

Modern Slavery Guidelines

Approved by:	José Vidal Bellinetti Jr.	Version	2.0
Responsible official:	Descartes de Souza Teixeira	Effective date	11/02/2020

Revision history

Version:	Effective Date:	Approved by	Summary of changes
2.0	11/02/2020	José Vidal Bellinetti Jr.	NA



1. PURPOSE	3
2. APPLICABILITY	3
3. DEFINITIONS	3
4. GUIDELINES	5
4.1. Scope and Guiding Principles	5
4.2. Duty to comply	6
4.3. Identifying and Reporting	6
4.4. Recruitment	7
4.5. Business Partner Engagement	8
4.6. Risk Evaluation.....	8
4.7. Incident Management.....	9
4.8. Awareness Training	9
4.9. Periodic review	10

1. PURPOSE

These Guidelines elaborate on the Institute's Code of Conduct to provide further information and interpretation for the implementation of the Policy with regards to the prevention of all forms of Modern Slavery and Human Trafficking in the delivery of projects by the Institute and the business operations and supply chains of the Institute.

2. APPLICABILITY

These Guidelines are applicable globally to all Institute operations and all Representatives of the Institute. They also apply to any project where the Institute has responsibility for the functions of the Representative.

3. DEFINITIONS

“Business Partner” means any contractor, subcontractor, grantee, sub-grantee, awardee, sub-awardee, law firm, vendor, supplier, landlord, or other individual or organization providing goods or services to the Institute.

“Child Labour” means work that is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by: depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

“Debt Bondage or Bonded Labour” means the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably

assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined.

“Descent-based Slavery” means the status or condition arising from a person being born into slavery because an ancestor was captured and enslaved; they remain in slavery by descent.

“Due Diligence” means the verifications, precautions, and background research required in order to identify and prevent foreseeable risks.

‘Employee’ means any person who has a part-time, full-time, intermittent, continuous, or fixed-term employment relationship with the Institute.

“Forced and early Marriage” means when someone is married against their will and cannot leave the marriage. Most child marriages can be considered slavery.

“Forced Labour” means any work or services which people are forced to do against their will under the threat of some form of punishment.

“Guidelines” means the written elaborations on Institute policy that provide further information and interpretation for the implementation of policy.

“Human Trafficking” means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, Forced Labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

“Institute” refers to INSTITUTO DE TECNOLOGIA DE SOFTWARE E SERVIÇOS ITS.

“Modern Slavery” is an overarching term encompassing all forms of contemporary slavery including Human Trafficking, slavery, servitude, Descent-based Slavery, Forced Labour, Debt Bondage or Bonded Labour, Forced and

early Marriage and Child Labour. 1926 Slavery Convention defines slavery as ‘the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised’.

“Representative” means an Employee or any person or entity who has an independent individual contractual relationship with the Institute, whether as a contractor, consultant, or agent of the Institute. This includes non-executive directors of the board.

“Standard Operating Procedures” or “SOPs” are the detailed written descriptions of business processes that aim to ensure consistency and quality in process execution.

4. GUIDELINES

4.1. Scope and Guiding Principles

These Guidelines expand upon the Institute Code of Conduct which outlines the ethical standards and acceptable behavior that are applicable to all Institute operations and all Representatives of the Institute. Breaching the Institute Code of Conduct is considered a serious offence and carries with it disciplinary action, including immediate termination. Further, if criminal activity is suspected, the Institute will report to the relevant authorities as applicable.

The Institute is committed to the principle that all humans have the right to be free from violence, abuse, and exploitation of any kind. Further, the Institute embraces and respects the cultural and social diversity of the countries in which we work and places great importance on operating with honesty and integrity. As such, the Institute does not tolerate, condone or accept human rights abuses within its business operations. Regardless of the jurisdiction in which the Institute is registered or doing business, any human rights abuses, including any form of Modern Slavery, is prohibited. Representatives and Business Partners are

required to prohibit transactions with, and the provision of resources and support to, individuals and organizations associated with these abuses.

4.2. Duty to comply

It is the responsibility of each Representative of the Institute to comply fully with these Guidelines. Failure to comply may be subject to disciplinary action including contract termination, contract non-renewal or other appropriate action.

4.3. Identifying and Reporting

All Representatives are obliged to report any prior conduct related to being investigated, charged with, convicted or otherwise implicated in criminal, corrupt, unethical, or unlawful conduct, whether the Representative has ever been investigated for, charged with, convicted or otherwise implicated in criminal, corrupt, unethical, or unlawful conduct, or whether the Representative has ever been issued with a sanction or committed a violation of law or regulation. This obligation is subject to the terms of the Rehabilitation of Offenders Act 1974 (as amended), where applicable.

