



Marshall Islands

Creating Better Landscapes



WE SUPPORT

Marshall's Response to...



**Children's Rights
and Business
Principles**

Background on UNGC Engagement:

United Nations Global Compact



As the world's largest global corporate citizenship initiative the United Nations Global Compact (UNGC) was launched in 2000 to harness the power of collective action in the promotion of responsible corporate citizenship. The UNGC is a framework for businesses that are committed to aligning their operations and strategies with the ten universally accepted principles in the areas of human rights, labour, the environment and anti-corruption.

The UNGC is concerned with demonstrating and building the social legitimacy of business and markets. Marshalls plc. became a signatory of the UNGC in January 2009 and a member of the UK Network later the same year.

The Global Compact is a purely voluntary initiative with two objectives: (1) To mainstream the ten principles in business activities around the world; (2) To catalyse action in support of broader UN objectives, such as the Millennium Development Goals.

As part of its commitment Marshalls is required to produce an annual Communication on Progress report which details how Marshalls is aligned with the ten principles and how the plc intends to develop its activities in support of the framework laid out by the UNGC over the forthcoming months. Marshalls work to uphold the UNGC principles, including its work regarding children's rights; can be found in its three COP reports at www.marshalls.co.uk/sustainability/publications.



UNGC Ten Principles

Human Rights

Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights;

Principle 2: Make sure that they are not complicit in human rights abuses.

Labour

Principle 3: Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining;

Principle 4: The elimination of all forms of forced and compulsory labour;

Principle 5: The effective abolition of child labour;

Principle 6: The elimination of discrimination in respect of employment and occupation.

Environment

Principle 7: Businesses should support a precautionary approach to environmental challenges;

Principle 8: Undertake initiatives to promote greater environmental responsibility; and

Principle 9: Encourage the development and diffusion of environmentally friendly technologies.

Anti-Corruption

Principle 10: Businesses should work against all forms of corruption, including extortion and bribery.



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Chris Harrop, Group Marketing Director, responsible for Sustainability and UNGC UK Network Chair.

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Introduction to Children's Rights & Business Principles:

Chris Harrop, Marshalls Group Marketing Director, responsible for sustainability, and UNGC UK Network Chair.

Recognising a need for explicit guidance about what it means to respect and support children's rights, a joint initiative by the UNGC, UNICEF and Save the Children developed a set of 10 principles on Children's Rights and Business Principles ("The Principles").

The Principles set the standards for child-friendly business everywhere and guide companies on a full range of actions to respect and support children's rights in the workplace, marketplace and community. The Principles are proactive, not reactive, and call upon business everywhere to respect and support children's rights.



Chris Harrop, Marshalls Group Marketing Director, responsible for Sustainability, recipient of a BTC Game Changer accolade in 2012 and Chair of the UNGC UK Network.

The Protect, Respect & Remedy Framework

In 2011, the UN Human Rights Council unanimously endorsed the 'Guiding Principles on Business and Human Rights: Implementing the United Nations Protect, Respect & Remedy Framework', proposed by the Special Representative of the UN Secretary-General on Business and Human Rights, Professor John Ruggie. The Guiding Principles outline how states and businesses should implement the UN Framework in order to better manage the human rights challenges to business. They provide a roadmap for companies to demonstrate that they are respecting human rights. The corporate responsibility to respect human rights, including children's rights, does not replace a states' duty to protect human rights; it exists independently of states' abilities and willingness to fulfil their obligations.

In order to meet their responsibilities to respect human rights, the Guiding Principles require business to have in place policies and processes appropriate to their size and circumstances. These include; a policy commitment, a human rights due diligence process to identify, prevent, mitigate and account for how they address their impact on

human rights; and processes to enable the remediation of any adverse impacts they cause or to which they contribute (Guiding Principles 15).

In addition to the Guiding Principles and Marshalls programme of annual Human Rights Impact Assessments in response, the Company also uses critical standards and guidance on corporate responsibility and sustainability including: UNGC principles, Global Reporting Initiative Guidance (GRI), Ethical Trading Initiative (ETI) Base Code.

Underlying these guidance standards for business are key international declarations and agreements that enjoy widespread consensus, such as the Universal Declaration of Human Rights, the International Labour Organisation (ILO) Declaration on Fundamental Principles and Rights at Work, which covers child labour issues, the Rio Declaration on Environment and Development and the United Nations Convention Against Corruption.

Both ISO2600 and the Guiding Principles highlight the need for special attention

to vulnerable groups, including women, people with disabilities, children, indigenous peoples and migrant workers. In relation to a company's impact on children, these guidelines highlight the need to actively address the full range of the company's impacts, rather than limiting its attention to just one issue. This approach is fully consistent with that of the Children's Rights & Business Principles (CRBP) and the Convention on the Rights of the Child (CRC).

