ensure that slavery and human trafficking is not taking place—

(i) in any of its supply chains, and

(ii) in any part of its own business, or

(b) a statement that the organisation has taken no such steps.

(5) An organisation's slavery and human trafficking statement may include information about—

(a) the organisation's structure, its business and its supply chains;

(b) its policies in relation to slavery and human trafficking;

(c) its due diligence processes in relation to slavery and human trafficking in its business and supply chains;

(d) the parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk;

(e) its effectiveness in ensuring that slavery and human trafficking is not taking place in its business or supply chains, measured against such performance indicators as it considers appropriate;

(f) the training about slavery and human trafficking available to its staff.

(6) A slavery and human trafficking statement—

(a) if the organisation is a body corporate other than a limited liability partnership, must be approved by the board of directors (or equivalent management body) and signed by a director (or equivalent);

(b) if the organisation is a limited liability partnership, must be approved by the members and signed by a designated member;

(c) if the organisation is a limited partnership registered under the Limited Partnerships Act 1907, must be signed by a general partner;

(d) if the organisation is any other kind of partnership, must be signed by a partner.

(7) If the organisation has a website, it must—

(a) publish the slavery and human trafficking statement on that website, and

(b) include a link to the slavery and human trafficking statement in a prominent place on that website's homepage.

(8) If the organisation does not have a website, it must provide a copy of the slavery and human trafficking statement to anyone who makes a written request for one, and must do so before the end of the period of 30 days beginning with the day on which the request is received.

(9) The Secretary of State—

(a) may issue guidance about the duties imposed on commercial organisations by this section;

(b) must publish any such guidance in a way the Secretary of State considers appropriate.

(10) The guidance may in particular include further provision about the kind of information which may be included in a slavery and human trafficking statement.

(11) The duties imposed on commercial organisations by this section are enforceable by the Secretary of State bringing civil proceedings in the High Court for an injunction or, in Scotland, for specific performance of a statutory duty under section 45 of the Court of Session Act 1988.

(12) For the purposes of this section—

“commercial organisation” means—

(a) a body corporate (wherever incorporated) which carries on a business, or part of a business, in any part of the United Kingdom, or

(b) a partnership (wherever formed) which carries on a business, or part of a business, in any part of the United Kingdom,

and for this purpose “business” includes a trade or profession;

“partnership” means—

(a) a partnership within the Partnership Act 1890,

(b) a limited partnership registered under the Limited Partnerships Act 1907, or

(c) a firm, or an entity of a similar character, formed under the law of a country outside the United Kingdom;
“slavery and human trafficking” means—

(a) conduct which constitutes an offence under any of the following—

(i) section 1, 2 or 4 of this Act,

(ii) section 1, 2 or 4 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act

(Northern Ireland) 2015 (c. 2 (N.I.)) (equivalent offences in Northern Ireland),

(iii) section 22 of the Criminal Justice (Scotland) Act 2003 (asp 7) (traffic in prostitution etc),

(iv) section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation),

(v) section 47 of the Criminal Justice and Licensing (Scotland) Act 2010 (asp 13) (slavery, servitude and forced or compulsory labour), or

(b) conduct which would constitute an offence in a part of the United Kingdom under any of those provisions if the conduct took place in that part of the United Kingdom.

Annex C

Example of a group structure with a subsidiary based abroad

As set out in paragraph 3.1 an organisation must comply with section 54 of the Modern Slavery Act 2015 if they:

- are a body corporate (wherever incorporated) or a partnership;
- carry on a business, or part of a business, in the UK;
- supply goods or services; and
- have an annual turnover of £36m or more.

For simplicity, these are referred to below as the 'tests in the Act'. An organisation that meets all of the tests in the Act must publish a slavery and human trafficking statement.

An organisation's turnover is to be calculated as including the turnover of any of its subsidiaries, regardless of where those subsidiaries are based or carry on their business.

Whether a parent organisation's statement must include the steps taken in relation to its subsidiaries needs to be determined on a case-by-case basis.

A slavery and human trafficking statement is a statement of the steps the organisation has taken during the financial year to ensure slavery and human trafficking is not taking place

in any of its supply chains, and

in any part of its own business, or

a statement that the organisation has taken no such steps.

Therefore, a parent organisation which meets all the tests in the Act will have to include the steps taken in relation to its subsidiaries in its statement if, depending on the particular facts, the activities of the subsidiary in fact form part of the supply chain or business of the parent.

This will be the case even if the subsidiary in question does not meet all the tests in the Act (for example, if its turnover is below £36m). Of course, if the subsidiary meets all the tests in the Act in its own right, then it is required to produce a statement in its own right.

It will be for individual parent organisations to determine whether their subsidiaries in fact form a part of their own business or supply chain. The example below is given just for illustrative purposes to help explain the principles set out above.

