

Managing modern slavery risk in asset-light business models: stakeholder perceptions in the hotel industry

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Summary

There is a turn of the industry towards an asset-light business model, which has fundamentally reshaped the hotel industry towards divesting their real estate properties to concentrate on growing in scale through managing and franchising hotels. Although franchise chains are increasingly committed to sustainability transitions, no research to date has focused on modern slavery in the specific case of franchising. Therefore, this paper aims to explore modern slavery risk management in such a business model through a qualitative approach to explore *How does the franchised Business Model challenge the management of modern slavery risk in the Hotel sector?*

Keywords or phrases: Modern slavery, Business model, Hotel industry

Submission category: academic working paper

1- Introduction

There is a turn of the industry towards an asset-light business model, which has fundamentally reshaped the hotel industry towards divesting their real estate properties to concentrate on growing in scale through managing and franchising hotels. While this trend started after the 2008 recession, the COVID-19 pandemic accelerated this turn. An asset-light business model traditionally is seen as leading to higher profitability, stable cash flow, and lower financial risk. The operators concentrate on operating the hotel rather than investments in physical assets.

Although franchise chains are increasingly committed to sustainability transitions, no research to date has focused on modern slavery in the specific case of franchising.

Therefore, this paper aims to explore modern slavery risk management in such a business model.

Prior research found that growth through asset-light business models increases the likelihood that hotels will be used as vehicles for labour exploitation given that implementation of appropriate policies is constrained to owned and managed properties but with limited influence and control over franchisees (Paraskevas and Brookes, 2018). The owner pays for the brand franchise and pays royalties to the brand owner. While the hotel operates under the brand owner's name, the brand's control is minimal, with little to no input on operations and the supply chain. Although the level of immediate risk to the brand owner is reduced, (International Labour Office, 2015), the risk levels of modern slavery are high. The franchisor can have difficulty in assessing whether modern slavery occurs in the supply chain of their franchisee. Another issue in the franchise model is sharing risks and responsibilities for labour abuses in franchisees' supply chain and in-house operations. Often the franchisor does not want to be liable for the actions happening in the franchise, therefore, does not want to exert control over the franchisee (Minderoo Foundation's Walk Free Initiative et al. 2019).

The theoretical lens of agency theory has been taken to explain many of the aspects of the international franchisor-franchisee relationship (Lassar and Kerr 1997).

A qualitative approach was taken to explore the research question of How does the franchised Business Model challenge the management of modern slavery risk in the Hotel sector? The data was collected through two sources: first secondary data from 28 of Modern slavery reports of the hotel sector in the UK was collected. In the second phase, 12 semi-structured interviews with different stakeholders were conducted; 9 hotel managers, 2 consultancies, and 1 legal advisor.

Based on the qualitative content analysis, it was found that franchised business model is challenging modern slavery risk through: (a) Franchisor potential lack of power driven from contract and system infrastructure, (b) Lack of visibility of franchisor over franchisee, (c) Lack of capacity of franchisor, (d) Franchisee resistance to change, (e) Profit-oriented of the competitive market and (f) The essence of franchise model itself.

This research has important implications for research on modern slavery in the hospitality sector and franchised business model. It contributes to modern slavery literature in the supply chains and social sustainability as bigger umbrella by opening a new field of how

governance structure in lengthily and complex supply chains can challenge the management of modern slavery risk. Furthermore, it offers new insights into the dark side of franchised business model and how it challenges modern slavery risk through the themes that were found in this research. This research contributes to practice by providing insights both for franchisees and franchisors on how to overcome challenges that are created due to the franchised business model with regards to modern slavery risk management.

2- Literature review

Over the last few years, the hotel industry has been shifting from corporate-owned branches. Currently, enterprises are leaning towards franchising and management contracts. Now there is less than 10% of corporate-managed hotels. Over 80% of the top 10 international hotel companies are franchises, which led to large brands of hotels becoming marketing companies and has created distance from the hotel supply chains (Minderoo Foundation's Walk Free Initiative *et al.* 2019). As many hotels employ independent ownership, leasing, and franchising, instead of direct ownership, corporate control is not as efficient (Jones. Comfort, 2021). It is because labour exploitation is often hidden and exists in an informal setting at the early stages of production, often spread across multiple stages, and outsourcing can hide any modern slavery practices as it adds layers to the value chain that are often outside the scope of corporate auditing (Jones, Comfort, 2021).