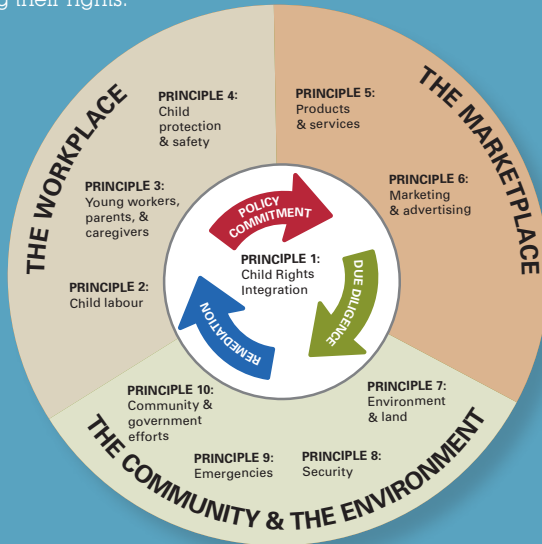
Marshalls has committed to Global Reporting Initiative (GRI) Guidelines which include a number of child-focused indicators, such as report on and steps taken to abolish child labour in operations and supply chain, social impacts on vulnerable groups including children and youth, and reporting on products marketing responsibility, including attempts to influence vulnerable audiences like children.

You can follow Chris Harrop on twitter: marshalls_chris

Children's Rights & Business Principles Framework

The CRBP is rooted in the Convention on the Rights of the Child (CRC), which is the most widely ratified UN human rights treaty. The CRC contains a broad range of rights for all children (defined as persons under the age of 18) and is the first legally binding international instrument to incorporate the full range of human rights – civil and political, economic, and social & cultural rights. More than 10 years in the making, the CRC was adopted by the UN General Assembly in 1989 and has since been ratified in 193 states. The CRC places primary responsibility on states, but it also acknowledges that other actors with a role

in the lives of children – including parents, teachers, institutions and business – are accountable to children for protecting their rights.

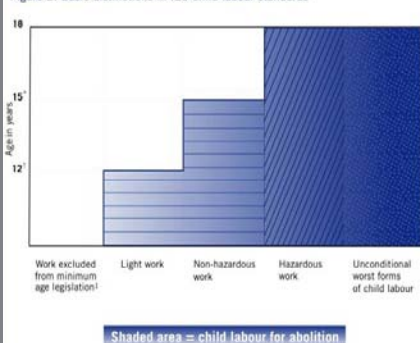


All Business Should >>>

- 1 Meet their responsibility to **respect children's rights** and commit to supporting the human rights of children
- 2 Contribute to the **elimination of child labour**, including in all business activities and business relationships
- 3 Provide decent work for **young workers, parents and caregivers**
- 4 Ensure the **protection and safety of children** in all business activities and facilities
- 5 Ensure that **products and services are safe**, and seek to support children's rights through them
- 6 Use **marketing and advertising** that respect and support children's rights
- 7 Respect and support children's rights in relation to the **environment and to land** acquisition and use
- 8 Respect and support children's rights in **security arrangements**
- 9 Help protect children affected by **emergencies**
- 10 Reinforce **community and government** efforts to protect and fulfil children's rights

Integrating Children's Rights into Core Business Practice

Figure 2. Basic distinctions in ILO child labour standards



¹ The minimum age for admission to employment or work is determined by national legislation and can be set at 14, 15 or 16 years.
² The minimum age at which light work is permissible can be set at 12 or 13 years.
³ For example, household chores, work in family undertakings and work undertaken as part of education.

Marshalls is committed to being a child-friendly business. As such it complies with the law and seeks to respect and support children's rights wherever it operates. It also seeks to create value through its policies and operations, products and services, and initiatives and influences that promote the best interests of children. Marshalls recognised that by incorporating children's rights firmly within its sustainability agenda the organisation can work to achieve long-term positive outcomes for children through its core business activities, strategic social investments and public policy engagement.

