

# MODERN SLAVERY ACT POLICY AND POLICY STATEMENT

## Modern Slavery Act Policy Statement

Modern slavery is a crime and a violation of fundamental human rights. It takes various forms, such as actual slavery, enforced servitude, forced and compulsory labour and human trafficking, all of which have in common the deprivation of a person's liberty by another in order to exploit them for personal or commercial gain.

Tate is a large organisation for the purposes of section 54 of the MSA 2015 and welcomes the opportunity to state very clearly its policy regarding modern slavery and human trafficking.

Tate unreservedly condemns modern slavery and human trafficking wherever in the world it occurs. Tate has a zero-tolerance approach to modern slavery and we are committed to acting ethically and with integrity in all our business dealings and relationships and to implementing and enforcing effective systems and controls to ensure modern slavery is not taking place anywhere in our own business or in any of our supply chains.

We are also committed to ensuring there is transparency in our own business and in our approach to tackling modern slavery throughout our supply chains, consistent with our disclosure obligations under the MSA 2015.

We expect the same high standards from all of our contractors, suppliers and other business partners, and as part of our contracting processes, we include specific prohibitions against the use of forced, compulsory or trafficked labour, or anyone held in slavery or servitude, whether adults or children, and we expect that our suppliers will hold their own suppliers to the same high standards.

Tate's MSA 2015 policy applies to all Tate Gallery and Tate Enterprises Limited ('Tate') persons working for us, with us or on our behalf in any capacity, including Trustees, Company Directors, the Executive Team and employees at all levels, as well as casual and agency workers, seconded workers, volunteers, interns, agents, artists, contractors, suppliers, external consultants, third-party representatives and business partners.

This policy does not form part of any employee's contract of employment and Tate may amend it at any time.

*Adopted by the Board of Trustees on 16 November 2016 (reviewed 20 March 2019).*

## Modern Slavery Act Policy

### 1. Introduction

*(The policy will include the published policy statement set out in Appendix 1. For brevity, it is not repeated here).*

### 2. Procedures

- 2.1 The following persons must ensure that they read, understand and comply with this policy:
- Trustees;
  - Directors of Tate Enterprises Limited;
  - The Executive Team and employees at all levels;
  - Casual and agency workers;
  - Seconded workers;
  - Volunteers;
  - Interns;
  - Artists;
  - Contractors and suppliers, including agents, external consultants, third-party representatives and business partners.
- 2.2 The prevention, detection and reporting of modern slavery in any part of Tate's business or supply chains is the responsibility of all those working for us or under our control. You are required to avoid any activity that might lead to, or suggest, a breach of this policy.
- 2.3 You must notify your line manager as soon as possible if you believe or suspect that a conflict with this policy has occurred, or may occur in the future.
- 2.4 You are encouraged to raise concerns about any issue or suspicion of modern slavery in any parts of our business or supply chains of any supplier tier at the earliest possible stage.
- 2.5 If you believe or suspect a breach of this policy has occurred or that it may occur you must notify your line manager or report it in accordance with Tate's Whistleblowing Policy as soon as possible.
- 2.6 If you are unsure about whether a particular act, the treatment of workers more generally, or their working conditions within any tier of our supply chains constitutes any of the various forms of modern slavery, raise it with your line manager or the Head of Legal.
- 2.7 Tate aims to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken. Tate is committed to ensuring no one suffers any detrimental treatment as a result of reporting in good faith their suspicion that modern slavery of whatever form is or may be taking place in any part of our own business or in any of our supply chains. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you are a member of staff and you believe that you have suffered any such treatment, you can use Tate's Grievance Policy to address your concerns. Contractors, suppliers and other third parties should use their own internal policies and procedures to address concerns and can also use Tate's Whistleblowing Policy to bring it to our attention.

### **3. Communication and awareness of this policy**

- 3.1 Training on this policy, and on the risk Tate faces from modern slavery in its supply chains, will form part of the induction process for all individuals who work for us, and regular training will be provided as necessary.
- 3.2 Tate's zero-tolerance approach to modern slavery must be communicated to all suppliers, contractors and business partners at the outset of any business relationship with them. Obligations in relation to compliance with (and breach of) the Modern Slavery Act 2015 must be set out in every contract that Tate enters into with a contractor, supplier, artist and other third party and must be enforced as appropriate thereafter.

### **4. Breaches of this policy**

- 4.1 Any employee who breaches this policy will face disciplinary action, which could result in dismissal for misconduct or gross misconduct.
- 4.2 We may terminate our relationship with other individuals and organisations working on our behalf if they breach this policy.

### **5. Evaluation**

All Directors/ Heads of Department are responsible for the evaluation of business relationships managed by their team and for ensuring that contractors, suppliers and third parties are advised of this policy and that the business relationship continues to operate in accordance with the policy.

### **6. Communication with Third Parties**

To mitigate the risk of Tate incurring liability, all third parties (i.e. non-employees) must be advised of the existence of and operate at all times in accordance with this policy.

### **7. Contract Documentation**

- 7.1 Every contract between Tate and a supplier of goods or services which has followed Tate's own procurement process should contain the following clause, or something similar:

*[•].1 In performing its obligations under the agreement, the Supplier shall:*

*[•].1.1 comply with all applicable anti-slavery and human trafficking laws, statutes, regulations and codes from time to time in force including but not limited to the Modern Slavery Act 2015;*

*[•].1.2 have and maintain throughout the term of this agreement its own policies and procedures to ensure its compliance;*

*[•].1.3 not engage in any activity, practice or conduct that would constitute an offence under sections 1, 2 or 4, of the Modern Slavery Act 2015 if such activity, practice or conduct were carried out in the UK;*

*[•].1.4 include in its contracts with its subcontractors and suppliers anti-slavery and human trafficking provisions that are at least as onerous as those set out in this clause [•].*

- 7.2 Contracts with other persons who are involved in a supply of some description, such as artists providing commissioned work, should contain a provision requiring them to abide by all applicable laws, as follows:

*"In performing its obligations under this Agreement, each party shall comply with all applicable laws, statutes, regulations and codes from time to time in force*

*including without limitation the Data Protection Act 1998, the Bribery Act 2010 and the Modern Slavery Act 2015”.*

- 7.3 When negotiating and agreeing contracts, Tate staff are encouraged to use Tate’s own precedent documents, which will contain the above clauses as relevant. Where it is appropriate for business reasons to agree to contract on the other party’s own terms, then the legal team must always be consulted and asked to review any proposed terms.

## **8. Responsibility for the policy**

- 8.1 Under MSA 2015, the Board of Trustees has overall responsibility for ensuring this policy complies with Tate’s legal and ethical obligations, and that all those listed under paragraph 2.6 above comply with it.
- 8.2 Tate’s Ethics Committee will review any issues as they arise concerning modern slavery and/ or human trafficking which may be identified within Tate’s supply chain and will make recommendations to the Board of Trustees/ Executive Group as appropriate.
- 8.3 The Board of Trustees has delegated primary and day-to-day responsibility for implementing this policy, monitoring its use and effectiveness, dealing with any queries about it, and auditing internal control systems and procedures to ensure they are effective in countering modern slavery, to the Accounting Officer.
- 8.4 Executive Group and Management at all levels are responsible for ensuring those reporting to them understand and comply with the policy and are given adequate and regular training on it and the issue of modern slavery in supply chains.
- 8.4 Responsibility for developing and delivering such training will be shared between the Legal, HR and Finance teams.