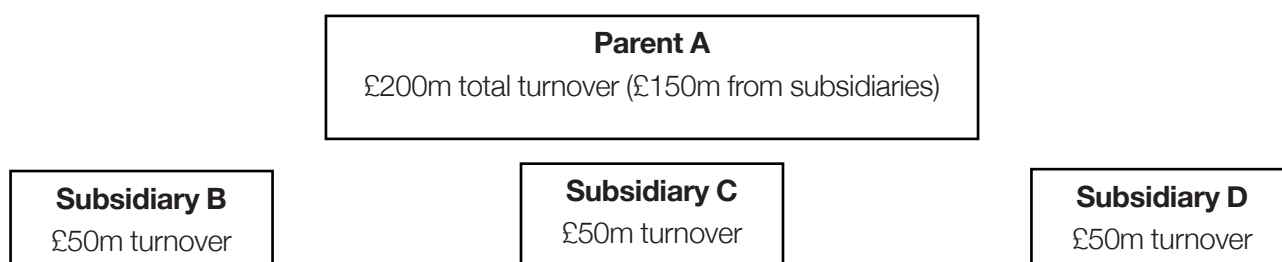
EXAMPLE SCENARIO

Parent A Meets all the tests in the act and is required to produce a statement

Subsidiary B Meets all the tests in the act and is required to produce a statement

Subsidiary C Meets all the tests in the act and is required to produce a statement

Subsidiary D Does **not** meet all the tests in the act. It is a body corporate or partnership, it does supply goods or services, it does have a turnover above £36m, but it **does not** carry on a business or part of a business in the UK. It is based abroad and entirely operates abroad.



In this scenario parent A must produce a slavery and human trafficking statement setting out the steps it has taken to ensure that slavery and human trafficking is not taking place in its supply chains or own business. So must subsidiary B and subsidiary C. The three organisations can agree to produce a single statement that sets out that steps that each has taken. If not, parent A, subsidiary B and subsidiary C must produce separate slavery and human trafficking statements (although parent A's statement will need in any event to cover steps taken in relation to its subsidiaries in its statement if, depending on the particular facts, the activities of those subsidiaries in fact form part of the supply chain or business of the parent).

In relation to subsidiary D, there is no requirement for subsidiary D to prepare its own statement. However if, on the particular facts, the activities of subsidiary D form part of the supply chain or business of the parent, the parent's statement should include all steps taken in relation to subsidiary D).

If parent A determined that subsidiary D was neither a part of its own business nor a part of its supply chain, it could choose not to include steps taken in relation to subsidiary D in its statement. However, as set out in paragraph 3.13, including these steps would still represent good practice and would demonstrate that parent A is committed to preventing modern slavery. This is highly recommended, especially in cases where the non-UK subsidiary is in a high-risk industry or location.

Annex D

The Act in the context of other reporting requirements

Many businesses are already required to undertake non-financial reporting on human rights.

The Government has set out a clear expectation in the National Action Plan on Implementing the UN Guiding Principles on Business and Human Rights. UK organisations should respect internationally recognised human rights wherever they operate and treat the risk of causing or contributing to gross human rights abuses as a legal compliance issue.¹

The UN Guiding Principles (UNGPs) reporting framework is voluntary but sets out the ways in which businesses can choose to meet their responsibilities with regard to human rights. The UNGPs are centred on three pillars: the duty of States to protect human rights; the responsibility of business to respect human rights; and the need for those affected by abuses to have access to effective remedy. In the UK, these rights are largely enforced by law and a law-abiding business is likely to be compliant with the responsibility to respect human rights within its own operations. However, the UNGPs are clear that the responsibility for businesses extends beyond their own staff and customers to include direct and indirect suppliers, wherever they are located.

Companies Act 2006 (Strategic Report and Directors' Report) Regulations 2013 also require UK quoted companies to report within its Strategic Report on human rights issues 'where necessary for an understanding of the development, performance or position of the company's business'. This includes any policies a business has in relation to these matters and the effectiveness of those policies. The wording in the Companies Act 2006 does not explicitly mention supply chains or modern slavery. It is left to the individual business to determine what policies are relevant and the level of detail required. However, the right to be free from forced labour, slavery and servitude is a fundamental human right under international law, including the European Convention on Human Rights and so may be a consideration in this reporting requirement.

The Financial Reporting Council has issued guidance on how to prepare the Strategic Report, including how to consider human rights related matters in the process of preparing the Strategic Report as a whole. Quoted companies obliged to prepare a Strategic Report, according to the Companies Act, who are also required to prepare a Slavery and Human Trafficking statement should ensure that it meets both requirements. Whilst a joint statement may be possible, it is envisioned most companies will opt for two separate statements.

In October 2014, the European Union adopted a Directive (2014/95/EU) which amended the EU Accounting Directive (2013/34/EU). This amending Directive requires large undertakings that are public

¹ The full National Action Plan is available online at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/236901/BHR_Action_Plan_-_final_online_version_1_.pdf

interest entities (defined in the Accounting Directive, the definition including credit institutions, insurance undertakings and undertakings whose securities are traded on a regulated market in the EU) with an average number of 500 employees to prepare a ‘non-financial statement’ as part of their management report. The Directive must be transposed by the 28 EU Member States by 6 December 2016 – and will apply to financial years commencing on, or after 1st January 2017. The non-financial statement must provide information “to the extent necessary for an understanding of the undertaking’s development, performance, position and impact of its activity, relating to, as a minimum, environmental, social and employee matters, respect for human rights, anti-corruption and bribery matters, including:

- a. a brief description of the undertaking’s business model;
- b. a description of the policies pursued by the undertaking in relation to those matters, including due diligence processes implemented;
- c. the outcome of those policies;
- d. the principal risks related to those matters linked to the undertaking’s operations including, where relevant and proportionate, its business relationships, products or services which are likely to cause adverse impacts in those areas, and how the undertaking manages those risks;
- e. non-financial key performance indicators relevant to the particular business.”

