



HART
LAND, SEA & AIR
INTEGRATED SOLUTIONS

HART
BUSINESS
ETHICS

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HART BUSINESS ETHICS

Reference:

- A. International Code of Conduct for Private Security Service Providers Nov 10

INTRODUCTION

1. The Hart group of companies¹ business ethics are based upon legal and moral principles and practices. As an original signatory of Reference A, and an active member of the ICOC Association, Hart's companies adhere to the principles and guidance provided within it and these underpin the conduct of all their business practices. The international laws which are taken into account are Human Rights Law (HRL), International Humanitarian Law (IHL) and International Maritime Law, as they apply to Hart; national laws are to be applied appropriately – for example, in the case of maritime security operations the laws of the Flag, Port and Coastal States involved in a task are to be put into effect as relevant.

2. **Aim**

The aim of this document is to provide a policy statement which provides an ethical framework within which all Hart's business is to be conducted.

3. **Scope**

The guidance contained within this document is applicable to all employees, contractors and subcontractors; Hart will actively promote its ethics to its clients and suppliers, in order to enhance their understanding of the added value that Harts' approach delivers, and encourage similar commitments.

POLICY

4. **General**

Hart is committed to treating its personnel and all those affected by its business activities humanely, with respect for their dignity, privacy, and human rights. Hart will actively monitor the impact of its activities on human rights, and requires all its personnel to report any impacts witnessed. Any breach of the policies contained within this document or Reference A is to be reported.

5. **Use of Force**

Hart's personnel are always to operate under established rules for the use of force (RUF), which will always be consistent with applicable law, and the requirements of the local theatre

¹ Hart Integrated Solutions, Hart UK Ltd, Hart Pty Australia

of operations. All personnel are to be fully conversant with their respective RUF and verifiably trained² in their appropriate application. As a minimum -

- a. Hart's personnel must always take reasonable steps to avoid the use of force; where it has to be applied it is to be in a manner consistent with applicable law. The use of force must never exceed that which is strictly necessary to repel an imminent threat and should be proportionate and appropriate to the prevailing situation.
- b. Firearms are only to be used in self-defence or defence of others against the threat of death or serious injury.

6. Detention

Hart's personnel are never to hold any person in detention unless contracted so to do by a state and that they are trained appropriately in applicable national and international laws. As in all circumstances personnel are to treat detainees humanely and consistent with their status and protections under applicable HRL and IHL, including prohibitions on torture or other cruel, inhuman or degrading treatment or punishment.

7. Apprehending Persons

The only circumstance under which Hart personnel may apprehend or hold any persons are when they are required to defend themselves or others against an imminent threat of violence, or following an attack or crime committed by such persons against Company personnel, or against clients or property under their protection. Any persons so apprehended are to be handed over to a Competent Authority³ without delay. In the case of any person apprehended during a maritime security operation the Competent Authority will have been agreed between the shipping company, Flag State and the receiving state. Hart personnel are to treat any person apprehended under any such circumstance humanely and consistent with their status and protections under applicable HRL and IHL, including prohibitions on torture or other cruel, inhuman or degrading treatment or punishment.

8. Prohibition on Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment

Hart personnel are prohibited from engaging in torture or cruel, inhuman or degrading treatment or punishment; there are no circumstances which will justify exceptions to this prohibition. Personnel are to report any such acts known to them or of which they have reasonable suspicion. These reports are to be made to the client and the competent authorities in the country where the acts took place, the country of the nationality of the victim or the country of the perpetrator.

9. Sexual Exploitation and Abuse or Gender-based Violence

Hart's personnel are forbidden from engaging in or benefitting from sexual exploitation (including prostitution) and abuse or gender based violence or crimes either within the

² At a minimum this is to consist of briefings and situational awareness exercises; records of such training are to be maintained.

³ Competent Authority is defined as any state or intergovernmental organisation which has jurisdiction over the activities and/or persons in question.