The following five steps, as recommended within the CRBP, covering policy commitment, due diligence and remediation, provide a method of incorporating children's rights within Marshalls sustainability agenda:

Marshalls Response

1. Policy Commitment

- Marshalls Children's Rights & Business Principles Universal Marketing & Advertising Policy and Code of Conduct 2013
- Marshalls Children's Rights Policy Statement 2012
- Marshalls Statement on Child Labour Laws in India 2011
- Marshalls Human Rights Policy 2010

2. Assessing Impacts

- Human Rights Impact Assessment Programme; India, China, Vietnam, UK. (2010/11/12/13 on-going)
- Children's Rights & Business Principles Report & Recommendations (2013)

3. Integration & Action

- Acting on CRBP Report Recommendations – work in progress.
- Employee engagement & education programme.
- Supplier education programme.
- UNICEF Partnership: research, systemic change, education.
- WAGGGS Partnership: Fit for Work/Fit for Life (Investing in Adolescent Girls in Kota, India).
- Hadoti: Child Education & Health

4. Tracking Performance & Reporting

- UNGC Communication on Progress Reporting including CRPB updates.
- Project specific impact assessment.

5. Remediation

- No remediation work is currently understood to be required.

Integrating Children's Rights into Core Business Practice



UNICEF CRPB Pilot Process:

As a leader in its field with a proven commitment to protecting the rights of children and working on the ground to implement change, Marshalls was invited by UNICEF to take part in its global pilot programme using and assessing a range of CSR tools developed

by the organisation. This pilot is still work-in progress and offers the opportunity to share knowledge and experience of implementing the CRBP and the challenges overcome by other organisations committed to ensuring that children's' rights are respected and supported.



UNICEF Partnership:

Market-leading Partnership Promoting Responsible Business Practices in the Indian Stone Quarrying Sector.

This partnership aims to strengthen Marshalls' market-leading approach to social responsibility within the Indian supply chain. Together, UNICEF and Marshalls will become strategic partners contributing to eliminating child labour in India's stone quarrying sector, promoting a more responsible business model across the entire industry. The partnership comprises of:

Research Study:

A comprehensive analysis of the sustainability of mining, scrutinise the situation of children working in mines in several regions in India and assess the best practice interventions to prevent and combat child labour;

Systemic Change:

UNICEF will use the study's results to advocate with government, business and other relevant stakeholders to adopt policies and create a regulatory framework to ensure child labour is eliminated within the industry.

Promoting Education:

Marshalls will also support education interventions in Rajasthan, focussing on the key long-term preventive measures and essential components for the rehabilitation of children involved in child labour.

UNICEF will seek to bring together key players, including the Government of India, to ensure the implementation of the study's recommendations produces long-term systemic change for children and their communities.

"I am pleased that we are partnering with Marshalls to tackle the shameful practice of child labour in the quarrying sector in India. This new partnership will enable us to work together for change, so that children in Rajasthan can be helped to leave behind a life of hard and hazardous work and focus on their educational prospects."

David Bull Executive Director of UNICEF UK

UNICEF has been working in India since 1949 and is the largest UN organisation in the country. UNICEF is fully committed to working with the Government of India to ensure that each child born in this vast and complex country gets the best start in life, thrives and develops to his or her full potential. The challenge is enormous but UNICEF is well placed to meet it.

It uses quality research and data to understand issues, implements new and innovative interventions that address the situation of children, and works with partners to bring those innovations to fruition. UNICEF receives no funding from the UN budget and therefore partnerships with the private sector are key to its work.

Worldwide Association of Girl Guides & Girl Scouts: Fit for Work/Fit for Life – Youth Unemployment, Gender Inequality and Poverty

There is a renewed interest in addressing youth unemployment in developing countries as a means to intensify the fight against extreme poverty, achieving the MDGs, and meeting equity and development goals.

In partnership with Marshalls WAGGGS is developing a 'Fit for Work; Fit for Life' training programme which will be delivered by Member Organisations on-the-ground in India.

The programme has the following elements:

- Entrepreneurship skills education
- Income generation activity exposure and micro-finance access
- Financial literacy education
- Employability skills training
- Self-Esteem
- Health and well-being education (including immunization)
- Optional introduction to Girl Guiding (for beneficiaries not already in membership)

The UNICEF report card on adolescents 2012 report states that adolescent girls in India who are married and have children at an early age fail to get education, employment or have an income generating activity and are at risk of poverty, exploitation, violence, and not fulfilling their potential. In addition they have fewer chances to be able to correctly take care of their babies once they are born therefore creating increased rates of child morbidity and mortality.

"Through its support for the Fit for Work – For Life project, Marshalls is empowering adolescent girls and young women to develop their full potential. When young women are empowered and generate income, they share it with others. By supporting adolescents girls Marshalls will not only support the direct beneficiaries of the project but also their communities."

Elisa Chiodi - Head of Strategic Partnerships, World Association of Girl Guides and Girl Scouts

Hadoti Education & Health programme

Working tirelessly to raise consumer and industry awareness of the issue of child labour since 2006 Marshalls, together with its local NGO partner, Hadoti, set about providing practical assistance in the form of free schools for children who would otherwise have no opportunity to get even a basic education. Since funding the first school in 2006, the company fully funds six schools which are open to the children of all quarry workers in the locality regardless of whether their parents work with Marshalls sole supplier in India.

