



B Lab Statement on Recycling Lives' B Corp Certification

B Lab's independent Standards Advisory Council has rendered the following decision and guidance regarding eligibility for B Corp Certification for companies operating in or selling to the prison industry, including companies utilising prison labour:

B Lab and its independent Standards Advisory Council have determined that companies operating in the prison industry are ineligible for B Corp certification. In addition, companies in the U.S. and Canada who sell to prisons, including companies that use prison labour, are placed under an indefinite certification moratorium and are not eligible for B Corp Certification.

B Lab and its independent Standards Advisory Council have determined that, outside of the U.S. and Canada, companies selling to the prison industry, including companies using prison labour, are eligible for B Corp Certification if they have not engaged in specific prohibited practices in the last five years AND are meeting additional industry specific practice requirements.

As a Certified B Corp that utilises prison labour, Recycling Lives is required to disclose a summary of how it complies with these industry requirements. For more information on the specific requirements, please refer to B Lab's statement on companies operating in or selling to the prison industry [here](#).

Summary of Company

Recycling Lives is a recycling company that works across four different sectors: Cars, Metal Processing, Environmental Services (Total Waste Management), and WEEE and Compliance services, based in the United Kingdom. In the past five years, the company has worked with 173 ['Release on Temporary Licence'](#) (ROTLs) and ex-offenders through various work programmes at their premises.¹ Of these 77 were retained as full-time positions on completion of the programs. The vast remainder went on to obtain roles within the Recycling Industry or other industries. This represents 15% of the current workforce. The main duties for these

¹ Release on Temporary Licence is a system in the United Kingdom that allows certain prisoners to temporarily leave the prison to engage in certain activities such as paid or unpaid work.

workers include: End-of-life vehicle depollution, End-of-life vehicle engine and gearbox removal, Waste management, Call centre, Warehouse logistics, and Auction business. The company frequently recruits ROTLs to pool staff roles enabling them to sample various areas of the business and gain a wide range of transferable skills. The term of placement is dependent upon sentence length remaining, but is typically between 6–12 months, however on some occasions these placements can last up to 24 months in line with the ROTL policy.

Recycling Lives' Disclosure on Prohibited Practices

Companies selling to the prison industry, including companies using prison labour, that have engaged in the following practices in the last five years, as demonstrated through company disclosures or through material, justified, and unresolved stakeholder concerns, are currently ineligible for B Corp Certification:

- *Companies that contribute to the construction of new prisons or supply products and/or services designed to restrain or subdue people who are incarcerated, inflict harm or potentially used to inflict harm on people in prisons or other individuals, etc. are currently ineligible for B Corp Certification.*
- *Companies engaged in any form of lobbying or policy advocacy that directly or indirectly support mass, or increasing rates of, incarceration or prevent reform attempts to reduce incarceration. This includes membership, Board involvement, or funding of industry associations that engage in such lobbying activities.*
- *Companies with material, justified, and unresolved complaints about product quality, product price and/or work conditions for people in prisons.*

Recycling Lives does not engage in any form of lobbying or policy advocacy that directly or indirectly support mass, or increasing rates of, incarceration or prevent reform attempts to reduce incarceration. The company does not have any material, justified, and unresolved complaints about product quality, product price and/or work conditions for people in prisons.

Required Best Practices

In order to be eligible, companies selling to the prison industry, including companies using prison labour, must be able to demonstrate that they have the following practices in place and disclose them on their B Corp Profile:

1. *A transparent mechanism to measure the impact of its products, services, policies and/or activities on reducing recidivism and outcomes for people in prisons and proof of positive impact deemed rigorous as a result of, for example, third party assessment and/or existing primary research.*

To measure the impact of its services on reducing recidivism and outcomes for people in prisons, the company monitors the ROTL workers for a period of 12 months post release in line with the MOJ reporting period for reduction in re-offending. This data is then used to evidence reduction in crime and impacts to local communities. They also engage on an ongoing basis with the ROTL and ex-offenders on employee welfare to understand their job satisfaction levels through their annual employee satisfaction survey. In the second half of 2023, the company is also planning to implement a scoring-system assessment to analyse ROTL progression once released. This will help them to identify key trigger points for re-offending or changes in lifestyle due to substances, accommodation or mental health.

In the last 5 years, Recycling Lives have seen 173 ROTLs and ex-offenders participate in their programs. Of these approximately 45% have stayed within Recycling Lives, 10% have gone on to other roles within the recycling Industry (e.g. B&M waste, Arthur Skips, Blackpool Skips etc.) and the vast remainder were placed in other industries e.g. utility and construction companies (Amey, United Utilities, Bam Nuttal, Barratt Homes etc) with a small percentage not finding full employment. In total, 93% of those who have gone through ROTL schemes continue in full-time, sustainable employment upon release with the company or other employers (often their customers or supply chain partners). Their key statistic on reoffending is compared to the national average of circa 65% re-entering the prison system, Recycling Lives is able to achieve a typical rate of less than 5% who reoffend.

