



Responding to and remediating issues identified

Version 1.0

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How to use this guidance

Read the whole document for context or use the links to skip to the relevant section based on the tool you need to support a step on the production checklist:

Pre-production	Tool
<ul style="list-style-type: none"> Make a response plan for encountering modern slavery 	Context Responding to worst case scenario of modern slavery
During production	
<ul style="list-style-type: none"> Document and respond to labour exploitation and abuse that falls short of modern slavery 	Responding to labour exploitation and abuse in the UK that falls short of modern slavery Remedy for poor labour practices
<ul style="list-style-type: none"> Review response plan for modern slavery 	Responding to worst case scenario of modern slavery

If your production is linked to a member of the TV Industry Human Rights Forum (Sky, NBCU, BBC Studios or ITV), you can request additional advice and support to use the tools by contacting Amelia.Knott@tvhumanrights.org.

Introduction

Responding promptly and appropriately to incidents of hidden labour exploitation or other worker welfare issues that arise is a component of respect for human rights. It is not something that should be done in an ad hoc or improvised way but planned in advance to ensure the needs and welfare of (potential) victims are prioritised.

Audience and use

This toolkit is aimed at those in productions who have responsibility for worker welfare, site safety and communications, helping them to plan their response and have the right processes in place. It should be used in conjunction with [Toolkit: Getting the culture right](#).

Context: Why a response plan is necessary and the principles that should underpin it

We know that modern slavery occurs all over the world. However, from research that the TV Industry and Human Rights Forum has carried out to date in the UK, we have yet to uncover an instance of slavery in TV production. That said, it is important to have a plan in place for addressing such a worst-case scenario.

More likely is that those working on TV productions will encounter less extreme but nonetheless problematic forms of labour exploitation and abuse. Productions should also know how to address such circumstances.

The below sets out good practices in responding to allegations or instances of labour exploitation in the UK. A good response depends on adequate preparation. Productions should complete the preparation sections as indicated in advance of production starting and ensure that those with designated responsibilities understand what approach they should be taking.

Guiding principles

- Any response should be **victim-centred** – ensuring that the welfare of potential victims is prioritised in order to prevent retaliation or further victimisation
- There is a responsibility to address issues identified **wherever they occur** in supply chains - being a tier 2, 3 or 4 supplier is not a mitigating factor
- Individuals uncovering issues should **not put themselves at risk**

Ways that an issue may arise

- A worker self-reports exploitation or raises concerns about a co-worker
- You or a colleague notice something that could be a flag for exploitation
- A third party (e.g. journalist, charity, industry supplier or unknown informant) gets in touch with allegations of exploitation
- Other checks (e.g. of documentation) find red flags on or off site

Responding to labour exploitation and abuse in the UK that falls short of modern slavery

During the course of a production, you may identify forms of labour exploitation and abuse. Some of this may be as a result of thoughtlessness or lack of capacity on the part of the supplier/subcontractor, rather than deliberately malicious or exploitative behaviour. Where you can, use existing relationships to educate and support suppliers and subcontractors to improve their labour practices.

Labour abuses may also be the result of budgetary or time pressures put on suppliers and subcontractors. Those working in production should check whether their own actions may have contributed to any issues identified and take steps to address such actions that could be responsible. The below examples provide possible courses of action for such issues.

Important: All incidents should be logged and the actions taken should be documented.

Issue identified	Considerations	Possible courses of action
Lack of contracts	Any worker who is salaried, on fixed-term contracts or zero hours contracts is required by law to have a contract for employment setting out their terms and conditions.	<ul style="list-style-type: none"> Ask the employer to issue contracts ASAP
Illegal or false self-employment	Workers may have been required to be self-employed by the supplier	<ul style="list-style-type: none"> Provide information to the worker on rules around self-employment Discuss the situation with the suppliers to see whether workers can become temporary employees Consider reporting the employer if the practice appears deliberate and designed to avoid tax
Required to work excessive hours (including more than legally allowed)	This may be due to terms that the production has given the suppliers	<ul style="list-style-type: none"> Review production timetable to ensure it is reasonable Raise concerns with the supplier to understand why the issue has occurred and find solutions, e.g. appropriate overtime pay
Pay below the minimum/living wage; underpayment or unfair wage deductions	<p>Pay may slip below legal levels as a result of longer hours or travel time not being taken into account</p> <p>Self-employed workers are not legally entitled to the minimum wage – this needs to be required in contracts between productions and suppliers</p>	<ul style="list-style-type: none"> Review production budget to ensure it is adequate to cover minimum/living wage Check production's contractual terms to see whether there are clauses that can be used to require the supplier to increase pay Provide Citizen's Advice information to affected individual(s): https://www.citizensadvice.org.uk/work/rights-at-work/pay/getting-paid-less-than-minimum-wage-or-living-wage/ Report the employer: https://www.gov.uk/government/publications/pay-and-work-rights-complaints

