



TOOLBOX

SOCIALLY RESPONSIBLE WORKWEAR

A guide for
public purchasers

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FOREWORD



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Dear reader,

You are currently reading a guide for a sustainable procurement policy for local authorities in Flanders. Fairtrade is a certificate for the entire production process, not just for raw materials. Do you, as a city or municipal government, make sure that the clothing you buy has been made in fair working conditions? This guide will show you the way.

This is not simple. The production chain of raw materials and clothing production is far from transparent. We want to change this, five years after the disaster in Rana Plaza in Bangladesh. The Association of Flemish Cities and Municipalities (VVSG) sought and found a partner in the City of Ghent to help unravel the jumble of the complex procurement process.

You, as a public purchaser, hold a powerful tool: purchasing power. You can help make a difference. This is the ambition of this guide. This publication does not only show the path we prefer. It also offers you less far-reaching alternatives. The most important thing is that you, as a local government, raise the bar slightly higher for your clothing purchases and, why not, your general purchasing policy.

Of course, this takes place in dialogue with all committed market parties who strive for a fairer production process: suppliers, purchasers and consumers. Collaboration is key. This is why we add a fourth P to the People, Planet and Prosperity of sustainability: Partnership. This allows us to combine several Sustainable Development Goals (SDGs) in one fell swoop: decent work and economic growth (SDG 8), responsible consumption and production (SDG 12), and partnership (SDG 17).

This toolbox is not the end of a process, but the first step. It is thanks to the EU funded Platforma project that this Flemish case study can be upscaled and inspire other European local governments in their sustainable public procurement procedures. The real work begins today. We hope that this guide will be an anchor and a source of inspiration in your search for a sustainable purchasing policy.

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PURCHASING POWER AS A LEVERAGE FOR SOCIAL CHAINS

Local governments hold a powerful leverage for making complex clothing chains sustainable: their purchasing power.

Governments have a leading role, also when it concerns sustainable procurement. But it's not easy to gain certain guarantees about the social aspects of the chain. This guide shows how you, as a public purchaser, can improve the situation of the workers and help respect international and national laws on working conditions, human rights and living wages, in consultation with your suppliers.

Chains are complex, opaque networks. This makes it difficult to assess all the risks. As a purchaser, you want to buy socially responsible products, but where do you begin?

Chains are complex networks

A production chain is a complex network with many links. Each chain bears part of the responsibility and has an impact on the sustainability of the end product. The chain of a piece of clothing has many steps: from the design, the production of fibres, yarn, fabric and clothing to the delivery to the customer. The final supplier is often not the producer and is not always aware of his own suppliers. This lack of transparency makes the challenge even greater.

Gaining clear insight into the steps and risks of the chain is a first, essential step to gain a positive impact on the life quality of the workers. This demands collaboration with the direct suppliers and their vendors. But how do you begin, as a public purchaser? And what are your main goals?

Purchasing power as leverage

Nobody can truly guarantee nowadays that all workers in the chain are treated humanely. Let alone that their minimum labour rights are respected or that they receive living wages. But customers with purchasing power, such as institutional buyers, can exert their influence.

Sustainable purchasing is about maximising the positive social, environmental and economic impact through the entire life cycle of products. There has lately been some (media) attention to the risks associated with the long supply chain. This is not surprising, after the long series of international scandals and catastrophes in the construction, electronics and textiles sectors. The Rana Plaza disaster in the heart of the textile



Rana Plaza Bangladesh

It's about much more than simply setting sustainable demands for a product. A minimum ecological footprint has now become an obvious feature of goods and services. But the incorporation of social considerations, such as respect for working conditions and human rights, is still in its infancy.

industry in Bangladesh is a symbol for everything that can go wrong and the high price that workers have to pay.

How can public purchasers avoid this in the future? The answer is much more complicated than the question. Sophisticated legal clauses are only part of the solution. Dialogue and cooperation with all parties seems to be the only possible way forward. After all, all players in the chain are responsible and the impact depends on the decisions and goodwill of each party. All remedies must take this complexity into account. Collaboration between all parties is essential, just like engagement of all suppliers in a process of continuous improvement for the workers in global chains.

The 'promoting socially responsible workwear' project

The government can push the market in the right direction by buying large volumes of sustainable products and services. VVSG encourages



The Association of Flemish Cities and Municipalities (VVSG) and the City of Ghent took the lead and launched the pilot project 'socially responsible workwear'. Large institutional buyers such as governments, hospitals and intermunicipal associations buy substantial amounts of workwear each year. This is a purchasing segment where infringements of social laws are no exception. VVSG and the City of Ghent first identified the suppliers who are already working in a socially responsible manner. After all, they know the pitfalls and the threshold and know what prevents their peers from taking that step as well. They talked with purchasers to find solutions that have a real impact on the chain. This toolbox is the end result of that project and is part of a European project of Platforma.

Flemish institutional buyers to opt for sustainably produced workwear through the integration of an innovative clause in specifications.

This project took shape after the launch of new European legislation on public procurement. Even though the translation of this law into Belgian legislation was still going on during the project, the spirit of the law was applied in full during this toolbox. After all, the new law on public procurement offers the opportunity to also study the production method of products (and services). Moreover, the new law more explicitly states that suppliers and vendors must observe international and national legislation on labour rights, human rights and living wages.

This toolbox allows governments to use their purchasing power in the textile sector as a lever for transparency and sustainability in the chain. New legislation, the wishes of buyers, and the reality of the market contributed to the development of this guide.



SOCIALLY RESPONSIBLE WORKWEAR - WHAT IS IT?

This chapter tells you more about the scope and ambitions of the socially responsible workwear project. You will be given a brief overview of what buyers are already doing to encourage social chains and how the market is dealing with this.

The product group: workwear and linen



WORKWEAR
for employees of
technical teams,
landscapers, cleaning
services, catering



UNIFORMS
for formal service
employees, police



**BASIC
CLOTHING**
wools T-shirts,
sweaters, etc.



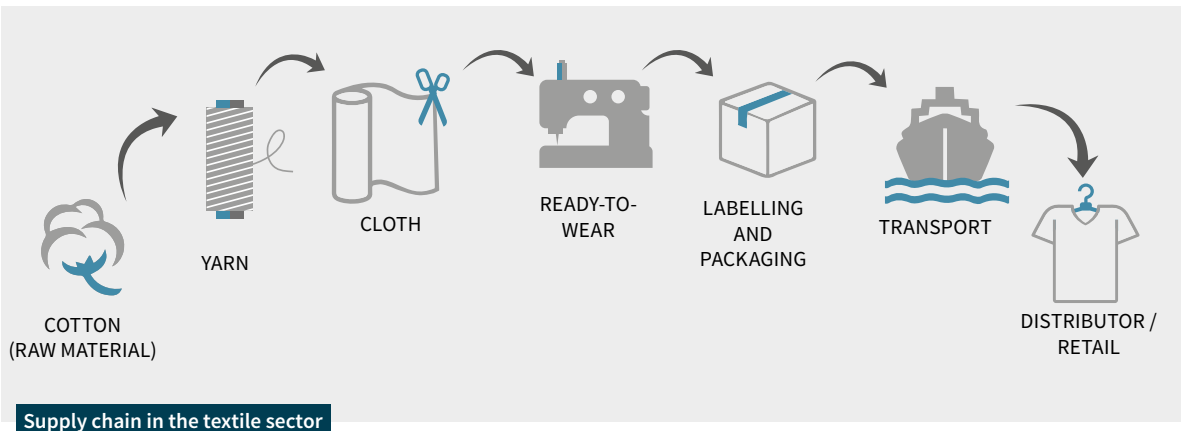
LINEN
towels

The ambition: social sustainability in the workwear chain

Sustainable procurement seeks answers to four important questions. What raw materials are needed for the product? Who produced the item? Where was it made? And what guarantees are there on child labour or forced labour?

