



North Ayrshire Council  
Comhairle Siorrachd Àir a Tuath

## **Modern Slavery and Human Trafficking Code of Conduct**

North Ayrshire Council (NAC) adopts a zero-tolerance policy towards modern slavery and human trafficking, and all forms of corruption, bribery, directly and indirectly associated with these criminal acts. Suppliers/contractors/service providers must take steps to identify and tackle any instances of modern slavery in supply chains.

NAC requires its suppliers/contractors/service providers to conform with the following Modern Slavery and Human Trafficking Code of Conduct in respect of addressing and eliminating forced labour in accordance with the Modern Slavery Act 2015.

Suppliers/contractors/service providers must also take the relevant action within their own supply chains to ensure modern slavery and human trafficking is eliminated.

### **Definitions**

Modern slavery is the term used within the UK and is defined within the Modern Slavery Act 2015 (the 'Act'). The term is used to encompass slavery, servitude, forced and compulsory labour, bonded and child labour and human trafficking.

Human trafficking is where a person arranges, or facilitates, the travel of another person with a view to that person being exploited.

### **Forced or involuntary labour**

Suppliers/contractors/service providers employees must not be subject to any form or forced, compulsory, bonded, indentured or prison labour. All employment must be voluntary, and employees have the freedom to terminate their employment at any time on reasonable notice without penalty.

### **Recruitment fees**

Suppliers/contractors/service providers employees must not be charged any fees or costs for recruitment, directly or indirectly, in whole or in part, including costs associated with travel, processing official documents and work visas in both home and host countries.

### **Confiscating or withholding documents**

Confiscating or withholding employee's identity documents or other valuable items, including work permits and travel documentation (e.g., passports) is strictly prohibited. The retention of personal documents must not be used to bind employees to employment or to restrict their freedom of movement.

### **Contracts of employment**

Written contracts of employment must be provided to migrant employees in a language they understand, clearly indicating their rights and responsibilities regarding wages, working hours and other working and employment conditions. Migrant employees shall be provided with their employment contract prior to deployment. The use of supplemental agreements and the practice of contract substitution (the replacement of an original contract or any of its provisions with those that are less favourable) are strictly prohibited.

## **Deposits**

Migrant employees must not be required to lodge deposits or security payments at any time.

## **Humane treatment**

The workplace must be free from any form of harsh or inhumane treatment.

Disciplinary policies and procedures shall be clearly defined and communicated to all employees, and must not include any inhumane disciplinary measures, including: any corporal punishment, mental or physical coercion, verbal abuse of workers; sanctions that result in wage deductions, reductions in benefits or compulsory labour. The use or threat of physical or sexual violence, harassment and intimidation against a worker, his or her family, or close associates, is strictly prohibited.

## **Workplace equality**

All employees, irrespective of their nationality or legal status, must be treated fairly and equally. Migrant employees shall benefit from conditions of work (including but not limited to: wages, benefits and accommodation) no less favourable than those available to country nationals. Migrant employees (or their family members) must not be threatened with denunciation to authorities to coerce them into taking up or maintaining employment.

## **Wages and benefits**

All employees must be paid at least the minimum wage required by applicable laws and shall be provided all legally mandated benefits. Wage payments must be made at regular intervals and directly to employees in accordance with national law and must not be delayed, deferred or withheld. Only deductions, advances and loans authorized by national law are permitted and, if made or provided, actions must only be taken with the full consent and understanding of employees. Clear and transparent information must be provided to employees about hours worked, rates of pay and the calculation of legal deductions. All employees must retain full and complete control over their earnings. Wage deductions must not be used as a disciplinary measure, or to keep employees tied to the employer or to their jobs. Employees must not be held in debt bondage or forced to work in order to pay off a debt. Deception in wage commitments, payment, advances and loans is prohibited.

## **Working hours**

Employees must not be forced to work more than the number of hours permitted in national law. Where the law is silent, normal working hours must not exceed eight per day and forty-eight per week, and total working hours (including overtime) shall not exceed sixty. All overtime must be voluntary unless part of a legally recognized collective bargaining agreement. No workers shall be made to work overtime under the threat of penalty, dismissal, or denunciation to authorities. No worker shall be made to work overtime as a disciplinary measure, or for failure to meet production quotas.

## **Freedom of movement and personal freedom**

Employees' freedom of movement must not be unreasonably restricted. Employees must not be physically confined to the workplace or related premises, such as employer or recruiter-operated residences; nor shall any other coercive means be used to restrict employees' freedom of movement or personal freedom. Mandatory residence in employer-operated facilities shall not be made a condition of employment.

**Grievance procedure**

An effective grievance procedure must be established to ensure any employees, acting individually or with other workers, can submit a grievance without suffering any prejudice or retaliation of any kind.

**Private employment agencies and labour recruiters**

Suppliers/contractors/service providers must hire migrant employees directly whenever possible. When the sub-contracting of recruitment and hiring is necessary, suppliers/contractors/service providers must ensure that the labour agencies they engage operate legally, are certified or licensed by the competent authority and do not engage in fraudulent behaviour that places workers at risk of forced labour or human trafficking for labour exploitation.

**Human Trafficking**

Suppliers/contractors/service providers must not recruit or move people for exploitation, by using threat, force, fraud or the abusing of vulnerability.