All Representatives are obliged to report any evidence, allegations or suspicions of any conduct that might constitute Modern Slavery or Human Trafficking or might be in breach of the Institute Code of Conduct. Details of how to report are set out below.

Vulnerability to Modern Slavery is affected by factors related to the presence or absence of protection and respect for rights, physical safety and security, access to the necessities of life such as food, water and health care, and patterns of migration, displacement and conflict.¹ These factors can impede the ability to identify confidently victims of Modern Slavery.

¹ Global Slavery Index, <https://www.globallslaveryindex.org/findings/>

Slavery is often hidden and can be difficult to identify, but there are signs which, if appearing together and taken in broader context, might mean that someone is in slavery.²

- The individual appears to be in the control of someone else and reluctant to interact with others
- The individual does not have personal identification on them
- The individual appears to have few personal belongings, wear the same clothes every day or wear unsuitable clothes for work
- The individual is not be able to move around freely
- The individual is reluctant to talk to strangers or the authorities
- The individual appears frightened, withdrawn, or show signs of physical or psychological abuse
- The individual is dropped off and collected for work always in the same way, especially at unusual times, i.e. very early or late at night.

Representatives must not try to intervene on their own as it might make the situation of that person worse.

4.4. Recruitment

The Institute has robust recruitment practices (including due diligence requirements) that minimize the risk of engaging Representatives who have been implicated in Modern Slavery and Human Trafficking or who may pose a risk to those vulnerable to Modern Slavery. All interviewees are required to provide proof of identity such as a passport or current driving license. All interviewees are provided with a copy of the Institute Code of Conduct and its contents and principles are explained. All employees are required to sign a written acknowledgment confirming that they have been made aware of, read,

² Anti-Slavery International, FAQs, <https://www.antislavery.org/slavery-today/frequently-asked-questions/>

understood and will abide by and act in accordance with the Institute Code of Conduct.

4.5. Business Partner Engagement

All Business Partners are required to comply with the Institute Code of Conduct and these Guidelines or are required to have in place (and enforce) policies and procedures that are the equivalent of the Institute Code of Conduct and these Guidelines. The Institute reserves the right in its contracts with Business Partners to audit compliance with these requirements.

4.6. Risk Evaluation

Representatives are obliged to assess, review and manage risks to the projects the Institute manages, and ensure knowledge of and adherence to relevant client requirements. In this context, project risks relating to Modern Slavery must be assessed, reviewed and managed as part of the risk management process and throughout the project lifecycle. Where projects identify risk, monitoring and control systems are to be implemented.

It is important to understand that trafficking is not one single act but is the result of a number of interrelated acts. Factors which present a high risk of Modern Slavery include:

- 4.6.1. The breakdown of Rule of Law;
- 4.6.2. Conflict;
- 4.6.3. Widespread poverty and displaced population;
- 4.6.4. Marginalized communities; and
- 4.6.5. The presence of children and young adults who lack family support and protection, e.g. separated children and children in institutional care.



The Global Slavery Index is one resource that ranks 167 countries based on the proportion of the population that is estimated to be in modern slavery and the US Department of State's annual Trafficking in Persons Report ranks countries according to government efforts to combat human trafficking.

4.7. Incident Management

Incident management process is outlined in the Institute's Investigation SOPs and include the need to immediately report any suspected or alleged instances of Modern Slavery, Human Trafficking or Code of Conduct non-compliance using the Institute Whistle-blower Hotline:

Email: boaspraticas@its.org.br Telephone: [+55 11 932261876](tel:+5511932261876)

A Representative may also report to the Representative's Manager.

All reports are to be made as soon as reasonably practicable and the matter will be dealt with pursuant to the Institute's Code of Conduct and associated SOPs.

The Institute will take all such reports seriously and will follow applicable Institute policies, procedures and SOPs as well as Project-specific operational procedures. All parties will be treated fairly and malicious or deliberately false allegations will be subject to disciplinary action, including termination. Based on the allegation, where appropriate, the reports may be forwarded to relevant local law enforcement authorities, as available.

In addition to the Institute Whistle-blower Hotline, where there are suspicions or allegations of improper conduct of any kind, a report can be made to the "Disque Denuncia, phone number 181.

4.8. Awareness Training

Employees of the Institute are required to undergo annual training on the Institute Code of Conduct. Employees and Representatives working on projects assessed to be at high risk for Modern Slavery undergo further annual training designed specifically for the project in question.

4.9. Periodic review

These Guidelines will be reviewed every two years, or more frequently if required.