



Brand Performance Check

Bierbaum-Proenen GmbH & Co. KG

Publication date: August 2024

This report covers the evaluation period 01-01-2023 to 31-12-2023

About the Brand Performance Check

Fair Wear Foundation (Fair Wear) believes that improving conditions for apparel product location workers requires change at many levels. Traditional efforts to improve conditions focus primarily on the product location. Fair Wear, however, believes that the management decisions of clothing brands have an enormous influence for good or ill on product location conditions.

Fair Wear's Brand Performance Check is a tool to evaluate and report on the activities of Fair Wear's member companies. The Checks examine how member company management systems support Fair Wear's Code of Labour Practices. They evaluate the parts of member company supply chains where clothing is assembled. This is the most labour intensive part of garment supply chains, and where brands can have the most influence over working conditions.

In most apparel supply chains, clothing brands do not own product locations, and most product locations work for many different brands. This means that in most cases Fair Wear member companies have influence, but not direct control, over working conditions. As a result, the Brand Performance Checks focus primarily on verifying the efforts of member companies. Outcomes at the product location level are assessed via audits and complaint reports, however the complexity of the supply chains means that even the best efforts of Fair Wear member companies cannot guarantee results.

Even if outcomes at the product location level cannot be guaranteed, the importance of good management practices by member companies cannot be understated. Even one concerned customer at a product location can have significant positive impacts on a range of issues like health and safety conditions or freedom of association. And if one customer at a product location can demonstrate that improvements are possible, other customers no longer have an excuse not to act. The development and sharing of these types of best practices has long been a core part of Fair Wear's work.

The Brand Performance Check system is designed to accommodate the range of structures and strengths that different companies have, and reflects the different ways that brands can support better working conditions.

This report is based on interviews with member company employees who play important roles in the management of supply chains, and a variety of documentation sources, financial records, supplier data. The findings from the Brand Performance Check are summarized and published at www.fairwear.org. The online [Brand Performance Check Guide](#) provides more information about the indicators.

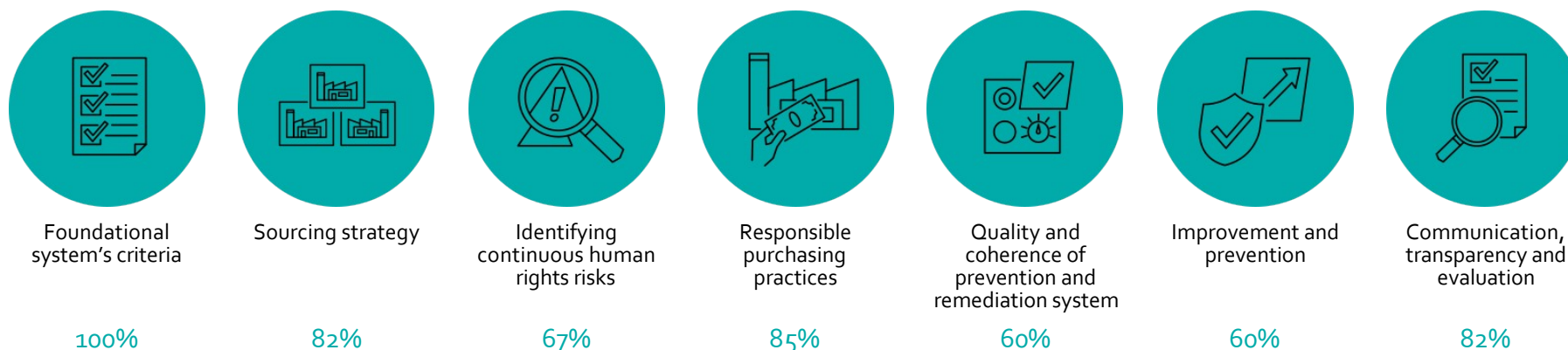
Scoring overview

Total score: 142

Possible score: 202

Benchmarking Score: 70

Performance Benchmarking Category: Leader



Summary:

Bierbaum-Proenen GmbH & Co. KG (BP) has shown advanced results on Fair Wear's performance indicators. With a total benchmarking score of 70, the member is placed in Leader category.

The member has scored insufficient on a repeated non-compliance indicator. This needs to be resolved in the next performance check, or else BP will be automatically placed in Needs Improvement.

BP's sourcing strategy focuses on maintaining long-term relationships. The brand has a strict onboarding process and a thorough due diligence process for new suppliers.

BP conducts risk scoping on the country and supplier level for Tier 1 and Tier 2. The risk analysis covers all eleven sector risks, meaning all eight labour standards per Fair Wear's Code of Labour Practices (CoLP) are included. Since the previous brand performance check, the member has included the business model, sourcing model, and product-level in its risk scoping.

To further progress in both the areas of freedom of association and gender, BP started as the first step by extending its annual supplier questionnaires to gather in-depth data and information on worker committees and their composition, worker involvement, the existence of a collective bargaining agreement (CBA), as well as gender pay gap and overtime hours in each department divided by gender.

BP sources from two production locations in Bangladesh with a production volume of 0,9% of its total FOB. The member company has not signed the International Accord yet. BP's factories in Bangladesh are not all covered by the RMG Sustainability Council (RSC). This means a violation of Fair Wear's updated, enhanced policy for Bangladesh. However, the brand could show during the brand performance check that it prioritised the risk in its action plans and is, therefore, in the final stages of becoming a signatory of the International Accord in 2024.

The brand set a target wage at its own factory in Tunisia of 25% above the legal minimum wage for all full-time workers. The target wage agreement is valid for two years. In 2022, the brand paid at least 27% above the legal minimum wage (497 Dinar). The brand is encouraged to roll out its approach to other suppliers and to include worker representation in future target wage agreements.

In 2023, Fair Wear implemented a new performance check methodology aligned with the OECD guidelines on HRDD. This new methodology raises the bar and includes new indicators, which may result in a lower score for member brands. Because of this transition, Fair Wear temporarily lowered the scoring threshold.

Performance Category Overview

Leader: This category is for member companies who are doing exceptionally well, and are operating at an advanced level. Leaders show best practices in complex areas such as living wages and freedom of association.

Good: It is Fair Wear's belief that member companies who are making a serious effort to implement the Code of Labour Practices—the vast majority of Fair Wear member companies—are 'doing good' and deserve to be recognized as such. They are also doing more than the average clothing company, and have allowed their internal processes to be examined and publicly reported on by an independent NGO. The majority of member companies will receive a 'Good' rating.

Needs Improvement: Member companies are most likely to find themselves in this category when major unexpected problems have arisen, or if they are unable or unwilling to seriously work towards CoLP implementation. Member companies may be in this category for one year only after which they should either move up to Good, or will be moved to suspended.

Suspended: Member companies who either fail to meet one of the Basic Requirements, have had major internal changes which means membership must be put on hold for a maximum of one year, or have been in Needs Improvement for more than one year. Member companies may remain in this category for one year maximum, after which termination proceedings will come into force.

Categories are calculated based on a combination of benchmarking score and the percentage of own production under monitoring. The specific requirements for each category are outlined in the Brand Performance Check Guide.