The fragmented nature of this business model makes it difficult to establish who is responsible for making sure that the labour rights are respected, as there are multiple actors involved, suppliers, property owners, and hotel companies. However, this does not mean that their responsibility to adhere to proper labour laws and practices is diminished, as the biggest hotel chains operate on a huge scale with ventures in over 100 countries, employing as many as 150 000 workers (Minderoo Foundation's Walk Free Initiative *et al.* 2019). The risk varies depending on the model in which the hotel is operated.

Four main ownership models can be distinguished, owned, leased, franchised, and managed properties. The owned and operated hotels give the most freedom to the MNOs, therefore the risk is high, although the management company has complete control over its operations. The owner has absolute freedom over any decisions regarding

personnel, development, and operations, and the suppliers' agreements are managed directly by the organization. While considering the rented properties, the risk and control levels are like the owned model, however, the building itself belongs to someone else, usually rented under a long-term agreement. The only aspect dependent on the property owner is the rent, any operational decisions or supplier agreements are up to the focal firm. The third type is managed properties that are characterized by privately owned hotels being a partner of an MNO. The hotel itself is private property but the multinational lends its brand name and takes over the management of operations. Also, the supplier agreements are negotiated by the management company but the contract is the responsibility of the owner (International Labour Office, 2015). In this model, the risk to the brand is theoretically reduced, however, the management has limited oversight of the contracts with the suppliers (Minderoo Foundation's Walk Free Initiative *et al.* 2019).

Lastly, currently the most popular model in the hotel industry with over 80% of hotels from the top 10 multinationals, franchise model which are properties owned and operated by a third party. The owner pays for the brand franchise and pays royalties to the brand owner. While the hotel operates under the brand owner's name, the amount of control the brand has is minimal, with little to no input on operations and the supply chain. Although the level of direct risk to the brand owner is reduced, (International Labour Office, 2015), the risk levels of modern slavery are high. The franchisor can have difficulties in assessing whether modern slavery occurs in the supply chain of their franchisee. It is because franchisees might have different management or ethical standards or be based in a region where labour rights are weak or underdeveloped, allowing modern slavery to thrive. Another issue that exists in the franchise model is sharing risks and responsibilities for labour abuses in franchisees' supply chain and in-house operations. Often franchisor does not want to be liable for the actions happening in the franchise, therefore does not want to exert control over the franchisee (Minderoo Foundation's Walk Free Initiative *et al.* 2019).

2.1 Theoretical lens

Agency theory is based on the concept of the principal-agent relationship. In this relationship, principals represent individuals, or groups of individuals, who are in control of a set of economic functions or assets in some form of ownership or property rights. Day-to-day control of these functions or assets have been delegated, by the principals, to

agents, who operate them on their behalf (Jensen and Meckling, 1976). In the standard theory of the firm, under the divorce of ownership from control, shareholders represent the principals in the relationship and management of the agents (Doherty & Quinn, 1999).

The international franchisor-franchisee relationship embodies the principal-agent model and meets Eisenhardt's (1989) requirements for a useful application of agency theory, that is, the two parties are interdependent, and co-operative yet rationally may pursue different, even contradictory goals (Lassar and Kerr, 1997).

The advantages of using agency theory to explain many of the aspects of the international franchisor-franchisee relationship parallel at least two of those cited by Lassar and Kerr (1997) in their application of agency theory to the manufacturer-supplier relationship. These advantages are, firstly, that agency theory incorporates realistic behavioural assumptions such as the presence of bounded rationality and the potential for opportunism and goal conflict, all of which are present in the franchisor-franchisee relationship. Secondly, agency theory is appropriate because it focuses on the economic motives operating within a relationship, that is, risks and incentives.

A major point of concern for international franchisors is the issue of control over franchisees (Walker, 1989; Walker and Cross, 1989; Swerdlow and Chasel, 1990). It seems reasonable to assume that the head franchise company will relinquish some degree of control when internationalising its operations, regardless of the type of franchise agreement employed to enter foreign markets. Nonetheless, while the franchise contract is in place to maintain control, standards in practice may prove difficult to maintain.

The issue of power, and its location within the franchise relationship, has been a major point of interest in the broader franchising domain. As this topic has not been investigated to any real extent in the international franchising literature, it can only be speculated upon as to how it may affect international franchising. In behavioural terms, according to Quinn (1998a), there is a general consensus in the literature that the exercise of coercive power by a franchisor, on another member is likely to decrease satisfaction of the latter while the use of non-coercive power will increase satisfaction.

3- Methods

The data is collected from two main sources: (a) Modern slavery reports (b) interviews.