As well as the positive impact on individual, families and the wider community, Marshalls is clear of the benefits of investing in and engaging with the local community. The plc was able to gain competitive advantage and launch 'Marshalls Fairstone' to the market in the autumn of 2009.



by Marshalls

Fairstone is an ethically sourced range of Indian natural sandstone quarried and produced in-line with a clear set of ethical values and commitment that Marshalls strongly believes in. Marshalls

can clearly and confidently say that it actively guards against child labour of any kind, that workers receive living wages and that health & safety practices are firmly in place and regularly monitored.

Mrs Joshi, head of the NGO says, "For parents, these schools address the problem of not having money to pay for education and the dearth of any kind of care facilities for their children while they are at work. Importantly, for the children themselves these schools offer access to education, a right which under India law is lost when families migrate in search of work. With approximately 300 children being educated each year, Marshalls is making a huge contribution to reducing the illiteracy rate of around 85% in the quarry areas in Rajasthan".

Core Convention on the Rights of the Child Principles

Four core principles of the CRC:

- The right to life, survival and development;
- Non-discrimination (all children should enjoy their rights without discrimination of any kind, irrespective of sex, race, language, disability, nationality, ethnic or social origin, etc.);
- The best interests of the individual child should be a primary consideration in all decision and action that affect the child (rather than the convenience or best interest of adults, including business; and
- The right of children to express and have their views heard, as well as to participate in decisions and activities that affect their lives, depending on age and level of maturity.



Spelled out in 54 articles, the CRC comprises a set of minimum and legally binding standards for all children everywhere that apply equally to all children, from the most privileged to the most excluded and poverty stricken, including stateless children and others denied birth registration and access to citizenship. Reaching the most marginalised, invisible and out-of-reach children is one of the CRC's critical tenets. All rights in the CRC have the same value; no right is more important than the other.

The CRC is complemented by two optional protocols – the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the Optional Protocol on the Involvement of Children in Armed Conflict (see further reading).

The CRC is a valuable resource for companies seeking to implement child-friendly practices. The CRC:

- ✓ Is universally supported.
- ✓ Provides a common framework for navigating diverse cultures and legal systems.
- ✓ Fits into the established framework of corporate responsibility to respect all human rights.
- ✓ Offers a vision of a world fit for children that businesses can support

Abbreviations



CR	Children's Rights
CRBP	Children's Rights & Business Principles
CRC	Convention on the Rights of the Child
COP	Communication on Progress
ETI	Ethical Trading Initiative
GRI	Global Reporting Initiative
HRIA	Human Rights Impact Assessments
ILO	International Labour Organisation
UNICEF	United Nations International Children's Education Fund
UNGC	United Nations Global Compact

Appendix:

Marshall's Children's Rights Policy Statement

Marshall's supports children's rights consistent with the UN Convention on the Rights of the Child (CRC). The CRC sets out the basic human rights that children everywhere have; the right to survival; to develop to the fullest; to protection from harmful influences, abuse and exploitation; and to participate fully in family, cultural and social life.

Marshall's acknowledges its corporate responsibility to respect and support children's rights and actively seeks to implement the Children's Rights & Business Principles (CRBP) thereby supporting children's rights in the workplace, market place and community.

As a signatory of the UNGC Marshall's seeks to uphold the ten guiding UNGC principles which act in support of child rights. In conducting its business activities across the globe Marshall's respects children's rights and seeks to uphold, preserve and promote them wherever possible.

Marshall's has a Children's Rights Ambassador on the board that is responsible for ensuring that the company's Children's Rights Policy is implemented across the business.

Marshall's Human Resources Department provides detailed information and guidance through the Company's induction process regarding the avoidance of violence, abuse and exploitation of children. Annual training workshops on child rights and the implementation of CRBP also take place. Additional training and guidance is given to those employees who have greater involvement with or exposure to potential children's rights issues, e.g. procurement personnel, those travelling overseas, etc.

Guidance material for all employees about avoiding violence, abuse and exploitation of children, plus specific guidance regarding children working for company employees, is available on the Company intranet.

The CRC states that children have the right to a voice in matters that concern them and to have their opinions given due weight based on their capacity and level of maturity. To ensure that any consultations with children follow ethical standards and are effective and meaningful for children, and useful for the organisation, Marshall's engages with in-country NGO's and/or community-based organisations to organise safe and respectful consultation with children. The Company also consults with other experts on children such as UNICEF, human rights organisations, national authorities and independent experts.

