

[Poole Harbour Clam and Cockle Fishery]

Certificate Holder Forced and Child Labour Policies, Practices and Measures

Control Union Pesca Ltd.

56 High Street, Lymington, Hampshire,
SO41 9AH, United Kingdom

Tel: 01590 613007 Fax: 01590 671573

Email: infopesca@controlunion.com

Website: www.cupesca.com

1 Introduction

Fisheries and at-sea Certificate Holders (CH) in the Marine Stewardship Council (MSC) program are required to provide a self-description of policies and measures, including regulatory requirements and procedures that are in effect in the Unit of Assessment, to protect fishing crew from forced labour or child labour, as well as any efforts by the private sector. The objective is to require certificate holders to communicate how government, industry, or other relevant entities protect against forced or child labour.

Each fishery and at-sea Chain of Custody client shall provide this information by completing this template. This template should be completed by the client in good faith and be based on information known and available to the client at the time of completion. The information provided should be representative of the range of measures known to the certificate holder.

The completed form will be uploaded to MSC database to be published on the MSC website at the same time as the Public Certification Report.

Guidance for filling in the template is found in the [Appendix](#) of this template. Information is required on all issues addressed in the template and should be provided in English, which is the official language of the MSC.

Please complete all unshaded fields. Please fill in N/A if an issue is not applicable, including a short justification for why it is not applicable.

2 Marine Stewardship Council certificate holder forced and child labour policies, practices and measures

Table 2.1 – Certificate holder information

1	Composition of fishery client group on behalf of who the statement is provided
	<p>The client for the The Poole Clam and Cockle Fishery is the Poole and District Fishermen’s Association (PDFA) supported by the Southern Inshore Fisheries and Conservation Authority (SIFCA) as the fisheries managers for the fishery. The PDFA represents the permit holders within the fishery who are the vessel owners/operators for the Unit of Certification. There are currently 45 permit holders within the fishery.</p> <p>The fishery operates on small (<9m) open vessels which engage in daily fishing trips of between 2 and 8 hours depending on tidal state. The vessels leave and return to their home berth each day. Fishing at night is not permitted. The vessels operate within a single harbour area and the majority of vessels are operated single handed. Those vessels which do have crew have a maximum of 1 crew member at any one time in addition to the skipper.</p>
C	
H	
2	Responsibility for labour regulation
	<p>Regulations on employment and labour for the fishery come from the United Kingdom government. This is enforced at a national level by the Maritime and Coastguard Agency (MCA).</p>
C	
H	
3	Risk identification and mitigation
	<p>The Maritime and Coastguard Agency (MCA) regulate and enforce regulations for labour laws in the fishing industry in England. The MCA have conducted joint patrols with the Southern IFCA as the fisheries managers and have engaged with the fishers in the UoC. These patrols are designed primarily to assess fishing vessel safety however would allow for the MCA to identify any risks associated with labour regulations in the UoC. Should any risks be identified these would be followed up on by the MCA.</p> <p>There is also a government resource for helping individuals to identify instances of forced labour within the fishing industry and contacts on who to provide the information to. Details can be found at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/638771/FACTSHEET_Modern_Slavery_Fishing_v1_WEB.PDF. The Southern IFCA has provided links to this information in the past via their website as well as the information being available on the .gov website for the UK.</p>
C	
H	
4	Crew recruitment
	<p>Crew is recruited into the UoC via word of mouth between fishers. The majority of crew working in the fishery are comprised of local people, usually friends or family of skippers.</p> <p>There are no migrant workers in the UoC. Currently, all fishers and crew in the UoC are resident of the UK.</p>

C H	
5	Engagement with fish worker groups
	Fishers operating within the Unit of Assessment (UoA) are represented by the Poole and District Fishermen’s Association (PDFA) who are the client for the fishery. The Fishermen’s Mission, a charity to provide support to the fishing community also have representatives in the area of the fishery who are available to be contacted should fishers require support.
C H	
6	Crew contracts
	<p>Where crew are employed on vessels in the UoC there are commonly simple work agreements between the skipper of the vessel and crew. These agreements outline the details of the skipper and the crew and the terms of the employment. For this fishery, the common practice is for crew to work as share fishermen receiving a percentage of the value of the catch for the vessel (minus expenses such as fuel, berthing etc which are taken out before either the skipper or crew gets their share) on a weekly or monthly basis. Details of any insurance policies are outlined as well as any required notice period. Commonly in this fishery there is no notice period for either the skipper or the crew.</p> <p>A number of the fishers in the UoC are certified under the Seafish Responsible Fishing Scheme. Part of this certification includes a work agreement between skipper and crew, where applicable. These work agreements have been approved by an auditor during the audit for each of the fishers who are certified.</p> <p>All persons employed in the fishery are resident of the UK and are native English speakers, all contracts are written in English.</p>
C H	
7	Audits and labour inspections
	None.
C H	
8	National minimum age requirements
	<p>Minimum age requirements are set out in Maritime and Coastguard Agency MSC notice 1882 (F) as 16 years of age (exception for persons 15 years or older if carrying out light work during school holidays and purpose of employment is to facilitate work experience and shadowing).</p> <p>The majority of fishing vessels are single handed fishers and do not employ crew. For those limited vessels who employ crew, there are no persons under the age of 16.</p> <p>These regulations are enforced by the Maritime and Coastguard Agency.</p>
C H	
9	Repatriation

