



# **Brand Performance Check**

**Rise Up Fashion GmbH**

**Publication date: September 2023**

This report covers the evaluation period 01-01-2022 to 31-12-2022

## 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](http://www.fairwear.org). The online [Brand Performance Check Guide](#) provides more information about the indicators.

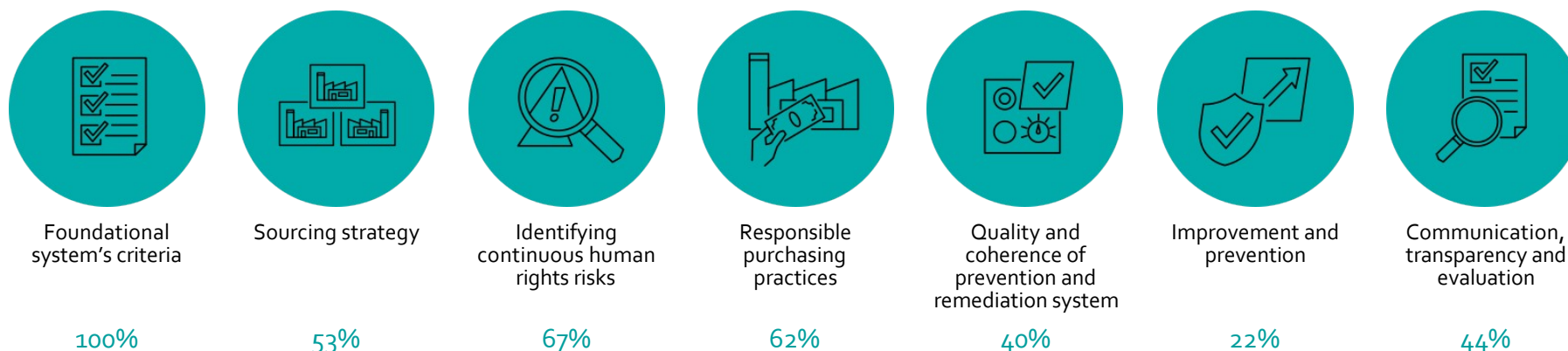
# Scoring overview

Total score: 86

Possible score: 192

Benchmarking Score: 45

Performance Benchmarking Category: Good



## Summary:

Rise Up Fashion GmbH (hereafter Oceansapart) has met most of Fair Wears' performance requirements. With a total benchmarking score of 45, the member is placed in the Good category. The member has scored insufficiently on a repeated non-compliance indicator. This needs to be resolved in the next performance check, or else Oceansapart will be automatically placed in Needs Improvement.

Oceansapart has a sourcing strategy addressing influencing labour conditions by fostering long-term business relationships, continuous dialogue with suppliers, sharing best practices, and having a solid risk assessment in place and monitoring systems. Consolidation of the brand's supply chain is included in its sourcing strategy.

Oceansapart conducted a thorough and detailed country risk assessment level on all eight Code of Labour Practices (CoLP), including country-specific high risks such as forced labour (China), occupational health and safety risks (OHS) (Bangladesh) or migrant workers (Türkiye). In addition, the member brand accomplished a risk scoping for its garment suppliers, focusing on prioritised risks only.

Consequently, the brand did not include all suppliers in the risk assessment, nor a risk assessment on all eight labour standards.

Furthermore, the supplier risk assessment only includes actual harms and does not yet include potential harms and country-specific risks which could occur at its suppliers. The brand has yet to include a gender lens in its risk assessments.

Oceansapart has an ad-hoc approach to identifying human rights risks in its supply chain. The brand's monitoring system still needs to identify risks in its production locations that come up in risk scoping or Fair Wear's country studies. Oceansapart has drafted follow-up plans for its suppliers but is encouraged to include adequate improvement and preventive steps matching the supplier's risk profile. Oceansapart sources from eight production locations in Bangladesh. The member has not signed the International Accord. Oceansapart only sources from factories covered under the RMG Sustainability Council (RSC).

Six of eight audit reports mentioned findings related to legally required wage components, such as incorrect payment of overtime hours or no social security payment, incorrect payment of statutory leaves, and, for one factory, untransparent wage documents. Oceansapart did not adequately respond to these findings and therefore, no improvements could be shown during the Performance Check.

For a first-year member, Oceansapart has set up a solid basis to continue its Fair Wear membership. Oceansapart is encouraged to expand its risk scoping and risk assessment and improve its monitoring system to provide a more solid foundation for the improvement and preventive action plans per supplier. Oceansapart is encouraged to start working on the living wage indicators.

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 some new indicators, which may result in a lower score for member brands. Because this is a transition year, Fair Wear lowered the scoring threshold for this year only.

## 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 Rise Up Fashion GmbH

## Member company information

Member since: 1 Jan 2021

Product types: Garments, clothing, fashion apparel, Sports & activewear and Accessories

Percentage of CMT production versus support processes 86%

Percentage of FOB purchased through own or joint venture production 0%

Percentage of FOB purchased directly 54%

Percentage of FOB purchased through agents or intermediaries 49%

Percentage of turnover of external brands resold 0%

FLA Member No

Member of other MSI's Amfori - BSCI, PETA,

Other Initiatives

Number of complaints received last financial year 0

## 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

Membership fee has been paid? Yes

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

Production Country	Number of production locations	Percentage of production volume
China	16	49
Bangladesh	8	34
Türkiye	2	17

# Layer 1 Foundational system's criteria

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**Possible Points: 8**

**Earned Points: 8**

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1.1 Member company has a Responsible Business Conduct policy adopted by top management.: Yes

Comment: Oceansapart has a Human Rights Due Diligence in place, but some elements such as the inclusion of a gender lens are missing.