Public interest entities that are parent undertakings of a large group exceeding on their balance sheet dates, on a consolidated basis, the criterion of the average number of 500 employees will be required to include in their consolidated management reports a consolidated non-financial statement containing this information.

Whilst there are differences, these new obligations are similar to the requirements for the Strategic Report contained in Chapter 4A of Part 15 of the Companies Act 2006.

Notably, there are similarities between the requirements of the Directive (set out at a) to e) above) and those areas we have set out in the Modern Slavery Act which businesses may include in a statement. This consistency across reporting requirements will ensure that businesses are well placed to comply with the transparency in supply chains measure and the wider non-financial requirements, once they are introduced.

It is likely that many businesses required to undertake non-financial reporting are already reporting on activities related to modern slavery. Businesses may demonstrate the activities and action they are taking in their slavery and human trafficking statement by drawing on existing relevant programmes of activity rather than creating new ones where that is appropriate.

Businesses may also be asked to respond to complaints received against them under the Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises (MNEs). Whilst not specifically focused on modern slavery, the OECD Guidelines provide principles and standards for responsible business conduct in related areas such as employment and industrial relations and human rights. National Contact Points (NCPs) are set up by each country that adheres to the Guidelines and provide a platform for discussion and assistance to stakeholders to help find a resolution for issues arising from complaints of alleged non-observance of the Guidelines. NCPs focus on problem solving, offering good offices and facilitating access to consensual and non-adversarial procedures (e.g. conciliation or mediation). The UK Government expects businesses based or operating in the UK to engage with the UK NCP where complaints are made against them. The UK NCP is not a judicial body, however, and cannot deal with legal cases, e.g. contravention of the Act’s modern slavery provisions. Such legal cases should be reported to the relevant authorities, see also Section 9 of these guidelines.

Annex E

Information in a slavery and human trafficking statement

Organisational structure and supply chains

For businesses to produce an effective statement they will need to have a good understanding of their own supply chains in order to define the boundaries of the report and to support the identification of risk. Consumers, investors, campaigners and the public also need information about the business.

Information to disclose could include:

- the sector(s) the business operates in and whether any of its work is seasonal
- the organisational structure and group relationships
- the countries it sources its goods or services from including high risk countries where modern forms of slavery are prevalent.
- the make-up and complexity of the supply chains
- the businesses operating model
- relationships with suppliers and others, including trade unions and other bodies representing workers

Such information will allow people to consider the statement more effectively. A greater level of detail and explanation of efforts is likely to be more helpful, and perhaps prevent potential stakeholder misunderstanding. However, a huge amount of technical or legal information about a company structure may make the statement more inaccessible to many readers, so there is a balance to be struck here.

Organisational Policies

The establishment of effective policies and incentives shape the environment and set the tone of an organisation in assessing, preventing and mitigating the risk of and working to influence and remedy modern slavery in their supply chains and organisation. Clear organisational policies demonstrate an organisation's commitment to this issue and ensures that appropriate and coordinated action is taken throughout the business.

Tackling modern slavery does not necessarily require a standalone policy. It could simply be adapting, and/or clarifying how existing policies and practices, programmes and management systems already work to prevent modern slavery. These policies and approaches may need upgrading as the years pass, and as understanding of the issue and approaches to address it improve.

Case Study

A leading supermarket is collaborating with the Wilberforce Institute for the Study of Slavery and Emancipation (WISE) at Hull University. WISE is initially working with the supermarket through its fresh produce and horticulture supply chain to conduct a modern slavery risk assessment. This will involve in-depth supplier research and will draw on the Global Slavery Index at Hull University - the first comprehensive index of its kind estimating the number of people living in slavery or slavery like conditions in 162 countries.

The risk assessment will include:

- a review of current ethical sourcing management systems, company policies and existing risk management tools;
- research into the challenges faced by suppliers at industry and country level for fresh produce and horticulture; and
- recommendations on areas for improvement in addressing modern slavery hotspots and risks with suppliers.

The research goes beyond an audit based approach and will involve meetings with suppliers operating in high risk areas, suppliers developing good practice, local NGOs, relevant industry bodies and local authorities. The supermarket aims to understand existing challenges faced by suppliers locally and identify current initiatives to improve labour practices. This will provide them with information on the tools, policies and practices that are needed to support suppliers' sites to improve labour management systems and reduce the risk of modern slavery in the long term.

Policies supported by the board of directors and senior management that have the right incentives are likely to influence positive behaviour within the organisation. This may also externally influence suppliers and subcontractors particularly when assessment of risk in their operations is undertaken comprehensively.