Marshall's has an established protocol regarding the use of children's images which demands that consent is given by a child parent/guardian.

As a member of the Ethical Trade Initiative (ETI) Marshall's commits to the ETI Base Code which states that interpretation of the child labour clause of the Code should be done bearing in mind ILO conventions. In

addition, the ETI Code states that where national law and the code differ, the correct procedure is to adhere to the standard that offers workers the highest level of protection. Marshalls therefore follows the ETI Code, and ILO standard, and will not permit children under 18 to work in its supply chain.

In addition the Company provides information regarding issues of child labour and human rights guidance for all of its stakeholders, including its suppliers, which is available in the publications section at www.marshalls.co.uk/sustainability.

The Company has a programme of engagement with its suppliers regarding the implementation of UNGC principles and the CRBP. All suppliers have received a copy of this Children's Rights Policy and the Children's Rights & Business Principles.

Where child rights are under threat Marshalls' works to uphold local laws, promote international standards and strives to have international standards upheld by the appropriate governments, institutions and agencies. Marshalls embraces opportunities to promote a

broader understanding of children's rights working within its sphere of influence. Marshalls actively seeks to collaborate with appropriate organisations to promote children's rights in a manner which is consistent with the role of business.

Marshalls Human Rights Policy Statement

Marshalls supports human rights consistent with the Universal Declaration of Human Rights. In conducting its business activities across the globe Marshalls respects these rights and seeks to uphold, preserve and promote them.

Marshalls works to ensure that its presence cultivates fair and sustainable relationships.

Marshalls respects and values the dignity, well-being and rights of employees, their families and the wider community. The Company actively works and collaborates with employees, elected employee representatives, communities, non-governmental and other appropriate stakeholders to uphold and promote these rights.

Where human rights are under threat Marshalls' works to uphold local laws, promote international standards and strives to have international standards upheld by the appropriate governments, institutions and agencies.

Marshalls embraces opportunities to promote a broader understanding of human rights values working within its sphere of influence.

Marshalls actively seeks to collaborate with appropriate organisations to promote respect for human rights in a manner which is consistent with the role of business.

Marshalls Statement Regarding Child Labour Laws in India

Work in the quarrying and manufacturing of Indian sandstone involves heavy stone and the operation of machinery; Marshalls' believes it is not safe or acceptable for children under the age of 18 to undertake this kind of work.

Marshalls actively works to ensure that no children are employed in the production of its Indian sandstone products. Employment checks are carried out on all workers,

living wages are paid and free education provided for the children of quarry workers and the wider community. In addition Marshalls employs a social auditor in India who undertakes regular checks in quarries where Marshalls sources products. The social auditor works to build capacity and to address any issues with quarry owners. Weekly reports are sent to Marshalls head office in the UK.

Marshalls is aware of child labour law in India and understands that the India Government has not ratified either of the two core International Labour Organisation (ILO) conventions concerning child labour, namely Convention 138 on the Minimum Age of Entry into Employment and Convention 182 on the Worst Forms of Child Labour.

Marshalls is also aware that Indian law (the Prohibition & Regulation of Child Labour Act 1986, see <http://indiacode.nic.in/fullact1.asp?tfnm=198661>) currently defines a child as being under 14 years of age. However other countries, including the UK, abide by the definition in the United Nations Convention on the Rights of the Child which defines a child under 18 years of age (<http://www.unicef.org/crc/>). India

did become a signatory of the UN Convention on the Rights of the Child almost a decade ago but as yet has not applied this to its own child labour and employment laws in relation to those under the age of 18.

In Indian law the 1986 act has a list of operations which children under 14 are prohibited from undertaking. These include processes involving exposure to free silica such as that encountered in the slate, pencil, stone grinding, slate stone mining, stone quarries, aggregate industries, and also includes stone breaking and crushing. ILO Convention 182 states that a child under the age of 18 can work, but not in hazardous industries.

As a member of the Ethical Trade Initiative (ETI) Marshalls commits to its Base Code which states that interpretation of the child labour clause of the Code needs to be done bearing in mind the ILO conventions. In addition, the ETI Code states that where national law and the code differ, the correct procedure is to adhere to the standard that offers workers the highest level of protection. Marshalls therefore follows the ETI Code, and ILO standard, and will not permit children under 18 to work in its supply chain.

Annex 1:

The Convention on the Rights of the Child (CRC) is supplemented by two Optional Protocols; one addresses the sale of children, child prostitution and child pornography, and the other the involvement of children in armed conflict.

