

Group Standard Operating Procedure Human Rights Assessment & Decision Tree



Document Details

Document Reference	SMS-GSOP-BC5-1
Version	2.0
Issue Date	January 2021
Review Date	January 2023
Document Authority	Chief Executive, Serco Group plc
GSOP Sponsor	Group General Counsel
GSOP Owner	Director Business Compliance and Ethics
Applicability	Serco Group covering all business regions, operating companies and business units throughout the world ¹

This document is uncontrolled when printed

Contents

1	Introduction	3
2	What are human rights and their relevance to the business?	4
3	Human rights assessment process	4
3.1	Phase 1, When does a human rights assessment need to take place?	6
3.2	Phase 2, Understanding the context	6
3.2.1	Legal and social context	6
3.2.2	Customer context	7
3.2.3	Third party context	8
3.2.4	Activity context	8
3.2.5	Stakeholder engagement.....	9
3.3	Phase 3, Recognising potential impacts.....	9
3.3.1	Salient human rights issues	10
3.4	Phase 4 Analysis.....	10
3.4.1	Likelihood and severity	10
3.4.2	Mitigation, management and remediation.....	11
3.5	Decision making	12
3.6	Remedy of human rights abuse	14
4	Definitions	14
5	References	16
	Annex A – Examples of potentially relevant Human Rights	18

I Introduction

This Group Standard Operating Procedure (GSOP) represents a key first step in recognising Serco's responsibility to treat all human beings with respect and dignity. It represents a high-level outline of the approach Serco will take to identify and assess any actual or potential Adverse Human Rights Impacts in which it might be involved, either through its own activities or business relationships.

Serco's Group Standard on Human Rights¹ states that we will strive to respect human rights in our operations and will use international human rights standards such as the United Nations Guiding Principles on Business and Human Rights (2011) (UN Guiding Principles²):

- a. to guide our decision making and constructive engagement
- b. to identify, assess and manage Adverse Human Rights Impacts
- c. to integrate and act on findings, track responses, monitor effectiveness and communicate how impacts are addressed
- d. to establish processes to address impacts should they occur

The UN Guiding Principles is a global authoritative framework on business and human rights. The 31 principles outline the duties of States and the responsibility of companies to ensure that businesses operate with respect for human rights. The UN Guiding Principles are guidelines and not legally enforceable.

The UN Guiding Principles outline that the State has the overall duty to set and enforce laws and practices that protect human rights against abuse by third parties, including business. It is the responsibility of business to respect Human Rights; avoid infringing the rights of others; and address impacts where they occur. Serco recognises this responsibility.

We operate in diverse markets and across a number of geographies. Much of our business has a low risk of Adverse Human Rights Impacts and the identification and assessment of such risks should be included within our standard risk management process³. For the human rights element of the risk management process consideration may be given to the principles outlined in this GSOP.

However there are occasions where a more thorough human rights impact assessment needs to be undertaken. For example, when entering a new geography, moving into a new market, planning on bidding for an activity which we do not currently do or where the contract places on us a specific duty of care for individuals. In such situations the process described in this GSOP should be used to assess impacts and inform decisions.

Initial assessment will occur during the earliest possible stage of a new business opportunity (whether bid or acquisition) when sufficient evidence is available to make such an assessment. The output from this should directly feed into our ongoing risk management process through which Serco will assess, along with other risks, the ongoing risk of Adverse Human Rights Impacts, integrate findings into our decision-making processes and actions in order to mitigate the risks, track the effectiveness of these measures and communicate our efforts internally and externally, where appropriate.

¹ [Human Rights Group Standard](#) SMS-GS-BC5

² The UN Guiding Principles use the following international human rights conventions as a baseline for the rights and obligations that business should respect: The Universal Declaration of Human Rights (1947); The International Covenant on Civil and Political Rights (1966); The International Convention on Economic, Social and Cultural Rights (1966); and The International Labour Organisation Declaration on Fundamental Rights at Work (1998)

³ [Risk Management Group Standard](#) SMS-GS-RM1 and related documents

2 What are human rights and their relevance to the business?

The underlying principle of human rights is that people have a right to be treated with dignity. Being treated with dignity is the foundation for leading a decent human life. Human rights are therefore inherent to all people as human beings, and not something that can be granted or taken away.

The UN Guiding Principles make clear that all companies have a responsibility to respect human rights, which means to avoid infringing on the rights of others and address adverse impacts that they are involved in. This responsibility applies to our own operations and to our business relationships, including those throughout our value chain.

Serco can have many positive impacts on human rights, including through the provision of decent jobs and a contribution to growth and development of societies. We can help people to realise their rights directly, indirectly or in partnership with others. This might for example be through the provision of a safe space, enabling health services or protecting people's lives. Indirectly Serco might support people to realise many of their political, economic, social and cultural rights. Serco can also work with States to reform and improve public services and conditions in areas where we operate.

Serco might also be involved in Adverse Human Rights Impacts:

- Serco might **cause adverse impacts**, for example if employees are injured due to unsafe working conditions
- Serco might **contribute to adverse impacts**, for example if purchasing practices incentivise suppliers to force workers into unpaid overtime to meet contract requirements
- Serco's operations might be directly **linked to adverse impacts**, for example if forced labour or child labour is used in developing something that we need to use, despite our reasonable efforts to avoid these outcomes

It is therefore important that we understand where Serco might cause, contribute or be linked to human rights abuses through our operations, directly or indirectly through our relationships with other entities