Requirement: Oceansapart needs to improve its Human Rights Due Diligence Policy, to ensure better alignment with the OECD guidelines.

1.2 All member company staff are made aware of Fair Wear's membership requirements.: Yes

1.3 All staff who have direct contact with suppliers are trained to support the implementation of Fair Wear requirements.: 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:** Oceansapart discloses 58% 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:** Oceansapart discloses 58% 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: 54**

### 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.	Intermediate	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.	4	6	0

**Comment:** Oceanspart has a sourcing strategy addressing influencing labour conditions by fostering long-term business relationships, continuous dialogue with suppliers, sharing best practices, and having a solid risk assessment in place and monitoring systems.

Consolidation of the brand's supply chain is included in its sourcing strategy. Oceanspart's sourcing strategy does not yet explicitly focus on increasing influence through active cooperation with other clients.

The member has 26 active suppliers in China (49% FOB), Bangladesh (34% FOB) and Türkiye (17% FOB). 52% of the production volume comes from suppliers where the member has at least 10% leverage at suppliers. 8% of the production volume comes from suppliers where Oceansapart buys less than 2% of its total FOB. As this is Oceansapart's first performance check, Fair Wear cannot compare the data to the previous year.

Oceansapart, founded in 2018, faced a significant sales increase during the COVID period. Coming from a start-up business, there was a lack of solid internal processes, such as onboarding new suppliers. With the sudden increase in sales, the brand needed more suppliers, which were added to the brand's supplier bases in a rapid process. As a result of the brand's risk assessment on country and supplier level and a supplier evaluation, the brand is now in the phase of starting a consolidation process. Suppliers with a low performance will be exited. The exit process started in 2022, coming into force in 2023. At the same time, the brand onboarded nine new suppliers in the past financial year to cover the suppliers' capacity, which the brand is slowly phasing out.

**Recommendation:** Fair Wear recommends Oceansapart to consider leverage when moving its production to new suppliers. The member should consider the risk of human rights violations at suppliers, the influence it has on bringing change and the impact it can have at a factory level.

Oceansapart could include in its sourcing strategy a plan to increase influence on suppliers by cooperating with other buyers.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.2 Member company's sourcing strategy is focused on building long-term relationships.	Basic	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.	2	6	0

**Comment:** Oceanspart has a sourcing strategy that focuses on maintaining long-term relationships. 12% of the member's total FOB volume comes from suppliers with whom Oceanspart has a business relationship for at least five years. The member does not yet commit to forward-looking contracts. As the member brand has a high Never out of Stock (NOS) (70% - 75% of its FOB), the brand regularly places orders at its suppliers and therefore feels to contribute to order certainty. However, this is not yet stipulated in contracts.

**Recommendation:** Fair Wear recommends Oceanspart to commit to long-term contracts. Oceanspart is advised to embed long-term contracts in its sourcing strategy.

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.	Basic	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.	2	6	-2

**Comment:** Oceansapart conducts risk scoping on country level. The member brand has yet to include a risk scoping on business and sourcing model and product level in its risk scoping. In its country risk scoping, Oceansapart has assessed the impact and prevalence of the risks correctly. The member brand conducted a thorough and detailed risk assessment on all eight Code of Labour Practices (CoLP), including country-specific high risks such as forced labour (China), occupational health and safety risks (OHS) (Bangladesh) or migrant workers (Türkiye). When assessing risks related to discrimination, the brand also included gender-specific risks. However, Oceansapart did not include a gender lens for all eight labour standards. Oceansapart's second main sourcing country is Bangladesh. All of Oceansapart's Bangladeshi suppliers are covered by the International Accord; however, the member brand is not a signatory of the International Accord.

The member adjusts its sourcing strategy based on the risk scoping. While searching for new suppliers (see also indicator 2.2) the member brand conducted a risk assessment of Ethiopia and Myanmar. Based on the assessed risks, the brand decided not to start a business in both countries and looked for other options elsewhere.

Although Oceansapart has not yet done an official risk scoping on its business model, the member brand evaluated its extensive use of intermediaries. The evaluation showed working with intermediaries bears several risks, so the brand decided to change its business model in the future.

To date, Oceansapart's sourcing strategy does not mention a preference for countries where workers can freely form or join a trade union and/or bargain collectively. The brand's risk scoping still needs to include input from workers, suppliers and stakeholders.

**Recommendation:** Fair Wear recommends Oceansapart to include all risk factors in its risk scoping.

Fair Wear strongly recommends Oceansapart to follow Fair Wear's Enhanced Human Rights Due Diligence Policy for fire, structural and electrical safety in Bangladesh.

Fair Wear strongly recommends Oceansapart to privilege countries where workers can freely form or join a trade union and/or bargain collectively and make this explicit in its sourcing strategy.

The member is recommended to include input from workers, suppliers, and other stakeholders in its risk-scoping exercise.