Company Profile Bierbaum-Proenen GmbH & Co. KG

Member company information

Member since: 1 Jan 2010

Product types: Workwear

Percentage of turnover of external brands resold 0%

FLA Member No

Member of other MSI's/Organisations Partnership for Sustainable Textiles,

Number of complaints received last financial year 2

Basic requirements

Definitive production location data has been submitted for the financial year under review? Yes

Work Plan and projected production location data have been submitted for the current financial year? Yes

Production countries, including number of production locations and total production volume.

Production Country	Number of production locations	Percentage of production volume
Tunisia	3	24.6%
Armenia	1	21.96%
North Macedonia	2	16.17%
Türkiye	1	12.32%
China	2	11.66%
Viet Nam	1	7.89%
Pakistan	2	4.26%
Bangladesh	2	0.88%
Germany	1	0.19%
Romania	1	0.06%

Layer 1 Foundational system's criteria

Possible Points: 8

Earned Points: 8

1.1 Member company has a publicly shared Human Rights Due Diligence policy that has been adopted by top management.: [Yes](#)

Comment: [BP has a solid Human Rights Due Diligence policy in place.](#)

1.2 All member company staff are made aware of Fair Wear's membership requirements, in particular the Fair Wear's HRDD policy and Fair Wear's Code of Labour Practices.: [Yes](#)

1.3 All staff who have direct contact with suppliers are trained to support the implementation of Fair Wear requirements, in particular the Fair Wear's HRDD policy and Fair Wear's Code of Labour Practices.: [Yes](#)

1.4 A specific staff person(s) is designated to follow up on problems identified by the monitoring system, including complaints handling. The staff person(s) must have the necessary competence, knowledge, experience, and resources.: [Yes](#)

1.5 Member company has a system in place to identify all production locations, including a policy for unauthorised subcontracting.: [Yes](#)

1.6 Member company discloses internally through Fair Wear's information management system, in line with Fair Wear's Transparency Policy.: [Yes](#)

Comment: [BP discloses 81% of production locations internally through Fair Wear's information management system.](#)

1.7 Member company discloses externally on Fair Wear's transparency portal, in line with Fair Wear's Transparency Policy.: Yes

Comment: BP discloses 81% of production locations externally on Fair Wear's transparency portal.

1.8 Member complies with the basic requirements of Fair Wear's communication policy.: Yes

Layer 2 Human rights due diligence, including sourcing strategy and responsible purchasing practices.

Possible Points: 90

Earned Points: 70

Indicators on Sourcing strategy

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.1 Member company's sourcing strategy is focused on increasing influence to meaningfully and effectively improve working conditions.	Advanced	Fair Wear expects members to adjust their sourcing strategy to increase their influence over working conditions. Members should aim to keep the number of production locations at a level that allows for the effective implementation of responsible business practices.	Strategy document; consolidation plans, examples of implementation.	6	6	0

Comment: BP has a sourcing strategy addressing influencing labour conditions. The member has 16 active production locations. 52% of the production volume comes from suppliers where the member has at least 10% leverage at suppliers. 4% of the production volume comes from suppliers where BP buys less than 2% of its total FOB. This is comparable to the previous year. BP has no official consolidation plan in its sourcing strategy but demonstrates consolidation by having a small supply chain. The brand's sourcing strategy emphasises increasing influence through active cooperation with other clients.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.2 Member company's sourcing strategy is focused on building long-term relationships.	Intermediate	Stable business relationships underpin the implementation of the Code of Labour Practices and give factories a reason to invest in improving working conditions.	Strategy documents; % of FOB from suppliers where a business relationship has existed for more than five years; Examples of contracts outlining a commitment to long-term relationship; Evidence of shared forecasting.	4	6	0

Comment: BP has a sourcing strategy that focuses on maintaining long-term relationships. 99,5% of the member's FOB volume comes from suppliers with whom BP has had a business relationship for at least five years. The member has a long-term agreement with one Turkish supplier, with which product price and exclusive production are fixed for three years. In addition, the brand included a written commitment to a long-term relationship until 2030 with one of its main Tunisian suppliers (15% FOB volume). For other partners, BP has not yet committed to long-term contracts.

Recommendation: Fair Wear recommends BP to include long-term contracts also for other strategic suppliers in the future.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.3 Member company conducts a risk scoping exercise as part of its sourcing strategy.	Advanced	Human rights due diligence, according to the OECD guidelines, requires companies to undertake a scoping exercise to identify and mitigate potential human rights risks in supply chains of potential business partners.	HRDD policy; Sourcing strategy linked to results of scoping exercise; HRDD processes, including specific responsibilities of different departments; Use of country studies; Analysis of business and sourcing model risks; Use of licensees and/or design collaborations.	6	6	-2

Comment: BP conducts risk scoping on country and supplier level for Tier 1 and Tier 2. The risk analysis covers all eleven sector risks, meaning all eight labour standards per Fair Wear's Code of Labour Practices (CoLP) are included. Since the previous brand performance check, the member also included business model, sourcing model and product level in its risk scoping. BP consults various sources such as Fair Wear country studies, CSR risk checks, and information from the Ministry of Foreign Affairs to conduct the country-level risk analysis. In its risk scoping, the member has assessed the impact and prevalence of the risks correctly. The risk scoping includes a gender lens by analysing the risks of discrimination, gender-based violence and sexual harassment for all countries. Input from workers, suppliers, and stakeholders is included in the risk scoping by using websites of NGOs working in the garment sector and information from annual supplier visits and updates on country information during online meetings.

The member adjusts its sourcing strategy based on the risk scoping, as the scoping's outcomes are included in decision-making. In 2022, the brand extended its risk scoping to potential sourcing countries Bosnia Herzegovina and Morocco. For both countries, no very high risks were detected, and the sourcing team has the green light to continue evaluating potential new suppliers.

BP's sourcing strategy also privileges countries where workers can freely form or join a trade union and/or bargain collectively. As freedom of association is limited in China and Vietnam, the brand is not planning to extend its sourcing to these countries. Instead, BP intends to expand its sourcing to Tunisia, Morocco, or Eastern Europe, where, based on the member's own experience, worker representation is functioning better.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.4 Member company engages in dialogue with factory management about Fair Wear membership requirements before finalising the first purchase order.	Advanced	Sourcing dialogues aim to increase transparency between the member and the potential supplier, which can benefit improvements efforts going forward.	Process outline to select new factories; Material used in sourcing dialogue; Documents for sharing commitment towards social compliance; Meeting reports; On-site visits; Reviews of suppliers' policies.	4	4	0

Comment: BP's standard process is to inform new suppliers about Fair Wear membership during the first meeting with the Head of Production. As a precondition for cooperation, the supplier must work with the brand on all aspects of the Fair Wear membership. After that, the CSR manager shares all information, including the Fair Wear questionnaire, Code of Labour Practices, and worker information sheet. After the questionnaire is signed and the worker information sheet is posted, the CSR manager starts a dialogue with the supplier about human rights and discusses in-depth topics such as audits, training, complaint mechanisms, workers committees, child labour, working hours, working contracts and the shared responsibility of brand and supplier. This process was followed for a new supplier based in Bangladesh, as the supplier has already worked with BP since 2017 and only opened a new production location where orders for the brand were produced in 2023.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.5 Member company collects the necessary human rights information to inform sourcing decisions before finalising the first purchase order.	Intermediate	Human rights due diligence processes are necessary to identify and mitigate potential human rights risks in supply chains. Specific risks per factory need to be considered as part of the decision to start cooperation and/or place purchasing orders.	Questionnaire with CoLP, reviewing and collecting existing external information, evidence of investigating operational-level grievance system, union and independent worker committee presence, collective bargaining agreements, engaging in conversations with other customers and other stakeholders, including workers.	4	6	0