3 Human rights assessment process

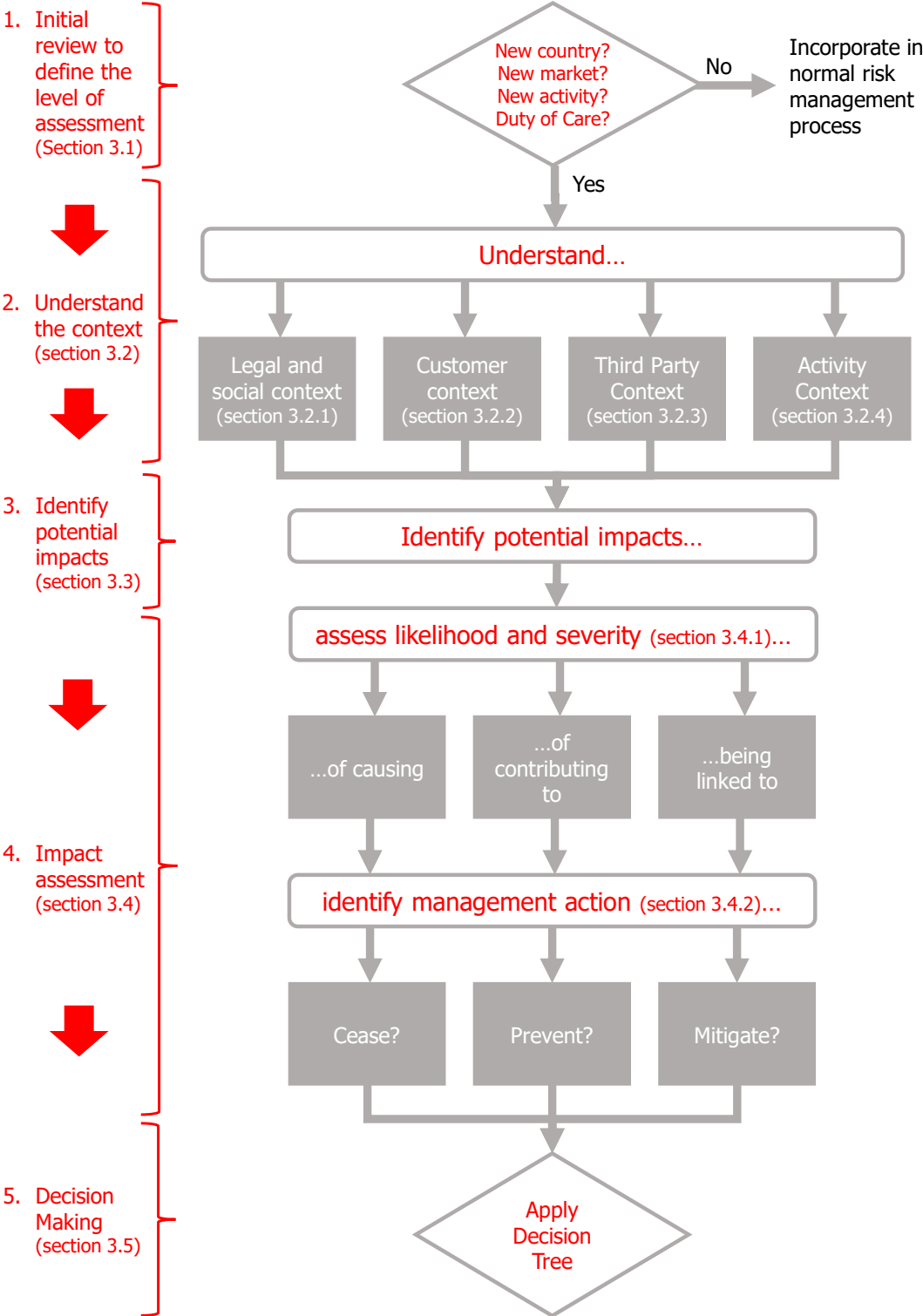
The assessment process, illustrated in Diagram 1 and described in the remainder of this GSOP, is structured into five phases.

The assessment should draw on both internal and external human rights expertise and involve meaningful consultation with relevant stakeholders, including potentially affected individuals. Any assessment should be done on the understanding that:

- any actual or potential Adverse Human Rights Impacts to others are risks to Serco's business; and
- such an assessment will be from the perspective of whether we are causing, contributing to or directly linked to adverse impacts, in line with best practice and international standards such as the UN Guiding Principles

Annex A provides illustrative examples of some of the human rights that could potentially be relevant to Serco.

Diagram 1 – Assessment process



This document is uncontrolled when printed

3.1 Phase 1, When does a human rights assessment need to take place?

Existing business operations should be aware of any human rights impacts that may arise as a result of current operations and manage these, just as they would any other risk, within the risk management process (if these have not been assessed then this assessment process will assist in identifying potential impacts).

There will be occasions when human rights need to be considered and our impact assessed to enable appropriate decisions to be taken and where necessary actions planned. This specifically relates to when we are bidding for new business, considering an acquisition, looking at entering a new geography, moving into a new market, planning on bidding for an activity which we do not currently do or where the operation places on us a specific duty of care for individuals. Where these situations arise it is appropriate that we undertake a full assessment of potential human rights impacts.

If you are looking at a new opportunity ask yourself the following:

- Is the opportunity in a country where we do not currently have established contracts with ongoing operations on the ground?
- Is the opportunity in a market in which we do not currently operate?
- Is the opportunity undertaking activities which we do not currently have direct experience in?
- Does the opportunity create a duty of care for individuals for whom we will have a direct responsibility?

If the answer to any of these questions is yes then the following assessment and decision tree process should be completed and reviewed as early as possible in the process and in any case no later than Gate 2 and then ongoing through the contract as part of the contracts risk management process.

3.2 Phase 2, Understanding the context

When understanding the context in which we will work a number of perspectives need to be considered. These include the following four context areas:

- Legal and social – covering relevant human rights laws and practice
- Customer – covering whether potential connections to adverse human rights exist
- Third parties – covering in particular business partners and key suppliers
- Activity – covering the services we will be expected to deliver

3.2.1 Legal and social context

The first requirement is to understand the human rights situation relating to the country in question, including any laws which may force us to violate human rights (for example, laws which require discrimination against women).

This means identifying relevant human rights law and practice (including identifying the legal protections that exists and any access to remediation for adverse impacts by corporate conduct). Consideration should be given to any history of human rights violations.

A range of sources are available, for example:

- information by governments and government institutions on laws, policies and practice, this might include information by governments in which activities are based or information by other governments in official sources, for example, the US Department of State (www.state.gov) produces a detailed country-by-country annual report, which considers each country's performance against the rights set out in the Universal Declaration. The UK Foreign & Commonwealth Office (www.fco.gov.uk) publishes an annual report on the countries it regards as major concerns.

This document is uncontrolled when printed

- Information by civil society and non-governmental sources, for example, Amnesty International (www.amnesty.org) and Human Rights Watch (www.hrw.org) produce annual reports and regular updates on emerging human rights issues in each country.
- Information by international and intergovernmental bodies, for example, the United Nations Office of the High Commissioner on Human Rights (www.ohchr.org) has a number of useful sources of information, including through Universal Periodic Review, treaty body and special procedure reports.

Ask yourself:

- Do we understand the human rights laws and regulation that apply to our planned activities?
- Do we understand any legal protections, including any access to remediation for adverse impacts?
- Do we understand any history of human rights violations in the geography and in relation to specific markets / planned activities?