The Convention and the Optional Protocol

The Convention on the Rights of the Child is the main international instrument for the protection of children's rights, including from all forms of abuse, violence, neglect and exploitation. A number of its provisions address these rights. Article 34 requires States Parties to protect children from "all forms of sexual exploitation and sexual abuse." This includes the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitative use of children in prostitution or other unlawful sexual practices, and the exploitative use of children in porno - graphic performances and materials. Also important is article 39, which requires States to provide recovery and reintegration in an environment that fosters the health, self-respect and dignity of child victims of sexual exploitation. The CRC is the first international treaty to place a comprehensive legal obligation on States Parties to protect children from all forms of sexual exploitation and abuse. This obligation is also an important landmark because it implicitly recognizes that sexual exploitation of children is likely to occur in every country in the world. The first draft of

the CRC contained no express mention of sexual exploitation of children. The earliest draft of the article that evolved into article 35 prohibited "neglect, cruelty and exploitation and traffic."¹ France suggested that reference to sale be added. In 1987, the NGO Ad Hoc Group on the Drafting of the Convention on the Rights of the Child proposed language similar to the present text of articles 34 and 35. Mexico, Senegal.

Venezuela (now the Bolivarian Republic of Venezuela) and the International Labour Organization (ILO) also supported this text and suggested that separate articles were needed.² Article 35 was therefore drafted, and covered the sale, abduction and trafficking of children. The present text was finally adopted in 1989. The Optional Protocol criminalizes specific acts relating to the sale of children, child prostitution and child pornography, including attempt and complicity. It lays down minimum standards for protecting child victims in criminal justice processes and recognizes the right of victims to seek compensation. It encourages strengthening of international cooperation and assistance and the adoption of extra-territorial legislation, but it

does not provide for exemption from the dual criminality principle. There are concerns that the OPSC does not protect children from victimization in criminal processes once they have been recognized as having had their rights violated. Because the OPSC applies to specific forms of sexual exploitation, it is important to bear in mind that article 34 of the CRC gives children the right to protection from all forms of sexual exploitation and abuse and that all exploited children have these rights recognized by the CRC. This includes the right to recovery and reintegration in the light of article 39. The general principles and general measures of implementation of the CRC are important tools in implementing the Convention and its Optional Protocols:

General principles

Article 2: The right to non-discrimination

Article 3: The best interests of the child

Article 6: The right to survival and development

Article 12: The right to express opinions freely in matters affecting him/her and to have those views taken into consideration.

General measures of implementation

The process of law reform calls on States Parties to ensure the compatibility of existing and new legislation and judicial practice with the Convention.

- Independent national institutions for children's rights need to be developed – such as children's ombuds offices, child rights commissioners and focal points within national human rights institutions.

- Comprehensive national agendas or strategies for implementation of the Convention are needed; their relationship to the follow-up process to the 1990 World Summit for Children and the 2002 United Nations General Assembly Special Session on Children is important.

- Child rights-focused permanent institutions and structures within government are required to ensure coordination and pursue implementation.

- Allocation of resources to children "to the maximum extent of their availability" is key in States Parties' efforts to ensure implementation.

- Systematic monitoring of the implementation of the CRC is needed through effective child-related data collection, analysis, evaluation and dissemination.

- Education, training and awareness-raising on children's rights need to be promoted.

- The involvement of civil society, including children, is critical if there is to be progress on implementation.

- International cooperation.

Source: http://www.unicef-irc.org/publications/pdf/optional_protocol_eng.pdf

Marshall's Children's Rights & Business Principles Universal Marketing & Advertising Policy and Code of Conduct

Consistent with its Children's Rights Policy Statement Marshall's supports children's rights in accordance with the United Nations Convention on the Rights of the Child. Marshall's respects the rights of children and actively works to support and promote them. The Company recognises the power of marketing & advertising activity, and in particular visual imagery, to inform and inspire. As its guiding principle in this regard Marshall's observes article 3 of the Convention on the Rights of the Child: In all actions concerning children ... the best interest of the child shall be the primary consideration.

Marshall's is committed to observing, upholding and supporting the rights of children and to a fair and accurate representation of children in all of its communication materials, written or visual. The Company works to promote the positive representation of children with

regards to gender, sexuality, health, ability, etc.

Marshall's actively works to ensure age appropriate representation and to work against the sexualisation of children and young people, discrimination, sexual abuse and exploitation of children.

Marshall's does not target marketing or advertising at children; marketing activities are directed towards adult 'consumers' and 'professionals' in the commercial sector.

Marshall's observes a strict Universal Code of Conduct (1) regarding commercial/ domestic & documentary images which include children; including national & international editorial, ethical & legal standards. In addition, as part of its work to support & uphold children's rights Marshall's does utilise documentary images and in doing so observes guidance produced by UNICEF in

conjunction with MediaWise; The Media and Children's Rights (2), and also that provided by the NSPCC (3).

