



Australian Government

# Commonwealth Modern Slavery Statement 2020–21



---

# Commonwealth Modern Slavery Statement 2020–21

© Commonwealth of Australia 2021

With the exception of the Coat of Arms and where otherwise stated, all material presented in this publication is provided under a Creative Commons Attribution 4.0 International licence: [www.creativecommons.org/licenses](http://www.creativecommons.org/licenses)

This means this license only applies to material as set out in this document.



The details of the relevant license conditions are available on the Creative Commons website as is the full legal code for the CC BY 4.0 license: [www.creativecommons.org/licenses](http://www.creativecommons.org/licenses)

Use of the Coat of Arms

The terms under which the Coat of Arms can be used are detailed on the Department of the Prime Minister and Cabinet website: <https://www.pmc.gov.au/government/commonwealth-coat-arms>

## Dedication

The *Commonwealth Modern Slavery Statement 2020–21* is dedicated to the people and organisations who work tirelessly to prevent modern slavery, and support victims and survivors of modern slavery seeking to rebuild their lives.

## Acknowledgement of Country

The Australian Government acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, water and community. We pay our respects to them and their cultures, and to Elders past, present and emerging and extend that respect to other Aboriginal and Torres Strait Islander people.

# Foreword



## Prime Minister of Australia

Slavery is a rejection of human dignity.

Seeing the human dignity in all people is not only the foundation of morality, but it is also foundational in understanding our shared humanity.

As a liberal democracy we believe in the dignity of all people, and the right of all to make free choices for their lives.

I was pleased to release Australia's first Modern Slavery Statement and this marks Australia's ongoing commitment to combating modern slavery.

Today, the need is greater than it was three years ago. Over 25 million people are estimated to be exploited in global supply chains and the COVID-19 pandemic has exacerbated existing vulnerabilities faced by already at-risk groups.

Our commitment is backed by legislative action. The *Modern Slavery Act 2018* and the *National Action Plan to Combat Modern Slavery 2020-25* (National Action Plan) are two key mechanisms through which Australia is addressing modern slavery risks and practices faced by the community, businesses, and government.

Whilst we have a robust framework to respond to modern slavery practices, we must remain steadfast in our commitment to tackling these abhorrent crimes head-on.

I am proud to release this second Modern Slavery Statement on behalf of Australia. This statement showcases the Government's recent actions to combat modern slavery in our global supply chains and operations.

This statement showcases initiatives we have undertaken in partnership with experts at home and abroad to increase the Government's visibility and understanding of its modern slavery risks. Having greater knowledge of where our risks lie, positions us well to take targeted and meaningful action.

Collaboration is pivotal to our response. We will continue to draw on the expertise and leverage the skills of partners to ensure our approach is robust, and effective. We will also continue to work with other Governments to ensure our efforts to combat modern slavery extend across the globe.

As I reflect on the work we have done to date, I am immensely proud of our accomplishments, though there is still much to do. The launch of the new National Action Plan was a significant step forward in shaping our response. It is the cornerstone that will guide our work.

Australia's commitment on modern slavery is a reflection of our values and our belief in the human dignity of all people. I commend the Commonwealth's 2020-2021 Modern Slavery Statement to you.

**The Hon Scott Morrison MP**

Prime Minister of Australia

October 2021



# Foreword



## Assistant Minister for Customs, Community Safety and Multicultural Affairs

Modern slavery is deeply embedded in our global economy. It disrupts supply chains, undercuts responsible local businesses, and has devastating physical, mental and emotional consequences for its individual victims. The International Labour Organization estimates that over 40 million victims live and work in conditions of modern slavery around the world. Australia is not immune from modern slavery and other human rights abuses on our soil and through the global supply chains we use, with many of the goods and services that we use each day tainted by this abhorrent practice through their supply chains.

As Assistant Minister for Customs, Community Safety and Multicultural Affairs, I am responsible for leading the Australian Government's domestic response to modern slavery. Though we have made strong progress, combating these practices requires sustained commitment to action and collaboration well into the future.

The Australian Government is one of the largest procurers of goods and services operating in the Australian market. With this significant purchasing power comes great responsibility. I acknowledge the trust that the Australian public places in the Government to ensure that the money the public sector spends does not inadvertently support modern slavery practices. The Government has taken strong and decisive action to combat modern slavery in its global supply chains and operations, committing itself to publishing annual modern slavery statements on behalf of the Government under the landmark *Modern Slavery Act 2018*.

It is my pleasure to submit this second Modern Slavery Statement on behalf of the Commonwealth Government of Australia under section 15 of the *Modern Slavery Act 2018*, for the 2020-21 reporting period. This statement further demonstrates the Government's commitment to leading by example and its continued support for the United Nations Guiding Principles on Business and Human Rights in responding to modern slavery in the Government's global supply chains and operations.

This year's Commonwealth Statement is underpinned by a theme of collaboration. The Government recognises the benefits of multi-stakeholder initiatives to combat modern slavery and has prioritised partnering with industry specialists to leverage sector-specific and on the ground expertise. Strong collaboration can lead to a better understanding of modern slavery issues and how to address them in practice, greater insight into operations and supply chains, and practical recommendations based on sound evidence for future action. This Commonwealth Statement highlights the Government's commitment to working in close consultation with industry, civil society and across government to address modern slavery in the Commonwealth's global supply chains and operations.