3.2.2 Customer context

In the context of an assessment it is important to understand who the customer is and their potential connection to any Adverse Human Rights Impacts. For the purposes of this procedure, the customer is the department or organisation represented by the economic buyer. Where we are a subcontractor, we will need to consider the human-rights records of both the direct and ultimate customer. Customers should be subject to due diligence in line with the Third Party Due Diligence Manual.⁴

The customer's connection to human rights impacts may be clear (for example, a justice ministry which has arbitrarily arrested political activists) or it may be the subject of some judgement. For example, a local government may be run quite independently of the central government, despite being controlled by the same political party, and we might therefore conclude that it is not connected to the central government's abuses. Such decisions will need to be taken on a case-by-case basis.

Included in this category would be governments which have tried to prevent abuses but whose efforts have been ineffective. An example would be a government which has outlawed discrimination against women but where entrenched customs mean that such discrimination still takes place.

An oppressive customer, in contrast, is one which is directly responsible for abuses or which requires others to commit abuses (for example, a government customer passing laws which lead to violations). A government customer which fails to prevent violations by not passing legislation can also be seen as oppressive.

The quality of our understanding of the potential impacts of customers will impact how we might use influence to mitigate impacts. However, it does not change the connection between our activities and Adverse Human Rights Impacts and, therefore, may not effectively mitigate the risks of Serco's involvement. Where Serco causes or contributes to adverse impacts our responsibilities exist independent of the responsibilities of our customers.

If we have concluded that the customer is oppressive and that there might be a direct link between any Adverse Human Rights Impacts and our services, then we will seek to identify whether we can influence in a way as to mitigate any adverse impacts.

If we conclude that an opportunity is acceptable despite the customer being oppressive, we must also bear in mind the potential for our service to be misused for oppression at a later date. This risk need not necessarily prevent us taking the contract but we may have to consider a range of options to address our involvement, which may include having to terminate our involvement.

⁴ Third Party Due Diligence Manual

Where we choose to operate with an oppressive customer, and adverse impacts are likely to occur, we will base decisions on how we are involved in adverse impacts and alignment with our values, policy commitments and the trend in global standards.

Ask yourself:

- Do we understand any connections the direct and/or ultimate customer may have to Adverse Human Rights Impacts?
- Have we completed due diligence on the direct and/or ultimate customer?
- Where potential Adverse Human Rights Impacts are identified have we identified how we might use influence or leverage to mitigate impacts?

3.2.3 Third party context

It is important that we understand and have done appropriate due diligence on those we intend to work with and also those we intend to use to support the delivery of business activities. This will identify and support any assessment of any actual or potential Adverse Human Rights Impacts in which they might be involved.

Third party due diligence⁵, undertaken as part of the procurement process for partners and suppliers is set up to identify any legal action, regulatory issues or adverse media relating to human rights. This is then considered in whether they can be used. Using approved partners and suppliers will reduce potential human rights risks.

If partners, suppliers or other third parties which are not on our approved supplier list are intended to be used then due diligence should be undertaken.

Ask yourself:

- Are the third parties (partners / suppliers / etc.) approved?
- Where third parties are new has appropriate due diligence been undertaken?

3.2.4 Activity context

Consideration needs to be given to the services we will be expected to deliver and how these will be delivered. Our approach must recognise Serco's responsibility to treat all human beings with respect and dignity. Annex A provides illustrative examples of some of the human rights that could potentially be relevant to Serco. These should be considered in the context of activities that will be undertaken to identify and assess any actual or potential Adverse Human Rights Impacts which Serco might be involved with through its own activities or business relationships. To understand the full range of potential human rights that might be negatively impacted:

- look across all operations, value chain and other business relationships
- involve all relevant functions across the business
- be informed by the perspectives of those who may be negatively impacted
- recognise some groups may be particularly vulnerable to impacts in certain circumstances, for instance, indigenous peoples, children, women or ethnic groups

To support our understanding of potential impacts engagement with relevant stakeholders should be considered.

⁵ Third Party Due Diligence Manual

3.2.5 Stakeholder engagement

Stakeholder engagement is a key element of adequate identification of potential impacts. This is particularly relevant where we have direct responsibility and a duty of care for individuals. Serco considers risks to people as being risks to its business.

The range of relevant stakeholders should be identified, including potentially affected individuals and duty bearers, including government departments, suppliers, subcontractors and others. This might include engagement with NGOs, human rights groups, local communities etc., in order to:

- clarify the key human rights risks and impacts associated with the business opportunity
- validate or amend the company's assessment on key human rights risks and impacts
- manage potential misinformation relating to the opportunity, and foster good relations by encouraging all types of opinion to be raised
- work in partnership with stakeholders to develop mitigating actions
- legitimise the impact assessment process and ensure buy-in from key stakeholders

It should be a two-way process to provide information to, and receive information and feedback from, stakeholders regarding Serco and its business activities. It should be a dynamic, iterative and integral process within the human rights assessment process.

Ask yourself:

- Have we reviewed and understand who relevant rights holders / human rights experts are in regards to planned activities?
- Have we engaged these rights holders / experts and understand their perspectives of affected individuals and potentially impacted rights?
- Have we reviewed and considered human rights impacts in relation to activities covered by the required business activity?

3.3 Phase 3, Recognising potential impacts

The information gathered should be reviewed to identify any current or future business involvement in Adverse Human Rights Impacts whether Serco might be involved in those impacts by causing, contributing to or being directly linked through a business relationship.

This should consider the full spectrum of human rights (see Annex A) that could potentially be negatively impacted and be considered across:

- Legal and social impacts – arising from what we plan on doing and where we do it
- Customer impacts – arising from their activities and our potential association with them
- Third party impacts – arising from who we intend to work with or use to support delivery of the contract
- Activity impacts – arising from the activities we intend to undertake and how we intend to deliver them (informed where appropriate by stakeholder engagement)

The level of information gathered and relevance of each of these categories of impacts will vary depending upon the specific circumstances of the bid, just as the relevance of which human right might be impacted will vary. For example a review of a potential country entry will focus more on legal and social impacts in the initial stage. An opportunity with a duty of care might have greater focus on understanding the activity impact and potential stakeholder engagement. However all should have some degree of consideration given to them.

Once identified the potential impacts need to be analysed and their severity assessed and actions identified. Particular attention should be given to salient human rights issues.

