



An Introduction to Red Tractor's Worker Welfare Proposals

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Background to proposals FAQ

What do we mean by Worker Welfare?

Worker Welfare encompasses Health & Safety and Ethical Trade (the management of labour exploitation risks).

Why is Red Tractor proposing Health & Safety content?

Agriculture has the highest rate of fatal injury of all UK employment sectors, eighteen times higher than the national average.¹ Approximately 360,000 people work in agriculture, or just 1% of the total UK workforce, but the sector is responsible for 20% of all fatal accidents at work.² The industry must address this issue. While an increased focus in Red Tractor assessments is just one piece of the jigsaw, we believe this can play an important role in terms of elevating the profile of Health & Safety on farm and encouraging legal compliance and proactive consideration amongst all Red Tractor members.

Why is Red Tractor proposing Ethical Trade content?

The *United Kingdom Labour Market Enforcement Strategy 2019/20*, presented to parliament in 2019 identifies agriculture as amongst the highest-risk employment sectors for labour exploitation. We believe that Farmed with Care must include care for the people working on farm and that we must understand this risk and take steps to respond to it. While farm workers are at elevated risk of labour exploitation, the perpetrators and acts of exploitation are often hidden from view. Building on-farm awareness and encouraging a culture whereby workers can raise concerns in confidence is key to addressing this subject. Demonstrating a commitment to being responsible employers is also a positive way to enhance the reputation of the sector; important in helping to ensure UK agriculture is an attractive option for prospective new entrants from outside of the sector and remains a destination of choice for overseas workers.

How do we ensure the changes introduced are suitable for smaller farms?

We aim to set ambitious content that maintains our position at the forefront of global farm assurance schemes but – as ever – these Standards must remain accessible to smaller farms. With this in mind, the Worker Welfare Standards have been drafted with an approach we define as

¹ Source: <https://www.hse.gov.uk/agriculture/resources/fatal.htm>

² Source: <https://www.bbc.co.uk/news/uk-49421235>

common standards with targeted application. This means a core set of Standards that apply across all sectors with in-built thresholds, to ensure the focus for smaller farms is relevant and proportionate. This scope of application is defined within the next section of this document, within the Where Standards Apply Matrix.

Are these appropriate topics for Red Tractor to address?

We believe these topics fit neatly within the core remit of Red Tractor. While the types of challenge we face have evolved over time, our methodology has remained consistent. We recognise risks, set robust and practical Standards (with industry input) and farms are assessed against these Standards to demonstrate compliance and provide confidence to consumers and stakeholders. What we propose for Worker Welfare mirrors the principle of how and why we address Food Safety and Good Agricultural Practice. They are all key pillars in ensuring that the food produced on Red Tractor farms is Traceable, Safe and Farmed with Care.

While Worker Welfare considerations are new for some sectors, other farms already successfully cover these topics and – even where Standards are new – in many cases, businesses will often already be compliant in practice. While it may be beneficial to go beyond legal baseline in certain areas, in other cases, ensuring an effective framework for legal compliance is sufficient and appropriate.

We also know that *The Modern Slavery Act 2015* requires large businesses to report annually on efforts to address Modern Slavery within their supply chains. This is an important consideration for retailers and major brands, such as Coca-Cola, Nestlé and McDonalds. By providing supply chain stakeholders with a solution to this challenge, we have an opportunity to define an approach that is pragmatic, farm appropriate and can dovetail neatly with other initiatives, such as the SAI Farm Sustainability Assessment and Sedex. If we pass up the opportunity to be proactive in this area, the need to address these topics will not go away. If we do not define our own approach, we will have less influence in shaping how our stakeholders address this topic in future and may see a proliferation of different approaches which adds cost and complexity. Again, the rationale for acting here fits neatly with the established, primary goals of Red Tractor.

What influence can I have on the consultation?

As these proposals represent a shift in emphasis, we want to provide respondents to the consultation with an opportunity to submit specific feedback for each relevant Standard. This will help ensure the feedback is targeted and precise and that the final text is as well considered as possible. We have already consulted extensively on the proposed content through committee and board stage and now is the time for wider debate. We invite both supportive comments and constructive criticism. Reflecting and responding to feedback received is not merely a way of gauging support for the changes; we hope the comments received will enhance and improve the content.