Comment: BP collects human rights information on potential new suppliers, self-assessments, certifications, and existing audit reports. The member brand onboarded three new production locations in 2023. The brand started a direct business relationship with a supplier in Tunisia before a subcontractor for one of its suppliers. An onboarding call was organised, recent audits were reviewed, and a risk assessment was performed before the test orders. Before the first purchase order, the Fair Wear questionnaire, including the CoLP, was signed. The brand also onboarded another Tunisian supplier and followed the same process. However, the member stopped the relationship after the test order as the quality was insufficient. In addition, the member company moved production to a new location with an existing partner in Bangladesh. However, the new location is not assessed yet by the RMG Sustainability Council (RSC). Initially, the supplier explained that building and fire safety inspections are not required for one-storey buildings. The brand continued its discussions directly with the International Accord and decided in 2024 to become an Accord signatory to ensure the factory will be inspected. The company has not yet collected information from workers or stakeholders to inform the sourcing decision. Moreover, BP's sourcing strategy privileges suppliers where workers are free to form a trade union and/or bargain collectively; the member brand discusses social dialogue and worker representation during the onboarding call. BP followed this process for the suppliers added in the previous year.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.6 Member actively ensures awareness of the Fair Wear CoLP, the grievance mechanism, and social dialogue mechanisms within the first year of starting business.	Intermediate	This indicator focuses on the preliminary mitigation of risks by actively raising awareness about the Fair Wear Code of Labour Practices and complaints helpline. Discussing Fair Wear's CoLP with management and workers is a key step towards ensuring sustainable improvements in working conditions and developing social dialogue at the supplier level.	Evidence of social dialogue awareness raised through earlier training/onboarding programmes, onboarding materials, information sessions on the factory grievance system and complaints helpline, use of Fair Wear factory guide, awareness-raising videos, and the CoLP.	4	6	0

Comment: BP has added one new production location. The member brand has shared information about Fair Wear's CoLP and the grievance mechanism within the first year of doing business. The Worker Information Sheet has been posted. The member brand organised onboarding sessions (onboarding module one) for workers and the management of new suppliers. BP organised these sessions to raise awareness about the Fair Wear CoLP and the grievance mechanism. As described in indicator 2.5, the member brand started a direct business relationship with a supplier in Tunisia before a subcontractor for one of its suppliers. Information about Fair Wear's CoLP and the grievance mechanism was shared again.

Recommendation: BP is recommended to enrol its Bangladeshi supplier for onboarding module two, which focuses on social dialogue.

Indicators on Identifying continuous human rights risks

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.7 Member company has a system to continuously assess human rights risks in its production locations.	Insufficient	Members are expected to regularly evaluate risk in a systematic manner. The system used to identify human rights risks determines the accuracy of the risks identified and, as such, the possibilities for mitigation and remediation.	Use of risk policies, country studies, audit reports, other sources used, how often information is updated.	0	6	0

Comment: BP has a systematic approach to identifying human rights risks in its supply chain and has assessed the risks for each production location. Next to the eleven sector risks, the risk of factory-level grievance mechanisms was assessed for each supplier. The risk scoping on the supplier level includes information from the brand's supplier evaluation, factory visits, audit results, and training reports, as well as the results of the annual questionnaires. In its factory-level assessment, the member has assessed the impact and prevalence of most risks correctly. However, even though the brand is aware that the new production location in Bangladesh is not covered by the RSC, which is a high risk, this is not visible in the factory risk assessment, where health and safety are rated as medium risk. The brand explained that the rating reflects that it is a one-storey building.

Regarding the Enhanced Human Rights Due Diligence Policy for fire, structural, and electrical safety in Bangladesh, BP sources from one factory that is assessed by the RSC, but the other production location is not covered by the RSC. BP is not a signatory of the International Accord but is in the process of signing the Accord in 2024. At the time of the brand performance check, the member brand did not have an appropriate system to identify risks at the new production location in Bangladesh and, therefore, scored insufficient on this indicator. The member brand has access to RSC assessments for the other production location, but production moved to the new location exclusively.

BP has determined the appropriate monitoring tool as an outcome of the risk scoping. For countries where Fair Wear is active, the brand only uses Fair Wear audits in its monitoring; other third-party audits are used in other countries. The brand's technician visits all CMT suppliers regularly. In 2023, onsite visits to suppliers were made to Tunisia, China, Pakistan, Türkiye, and Bangladesh. In addition, all suppliers complete the annual questionnaire, including gender, wages, overtime, complaints mechanisms, the general situation at the factory, leverage, subcontractors and the latest social audits. The brand's monitoring tools do not explicitly include worker, stakeholder or supplier input.

Requirement: Please note that following Fair Wear's policy for repeated non-compliance, members who receive an insufficient score on this indicator for the second year in a row will be placed in the 'needs improvement' category.

BP must adhere to the requirements of the 'Enhanced Human Rights Due Diligence Policy for fire, structural and electrical safety in Bangladesh' in its due diligence process.

Recommendation: Fair Wear strongly recommends BP to become a signatory of the International Accord to ensure the new production location is assessed on fire and building safety by the RSC. In addition, the member brand could complement its risk assessment process with worker, supplier, and stakeholder input.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.8 Member company's human rights due diligence process includes an assessment of freedom of association (FoA).	Intermediate	Freedom of association and collective bargaining are 'enabling rights.' When these rights are respected, they pave the way for garment workers and their employers to address and implement the other standards in Fair Wear's Code of Labour Practices - often without brand intervention.	Use of supplier questionnaire to inform decision-making, collected country information, and analyses.	4	6	0

Comment: BP has mapped the risks to FoA in all its sourcing countries and can explain the main risks per country, including the risks to women workers. For instance, BP identified that there is only one recognised trade union in China and Vietnam, with a high risk of yellow unions. Trade unions are very active in Tunisia, but there is a risk of discrimination towards union leaders. The member brand knows that men and women are often disproportionately represented in unions. BP uses country-level information to understand the risks to its suppliers and informs itself on how to engage with its suppliers on this topic. The member has supplier-level monitoring in place to assess and understand the FoA risks at suppliers. The questionnaire was extended in 2023 and now includes more data on worker committees and their composition, worker involvement, the existence of a collective bargaining agreement (CBA), the percentage of workers who have permanent contracts and activities of trade unions. However, the data collection was only done in 2024 for all suppliers. In addition, the brand knows from audit reports which suppliers have worker committees or trade unions and if they are active.