Marshall's Universal Code of Conduct stipulates that where children are represented permissions are gained, appropriate checks regarding safeguarding are undertaken, age appropriate contexts, content, setting, dress and time are observed and that images of children taken in the public realm are rendered unidentifiable.

Marshall's embraces opportunities to promote a broader understanding of children's rights working within its sphere of influence. It actively seeks to collaborate with appropriate organisations to promote children's rights in a manner which is consistent with the role of business.

Marshall's: Universal Code of Conduct Protecting Children's Rights in Marketing & Advertising Practices.

Scope: Group Wide Code of Conduct

Marshall's does not and will not target its marketing and/or advertising activity at children directly or indirectly. The organisations marketing activities are directed exclusively towards adult 'consumers' or 'professionals' in the commercial sector.

There are three ways in which children may be incorporated in to Marshall's marketing & advertising material:

- a) Children hired as models in staged photography for the purpose of promoting product.
- b) Children photographed at events organised by Marshall's mainly in connection with the organisations corporate social responsibility activity where may use in public relations and other CSR marketing communications, such as reports.
- c) Images of children captured deliberately or incidentally in the photography of Marshall's products in the public realm, i.e. in public spaces.

Each category is governed by guidelines specific to the circumstances of their intended use as well as by this Code of Conduct.

In all instances Marshall's values of; trust, honesty and integrity prevail.

a) Children hired as models in staged photography through third party model agencies for the purpose of promoting product.

Marshall's has found industry standards regarding the employment of child model to be poor. The Company will therefore ensure that its own Code of Conduct is adhered to where child models are employed.

Marshall's will ensure that a voluntary contract or licence agreement is in place between any third

party model agency and the parents or guardian of any child model.

a. The voluntary contract or licence agreement will state that for the agreed booking fee, the client (Marshall's) can utilise the resulting images for press, leaflet, mail, brochures and web usage.

Marshall's stipulate that:

- b. Neither Marshall's' employees nor third party representative shall be alone in the company of a child for any reason whatsoever.
- c. Any photographers hired by Marshall's to take images incorporating children will be subject to a DBS checks in advance of the photo shoot.
- d. Only photographs with clear DBS checks will be engaged.
- e. Child models will be accompanied to the photo shoot by an adult chaperone, usually the parent or guardian, responsible for the wellbeing of the child on that day.
- f. Hours of work are to be specified in advance; typically not before 9am or after 5pm for children aged 5 to 15, and that an age appropriate context principle.
- g. Younger children must be allowed frequent short breaks as appropriate.
- h. Children under the age of 5 can only work one hour on and one hour off, after 9.30am and before 4pm.
- i. If a full day is booked the booking agent is responsible for refreshments throughout the day.
- j. Marshall's insists that any third party Photographic and Model Agencies subscribe to this Code of Conduct prior to engagement.

k. Occasionally the children of Marshalls' customers volunteer to be included in promotional photography undertaken at a customer's home. Parental written permission for the inclusion of the child and Marshalls' licence to use these images is required. The customer will be provided with this Code of Conduct, accompanying Photographic Image Release Form and copies of all photography, with a right of veto.

1. Marshalls will ensure that the age appropriate and positive depiction of children and lifestyle context around its products. The representation of children will be such that there will be no opportunity for others to easily distort or misrepresent the image in an inappropriate or sexual way.

b) Children Photographed at Organised Events

Marshalls is an active participant in the communities which it serves. This frequently involves participation or sponsorship of events which make up part of Marshalls Corporate Social Responsibility activity. Marshalls may utilise images taken in these circumstances in PR, reports and other marketing communications. Guidance from the Child Protection in Sport Unit has been incorporated within this Code of Conduct as follows:

- 1. Photography of such events by Marshalls or its third party will be agreed in advance with the organisers/participants.
- 2. The necessary photography consent forms will have been completed in advance by any child/school/organisation attending - clarifying issues of ownership, retention and access (by event staff and participants/parents) to the images.

3. Marshalls' photographers to have been subject to a prior Disclosure & Barring Service Check.

4. Marshalls' photographers to be suitably identified, badged and made known to the children, parents and organisers.

5. The photographer's access to children is to be supervised at all times.

6. At many events, organisers and others will reasonably wish to take wide angle, more general photos of the event sites, opening and closing ceremonies, and so on. Separate to the issue of consents for „identifying_ photographs/ footage of individual participants, parents and children should at least understand that these types of images will be taken during, or at specific points in, the event e.g. information could be included on the parental consent form. It is not reasonable, practical or proportionate to require parental consents for taking these general types of images, or to preclude it on the basis of the concerns of a small number of parents.