To encourage social sustainability in the chain, purchasers must look beyond the direct supplier (first tier) and the vendor (second tier). They must have insight into all links.

The textile sector is a highly international and labour-intensive industry. The first phase of the chain often takes place in countries where the risk of violation of labour and human rights is significant. Just think of the extraction of raw materials. To gain an overview of the entire risk, you should map out the entire process. You can impose this requirement on your supplier as a condition for the award of a contract or as a required engagement after being awarded a contract.



Even though each production process is different, we will make an attempt to provide a representative idea of a supply chain in the textile sector. We do this using the main steps in the production of a cotton T-shirt.

How large is the scope of the chain?

How far you go back in the chain depends on the (internal) objectives and priorities of your organisation and the social vulnerability of each phase in the chain. Asking about social sustainability only makes sense in those phases of the process with significant social risks.

In theory, each phase of the chain can be studied, but is that relevant and desirable? The City of Ghent decided to **focus only on the production phase** (ready-to-wear, assembly etc.) when creating the toolbox. After all, the pilot project is primarily a learning process for purchasers and suppliers and serves as leverage and example for the public sector. The city can still decide to study a next link in the chain at a later point.

You can always use this toolbox for another phase of the chain.

What are the principles of socially responsible chains?

A supplier who is actively committed to transparency and continuous improvement of working conditions must submit some evidence. He must demonstrate that he respects the principles of corporate social responsibility (CSR) and socially responsible chain management.

‘Socially responsible chain management’ means that the supplier at least respects the international conventions of the ILO (International Labour Organisation) and national employment conditions and human rights during the production phase of the chain (from raw material to end product) and that he pays living wages to the workers.

There is no point in having your Belgian supplier sign a code of conduct for their site in Antwerp. The monitoring of the implementation of social legislation is strict enough.



ETHICAL AND
CORPORATE SOCIAL
RESPONSIBILITY

1 **Ethical and corporate social responsibility**

Corporate Social Responsibility or CSR concerns the responsibility of companies with regard to their environmental, social and economic impact on society. This social chains toolbox wants to provide insight into this impact. The basic principles of CSR are also endorsed in the code of conduct.



SOCIAL AND LABOUR
LEGISLATION

2 **Respect for international and national social and labour legislation (including ILO and modern slavery)**

The ILO has made international agreements on the social protection of employees and their working conditions. These basic conventions provide the international frame of reference for guaranteeing social responsibility. This concerns the right to freedom of association, collective bargaining, and the ban on discrimination and child labour.



HUMAN
RIGHTS

3 **Respect for human rights**

In this toolbox, we refer to the respect of the Universal Declaration of Human Rights (10 December 1948) with focus on the economical, social and cultural rights of humans.

We demand suppliers to respect international human rights within the limits of their own sphere of influence and to prevent their involvement in violations of these human rights based on the principle of due diligence.




LIVING WAGES

4 **Guaranteeing living wages**

The concept of living wage is difficult to define from a legal perspective. We refer to the definition of #cleanclothingcampaign and describe living wages as follows: wages and benefits for a normal working week that meet at least the legal or sector-specific minimum wage which must always be sufficient to meet the basic needs of employees and their families and provide some freely disposable income.

We take green procurement for granted at this point. But whether this is also socially sustainable is another matter. The production method is hardly ever a criterion in a public contract. Why?

- Public procurement legislation is interpreted too narrowly
- There is insufficient knowledge among suppliers and purchasers on social risks in the production chain
- There are too few inspiring examples and instruments
- The focus is too much on the product itself
- There is little support among purchasers, they feel like it is not part of their duties

A photograph of a clothing store interior. Three black metal clothing racks are visible, each filled with various garments on wooden hangers. The racks are positioned against a plain, light-colored wall. A bright light source from the right creates a strong diagonal shadow across the wall and the racks. A quote is displayed on the wall above the racks.

Being naked is the #1 most sustainable option. We're #2.

INSIGHTS GAINED FROM THE PROJECT

The VVSG, learning network and the City of Ghent joined forces to work on a fairer and more transparent workwear production chain. How? By gradually gaining insight into the complex structure of the international production and distribution process. What instruments do we have today for buying socially responsible workwear? Can supply meet the demands? And are producers today still at the beginning of a long learning process?

A structural approach was needed to find answers to these questions. We chose for the following three successive phases.



PHASE 1

Looking for *best practices* in Flanders



PHASE 2

How sustainable is the market?



PHASE 3

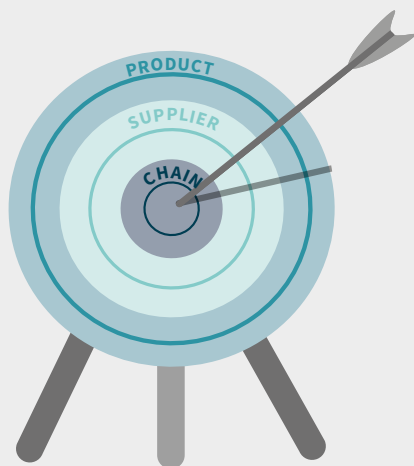
The development of the toolbox

Phase 1 – Looking for *best practices* in Flanders

What institutional purchasers in Flanders set a good example? This question seemed to be a good start to get the project going. What organisations are already purchasing sustainable workwear in Flanders and how do they do this? Major and small institutional buyers showed how they incorporate sustainability in their specifications for sustainable workwear. Three dimensions emerged:

1. Making the product more sustainable

The focus is on the product itself. What fibres are used? Is the cotton organic or fair trade? Does it contain harmful substances? Are the fibres reusable at the end of their lifespan? This is the most common form of sustainable procurement. There is a great deal of information about this set out in the criteria documents.



Working on sustainability at different levels.
The chain is the hardest to reach.

More sustainable **PRODUCT**

- The most common form of sustainable procurement
- Concerns technical properties of workwear such as the fibre

Sustainability direct **SUPPLIER**

- Often the last link in the production chain
- Often not the producer of workwear but only the designer or distributor

Risks in the **CHAIN** of the suppliers

- Not only reviewing the product or direct supplier
- Reviewing how workwear is made and under what conditions

An oath is mainly symbolical. It hardly has any impact on the actual business operations of the supplier and vendors in terms of social sustainability.