Our work to strengthen Australia's response to modern slavery in Commonwealth global supply chains and operations complements a range of other initiatives Australia is taking to combat modern slavery domestically and overseas. We are progressing implementation of the *National Action Plan to Combat Modern Slavery 2020-25*, which includes commitments to a strong program of initiatives to combat modern slavery and human trafficking crimes over the next five years. Australia also continues to bolster efforts to assist partner countries in the region to tackle modern slavery head on.

It is my honour to present this Commonwealth Modern Slavery Statement for 2020-21. I am pleased to showcase the continued efforts of the Government to increase transparency in its global supply chains and operations and take targeted actions to address its modern slavery risks.

### **The Hon Jason Wood MP**

Assistant Minister for Customs, Community Safety and Multicultural Affairs  
December 2021

---

# Contents

---

▶ Page 10	▶ Page 35
Executive Summary	<b>Mandatory Criterion 5: Effectiveness</b>
	Assessing the effectiveness of Government's actions
▶ Page 11	Page 36
Mandatory Criteria 1 & 2: Covered entities, structure, operations and supply chains	Performance Review Framework Overview
	Page 37
▶ Page 16	▶ Page 39
<b>Mandatory Criterion 3: Risks</b>	<b>Mandatory Criterion 6: Consultation</b>
High-risk modern slavery areas of focus	Consulting on the Government's approach
Page 17	Page 40
Risks in the Government's operations	
Page 18	▶ Page 41
Risks in the Government's supply chains	<b>Mandatory Criterion 7: Related Activities</b>
Page 20	Government work to combat modern slavery
COVID-19 impacts and considerations	Page 42
Page 22	Key work during 2020-21
▶ Page 24	Page 43
<b>Mandatory Criterion 4: Actions</b>	
Government actions to address modern slavery risks	<i>Acronyms and abbreviations</i>
Page 25	Page 44
Targeting key risk areas	<i>Annexure: Modern Slavery Act Reporting Requirement</i>
Page 25	Page 46
Overarching actions	<i>Appendix A: List of non-corporate Commonwealth entities</i>
Page 29	Page 47
Agency Snapshots	
Page 31	
Looking ahead to assessing and addressing modern slavery risks	
Page 34	



## Executive Summary

In this second Commonwealth Modern Slavery Statement (Commonwealth Statement), published pursuant to the *Modern Slavery Act 2018* (Cth) (the Act), the Australian Government (the Government) is reporting on its activities to identify, assess and address modern slavery risks in federal government operations and global supply chains in the 2020-21 Australian financial year. The Commonwealth Statement covers the operations and global supply chains of all non-corporate Commonwealth entities (NCCEs), within the meaning of the *Public Governance, Performance and Accountability Act 2013*.

This Commonwealth Statement builds on the targeted, risk-based approach to identifying and assessing modern slavery risks as set out in the inaugural *Commonwealth Modern Slavery Statement 2019-20*. In this statement, the Government provides further information on specific risks identified in its operations and supply chains and the targeted actions taken to address these identified risks, including by reporting at a more granular level by highlighting agency-specific initiatives. This Commonwealth Statement details the actions the Government has taken in 2020-21 to address modern slavery risks in the highest risk areas to people across the Commonwealth's operations and global supply chains: the procurement of textiles, construction, and cleaning and security services, and Commonwealth investments. In this reporting period, the Government has also considered modern slavery risks in its procurement of Information Communication Technology (ICT) hardware, in recognition of the high risk of modern slavery that these supply chains pose.

The Government acknowledges that modern slavery practices are entrenched deep within global supply chains, including those beyond the highest risk areas identified in the Commonwealth Statement. By taking a targeted risk-based approach and focusing on specific high risk sectors, the Government is setting a strong foundation for future action. In the *Commonwealth Modern Slavery Statement 2019-20*, the Government prioritised educating government officials about modern slavery risks in public sector procurement and establishing a solid foundation for future action. Moving forward, in the short-term, the Government will focus on identifying risks and building a stronger understanding of their nature and prevalence in Commonwealth supply chains and operations. Following this, the Government will

move to further evolve targeted actions in response to specific risks present in Commonwealth procurement and investments.

The past year has seen COVID-19 continue to increase the vulnerability of workers in global supply chains to modern slavery risks. The Government is conscious of the added pressures placed on suppliers and manufacturers during times of crises and is developing a Rapid Response Framework. The Framework will support procurement officials to identify and manage potential modern slavery risks during large-scale, short turnaround procurements which might be necessary in emergency situations such as a pandemic or natural disaster. The types of procurements that are most likely to be relevant include personal protective equipment. The Framework will also outline practical actions procurement officers can take to assess and address modern slavery risks during high-risk, rapid procurements.