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:** Oceansapart has a standard process for onboarding new suppliers. All relevant colleagues are aware of this process. In case the member brand is in need of a new supplier (e.g. for risk mitigation purposes or because of portfolio developments), the Head of Purchasing starts a dialogue with potential new suppliers. Topics of the first conversations are the supplier's certifications, audit results, portfolio, set-up of the supplier and its factories, other customers, technical standards, research and prices. In case of a positive outcome, an Environmental, Social and Governance (ESG) assessment will be conducted, including a visit or a virtual tour through the factory. Additionally, the brand started a dialogue with suppliers about human rights and how the supplier and Oceansapart can cooperate on this topic. Besides that, the brand checks upon the supplier's willingness to use open costing, which is a precondition. In case of a positive outcome of evaluating all collected information, including audit reports, the ESG and the risk assessments, the supplier will be onboarded. In the next step, the supplier receives a set of documents: a contract, production guide, the brand's Code of Conduct (CoC), anti-bribery and anti-corruption form, Fair Wear's CoLP questionnaire and the Worker Information Sheet (WIS). The first purchasing order will only be placed after the set of documents has been signed. This process was followed for all nine suppliers onboarded in 2022.

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:** In 2022, Oceansapart onboarded eight new suppliers in China and one new supplier in Bangladesh to its supplier base. Before onboarding new suppliers, the brand collects human rights information of potential new suppliers by conducting ESG assessments, virtual factory tours, existing audit reports and certificates, collecting OHS checklists, and visiting new suppliers either by the brand staff or its Quality control (QC) employee (for the Chinese factories). Further, the brand informs about worker representatives at the suppliers, the procedure of instalment (elected or selected) and if a complaints mechanism is in place. Based on the outcome of the evaluation, the brand decides whether or not to onboard the potential new supplier. Oceansapart followed this process for the suppliers added in the last previous year.



As this is the brand's first one-and-a-half year of Fair Wear's membership, all supplier's received the CoLP questionnaire. The brand followed up on the timely return and whether the questionnaires were complete. A small number of CoLP questionnaires of existing suppliers required further follow-up, which still needed to be completed.

The company does not collect information from workers or stakeholders to inform the sourcing decision. The member's sourcing strategy does not mention a preference for suppliers where workers are free to form or join a trade union and/or bargain collectively.

**Recommendation:** Fair Wear urges Oceansapart to ensure that the (incomplete) CoLP questionnaires are followed-up.

Fair Wear encourages the member to collect worker and stakeholder input before placing the first order.

Fair Wear strongly recommends Oceansapart to privilege suppliers where workers can freely form or join a trade union and/or bargain collectively and make this explicit in its sourcing strategy.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.6 Member actively ensures awareness of the Fair Wear CoLP, the complaints helpline, and social dialogue mechanisms within the first year of starting business.	Basic	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.	2	6	0

**Comment:** As mentioned in indicator 2.5, Oceansapart has added nine new suppliers in China and Bangladesh. The member brand shared information about Fair Wear's CoLP and the complaints helpline within the first year of business. The Worker Information Sheet has been posted. Oceansapart has not yet organised onboarding sessions for its new suppliers to raise awareness about the Fair Wear CoLP, the complaints helpline, or the importance of social dialogue.

**Recommendation:** Oceansapart is recommended to organise onboarding sessions specifically focusing on the CoLP and the complaints mechanism within the first year of doing business.

## 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 monitor human rights risks in its supply chain.	Basic	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.	2	6	0

**Comment:** In 2022, Oceansapart conducted a supplier risk assessment. As it was the first year of the brand's membership at Fair Wear, the brand decided for its risk assessment to first focus on its garment suppliers, and therefore, not all suppliers were included. The basis for the supplier risk assessment are Corrective Action Plans (CAPs) of each supplier, complaints and Fair Wear country studies. The brand's risk assessment entails only prioritised risks and therefore does not include a risk assessment on all eight Code of Labour Practices (CoLP). However, the brand has defined some zero-tolerance issues, such as occupational health and safety issues (OHS) and fire safety, which always get a high priority and therefore are included in the risk assessment. As Oceansapart's risk assessment focuses on actual harms and does not yet include potential harms, the member brand did not yet include country-specific risks such as forced labour in China, gender-based violence and harassment in Bangladesh or migrant workers in Türkiye. Oceansapart needs yet to include the impact of the assessed risks on supplier level. Oceansapart did not apply a gender lens.

Oceansapart has an ad hoc approach to identifying human rights risks in its supply chain. The brand's main monitoring tools are external audits. Factories are regularly audited, and the Chinese suppliers are regularly visited by the brand's Quality controller (QC). Oceansapart's monitoring system does not yet identify risks in its production locations that come up in risk scoping or Fair Wears country studies, and its monitoring tools do not yet identify common non-compliances in those countries. Furthermore, the brand's monitoring tools do not explicitly include worker, stakeholder and/or supplier input.

Oceansapart sources at eight Bangladeshi suppliers. All suppliers are covered and audited by the International Accord; however, Oceansapart is not a signatory of the International Accord.

**Recommendation:** Fair Wear strongly recommends to conduct a risk assessment for all suppliers, to asses the risks for all eight Code of Labour Practices and to apply a gender lens.

Fair Wear recommends that Oceansapart not depends on audits alone and expands its monitoring instruments and to change its monitoring tool when it does not identify risks that are common in the production country.