2. Encouraging sustainable entrepreneurship among suppliers

The purchaser studies the supplier of the workwear in this phase. Is the supplier socially responsible? What efforts does he make in the field of environmental management? Can he submit an ISO 14001 or EMAS as proof? Has he ever been convicted of breaches of social and environmental legislation? Is he open to CO₂-efficient transport? Even though some purchasers of major organisations make demands on compliance with environmental legislation, it is by no means standard practice. Even if these requirements are included in the selection criteria of specifications, it is very difficult to monitor compliance with social and environmental legislation. After all, the study focuses only on possible existing convictions at the time the quotation was submitted that concern the direct supplier. The other suppliers in the chain usually stay under the radar.

3. Managing risks throughout the supply chain

Major institutional purchasers have been taking some steps in the right direction in this respect for some years. Some good examples are:

- a clause in the quotation in which the direct suppliers and other vendors must sign an **oath** in which they commit to respect **the 8 basic ILO conventions**. These are essential labour rights such as the prohibition of child labour, slavery and forced labour, the right of association etc.
- the **demand for transparency of the chain** by adding a complete overview of the chain to the quotation.
- the **survey of the Work and Social Economy department of the Flemish Government**, drawn up specifically for socially responsible chain management in risk sectors like workwear, IT and construction materials. Purchasers incorporate the list in their specifica-



tions, suppliers complete it at the start of a contract, and a jury of experts of the Flemish Government checks it. If an infringement in the chain is found after a thorough analysis of the answers and evidence, the government can carry out an audit at the location of the infringement. This approach goes much further than the oath. This is a pilot project that will be evaluated in the course of 2018.

Phase 2 - How sustainable is the market?

Public purchasers bought more than 8.6 billion in workwear in 2015 (figures by Planoo¹). This workwear was usually designed in the EU but produced outside the EU, especially in Maghreb countries and Asia. The purchasing power of public authorities is enormous, as is their impact on promoting sustainable and social practices in the clothing sector.

The textile and clothing sector has a bad reputation in terms of compliance with social legislation. The extraction of raw materials and the manufacturing of textiles mainly take place in non-EU countries where there is little or no monitoring of national and international social legislation. The clothing chain is often an impenetrable tangle of suppliers and vendors, which makes it difficult to gain insight into the overall process. The aforementioned signed oath is a good start, but it is often insufficient to really know if everything takes place according to the ILO conventions. There is great economic pressure to outsource the production to low-wage countries outside the EU or to countries like Portugal, Romania and Bulgaria. The shift of clothing factories from Europe to countries with low labour costs continues. This involves risks, even in European Member States with low labour costs and minimum

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1 <https://www.pianoo.nl/sites/default/files/documents/documents/ecapworkwearreport-maart2017.pdf>

Fairtrade cotton, GOTS and bluesign are examples of labels that guarantee that cotton has been produced in a socially responsible manner. Sadly, the range of workwear with these labels is almost negligible in the standard range of major suppliers. According to them, there is not enough demand for this type of sustainable workwear. The government can undoubtedly use its purchasing power in this regard.

protection of the rights of workers. Once production moves away, there is less control over the producer, both in terms of working conditions and environmental protection (e.g. the dyeing and processing of fabrics).

The VVSG and the City of Ghent organised a market study with the following questions:

- What does the range of sustainable suppliers look like today?
- Who are the pioneers in sustainable workwear?
- What sustainable workwear is readily available on the market? Do suppliers of today have insight into their chain?
- Can suppliers offer transparency in terms of social sustainability?
- Are there labels available that guarantee the use of social criteria? What systems and tools exist to promote sustainability in the chain?

The method

The researchers surveyed the available sustainable workwear, sound sustainable chain management practices, and bottlenecks that affect the move towards sustainable supply using online questionnaires, in-depth interview and market dialogues.

The conclusion

The workwear available on the market is extremely diverse and there are major differences in terms of sustainability. However, some general conclusions can be drawn:

1. Full transparency throughout the **chain** does not exist. The chains are too complex for this and the suppliers are often unable to provide guarantees whether the social conditions have been met throughout the chain. However, they want to commit to more transparency, preferably in cooperation with the government.
2. Currently, there is no **label** that guarantees socially responsible textiles. This makes it difficult for purchasers looking for socially responsible workwear. A fair trade textile label is being developed, but currently does not yet exist.
3. Suppliers criticise the complexity of **public procurement specifications**. The products are often described in too much detail, which limits the potential range of innovative and sustainable products. Some requirements are difficult to fulfil, such as very short delivery times or the rapid delivery of custom samples of special fabrics.

The market parties are clearly still at the start of a very long process. Respect for international legislation on labour law and the promotion of decent working conditions and fair wages is a vague concept. However, there seems to be a turning point on the horizon. Suppliers prioritise social themes because they notice that the (public) customer values these considerations. Public contracts are certainly a catalyst for social chains!

THE SEVEN MAIN CONCLUSIONS OF THE MARKET STUDY ARE:

1. 'Sustainable chain management' and 'social considerations in the chain' are relatively new in the sector.
2. 'Corporate Social Responsibility' is a vague concept. The focus is usually on the environmental aspect rather than the social aspect.
3. Transparency throughout the entire chain is a major challenge for the market.
4. Purchasers have a contractual relationship with their direct supplier, but not with the producer.
5. The multitude of labels and certificates creates confusion. The best known labels are Oekotex and GOTS. The existing verification systems are also insufficiently known.
6. The perception that sustainable clothing is more expensive is true for organic and fair trade textiles.
7. Tailor-made clothing offers the best guarantee of sustainability and production primarily takes place in Europe or the Maghreb.

Phase 3 - The development of the toolbox

Public purchasers ideally demand sustainably labelled workwear (fair trade cotton or GOTS certified cotton) in their specifications with transparent chains and explicit, objective and verifiable guarantees in the field of social risks. However, this is still a utopia today.

These ideal specifications with requirements concerning labels and management systems would simply lead to no or too few quotations. The market is currently not yet ready for far-reaching demands on social sustainability and a pass/fail method is not the right approach. Government purchases can rather serve as a leverage for engaging suppliers to gradually work on continuous improvements to the chain.

How do we convince the market to take part in a positive story of gradual improvement? The answer can be found in this guide: the socially responsible chain management toolbox. The lessons from the market study and the maturity of today's market formed the starting point. This instrument does not only want to reward the pioneers, but also aims to let the market evolve towards more social sustainability in the chain. A gradual approach is recommended in this context. The challenge? Creating engagement which will lead to a real impact and continuous improvement in the field of working conditions, human rights and living wages throughout the entire implementation of the contract, not just at the time the contract is rewarded. The toolbox is explained in detail in Chapter VI: 'the socially responsible chain management toolbox'.