During this reporting period, the Government focused heavily on collaboration with industry and civil society experts to build a deeper awareness and understanding of the nature of modern slavery risks in its known high risk areas of procurement. The Government engaged specialists to develop a suite of resources to help build capacity to identify and address modern slavery risks in Commonwealth procurement. These resources include:

- a risk assessment detailing modern slavery risks in the supply chains of key shared textiles suppliers to the Government;
- a risk assessment detailing modern slavery risks in the supply chains of key shared construction suppliers to the Government;
- educational resources for procurement officers on the risks of modern slavery in the Government's procurement of cleaning services;
- detailed supply chain mapping of key shared ICT hardware suppliers to the Government; and
- a risk assessment detailing modern slavery risks in the Government's ICT hardware supply chains.

The Government is demonstrating its commitment to supply chain transparency by prioritising collaboration and leveraging expertise to strengthen its response. This Commonwealth Statement highlights examples of consultation and partnership, in recognition that effectively combating modern slavery requires continued collaboration.

# Mandatory Criteria 1 & 2

## Covered entities, structure, operations and supply chains

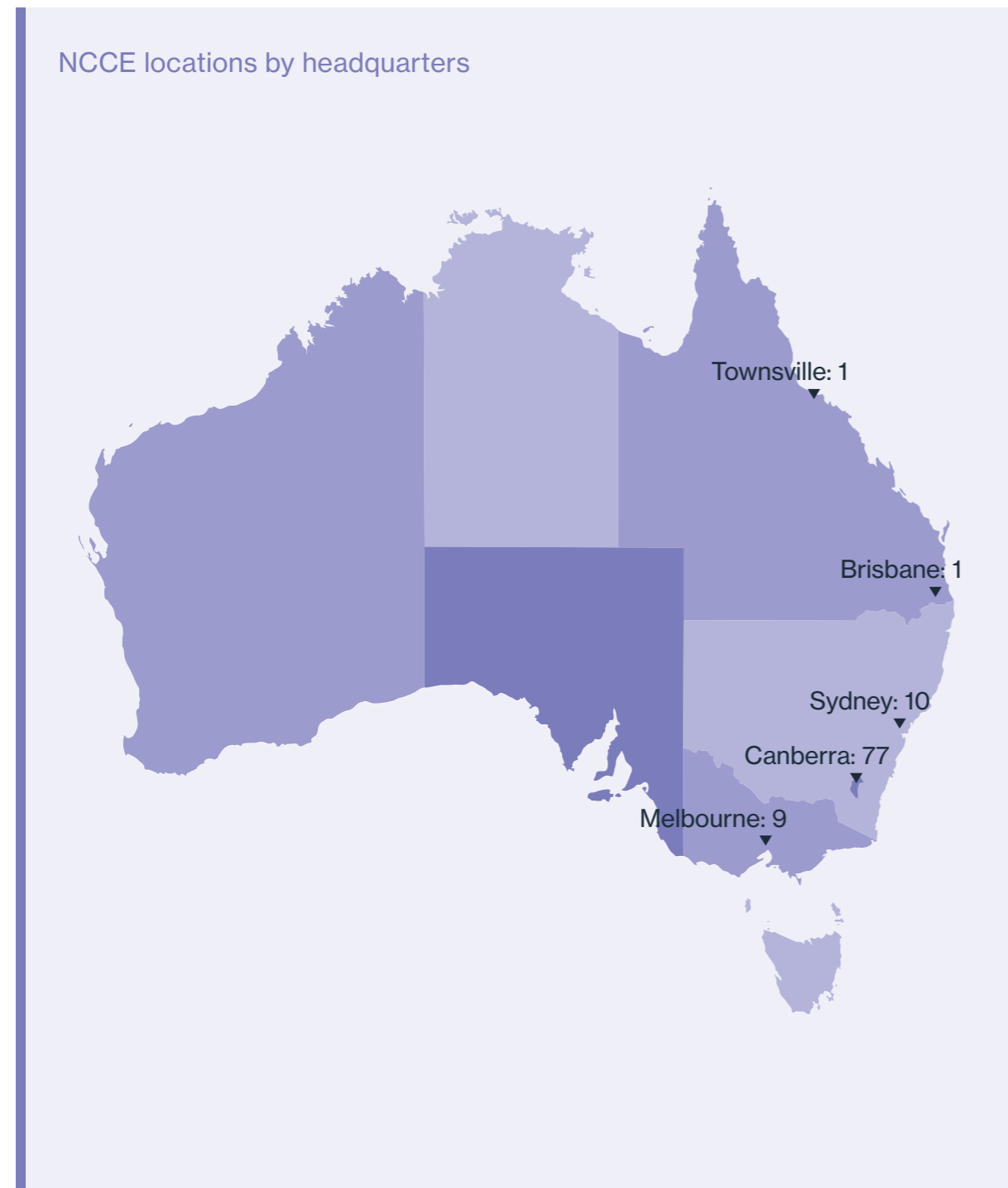


This section addresses mandatory criteria one and two of the *Modern Slavery Act 2018*, pursuant to sections 16(1)(a) and (b). This section provides an overview of which government bodies are captured by the Commonwealth Statement and outlines the Government's structure, operations, and supply chains during the reporting period.

