

POLICY NAME: MODERN SLAVERY PREVENTION POLICY
POLICY REF: M05
MEETING ADOPTED: Resolution No.
POLICY HISTORY: Adopted 28 November 2024



OBJECTIVE

The objectives of this Policy are to:

- outline Ballina Shire Council's commitment to ensuring goods and services we procure are not the product of modern slavery; and
- ensure compliance with the *Modern Slavery Act 2018* (NSW).

POLICY

Modern slavery describes situations of coercion, threats or deception used to exploit victims and undermine or deprive them of their freedom.

Modern slavery includes serious forms of exploitation such as forced labour, slavery, servitude, debt bondage, human trafficking, deceptive recruiting for labour services, the worst forms of child labour and forced marriage.

Modern slavery is a human rights violation and a serious crime. The *Modern Slavery Act 2018* (NSW) encourages collaborative action to combat modern slavery.

Ballina Shire Council is committed to:

- identifying, managing and minimising the risk of modern slavery in our operations and supply chains; and
- taking steps to ensure that our suppliers share our commitment to minimise modern slavery risks.

Ballina Shire Council will use the following methods to achieve these objectives:

Supply chain

- Including modern slavery considerations in our procurement processes.
- Identifying where our modern slavery risks are in our supply chain and assess the degree of those risks. This may include due diligence on particular markets or on the proposed procurement of higher risk goods and services. This will be an ongoing process and will take into account further guidance for councils released by the Commissioner.
- Including modern slavery provisions in relevant procurement documents for higher risk procurements. For example:

- requests for tender for higher risk goods and services may include a requirement for tenderers to outline the anti-modern slavery measures they have implemented in their business and in their supply chain; and
 - contracts for higher risk goods and services may include requirements for the supplier to report on compliance with modern slavery laws and complete any modern slavery compliance questionnaires requested by Council. Information obtained as part of these processes may be used by Council when assessing any future tender submissions from those suppliers.
- Where higher risks of modern slavery are identified in our supply chain, implement strategies to manage or minimise the risks.
 - If Council reasonably believes that a modern slavery offence has occurred in a Council supply chain, Council will report the matter to the Commissioner.

Training

- Providing training for staff involved in procurement to ensure they are aware of what modern slavery is and what Council's potential modern slavery risks are.
- Providing information to staff on how to raise any potential concerns in relation to modern slavery risks in Council's supply chain.

Reporting

- Including in Council's annual report the information on modern slavery required under the *Local Government Act 1993* (NSW).
- Cooperating with the Commissioner, including sharing requested information and providing reasonable assistance.

Improvement

- Monitoring further guidance from the Commissioner on likely risks of modern slavery in council supply chains.
- Using the further guidance from the Commissioner to improve the implementation of this Policy.

BACKGROUND

The *Modern Slavery Act 2018* (NSW) creates obligations on councils relating to the prevention of modern slavery. The Office of the Anti-Slavery Commissioner has been established to oversee compliance with these laws.

The obligations on Council in respect of the prevention of modern slavery include completing due diligence on Council's supply chains and reporting on obligations under the *Local Government Act 1993* (NSW). The obligations require Council to:

- take reasonable steps to ensure that goods and services procured by or for the Council are not the product of modern slavery (s438ZE); and
- include in Council's annual report a statement of:

- the reasonable steps taken by Council during the year (s428(4)(d)); and
- the action taken by Council in relation to any issue raised by the Commissioner during the year concerning operations of the Council and identified by the Commissioner as being a significant issue (s428(4)(c)).

The Commissioner has issued guidance on the types of reasonable steps councils may take to manage modern slavery risks in council operations and supply chains.

DEFINITIONS

Commissioner means the Anti-Slavery Commissioner appointed under the *Modern Slavery Act 2018* (NSW).

Modern slavery has the same meaning as in the *Modern Slavery Act 2018* (NSW).

SCOPE OF POLICY

This policy applies to:

- All council staff
- Any contractors or consultants appointed by Council to assist with procurement
- Councillors

RELATED DOCUMENTATION

Related documents, policies and legislation:

- *Modern Slavery Act 2018* (NSW)
- *Modern Slavery Act 2018* (Cth)
- *Local Government Act 1993* (NSW)
- NSW Office of the Anti-Slavery Commissioner - Guidance on Reasonable Steps

REVIEW

The Modern Slavery Prevention Policy is to be reviewed every four years or with changes in legislation or compliance changes.