To sample the organizations that are going to be used in this study, two rankings were used. Firstly, the Top 50 most valuable hotel brands (BrandFinance, 2022) were analysed, and 8 modern slavery statements were extracted from this ranking. Most of the hotels on that list were subsidiaries of bigger organizations, therefore only the parent firm's modern slavery statement was published. Some of the hotels from that list did not have branches in the UK, therefore, were not subject to the UK Modern Slavery Act 2015. To increase the data sample for this project, one more ranking was used, the Most Popular Hotel Brands (YouGov, 2022). 34 hotels were selected, however, 6 of those did not publish a statement. In total 28 modern slavery statement has been selected and analysed for this study. All the organizations mentioned in this project, listed in alphabetical order are shown in the Appendix 1, alongside their publication date if applicable. Those sources of data were both appropriate and timely. It is appropriate because as modern slavery is an illegal activity, primary sources of data would be extremely difficult to obtain and involving individuals partaking in this process is nearly impossible due to the sensitivity of this issue (Stevenson & Cole, 2018). Secondly, it is timely because the statements used in this study were mostly published for the financial year 2021, therefore there has not been any prior analysis of this data.

We conducted 12 semi-structured interviews with key informants in the sector. Because of the sensitivity of the issue, collecting primary data on modern slavery is a great challenge ((Crane, LeBaron, Phung, Behbahani, & Allain, 2022). All interviews were audio recorded and transcribed for analysis.

The process of analysis was iterative but not linear. That is, we moved between data and interpretation, refining codes as we progressed, and repeatedly returning to our data to investigate interesting avenues for further exploration.

4- Analysis and findings

4.1 statements

Most of the analysed statements provided some insight to what their business and supply chain structure is as well as the ownership model which varies in the hotel industry. It could be observed that the biggest hotel brands, for example Marriott, that owns 9 of the most popular and most valued hotels in the UK, provides a detailed data on

their ownership model, stating the exact number of properties that are managed by the organization and those that are franchised. The same approach was taken by two other industry giants, IHG and Hilton, that clearly explained their ownership models, alongside the exact numbers of owned, leased, managed, or franchised properties.

In the main hotel groups involving several brands, many of the properties are **franchises**. Most of those brands usually states that the entirety of operations in the franchise are made by the owner. Marriott in its modern slavery statement provides a good overview of their franchising system and explains that

“With a focus on management, franchising, and licensing, Marriott owns very few of our lodging properties. Under various agreements, we use our systems, services, and marks in connection with the operation of hotels globally. Most properties are managed, franchised, and licensed (...) Marriott generally receives an initial application fee and continuing royalty fees for the right to use our lodging brand names and systems, and owners make independent decisions regarding their hotel operations, including employment, procurement, and other systems and services.” (Marriott, 2020, p.3).

Hilton has also claimed that all the operations and supply chain decisions are in the full control of the property owner and not the brand itself, stating that:

“Franchised properties make independent decisions regarding their hotel operations, including procurement, employment and training practices.” (Hilton, 2021, p. 2).

An interesting business model can be observed in The Savoy Hotel:

“TSHL is the corporate owner of The Savoy Hotel (...)TSHL itself does not actively conduct The Savoy’s business. Rather, Fairmont Hotels and Resorts, part of Accor, a multi-national hospitality company (“Accor”), manages the Hotel, its business, and employees on TSHL’s behalf pursuant to a long-term management agreement. As part of this, Accor is responsible for The Savoy’s management, procurement and human resources functions and its supply chains. The Savoy’s procurement is through Accor’s ethical procurement process.”(The Savoy Hotel Limited, 2020, p. 1).

The franchised branches are operated by their owners and the brands seems to not be taking responsibility for their operations and supply chains, apart from Wyndham that stated:

“We expect our franchises to act in a compliant and ethical manner in the operations of their facilities. We require franchisees to comply with all the laws in the operation of their hotels and provide them with access to resources to provide awareness of human trafficking issues, how to identify and address potential incidents, as well as require staff training on human trafficking through our brand standards.” (Wyndham, 2020, p. 1).

However, smaller organizations that **own or manage** their properties provide some overview of their supply chain. A well explained supply chain was provided by Village Hotels:

“We procure goods and services directly from over 1000 first tier UK based suppliers. We have contractual relationships with all of our suppliers and a dedicated procurement department to oversee the instruction of major supplier agreements and ensure that adequate procedures are in place. We subcontract general maintenance and construction works services to a number of small providers in the UK. We have a number of low tier indirect suppliers throughout the world, primarily related to our food and beverage offering. We employ the majority of our workforce directly; we have a small number of independent agents working for Village. These independent agents tend to be IT consultants (working centrally) or personal trainers (based in the gym facilities at our hotels). All independent agents are contracted with directly” (Village Hotels, 2021, p. 2).