Delayed wages	Suppliers may depend on prompt payment from productions to pay their workers	<ul style="list-style-type: none"> • Raise concerns with the supplier to understand why the issue has occurred
Unsuitable accommodation or an expectation of sleeping at work (e.g. on kitchen floor, in vehicle or cabin)	There may be insufficient time between shifts or workers may be travelling from some distance	<ul style="list-style-type: none"> • Raise concerns with the supplier to understand why the issue has occurred and find solutions
Inappropriate PPE or unsafe working conditions	Workers may be required to supply their own PPE	<ul style="list-style-type: none"> • Stop work until the issue is fixed
Discrimination		<ul style="list-style-type: none"> • Refer to ACAS guidance for good practice in handling a discrimination complaint: https://www.acas.org.uk/handling-a-bullying-harassment-discrimination-complaint
Bullying		<ul style="list-style-type: none"> • Refer to BFI Guidance on the prevention of workplace bullying and harassment: https://www.bfi.org.uk/sites/bfi.org.uk/files/downloads/bfi-bullying-and-harassment-guidance-2018-02-14.pdf • Refer to the Film and TV Charity's resources on bullying: https://filmtvcharity.org.uk/we-can-help/bullying/directory/
Sexual harassment	This is a sensitive issue and usually involves power dynamics	<ul style="list-style-type: none"> • Ensure that all levels of management have received training on sexual harassment and have thought through an appropriate response to complaints, including protecting workers from adverse outcomes after reporting harassment and maintaining confidentiality at all times. • Refer to ACAS guidance for good practice in handling a sexual harassment complaint: https://www.acas.org.uk/sexual-harassment/handling-a-sexual-harassment-complaint

Responding to worst case scenario of modern slavery

The below approach is relevant to productions occurring in the UK, where our research suggests that there is a low likelihood that such extreme exploitation will occur.

When working overseas, productions will need to factor in the local context to response plans. In some countries, the police are not well trained to respond to labour exploitation issues in a victim-centric way and they may even be complicit.

Part of pre-production preparedness could include desk research to understand the local context. The annually produced US Trafficking in Persons Report (<https://www.state.gov/trafficking-in-persons-report/>) provides relevant information. The broadcaster commissioning the production may also be able to provide advice and guidance.

Different plans are likely to be needed according to the circumstances. The following pages set out initial triage steps that the production could take in response to a potential modern slavery incident under three different scenarios:

1. On set, victim(s) identified
2. Off set, victim(s) identified
3. On set, victim(s) unknown

Response plan: review of systems and processes

The response plan should also be adapted and iterated according to situations that are identified, including a review of systems and processes that should take into account:

- How was the victim identified? Was that an indication of the system working? (Was it as a result of information provided to the victim or a co-worker? Was it because people were trained to spot the signs?)
- Could the victim have been identified more quickly? Were there any flags that weren't picked up?
- Are there any other workers or subcontractors with similar warning signs?
- Is there anything that needs to change or be improved in terms of identifying those at risk?
- What was the initial due diligence done on that supplier or subcontractors? Could/should it have picked up potential risks?
- Was there anything in the way that the production engaged the subcontractor that meant it was more likely to cut corners (e.g. pressure on pricing or deadlines)?
- Was there anything in the commissioner's requirements that made working with a supplier/subcontractor like this more likely?

Initial triage – on set, victim(s) identified

Steps to take (can be done concurrently, not necessarily sequentially)	Preparation [fill in details for the production]
Alert designated contact	[Name and contact details of designated contacts]
Take (potential) victim(s) to a place of safety, out of view. Keep multiple victims separate.	[Location of place of safety, including back up options if needed]
Be ready to provide a cover story in case exploiters are on site	[Identify 2-3 plausible cover stories as to why you have taken a person to the designated place of safety]
Stay with (potential) victim(s), with a colleague if possible	[Identify who can be called on as additional people to play a support role]
Provide reassurance, welfare (food, drink, medical assistance) and seek to build rapport and trust	[Confirm whether food and drink are available at the place of safety]
Ascertain first language and identify whether interpreting service is required	[Identify which interpreting service will be used, e.g. Clear Voice has interpreters experienced in dealing with vulnerable individuals and victims of trafficking]
Review facts - is the subcontractor/supplier/labour provider implicated? <ul style="list-style-type: none"> Confidentiality is important: consider who may be involved (in the exploitation) Don't use friends of victim(s) as interpreters Avoid doing anything that could alert offenders 	
Record what the (potential) victim says <ul style="list-style-type: none"> First account is vital - make full notes of all the circumstances Speak to multiple victims individually Note signs of suspects trying to make contact Note any physical evidence (e.g. injuries, phones, quality of PPE) Sign and date your written record 	
Explain what is happening to the victim <ul style="list-style-type: none"> Ensure they understand the cover story if needed Reassure that they are safe and that you are here to provide support Explain that there is wider support available to people in their position Explain that you may need to call the police Ask them what they would like to happen next 	
Protect any evidence - don't handle any physical evidence if possible and put into a plastic bag	
Review information provided to decide immediate next steps Are there other potential victims at risk?	



