

## **Finlays response to BHRRC**

3<sup>rd</sup> March 2023

In February, the BBC broadcast some deeply shocking and upsetting testimony of sexual exploitation from women working at James Finlay Kenya (JFK).

There is no place for behaviour of this kind anywhere in our business. We firmly believe that everyone should feel safe when they come to work at Finlays. That is why we have robust policies and procedures in place – such as comprehensive guidance to staff, detailed and continuous training programmes, an anonymous third-party whistle blowing hotline, as well as dedicated welfare and medical staff available on site – to prevent abuse of any kind.

However, the experiences these women have shared clearly show that we need to go further and do better.

We have taken a number of decisive steps in response to the BBC's reporting, to protect and support everyone at Finlays:

- 1. We immediately suspended the two individuals featured in the BBC investigation and barred them from all Finlays sites.**  
We have now terminated our agreement with John Chebochok's company Sislo Holdings. All 300 contractors who were working with us through Sislo have been offered direct employment to ensure their livelihoods are not affected – 98% have accepted.
- 2. We reported the BBC allegations against John Chebochok and John Asava to the Kenyan Police.**  
We will continue to work closely with the police, sharing any additional information that results from investigations. We are engaged with the Department of Criminal Investigations inquiry.
- 3. Two independent investigations have been launched to fully understand what happened and where we can improve.**

We have commissioned two independent investigations to fully understand what happened and where we can improve. We are committed to acting on the recommendations made as a result of the investigation in full. The first investigation, led by law firm Bowmans, is examining the specific cases of exploitation raised within the programme. The second investigation, led by ethical working practices NGO Partner Africa, will comprehensively review where we can improve our approach to preventing and addressing any sexual violence, abuse, or harassment across the James Finlay Kenya sites.

- 4. Developing an immediate workplan to safeguard all at JFK.**

In the interim while we await for the reports from the investigations, we have developed – and are implementing – a workplan to reinforce the procedures we have in place at James Finlay Kenya to safeguard workers and residents. This includes:

- a. A reinforcement of the communication and processes around the support for people who come forward with claims of misconduct, harassment, and abuse.
- b. Extensive engagement on, and raising further awareness of, our anonymous third-party whistle blowing line, reports to which are investigated by our team in London.

- c. Developing a plan to increase the in-person visibility of our welfare team across JFK. This will see members of the welfare team, on an ongoing basis, increasing the regularity with which they visit all areas of JFK to engage directly with workers. This will help to increase understanding of what the welfare team does, and provide further opportunities for people to raise concerns in person.
- d. Engaged a third-party organisation to provide additional and immediate independent safeguarding support and counselling available for all workers. This commenced on the ground at JFK from the start of March, following a short communication programme.
- e. Sending members of Finlays' global management team to oversee the workplan, investigations and immediate welfare and support plans at site.
- f. Conducting a review of the use of contractors across JFK.

These reports are incredibly serious. Finlays remains wholly committed to implementing immediate initiatives comprehensively and at speed, as well as taking any further decisive action that will ensure our workers feel protected and supported.