

# DRAFT Modern Slavery Policy

MSC076E

Authorised by:	Internal/External:	External
Date:	Minute No:	
Review timeframe:	Twelve (12) months	
Review due date:		
Department:	Office of the Chief Financial Officer	
Document Owner:	Coordinator Procurement and Contracts	

## Table of Contents

1. Policy Objective .....	3
2. Risks being assessed .....	3
3. Scope .....	3
4. Definitions .....	4
5. Policy Statements .....	4
5.1 Key Principles.....	5
5.2 Implementation framework.....	5
5.3 Monitoring and evaluation .....	5
6. Roles, Responsibilities and Delegations .....	6
7. Dispute Resolution.....	7
8. Related Documents .....	7
Legislation and Guidelines .....	7
Policies and Procedures .....	7
Other Supporting Documents.....	7
9. Version History.....	7

# 1. Policy Objective

The purpose of this Modern Slavery Policy (**Policy**) is to outline Muswellbrook Shire Council's (**Council**) commitment to addressing Modern Slavery risks in its operations and supply chains and complying with its legislative obligations.

This Policy also serves as a framework for identifying, preventing, mitigating, and remediating Modern Slavery risks, while fostering a culture of accountability and continuous improvement.

The Policy forms part of Council's Procurement Framework and should be read in conjunction with the Procurement Policy, Procurement Procedure, Contract Management Procedure, and Supplier Code of Conduct.

## 2. Risks being assessed

This policy addresses the following risks:

- goods and services (including construction) procured by Council being produced in whole or in part by Modern Slavery;
- Council staff being unaware of Modern Slavery indicators and failing to report instances of Modern Slavery;
- non-compliance with the 'Guidance on Reasonable Steps' (GRS) issued by the Anti-slavery Commissioner NSW; and
- reputational damage sustained through involvement with a Supplier found guilty of Modern Slavery offences.

## 3. Scope

This policy applies to Council's operation as a whole, with particular focus on procurement processes undertaken by Council. It details Council's commitment to implementing the Modern Slavery mitigation measures outlined in the GRS.

The Policy applies to:

- Council staff, including any contractors and consultants carrying out work on Council's behalf;
- Council's operations and workforce management, including engagement of labour hire workers;
- procurement of goods and services (including construction) carried out on Council's behalf;
- Suppliers in Council's supply chain; and
- the Elected Body.

The Office of Local Government has determined that Council's Group classification is as a Large Rural Council, therefore Council has been classified as having a Low GRS Capability Level. This classification specifies the resource commitment to Modern Slavery mitigations expected by the Commissioner.

## 4. Definitions

Term	Definition
Commissioner	Means the Anti-slavery Commissioner for NSW as appointed under part 2 of the <i>Modern Slavery Act 2018</i> (NSW).
Modern Slavery	<p>As defined in the <i>Modern Slavery Act 2018</i> (NSW).</p> <p>Offences of severe exploitation of other people for personal or commercial gain, by way of coercion, threats or deception with the goal to deprive individuals of freedom. Common forms of Modern Slavery include:</p> <ul style="list-style-type: none"><li>a) Deceptive recruitment</li><li>b) Debt bondage</li><li>c) Forced labour</li><li>d) Human trafficking</li><li>e) Descent-based slavery</li><li>f) Slavery of children</li><li>g) Forced and early marriage</li></ul>
GRS	The document 'Guidance on Reasonable Steps' published by the Commissioner.
GRS Capability Level	The classification of an entity's capacity to manage Modern Slavery risks, determined based on size, resources, and procurement capability.
IRIT	GRS Inherent Risk Identification Tool created by the Commissioner.
Due Diligence Levels	The level of scrutiny required to manage Modern Slavery risks, categorized as Light, Minimal, Standard, or Heightened.
Reasonable Steps	Measures identified in the GRS to be implemented by entities to prevent, identify, mitigate, and remedy Modern Slavery risks in operations and supply chains.
Supplier	Any company providing goods and/or services to Council, including construction.

## 5. Policy Statements

Council is committed to:

1. **Mitigating Modern Slavery:** Taking reasonable steps to ensure that Modern Slavery does not occur in Council's operations or supply chains;
2. **Proactively identifying risks:** Using tools such as the IRIT to assess inherent Modern Slavery risks in procurement activities;
3. **Counteracting harm:** Collaborating with Suppliers and stakeholders to address identified risks and improve practices;
4. **Remediating grievances:** Providing or enabling effective remedies in suspected or confirmed instances of Modern Slavery;
5. **Continuous education:** Providing resources to Council staff and Suppliers to educate on Modern Slavery risks and mitigation measures; and
6. **Promoting transparency:** Reporting annually on actions taken to address Modern Slavery risks, in accordance with legislative requirements.

## 5.1 Key Principles

Council conducts its Modern Slavery mitigation measures in accordance with the following key principles:

1. **Human rights-centric approach:** Council prioritises aiding individuals affected by Modern Slavery and strives to establish a speak-up culture amongst Council staff and Suppliers. Council's efforts focus on addressing salient Modern Slavery risks—those most likely to cause harm to workers and communities. Council is committed to supporting initiatives promoting ethical and sustainable practices across Council's supply chains.
2. **Proportionality:** As a low GRS Capability Level entity, Council adopts streamlined approaches to due diligence and risk management, ensuring that measures are practical and achievable given our resource constraints.
3. **Collaboration:** Council will engage with other local councils, industry groups, and stakeholders to share knowledge, resources, and best practices for addressing Modern Slavery risks. Council is committed to learning from the performance and the experiences of others.
4. **Continuous improvement:** Council recognises that addressing Modern Slavery risks is an ongoing process. Council will regularly review and update this Policy, incorporating lessons learned from performance reviews, stakeholder feedback, and grievance mechanisms. In strengthening Council's systems and processes Council will continue to improve Modern Slavery mitigation performance.