This document is uncontrolled when printed

3.3.1 Salient human rights issues

Human rights impacts are the most acute social, environmental and economic impacts a company can have on people. A key concept is the concept of salient human rights issues. These are the human rights at risk of the most severe negative impact through the company's activities and business relationships. A particular focus for Serco will be on these types of impacts.

The focus of salient human rights issues is therefore on **the most severe potential negative impacts on human rights**.

- **Most severe:** defined in the UN Guiding Principles as those impacts that would be greatest in terms of:
 - their scale: the gravity of the impact on the human right(s); and/or
 - their scope: the number of individuals that are or could be affected; and/or
 - their remediability: the ease with which those impacted could be restored to their prior enjoyment of the right(s).
- **Potential:** meaning those impacts that have some likelihood of occurring in the future, recognising that these are often, though not limited to, those impacts that have occurred in the past;
- **Negative:** placing the focus on the avoidance of harm to human rights rather than unrelated initiatives to support or promote human rights;
- **Impacts** on human rights: placing the focus on risk to people, rather than on risk to the business.

Ask yourself?

- Have we thoroughly reviewed all the information gathered in understanding the context in which the business activities will be undertaken?
- Have we considered this information in regard to potential areas of human rights impacts detailed in Annex A?
- Are we clear on where Serco might be involved in Adverse Human Rights Impacts by causing, contributing to or being directly linked to them through a business relationship?
- Have we identified those impacts which are salient human rights issues?

3.4 Phase 4 Analysis

3.4.1 Likelihood and severity

The likelihood and severity of potential impacts should be assessed using Serco's approach and process for risk management.⁶

The assessment of the severity of potential impacts should identify potential harm to stakeholders based on the number of individuals that could be affected, the gravity of the impact and any limits on the ability to restore affected individuals to an equivalent situation to that before the impact.

The process should:

- identify for priority attention those potential negative impacts that would be most severe, as defined in the UN Guiding Principles, namely:
 - how grave the impact would be;
 - how widespread the impact would be;
 - how hard it would be to put right the resulting harm;
- where necessary, further prioritise impacts based on their relative likelihood, retaining due attention to high-severity, low-likelihood impacts;

⁶ [Risk Management GSOP](#) SMS-GSOP-RM1-1

- engage with internal and external stakeholders to explain conclusions and check whether any considerations have been missed

The fact that another party initiated or perpetrated a violation is not relevant to the question of how Serco is linked to adverse impacts or how Serco should conduct itself in line with its own purpose, its values and policy commitments.

3.4.2 Mitigation, management and remediation

The UN Guiding Principles dictate that businesses should avoid infringing the human rights of others and should address Adverse Human Rights Impacts with which they are involved. Therefore once potential impacts have been identified consideration needs to be given to how Serco can effectively design and implement measures to address impacts; this includes prevention mitigation and remediation where impacts might occur. This will include measures for monitoring the effectiveness of responses to address adverse impacts in line with Serco's Group Standard on Human Rights⁷.

Mitigation and management planning will be developed in relation to business activities on a case by case basis. Specific actions to address impacts might include the following:

- Where Serco might **cause** a human rights abuse we should take the necessary steps to cease or prevent the impact. If residual impacts occur and we have caused them we should seek to remediate the harm. Mitigation planning should include outlining potential avenues of influence or leverage over business relationships and whether we can use our influence to mitigate the impact of a business partner.
- If Serco contributes or may **contribute to** an adverse human rights impact, we should take the necessary steps to cease or prevent our contribution and use our leverage to mitigate any remaining impact to the greatest extent possible. Where residual impacts occur and Serco has contributed to the negative impact we should first seek to mitigate or prevent the impact or contribute to remediating the harm if the impact occurs.
- Where Serco is **linked to** an impact through our activities we should seek to use leverage to mitigate or prevent the impact. Where Serco is linked to a negative impact it has no responsibility to remedy, we may choose to do so.

Where we cannot mitigate harm, or where unacceptable human rights impacts, including gross human rights abuses cannot be avoided, Serco should consider whether proceeding with a bid or continuing an activity aligns with our values, policy commitments and effective risk management.

Consideration should be given to how contractual terms might mitigate actual or potential impacts. For example consideration might be given to (illustrative only examples):

- what prior conditions can be imposed to mitigate risks of Adverse Human Rights Impacts occurring
- what will the terms dictate happens if these prior conditions are not adhered to, for example remediation periods and/ or termination of the agreement
- how contractual terms will be implemented through systems and processes to prevent and mitigate impacts
- interaction and demarcation of responsibilities with other service providers
- in the event of termination of the agreement due to prior conditions not being met, litigation costs arising out of "stranded costs" and claims by sub-contractors
- Indemnification in respect of penalties incurred when discharging services owed to the customer pursuant to Serco's contractual obligations

⁷ [Human Rights Group Standard](#) SMS-GS-BC5

Tracking responses to human rights impacts should involve both qualitative and quantitative indicators based on feedback and consultation with internal and external sources, which might include detainees, civil society, legal and human rights experts.