Recommendation: BP is recommended to analyse the factory-level data on FoA collected through its updated questionnaires.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.9 Member company includes a gender analysis throughout its human rights risk identification, to foster a better understanding of gendered implications.	Intermediate	Investing in gender equality creates a ripple effect of positive societal outcomes. Members must apply gender analyses to their supply chain to better address inequalities, violence, and harassment.	Evidence of use of the gender mapping tools and knowledge of country-specific fact sheets.	4	6	0

Comment: BP has included a gender lens in its risk scoping. The member could show it understands the basic gender risks for its sourcing countries. For instance, sexual harassment, gender-based violence, gender equality and discrimination were identified as significant risks prevalent in Pakistan, Bangladesh and Türkiye. The risk scoping includes a gender lens by analysing the risks of discrimination, gender-based violence and sexual harassment for all countries. The member does not collect gender-disaggregated data at the country level but has started to systematically include gender risks for most labour codes in its Tier 1 production countries.

Additionally, BP actively collects gender data per factory. Here, the member brand focused on collecting data on gender division per job role. In addition, information on gender equality is included in the risk analysis. In 2023, the questionnaire was extended and now includes data on wages and overtime hours in each department divided by gender. The new questionnaire was only tested with a few suppliers in 2023; the rollout will take place in 2024 only. The member has started to analyse the existing gender-disaggregated data on the supplier level. In addition, BP is aware of initiatives at the suppliers, such as the baby lines at the Armenian supplier to accommodate the needs of young mothers working six instead of eight hours a day and the introduction of a kindergarten in the Armenian facility. BP has not specifically looked into how its business practices affect gender at its suppliers.

Recommendation: Fair Wear recommends BP to also collect gender risk per labour code for Romania. In addition, the member brand is recommended to review the country risk profiles on the member hub which include a gender lens per labour code.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.10 Member company considers a production location's human rights performance in its purchasing decisions.	Advanced	Systematic evaluation is part of continuous human rights monitoring. A systematic approach to evaluating production location performance is necessary to integrate social compliance into normal business processes and to support good decision-making.	Supplier evaluation format, meeting notes on supplier evaluation shared with the factory, processes outlining purchasing decisions, link to responsible exit strategy.	4	4	0

Comment: Suppliers' human rights performance is evaluated systematically every year. Information on social compliance is included in the general supplier evaluation system, which also includes product indicators, the supplying company, the services, and the price. BP has a strong and systematic evaluation system for suppliers' human rights performance. The brand systematically integrates the outcome of this evaluation into its purchasing decisions. All five indicators guide production decisions. If suppliers score low, extra attention is given to see how they can improve. If suppliers fail to improve over a certain period (depending on the score), BP's exit strategy comes into force. If suppliers score high, they are included in developing new products and are thereby recognised as valuable partners for future orders. BP shares the evaluation outcome with its suppliers and forms the basis of the ongoing discussion. Going forward, the brand's comprehensive risk assessment will be the main tool for evaluating suppliers.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.11 Member company prevents and responds to unauthorised or unknown production and/or subcontracting.	Advanced	Subcontracting can decrease transparency in the supply chain and has been demonstrated to increase the risk of human rights violations. Therefore, when operating in higher-risk contexts where it is likely subcontracting occurs, the member company should increase due diligence measures to mitigate these risks.	Production location data provided to Fair Wear, financial records from the previous financial year, evidence of member systems and efforts to identify all production locations (e.g., interviews with factory managers, factory audit data, web shop and catalogue products, etc.), licensee contracts and agreements with design collaborators.	4	4	0

Comment: BP uses the outcomes of its human rights monitoring to respond to unauthorised subcontracting. If unauthorised subcontracting is found, the brand has a follow-up plan. Additionally, the member actively prevents unauthorised subcontracting by visiting suppliers during production. The brand's own quality controller visits suppliers regularly. In addition, the member requests all suppliers to fill in their active production locations in the annual questionnaire. Moreover, unauthorised subcontracting is forbidden according to the framework contract. No subcontractors were missing in the database.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.12 Member company extends its due diligence approach to homeworkers.	Advanced	Homeworkers should be viewed as an intrinsic part of the workforce, entitled to receive equal treatment and have equal access to the same labour rights, and therefore should be formalised to achieve good employment terms and conditions.	Supplier policies, evidence of supplier and/or intermediaries' terms of employment, wage-slips from homeworkers.	4	4	0

Comment: BP has identified whether homework is prevalent in its sourcing countries. According to the member, there is a very low risk of homeworkers being used by its suppliers because, for many years, the brand has been checking with the help of the annual questionnaire if homeworkers are used. So far, no supplier reported the use of homeworkers. Through the brand's detailed insights into production processes and, for example, visits of the Quality Controller, the member can validate the suppliers' statements that no homeworkers are used.

Indicators on Responsible purchasing practices

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.13 Member company's written contracts with suppliers support the implementation of Fair Wear's Code of Labour Practices and human rights due diligence, emphasising fair payment terms.	Intermediate	Written, binding agreements between brands and suppliers, which support the Fair Wears CoLP and human rights due diligence, are crucial to ensuring fairness in implementing decent work across the supply chain.	Suppliers' codes of conduct, contracts, agreements, purchasing terms and conditions, or supplier manuals.	2	4	0

Comment: BP uses contracts with its suppliers. The member has general framework contracts that stipulate payment terms. The annexe of the contract includes the topics of liability and penalties for late deliveries. In 2023, the member brand updated the annexe. It included proof of fault by the supplier in case of penalties for non-compliance with the confirmed delivery date and for liability cases for defective products. These updates support an equal power balance between the brand and the supplier. The payment terms are different for CMT and FOB suppliers. CMT suppliers have regular payment terms between ten days and four weeks. FOB suppliers have payment terms between ten and twenty days. This was verified during the performance check. These contracts do not yet mention the shared responsibilities of CoLP implementation.

Recommendation: Fair Wear strongly recommends BP to include the shared responsibility of CoLP implementation in its contracts.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.14 Member company has formally integrated responsible business practices and possible impacts on human rights violations in its decision-making processes.	Intermediate	Corporate Social Responsibility (CSR), purchasing, and other staff that interact with suppliers must be able to share information to establish a coherent and effective strategy for improvements. This indicator examines how this policy and Fair Wear membership requirements are embedded within the member company.	Internal information systems, status Corrective Action Plans, sourcing score- cards, KPIs listed for different departments that support CSR efforts, reports from meetings from purchasing and/or CSR staff, and a systematic manner of storing information.	4	6	0

Comment: There is an active interchange of information between CSR and other departments to enable coherent and responsible business practices. The member has not yet included responsible business practices in job role competencies, but sustainability is fully integrated into the purchasing department. The Head of Sustainability has a double job role and is also head of Purchasing. Also, the CSR Manager divides her tasks 50% on social responsibility and 50% on purchasing. Thanks to this setup, good sourcing and pricing strategies are part of the purchasing goals but are not captured in writing. The member highlights that this setup empowers them to increase their impact and progress on social responsibility as suppliers know the same team members place orders and negotiate prices. The member does not yet have Key Performance Indicators (KPIs) that support good sourcing and pricing strategies.