Fair Wear strongly recommends Oceansapart to follow Fair Wear's Enhanced Human Rights Due Diligence Policy for fire, structural and electrical safety in Bangladesh.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.8 Member company's continuous monitoring of human rights risks 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:** Oceansapart has mapped the risks to Freedom of Association (FoA) for its production countries and can explain the main risks per country. The risks are workers cannot freely form or join a union (Bangladesh, China, and Türkiye), worker representatives are usually selected by the management and not democratically elected (Bangladesh and China), or management mistreats workers due to their union membership or activities (Türkiye). The brand has not yet included the risks to women workers in its risk assessment. On supplier level, Oceansapart assessed the election process of the worker representatives (democratically elected or selected) and whether CBA contracts are in place and specifically discussed this topic with its suppliers. However, Oceansapart has not yet a supplier-level monitoring in place to assess and understand the risk at suppliers.

**Recommendation:** Oceansapart is encouraged to deepen its understanding of risks to FoA in its supply chain.

Oceansapart is recommended to use the Supplier Questionnaire from Fair Wear’s FoA Guide to assess and understand the risk regarding violation of FoA at its suppliers.

Oceansapart should include risks specific to women workers in its risk assessment regarding FoA at its suppliers.

The member is recommended to ensure supplier-level monitoring is in place to assess and understand the risk at suppliers - for example, through the Supplier Questionnaire (tool 2 in Fair Wear’s FoA Guide), modular assessment on Social Dialogue, in-depth discussions with suppliers, or a full audit.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.9 Member company includes a gender analysis throughout their continuous monitoring of human rights risks, to foster a better understanding of gendered implications.	Basic	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.	2	6	0

**Comment:** Oceansapart has included some gender-related risks for the labour standard discrimination in its country risk assessment.

However, the brand did not yet conduct a gender-related risk scoping on all eight Code of Labour Practices.

Oceansapart has started to collect gender-disaggregated data per factory, such as the gender ratio, gender pay gap, and the gender ratio of supervisors. The member has not yet analysed this data and has not looked explicitly into how its business practices affect gender at its suppliers.

**Recommendation:** Fair Wear recommends the member to collect country-level gender risks for each Code of Labour Practices. Oceanspart is recommended to collect gender data per factory related to every Code of Labour Practices.

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. The brand's risk assessment includes criteria such as quality, speed and flexibility, finance and pricing, ESG audit results, communication, research and development. Each criterion gets a score, leading to an average score per supplier. The evaluation is discussed internally with all team members and influences sourcing decisions. All suppliers are informed about the evaluation results. Suppliers with a low score get specific attention and get time to improve. However, in case of no improvements, the brand's exit procedure will start. Well-performing suppliers are prioritised for new orders.

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:** Oceanspart uses the outcomes of its human rights monitoring to respond to unauthorised subcontracting. There is no evidence of missing first-tier locations in the database. One audit report of July 2022 at the brand's Turkish supplier revealed the use of unauthorised subcontracting. The brand responded to this finding and visited the supplier to discuss the issue. The follow-up was complicated because the brand worked with an intermediary, and the situation was intransparent. Finally, the subcontractor signed Fair Wear's CoLP questionnaire and was integrated into the brand's supplier base. Meanwhile, the cooperation with the intermediary was terminated, and currently, no production occurs at this supplier.

Unauthorised subcontracting is not allowed according to the member brand's production guide, which, together with the contract, forms the legal base of the cooperation. The suppliers have to sign the contract and the production guide. As a result of the unauthorised subcontracting finding, the brand started a comprehensive mapping of all its tier 1 and tier 2 suppliers. Furthermore, the brand regularly requests information about the use of possible subcontractors in its ESG assessments, and the brand's QC employee in China conducts inline inspections. Oceansapart makes use of third-party inspections at its Bangladeshi suppliers. In addition, Oceansapart evaluates its supplier's capacities to ensure that the supplier can produce the orders in-house.

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:** Oceansapart's production guide does not tolerate homeworkers, which the suppliers must sign. Additionally, Oceansapart checks on machinery, capacities and production processes to prevent the use of homeworkers. Furthermore, the brand's QC employee in China and third-party QC in Bangladesh and Türkiye is an additional monitoring tool to prevent orders from being outsourced to homeworkers. In recent years, Oceansapart has not found any homeworkers through its monitoring.

## 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:** Oceansapart uses contracts with its suppliers. The legal base for the brand's cooperation consists of the following documents: the contract, production guide, the brand's CoC, and anti-bribery and anti-corruption form. All documents need to be signed by the suppliers. Amongst other, the contract stipulates payment terms and penalties for late deliveries. Liability or force majeure is not yet covered in the contract. Although mentioned in the contract, the brand rarely charges penalties for late deliveries. Its production guide, which is shared with suppliers, weakens the strict language of the contract by including that late delivery penalties will only be charged in case of proof of fault by the supplier. Payment terms are agreed individually with the suppliers and therefore vary from 50% after 30 days and 50% after 60 days or 30% down payments and 70% before shipment. Payments are transferred either directly to the brand's suppliers or to the brand's intermediaries. The financial check did not reveal any late payments.

Oceansapart's CoC includes the Code of Labour Practices and is not only available in English but also was specifically translated into the supplier's local language to ensure a good understanding of the content. The brand's CoC does support the implementation of human rights due diligence. In the CoC, Oceansapart commits to support its suppliers to fulfil the standards set out in the code.

**Recommendation:** Oceansapart is advised to review its contracts with suppliers against the principles mentioned in the Common Framework of Responsible Purchasing Practices (CFRPP).