REPORT IT

- If the situation is an emergency and individuals are at immediate risk, contact the police on **999**
- If there are any indicators of trafficking/forced labour, contact Gangmasters and Labour Abuse Authority (GLAA) for advice and support on the hotline: **0800 432 0804**
- If you need advice on a potential case, contact the Modern Slavery Helpline 24/7 on **0800 121 700**

Be prepared to share the evidence that leads you to believe there may be victims of modern slavery

Initial triage – somewhere other than on set, victims identified

E.g. at a supplier's premises

Steps to take	Details
<p>Person alerted to or identifying issue should gather as much information as it is safe to do so and whilst protecting a victim's identity, e.g. victim's name and contact details; whether they are working at the same place all the time or being moved around.</p>	<p>Key role is to protect victim(s) and self. It may be safer to let the victim carry on and leave the premises before alerting anyone.</p>
<p>Avoid alerting the supplier without first ascertaining whether they could be complicit in the exploitation or abuse. Answer the question - does the subcontractor/supplier/ labour provider where the victim(s) is/are working know about the findings or concerns raised?</p>	<p>If yes and it is safe to do so, take action immediately to ensure that victims are not moved or experience retaliation. If no, a decision is needed as to whether victim safety would be compromised if the supplier is told of the issues identified or alleged. Questions to inform that decision include:</p> <ul style="list-style-type: none"> • Is the supplier likely to have been complicit? Is it an individual that has been identified or a whole group of employees? Are the potential issues related to employment practices, recruitment practices or both? • Has the supplier attempted to hide its practices? i.e. Are the issues likely to be as a result of deliberate criminal activity or due to lack of knowledge/capacity to do better?



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Initial triage – on set, victim(s) unknown

Steps to take (can be done concurrently, not necessarily sequentially)	Preparation [fill in details for the production]
Alert designated contact	[Name and contact details of designated contacts]
Gather as much information as it is safe to do so without alerting potential perpetrators. This may include following up the source of an allegation, carrying out desk research on suppliers, sensitively interviewing workers, calling the Modern Slavery Helpline for advice and guidance.	[Identify a small team that will be part of any investigation and can be trusted to maintain confidentiality]
Be ready to provide a cover story in case exploiters are on site	[Identify 2-3 plausible cover stories as to why you are interviewing workers or conducting any background checks]
Review facts - is there a particular subcontractor/supplier/labour provider implicated? <ul style="list-style-type: none"> Confidentiality is important: consider who may be involved (in the exploitation) Avoid doing anything that could alert offenders 	
Protect any evidence - don't handle any physical evidence if possible and put into a plastic bag	
Review information provided to decide immediate next steps <ul style="list-style-type: none"> Are there other potential victims at risk? 	



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Next steps

Once victims are safe and relevant authorities have been informed and involved, take the following steps:

- Without compromising any ongoing law enforcement work, communicate clearly and appropriately to all workers on set what has happened; ask for any supporting insights that they can share which would help the investigation and offer welfare support to those who may need it
- Ensure incidents are logged and reported back to the broadcaster
- Identify what remediation is needed for the victim(s) and how best to support such remediation; this might best be achieved in discussion with relevant victim support organisations such as The Salvation Army
- Review systems and processes for lessons to take on board on this production and on future productions

Remedy for poor labour practices

Sometimes, poor labour practices occur and it is too late to make changes. For example, it might only become known after a shift is over that a security guard had no access to toilets or shelter overnight.

In such cases, it is important that productions consider how to remedy the harms.

Remedy can take a number of different forms. For example, one company gives a hardship payment of £50 to those workers who encounter unacceptable conditions. Another described investigating incidents to understand what happened and changing processes as a result.

Remedy can include:

- Financial compensation
- Acknowledgement and apology
- Setting the record straight
- Effective measures aimed at preventing continuing violations, e.g. process change, training
- Holding people to account for their actions

Understanding what best practice remedy looks like for TV productions is a work in progress. To discuss further, please [contact the TV Industry Human Rights Forum](#).