Recommendation: BP could adopt written KPIs that support good sourcing and pricing strategies within its purchasing-related job role descriptions. In addition, the brand could include responsible business practices in its job role competencies of sourcing and purchasing staff.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.15 Member company's purchasing practices support reasonable working hours.	Advanced	Members' purchasing practices can significantly impact the levels of excessive overtime at factories.	Proof that planning systems have been shared with production locations, examples of production capacity knowledge that is integrated into planning, timely approval of samples, and proof that management oversight is in place to prevent late production changes.	6	6	0

Comment: For every supplier, BP arranges fixed lead times depending on the location of the supplier and the type of production (CMT or RMG). BP's production planning is based on labour minute calculations for its CMT suppliers. The FOB suppliers' production demand is based on an agreed (and monitored) weekly number of pieces. The weekly agreed pieces can be reduced if a supplier does not meet the agreed output. Factories tell BP how many lines and minutes/pieces are available for BP orders. Generally, the fixed lead times include a time reserve of one week to be flexible in case of unexpected problems. BP also includes holiday plans for its production sites when sending the forecasting plan. BP additionally re-confirms the production status every two weeks with its suppliers to ensure the booked capacity is used to produce BP goods and delays are encountered early. Therefore, BP has continuous planning and forecasts for six months in advance. The forecasting is evaluated every six weeks and adjusted. The brand and supplier regularly assess the accuracy of previous production planning and forecasts. More than 98% of BP's production is NOS products. BP has regular quantities of repeating articles per month for all production locations. The goal is to provide suppliers with the same styles. The company keeps a large stock supply and aims for equal production planning throughout the year, regularly checking with its suppliers to produce without excessive overtime. Furthermore, BP has materials in stock at its CMT suppliers. This stock gives the company and its suppliers more flexibility in urgent orders, reducing pressure on delivery times and, therefore, the risk of overtime. Moreover, several of BP's suppliers can produce the same styles. In 2023, BP had no delivery problems but recognised that many suppliers, especially in Vietnam, Pakistan and Tunisia, had free capacities and asked for more orders if possible.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.16 Member company can demonstrate the link between its buying prices and wage levels at production locations.	Advanced	Understanding the labour component of buying prices is an essential first step for member companies towards ensuring the payment of minimum wages - and towards the implementation of living wages.	Interviews with production staff, documents related to member's pricing policy and system, buying contracts, cost sheets including labour minutes.	6	6	0

Comment: BP understands the wage levels at its suppliers well and applies this understanding to its own buying prices.

For CMT suppliers, the member has insights into the labour component of its prices. BP knows the number of actual sewing minutes needed for a style. For each new development, the standard minutes are developed in-house at BP's sampling production unit and adjusted to actual minutes reported by the supplier. BP calculates the labour minute value per product and compares it to the average cost per working minute per country provided by the association (German Fashion Modeverband e.V.) In most cases, the average minute value by German Fashion is 10-20% lower than the calculated costs by BP. For FOB suppliers, BP asks for the CMT price to know how much workmanship needs to go into each product. This enables the brand to calculate the price per minute. BP relates the price, among others, to the size of the production volume and related productivity and working minutes needed. The member includes changes in legal minimum wage or inflation in its buying prices. BP verifies if wages are increased and requests samples of wage slips to compare old and new wages after price increases.

In addition, BP compares minimum wages and local living wages before and after social audits. By doing this, the company can measure wage increases in the long run. BP also compares minimum wages against calculated minute wages and whether paying the minute wages would lead to a higher wage than the minimum wage. BP combines the analysis of the current wages in the factory with its own minute calculation to identify the gap between what is paid and what could be paid to the workers.

Recommendation: BP could provide its RMG suppliers who do not work with fact-based costing, training on product costing and how to quote prices including (direct and indirect) labour costs. Fair Price product owners are available to conduct such training in all Fair Wear production countries.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.17 All sourcing intermediaries play an active role in upholding HRDD and Fair Wear's Code of Labour Practices and ensure transparency about where production takes place.	Advanced	Intermediaries have the potential to either support or disrupt CoLP implementation. It is members' responsibility to ensure production relation intermediaries actively support the implementation of the CoLP.	Correspondence with intermediaries, trainings for intermediaries, communication on Fair Wear audit findings, etc.	4	4	0

Comment: BP does not make use of sourcing intermediaries. The brand's sourcing model purposely excludes the use of sourcing intermediaries.

Layer 3 Prevention, mitigation and remediation

Possible Points: 90

Earned Points: 54

Indicators on the quality and coherence of a members' prevention and remediation system

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.1 Member company integrates outcomes of human rights risk identification (layer 2) into risk prioritisation and creates subsequent action plans.	Advanced	Based on the risk assessment outcomes, a factory risk profile can be determined with accompanying intervention strategies, including improvement and prevention programmes.	Overview of supplier base with accompanying risk profile and follow-up programmes.	6	6	0

Comment: BP has drafted follow-up plans for nine out of ten strategic suppliers, which match the risk profile. For example, the brand focused on the risk of forced labour for its Chinese supplier visited the supplier and used a questionnaire to investigate the high risk of forced labour further. In addition, monitoring via factory assessments will be resumed in 2024. At a supplier in Tunisia, the brand requested training explaining wage calculation as a follow-up to a previous training. The current follow-up plan has been extended to more suppliers and is a good starting point but could still be further developed and strengthened with clear prioritisations. Based on the risk identification as described in chapter two, BP has linked factory risks to appropriate follow-up for factories covering 95% of FOB. The action plans capture the different approaches to prevent, mitigate and remediate the prioritised risks and include a timeline but no budget yet. BP sources from two production locations in Bangladesh; one is covered under the RSC, and the other location is not as described under indicator 2.7. As production moved exclusively to the new location, the member brand did not follow up further on existing RSC reports, nor did it work on joint prevention with other brands. However, based on its risk assessment, BP prioritised becoming a signatory of the International Accord by 2024 in its action plan and showed clear evidence during the performance check that the needed budget is allocated and that the final documents for signing are under internal review.

Requirement: BP is required to ensure it only sources from production locations in Bangladesh that are covered by the RMG Sustainability Council (RSC).

Recommendation: Fair Wear strongly recommends BP to become a signatory of the International Accord.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.2 Member company's action plans include a gender lens.	Basic	The prevention and improvement programmes should ensure equitable outcomes. Thus, a gender lens should be incorporated in all programmes regardless of whether or not the programme is specifically about gender.	Proof of incorporation of the gender lens in follow up programmes, including stakeholder input.	2	6	0

Comment: In 2023, BP focused on updating its risk scoping by including a gender lens and updating the supplier questionnaire, collecting gender data at the supplier level. However, gender has not been included in the action plans per supplier. However, the brand analysed the wage gap at its Pakistani supplier, as most of the workforce is women. The analysis showed a wage gap between men and women. As the root cause, the supplier and brand identified the workers' seniority; most female workers were newly hired. Therefore the brand did not take action in 2023 as it is expected that the wage gap would diminish with seniority of the female workers.

Recommendation: The member brand is encouraged to add a gender lens in its action plan file to have a clear overview, which is available for the entire team. In addition, BP should further monitor developments of the wage gap and if the wage gap does not diminish automatically with seniority as expected, an action plan is needed.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.3 Member company's action plans include steps to encourage freedom of association and effective social dialogue.	Basic	Freedom of Association and Collective Bargaining are enabling rights. Therefore, ensuring they are prioritised in improvement and prevention programmes can help support improvements in all other areas.	Available prevention and improvement programmes, including stakeholder input.	2	6	0

Comment: In 2023, BP focused on updating the supplier questionnaire, including more in-depth questions about FoA at the supplier level. The brand had planned an introduction training to Social Dialogue at its own facility in Tunisia, but the launch of the module was postponed to 2024 and could, therefore, not be implemented yet in 2023. Instead, the brand requested another follow-up training for the workers in Tunisia, but the content was not related to FoA.