Additionally, Fair Wear recommends to ensure that the contract and production guide are consistent and do not include contradictory information.

Fair Wear strongly recommends that Oceansapart remove penalties for late delivery from its contracts, or at least ensure there is 'proof of fault by the supplier' and to include terms that regulate force majeure and liability.



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 their 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, nor do sourcing and purchasing staff work with Key Performance Indicators (KPIs) supporting good sourcing and pricing strategies.

**Recommendation:** Oceansapart could adopt KPIs that support good sourcing and pricing strategies within its sourcing, purchasing and design departments.

Oceansapart 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.	Intermediate	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.	4	6	0

**Comment:** Oceansapart has 70% - 75% Never Out of Stock (NOS) articles, ensuring its suppliers receive regular orders of the same styles. The brand launches about twelve collections a year, whereof 15% -20% are seasonal collections. The production planning is as follows: the kick-off for new articles starts about ten months before production. During this time, a pre-screening of suppliers, their capacities and the decision on which supplier will get the order takes place. The product development (double sampling) lasts three months, and the lead time for production is set for 90 days, although some articles can be produced in 30 - 40 days. After production, it takes 90 days until the goods are in the warehouse. Oceansapart shares a forecast six months before the order placement and has yarn stock at several suppliers. The suppliers are involved in the production planning, and the brand takes vacation time and public holidays into account. Oceansapart does not block production capacities. Throughout the planning and production phase, the brand evaluates the status and works with a traffic light system to ensure that delays are identified on time. Suppliers report weekly to the brand about the production status. Due to the brand's NOS stock, the brand is flexible in case of delays and, in case needed, indicates priority orders. Additionally, the brand's production planning includes buffer time to prevent excessive overtime at suppliers. Delays are accepted. As the brand does not work with retailers, it uses several options to cover for delays, such as shifting campaigns on certain styles, using a virtual stock for online marketing, or starting a marketing campaign for NOS styles.

Due to the worldwide economic crisis in 2022, Oceansapart faced a sales decrease. The brand responded by reducing order quantities; however, no orders were cancelled. Some projects for new articles were put on hold. The brand followed up on whether its suppliers could cope with the order reduction. For its Chinese suppliers, the brand received feedback that domestic orders covered the decrease in orders.

Yet, Oceansapart does not evaluate the previous order planning with its suppliers. The member brand does not take responsibility for the unused (forecasted) capacity caused by the member brand.

**Recommendation:** The member is encouraged to evaluate with the supplier the production process after each season and, where needed, adapt its future planning.

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.	Basic	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.	2	6	0

**Comment:** Oceansapart works with an open costing model with all suppliers for all styles. The open costing sheet entails fabric details, information about costs for fabric, accessories, cost of making (CMT), prints and embroideries, labelling, testing, overhead and factory margin. The open costing does not include information about the production minutes per style or labour costs. Generally, Oceansapart does not negotiate the CMT costs. The member brand has an overview of the legal minimum wages and wages per supplier; however, there is no calculation about the living wage gap. The member brand adjusts prices in case of legal minimum wage increase. Oceansapart cannot link its buying prices to the wage levels at suppliers.

**Requirement:** Oceansapart needs to demonstrate an understanding of the link between buying prices and wage levels to ensure its pricing allows for the payment of the legal minimum wage.

**Recommendation:** Oceansapart is encouraged to provide buyers (or other employees involved in price negotiations with suppliers) training on cost breakdown, for example using the Fair Price app. Oceansapart is recommended to investigate wage levels in production countries and at its suppliers. This forms the basis for ensuring enough is paid to cover at least minimum wage and for making steps towards living wages.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
2.17 All sourcing intermediaries play an active role in upholding 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:** Oceanspart use intermediaries for about 50% of its FOB in 2022. Oceanspart has informed its sourcing intermediaries of Fair Wear requirements and could show they informed production locations. Next to that, the intermediaries actively support the implementation of the CoLP through the follow-up of Corrective Action Plans (CAPs). Except for one intermediary, all payments are transferred directly to the suppliers. Oceanspart does not know the payment terms of the intermediary to the factory, where the brand does not pay directly.

**Recommendation:** The member is recommended to check if the intermediary's purchasing practices are fair and if the intermediary has adequate systems to ensure payments are made on time.

## Layer 3 Remediation and impact

**Possible Points: 84**

**Earned Points: 24**

### Indicators on Quality and coherence of 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 prioritisation and follow-up programmes according to the risk profile.	Intermediate	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.	4	6	0

**Comment:** Oceansapart has drafted follow-up plans for its suppliers, responsible for 83% of the member brand's FOB. As it is the company's first year of membership, the brand focused on its main garment suppliers.

Oceansapart's follow-up plan is included in its supplier's risk assessment. As described in indicator 2.7., the risk assessment only includes the highest risks and is mainly CAP-based. Therefore, the follow-up plan focuses on CAP findings and improvements and is ad-hoc. Systematic preventive steps, a timeline and a budget, are not yet included. In addition, as country-specific high risks were not assessed, the brand did not include adequate improvement and preventive steps in its follow-up plans.

As this means there is some follow-up plan related to the risk assessment, but it is not fully complete, the FOB counting toward this indicator (83%) is halved.

Oceansapart sources from eight production locations in Bangladesh. The member has not signed the International Accord. Oceansapart only sources from factories covered under the RMG Sustainability Council (RSC).