7. A signed Photographic Image Release form should be obtained by Marshalls from Event Organisers, and ensure that parental agreement for the presence of official photographers has been secured in advance by the organizers.

8. A parental veto post event (as an added safeguard) should be integrated in the text of the Image Release Form, and the proposed images made available to interested parties.

9. In addition Marshalls has an online facility allowing anyone who is unhappy with any images post publication to contact the Company and flag up concerns. Marshalls will remove images from use as appropriate.

a) Use of child photography captured deliberately or accidentally in the public realm

Marshalls' commercial products are installed in the public realm and photography is commissioned which capture the interplay between the product and the people who use the public space.

Permissions are always sought from relevant Authorities or Facilities Management where necessary but they rarely can, or wish, to dictate who wanders in front of the camera lens during photography.

It is therefore incumbent upon Marshalls to police the images taken and protect the children if unwitting participants in public photographs.

It is not reasonable, practical or proportionate to require parental consents for taking these general types of images, but there are guidelines that photographers and photo editors for Marshalls should follow in photographing children in public spaces;

- Wherever possible, protect the identity of the child by use of motion blur, soft focus or camera angles so that there is no discernible facial recognition. Likewise position in deep background that render the figure unidentifiable.

- Use of PhotoShop computer software, or similar, to obscure identities by applying similar post camera editing techniques. This would be employed when locations demand immediate reportage photography and consideration of who is crossing the field of vision has to be a secondary consideration.

Definitions

Advertorial: An advertisement that is written and/ or formatted in the form of a news article or an editorial, and published in a printed or online publication with the intention to promote a particular product or service.

Cause Related Marketing: A commercial corporation's marketing programme for a particular product or service that encourages sales of that product or service on the basis of a financial contribution the commercial corporation intends to make a particular charity from the sales revenue of the product or service.

Commercial Use: Any use that is primarily for or directed towards commercial advantage or private monetary compensation.

Documentary Image: An image that depicts a person or other subject, as her/him/itself, in a real situation, as opposed to a fictionalised or commercial situation. The term is most associated with documentation of social or newsworthy subjects intended to be a true depiction of reality.

Editorial: A printed or online article expressing the opinion of the editors or publishers of the printed or online publication in which it is published.

Images: Still photographs or video footage or any combination of these in any medium.

Image Copyright: The exclusive right to print, copy, sell, license, distribute, transform to another medium, or otherwise use (or not use) an image and to give some (or all) of those rights to another.

Commercial Model Release: The written document whereby the person whose image is captured gives legally binding permission for his or her image to be used for commercial purposes.

Point of Sale/Purchase Materials: Marshalls Images: The images to which Marshalls holds the copyright (either exclusively or jointly with the photographer.)

Further Reading & Resources:

- Guidance from the Child Protection in Sport Unit: <https://thecpsu.org.uk/resource-library/2013/guidance-on-photographing-and-videoing-children-in-sport/>
- Marshalls Human Rights Guidance Document: http://www.marshalls.co.uk/sustainability/publications/pdfs/Marshalls_Human%20Rights%20Doc.pdf
- Marshalls Response to Children's Rights & Business Principles: <http://marshalls.co.uk/sustainability/publications>
- Convention on the Rights of the Child: <http://www.unicef.org/crc/>
- UNICEF's Protecting Children's Rights in Corporate Partner Partner Image Use: [http://www.bdew.de/internet.nsf/id/315DD2320480E4FCC1257B3500530A30/\\$file/Policy%20on%20Corporate%20Partner%20Image%20Use_MASTER%20Protected%20EXT%20-%2016%20March%2020....pdf](http://www.bdew.de/internet.nsf/id/315DD2320480E4FCC1257B3500530A30/$file/Policy%20on%20Corporate%20Partner%20Image%20Use_MASTER%20Protected%20EXT%20-%2016%20March%2020....pdf)
- The Department for Education 2013 Working Together to Safeguard Children: <http://www.education.gov.uk/aboutdfe/statutory/g00213160/working-together-to-safeguard-children>
- NSPCC Using Photographs of Children for Publication: http://www.nspcc.org.uk/Inform/research/briefings/Photographing-children_wda96007.html
- The Disclosure & Barring Service: <https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>
- Safenetwork http://www.safenetwork.org.uk/help_and_advice/best_safeguarding_practice/Pages/photographing_children.aspx
- Independent Safeguarding Authority <http://isa.homeoffice.gov.uk/>

Marshalls has endeavoured to ensure that all images contained within this publication adhere to its CRBP Universal Marketing & Advertising Policy and Code of Conduct.



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