Recommendation: Fair Wear recommends BP to implement the onboarding training module 2 - introduction to social dialogue in its own facility in Tunisia. Also, in a recent complaint, the complaint handler recommended scheduling training on communication and social dialogue within the company.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.4 Member company actively supports a factory-level grievance mechanism.	Advanced	Fair Wear's complaints helpline is a safety net in case local grievance mechanisms do not provide access to remedy. Members are expected to actively support and monitor the effectiveness of operational-level grievance mechanisms as part of regular contact with their suppliers.	Communication with suppliers, responses to grievances, minutes of internal worker committees, evidence of democratically elected worker representation, evidence of handled grievance, review of factory policies, and proof of effective social dialogue.	6	6	0

Comment: Suppliers' internal grievance mechanism are assessed at the start of the business relationship and monitored systematically yearly. The member extended the annual supplier questionnaire with questions on internal grievance mechanisms. In addition, this is part of the internal assessments (process audits) and is discussed during regular video calls. BP supports and monitors the mechanism and responds when the mechanism is ineffective. For example, a Chinese supplier appointed a person to implement the internal grievance mechanism. At the supplier in Bangladesh, the first Fair Wear audit reported an ineffective factory-level grievance mechanism; this has been remediated as a grievance resolve committee has been elected and is in place.

Recommendation: Fair Wear recommends BP to continue following up with the supplier in Bangladesh to ensure the necessary procedures for the factory- level grievance mechanism are in place. The member brand could also request annually an overview of grievances raised via the committee.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.5 Member company collaborates with other Fair Wear members or customers of the production location.	Basic	Cooperation between Fair Wear members increases leverage and the chances of successful outcomes. Cooperation also reduces the chances of a factory needing to conduct multiple improvement programmes about the same issue with multiple customers.	Communication between different companies.	2	6	0

Comment: BP cooperates with other Fair Wear members at its shared suppliers, responding to CAPs and complaints. The member brand has not yet cooperated on corrective actions or prevention measures with customers who are not Fair Wear members. At the moment, the collaboration with non-Fair Wear brands is mainly focused on information exchange, for example, on production capacity between the buying teams.

Recommendation: We recommend BP to also collaborate on preventing human rights violations. Even though BP already collaborates with other Fair Wear members, Fair Wear recommends expanding its collaboration with other customers on Corrective Actions or Prevention Plans.

Indicators on implementation: improvement and prevention

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.6 Degree of verified actions.	52%	Fair Wear expects members to show progress towards the implementation of improvement programmes. Members are expected to be actively involved in the examination and remediation of any factory-specific problem.	Progress reports on improvement programmes.	4	6	-2

Comment: In the past financial year, BP has received four audit reports. During the performance check, the member could demonstrate with a sample that up to two-thirds of the CAP issues requiring improvement actions have been followed up on. The resolved issues range from relatively easily solvable health and safety findings to more complex issues, such as rearranging shifts for security staff to avoid excessive overtime or retrospectively back payment of wages lower than the collective bargaining agreement (CBA). The CAP issues that require improvement actions and are still open are more complex or structural and, therefore, need more time to be remediated. BP could not demonstrate progress on action plans for its suppliers in Bangladesh for RSC assessments (as described in indicator 2.7) nor demonstrate (financial) contribution to preventive, mitigative and remediating actions.

Requirement: Members who are sourcing in Bangladesh and are not signatories of the International Accord must demonstrate proof of (financial) contribution to preventive, mitigative and remediating actions.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.7 Degree of progress towards implementation of prevention programme.	Intermediate progress	Fair Wear expects members to show progress towards the implementation of prevention programmes. With this indicator, Fair Wear assesses the degree of progress based on the percentage of actions addressed within the set timeframe.	Update on prevention programmes.	4	6	-2

Comment: BP has identified some root causes of the CAP issues and discussed these with its suppliers. For example, at the Vietnamese factory, a lack of investments in the past years regarding the factory building led to findings regarding safe and healthy working conditions. The difficult economic situation also affected on-time insurance payments. The member has developed some preventive actions by ensuring orders for the supplier to avoid additional financial constraints, but the impact on the supplier is small due to low leverage. The main root cause of the high number of CAP findings at the new factory in Bangladesh was the move to a new production location and the early assessment during the starting phase. An onsite visit after the audit confirmed this; many findings were already improved.

Recommendation: Fair Wear recommends BP to translate its root cause analysis into concrete preventive actions as part of the risk profiles.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.8 Member company validates risk profile and maintains regular dialogue with factories where no action plan is needed.	No factories in the respective risk profile	When no improvement or prevention programme is needed, Fair Wear expect its member companies to actively monitor the risk profile and continue to mitigate risks and prevent human rights abuses.	Use of Fair Wear workers awareness digital tool to promote access to remedy. Evidence of data collected, worker interviews, monitoring documentation tracking status quo.	N/A	6	0

Comment: BP has no suppliers where improvement or prevention steps are not needed. The sample production at the brand's headquarter is not considered here.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.9 Degree to which member company mitigates root causes of excessive overtime.	Intermediate	Member companies should identify excessive overtime caused by the internal processes and take preventive measures. In addition, members should assess ways to reduce the risk of external delays.	This indicator rewards self-identification of efforts to prevent excessive overtime. Therefore, member companies may present a wide range of evidence of production delays and how the risk of excessive overtime was addressed, such as: reports, correspondence with factories, collaboration with other customers of the factory, use of Fair Wear tools, etc.	4	6	0

Comment: In the previous year, three of four audits mentioned excessive overtime. BP analysed the root causes of these findings. According to the member, the root causes vary from case to case. The root cause for its supplier in Bangladesh was peak season; the supplier tried to finish all orders before the holiday season, leading to more than ten hours of working time. The supplier agreed with the workers to give them two to three additional days of leave instead. The supplier will try to arrange better planning in future. Excessive overtime was also found at a Vietnamese and a Chinese supplier. BP discussed the findings, and both suppliers confirmed to the brand that the overtime hours were not caused by BP orders but by other customers.

BP explained that excessive overtime was reduced for the above cases but could not provide evidence to verify the statements in the form of working hour records.