If policies and practices are to have the desired effect they must be supported through effective communications and, where appropriate, training, resourcing and collaboration of effort by appropriately skilled personnel. Policies should be established and clearly communicated so that anti-slavery activity within a company and its supply chains becomes embedded as standard practice, which all staff are aware of and incentivised to partner on and support. It is up to each business how detailed they want to make their policy on modern slavery. However, some of the questions that an organisation might want to consider when drawing up a modern slavery policy could be:

- What minimum labour standards are expected of the business, its subsidiaries and suppliers, and how do these align to industry standards?

- Who in the business is responsible for a) ensuring efforts are made to investigate and remediate the risk of modern slavery in the business and/or supply chains, and b) ensuring that basic labour standards are met, and how are such leaders financially incentivised and resourced to do so?
- How does the business factor legal and fair full labour costs into production and sourcing costs to avoid the need for seemingly cheaper slave or bonded labour in operations or the supply chain?
- What is the company's policy where a supplier is found to have been involved in modern slavery?
- When entering into a contract with a new supplier or renewing contracts with existing suppliers what checks, assurances, investigations will the company conduct or accept?
- What support or guidance is available to business operations or suppliers willing to remediate situations of slavery or forced labour found?
- What due diligence will the company commit to conducting regarding its supply chains (see section below on due diligence)?
- What is the company policy to support whistle-blowing? What procedures are in place to facilitate reporting, including reporting by workers through helplines?
- What is the company's policy and approach to remediation for workers if and where cases of modern slavery and forced labour are found; and what measures are taken to protect them from further victimisation or vulnerability?

If an organisation is able to provide a clear policy on modern slavery, with clear rules in place about how the company will handle these sorts of issues, then the company should be able to take a consistent, sustainable and continuous improvement approach to tackling modern slavery. Clear policies should mean that all employees in the organisation and the organisation's suppliers know how to, and are resourced to prevent or identify exploitation. They should provide information about the first steps when modern slavery is identified and broadly how and with whom to partner (in and/or outside the business) in influencing remedy for workers (or ceasing of that business relationship in the worst cases).

Information to disclose could include:

- The process for policy development
- Policies that concern business relationships , for example, a Supplier Code of Conduct
- Recruitment policy
- Procurement policy and incentives to combat modern slavery
- Employee code of conduct
- Policies concerning access to remedy, compensation and justice for victims of modern slavery
- Policies that relate to staff training and increasing awareness of modern slavery

Over time, consistent training for all staff, with increasingly clear policies and approaches (backed by past industry case studies or what has worked previously), should help to ensure that modern slavery is targeted more effectively and persistently, regardless of staff turnover or changes in the supply chain.

Some policies and practices may be specific to an organisation's business model or the sector they are working in. For example, some sectors may make particularly frequent use of temporary workers sourced through an intermediary or employment agency. In this situation, they will not have a direct employment relationship with some of their workers, and so they may have specific policies in place to ensure that these particular relationships are managed in a way that mitigates any potential risk of modern slavery.

For example, organisations may have specific policies that require the business to only use specified reputable employment agencies to source labour or that they always seek specific information from the agency before accepting employees from that agency. It is important to note that the Modern Slavery Act requirements do not require any organisation to amend existing policies or to introduce new policies. If the organisation has any relevant policies they can be either referenced in the statement or copied directly into the statement itself.

Good practice

Examine internal business procedures to avoid making demands of suppliers or subcontractors that might lead them to violate human rights, including children's rights. These types of demands include insufficient or late payments, and late orders or high-pressure deadlines resulting from poor demand forecasting.

Ensure that zero tolerance for modern slavery and respect for human rights, including children's rights, are built into contracts and represented in dialogue, self-assessment, audits, training and capacity-building opportunities for suppliers, subcontractors, customers, and other business partners.

In some cases it may be beneficial to foster long-term relationships with suppliers, contractors and subcontractors.

Case Study

A prominent retailer's Ethical Trading Policy includes a detailed Ethical Trading Code of Conduct that contains, amongst other requirements, conditions whereby factories producing their goods must ensure: employment is freely chosen, child labour shall not be used, and no harsh or inhumane treatment will occur. The Ethical Trading Policy also includes a Foreign Contract Worker Policy, specifically intended to protect workers who may be potentially vulnerable to the exploitation regrettably existent in certain flows of international contract labour. This Policy refers to international human rights norms and, in particular, factories are required to ensure all workers retain passports, ID Cards, bankcards and similar documents to facilitate their unhindered freedom of movement.

For all factories in all regions involved in the manufacture of products for or on behalf of the retailer, compliance with the Ethical Trading Policy, including the Ethical Trading Code of Conduct and the Foreign Contract Worker Policy, as well as all other local laws and relevant international standards, is a requirement of doing business with the retailer. Before the retailer places an order for production in a finished goods factory a social compliance audit (often unannounced) is carried out to assess the factory's compliance with the above Policies. It is only once the Ethical Trading Team is satisfied that the factory is committed to these standards for worker rights, that the factory can be approved.