## 5.2 Implementation framework

Council implements this policy by establishing the following measures:

1. **Risk assessment:** Utilising the IRIT to determine the GRS Inherent Modern Slavery Risk Level for each procurement category. Mapping supply chains to identify high-risk areas, particularly in categories such as construction, agriculture, and manufacturing and creating a Modern Slavery Action Plan.
2. **Due diligence:** Training Council staff to conduct risk assessments and due diligence for low to medium risk procurements and restricting procurements in high-risk categories to ensure involvement of the Procurement Function. Utilising Supplier self-assessment questionnaires and pre-qualification schemes to evaluate Supplier capabilities.
3. **Training and awareness:** Providing training for staff involved in procurement and risk management processes, to ensure Modern Slavery risks are addressed despite Council's centre-led procurement structure. Developing accessible resources to educate the workforce and Suppliers about Modern Slavery risks and prevention measures.
4. **Grievance mechanisms:** Establishing a confidential and accessible grievance mechanism for Council staff and other stakeholders to report concerns related to Modern Slavery. Ensure timely investigation and resolution of reported issues.
5. **Reporting and accountability:** Including a statement in the Council's annual report detailing actions taken to address Modern Slavery risks. Reporting to the Commissioner as required by the GRS or subsequently issued guidance.

## 5.3 Monitoring and evaluation

Implementation of this Policy will be measured through:

1. **Performance metrics:** Track the percentage of procurement processes where Modern Slavery risks were assessed and addressed. Measure the percentage of the workforce trained on Modern Slavery awareness.
2. **Annual review:** Conduct an annual review of this policy and associated risk management practices. Update the policy based on feedback from stakeholders, lessons learned, and changes in legislative or operational contexts.

## 6. Roles, Responsibilities and Delegations

Role	Responsibility
Elected Body	<ul style="list-style-type: none"> <li>Approve and endorse this Policy.</li> </ul>
Management Leadership Group	<ul style="list-style-type: none"> <li>Ensure integration of Modern Slavery considerations into strategic governance and risk management frameworks.</li> <li>Review and approve the Modern Slavery Action Plan.</li> <li>Review and approve the grievance mechanism.</li> </ul>
Procurement Team	<ul style="list-style-type: none"> <li>Incorporate Modern Slavery risk management criteria into procurement processes and Supplier contracts.</li> <li>Use the IRIT to identify inherent Modern Slavery risks in procurement categories.</li> <li>Conduct risk assessment and due diligence on high Modern Slavery risk procurement.</li> <li>Establish the Modern Slavery Action Plan in collaboration with stakeholders.</li> <li>Develop a grievance mechanism in collaboration with the Manager Governance and Risk, and Manager People and Wellbeing.</li> <li>Develop resources and training for Suppliers.</li> <li>Survey the supply chain periodically to monitor key areas of risk.</li> <li>Monitor Supplier compliance with Modern Slavery obligations.</li> </ul>
Council staff	<ul style="list-style-type: none"> <li>Conduct risk assessment and due diligence on low to medium Modern Slavery risk procurement.</li> <li>Report suspected cases of Modern Slavery through established grievance mechanisms.</li> <li>Participate in training programs to increase awareness of Modern Slavery risks and mitigation strategies.</li> </ul>
Suppliers and Contractors	<ul style="list-style-type: none"> <li>Comply with the Supplier Code of Conduct.</li> <li>Provide information on Modern Slavery mitigation maturity as required by Council.</li> <li>Ensure operations comply with the requirements outlined in contracts and tender documents.</li> <li>Cooperate in investigating Modern Slavery allegations in the Suppliers operations and/or the supply chain, and support remediation efforts.</li> <li>Report any findings of Modern Slavery in the supply chain, as well as remediation measures undertaken.</li> <li>Take measures to continuously improve Modern Slavery mitigation in the supply chain.</li> </ul>

## 7. Dispute Resolution

The Council will establish a grievance mechanism to address disputes or concerns related to Modern Slavery. The mechanism will be:

- **Accessible:** Mechanisms will be accessible to all stakeholders, including workers and Suppliers.
- **Timely:** Complaints will be addressed promptly, with time-bound responses for ongoing harms.
- **Independent:** Grievance handling will be independent of personnel involved in the issue.
- **Managed with confidentiality:** Safeguards will be implemented to protect confidentiality and prevent retaliation.

Any inconsistency between this Policy and other Council Policies will be referred to the General Manager for determination.

## 8. Related Documents

### Legislation and Guidelines

- Modern Slavery Act 2018 (NSW)
- Local Government Act 1993 (NSW)
- Local Government Regulation 2021 (NSW)
- Public Works and Procurement Act 1912 (NSW)

### Policies and Procedures

- Procurement Policy – MSC01E
- Contract Management Procedure – MSC02P
- Procurement Procedure – MSC01P

### Other Supporting Documents

- GRS Model Tender Clauses
- GRS Model Contract Clauses
- NSW Supplier Code of Conduct

## 9. Version History

This section identifies authors who reviewed the Policy and the date that it became effective.

V.	Date	Modified by	Amendments/Previous adoption details
1.	04/04/2025	Coordinator Procurement and Contracts	New policy development

This document is a controlled document. Before using this document, check it is the latest version by referring to Council's EDRMS and ensuring you are using the Last Approved Version. Printed or downloaded versions of this document are uncontrolled.