Company or externally. This is inclusive of rape, sexual harassment or any other form of sexual abuse or violence. All personnel are to be continuously vigilant for all instances of sexual or gender based violence and if discovered they are to report them to the appropriate manager. Subsequently, the Company will inform the competent authorities.

10. Human Trafficking⁴

Hart's personnel are not to engage in any form of human trafficking and must remain continuously vigilant for all instances of sexual or gender based violence and if discovered they are to report them to the appropriate manager⁵. Subsequently, the Company will inform the competent authorities.

11. Prohibition of Slavery and Forced Labour

Hart will never use slavery, forced or compulsory labour, nor will the Company ever be complicit in any other entity's use of such labour.

12. Prohibition on the Worst Forms of Child Labour

Hart respects the rights of children (anyone under the age of 18) to be protected from the worst forms of child labour, including:

- a. All forms of slavery or similar practices – such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children in the provision of armed services.
- b. The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances.
- c. The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs.
- d. Work, which by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Personnel are to report any such activities that they know of or have reasonable suspicion of to the appropriate manager⁶; the Company are to subsequently report formally to the competent authorities.

13. Discrimination

Hart personnel are not to discriminate on grounds of race, colour, sex, religion, social origin, social status, indigenous status, disability, or sexual orientation when hiring personnel and will always select personnel on the basis of the inherent requirements of the specific contract.

⁴ Human Trafficking is defined as the recruitment, harbouring, transportation, provision, or obtaining of a person for: firstly, a commercial sex act induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; secondly, labour services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, debt bondage, or slavery.

⁵ At a minimum your Line Manager, HR Director, Head of Legal and Contracts

⁶ At a minimum your Line Manager, HR Director, Head of Legal and Contracts

14. Commitments

Hart is committed to

- a. Conducting all its business operations in accordance with all applicable laws and regulations – international and national.
- b. Developing a culture which promotes integrity, transparency and fairness and embraces the principles laid down in Reference A; one which protects and respects its staff's and clients' interests at all times, whilst providing an effective system of for remedying any defects.
- c. Providing a safe and healthy working milieu at all times and which reduces any adverse effects upon the local environment to as low as reasonably practicable.
- d. Establishing a robust system of quality assurance management which promotes the aspiration of continuous improvement.
- e. Incorporating the tenets of Reference A within its contracts and not entering knowingly into any contract which directly and materially conflicts with these principles.
- f. Not contracting with, to supporting or servicing any government, person or entity in a manner that would be contrary to United Nations Security Council sanctions.
- g. Without any exception, not benefitting in any way from any national or international crimes⁷.
- h. Ensuring that its services or any goods provided do not violate HRL or IHL and that any services or goods are not derived from such violations.
- i. Ensuring that neither the Company nor its personnel will indulge in any form of bribery or inducement that is illegal.

15. Reporting

In compliance with its commitments within the International Code of Conduct (ICOC), Hart will report known or reasonable suspicion of the commission of any of the acts identified below, to one or more of the following: the Competent Authorities in the country where the act took place, the country of nationality of the victim, or the country of nationality of the perpetrator.

- . war crimes,
- . crimes against humanity,
- . genocide,
- . torture,

⁷ Inclusive of but not limited to war crimes, crimes against humanity, genocide, torture, enforced disappearance, forced or compulsory labour, hostage taking, sexual or gender-based violence, human trafficking, the trafficking of weapons or drugs, child labour or extrajudicial, summary or arbitrary executions.

- . enforced disappearance,
- . forced or compulsory labour,
- . hostage-taking,
- . sexual or gender-based violence,
- . human trafficking,
- . the trafficking of weapons or drugs,
- . child labour or
- . extrajudicial, summary or arbitrary executions.

In circumstances where Hart wishes to remain anonymous as the source of a report related to the identified acts, it may consider utilising the good offices of the International Code of Conduct – Association. By submitting the report to the ICOC-A with the request that the report be transmitted to the one or more of the competent authorities identified.