**Recommendation:** Fair Wear recommends Oceansapart to ensure all factories have a follow-up plan that matches their risk profile.

Fair Wear recommends the member to further complete/improve its follow-up plans.

Fair Wear strongly recommends Oceansapart to become a signatory of the International Accord or at least follow Fair Wear's Enhanced Human Rights Due Diligence Policy for fire, structural and electrical safety in Bangladesh.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.2 Member company's improvement and prevention programmes 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:** Oceansapart's improvement and prevention programmes do not yet include a gender lens. However, the brand supported empowerment training for female supervisors at one of its suppliers.

**Requirement:** Oceansapart must start including a gender lens in the implementation of improvement or prevention actions.

**Recommendation:** The member is encouraged to include a gender lens in all its improvement and prevention actions.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.3 Member company's improvement and prevention programmes include steps to encourage freedom of association and effective social dialogue.	Insufficient	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.	0	6	0

**Comment:** Oceanspart has not yet included steps to encourage FoA and effective social dialogue in its improvement or prevention actions.

**Requirement:** Members must include steps to promote FoA and social dialogue in its improvement or prevention actions. This should be linked with its assessment of risks to FoA and social dialogue as part of its human rights monitoring (see indicator 2.8). Examples of steps that could be included can be found in Fair Wears brand guide on FoA and collective bargaining.

**Recommendation:** Oceanspart is recommended to, together with the supplier, distribute non-retaliation letters to workers, ensuring workers know they will not be punished for joining or forming trade unions.

Oceanspart is recommended to support in financing/coordinating training on FoA and social dialogue for its suppliers.



Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.4 Member company actively supports operational-level internal grievance mechanism.	Intermediate	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.	4	6	0

**Comment:** Oceanspart systematically assesses and regularly monitors the suppliers' internal grievance mechanisms. The brand informs itself about whether suggestion boxes are in place and correctly placed to ensure workers can anonymously file a complaint. In case improvements are needed, the brand requires immediate corrections. Furthermore, Oceanspart assesses whether worker representatives are in place and whether they were selected or democratically elected. In case of a selection, Oceanspart started a dialogue with its supplier to convince the supplier about the benefits of a democratically elected worker representative committee. Additionally, Oceanspart requests meeting minutes of worker representatives' meetings to verify whether the operational-level internal grievance mechanism is functioning. This is also supported by an external audit organisation project, which focuses on worker interviews about functioning grievance mechanisms in the factory. Oceanspart actively shares suppliers' best practices about functioning grievance mechanisms with other suppliers, where it is not yet the case to support the implementation process. Complaints are systematically followed up and integrated into the brand's risk assessment and a CAP/follow-up plan.

Oceansapart has not yet created preventive measures by enrolling its suppliers in Workplace Education Programme training modules to support internal grievance mechanisms. Furthermore, the brand does not yet consider internal grievance mechanisms assessment in purchasing decisions.

**Recommendation:** Fair Wear recommends Oceansapart to enroll its suppliers in WEP training modules to support internal grievance mechanisms.

Fair Wear recommends Oceansapart to ensure that the evaluation of internal grievance mechanisms of its suppliers is systematically considered in purchasing decisions.

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:** Oceansapart cooperates with other Fair Wear members at its shared suppliers, responding to CAPs and complaints. Oceansapart has not yet cooperated on preventive actions or with customers that are not Fair Wear members.

**Recommendation:** Even though Oceansapart already works together with other Fair Wear members, Fair Wear recommends to also collaborate with other customers.

We recommend Oceansapart to also work together on preventing human rights violations.

## Indicators on Improvement and prevention

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.6 Degree of progress towards implementation of improvement programme per relevant factory.	33%	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, Oceansapart has received eight audit reports. During the performance check, the member could demonstrate with a sample that up to two third of the CAP issues requiring improvement actions have been followed up. Oceansapart's key priority is the follow-up on OHS findings, and, therefore, the brand focuses on improving these findings first, before starting actions on excessive overtime and wage issues. Non-conformities related to working hours and wages have been discussed with the suppliers. For one audit at the brand's Bangladeshi supplier, the factory collected living wage data to calculate the wage gap at the factory; furthermore, the supplier adjusted its production planning and increased the monitoring of working hours to reduce excessive overtime. For one audit of July 2022 of the Turkish supplier, Oceansapart followed up on the finding related to unauthorised subcontracting (see also indicator 2.11); however, other findings were not yet addressed. The brand faced transparency issues with the intermediary of the factory. Furthermore, the factory is in the process of moving to another building in another area and currently, no production takes place until the relocation has been finalised. Therefore, the brand decided to pause the CAP-follow up.

Oceansapart includes progress on CAP findings in its supplier's risk assessment as well as in the CAP overview; however, not all audit findings are included in a CAP, and improvements are not systematically updated in the different working files of the brand. This bears a risk of intransparency and lack of overview.

The CAP issues that require improvement actions and are still open are issues that are more complex or structural and therefore need more time to be remediated.

**Recommendation:** Fair Wear strongly recommends Oceansapart to carefully analyse the priorities of each CAP. Severe issues related to excessive overtime and wages should be remediated in the given time frame.

Furthermore, Fair Wear urges Oceansapart to continue the CAP follow-up at the Turkish supplier and not to wait until the factory has moved to the new building.