To drive compliance further, a diverse programme of announced and unannounced follow-up audits, continuous improvement programmes, training programmes, and a confidential worker hotline services (in place especially in countries where there is high percentage of migrant workers) is overseen by the Ethical Trading team in respect of all factories involved in the production of the retailer's goods.

For suppliers that produce component parts of the goods such as fabric mills, dye houses, sundries and packaging factories, the retailer has commenced a programme of social and environmental audits, through an industry collaboration working group, where independent third parties are accredited to perform such audits. All audits (whether initial approval audits or on-going compliance audits) are conducted either by externally trained internal team members or by third party independent auditors, including NGO auditors. An integral part of the auditing process includes confidential interviewing of workers (in a manner protecting worker safety), which helps to understand any potential risks of bonded labour or other forced labour or slavery. By empowering workers and providing mechanisms for them to whistle blow through independent NGO worker hotlines, workers are able to contribute to the dialogue about the risks they face, communicate their priorities, and learn about their rights.

Due Diligence

The Modern Slavery Act also states that in producing a slavery and human trafficking statement a business may consider including information about its due diligence processes.

Many human rights breaches, including modern slavery, are not immediately apparent. In fact, some suppliers may even go to great lengths to hide the fact that they are using slave labour.

For example, some or all of their workers may be in forced or bonded labour (including coaching and pressuring workers to lie to auditors about their conditions being better than they are, and presenting fake records).



Human rights due diligence is also a key concept in the UN Guiding Principles on Business and Human Rights (UNGPs) The UNGPs specify that due diligence processes should ‘include assessing actual and potential human rights impacts, integrating and acting upon the findings, tracking responses, and communicating how impacts are addressed.’²

For more detailed guidance on good practice with regards to due diligence organisations should refer directly to the UNGPs which are available online:

http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

The UNGPs have also been incorporated into the OECD Guidelines for Multinational Enterprises and the OECD is developing sector-based guidance as part of its “proactive agenda” to help businesses identify and respond to risks associated with particular products, regions, sectors or industries. For more information see <http://mneguidelines.oecd.org/>.

Human rights due diligence is related to corporate good governance. For many businesses due diligence, in relation to modern slavery, is likely to form part of a wider framework around ethical trade, corporate social responsibility and human rights.

Human rights due diligence also requires consultation with stakeholders that are potentially or actually affected by a company’s operations and supply chain, particularly vulnerable groups, such as children. This means bringing the voices of those vulnerable groups into this process so that a company can understand how the organisation affects their lives.

Due diligence procedures should be:

- proportionate to the identified modern slavery risk,
- the severity of the risk, and
- level of influence a business may have.
- informed by any broader risk assessments that have been conducted (see Risk Assessment section below).

Procedures may vary depending on the complexity of the relationships within an organisation and in their supply chains. For example:

1. A business may have greater knowledge about their first-tier suppliers, and its stakeholders may expect it to make greater efforts at its first tier. However, they should also engage their lower tier suppliers where possible.
2. Due-diligence includes on-going assessment of modern-slavery risks, and meeting changing

² UNGPs, p.17 [http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf]

expectations on industries to use their influence to encourage change where conditions of slavery may be persistent.

3. Due-diligence includes the expectation that businesses will ensure integrity of their investigations. Some suppliers may go to great lengths to hide the fact that they are in some way involved in using forced labour. Audits and compliance-driven approaches are unlikely to identify or uncover hidden cases of slavery or trafficking. As such it is advisable that businesses seek to investigate working conditions with support from expert independent, third parties and civil society stakeholders, and hear from workers themselves about their working conditions.

Case Study

With the increased interest in retailer supply chains and the new Modern Slavery Act, one high street retailer took the decision to make their Social, Ethical & Environmental audit more robust. With advice from a third party who were administering their supplier assessment programme the retailer amended some of the existing questions in their audit questionnaire and added others. They have just completed testing of the new questionnaire and auditors have given very positive feedback, agreeing that it is a more robust audit.

Factories have been encouraged to improve accommodation where failings have been found, and issues with health & safety have been addressed. Instances have been found where conditions of employment have been unacceptable and factories have been asked to make changes and introduce better systems. Where factories have been unwilling or unable to make improvements they have been exited from the business. The main aim is to encourage continuous improvement in factories rather than simply 'failing' them and walking away. The retailer will be fully implementing the new questionnaire across all the sites for use shortly.

Due diligence in assessing modern slavery or human rights risk in operations or supply chains is not a legal requirement of the transparency provisions, however, it is good business practice and risk management and will enable both more effective reporting and, more importantly, more effective action to address modern slavery. A business already undertaking relevant due diligence to ensure that the products they purchase are of good sustainable quality and ethically sourced will be able to point to the work already underway in their slavery and human trafficking statement.

Information to consider as part of due diligence could include:

- Actions taken to understand the businesses operating context
- Details of risk management processes, including monitoring and evaluation measures
- Impact assessments undertaken
- Action plans to address and risk/actual instances of modern slavery and how actions have been prioritised
- Evidence of stakeholder engagement
- Business-level grievance mechanisms in place to address modern slavery
- Actions taken to embed respect for human rights and zero tolerance of modern slavery throughout the organisation

Assessing and Managing Risk

If an organisation has properly assessed the nature and extent of its exposure to the risk of modern slavery, it will be more able to take targeted action to find it, to remedy it, and to prevent it occurring in the future.