2. *A public stance against mass, or increasing rates of, incarceration and other material issues related to the prison industry, approved by the highest level of governance (e.g., Board of Directors) within the company, and a commitment to making efforts towards collective action and/or engagement with stakeholders, focused on improving how people who are incarcerated are viewed and treated before, during and after incarceration.*

In alignment with the requirements and principles stated in B Lab's position statement for companies that work with prison labour, Recycling Lives has the following philosophy in regards to mass incarceration, collective action and government affairs. The philosophy statement reads as follows:

- Recycling Lives supports those from disadvantaged groups to find employment and to become valued members of society. One of the key groups that are disadvantaged are people in prison. Recycling Lives offers employment, training and support to those currently in prison through our ROTL program and full-time employment on release. We seek to improve the outcomes of this group who traditionally have high levels of re-offending and unemployment, helping to break this cycle through meaningful jobs. In this way we help individuals to reconnect with society, reconnect with their families and to rebuild their lives. This also reduces crime in local communities, reduces taxpayer costs for prison, health & employment services and improves outcomes for all. Key to this approach is our belief that those from challenged backgrounds should be able to hold their heads high, work in good jobs and be welcomed in a workplace that supports

and respects their right to a second chance. We work with all our stakeholders to make this a reality.

- 3. Public disclosure detailing the company's approach to government affairs, inclusive of lobbying/advocacy and political activities. This should include disclosure of the material issues that the company lobbies/advocates for, their trade associations, and the controls they have in place in regards to political contributions, lobbying/advocacy on the company's behalf, revolving door policy, political contributions and donations.*

Recycling Lives work with the prison system in the UK to reduce reoffending and offer meaningful jobs to people in prison. We do this apolitically and do not contribute to political parties, revolving door policy or lobbying through trade associations to influence outcomes. Our work is directly with those impacted, the Ministry of Justice, UK prisons, our sister charity organisation and other partners who can support us in our mission. This includes working on advocacy and training programs with our supply chain and trade bodies to encourage more companies to offer second chances to people in prison.

- 4. Policies and practices to address the concerns of mass, or increasing rates of, incarceration and the prison industry in other aspects of its operations, including its charitable efforts, fair chance hiring practices, customer screenings, affected stakeholders incorporated in governance structure, etc.*

Recycling Lives also help to reduce reoffending through working with high-risk people to avoid them entering the justice system in the first place. This includes school liaison work and community programs.

All of this is achieved through the commitments of Recycling Lives Group and Sustainability Boards and our policy and procedural documents which align with these aims.

Required Best Practices - Companies Using Prison Labor

- 1. Company conducts an application process where workers express interest in the specific work opportunity and each worker receives and signs a standardised consent form from the enterprise indicating that they agree to work. The form indicates the wages and conditions of work.*

During the application process, the company sends a job advert and description to the prison. The company then receives applications along with Curriculum Vitae, and site managers visit the prison to conduct interviews. Together with the prison, the company assesses the applicant's behaviours to ascertain sustainability for ROTL. The final candidate is then made an offer through the prison. The ROTL worker and the company also sign a Memorandum of Understanding (MoU) related to the work placement. This clarifies that the workers are still serving prisoners and therefore, not entitled to a full legal employment contract but are allowed the standard working hours, payment terms, leave entitlement and other conditions of work as

per other Recycling Lives staff. The prison worker receives a staff handbook and participates in an induction course that details employee requirements and processes as well as access to an online HR area with forms, policies and other employment documents. The company must clarify all work duties that the ROTL worker is expected to engage in and must inform the prison before applying any changes or amendments. The company must also confirm that they do not employ a majority of employee workers that are currently incarcerated and do not rely on prison labour.

2. *The conditions of work the enterprise offers are similar to work outside the prison, namely:*
 - a. *Wages and any deductions are made transparent and are comparable to those of free workers with similar skills and experience in the relevant industry or occupation, taking into account factors such as productivity levels. Costs the enterprise may incur for prison security supervision of the workers should not be borne by workers.*
 - b. *Workers receive clear and detailed wage slips showing hours worked, wages earned and any deductions authorised by law for food and lodging. Wages are paid directly to workers, when possible. In cases where local laws prohibit direct payment of wages, companies must have systems in place to guarantee that workers receive wages as intended.*
 - c. *The daily working hours are in accordance with local law for free workers.*
 - d. *Safety and health measures respect local law for free workers.*
 - e. *Workers are included in the social security scheme for accident and health coverage.*