## Commonwealth Statement coverage

In accordance with section 15 of the Act, this Commonwealth Statement covers all non-corporate Commonwealth entities (NCCEs) on a whole-of-government basis. This Commonwealth Statement reflects work undertaken by the Government to address modern slavery risks in Commonwealth global supply chains and operations during the 2020-21 Australian financial year. During the reporting period, there were 98 NCCEs covered by the Commonwealth Statement (Appendix A).

The Commonwealth Statement does not cover government companies or corporate Commonwealth entities. These entities will be required to submit their own modern slavery statements if they meet the \$100 million in annual consolidated revenue threshold specified by the Act.



## Australian Government's structure

The Commonwealth Statement captures the operations and global supply chains in respect of the procurement activities of the executive, the administrative arm of the Government, which is comprised of entities that employ staff under the *Public Service Act 1999*. These entities are part of

a large and complex organisation comprising of 14 government departments which are supported by a range of other government agencies and bodies. References to the Government throughout this Statement are references to the executive as it operates in respect of the covered NCCEs.

## Australian Government's operations

Operations refer to activity undertaken by an entity to pursue its business objectives and strategy in Australia or overseas, including: direct employment of workers; financial lending and investments; leasing of property; and research and development.

The Government's primary role is to implement, uphold and comply with the laws established by the Australian Parliament, make important national decisions, develop policy, and introduce bills. NCCEs implement and operationalise these laws through a range of policy development, program implementation and enforcement functions. These activities are undertaken in every Australian state and territory, as well as around the world through 122 overseas posts in 85 countries. The Government undertakes a range of activities to

support its delivery of these national and global operations. These include the procurement of services for use by the Governor-General, Prime Minister, and parliamentarians, the procurement of cleaning and security services, investments, and the payment of grants and funding to states and territories for healthcare and education.

During the reporting period, there were 153,945 people employed across the Australian Public Service. The Government's modern slavery risk profile differs across all NCCEs. Different NCCEs will have different risk exposures, such as where they operate overseas or procure large amounts of goods or services with known higher risks of modern slavery.



## Australian Government supply chains

Supply chains refer to the products and services, including labour, that contribute to an entity's own products and services. This includes products and services sourced in Australia or overseas and extends beyond direct suppliers.

The Government is the largest procurer in the Australian market and procures a vast array of goods and services every year in carrying out its functions. The Government procures from a wide range of suppliers that vary significantly in size. This includes suppliers such as small businesses catering a meeting, to multinationals working on construction sites or building defence vessels and aircraft.

In the 2020-21 Australian financial year, the Government entered into 84,054 contracts, with a total value of \$69.8 billion. These goods and services were procured from Australia and various overseas markets. Each involves varying types and degrees of modern slavery risk. The Government is prioritising increasing visibility of these supply chains and analysing modern slavery risks that are present to assist in future targeted action.

The following graphics provide key information on the Government's procurement contracts over the 2020-21 period.

### Snapshot of Government procurement 2020–21



98

NCCEs covered by the Commonwealth Statement



\$69.8b

total value of Australian Government contracts



84,054

Government contracts entered into



153,945

public servants employed in Australia and overseas<sup>1</sup>



71%

of all contracts were for services with a value of \$44.1 billion



29%

of all contracts were for goods, with a value of \$25.7 billion



3.64%

of contracts were awarded to overseas suppliers, to a value of \$6.2 billion



523

AusTender categories

<sup>1</sup> This count includes all staff employed under the authority of the *Public Service Act 1999 (Cth)* (PS Act).

## 2020–21 procurement contracts: Top 10 categories for goods and services

Category	Value	Value %	Volume	Volume %
Building construction and support and maintenance	\$9.8b	14.09%	3,479	4.14%
Drugs and Pharmaceutical Products	\$4.1b	5.93%	83	0.10%
Computer Services	\$3.3b	4.73%	5,362	6.38%
Disease prevention and control	\$3.2b	4.72%	113	0.13%
Temporary personnel services	\$2.8b	4.09%	12,220	14.54%
Marine craft systems and subassemblies	\$2.8b	4.07%	796	0.95%
Management advisory services	\$2.4b	3.48%	5,320	6.33%
Professional engineering services	\$1.7b	2.45%	869	1.03%
Components for information technology or broadcasting or telecom	\$1.6b	2.40%	1,592	1.89%
Light weapons and ammunition	\$1.6b	2.33%	192	0.23%



# Mandatory Criterion 3 Risks



This section addresses mandatory criterion three of the *Modern Slavery Act 2018*, pursuant to section 16(1)(c). This section describes the modern slavery risks in Commonwealth supply chains, operations, and investment activity that were prioritised during 2020–21.

## High-risk modern slavery areas of focus

During the reporting period, the Government built on its foundational response set out in the first Commonwealth Statement. Continuing its targeted risk-based approach, the Government focused on key areas of known modern slavery risk in Commonwealth operations and supply chains: cleaning and security services; investments; textiles procurement; construction; and ICT hardware procurement. The Government assessed the risk areas of focus in the previous reporting period as continuing to remain key risk areas across the Commonwealth, with the addition of ICT hardware procurement. The Government considers the risks identified across these procurement areas continue to present the greatest risks of modern slavery in the Commonwealth’s procurement activities and provide the greatest leverage to drive positive change in our suppliers.