Modern slavery risk assessments should be seen as part of an organisation's wider approach to risk management and could form part of more general risk assessments that are carried out for a variety of reasons.

It is important for businesses to adopt risk assessment policies and procedures that are proportionate to the organisation's size, structure, location of activities and supply chain(s), and nature of business(es).

Businesses firstly need to research and identify risks where they have operations or supply chain(s) and then prioritise those risks. Oversight of risk assessment or risk management frameworks is, in best practise, led by Directors or Partners so that issues found can be dealt with at the appropriate level.



Appropriate resources are needed to ensure that risk assessment strategies can be effective. This means that the assessments should be able to identify the risks and issues, properly assess their level of importance, and ensure that appropriate remedies are in place.

Identifying relevant information from internal and external sources will help businesses to undertake effective risk assessments and appropriate review of those risks. Particular business risks to consider in assessing and managing risks to workers include:

Country risks – exposure may be greater in global supply chains in countries where protection against breaches of human rights are limited, particularly with regard to rights of foreign contract workers to retain their own ID and papers, and/or where work arrangement by agents is common, etc.

Sector risks – there are different risks and levels of risk in different sectors. For example, the risks and arrangements which generate bonded labour situations for workers in the extractives sector may differ to those causes in manufacturing.

Transaction risks – banks or financial institutions may be involved in facilitating financing from or supporting cases of modern slavery and bonded labour in operations or supply chains or through money laundering.

Business partnership risks – Different supplier relationships and business partnerships will all carry different levels of risks. In some cases, existing long-term partnerships will involve less risk because the organisation will have a better knowledge of their partner's operations and policies. However, a new partnership or business relationship may be equally low risk as long as proper due diligence is conducted.

Organisations should then decide how identified risks can be investigated, and where issues are found, how they can best be remediated or mitigated through activities such as industry collaboration or improved purchasing practises internally. Training the Board, organisation's leadership, and employees to develop the skills and knowledge to understand and support risk prevention and remediation can greatly assist.

To ensure effectiveness, it is best practise to foster a culture that rewards the identification of risks and the

effective mitigation and remedy of cases found. To be effective this should be part of a clear organisational ethos and performance management system which is promoted by senior management and company policy.

Businesses must be alive to the continuously changing nature of modern slavery. Whilst industry, NGOs, law enforcement and government may alone or together stop exploitation or workers in one area, without robust monitoring, communications, and incentives it can potentially arise in another part of operations or the supply chain, so constantly assessing and reviewing these risks is important.

Sharing risks with trusted partners such as representative bodies, industry associations and working groups to deepen understanding of macro issues and supporting improved government legislation where appropriate may also help sectors as a whole to prevent modern slavery, where it is possible to share this kind of information.

Case Study

Following negative media reports into the Thai fishing industry, in 2014, there was significant interest from the seafood industry and other stakeholders to collaborate on a way forward and so a number of stakeholders formed the Seafood Ethics Common Language Group.

The Seafood Ethics CLG is an example model of an integrated, interdisciplinary and collaborative approach to address ethical and social issues relating to responsible seafood production. The group convenes seafood stakeholders including major supermarket chains, smaller retailers, processors and suppliers throughout the whole supply chain, with government, NGOs, development organisations and charities in a 'safe' environment. The aim is to reach mutual consensus on issues which impact on the responsible sourcing of seafood – to facilitate a coherent and credible sector-wide response.



Performance Indicators

Performance indicators are important in driving the performance of a business and shaping the way it operates. They can also affect how exposed the business is to the risk of modern slavery.

The direction and focus of particular performance incentives (such as that Sourcing Directors should buy the lowest cost products, that can be shipped in the fastest time) may influence and create a modern slavery risk if not managed carefully. This should be considered when improving internal management performance indicators and should be linked to the organisation's risk assessment.

Focusing on KPIs to increase production or shipment "turn-around" time speed, for example, may unintentionally increase pressure on those who are producing the goods on production lines. This could create environments where modern slavery (particularly in the shape of bonded labour) may become a way a supplier or production site tries to deal with unrealistic short time pressure and related expectations on their operations or supplying partnership.

KPIs could be used in a modern slavery statement in two ways. Firstly, businesses could choose to provide information on their existing KPIs and set out whether they have considered whether they make their business and supply chain vulnerable to modern slavery.

Secondly, this section of the statement could outline any additional KPIs which the company has introduced to measure the performance of any anti-slavery actions undertaken. If an initial risk assessment highlighted issues in a company's operations or supply chain, a KPI could be introduced to measure progress against reducing that risk, i.e. improving conditions for those people.

For example, a business could set targets for:

- training and capacity building of staff about modern slavery issues, measuring changes in awareness of risk; appropriate decision-making and swift action, as appropriate.;
- grievance procedures and whistle-blowing procedures for workers and employees if cases are suspected or found;
- visibility, leverage and oversight of suppliers in relevant goods and services supply chains

Whilst there is no requirement to introduce new KPIs, those companies that do will choose their own based on what is most effective and efficient for them.