However, there were also statements where the information given was minimal, limited to one or two sentences, for example Forest Holidays or Four Seasons London.

Our findings give us evidence that ***business models based on independent ownership, lease, or franchise instead of direct ownership create significant milestone in modern slavery risk management in hotel industry due to losing control and visibility of the brand over franchised properties.***

4.2 Findings from interviews

From the analysis of the interviews, we came to the following themes:

Power (of franchisor)

Franchisor power and potential lack of power is derived from range of dimensions including contract and system infrastructure. As one of our interviewee’s states:

“...here's there's some practical issues as well as legal issues that one are our current franchise agreements are 20 years. It takes a long time in the industry, sometimes to get your arms around some of these issues” [interviewee 11]

Monitoring and Control

“But again, we're we are not going to start controlling certain issues where it brings on significant additional liability” [interviewee 4].

“...and then the vast majority, our franchise hotel so completely separate ownership and they're owned by somebody else we don't have sort of control over the operation of the hotel” [interviewee 5].

Visibility

As one of our interviewees discussed:

“...when it comes to franchise hotels, that is very little, if any, visibility and unnecessarily so through the model of franchise model, which limits the ability to influence. Beyond kind of broad guidance, they can't require the franchise hotels to do anything, it has to be kind of suggestions guidance incentives and so as a result, they, a smaller much smaller degree of leverage over the supply chain and limited visibility” [Interviewee 3]

Resistance

“it's really, really hard to get our franchisees. To put in just buy it right now we are having a struggle getting our franchisees to put in the credit card system to have a secure payment that makes sure that the credit cards can't be you know fraudulent can't the system encrypts it right so it's close to your payment system And there's up, you can imagine the technologies up. Data right okay. It is we are having a really hard time getting our hotels to buy and pay for it's not that expensive but we're getting we're having a really hard time. And a lot of resistance” [interviewee 11]

Everything about profit

“One of the business colleagues, he was in our revenue management program, and he was trying to get the hotels, to use a piece of software that would help them With their pricing right would help them forecast supply and demand at their hotels, so that it can help them. he used to say, I could send a franchisee an email that said i'll pay you \$1,000

if you will just try this program. they they kind of once they have your flag they like to just go and do, and unless it's something that is really, really Important and material to them that they actually tie back to improving their profits, if you actually are show them. You get to them and show them the benefit so on these types of things [social issues and modern slavery]" [interviewee 11].

Competitive market

"...you have to think about If an owner before they're signing up for our hotel feels like it's going to be too expensive to operate our hotel because of these requirements [modern slavery related requirements] we put on them they'll go to a different branch. yeah which that goes back to why the industry if the whole industry does it so if all brands have the same requirements of their hotels. it's more practical to do it, because then you don't have hotels that are owners that are just jumping ship and going to a different brand". [Interviewee 11]

Lack of capacity of franchiser

"if we've got like three hotels in you know, a country like in Pacific Region, we're not going to it there's not sufficient volume for us to do central procurement for that so they will procure like their food, etc locally they'll have local contracts and they'll sort of manage that. At the hotel level there may be some purchasing of like maybe it equipment's are our central arrangements, but there will definitely be lots procurement that happens locally" [interview 1]

The essence of Franchise model

"our owners choose to franchise because they want to run their own business right, and so a lot of them want help want assistance but it's Fundamentally, they want to be a franchisee and so and the flip side of that we want our brands, to have a good reputation right because that's actually what makes us money And the inability to control all aspects of a hotel will always be a hindrance to fully having full visibility on what's happening at that hotel right, so I mean the model itself causes some challenges so a big part of what we try to do is the influence and the recommendation and the training and the availability and then where issues do come up so frankly visibility is the biggest issue right it's not that many issues bubble up [interview 4].

5- Discussion and conclusion

Based on the content analysis, it was found that franchised business model is challenging modern slavery risk through (a) franchisor potential lack of power driven from contract and system infrastructure (b) lack of visibility of franchisor over franchisee (c) Lack of capacity of franchisor (d) Franchisee resistance to change (e) Profit-oriented of the competitive market and (f) the essence of franchise model itself.

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