Changes in the Government’s top spend profile between the first and second reporting period largely reflect the Government’s response to

COVID-19. In 2020-21, drugs and pharmaceutical products and disease prevention and control comprised two of the top 10 categories of goods and services procured by the Government. The Government is alert to this shift in its top spend profile and is responding to potential risks in these areas through other means. Ongoing work around equipping procurement officials with the knowledge and tools to integrate modern slavery considerations into rapid, large-scale procurements, such as those undertaken during COVID-19, will assist in mitigating risks in these areas.

The Government acknowledges that there are additional modern slavery risk areas across all Government procurement and activity beyond the high risk areas identified in this Commonwealth Statement. Future Commonwealth Statements will consider these, and seek to provide more detailed level of analysis, in addition to building on the Government’s current response.

## United Nations Guiding Principles on Business and Human Rights

The Government’s targeted approach is consistent with the United Nations Guiding Principles on Business and Human Rights (UNGPs), the recognised global standard for preventing and addressing business-related human rights harm. In line with the UNGPs, the Government acknowledges the importance of prioritising action to address potential modern slavery risks that have the most severe potential impact on people and that expectations for how it responds to modern slavery risks across the Commonwealth will differ

depending on whether it has caused, contributed to or is directly linked to the risk.

The Government considered this “continuum of involvement” from the UNGPs in determining how best to respond to its targeted areas of risk during the reporting period. Key risks in the Government’s operations and supply chains are detailed over the following pages, including risks and considerations associated with COVID-19.



### Cause

Where an entity’s actions (or omissions) directly result in an adverse human rights impact, such as modern slavery, including through unforeseen and preventable impacts.



### Contribute

Where an entity’s actions or omissions contribute to an adverse human rights impact such as modern slavery.



### Directly linked to

Where an entity is directly linked to an adverse human rights impact such as modern slavery through its products, services or operations.

## Risks in the Government's operations

Government employees under the *Public Service Act 1999* (Cth) are primarily focused on policy and program administration, including developing and implementing laws and policies. These functions largely involve skilled workers engaged in Australia. Noting this, the Government assessed the level of risk of modern slavery in its operations to be low. This assessment was made on the basis that the legislative frameworks that regulate conditions of employment in the Australian Public Service provide robust safeguards against modern slavery practices occurring in the Government's operations.

However, the Government acknowledges that there are risks of modern slavery practices occurring

in other areas of the Government's operations, including its contracted cleaning and security services. Future Commonwealth Statements will continue to address risks in these sectors and also consider risks in other areas of the Government's operations where there are identified risks of modern slavery. For example, the Government is conscious of modern slavery risks present in developing countries where the Government engages in overseas aid projects. The Government is committed to furthering work to mitigate any involvement it could have in overseas modern slavery risks in this area, and in broader global work to combat modern slavery whilst also acknowledging the key role local authorities play in addressing issues on the ground.



### ▶ Cleaning and Security Services

The Government is a significant procurer of cleaning and security services, entering into new contracts for cleaning services to a total value of \$8,345,744 million<sup>2</sup> and security services to a total value of \$121,099,812 million<sup>3</sup> in 2020-21. These are sectors the Government has found to have a higher risk of modern slavery.

The Government has engaged three Property Service Providers (PSPs) under the whole-of-government Property Services Coordinated Procurement Arrangements (Arrangements). Under the Arrangements, PSPs are responsible for the procurement, management and monitoring of downstream contracts including cleaning and security services on behalf of NCCEs. The Government recognises that this procurement model presents risks of modern slavery where NCCEs may be linked to modern slavery by the use of unskilled and/or contract labour by PSPs' downstream contractors, exploitation of migrant status, underpayment of workers and the use of

unauthorised subcontractors.

The Government considers that these risks are mitigated under the Arrangements by the measures outlined in the 2019-20 Commonwealth Statement, including through contractual clauses in the Arrangements that limit subcontracting and ensure downstream contracts are compliant with relevant laws and labour standards and through conducting compliance audits. The Government continues to closely monitor the implementation of these measures, while exploring additional opportunities to strengthen modern slavery safeguards under existing and future Arrangements. The current Arrangements conclude on 30 June 2022 (with additional options to extend).

Information on the Government's actions to address modern slavery risks in its cleaning and security services can be found on pages 25-26.

<sup>2</sup> Includes amounts which fall outside of the Arrangements.

<sup>3</sup> Includes amounts which fall outside of the Arrangements.



### ▶ Investments

The Government recognises that investors can be directly linked to modern slavery through the actions of their investees. Modern slavery risks in investment portfolios can include: investees' supply chains and operations; construction of overseas assets; and contracting in high-risk industries. The Government's annual investments during the reporting period totalled over \$200 billion. The scale and diversity in this investment portfolio presents challenges around identifying modern slavery risks due to the

wide variety and complexity of activities and relationships.