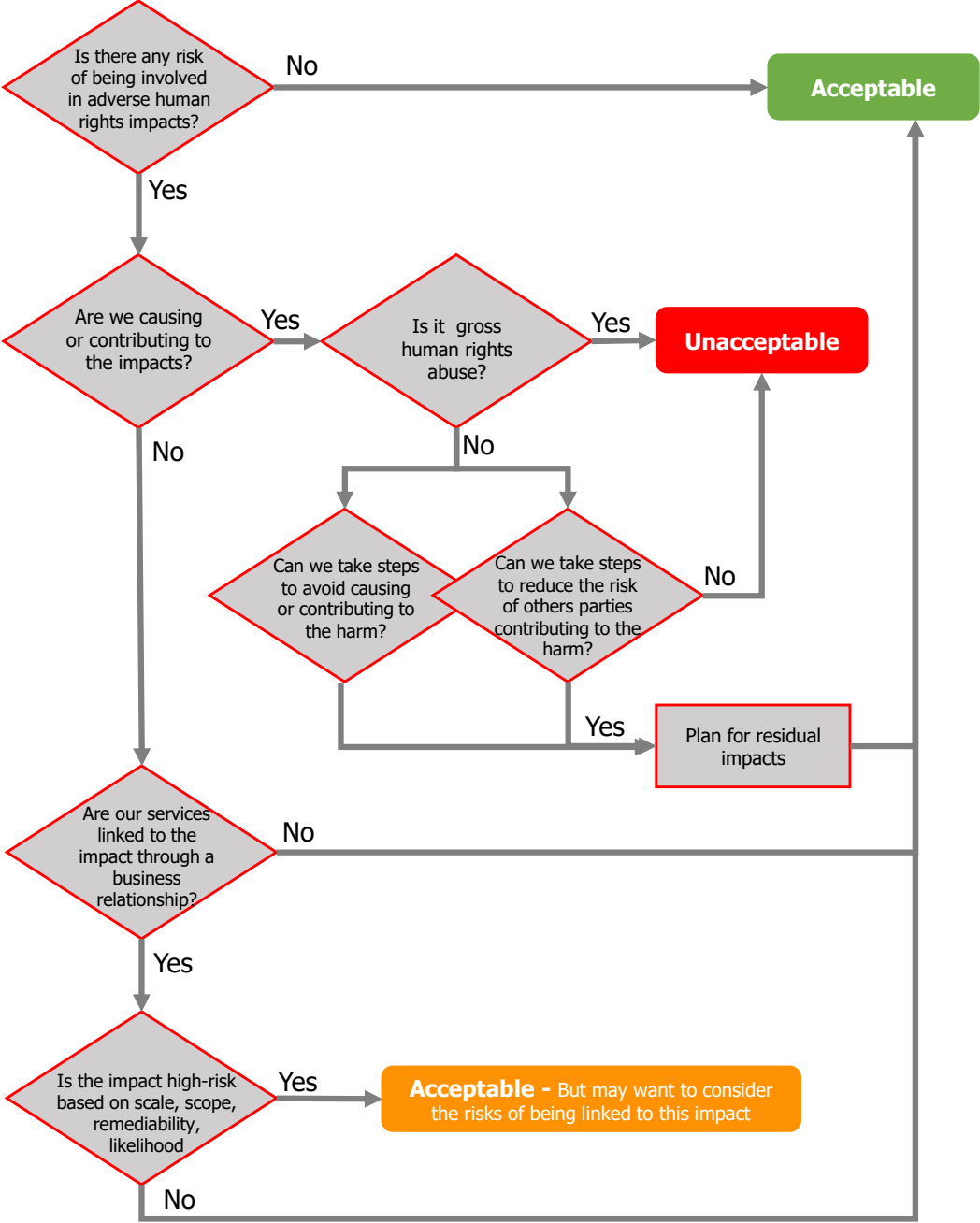
Ask yourself:

- Have we developed plans to cease or prevent human rights abuses we might cause? And where residual impacts occur and we have caused them plans to remediate the harm have been identified?
- Have we developed plans to cease or prevent human rights abuses we might contribute to? And where residual impacts occur and we have contributed to them plans to remediate the harm have been identified?
- Have we developed plans to use leverage to mitigate or prevent adverse impacts we might be linked to?
- Have we considered how contractual terms might mitigate actual or potential impacts?
- Have we identified appropriate indicators to track responses to human rights impacts?

3.5 Decision making

Once the assessment has been completed the Human Rights Decision Tree should be applied to inform Serco's position in regard to identified risks. This is illustrated in Diagram 2.

Diagram 2 – Human Rights Decision Tree



This document is uncontrolled when printed

3.6 Remedy of human rights abuse

States have a primary responsibility for ensuring access to effective remedy for those harmed through human rights abuses by business. This is done through judicial remedy under law and through the courts or through non judicial remedy that involves more informal negotiated solutions between relevant parties, for example using mediation or NGO support.

Serco has a responsibility to ensure that grievance mechanisms, complaints processes and access to remedies are included in operational procedures. These procedures should be legitimate, accessible, predictable, fair, transparent, coherent with the rights in question, a source of continual learning and improvement, and based on real dialogue with affected stakeholders.

Whilst local procedures, specific to a particular contract may be in place to address issues and complaints Serco maintains a Speak-Up process which is open to all. Where local procedures are not used the Serco Speak-Up⁸ process should be used.

All concerns raised through Speak-Up are reviewed by the Governance Team and where investigations reveal evidence of unethical conduct, disciplinary action is taken, which may range from a formal reprimand to termination of employment.

Ask yourself:

- Are our grievance mechanisms, complaints processes and access to remedies clearly defined, implemented, included in operational procedures and communicated?
- When issues are raised are appropriate resources identified to properly review and resolve them?

4 Definitions

Contract	A Contract provides specified requirements to a customer (either directly with Serco or to a consortium/Joint Venture in which Serco is a party) A Contract will also refer to a corporate/functional area. Corporate/functional areas are functions which support the business and they include finance, HR, procurement etc.
Employee	Covers employees, officers, directors and individuals working as consultants and contractors and any other parties acting as representatives or agents of Serco
Third Party	This includes all natural persons or businesses in all forms (including corporations, joint ventures, partnerships and sole proprietorships) which pays Serco, or is paid by Serco to perform or arrange the performance of any activities, supply or arrange the supply of any goods or services or to act on its behalf. This includes customers, vendors, suppliers, subcontractors, volunteers, charities, advisors and business partners.

⁸ See [Speaking Up Group Standard](#) Ref: SMS-GS-BC3

This document is uncontrolled when printed

Business Partner	<p>Covers where the party</p> <ol style="list-style-type: none"> 1. is targeted by Serco for merger or acquisition 2. shares profits from the business of a joint venture, consortium or other form of partnership in which Serco is a part 3. has an equity interest in an entity owned by Serco; 4. is granted exclusive or special distribution rights over Serco’s products or services; 5. is a major subcontractor without which it would be impossible for Serco to carry out its contract with its client. These may be nominated subcontractors imposed by the client or preferred sub-contractors in a pre-bid agreement with Serco and may include construction contractors leading on delivery of essential facilities required under Serco’s contract with its client or a supplier of labour where Serco is unable to recruit directly in a region or market; or 6. is paid compensation (whether in fixed or lump sum fees, as a percentage of contract award, as a bonus, or in other non-monetary forms) to assist Serco (including as a sales agent, marketing agent, country sponsor, or consultant) with: <ol style="list-style-type: none"> a. the process of bidding for, obtaining or maintaining projects, contracts or other business or services; b. developing business or the provision of services in a particular country or region; c. forming a local office or establishing a business presence in a particular country or region (including by sponsoring Serco); d. promoting the company’s products, services or technologies; e. interacting with government officials (including in connection with obtaining permits, licenses or approvals) on Serco’s behalf
Human Rights	<p>Human Rights are the equal and inalienable rights and freedoms that belong to every person in the world in recognition of their inherent dignity. They include, for example, the right to life, the right to respect for private and family life and freedom of thought, religion and expression</p>
Human Rights Risks	<p>Human rights risks are any risks where Serco’s operations and business relationships may lead to Adverse Human Rights Impacts. This should be understood as being separate from any risk that Serco’s involvement in Adverse Human Rights Impacts may pose to its business, although the two are related, and might include significant adverse media attention, NGO interest and transactional advocacy, creating knock on risks to Serco’s reputation, operations, shareholder and investor relations and litigation</p>
Adverse Human Rights Impacts	<p>Adverse Human Rights Impacts occur when an action removes or reduces the ability of an individual to enjoy his or her human rights. Serco’s involvement in Adverse Human Rights Impacts can occur where Serco causes adverse impacts through its own operations and activities or contributes to adverse impacts both directly, that is, through its own operations and activities, or indirectly, through or with another entity. Where it doesn’t cause or contribute to Adverse Human Rights Impacts its operations or activities might still be directly linked to those impacts by an entity with which it has a business relationship.</p>