The toolbox is the result of an analysis of the experiences gained from actual cases and instruments, a learning process with Flemish and federal institutional purchasers, and a thorough market study into the practices of suppliers in the field of social sustainability in the chain.



CHANCES FOR SOCIAL CHAINS IN THE NEW LEGISLATION ON PUBLIC CONTRACTS

The new legislation on public contracts offers interesting opportunities for impact throughout the chain. Sound knowledge of the laws is a crucial success factor. Because legislation demands a clear link with the subject matter of the contract, it is not easy to impose sustainability requirements that go beyond the technical characteristics of the product. Requirements concerning the business operations of the supplier and vendors in the chain must be well-substantiated.

The major legal questions

Institutional purchasers struggle with legislation on public procurement aimed at incorporating social sustainability into the specifications and the implementation of the contract. Major questions may be:

- How can we ask the supplier and its vendors about transparency concerning their business operations?
- When is evidence legally sufficient?
- In what phase of the public contract should we include the criteria (selection, award, technical criteria or implementation conditions)?
- How can we incorporate this into specifications without compromising the objective assessment and comparability of the quotations?
- How can we obtain guarantees that the social conditions throughout the chain are adequate?
- How can we demand transparency further along the chain if we only have a legal relationship with the direct supplier? What does the law say about this?

New European legislation on public procurement took effect in 2014. The European Member States were given some time to convert these guidelines into their own national legislation. The new legislation on public procurement only took effect in Belgium on 30 June 2017.

This new legislation will undoubtedly offer new opportunities for sustainable procurement. At the same time, purchasers face the challenge of interpreting the new laws and creating the first real cases that make

full use of the potential. This makes sound knowledge of the legislation a critical success factor for socially responsible procurement. The project appointed two public procurement experts to this end who provided advice on how to make maximum use of the opportunities offered by the new legislation.

6 major opportunities for a sustainable procurement policy and chain management

The lawyers identified six opportunities for sustainable procurement:

The legislation offers many possibilities. At the same time, there is still a lot of room for interpretation. All decisions that encourage socially responsible chains at suppliers and their vendors must be based on the legal basis of 'proportionality'. The efforts (wishes/requirements) that are imposed must, in other words, always be weighed against the subject matter, the scope and duration of the contract.

- 1 Compliance with environmental, social and labour law (Art. 7 of the PP Act):** any person who acts as a subcontractor at any phase and each person who employs staff for the implementation of the contract is held to observe (European, national and international) environmental, social and labour laws. The basic ILO conventions are explicitly listed as an annex. This offers opportunities for sustainable chain management as governments can address their suppliers and subcontractors with respect to compliance with the basic ILO conventions and ethically-responsible production if they employ staff in the context of a public contract. This was implicitly possible in the past, but is now explicitly listed as a principle. Additionally, Art. 7 now includes a specific ground for exclusion which determines that the contracting authority may exclude a company if it can demonstrate that this company has violated its obligations under Art. 7 (art. 69(1) PP Act).
- 2 Labels (Art. 54/PP Act):** the use and possibilities offered by labels have been expanded. Past legislation regulated little or nothing in this field, which resulted in legal uncertainty. In the new legislation, the contracting authority may require a specific label as proof if it wishes to purchase products, deliveries or services with specific environmental, social or other characteristics. A label may be used in the technical specifications, award criteria or implementation conditions. The labels must meet certain conditions in terms of objectivity, accessibility, third-party verification and the like (e.g. type 1 labels such as an eco-label). The question arises as to whether there are CSR labels that meet the requirements of Art. 54 of the Public Procurement Act and the principles governing it.

3 Technical specifications (Art. 53(1) PP Act): the new legal framework links the characteristics to the subject matter of the contract, but also to the specific process or method of production or implementation of the requested products, deliveries or services or to a specific process from another life cycle phase. CSR aspects may be included in the technical specifications of the contract, such as recycling, renewable materials, waste streams and the like. The fact that the legislator provides minimum requirements for the technical criteria is an important evolution in the legislation. Depending on the subject matter of the contract, minimum CSR requirements may be imposed during the various phases of the life cycle. This offers a lot of opportunities: purchasers can demand proof from suppliers or encourage them to take action in the field of CSR based on this provision.

4. Award criteria (Art. 81 PP Act): social and environmental aspects can be assessed based on award criteria if they are sufficiently linked to the subject matter of the contract. The new law interprets this broadly. This concerns both the specific production process, offering, selling or any other phase of the life cycle of the products, deliveries or services. Just like the technical criteria, this offers many opportunities for asking questions (code of conduct, questionnaire), for demanding proof, or to have action carried out in the field of CSR.

5. The most economically advantageous quotation - EMVO (Art. 81(2) PP Act). The new legislation offers 3 ways to reach the 'most economically advantageous quotation': the classic 'price' approach, the cost approach which also considers the cost-efficiency (TCO/LCC), and the best price-quality ratio, determined based on the price or the costs and other criteria such as qualitative, environmental and/or social aspects that relate to the subject matter of the contract.

6. Life cycle costs (TCO/LCC) (Art. 82 PP Act) relate to the costs during the life cycle of a product, service or delivery to the extent these are borne by the contracting authority or users (acquisition, use, maintenance costs, end of lifespan and the like), plus the costs attributed to external environmental effects related to the product, the service or the deliveries during the life cycle (provided that this can be verified). However, it seems difficult to include the CSR aspects in a method concerning life cycle costs as these aspects are difficult to measure and value.



VERIFICATION SYSTEM FOR SOCIAL CHAINS

How can we achieve greater transparency in the way workwear is being made in the complex networks of global chains? And what evidence or verification materials can you, as a public purchaser, rely on in the field of socially responsible chains?

Sustainable chain management demands hard evidence of compliance with the requirements of the legislator or customer. Purchasers can impossibly look for guarantees throughout the various stages of the chain themselves. Labels, certificates, management systems or monitoring systems offer a solution. Some instruments have now found their way to the market, others are used only by pioneers in the sector. What supports these different instruments? And what instruments offer real proof?

What is the goal of the verification systems?

- Offering guarantees that the basic conventions are respected and that all workers in the chain receive living wages.
- Making companies and suppliers aware of the risks in the chain and encouraging them to be transparent and make improvements in the field of social sustainability.
- Causing structural changes in the chain through continuous improvement of the knowledge of the chain, identification of the risks in the chain, plans to remedy these risks or, in the event of non-compliance, monitoring the progress using monitoring and management systems that promote social sustainability in the chain.

What types of instruments are there?

The world of verification systems is as complex as the chains themselves. This raises the following questions:

- What dimension of sustainability does this instrument cover (social, environmental, economic)?
- What is the purpose of the instrument (product, business operations of the supplier, business operations of vendors)?
- How reliable is this instrument? Has this instrument been verified by a third party?
- How widespread is this instrument?

We will give you an overview of the best known and reliable instruments with a weak or strong link with the social sustainability of chains. We make a distinction between labels/certificates, management systems, monitoring systems and audits.