Carefully designed KPIs could help a business to demonstrate as clearly as possible if they are making progress over time in preventing modern slavery in their business or supply chains.

Case Study

A sportswear manufacturer has taken a range of actions in relation to its supply chain which could be included in a slavery and human trafficking statement:

Supply chain verification – The company's policy is to evaluate potential contracted factories before they enter the supply chain to assess compliance with standards including country-related risk for issues including force labour, human trafficking and slavery. They use both internal and external third-party audits.

Direct suppliers' certification of materials – The company is working on mapping and understanding impacts further up the supply chain, to develop standards for upstream suppliers of contracted manufacturers.

Standards for compliance - If a contracted factory is found to violate laws or the manufacturer's standards, it is responsible for improving performance against a master action plan. If the factory fails to make progress against that plan, they are subject to review and sanctions, including potential termination.

Training

Training is a fundamental way of raising awareness and ensuring that people understand the importance of a particular issue. It also helps people to understand what they need to do, and how to work together internally or externally if they encounter something that raises concerns. Training may be targeted at different groups of employees within a business, including leadership, or at different businesses within a supply chain, and the training itself could take a range of different forms. It may range from detailed training courses to broader awareness-raising programmes.

Training and development provide both the company as a whole and the individual employees with benefits that can make the cost and time a worthwhile investment. Such expense can be minimised where relevant training is undertaken alongside wider training, on similar issues. For modern slavery, this could be a module in a wider training programme for supply chain managers or for human resources managers dealing with recruitment and ongoing training. This may reference how all parts of the business influence purchasing practices which influence company or supply chain conditions, i.e. by merchandising and others demanding new products at unrealistically low prices (not taking into account proper wage rates) or shipped too fast.

Human rights can only be realised through an informed and continued demand by people for their protection. Human rights education promotes values, beliefs and attitudes that encourage all individuals to uphold their own rights and those of others, and can support employee pride in the ethical standards their employer strives for. It develops an understanding of everyone's common responsibility to make human rights a reality in each community.

Organisations should think about where training should be targeted to have the most effect. If those employees who might encounter victims directly are more aware of the indicators of modern slavery and of how to report suspected cases, and what actions they can expect the company to take, then they can raise flags, and help to root it out in a particular business or supply chain. Similarly, if a supply chain manager, procurement or product quality professional is trained and incentivised then they may be able to do a lot to prevent new modern slavery occurring in the supply chains they manage, and to assist its remediation for victims where it does exist. However, the training needs of these groups is likely to be very different so businesses will need to determine the most effective and efficient way to reach the most relevant groups in their business and supply chains.

Annex F

UK Modern Slavery Adult Victim support providers

England and Wales

The Salvation Army 0300 303 8151

Scotland

Trafficking Awareness Raising Alliance (TARA) 0141 276 7724

Migrant Helpline 07837 937737 or 07789 791 110

Northern Ireland

Migrant Help 013 0420 3977 or 07766 668 781 (for male potential victims of human trafficking)

Women's Aid 028 9024 9041 (for female potential victims of human trafficking)

Modern Slavery Helpline

The UK Government also provides a 24-hour modern slavery helpline that victims, employers and members of the public who may encounter modern slavery can call for expert support and advice. 0800 0121 700

Case Study

stronger together

tackling modern slavery in supply chains

Stronger Together was launched in October 2013 as a business led multi-stakeholder collaborative initiative to equip UK employers and recruiters with the practical knowledge and resources to tackle modern slavery in their business and supply chains by providing free good practice guidance and tools through www.stronger2gether.org.

In two years:

- Almost 2000 industry representatives have registered with www.stronger2gether.org.
- Almost 1000 individuals from 600 businesses have attended “[Tackling Modern Slavery in UK Businesses and Supply Chains](#)” workshops and are taking the tackling slavery message back to over 450,000 workers.
- ‘[Daniel and Weronika’s Story](#)’, a free to download powerful anti-trafficking video based on real life cases, subtitled in many languages for use in induction and training, has been viewed over 7400 times on [YouTube](#).
- Stronger Together has launched two online “[Tackling Modern Slavery](#)” training modules; one for front line recruiters in recruitment businesses, the second for first line supervisors in any at risk employment sector.
- Many UK companies have become Stronger Together Business Partners, publicly declaring the proactive measures they have implemented to tackle hidden slavery at <http://stronger2gether.org/businesspartners/>



Annex G

Useful Information and Resources

Modern Slavery Act 2015 -

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

The Modern Slavery Act 2015 (Transparency in Supply Chains) Regulations 2015 -

<http://www.legislation.gov.uk/ukdsi/2015/9780111138847>

Transparency in Supply Chains Consultation Document (Feb 2015) and Government Response (July 2015) -

<https://www.gov.uk/government/consultations/modern-slavery-and-supply-chains>

UN Guiding Principles on Business and Human Rights (UNGPS) –

www.ohchr.org/Documents/.../GuidingPrinciplesBusinessHR_EN.pdf

Good Business: Implementing the UN Guiding Principles on Business and Human Rights (September 2013) –