As part of the MoU, the ROTL worker is required to provide bank account details to be eligible to begin the work placement. There is an explicit expectation that the level of remuneration is no lower than the level which a member of the public would be expected to receive for the same task. The company pays all their staff, inclusive of the employees from the prison, at least a living wage. In the UK, the [Prisoner's Earning Act of 1996](#) states that the National Offender Management Service (NOMS) can take a deduction of 40% from an offender's weekly/monthly salary. As such, the ROTL workers are not allowed to receive payment directly to their bank account. The company is responsible for making payments to the NOMS once the necessary deductions for tax and national insurance have been made. All ROTL workers are on the company payroll and receive payslips that clearly state their pay per hour and hours worked, along with necessary deductions indicating the net salary. The only costs incurred by the prison workers are food, as all staff are required to provide their own meals. Recycling Lives supports the provision of travel to and from the workplace. All relevant PPE for their role is provided by the company at the start of their placement.

ROTL workers work the same working week as any other staff member, this is a standard 5 day/42 hour working week, Monday to Friday. Breaks are standardised across the entire workforce and include morning and afternoon tea-breaks, as well as lunch break. Overtime is

allowed on Saturdays in compliance with the Ministry of Justice ROTL policy and the working time directive (work week not to exceed 48hrs), but is not mandatory.

The company is also required to comply with all relevant health and safety and equal opportunity legislation, as well as certificates of insurance related to safe working practices. Whilst on site, they provide Health, Safety and Environmental induction, appropriate protective clothing, and additional training where required. The employee contract also includes statutory sick leave pay and social security benefits to which the worker from the prison may be entitled.

3. Workers obtain benefits such as learning new skills and the opportunity to work cooperatively in a controlled environment enabling them to develop team skills.

As per the company requirements, the MoU has been amended to include additional placement requirements that stipulates that all workers from the prison must receive training before commencing their work duties. The company typically provides induction training programs covering manual handling, health & safety and job specific training e.g. forklift, de-pollution, crane operation etc. The training is applied to everyone, irrespective of background, and is a mandatory requirement to carry out their job. Role development and progression routes are available as part of their learning and development program, for example some workers can start as a general operative and progress to a machine operative such as a crane driver.

The company also has dedicated programs for coaching led by either site managers or welfare managers. These provide follow ups to their general support with specific one-to-one advice and assistance with any specific issues the individual may face, e.g. specialised training needs, support with integrating locally. Staff training includes management development, induction, specific vocational and life-skill based courses, and sustainability modules designed to empower attendees to address climate change both in the workplace and at home. The company is planning to implement a system of induction training via Teams for new ROTL workers from their new training Academy, the Terry Jackson Academy. This offers a wide range of training courses for Recycling Lives employees including induction courses, practical and classroom based training and skills programs. Specifically to ROTLs and those from other disadvantaged groups, the company offers special employability courses. This covers CV creation, interview techniques etc.

The company also earns 32.1 points for the Workforce Development Impact Business Model in their BIA through the employment of individuals from underserved communities that includes currently or recently incarcerated, or from underserved backgrounds.

4. Workers have the possibility of continuing work of the same type upon release and the company provides post-release benefits to workers, such as contributions to post-release savings accounts and employment support.

Offers of employment are dependent upon the individual release area, as prison locations surrounding sites of Recycling Lives Limited may not be in line with their chosen release area.

Where possible, they select people on the basis that they are returning to or willing to relocate to one of their site areas. If they return to an area that Recycling Lives Limited is not based, the company works with their supply chain and other businesses in their chosen areas to identify suitable roles for them upon their release.

Recycling Lives contracts with a Charity to offer wrap-around support for those being released, which covers mental health support, substance misuse support, accommodation support and liaison with probation services on licence conditions.

- 5. Workers may withdraw their consent at any time, subject only to reasonable notice requirements.*

A ROTL worker can choose to remove themselves from their current ROTL role with immediate effect and will not be penalised for this in line with the statutory rights in the Prisoners Memorandum of Understanding issued by the prison and complying with the ROTL Policy. Furthermore, ROTLs are not required to have a standard notice period compared to non-ROTL employees.

- 6. The company maintains a transparent quality assurance system that includes direct and private feedback from workers, and where possible, takes action based on the feedback.*

The company has regular review meetings, that are held at least once every 4 weeks, with all ROTL workers to ensure progression and welfare needs are met. Although not currently documented, the company plans to formally document these in the future to improve their employees feedback process by the second half of 2023.

The company states that the vast majority of ROTL workers continue to work for Recycling Lives or other placement companies where there is a position available for them upon release and if it is in line with their release area. This is done through mutual discussion and agreement with the worker. The company has a system in place called Safecall that allows all employees, including ROTLs to anonymously provide feedback.