Globally, investors and other financial sector entities are playing a critical role in combating modern slavery by incorporating specific risk mitigations into investment decisions and investee engagement. The Government is committed to taking similar initiatives and driving responsible business practices through utilising its leverage at the investor level.

#### The Future Fund

The Future Fund Board of Guardians (Board), supported by the Future Fund Management Agency (Agency), independently manages the investment of six special purpose public asset funds on behalf of the Australian Government: the Future Fund, the Medical Research Future Fund, the Aboriginal and Torres Strait Islander Land and Sea Future Fund, the Future Drought Fund, the Emergency Response Fund and the DisabilityCare Australia Fund.

Collectively, the value of the six public asset funds managed by the Board total \$245.8 billion. The Future Fund is the largest fund managed by the Board, established to strengthen the Government's long-term financial position. At 30 June 2021 the Future Fund was valued at \$196.8 billion.

Under the *Future Fund Act 2006*, the Board is required to invest through external investment managers. These external investment managers invest both domestically and globally across public and private markets on behalf of the Board. A breakdown of investments by geography is available in the Future Fund's 2020-21 annual report.

The Board's risk assessment processes have identified that modern slavery risks are likely to be elevated across emerging markets economies in Africa, Eastern Europe and

Asia. A number of sectors include mining, agriculture, textiles and apparel, construction and engineering, industrial manufacturing, and ICT may also have elevated modern slavery risks.

The Board has integrated modern slavery into its approach to managing Environmental, Social and Governance (ESG) risks. This approach guides how these risks are identified and managed across the investment portfolio, including during due diligence activities, external manager monitoring and engagement activities with investee entities.

During the year the Board updated their ESG Policy to include modern slavery. The Agency also implemented modern slavery training across its investment team, undertook work to enhance their country risk ratings framework, integrated modern slavery risk assessments into the review of new investment opportunities, and held a series of engagement discussions with global investment managers and ASX-listed investee entities.

The Government will continue to engage with the Agency in relation to their work on potential risk areas over the next reporting period.

## Risks in the Government's supply chains

Modern slavery is hidden deep within the global supply chains of goods and services we use every day. Public sector procurement is not immune. As the largest procurer of goods and services in the Australian market, the Government is aware that risks of modern slavery are present across the Commonwealth's supply chains. During the reporting period, the Government continued efforts

to assess and address modern slavery risks in the global supply chains of Commonwealth textiles and construction procurements. Risks in ICT hardware procurement were also considered, in recognition that the nature and complexity of supply chains in this sector pose high risks of modern slavery. The Government has established thematic working groups for all three of these areas of focus.



### ▶ Textiles

The textiles industry is widely recognised as a high-risk sector for modern slavery. Global reports, such as Walk Free Foundation's Global Slavery Index, consistently highlight that workers in the textiles sector, including those involved in the harvesting and processing of raw materials, are vulnerable to modern slavery practices. Factors such as: unreasonable work expectations; unsafe working conditions; fears around visa status; and limited language skills if working in a foreign country, contribute to this vulnerability.

The Government procures a significant amount of textiles, clothing, and footwear for use by government officials in frontline work, the Defence Force, and law enforcement personnel. In 2020-21, the Government entered into contracts for textiles to a total value of \$44,040,163 million. In many cases, the Government's Tier One supplier is onshore, however, these suppliers often undertake a number of manufacturing and sourcing operations offshore, at times in countries, including China, India, Pakistan and Sri Lanka.

Increasing visibility of the nature of supply chains beyond Tier One will allow for more targeted supplier engagement and support to address modern slavery risks deeper in the supply chain. The Government has commenced this work this reporting period, signalling its commitment to greater supply chain transparency and awareness of modern slavery risks.

Information on the Government's actions to address modern slavery risks in its textiles procurement can be found on pages 26-27.



### ▶ Construction

Each year, the Government undertakes construction projects domestically and overseas. These projects range from the construction of offshore embassies, compounds and defence bases, to domestic office fit-outs. The Government may be exposed to modern slavery risks in its construction supply chains through high rates of subcontracting. This model creates multiple layers between the head contractor and the project workforce, limiting visibility over labour practices. Limited involvement and oversight over these workforces can affect the head contractor's ability to identify and manage modern slavery risks. There is also often limited visibility around where and how raw materials procured for construction projects have been sourced.

The risk of modern slavery is relatively higher in the Government's offshore construction

supply chains. For offshore contracts in particular, the use of contractors and subcontractors overlaps with vulnerable populations including workers from migrant, low socioeconomic, low-skilled, or culturally and linguistically diverse backgrounds. The Government's significant influx of construction project investment in the Pacific region increases modern slavery risks, particularly to Asian migrant workers in high-risk sectors.

Information on the Government's actions to address modern slavery risks in its construction supply chains can be found on page 27.

As at June 2021, there were 120 owned properties in the Government's overseas estate with a combined value of approximately \$3 billion. The Overseas Property Office (OPO) in the Department of Foreign Affairs and Trade (DFAT) manages these properties.