These are broad, complicated topics and the Red Tractor Standards will be one facet of a multi-agency approach that compliments other bodies, such as the GLAA (Gangmasters and Labour Abuse Authority) and initiatives, such as the Farm Safety Partnership. We have endeavoured to refer to other resources where appropriate and avoid duplication wherever possible. This is a difficult balance to strike and we welcome further opportunities to better direct Red Tractor members to useful resources or to introduce Earned Recognition opportunities and other modifications that can deliver the desired outcomes as efficiently as possible.

Where Standards Apply Matrix

| Ref | Standard | Every farm | Any farm with workers | Any farm with employees | Any farm with 5 or more employees | Any farm using Labour Agencies | Any farm providing accommodation | Only Crops and Fresh Produce members | Only Fresh Produce members |
|--------|---|------------|-----------------------|-------------------------|-----------------------------------|--------------------------------|----------------------------------|--------------------------------------|----------------------------|
| PL.1 | Systems must be in place to ensure all new personnel are effectively trained and deemed competent to carry out the activities they are employed to do | • | | | | | | | |
| PL.1.1 | Nobody starts work without an induction, supervision and explanation of the tasks they will carry out | • | | | | | | | |
| PL.2 | The performance and competence of employees must be reviewed on an annual basis and employees are deemed competent to carry out the activities they are employed to do | | | • | | | | | |
| PL.3 | Records of training must be kept | • | | | | | | | |
| PL.3.1 | Where contractors are employed to undertake work on the production of crops, a Contractors' Commitment Document is in place which confirms that the contractor will comply with the Red Tractor Fresh Produce Scheme requirements | | | | | | | • | |
| PL.4 | Where labour providers are used, they are licensed and a documented agreement is in place | | | | | | | | |
| PL.5 | A Red Tractor Ethical Trade Self-Assessment Questionnaire (or a Sedex self-assessment) has been completed | | | • | | | | | |
| PL.6 | Any temporary, on site accommodation provided must be habitable and have suitable basic services | | | | | | • | | |
| PL.7.a | Businesses have taken steps to enable workers to raise concerns or grievances: A grievance procedure is defined and communicated to employees | | • | | | | | | |



Ethical Trade Self-Assessment Questionnaire

The Red Tractor Ethical Trade Self-Assessment Questionnaire is based upon the principles enshrined within the Ethical Trading Initiative (ETI) Base Code. This is a tool for Red Tractor members to assess compliance with clauses of the ETI Base Code and identify any gaps which may be addressed. Links to external resources are provided and, if gaps are identified, an action plan template is present in section B. Follow up actions may involve changes to practice but could also mean building understanding where there is a gap in knowledge.

Where questions apply to any agency workers used, this is clearly stated.

Members should complete a new Ethical Trade Self-Assessment Questionnaire whenever a change occurs which could influence the answers recorded. At a minimum, a new version is to be completed every 2 years.

Section A: Self-Assessment

General resources:

- **Agricultural workers' rights** www.gov.uk/agricultural-workers-rights
- **Tackling Modern Slavery in UK Businesses Toolkit**
www.stronger2gether.org/product/toolkit-for-business-tackling-modern-slavery-in-businesses
- **Responsible Recruitment Toolkit** <https://responsiblerecruitmenttoolkit.org>

Select one answer from columns A, B, C and D for each question

| Question | | A | B | C | D |
|----------|---|-----|------------|----|-----|
| 1 | Have you read the ETI Base Code? Resource: ETI Base Code www.ethicaltrade.org/eti-base-code | Yes | | No | n/a |
| 2 | Do all employees sign a contract of employment and are they provided with a copy? | Yes | | No | n/a |
| 3 | Do contracts of employment clearly define key terms and conditions; including (but not limited to) wages, working hours, management of sickness and notice periods? | Yes | | No | n/a |
| 4 | Is recruitment, allocation of tasks and opportunity for promotion based purely on competence and not influenced by protected characteristics? Resource: Protected Characteristics www.gov.uk/discrimination-your-rights | Yes | Don't know | No | n/a |