This document is uncontrolled when printed

5 References

The following documents within the Serco Management System on mySerco should be reviewed as part of this GSOP:

Reference	Document	Location
SMS-GS-BC5	Human Rights Group Standard	SMS > Business Conduct and Ethics > Standards
Third Party Due Diligence Manual	Third Party Due Diligence Manual	SMS > Business Conduct and Ethics > Forms, templates and Guidance Group SOPs
SMS-GS-RM1	Risk Management Group Standard	SMS > Risk Management > Standards
SMS-GSOP-RM1-1	Risk Management Lifecycle Group Standard Operating Procedure	SMS > Risk Management > Group SOPs
SMS-GS-BC3	Speaking Up	SMS > Business Conduct and Ethics > Standards

This document is uncontrolled when printed

Document	Location
UN Guiding Principles on Business and Human Rights	http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf
Universal Declaration of Human Rights	http://www.un.org/en/universal-declaration-human-rights/
UN Office of the High Commissioner on Human Rights	http://www.ohchr.org
Human Rights Translated – A reference guide to business	http://www2.ohchr.org/english/issues/globalization/business/docs/Human_Rights_Translated_web.pdf
Business and Human Rights Resource Centre	https://www.business-humanrights.org/
Human Rights Watch	https://www.hrw.org/
Amnesty International	http://www.amnesty.org
UK Foreign and Commonwealth Office	http://www.fco.gov.uk
US Department of State	http://www.state.gov
Australian Human Rights Commission	https://www.humanrights.gov.au/
Global Human Rights	http://globalhumanrights.org/?gclid=CL_5kImIpc8CFXQo0wodZXEDLQ

The following provide useful information in relation to human rights and the assessment of potential impacts:

Annex A – Examples of potentially relevant Human Rights

Set out below are illustrative examples only of potentially relevant human rights covered within the standards with a view on where these might arise across the core markets that we operate in. While each assessment may have regard to these illustrative examples it must consider all potential human rights impacts

Examples of how business might be involved are given. These are taken from the UN Guiding Principles reporting framework and are provided to stimulate thinking in regards to how the right might be impacted by Serco's activities.

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right to work	✓	✓	✓	✓	✓	<p>Everyone has the right to work, to free choice of employment and to protection against unemployment.</p> <p>Everyone must have the opportunity to make their living by work which they freely choose or accept. This implies that no one should be forced to engage in employment.</p> <p>The right to work includes the prohibition of arbitrary dismissal and workers should not be unfairly deprived of their employment.</p> <p>Work must be 'decent work' that respects their human rights including workers' rights regarding conditions of remuneration and safe working conditions.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Arbitrarily or unfairly dismissing a worker, even if permissible under local law • Hindering or failing to provide for the reasonable career advancement aspirations of workers

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right to enjoy just and favourable conditions of work (including rest and leisure)	✓	✓	✓	✓	✓	<p>Everyone has the right to remuneration which provides a decent living for themselves and their families.</p> <p>Everyone has the right, without discrimination, to equal pay for equal work.</p> <p>In particular, women should be guaranteed conditions of work equal to those of men.</p> <p>Workers should also be able to expect a right to equality of opportunity for promotion.</p> <p>Everyone has the right to rest and leisure, as part of conditions at work including reasonable limitation of working hours and periodic holidays with pay (including public holidays).</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Failing to address a pattern of accidents highlighting inadequate workplace health and safety • A company's purchasing practices repeatedly allow changes to the terms of product orders without any changes to price or delivery time, creating pressure on its suppliers, who then demand excessive overtime from their workers • Using cleaning staff that are employed by a third-party company and are paid extremely low wages with no or very limited entitlements to sick pay or leave
Right to organise and participate in collective bargaining	✓	✓	✓	✓	✓	<p>Everyone has the right to organise and bargain collectively to protect their economic and social interests. This includes the right to strike.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Refusing or failing to recognise legitimate workers' associations with which the company can enter into dialogue in countries that prohibit trade unions

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right to freedom of association and to form and join trade unions and the right to strike	✓	✓	✓	✓	✓	<p>Everyone has the right to freedom of association with others, including political, religious, sporting/recreational, non-governmental and the right to form and join trade unions for the protection of their interests.</p> <p>Individuals have the right to form or join trade unions of their choice.</p> <p>Trade unions must be permitted to function freely, subject only to limitations that are in line with international human rights standards.</p> <p>Workers have the right to strike, in conformity with reasonable legal requirements.</p> <p>No one should be compelled to belong to an association.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Creating barriers to the formation of trade unions among employees or contract workers • Refusing or failing to recognize legitimate workers' associations with which the company can enter into dialogue in countries that prohibit trade unions. • A company operates in an area where the State seeks to undermine a local political party that opposes the company's activities by bringing false accusations against its leaders.
Right to freedom of assembly	✓	✓	✓	✓	✓	<p>Everyone has the right to assemble and gather peacefully, subject only to the restrictions imposed by law as necessary to protect the interests of national security, public safety, public order, public health or morals, or the protection of the rights of others.</p> <p>Individuals have the right to peacefully assemble for a specific purpose or where there is a public discussion, to put forward ideas or to engage in a demonstration, including marches.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Situations where public or private security services protecting company assets forcibly prevent or break up peaceful demonstrations by the local community against a company's operations.