Below is an overview of the Government's construction procurement during 2020-21.



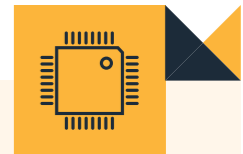
The Government entered into contracts for construction projects to a total value of \$10.3 billion.



OPO managed 120 government owned properties in 53 countries and 62 cities.



Key countries where overseas construction projects were undertaken by the Government were the United States, China, Morocco, Nigeria, Poland, Vienna, New Zealand and countries in the Pacific.



### ▶ ICT Hardware

During the reporting period, the Government considered modern slavery risks present in the supply chains of ICT hardware procured by the Commonwealth. The ICT hardware sector is known to pose high risks of modern

slavery. Global ICT hardware supply chains are long and complex, including many tiers ranging from final assembly to component

*(continued next page)*

manufacturing and mining of raw materials. Many workers in these supply chains are low-skilled or migrant workers, making them more vulnerable to modern slavery practices. Furthermore, ICT hardware manufacturing and mining operations are often located in different countries, where there are different risks of human rights violations.

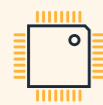
ICT hardware is one of the largest areas of the Government's procurement. The Government procures billions of dollars' worth of electronic goods each year, including, but not limited to, desktop computers, laptops, phones and tablets. Limited visibility of suppliers beyond Tier One also makes it more difficult to better understand the risk of involvement in modern slavery. The Government is conscious that multiple levels of sub-contracting and the overall nature and complexity of these supply chains heighten modern slavery risks in this sector, including the risk that NCCEs will be directly linked to modern slavery through purchase of ICT hardware.

The Government is aware of particular modern slavery risks present in its ICT hardware

supply chains, including: non-compliance with national working hours regulations; occupational health and safety hazards; extremely low wages; restrictions on the freedom of association and right to collective bargaining; and child labour.

Being aware of these risks and the overall complexities of ICT hardware supply chains, the Government has commenced systemic investigations to map the ICT hardware procured by key suppliers in detail. By driving supply chain transparency, the Government will develop a more detailed understanding of the differentiated risk structure in relation to supply chain position and geographic localisation of particular operations in these supply chains. This will allow the Government to monitor operations with a high-risk structure for non-compliances and engage with suppliers to achieve meaningful remediation.

Information on the Government's actions to address modern slavery risks in its ICT hardware supply chains can be found on page 28.



In 2020–21, the Government entered into contracts for ICT hardware procurement to a total value of \$1.9 billion



For many NCCEs, ICT hardware is the largest category of contract entered into

## COVID-19 impacts and considerations

The Government recognises that circumstances like COVID-19 can exacerbate pressures some on suppliers and manufacturers to produce and deliver large quantities of goods (such as PPE) in short timeframes, increasing the vulnerability of workers in supply chains to labour exploitation modern slavery. The Government continues to consider the ongoing impacts of COVID-19 on global supply chains, particularly as they relate to Commonwealth procurement. During the reporting period, the Government commenced development of a Rapid Response Framework (RRF) to be

utilised by government officials in situations of rapid procurement of particular goods or services. The Government engaged Pillar Two, a business and human rights advisory firm, to develop the RRF. It will support staff working on procurements across the Commonwealth to identify and manage potential modern slavery risks during large-scale, short turnaround procurements, including by outlining practical actions procurement officers can take to assess and address modern slavery risks. The following box provides an outline of what the RRF will be.

## Modern Slavery Rapid Response Framework

The Rapid Response Framework sets out guiding principles and practical advice to support Government procurement officers to assess and address modern slavery risks during urgent procurement activities in emergency situations.

### Who should use the RRF?

The RRF has been developed for use by government procurement officers undertaking urgent procurement activities in emergency situations, such as pandemics or natural disasters. The framework is also suitable for use by procurement officers in Corporate Commonwealth Entities and Australian state and territory governments.

### How to use the RRF

The RRF aims to provide a practical tool to support procurement officers to identify, assess and address potential modern slavery risks during urgent emergency procurements. The RRF is based on a four stage methodology. These four stages span the procurement cycle and cover: **reviewing** risks; taking action to **assess and address** identified risks; **considering an effective response** through planning to respond to any modern slavery incidents that may be identified; and **evaluating** the outcomes of the procurement from a modern slavery risk perspective.

The diagram below explains each of these four stages. Each stage includes a series of overarching guiding principles as well as a range of practical suggested actions for procurement officers to consider implementing.



**Reviewing potential risks**



Instructions: Use the guiding principles and suggested actions in this section to determine whether the procurement activity is likely to involve modern slavery risks.



**Addressing and addressing risk areas**



Instructions: Use the guiding principles and suggested actions in this section to help manage modern slavery risks involved in the procurement.



**Considering an effective response**



Instructions: Use the guiding principles and suggested actions in this section to plan how to respond to any modern slavery incidents that may occur during the procurement.



**Evaluating outcomes**



Instructions: Use the guiding principles and suggested actions in this section to identify lessons learned that can inform future procurement activities.