GOTS is an international and independent label for textile from organic cultivation. The label indicates that the products originate from organic cultivation and that no harmful or carcinogenic substances have been used during production. It also includes binding social criteria on the basic conventions of the ILO.

i www.global-standard.org



Fairtrade is primarily a social label that focuses on fair trade practices and improving the working and living conditions of small farmers in the South. However, the label also includes environmental requirements.

i www.fairtrade.net



Besides fair prices for raw materials, the Fairtrade textile label also focuses on improving the working conditions in the chain and paying fair, living wages to production workers.

i www.fairtrade.net



This is a recent Fairtrade programme as part of which the purchased fair trade cotton is certified not at the product level, but at the level of the chain. Producers buy fair trade cotton in bulk as a percentage of their global procurement of fibres.

i www.fairtrade.net



Sustainable Textile Production (STeP) by OEKO-TEX® is a certification system for brands, distributors and producers. The focus of STeP is on the environmental impact of production processes, but working conditions are also considered.

i www.oeko-tex.com



Certificates and labels

These certificates are linked to the product but also consider the social (and environmental) impact of the production in the chain.



Management systems for social sustainability in the chain

A management system for social sustainability in the chain focuses on monitoring and improving performances in the field of social risks in the chain of the organisation with a focus on the production location. It guarantees you, as a purchaser, that the risks have been identified (transparency) and that the organisation strives for continuous improvements in the field of social risks in the chain.

The most well-known management systems in the textile and clothing chain on the European market are the Fair Wear Foundation, SA 8000 and BSCI. Sadly, these systems are not yet widespread throughout the market. However, we can see a rising trend thanks to significant media coverage of this theme and the incorporation of clauses in public procurement contracts.



The Fair Wear Foundation (FWF) is a multi-stakeholder initiative (companies, trade unions, NGOs etc.) committed to good working conditions in the clothing industry. The FWF code of conduct is based on the basic conventions of the ILO and on paying living wages to textile workers. FWF has monitoring and verification methods to verify whether the code of conduct is being respected.

i www.fairwear.org



BSCI (Business Social Compliance Initiative) is a business-driven management system aimed at improving the working conditions across the globe. BSCI is based on international standards such as the basic ILO convention and focuses on safe working conditions, no child and forced labour, and the right to set up trade unions.

i www.bsci-intl.org



SA 8000 (Social Accountability) is a social management system aimed at improving working conditions within the company and its production chain. The system is based on the standards of the ILO and the Universal Declaration of Human Rights.

i www.sa-intl.org/



Risk reports and audit systems

There are internationally recognised systems for identifying the social (and environmental) risks in the chain with a focus on the production site. The best known systems are:

- **Audits:** these are evaluations of the legal, social and environmental risks at the production site (usually). Audits are very common in chain management. They indicate the strengths and concerns in terms of respect for national and international legislation and the risks related to sustainability performances. Audits can only be carried out per site and are time and cost intensive.
- **Risk reports:** these are reports that present the environmental and social risks in an accessible manner based on international standards such as ISO 26000 or the Global Reporting Initiative.

The best known systems on the European market are SEDEX and ECOVADIS.



A communication platform where global suppliers can share audits with distributors, producers, brand owners and customers with information about the transparency in their chain. SEDEX has developed the 'SMETA' audit procedure to guarantee the quality of its audits. All audits on the SEDEX portal must follow the SMETA procedure.

i www.sedexglobal.com



The Ecovadis method is based on the ISO 26000 standard for CSR. Companies receive a customised questionnaire (per sector, region, company size) in which their policy, actions and results are checked based on the most important sustainability parameters. The Ecovadis scorecards are available on an online platform and can be shared within the same organisation or group.

i www.ecovadis.com





THE SOCIALLY RESPONSIBLE CHAIN MANAGEMENT TOOLBOX

The development of this instrument is a compromise between the wishes of the purchaser and the current market opportunities. It is an ambitious plan which aims to take purchasers along a path of continuous improvement of social sustainability in their chain, taking into account existing initiatives, systems and resources that can be deployed as evidence or verification at various moments of the purchasing process.

The toolbox is a **process of growth** for supplier engagement: it concerns the gradual creation of a relationship with the supplier in order to achieve (shared) objectives. This requires a completely different mindset. No more imposing 'hard requirements' on suppliers. We invest in a process of continuous improvement and in collaboration with the supplier to achieve our objectives in the field of social sustainability in the chain.

The main questions during the development of the toolbox were:

1. How can we achieve transparency in the chain in a reliable and comparable manner?
2. How can we incorporate social transparency into a purchasing process?
3. What guarantees can we request when awarding a contract?
4. How can we fully encourage the contractor to strive for continuous improvement of social sustainability in the chain?

The main principles of the toolbox are:

- **Each tenderer has the same access to the contract:** everyone can register, regardless of how much effort has already been made in the field of socially responsible chain management.
- **Each tenderer undertakes to engage in a process of continuous improvement in the field of socially responsible chain management.** Registration is synonymous with the commitment to deliver the products of the contract in a socially responsible manner. This applies to the entire scope of the chain.

THE TOOLBOX IS BASED ON DUE DILIGENCE

Due diligence means that companies are expected to identify the risks of their activities and, above all, provide insight into how they handle these risks. In other words: this is the process used by companies to identify, prevent and address risks. In the context of this toolbox, the tenderer and the supplier commit to taking responsibility for these risks, partly through transparency and partly by taking action to improve social sustainability in the chain.