Fair Wear strongly recommends Oceansapart to include all findings of different audits/assessments into one CAP and to systematically evaluate the progress, which could feed the supplier's evaluation.

Fair Wear strongly recommends ensuring that the size of the supply chain and the available resources of Oceansapart to actively follow up on CAP issues are coinciding. Possible solutions could be to decrease the number of suppliers or increase the resources needed to be able to work on improvement actions.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.7 Degree of progress towards implementation of prevention programme.	Basic 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.	2	6	-2

**Comment:** Oceansapart has identified some root causes of the CAP issues and discussed these with its suppliers. For example, the brand identified one root cause for OHS findings is a lack of a responsible person to follow up. Furthermore, the brand analysed the root causes of excessive overtime and found out that suppliers have unrealistic production planning. The member has started to develop some preventive steps addressing these root causes.

Oceansapart has not yet solved some root causes and did not yet implement preventive actions.

**Recommendation:** Fair Wear recommends Oceansapart 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 improvement or prevention programme 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:** Oceanspart has no suppliers where improvement or prevention steps are not needed.

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, five of eight audit reports mentioned findings related to excessive overtime and intransparent working records. The findings are related to the brand's Chinese and Turkish suppliers. Oceanspart analysed the root causes of these findings. According to the member brand, lockdowns related to COVID-19, unrealistic lead times, and poor production planning in China are significant causes for excessive overtime. Oceanspart believes that its purchasing practices provide its suppliers with enough production time and therefore is not contributing to excessive overtime. However, for one Chinese supplier where excessive overtime occurred, the member has a leverage of 80%.

The brand responded to excessive overtime by being flexible with order delays, reducing order quantities to lower production pressure and giving the supplier time to catch up and by onboarding an additional supplier specialised in the production process.

Oceansapart could not yet show that its efforts resulted in reduced excessive overtime at the five suppliers.

**Recommendation:** Fair Wear advises Oceansapart to discuss with its supplier which solutions included in the Fair Working Hours Guide are applicable.

Fair Wear recommends cooperating with other customers at the factory to increase leverage when mitigating excessive overtime.

With its suppliers where excessive overtime occurs, Fair Wear recommends Oceansapart to verify whether production is planned with overtime. If production is planned with overtime, the brand should ensure that its products can be produced during regular working hours.

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.	Insufficient	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:** Six of eight audit reports mentioned findings related to legally required wage components, such as incorrect payment of overtime hours or no payment of social security, incorrect payment of statutory leaves and, for one factory, intransparent wage documents. All findings are related to the brand's Chinese and Turkish suppliers. Oceansapart did not adequately respond to these findings; therefore, no improvements could be shown during the Performance Check.

One Chinese factory was in lockdown because of COVID-19 in March and April 2022. Oceansapart informed whether legal minimum wages were paid to the workers during this period. According to the supplier, wages were paid; however, the situation remains intransparent, as the factory only provided proof of evidence for the workers who stayed on the compound during the lockdown. The Chinese government supported workers with food packages, but neither the supplier nor Oceansapart supported the workers financially. The brand was recommended to conduct a verification audit to clarify if all workers received the legal minimum wage, which was not requested by Oceansapart so far.

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

If a supplier fails to comply with legal wage regulations, members are expected to respond in time, identify root causes with factory management, and resolve that local labour laws are respected. Evidence of remediation must be collected.

**Recommendation:** Fair Wear strongly recommends Oceansapart to always verify whether legal minimum wage issues have been resolved in case factory management claims so. Oceansapart could hire a local consultant or plan a monitoring visit of one of Fair Wear's auditors to check remediation.



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.	Insufficient	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.	0	6	0

**Comment:** Oceansapart has an overview of the legal minimum wages and wages per supplier; however, there is no calculation of the living wage gap. The member brand started discussing living wages with its suppliers and investigated how they calculate the living wage and which benchmarks are used. According to the member brand, one root cause for wages lower than living wage is that production with low wages supports the economy. But a thorough root-cause analysis has not yet been conducted.

**Requirement:** Oceansapart must assess the root causes of wages that are lower than living wages, taking into account its leverage and the effect of its own pricing policy. Oceansapart is expected to take an active role in discussing living wages with its suppliers. The Fair Wear wage ladder can be used as a tool to implement living wages, to document, monitor, negotiate and evaluate the improvements at its suppliers.

**Recommendation:** Fair Wear recommends Oceansapart to enrol in the Living Wage programme on Fair Wear's learning platform.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.12 Member company determines and finances wage increases.	Insufficient	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.	0	6	0

**Comment:** Oceanspart has not discussed wage increases with its factories and does not have an overview of the wage gaps at its suppliers.

The member brand does not yet have a strategy on how to finance wage increases at its suppliers.

**Requirement:** Oceanspart should analyse what is needed to increase wages and develop a strategy to finance the costs of wage increases.

**Recommendation:** To support companies in analysing the wage gap, Fair Wear has developed a calculation model that estimates the effect on FOB and retail prices under different pricing models.

Fair Wear recommends Oceanspart to enrol in the Living Wage programme on Fair Wear's learning platform.

It is advised that the strategy for how to finance wage increases is agreed upon by top management.

In determining what is needed and how wages should be increased, 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.	0%	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.	0	6	0

**Comment:** Oceansapart does not contribute to higher wages at any of its production locations.

**Requirement:** Oceansapart is expected to begin setting a target wage for its production locations.

**Recommendation:** Fair Wear recommends Oceansapart to conduct a root cause analysis to check how it is possible that the paid wages are not above a living wage benchmark while the brand calculates with this benchmark in its pricing and has high leverage.