Ethical Trade Self-Assessment Questionnaire

| | | | | | |
|----|---|-----|------------|-----|-----|
| 5 | Are all workers (including agency staff) aware that intimidation, harassment and abuse (including verbal, physical and sexual) are not tolerated in the workplace and made aware of reporting options, should they experience or witness such behaviour? | Yes | Don't know | No | n/a |
| 6 | Do workers (including agency staff) ever pay a recruitment fee to access employment? | No | Don't know | Yes | n/a |
| 7 | Are all workers (including agency staff) free to leave after a defined notice period? | Yes | Don't know | No | n/a |
| 8 | Do you retain original versions of identity documents (e.g. passport) or cash deposits from workers? | No | | Yes | n/a |
| 9 | Are employees free to join trade unions or establish alternative systems of collective representation (e.g. worker committees)? | Yes | | No | n/a |
| 10 | Do all wages meet the National Minimum Wage? Resource: UK National Minimum Wage www.gov.uk/national-minimum-wage-rates | Yes | Don't know | No | n/a |
| 11 | Where piece rates are used, is a system in place to ensure workers are never paid less than the National Minimum Wage (when referenced against number of hours worked)? | Yes | | No | n/a |
| 12 | Are deductions ever made from wages as a disciplinary sanction? | No | | Yes | n/a |
| 13 | If workers (including agency staff) work in excess of 48 hours per week (as an average, over a 17 week period), have they voluntarily signed an opt out from the Working Time Directive? Resource: Working Time Directive www.gov.uk/maximum-weekly-working-hours | Yes | Don't know | No | n/a |
| 14 | Is any work in excess of contracted hours always accepted by workers (including agency staff) on a voluntary basis? | Yes | Don't know | No | n/a |
| 15 | Do workers (including agency staff) only exceed 60 hours of work per week where exceptional circumstances apply? | Yes | Don't know | No | n/a |
| 16 | Do all workers (including agency staff) have at least one rest day per week <i>OR</i> a minimum of two days off in any 14 day period? | Yes | Don't know | No | n/a |



Ethical Trade Self-Assessment Questionnaire

| | | | | | |
|----|---|-----|------------|----|-----|
| 17 | Do all workers (including agency staff) have access to clean toilet and handwashing facilities, in close proximity to their place of work? Resource: Workplace safety and welfare www.hse.gov.uk/agriculture/topics/welfare.htm | Yes | Don't know | No | n/a |
| 18 | Do all workers (including agency staff) have access to clean drinking water, in close proximity to their place of work? | Yes | Don't know | No | n/a |
| 19 | Do all workers (including agency staff) have access to secure and suitable facilities for the storage of food for personal consumption? | Yes | Don't know | No | n/a |
| 20 | Where caravan accommodation is provided to workers, is this managed in accordance with the Fresh Produce Consortium guidelines? Resource: Fresh Produce Consortium, Guidance on provision of caravan accommodation for temporary workers in the UK www.freshproduce.org.uk/media/802291/fpc-guide-caravan-accomodation-3rd-edition-2019.pdf | Yes | Don't know | No | n/a |
| 21 | Where persons under 16 (including family members) enter operational areas on farm, are they supervised at all times and present for defined purposes that do not restrict their access to full-time education? Resource: Children and public safety www.hse.gov.uk/agriculture/topics/children.htm Resource: Children on farms www.nfuonline.com/nfu-online/farm-safety-leaflets-2019/children-on-farms | Yes | | No | n/a |
| 22 | Are workers under 18 years of age and any other young people present on farm (e.g. family members) restricted from taking part in activities that pose a significant hazard to health? | Yes | Don't know | No | n/a |



Ethical Trade Self-Assessment Questionnaire

Section B: Action Plan

Record all answers from column B:

Record all answers from column C:

Tick if no answers from column B or C have been recorded:

Where answers from column B and C have been recorded, record the relevant question numbers in the table below and confirm planned follow up action. Where answers from column A and D are recorded, no follow up is required.

Where planned actions involve addressing gaps in knowledge, the resources linked to throughout the document may provide useful guidance.

If you decide to take no action for a specific reason, this is also to be recorded, along with a brief explanation.

| Action Plan | | | |
|-------------|----------------|----------|-----------|
| Question | Planned action | Date due | Completed |
| | | | |
| | | | |
| | | | |
| | | | |

Red Tractor member name: _____

Ethical Trade Self-Assessment Completed by: _____

Date of completion: _____