Toolbox social chains

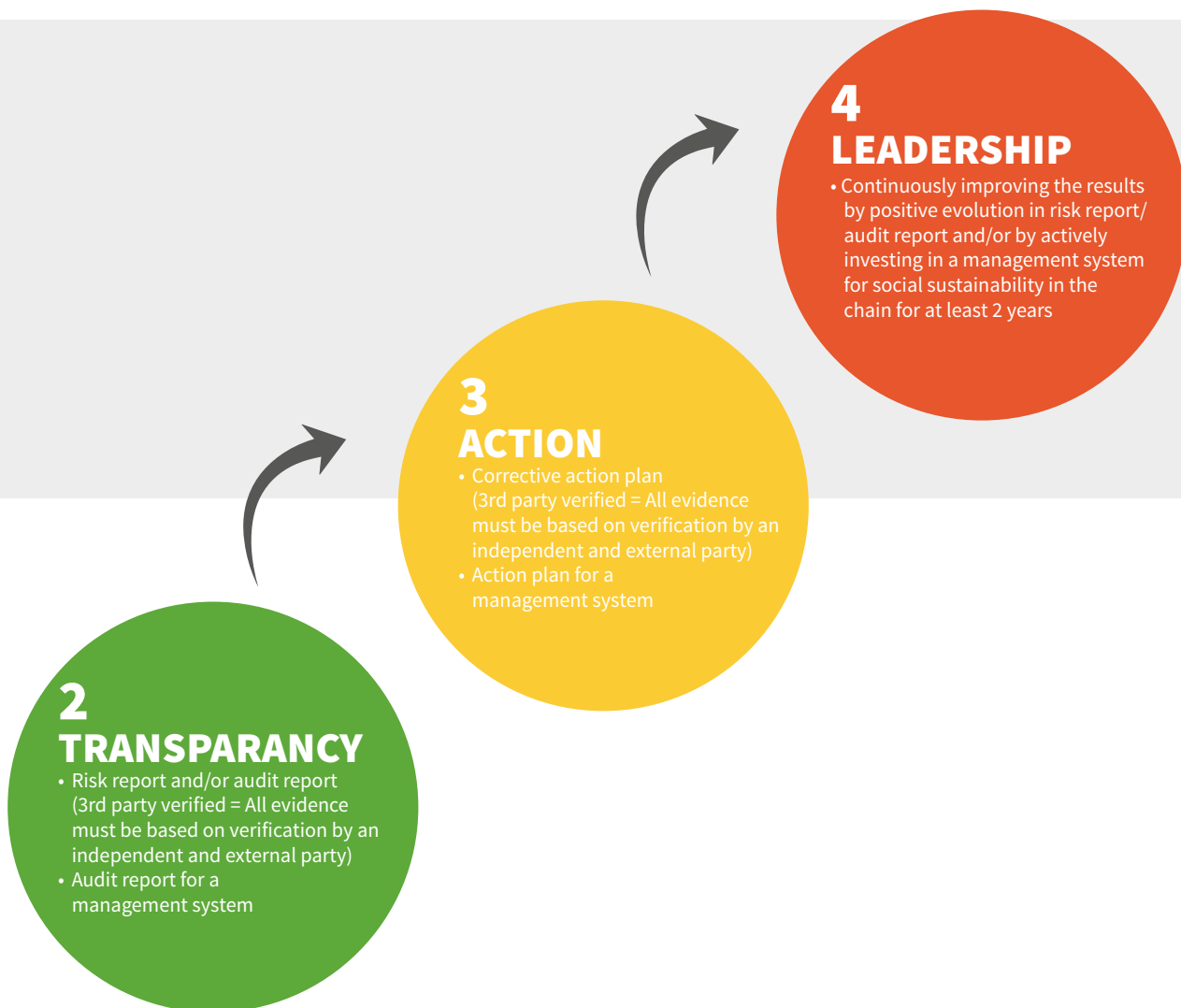
Gradually towards more social sustainability in the chain

- Cooperation with the supplier is paramount
- The supplier will get opportunities to invest in transparency
- The supplier is encouraged to join internationally certified systems with external verification

- **We focus on structural changes to the chain: the clause will only take effect once the contract has started.** Major efforts such as providing transparency, initiating corrective action plans, and continuous improvement in the field of social sustainability will only be requested from the contractor who has been awarded the contract. A tenderer does not have to invest in expensive verification systems to be awarded the contract at the time of registration. This is a deliberate choice: we want to include suppliers in our long-term process and want to achieve structural changes in their chain.
- **Use of existing verification systems with third-party verification:** we will only use existing systems that focus fully on monitoring the risks in the chain. They can also support suppliers and vendors in the development and implementation of corrective action plans. We assume that systems that are verified by an independent third party can offer the highest level of assurance.
- **The main focus is on the implementation of the contract:** because we want to focus on structural changes to the chains, our main focus is on the implementation of the contract. We can collaborate with the supplier and vendors on continuous improvements to the social risks in the chain.

1 ENGAGEMENT

- CSR code of conduct
- Code of conduct on social sustainability in the chain
- Social sustainability in the chain survey



The toolbox as a process of growth

The contractor (and subcontractors involved in the development of the products purchased by the purchaser) undertakes for the entire duration of the contract to:

1. **respect and actively apply** the general 'CSR' and 'socially responsible chain management' principles as set out in this code of conduct
2. **annually report on the social risks in the chain** based on an externally verified risk report (Ecovadis or equivalent)
3. **take corrective action** with respect for the principles of 'CSR' and 'socially responsible chain management'
4. **structurally improve the social risks** in the chain by implementing social management systems.

1

ENGAGEMENT

- CSR code of conduct
- Code of conduct on social sustainability in the chain
- Social sustainability in the chain survey

WHAT DO WE WANT TO ACHIEVE?

Tenderers commit to creating transparency within their chain and to working on continuous improvement in the field of labour rights, human rights and living wages. This means that they accept a legal obligation to comply with the principles in the code of conduct.

HOW?

This engagement consists of:

1 Signing a code of conduct

The principles of the code of conduct are based on international standards of the International Labour Organisation (ILO) and are in line with the main international standards such as ISO 26000, GRI, ETI, FLA, Fair Wear Foundation, BSCI, SA 8000 and similar.

The commitment within this code of conduct relates to

- respecting the general principles of ethical and corporate social responsibility
- respecting the minimum international labour standards and human rights
- paying living wages
- continuously improving the social conditions in the chains of the purchased products.

2 Truthfully completing a questionnaire on socially responsible chain management

The questionnaire determines the current state of affairs of the candidate (and his subcontractors) in terms of identification, improvements and monitoring of social considerations in the production phase. The answers to this questionnaire are not considered when awarding the contract but serve as a foundation for the dialogue that will take place with the party carrying out the contract.

PROOF?

Each tenderer signs a code conduct in which he commits to join a process aimed at respecting and improving social sustainability in the chain. He will also add a correctly completed questionnaire to the quotation.

OPTIONS

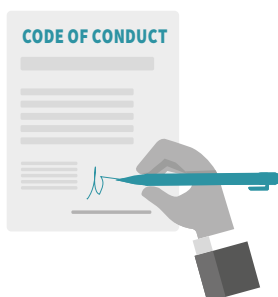
General principles CSR

GOAL?

We want to use this code of conduct to make the supplier commit to respecting the general principles of Corporate Social Responsibility such as transparency and respecting legislation and international standards

PROOF

Signing a mandatory code of conduct in which a commitment to actively strive for respecting the basic principles is requested



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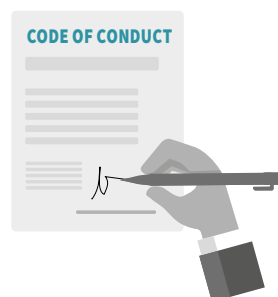
General principles of socially responsible chain management

GOAL?

We want to use this code of conduct to make the supplier commit to respecting the minimum international labour standards and human rights and paying living wages, as well as continuously improving the social conditions in the chains.

PROOF

Signing a mandatory code of conduct in which a commitment to actively strive for respecting the basic principles is requested



Questionnaire

GOAL?

Each interested tenderer is invited to complete a questionnaire on the transparency, the monitoring and the efforts made to continuously improve the social considerations in the first part of the chain, the production of fibres (raw materials) up to the creation of the workwear

PROOF

Completing a mandatory questionnaire in which transparency is provided on the insight into and knowledge of the social risks in the chain



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TRANSPARENCY

- Risk report and/or audit report (3rd party verified)
- Audit report for a management system

WHAT DO WE WANT TO ACHIEVE?