16. Reporting to Competent Authorities

When considering the notification of competent authorities concerning known or reasonable suspicion of criminal activities, a key consideration will be the right to life, liberty and security of person, non discrimination, and the rights to be free from arbitrary arrest and detention, torture, or cruel inhuman or degrading treatment or punishment, and the right to a fair trial of all individuals involved, including Hart personnel. Hart will not engage in activities that would allow it to be complicit in these severe adverse human rights impacts.

17. Conflict of Interest

Conflict of interest is defined as “.. a set of circumstances that creates a risk that professional judgment or actions regarding a primary interest will be unduly influenced by a secondary interest.” Hart will not wittingly enter into contracts where conflict of interest may arise; at a minimum any potential for such conflict will be discussed openly prior to any contract being signed. Similarly, the Company requires that its staff avoid conflicts of interest and to disclose where they may potentially occur. Failure to do so will result in disciplinary action.

18. Confidentiality

Hart is committed to maintaining confidentiality of sensitive or private information in respect of its staff, clients and business associates. Its records are maintained in a fashion commensurate with the principles of the Data Protection Act of 1998. The Company requires its employees to maintain similar levels of confidentiality concerning commercially or personally sensitive information. Failure to do so will result in disciplinary action.

19. Records

The Company will retain appropriate records of all of its business activities – business development (inclusive of, but not limited to, proposals, contracts, service agreements), current operations (inclusive of, but not limited to, work orders and situation, intelligence, incident reports and daily task sheets), financial records (inclusive of, but not limited to, invoices, expenditure, personal expenses and annual figures), human resources (inclusive of, but not limited to, recruitment, contracts, personal record sheets, training records, appraisals, disciplinary investigations and reports), legal (all legal matters), logistics and communications (inclusive of, but not limited to, directives, briefings, policies, procedures).

These are to be stored electronically and in hard copy, when appropriate, in accordance with the constraints of data protection regulations.

20. **Implementation**

The Company demands of its entire staff an unswerving commitment to the above. It is the responsibility of management at every level to provide the leadership, direction, education and supervision to ensure that these commitments are realised. The Company's procedures on discipline, grievance and whistleblowing are to be utilised in the event of any breaches of these ethics.

Annex:

A. Management and Functional Responsibilities

MANAGEMENT & FUNCTIONAL RESPONSIBILITIES

Table 1 outlines the responsibilities for Hart achieving the requirements stated in its Business Ethics. Management Responsibility identifies roles charged with defining processes to achieve commitments, and Function Responsibility identifies the function responsible for delivering the defined commitment.

Serial	Ethics Commitment	Management Responsibility	Function Responsibility
1	5. Use of Force	COO Legal	Country Managers Training
2	6. Detention	Legal	Country Managers Training
3	7. Apprehending Persons	Legal	Country Managers Training
4	8. Prohibition on Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment	Legal	Country Managers Training
5	9. Sexual Exploitation and Abuse or Gender-based Violence.	Legal Human Resources	Country Managers Training
6	10. Human Trafficking	Legal Bid Team	Country Managers Training
7	11. Prohibition of Slavery and Forced Labour.	Legal Bid Team	Country Managers Training
8	12. Prohibition on the Worst Forms of Child Labour.	Legal Bid Team	Country Managers Training
9	13. Discrimination	Legal Human Resources	Country Managers Training
10	14.Commitments - a	COO CAO Legal	Legal Country Managers Training
11	14.Commitments - b	COO CAO Human Resources	Country Managers
12	14.Commitments - c	CAO HSSE	Country Managers Training
13	14.Commitments - d	COO CAO	All
14	14.Commitments - e	CAO Bid Team	CAO Bid Team
15	14.Commitments - f	CAO	CAO

		Legal Bid Team	Legal Bid Team
16	14.Commitments - g	CAO Legal Bid Team	Country Managers
17	14.Commitments - h	COO CAO Legal Bid Team	COO CAO Legal
18	14.Commitments - i	COO CAO Legal	Country Managers Training

Table 1: Responsibilities in Code of Ethics