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right to non-discrimination, equal recognition and protection under the law	✓	✓	✓	✓	✓	<p>Everyone has the right to be treated equally under the law and is entitled to equal legal protection.</p> <p>Everyone can exercise their rights without suffering discrimination.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> Indirectly discriminating in the recruitment, remuneration or promotion of workers, for example, by offering a training programme that enhances an individual's chance of promotion at a time that is reserved for religious observance by a particular group. A company offers compensation to men and women in a situation where its operations or products have had negative impacts on their health in a way that discriminates against women (such as by failing to recognise the particular harm to their reproductive health).
Right to hold opinions, freedom of information and expression	✓	✓	✓	✓	✓	<p>Everyone has the right to hold opinions without interference.</p> <p>Everyone has the right to seek, receive and impart information and ideas, regardless of frontiers, orally, in writing, in print, in the form of art, or through any other media of their choice.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> Operating in a country where workers are routinely prevented by law from expressing their opinions in the public domain. Censoring online or other content at the demand of the State where those requests are illegal under national law and/or not in line with international human rights standards. Engaging in litigation against individual workers, community members or other stakeholders who have spoken critically about the company where there is an extreme imbalance in the parties' means to fund a legal case.

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right to a safe work environment	✓	✓	✓	✓	✓	<p>Everyone has the right to safe and healthy working conditions.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Failing to address a pattern of accidents highlighting inadequate workplace health and safety. • Operations that pose life-threatening safety risks to workers or neighbouring communities through, for example, exposure to toxic chemicals. • Failure to implement appropriate health and safety standards leads to long-term negative impacts on workers' health.

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right not to be subjected to slavery, servitude, or forced labour	✓	✓	✓	✓	✓	<p>Everyone has the right to free choice of employment and to protection against unemployment.</p> <p>No one shall be subjected to forced labour - including bonded labour or involuntary prison labour</p> <p>Slavery exists when one human effectively owns another.</p> <p>Freedom from servitude covers other forms of severe economic exploitation or degradation, such as in the trafficking of workers or debt bondage.</p> <p>Rights to freedom from slavery and servitude are absolute rights.</p> <p>Forced or compulsory labour is defined by the ILO as all work or service that is extracted under menace of any penalty and for which the person has not voluntarily offered themselves.</p> <p>Providing payment does not mean that work is not forced labour if the other aspects of the definition are met.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Businesses may unknowingly benefit through their supply chains from the labour of workers who have been trafficked and are forced to work as slaves, for example, on agricultural plantations. Women and children may be subject to particularly severe impacts in such situations. • A company may be involved in the transportation of people or goods that facilitates the trafficking of individuals. • Forced labour can arise in any sector where an employer puts workers in a position of debt bondage through company loans or the payment of fees to secure a job and/or where the company withholds workers' identity documents. This is a particular risk in the case of migrant workers, a recognized vulnerable group.

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right of protection for the child	✓	✓	✓	✓	✓	<p>Children are recognised as being in need of special protection as required by their status as minors</p> <p>Children and young people have the right to be protected from work harmful to their morals or health, dangerous to life or likely to hamper their normal development.</p> <p>ILO standards prohibit hazardous work for all persons under 18 years. They also prohibit labour for those under 15, with limited exceptions for developing States.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Businesses may unknowingly benefit through their supply chains from the labour of workers who have been trafficked and are forced to work as slaves, for example, on agricultural plantations. Women and children may be subject to particularly severe impacts in such situations. • A company may be involved in the transportation of people or goods that facilitates the trafficking of individuals. • Forced labour can arise in any sector where an employer puts workers in a position of debt bondage through company loans or the payment of fees to secure a job and/or where the company withholds workers' identity documents. This is a particular risk in the case of migrant workers, a recognized vulnerable group.
Rights of minorities	✓	✓	✓	✓	✓	<p>Members of ethnic, religious or linguistic minorities have the right to enjoy their own culture, to practise their religion, and to speak their language.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Failing to make reasonable adjustments for workers who wear a traditional form of headgear where that does not pose a legitimate safety or performance issue. • Using land in a manner that undermines the traditional way of life of a minority group, for example, by preventing them from ceremonial activities.

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right to privacy	✓	✓	✓	✓	✓	<p>No one should be subjected to arbitrary or unlawful interference with their privacy, family, home or correspondence.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Failing to protect the confidentiality of personal data held about employees or contract workers, customers or other individuals. • Requiring pregnancy testing as part of job applications. • Providing information about individuals to State authorities, without that individual's permission, in response to requests that are illegal under national law and/or not in line with international human rights standards. • Selling equipment or technology that can be used to track or monitor individuals' communications and movements to a State with a poor human rights record.
Right to freedom of thought, conscience and religion	✓	✓	✓	✓	✓	<p>Everyone has the right to choose, practice and observe their religion or belief, alone or in public, through preaching, practice, worship or observance.</p> <p>The freedom also protects atheists and the right not to profess any religion or belief.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • A company's policy prevents workers from wearing clothing or other symbols that express their faith, even though these do not interfere with legitimate safety or performance issues. • A company does not allow its workers to seek reasonable time off for their religious holidays.

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right to life, liberty and security of the person	✓	✓	✓	✓	✓	<p>Everyone has the right to life and to have one's life protected.</p> <p>No one should be subject to unlawful arrest, imprisonment or other institutionalisation.</p> <p>Everyone has the right to a fair and public hearing by an independent and impartial tribunal.</p> <p>No one can be guilty of a criminal offence if the act was not a criminal offence at the time it was committed.</p> <p>Security of the person includes protection from physical attacks, threats of such attacks, or other severe forms of harassment, whether or not a person is detained.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Threatening staff with physical punishment or tolerating severe harassment of some employees, for example, of trade union members or members of a minority ethnic group. • A company whose supplier routinely allows sexual abuse of female workers to go unaddressed in their workplace.
Right not to be subjected to torture, cruel, inhuman or degrading treatment or punishment	✓	✓	✓	✓	✓	<p>Everyone deprived of their liberty shall be treated with humanity and with respect for their inherent dignity and not be subjected to medical or scientific experimentation without consent.</p> <p>Torture has been held to involve a very high degree of pain or suffering that is intentionally inflicted for a specific purpose.</p> <p>Cruel and/or inhuman treatment also entails severe suffering.</p> <p>Degrading treatment has been held to involve extreme humiliation of the victim.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Conducting business in countries where State security or police forces protecting company assets do not respect this right. • Failure to foster a workplace that is free from severe forms of harassment that cause serious mental distress. • Manufacture and sale of equipment misused by third parties for torture or cruel treatment or for medical or scientific experimentation without their consent.

