

## 15.16 GYMSHARK SUPPLY CHAIN CHILD LABOUR REMEDIATION REQUIREMENTS

The following guidance outlines the expected best practice and requirements when remediating a finding of Child Labour and is based on the Impactt Child Labour Operational Procedures Methodology, we can update these from time to time.

This guidance applies to all workers working in supply chain regardless of their employment status or length of service, and includes permanent, temporary or casual labour, whether directly or indirectly employed.

### **PHASE ONE: IMMEDIATE ACTIONS**

If staff, workers, an auditor or any other external organisation raises a suspicion about a potential underage worker at the production site, the first thing factory must ensure is that the child is safe and does not feel in any way threatened or scared by the situation.

It is necessary to clarify the identity and age of the child by reviewing age documents and verifying that they are genuine. If they turn out to not be genuine or the worker is an underage worker, the following actions should be taken by factory management immediately on the same day:

Talk to the child in a calm manner and ask open-ended, general questions to establish a rapport. Assure them that they have done nothing wrong and are not “in trouble”. In a kind manner explain why they can’t be working.

Remove the child from the workstation and arrange a safe place for the child e.g., office room, dormitory or home.

Appoint a responsible person as a chaperone of the child (e.g. trained/ no criminal conviction)

Obtain contact details (ideally a mobile phone number) of the child’s parents/guardian, and wherever possible a home address. Contact the child’s parents/guardians and explain the situation to them.

Ensure that the child has been paid for the time worked in the factory.

Document and keep records of each Child Labour case.

If a local remediation expert is involved, inform the expert about the Child Labour case.

Provide free food and free and safe accommodation to the child until a remediation programme is operational (this can be a relatively lengthy process). In some cases, particularly for children who have migrated for work, either with or without their families, the best interim solution may be to continue to stay in the factory dormitory (if dormitory accommodation is provided); however, this is not a desirable long-term solution.

Review all the personnel records at the workplace to identify whether there are any other child workers.

Inform Gymshark of a child labour case immediately at [ethicalteam@gymshark.com](mailto:ethicalteam@gymshark.com)

## **PHASE TWO: DESIGNING A REMEDIATION PROGRAMME**

Identify and establish a remediation team. This will be made up of representatives from the factory, the supply chain partner, local NGOs, the Gymshark ethical team, trade unions (if active in the factory where child labour has been found) and local experts with the experience and capacity to work with children and their families to identify appropriate solutions. The programme will be funded by the supply chain partner.

The remediation team will be responsible for carrying out and documenting the following steps as well as ensuring ongoing monitoring of the programme:

Supply chain partners must cover the remediation costs, including education costs, any travel expenses and ongoing payment of a stipend not lower than the local minimum wage. This should continue at least until the child reaches the national minimum working age or 15, or finishes the agreed training/educational/tutoring course in the remediation programme, whichever is the longest.

Commitment from the supply partner/site to re-hire the child when he or she reaches legal working age, should the child and his/her parents/guardians wish it.

Consulting with the parent/guardian of each child in the design of the specific remediation programme for each child.

Explaining to the parent/guardian what is happening to ensure that they understand and agree and explaining the ongoing provision of stipend, food, and accommodation. If necessary, educate the parents about the benefits of schooling/vocational training. With younger children, the strong involvement of parents/guardians is particularly important. In cases where parents have sent their child to work, this process of persuasion may be difficult, and it is particularly important to ensure that parents are confident that the family's income will not be reduced by participating in child labour remediation.

Obtaining signed agreements from the parent/guardian of each child and all parties to the remediation setting out the elements of each child's remediation program  
Payment of a stipend to the child both during the exploratory phase and throughout the whole remediation programme. The stipend should be equivalent to the amount the child was earning whilst employed, or at least local minimum wage standard, whichever is higher. The stipend should be paid in weekly or monthly, rather than as a lump sum.

A thorough investigation into the specific circumstances of each child, including family background, education history and economic circumstances. This should also include discussions with each child about their ambitions and how education can help in achieving them and meetings with parents/guardians exploring why the child was not already placed in school. If the child does not want to go to school, it is necessary to work hard to find out the reasons why.

Evaluation of whether another adult family member could be employed by the factory in the child's place. This maintains the family's income and continues the link between the factory and the family, which will make the remediation sustainable.

Identification of an appropriate school/training or tutoring facility. This should match the needs and circumstances of each child. Besides basic literacy, the education should ideally involve learning skills which will be useful in gaining good employment as an adult. If the child is close to the legal working age, vocational training can be appropriate, particularly if it enhances the earning capacity of the child when they return to work legally. The school must not be on the same site as the factory. In the case of children who are away from home/have migrated for work, with or without their families, it is important to evaluate educational/training/tutoring facilities both in the child's hometown and in the host area.

Identification of an appropriate accommodation facility. This must be a safe place and must match the needs and circumstances of each child. For children who are away from home/have migrated for work, with or without their families, the best interim solution may be for the child to remain in his or her current dwelling / continue to lodge in the factory dormitory whilst the remediation plan is developed. However, each instance will be discussed carefully by the remediation team. Long-term accommodation should not be on the factory site.

### **PHASE THREE: ONGOING SUPPORT AND MONITORING**

Ongoing support and monitoring of the progress of the remediation programme is necessary to ensure that it continues to benefit the child until he or she reaches working age. This will be carried out by remediation team and not by the factory which employed the child(ren) and will include the following:

Monitoring of the child's progress at school, exam results, school reports, discussions with teachers etc.

Home visits by an independent 'friend' (responsible person) to the child, checking in on a regular basis on their hopes, fears, and ambitions.

Regular payment of a stipend, school fees and any other expenses.

The total cost of implementation of the programme will be secured from the employer preferably as a lump sum payment. This should then be entrusted to a third party to make the payments on a regular basis.

Any questions on the above guidance should be directed to the Gymshark Sustainability Team.