Recommendation: Fair wear strongly recommends BP to continue monitoring overtime records to verify that overtime is reduced as stated by the supplier.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.10 Member company adequately responds if production locations fail to pay legal wage requirements and/or fail to provide wage data to verify that legal wage requirements are paid.	Intermediate	Fair Wear members are expected to actively verify that all workers receive legal minimum wage. If a supplier does not meet the legal wage requirements or is unable to show they do, Fair Wear member companies are expected to hold the management at the production location accountable for respecting local labour law.	Complaint reports, CAPs, additional emails, Fair Wear Audit Reports or additional monitoring visits by a Fair Wear auditor, or other documents that show the legal wage issue is reported/resolved.	2	4	-2

Comment: In the previous year, two out of four audits included findings where wages could not be verified due to inconsistent or incomplete records, overtime premiums were not paid as legally required, and some workers were not paid legal minimum wage. BP responded immediately to these findings by contacting the Chinese supplier to discuss inconsistent wage records. The root cause of the finding is that workers resigned before the Chinese New Year (CNY), hoping to find work close to their hometowns. Many return to work, but the time during CN is unpaid as workers resign. At a supplier in Bangladesh, wages for storekeepers, store assistants, and office assistants were corrected to ensure all workers were paid at least the legal minimum wage; pay rolls were provided as proof. In addition, overtime payments were increased to ensure legal overtime premiums. As reported in 2023, at two suppliers in North Macedonia, working hours on Saturdays to catch up on missed production targets were not recorded and not paid. Even though the procedure stopped, the brand did not ask the supplier to pay retrospectively for the unpaid working hours on Saturdays in 2022. As the brand is in an exit process at those suppliers and the supplier faces existential economic difficulties, the brand did not follow Fair Wears's recommendation to pay the unpaid working hours retrospectively.

Recommendation: Fair Wear recommends BP to ensure that unpaid overtime on Saturdays is not just prevented going forward but also remediated retroactively for all Saturdays worked.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.11 Degree to which member company assesses and responds to root causes of wages lower than living wages in production locations.	Intermediate	Assessing the root causes for wages lower than living wages will determine what strategies/interventions are needed for increasing wages, which will result in a systemic approach.	Member companies may present a wide range of evidence of how payment below living wage was addressed, such as: internal policy and strategy documents, reports, wage data/wage ladders, gap analysis, correspondence with factories, etc.	4	6	0

Comment: BP has a detailed overview of the wage levels at its suppliers as the brand requests detailed annual wage information from all suppliers, such as the lowest wages for different positions, legal minimum wage, and wage increase updates. This overview shows the development of wages at suppliers and confirms that every supplier pays above the legal minimum wage. Most suppliers pay the lowest-paid workers 20% to 60% above the minimum wage. Chinese suppliers pay the lowest-paid workers 130% to 150% above the minimum wage. The Turkish supplier just pays minimum wage to the lowest paid worker, and also, in North Macedonia and Bangladesh, wages are only slightly above. The member has done a thorough root-cause analysis to determine why wages at suppliers are below the living wage. Based on the root-cause analysis, BP has developed a time-bound plan to enable the systemic increase of wages at its own factory in Tunisia.

Recommendation: Fair Wear encourages BP to discuss with suppliers about different strategies to work towards higher wages and develop a systemic and time-bound approach. It is advised to start with suppliers where the member is responsible for a large percentage of production and has a long-term business relationship.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.12 Member company determines and finances wage increases.	Intermediate	Member companies should have strategies in place to contribute to and finance wage increases in their production locations.	Analysis of wage gap, strategy on paper, demonstrated roll out process.	4	6	0

Comment: As mentioned under indicator 3.11. BP has started to address the topic of living wage internally, including the involvement of the CEO. The member has an overview of wages paid in production locations and discussed wage increases with some of its factories.

The brand set a target wage at its own factory in Tunisia of 25% above the legal minimum wage for all full-time workers. The target wage agreement is valid for two years. In 2022, the brand paid at least 27% above the legal minimum wage (497 Dinar). The goal is finally reaching the living wage estimate of 850 Tunisian Dinars (UGTT (Tunisian General Labour Union)). Higher prices will finance the wage increases.

Recommendation: In determining what is needed and how wages should be increased e.g. for the next target wage agreement, it is recommended to involve worker representation.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.13 Percentage of production volume where the member company pays its share of the living wage estimate.	15%	Fair Wear requires its member companies to act to ensure a living wage is paid in their production locations to each worker.	Member company's own documentation such as reports, factory documentation, evidence of Collective Bargaining Agreement (CBA) payment, communication with factories, etc.	2	6	0

Comment: The member introduced a target wage agreement at its own production, accounting for 15% FOB. The agreement was signed by BP and factory management in December and is valid for two years. The defined target wage is 25% above the legal minimum wage for all full-time workers. In 2023, the brand paid at least 27% above the legal minimum wage (497 Dinar net).

Recommendation: BP is encouraged to roll out its approach to other suppliers.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.14 Member addresses grievances received through Fair Wear's helpline in accordance with the Fair Wear's Access to Remedy Policy.	Intermediate	Members are expected to actively support the operational-level grievance mechanisms as part of regular contact with their suppliers. The complaints procedure provides a framework for member brands, emphasising the responsibility towards workers within their supply chain.	Overview of supporting activities, overview of grievances received and addressed, etc.	2	4	-2

Comment: BP received two complaints in the past financial year about no discrimination and legally binding employment relationships at its own production in Tunisia. The member actively responded to these complaints per Fair Wear's Complaints Procedure. Both complaints were resolved, and both workers returned to work in another production line. The complaints handler with the workers and trade union confirmed this. BP did not take any steps in 2023 to prevent similar complaints from occurring at its production facility in Tunisia. One complaint in Pakistan, that was filed in 2022, is still in the investigation and remediation process. The international trade unions raised the complaint on behalf of 18 workers regarding unfair dismissal and pending severance payments. The complaint is still at the Pakistani court and, therefore, not closed.

Recommendation: Fair Wear recommends BP to include steps encouraging FoA and effective Social Dialogue at its own facility in Tunisia. In a recent complaint, the complaint handler recommended scheduling training on communication and social dialogue within the company.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.15 Degree to which member company implements training to address the risks identified.	Intermediate	Training programmes can play an important role in improving working conditions, especially for more complex issues, such as freedom of association or gender-based violence, where factory-level transformation is needed.	Links between the risk profile and training programme, documentation from discussions with management and workers on training needs, etc.	4	6	0

Comment: In 2022, BP had no CAP findings, where training is a recommended follow-up action. However, in 2023, the brands new supplier in Bangladesh had findings on missing awareness training for the workers on the Fair Wear Code of Labour Practices and its complaint mechanism. Therefore and due to a general high risk profile, the supplier was enrolled in the Fair Wear onboarding module one, which focused on raising awareness of labour rights. In addition, the member enrolled its Tunisian supplier in training about wage calculations upon the workers' requests.

Recommendation: BP is recommended to implement training for more factories, also where this is not part of its improvement and/or prevention programme.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.16 Degree to which member company follows up after a training programme.	Intermediate	Training is a crucial tool to support transformative processes but complementary activities such as remediation and changes at the brand level are needed to achieve lasting impact	Evidence of engagement with factory management regarding training outcomes, documentation on follow-up activities, and proof of integration into further monitoring and risk profiling efforts.	4	6	0

Comment: BP followed up on the implemented training by discussing the training reports with the suppliers. At the Tunisian supplier, the training participants requested a follow-up training on the composition of wages. This training module was developed and took place in June 2023. The member has not yet used the training results as input for its human rights risk monitoring.