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right to freedom of movement	✓	✓	✓	✓	✓	<p>Everyone has the right to freedom of movement and residence within their country.</p> <p>Everyone has the right to leave any country, including their own, and return to their country.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> Relocation of communities because of company operations where that is conducted in an arbitrary or unreasonable manner, without adequate notice, consultation (and, at least in the case of indigenous peoples, consent), or compensation. Employers withholding workers' identification documents.
Right to an adequate standard of living	✓	✓	✓	✓	✓	<p>Everyone has the right to adequate housing, food, water and sanitation.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> Poor-quality housing or dormitories provided to workers. Failing to provide adequate sanitation facilities for workers in a company-owned factory. The expansion of a company's operations significantly reduces the amount of arable land in an area, affecting local community members' access to food. Business activities pollute or threaten existing water resources in a way that significantly interferes with local communities' ability to access clean drinking water. In such situations, there may be particular negative impacts on women and girls, who are responsible for water collection in many communities.
Right to effective remedy and a fair trial					✓	<p>Everyone should have access to the courts and legal process.</p> <p>Everyone accused of a criminal offence is entitled to a fair, public hearing by an independent and impartial tribunal.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> A business tries to corrupt the judicial process by destroying relevant evidence or by seeking to bribe or otherwise influence judges or witnesses to take certain actions or make certain statements.

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right to education					✓	<p>Primary education should be compulsory and available free to everyone.</p> <p>Secondary and higher education should be equally accessible to everyone.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • The presence of child labour in a business or in its supply chain, where those children are unable to attend school. • Limiting access to, or damaging, educational facilities through construction, infrastructure or other projects.
Right to seek asylum from prosecution in other countries					✓	<p>Everyone seeking asylum based on fear of persecution in their home country based on race, religion, nationality, membership of a particular social group, or political opinion, has a right to be protected.</p>
Right to health				✓	✓	<p>Everyone has the right to a standard of living which ensures the health and well-being of them and their family. This includes medical care and necessary social services.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Pollution from business operations can create negative impacts on the health of workers and/or surrounding communities. • The sale of products that are hazardous to the health of end users or customers. • Failure to implement appropriate health and safety standards leads to long-term negative impacts on workers' health.
Rights of detained persons to humane and dignified treatment					✓	<p>Everyone in detention has a right to be treated with humanity and respect a provided with a regime that facilitates the social rehabilitation of detainees.</p> <p>'Humane treatment' includes the provision of a minimum of services to satisfy individual basic needs such as adequate food, clothing, medical care and means of communication.</p> <p>This right requires detention authorities to take special measures for the protection of detainees (such as separating juveniles from other detainees).</p>

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right not to be subjected to imprisonment for inability to fulfil a contract					✓	The activities of companies are unlikely to impact directly on this right, but they may need to respond in cases where employees or other stakeholders are affected.
Rights of aliens to due process when facing expulsion					✓	Foreigners who are legally present in a country will not be expelled from that country without due process in accordance with the law.
Rights to freedom from war propaganda, and freedom from incitement to racial, religious or national hatred	✓					<p>Prohibition of any national, racial or religious hatred that amounts to incitement to discrimination, hostility or violence.</p> <p>Prohibiting war propaganda and the support of national, racial or religious hatred that amounts to incitement to discrimination, hostility or violence.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Companies that provide the platform or technology for individuals to express hatred against a particular religious group and to incite others to take certain action against them.
Right to participate in cultural life, the benefits of scientific progress and protection of authorial interests						<p>Everyone has the right to freely participate in the cultural life of the community, to enjoy the arts and to share in the benefits of scientific progress.</p> <p>Everyone has the right to the protection of their interests resulting from any scientific, literary or artistic production of which they are the author.</p> <p>States should respect the freedom needed for scientific research and creative activity.</p> <p>This protection extends to the rights of indigenous peoples to preserve, protect and develop indigenous and traditional knowledge systems and cultural expressions.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Activities involving resource extraction or new construction (such as laying a pipeline or installing infrastructure networks) could impact this right by separating groups from areas of cultural importance and knowledge, or by damaging their cultural heritage.

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right to social security, including social insurance						<p>Everyone has the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond their control.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Denying workers their contractually agreed employment injury benefits. • Offering a private social security scheme that has discriminatory eligibility criteria.
Right to marry and form a family						<p>Everyone of legal age has the right to marry and form a family without limitation.</p> <p>Marriages should only take place with the free and full consent of both parties.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Company practices hinder the ability of workers to adopt a healthy work–life balance that enables them to adequately support their families (such as requiring workers to live on site in dormitories for extended periods of time without providing adequate periods of leave to enable them to spend time with their families).
Right to self-determination and participate in public life						<p>Everyone has the right to have control over their destiny and to be treated respectfully</p> <p>Everyone has the right to take part in the conduct of public affairs and to freely choose representatives to perform governmental functions on their behalf – including free and fair elections.</p> <p>A particular right of indigenous peoples to self-determination has been specifically recognised by the international community.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Engaging in business activities on land that has traditional significance to the peoples that inhabit an area when the land was acquired by Government without due consultation with the local population • Any activity that might have impacts on indigenous people’s lands, whether through acquisition, construction or operation, may give rise to impacts on their right to self-determination

This document is uncontrolled when printed

RIGHT	Defence	Transport	Citizen Services	Health	Custodial//	NOTES
Right to own property						Everyone has the right to own property on their own or with others. No one should be arbitrarily deprived of their property.
Right to be free from retroactive criminal law						<p>The State is prohibited from imposing criminal penalties for an act that was not illegal when it was committed, or from imposing higher penalties than those that were in force at the time.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Companies may be linked to such an impact, for example, where political dissidents protest about some aspect of a company's operations and the State creates new, punitive measures to prosecute them.
Right to recognition as a person before the law						<p>All individuals are entitled to 'legal personality', or independent legal recognition.</p> <p>Examples of how business might be involved include:</p> <ul style="list-style-type: none"> • Companies may be linked to such an impact, for example, where they benefit from a State-led land acquisition process that pays compensation only to male heads of households because the property of married women is treated as belonging to their husbands under domestic law.

This document is uncontrolled when printed