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/236901/BHR_Action_Plan_-_final_online_version_1_.pdf

OECD Guidelines for Multinational Enterprises - <http://mneguidelines.oecd.org/text/>

UN Global Compact –

<https://www.unglobalcompact.org/>

Walk Free Global Slavery Index -

<http://www.globalslaveryindex.org/>

ILO Resources on Forced Labour, Human Trafficking and Slavery -

<http://www.ilo.org/global/topics/forced-labour/lang--en/index.htm>

Verité eLearning on Supply Chain Accountability -

<http://www.verite.org/research/elearning>

Business and Human Rights Resource Centre -

<http://business-humanrights.org/>

Ethical Trading Initiative -

www.ethicaltrade.org

Stronger together initiative -

<http://stronger2gether.org/businesspartners/>

International Tourism Partnership -

<http://tourismpartnership.org/human-trafficking/>

Worst Forms of Child Labour Convention, 1999 (No. 182)

http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182

The United Nations Convention on the Rights of the Child (UNCRC)

<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

The Home Office would like to thank the following organisations for supporting the development of this guidance:

Amnesty International

Anti-Slavery International

Association of British Travel Agents

British Hospitality Association

British Retail Consortium

Burberry

Business in the Community

CAFOD

Children's Society

Confederation of British Industry

CORE coalition

ECPAT UK

Engineering Employers' Federation

Ethical Trading Initiative

Food and Drink Federation

FLEX

International Chamber of Commerce

International Tourism Partnership

KPMG

PWC

Rathbone Greenbank Investments

Shift Project

Stop the Traffik

Stronger Together / Alliance HR

The Society of Motor Manufacturers and Traders Limited

Unseen

Waitrose

Wilko

Privacy Policy

Policy and Procedures, Jan 2022

Key details

- Policy prepared by: Pete Bird
- Approved by board/ management on: Jan 2022
- Policy became operational on: Jan 2022
- Next review date: Jan 2024

The type of personal information we collect:

We currently collect and process the following information:

- Names
- Contact details, including telephone numbers, email addresses and addresses
- Financial records regarding sales and purchases
- Records of orders
- Contracts and agreements of engagement
- Correspondence

How we get the personal information and why we have it:

Most of the personal information we process is provided to us directly by you for one of the following reasons:

- The sale and delivery of goods
- The purchasing and supply of goods
- The manufacture and production of goods
- The marketing of good
- The provision of services
- The supply of information

We use the information that you have given us in order to

- To supply information
- To market, sell and deliver goods
- To purchase goods and services
- To move goods

BlueKit Medical Limited

T 020 8224 2883 | E info@bluekitmedical.com | W www.bluekitmedical.com

A Unit 87 Capital Business Centre | 22 Carlton Road | South Croydon | CR2 0BS

Company Registered In England 08097913 | VAT Registration No. 141004673

We may share this information with individuals working within the organisation, organisations providing financial and logistics services, and as required by the law. List of organisations available upon request.

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing this information are:

(a) Your consent. You are able to remove your consent at any time. You can do this by contacting us via the following:

Tel. 0208 224 2883

Email: info@bluwkitmedical.com

Write to: Unit 87 Capital Business Centre, 22 Carlton Road, South Croydon, CR2 0BS

(b) We have a contractual obligation.

(c) We have a legal obligation.

(d) We have a vital interest.

(e) We need it to perform a public task.

(f) We have a legitimate interest.

How we store your personal information:

Your information is securely stored, both in physical format and/ or electronic format, as per our Data Protection Policy.

We retain the records of customers, suppliers, and persons, other than employees, involved in the business, including contact names, email addresses, telephone numbers, billing addresses, delivery addresses, financial records, contracts, and correspondence until this information is no longer required for legitimate use. When no longer in use, we will dispose of this information by purging personal information from our electronic data records and removing or destroying personal information from any paper records.

We retain employee personal records, performance appraisals, employment contracts etc for 6 years after the employee has left. After this time, we will then dispose of this information by purging personal information from our electronic data records and removing or destroying personal information from any paper records.

Your data protection rights:

Under data protection law, you have rights including:

Your right of access - You have the right to ask us for copies of your personal information.

Your right to rectification - You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

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Your right to erasure - You have the right to ask us to erase your personal information in certain circumstances.

Your right to restriction of processing - You have the right to ask us to restrict the processing of your personal information in certain circumstances.

Your right to object to processing - You have the the right to object to the processing of your personal information in certain circumstances.

Your right to data portability - You have the right to ask that we transfer the personal information you gave us to another organisation, or to you, in certain circumstances.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

Please contact us by writing to us at **Unit 87 Capital Business Centre, 22 Carlton Road, South Croydon, CR2 0BS**, if you wish to make a request.

How to complain:

If you have any concerns about our use of your personal information, you can make a complaint to us at:

Unit 87 Capital Business Centre
22 Carlton Road
South Croydon
CR2 0BS

You can also complain to the ICO if you are unhappy with how we have used your data.

The ICO's address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Helpline number: 0303 123 1113

ICO website: <https://www.ico.org.uk>

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