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 Complaints Procedure.	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:** Oceanspart received one complaint in the past financial year about freedom of association at its supplier in Bangladesh. The member actively responded to this complaint as per Fair Wear's Complaints Procedure. Due to the sensitivity and complexity of the case, the member brand visited the supplier. Several meetings were held to follow up on the agreed action plan. The complaint is still in the process of remediation.

Oceanspart did not yet take steps to prevent similar complaints from occurring at its supplier and in its supply chain and did not yet include the outcome of this complaint to decide on follow-up in its human rights improvement and prevention plan.

**Recommendation:** Oceanspart could use the outcome of complaints to determine follow-up actions in its broader improvement and prevention plans.

The member is recommended to take steps to prevent similar complaints from occurring at its supplier and supply chain.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.15 Degree to which member company implements training appropriate to the improvement or prevention programme.	Insufficient	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.	0	6	0

**Comment:** Oceansapart's follow-up plan does not include the implementation of training as part of the improvement or preventive programme. The brand has not enrolled any of its suppliers in training modules to raise awareness about Fair Wear's Code of Labour Practices and workers' rights.

**Requirement:** Oceansapart needs to implement training per the requirements in its improvement and prevention programmes.

**Recommendation:** Oceansapart is recommended to implement training for all factories where this is 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.	Member company did not implement any training	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.	N/A	6	0

**Comment:** Oceanspart did not implement training at its suppliers.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
3.17 The member company's human rights risk monitoring 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:** Oceanspart's human rights risk monitoring includes a responsible exit strategy. The member did not exit any of its suppliers in the past financial year. Due to the consolidation of its supply chain, see also indicator 2.1, the member brand started its exit procedure at several suppliers with low performance. The member brand discussed its strategy with the suppliers in 2022 with the final exit taking place in 2023. Oceanspart did not yet discuss the responsible exit strategy with all of its suppliers.

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

Oceanspart could include the responsible exit strategy as part of its suppliers' agreement or contract.

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:** Oceanspart 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: 18**

**Earned Points: 8**

### Indicators on Communication, transparency and evaluation

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
4.1 Member company actively communicates about Fair Wear membership and its human rights due diligence efforts.	Intermediate	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.	2	4	0

**Comment:** Oceanspart communicates accurately about Fair Wear membership on its website. The member does not yet use other channels to inform customers and stakeholders about Fair Wear membership.



**Recommendation:** Oceansapart could develop materials about Fair Wear membership to share with retailers and (web)shops. The Fair Wear third-party resellers flyer can support in explaining Fair Wear, Fair Wear’s work and the communication rules for third parties.

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:** Oceansapart does not sell external brands.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
4.3 Social report is submitted to Fair Wear and is published on the member company's website.	Intermediate	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.	2	4	0

**Comment:** Oceanspart has submitted its social report, which Fair Wear approved. The brand has not published the report on its website.

**Recommendation:** A social report is an important tool for member companies to share their efforts with stakeholders transparently. Therefore, Fair Wear strongly recommends that Oceanspart publishes the social report on its website.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
4.4 Member company engages in advanced reporting activities.	Insufficient	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.	0	4	0

**Comment:** Oceanapart does not yet publish its social report.

**Requirement:** Oceansapart should report on factory-level data and remediation results. Good reporting by members helps to ensure the transparency of the member and Fair Wear's work.

**Recommendation:** Fair Wear encourages Oceansapart to publish its social report. Fair Wear recommends Oceansapart to include a disaggregated factory list and time-bound improvement plans in its social report.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
4.5 Member company has a system to track implementation and validate results.	Intermediate	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.	4	6	0

**Comment:** Oceanspart has a system to track progress and check if implemented measures have been effective in preventing and remediating human rights violations. The internal evaluation system involves top management. The member does not yet include triangulated information from external sources in its evaluation system.

**Recommendation:** The member is advised to include feedback from workers and suppliers in its evaluation system.

Performance indicators	Result	Relevance of indicator	Documentation	Score	Max	Min
4.6 Level of action/progress made on requirements from previous Brand Performance Check.	No requirements were included in the previous Brand Performance Check	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.	N/A	4	-2

**Comment:** Due to the first year of membership, there were no previous requirements.

## 5 Appreciation chapter

5.1 Member company publicly responded to problems/allegations raised by consumers, the media, or NGOs.: Not applicable

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

Oceanspart recommends Fair Wear to provide the CoLP questionnaire not only in English, but also in languages of sourcing countries.

Oceanspart recommends Fair Wear to adjust its processes and requirements as for an SME company, the implementation of Fair Wear's requirements is very bureaucratic and time-consuming.

Oceanspart recommends Fair Wear to reduce the questions in the Brand Performance Check and be less repetitive.

Oceanspart recommends Fair Wear to avoid double work and to be internally more aligned.

# Brand Performance Check details

Date of Brand Performance Check: **18-07-2023**

Conducted by: **Annet Baldus**

Interviews with: **Mrs Silvana Bornello - CEO**

**Mr Henry Brodski - CFO/CEO**

**Mr Tobias Keller - Director of Product**

**Mrs Nadya Slonskaya - Senior Product Sustainability and Compliance manager**