Recommendation: Fair Wear recommends BP to use the training results as input for BP's human rights risk monitoring.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.17 The member company's human rights due diligence system includes a responsible exit strategy.	Intermediate	Withdrawing from a non-compliant supplier should only be the last resort when no more impact can be gained from other strategies. Fair Wear members must follow the steps as laid out in the responsible exit strategy.	Exit strategy policy, examples of supplier communications.	2	4	0

Comment: BP's human rights risk monitoring includes a responsible exit strategy. In the past financial year, the member stopped with seven production locations. The member did not follow the steps in the responsible exit strategy for all suppliers, as five out of seven suppliers were subcontractors or another supplier who decided not to work with the subcontracting partners anymore. Regarding the other two suppliers, the exit was initiated by the supplier, not the member brands. BP did not discuss the responsible exit strategy with its suppliers; the process has not yet been used in practice.

Recommendation: BP could discuss the responsible exit strategy with its suppliers, for instance as part of its supplier evaluation.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.18 Member company's measures, business practices and/or improvement programmes go beyond the indicators or scope.	Member company's activities do not go beyond the indicators or scope.	Fair Wear would like to reward and encourage members who go beyond the Fair Wear policy or scope requirements. For example, innovative projects that result in advanced remediation strategies, pilot participation, and/or going beyond tier 2.	Overview of Human Right risk monitoring, remediation and prevention activities and processes.	N/A	6	0

Comment: BP does not undertake activities related to human rights that go beyond Fair Wear's scope.

Layer 4 External communication, outreach, learning, and evaluation

Possible Points: 22

Earned Points: 18

Indicators related to communication

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
4.1 Member company actively communicates about Fair Wear membership.	Advanced	Fair Wear membership includes the need for a brand to show its efforts, progress, and results. Fair Wear members have the tools and targeted content to showcase accountability and inform customers, consumers, and retailers. The more brands communicate about their sustainability work, the greater the overall impact of the work of the Fair Wear member community.	Member website, sales brochures, and other communication materials.	4	4	0

Comment: BP communicates accurately about Fair Wear membership on its website. The member also uses other channels to inform customers and stakeholders about Fair Wear membership. BP actively spreads the Fair Wear message through social media channels, newsletters, on-garment communication, and press releases.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
4.2 Member company sells external brands with a Human Rights Due Diligence system (if applicable).	No reselling of external brands	Some member companies resell other brands, which Fair Wear refers to as 'external production'. These members are expected to investigate the Human Rights Due Diligence system of these other brands, including production locations and the availability of monitoring information.	External production data in Fair Wear's information management system, collected information about other brands' human rights due diligence systems, and evidence of external brands being part of other multi-stakeholder initiatives that verify their responsible business conduct.	N/A	4	0

Comment: BP does not sell external brands.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
4.3 Human rights due diligence reporting is submitted to Fair Wear and is published on the member company's website.	Advanced	The social report is an important tool for member companies to share their efforts with stakeholders transparently. The social report explicitly refers to the workplan and the yearly progress related to the brands goals identified in the workplan.	Social report.	4	4	0

Comment: BP has submitted its social report and also published the report on its website.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
4.4 Member company engages in advanced reporting activities.	Intermediate	Good reporting by members helps ensure the transparency of Fair Wear's work and helps share best practices within the industry. This indicator reviews transparency efforts reported beyond (or included in) the social report.	Brand Performance Check, audit reports, information about innovative projects, specific factory compliance data, disclosed production locations (list tier 2 and beyond), disclosure of production locations, alignment with the Transparency Pledge.	2	4	0

Comment: BP published its social report on its website, which includes factory-level data and remediation results. The factory-level data the member included include, amongst others, main audit findings, complaint details, training outcomes, and risk analysis results. In addition, the brand indicates the start of cooperation, the number of employees, the latest audits, the status of the CAP, a visit by BP, and leverage. BP has yet to disclose its full factory list and its time-bound prevention, remediation and mitigation actions.

Recommendation: BP is recommended to publish a complete factory list, as well as time-bound plans for its suppliers.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
4.5 Member company has a system to track implementation and validate results.	Advanced	Progress must be checked against goals. Members are expected to have a system in place to track implementation and validate the progress made.	Documentation of top management involvement in systematic annual evaluation includes meeting minutes, verbal reporting, PowerPoint presentations, etc. Evidence of worker/supplier feedback.	6	6	0

Comment: BP has a system to track progress and check if implemented measures have effectively prevented and remediated human rights violations. The internal evaluation system involves top management. The brand's evaluation system includes triangulated information from external sources such as supplier feedback. In 2023, for example, information from workers and suppliers was collected for the two training programs in Tunisia and Bangladesh.

Recommendation: The member is advised to include feedback from workers and suppliers consistently in its evaluation system. BP is recommended to include the tracking as individual columns in its master file, which includes the risk analysis, improvement and prevention follow-up plan.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
4.6 Level of action/progress made on requirements from previous Brand Performance Check.	Intermediate	In each Brand Performance Check report, Fair Wear may include requirements for changes to management practices. Progress on achieving these requirements is an important part of Fair Wear membership and its process approach.	Member should show documentation related to the specific requirements made in the previous Brand Performance Check.	2	4	-2

Comment: The previous performance check included the following requirements: BP needs to improve its Responsible Business Conduct Policy to ensure better alignment with the OECD guidelines (1.1). BP should evaluate its contracts to ensure that it does not place an unequal burden on its suppliers or include terms that limit the possibility of implementing the Code of Conduct (2.13). Fair Wear urges BP to ensure that unpaid overtime on Saturdays is prevented going forward and remediated retroactively for all Saturdays worked. (3.10) BP followed up on two requirements (1.1 and 2.13.). Together, at least half of the requirements were addressed

Recommendation: BP is strongly recommended to address the requirement that is still outstanding.

5 Appreciation chapter

5.1 Member company publicly responded to problems/allegations raised by consumers, the media, or NGOs.: Yes

Comments: BP took on various speaker roles at sustainable events or exhibitions: e.g. the A+A fair at which the head of sustainability talked about sustainable procurement together with the Hessnatur Stiftung.

5.2 Member company actively participated in lobby and advocacy efforts to facilitate an enabling environment in production clusters.: Not applicable

5.3 Member company actively contributed to industry outreach, visibility, and learning in its main selling markets.: Not applicable

Recommendations to Fair Wear

The member wishes for more cooperation between different organisations (like PST, Green Button etc.).

BP would also like to see close cooperation of Fair Wear with software solutions like Retraced (e.g. on CAP management).

The member would like to receive more information from Fair Wear on getting CSDDD and CSRD ready. How can the member use the data already in the Fair Wear system?

BP also would like to have more verified information on gender data - for example, in audits.

The member brand suggests that Fair Wear collaborate with other training providers to develop online training modules such as Ulula or Quizzr.

BP misses direct contact with the brand liaison and is not satisfied with the main communication channel via the membership email inbox.

The member brand criticised the CEO meeting, which was well prepared but used too much Sustainability jargon and seemed not targeted to CEOs but rather CSR managers. Those meetings should focus on the strategic direction of Fair Wear, and the director of Fair Wear should be present as well.

Brand Performance Check details

Date of Brand Performance Check: **01-07-2024**

Conducted by: **Julia Krämer**

Interviews with: **Annika Düren** (Purchasing / Sustainability)

Dominik Schröder (Head of Supply Chain)

Fabian Kusch (Head of Purchasing/Sustainability)

Harald Goost (CEO)

Julia Gaspers (Finance)