	N/A. No fishers not resident in the UK are employed by the fishery.
C H	
1 0	Debt bondage
	<p>The majority of fishing vessels operating in the fishery are single handed and do not employ crew. Where crew are employed they provide their own PPE. Other costs associated with running the vessel are deducted from the value of the catch before the skipper or crew receive their share so there are no debts awarded to the crew from maintenance costs. Fishing trips are for a few hours duration during a single day on open boats under 9m so there are no costs associated with the provision of food or accommodation in this fishery. Fishers bring their own food for each fishing trip and return to their own homes each day. All of these practices mean that crew do not accrue debt in the fishery.</p> <p>All those operating in the UoC are resident of the UK so there are no repatriation costs associated with the fishery.</p>
C H	
1 1	Grievance and remedy mechanisms
	Grievances from crew which cannot be handled by their employer can be reported to the Maritime and Coastguard Agency (MCA). For this fishery, the nearest office is located in Southampton, Hampshire. Contact details for the MCA are +44 (0) 203 817 2505 or infoline@mcga.gov.uk .
C H	
1 2	Identification documents
	Many of the vessels operate single handed and do not employ crew. Where crew are employed in the fishery, the crew will keep their own documents. All persons employed in the fishery are resident to the United Kingdom.
C H	
1 3	Additional comments
	No.
C H	
1 4	Date this template was last updated
	08/08/19
C H	

3 Appendix – Guidance on filling in the Certificate Holder Forced and Child Labour Policies, Practices and Measures Template

3.1 Composition of the fishery client group on behalf of who the statement is provided

If a fishery is in full assessment and the cost-sharing participants and arrangements are not yet determined, provide as much detail as possible regarding the expected cost-sharing entities that will comprise the client group, should the fishery achieve certification, and the relationship between such client group representatives and the vessel owners and operators in the Unit of Certification (UoC).

3.2 Responsibility for labour regulation

Provide information on laws and regulation and the authorities that have responsibility for labour regulations in the area in which the fishery operates, including flag state authorities where this is applicable. Describe how these are enforced.

3.3 Risk identification, mitigation and remediation

The information required in this section includes information known by the certificate holder on processes and practices that are applicable in the UoC to identify, assess, prevent and mitigate forced and child labour risks. The information may include government policy or measures, or where applicable, measures being implemented by the certificate holder.

3.4 Crew recruitment

The information required here includes information on the methods used to recruit crew in the UoC, any widespread use of migrant labour, the countries that crew come from and information on recruitment agencies used where this information is available and known to the certificate holder. It may also include information known of visa programs used to bring in workers to the UoC and on payment of recruitment fees.

3.5 Engagement with fish worker groups

In some countries, there may be engagement with fish worker groups or other types of organisations that work to address risks of forced labour. Where this occurs provide information on such engagement. This may include information on any organizations in the port area which support crew members socially, e.g. seafarers' ministry, fishers' association, local committees.

3.6 Crew contracts

Contracts are legal work agreements with labour duties and payments clearly spelled out. Describe the nature of crew contracts in the UoC, specifically features related to forced and child labour, whether the contracts are written in languages understood by crew and how provisions in the contract are enforced.

3.7 Audits and labour inspections

Describe any government labour inspections or social audits and certifications of working conditions within the UoC in the past 2 years. Where the information is available provide a link to the criteria against which the audit took place.

3.8 National minimum age requirements

For this section describe national minimum age requirements and provide a description of regulatory and private sector systems in place to confirm that minimum age restrictions are met. Include information on any exceptions to statutory minimum age requirements which are used by the UoC and information on policy for hiring young workers in compliance with national legislation. This should also include description of any policy or practices for monitoring including hours of work and rest for young workers. This may include information on any other programs which are monitoring labour in your UoC fishing area.

3.9 Repatriation

This section requires a description of how departure of crew members across the UoC is handled. This may include information about government, and/or where known, any applicable company policy on end of crew members' contracts; involuntary termination; leave (including family visits and medical treatment); freedom of movement during the work term and departure terms within crew member contracts.

3.10 Debt bondage

Deductions for costs of work from pay can cause debt bondage and put crew at risk of forced labour. Examples of such work costs include costs of getting to work, placement/broker fee, medical costs, safety gear, food at the workplace, remittance fees and repatriation costs.

Describe systems in place to avoid debt bondage. If there is evidence of systemic practices to impose costs on workers, what measures are in place to avoid debt bondage.

3.11 Grievance and remedy mechanisms

Provide a description of systems known to be in place that allow crew to share information, access assistance and report labour violations and how the systems work to address such reports and provide remediation.

3.12 Identification documents

Describe provisions across the UoC for crew to access their official identification (passports, visas, seafarers book). Where the law in a jurisdiction requires the vessel owner or captain to hold the crew members' official identification, describe the protocol, including government regulations in place to ensure that crew members can access their personal documents and have freedom of movement.