The selected supplier must offer transparency on the social risks in the chain as defined in the code of conduct and verified by an independent (third) party within 6 months of awarding the contract.

HOW?

The supplier must take steps to create transparency in the field of social sustainability in the chain. He does this using audit reports verified by a third party of the sites where the purchased workwear is produced. The following forms of proof will be admissible:

- Third-party verified risk reports on sustainability performance: ECOVADIS or equivalent
- Third-party verified audit reports: SEDEX/SMETA or equivalent
- Audits verified within the process of a management system: BSCI, Fair Wear Foundation, FLA, SA 8000 audit or equivalent

WHEN?

Year 1: within 6 months after the start of the contract. The 'effective date' can be determined in consultation with the purchaser (signing of contract, effective start of the implementation of the contract, kick-off meeting, ...)

From year 2: annually.

PROOF?

The purchaser will receive a clear final report which offers transparency on the social risks in the chain. The report must be summarised in an overview of no more than 1 A4 and may refer to a more detailed report in the annex. Independent, third-party verification is a requirement. Self-assessments and assessments by the government are not valid. Only reports by third-party experts are considered sufficient proof.

OPTIONS

Risk Report

GOAL?

Submitting a risk report which includes an independent assessment by a third party of the social risks in the chain (labour rights, human rights and living wages) which is at least equivalent to ECOVADIS.

PROOF

Within 6 months of the start of the contract, a risk report must be submitted which at least complies with the social audit principles of ECOVADIS (third-party monitoring of the CSR performance of suppliers). An official document with the minimum wages of the production country must be provided to demonstrate the living wages.
www.ecovadis.com



THE CHOICE OF
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Audit Report

GOAL?

Submitting an audit report which includes an independent assessment by a third party of the social risks in the chain (labour rights, human rights and living wages) which is at least equivalent to SMETA.

PROOF

Within 6 months of the start of the contract, an audit report must be delivered which has at least the evidential value of the SMETA (Sedex Members Ethical Trade Audit)
<https://www.sedexglobal.com/products-services/smeta-audit/>



Management System

GOAL?

Submitting an audit report drawn up in the context of the start of or participation in a management system for socially responsible chain management which includes an independent assessment made by a third party in the field of social risks in the chain (labour rights, human rights and living wages) which is at least equivalent to BSCI, Fair Wear Foundation, FLA or SA 8000 (SAI).

PROOF

Within 6 months of the start of the contract, an audit report must be submitted which has at least the evidential value of the social audit principles of an internationally recognised management system for social responsible chain management such as BSCI, FWF, FLA or SA 8000 (SAI).



THE CHOICE OF
THE CITY OF GHENT

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3

ACTIE

- Corrective action plan (3rd party verified)
- Action plan for a management system

WHAT DO WE WANT TO ACHIEVE?

Remedying the social risks that do not comply with the principles set out in the signed code of conduct by means of a corrective action plan (mandatory) and the continuous improvement of the social risks in the chain (desirable).

HOW?

Step 2 (transparency) gives both the supplier and the purchaser insight into the social risks and infringements in the chain. The risk or audit report indicates what actions are needed to comply with the signed code of conduct. The direct supplier must submit an annual action plan to the purchaser within 3 months after the submission of the risk and/or audit report. This report contains actions of both the direct supplier and the suppliers in the chain needed to meet the social requirements in the specifications. Once the supplier fully complies with the requirements set out in the code of conduct, focussing on the continuous improvement of the social sustainability in the chain is recommended (but not required).

WHEN?

Year 1: within 3 months of the submission of a risk and/or audit report, which is within 9 months of the start of the contract.

From year 2: annually.

PROOF?

The purchaser must receive an annual action plan focussed on remedying non-compliance and/or continuous improvement of the social risks in the chain. This plan has been drawn up based on the recommendations of the risk and/or audit report verified by the independent third party. If the supplier must take corrective actions to comply with the contractual requirements, the action plan must be approved by the purchasing authority. The supplier can alternatively choose to start with an internationally recognised management system for social sustainability in the chain which at least meets the BSCI, FLA, FWF or SA 8000 standard.

OPTIONS

Action Plan

GOAL?

Carrying out actions aimed at respecting the code of conduct. The action plan will be proposed by the direct supplier in order to remedy the social risks and infringements with respect to the social requirements laid down in the code of conduct that must be complied with.

PROOF

Within 9 months of the start of the contract, an action which at least meets the corrective action plans of ECOVADIS will be submitted for approval.



Corrective Action Plan

GOAL?

Carrying out actions aimed at respecting the code of conduct. The action plan must have been verified by a third party and is at least equivalent to the corrective action plans of ECOVADIS. The action plan must be based on the found social risks and infringements with respect to the social requirements laid down in the code of conduct that must be complied with.

PROOF

Within 9 months of the start of the contract, an action which at least meets the corrective action plans of ECOVADIS will be submitted for approval.



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Management System

GOAL?

Meeting the requirements laid down in the code of conduct by joining a recognised management system for socially responsible chain management which is at least equivalent to BSCI, Fair Wear Foundation, FLA or SA 8000 (SAI).

PROOF

Within 9 months of the start of the contract, the supplier will join an internationally recognised management system for social responsible chain management such as BSCI, FWF, FLA or SA 8000 (SAI).



4

LEIDERSCHAP

- Continuously improving the results by positive evolution in risk report/audit report and/or by actively investing in a management system for social sustainability in the chain for at least 2 years

WHAT DO WE WANT TO ACHIEVE?

Once the supplier fully complies with the requirements set out in the code of conduct, focussing on the continuous improvement of the social sustainability in the chain is recommended (but not required). This can be demonstrated by a positive trend (better score and/or fewer risks and less required corrective actions) in the scores on social risks in the chain and/or having been working on the implementation of a management system focussed on continuous improvement of the social risks in the chain for more than 2 years. If this positive trend has been demonstrated, we can call it leadership in socially responsible chain management. Each purchasing organisation can award an incentive or otherwise demonstrate its appreciation and recognition to suppliers who show a strong commitment and can be considered leading in their sector in terms of social sustainability in the chain.

HOW?

The contractor commits to identifying social risks in the chain, respecting the legal requirements, and focussing on continuous improvement in a consistent and structural manner. The transparency process is concluded by submitting a risk and/or audit report and the supplier will be required to carry out corrective actions in step 3 (action). After a reasonable period of time for the actions and within 12 months of the submission of the first risk report, the supplier must annually submit a risk report that has been verified by a new third party. This gives the purchaser insight into the proper implementation of corrective actions and compliance with the principles of the code of conduct.

WHEN?

Year 1: within 12 months of the submission of the previous risk and/or audit report for the entire duration of the contract.

From year 2: within 3 months of the start of year 2, annually.

PROOF?

The purchaser will receive an annual risk report that has been verified by a third party. This can be part of a monitoring platform such as Ecovadis or SEDEX or be incorporated into a management system for social sustainability in the chain which at least meets the standard of BSCI, FLA, FWF or SA 8000 and has been actively implemented by the supplier for at least 2 years.

OPTIONS

Risk Report

GOAL?

The contractor shows a positive trend in the field of social sustainability in the chain and commits to identifying social risks in the chain, respecting the legal requirements, and focussing on continuous improvement in a consistent and structural manner.

PROOF

At least 2 consecutive risk reports that have been verified by a third party (ECOVADIS or equivalent) with a positive trend in the score on social risks in the www.ecovadis.com



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Audit Report

GOAL?

The contractor shows a positive trend in the field of social sustainability in the chain and commits to identifying social risks in the chain, respecting the legal requirements, and focussing on continuous improvement in a consistent and structural manner.

PROOF

At least 2 consecutive audit reports that have been verified by a third party (SEDEX/SMETA or equivalent) with a positive trend in the score on social risks in the chain.



Management System

GOAL?

The contractor shows a positive trend in the field of social sustainability in the chain and commits to identifying social risks in the chain, respecting the legal requirements, and focussing on continuous improvement in a consistent and structural manner.

PROOF

At least 2 years of actively implementing a management system for the continuous improvement of social sustainability in the chain: BSCI, Fair Wear Foundation, SA 8000 or equivalent.





USE OF THE TOOLBOX IN THE PILOT CONTRACT WITH THE CITY OF GHENT

As one of the co-promoters of this project, the City of Ghent has implemented the toolbox in its purchase contract for workwear and linen.

The purchase project

The framework agreement of the City of Ghent concerns workwear, linen, work shoes, gloves and other personal protective equipment that are produced in a socially responsible manner and delivered CO₂-efficient. The decision was made to divide the framework agreement into five lots based on the market survey.

Lot 1: sustainable workwear

This lot included the workwear of which the market survey demonstrated that the suppliers are ready to supply high-quality products made using sustainable materials. Lot 1 demands organic and fair trade cotton and recycled polyester. This lot consists of vests, trousers, T-shirts, sweaters, signalling clothing, tunics and aprons.

Lot 2: default workwear

Lot 2 consists of workwear which cannot be offered using fully sustainable fabrics yet. These are specific garments for electricians and welders, signalling parkas, fleeces, soft-shell jackets, bodywarmers, rainwear and the like.

Lot 3: Linen

Kitchen towels, working towels, bath towels, guest towels, washcloths and bibs were included in lot 3. Where possible, organic cotton is demanded.

Lot 4: Work shoes

This lot includes various types of work shoes, depending on specific tasks of the employees.

Lot 5: Gloves and other PPE

Various types of gloves and other PPE such as dust masks, vapour filters, safety helmets, safety goggles and fall protection were included in a separate lot.



Thanks to this division into different lots, there was freedom of competition and more companies specialised in a specific segment could join. The pursuit of social sustainability is addressed differently in each lot. The maturity in terms of social sustainability for sustainable workwear is further ahead than for gloves, for example.

The total estimate for this contract is EUR 1,203,950.00 including VAT for a period of four years.

The City of Ghent, an example

The City of Ghent makes the continuous improvement of the social working conditions of people working in the supply chains of the products it purchases a priority. It demands, on the one hand, respect for the minimum international labour standards and human rights and the payment of living wages, and, on the other hand, the continuous improvement of the social conditions in the chains of the purchased products.

The approach

The contractor (and the subcontractors involved in the production of the products purchased by the City of Ghent) had to commit during the selection phase to join a process in which transparency and continuous improvement of the working conditions in the chain are paramount during the entire duration of the contract for all the products described above.

This process concerns:

1. Respecting and actively applying the general 'Corporate Social Responsibility' (CSR) and 'socially responsible chain management' principles as laid down in this code of conduct.
2. Annually reporting on the social risks in the chain. This must take place based on an externally verified risk report (Ecovadis or equivalent).



3. Taking corrective action to respect the principles of 'Corporate Social Responsibility' (CSR) and 'socially responsible chain management'.
4. Structurally improving the social risks in the chain by implementing social management systems.

Step-by-step management of social risks in the chain

The City of Ghent wants the contractor to actively participate in a process of continuous improvement of the social conditions in the production chain. The process has a logical structure and consists of the following steps:

Focus on collaboration and dialogue

The City of Ghent prioritises collaboration and dialogue in the realisation of the 'socially responsible chain management' process and considers it a partnership between the City of Ghent and its supplier. The focus is on the learning process and the increasing insight of both the contractor and the client in the field of identification and remediation of the social risks in the chain. From this perspective, no sanctions will be taken if social risks are identified in the chain. They will be considered opportunities for improvement and the supplier will be given every opportunity to take corrective action. Sanctions will only be taken if the supplier does not respect the implementation conditions and does not fulfil the commitment statement. This implementation condition is more of a commitment obligation instead of a result obligation.

Division into lots

The City of Ghent has chosen to differentiate by lots and to label one lot the 'sustainable lot'. In addition to the general principles described in the toolbox, it takes another step and assesses the properties of the product, the end-of-life solutions and the sustainability of the delivery. In this sustainable lot, the City of Ghent is willing to serve as a pilot for a process with the supplier aimed at continuous improvement of the social sustainability of the chain.



Each lot can be awarded to a different supplier and involves a separate process. Ghent has chosen to take further steps in the field of social sustainability with the supplier of lot 1. It wants to pursue a higher level without necessarily reaching the level of leadership for the other lots.

The chosen procedure

We have chosen for a two-stage negotiation procedure with a European publication. This meets a number of concerns of the market that were identified in the market survey. Delivering samples was both costly and time-consuming for tenderers and this was a deterrent in public procurement processes. Thanks to the use of a two-stage procedure, tenderers did not yet have to submit samples in the first stage. Only tenderers that already demonstrated their commitment to social sustainability and sustainable transport continued to the second stage. This procedure also offers the possibility to still negotiate with the tenderers, which results in more flexibility and optimisation of the sustainable product.

The clauses

The complete specifications of the City of Ghent, including the clauses, can be found on the following websites: www.vvsg.be / <http://platforma-dev.eu>

The implementation

The contract of the City of Ghent will be awarded in April 2018. The implementation condition will take effect at that time. There is no insight into the lessons learned during the implementation of the contract yet.

COLOPHON

This guide is the result of a collaboration between the Association of Flemish Cities and Municipalities (VVSG), the City of Ghent, and The Global Picture. With support from Platform, the European Union, and the Flemish Government.

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April 2018

GOAL OF THIS GUIDE

This guide is a concrete toolbox for a social and sustainable procurement policy, aimed at public sector professionals. It focuses on workwear, but the principle of supplier engagement applies to all product groups with large risks in global chains.

WHO IS THIS GUIDE FOR?

This guide primarily targets people who are involved in the purchase of workwear at governments, hospitals and police departments. The guide is also intended for designers, producers, distributors and all other interested parties. Sustainable production is only feasible through intense collaboration by all parties!