# Mandatory Criterion 4

## Actions



This section addresses mandatory criterion four of the *Modern Slavery Act 2018*, pursuant to section 16(1)(d). This section details steps taken by the Government to assess and address modern slavery risks in Commonwealth supply chains and operations.

## Government actions to address modern slavery risks

The Government recognises it has significant leverage to drive positive change to ensure workers in Commonwealth global supply chains and operations are protected from modern slavery practices. Actions taken during the reporting period reflect the Government's commitment to continuously strengthen and build upon its response to addressing modern slavery risks.

The Government is committed to ensuring that officials undertaking procurement activities on behalf of the Commonwealth understand modern slavery, are aware of what it can look like in global supply chains and operations, and are equipped to assess modern slavery risks in procurements.

## Targeting key risk areas

During the reporting period, the Government undertook a number of actions across its targeted areas of risk. These are outlined in the case studies featured below:



### ▶ Tackling modern slavery in property services

The Government will continue to support and encourage PSPs under the Arrangements to strengthen their response to modern slavery risks. The below case study highlights some of the good practice work already underway by one of the Government's PSPs.

Jones Lang LaSalle (JLL), one of the three PSPs under the Arrangements, has recently developed a global modern slavery program covering all operations and the supply chain. This program was created from JLL's commitment to address modern slavery in JLL and client supply chains, including challenges of policy and contract development, awareness and advocacy to suppliers, consistent procurement process and to understand the key risks of modern slavery.

Through a risk-based approach, JLL identified the key areas where the risk of modern slavery was the greatest, identified as geographic location, complex supply chains and specific type of service industries. JLL created a five-stage Supply Lifecycle Compliance framework to guide the processes for JLL's vendors at each stage

of the supplier life-cycle being: supplier screening, due diligence, contracting, set-up and monitoring.

The program has been rolled out under the Arrangements by JLL with milestones and outcomes to date including:

- JLL's first annual modern slavery statement published in June 2021;
- a presentation on the program to the facilities management industry in Canberra in June 2021;
- all labour rights issues investigated in a fit, proper and timely manner; and
- no modern slavery identified under the Arrangements following extensive due diligence/searches.

JLL's efforts highlight the importance of engagement between suppliers and customers to raise awareness of modern slavery and drive positive change. The Government will continue to work with its suppliers, including the PSPs to support effective responses to modern slavery risks.



### ▶ Collaborating with the Cleaning Accountability Framework

To further strengthen the Government's safeguards against modern slavery, the Government has partnered with the Cleaning Accountability Framework (CAF) on a project to further assess modern slavery risks in cleaning services procured by PSPs and provide recommendations to mitigate any additional or untreated risks identified. CAF's overarching objective is to end exploitation of cleaners. They have provided valuable insights and expertise to the Government during the reporting period.

The program of work will be delivered over 18 months and includes:

- advising on modern slavery risks in cleaning procurement practices through a risk assessment;
- developing recommendations outlining a mitigation strategy for identified risks with a low, medium, or high score; and

- developing educational resources on the risk of modern slavery in the Government's practices of procuring cleaning services.

Outputs from this project will assist in building a greater awareness and understanding of what modern slavery risks look like in the Government's procurement of cleaning services. The educational resources will equip PSPs and relevant government officials with key tools with which to consider these risks when engaging cleaning service providers.



### ▶ Risk assessment of key textiles suppliers

The Government is undertaking a targeted risk assessment of key textiles suppliers that are shared across NCCEs to best leverage the Government's purchasing power. Members of the Government's thematic working group on textiles undertook a high-level mapping exercise to identify their agency's top textiles suppliers by spend. The Government identified shared suppliers across agencies before engaging Sedex, a leading ethical trade membership organisation, working to improve working conditions in global supply chains, to undertake supply chain mapping of these shared suppliers.

Sedex is reviewing supplier information available in its global database and developing a risk assessment of modern slavery risks associated with these suppliers. The risk assessment will consider: inherent risk, looking at sector and country data; self-assessment questionnaires; and any available audit information. Sedex will provide the Government with a report in the 2021-22 reporting period detailing risks associated with the labour environment, operational health and safety, and business ethics of the suppliers in scope.

The majority of the Tier One suppliers assessed are agents or distributors who source products from other suppliers, meaning the level of modern slavery risks at this tier is relatively low. The Government is committed to continuing to increase visibility of its key suppliers in the textiles sector and will consider options to extend this assessment to Tier Two suppliers where possible in the next reporting period. Doing so will increase the Government's visibility of these supply chains and contribute to a

more in-depth understanding of the modern slavery risks present as well as providing opportunities to take targeted actions in response to these particular risks.

The Government will use information from Sedex's report to inform more targeted supplier engagement, including raising awareness of modern slavery risks and capacity building amongst key suppliers. Outcomes from this project will be shared with NCCEs to inform future textiles procurements across the Commonwealth.



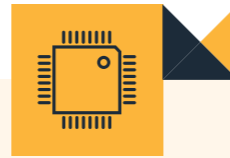
### ▶ Risk assessment of key construction suppliers

The Government is undertaking a targeted risk assessment of key risks specific to its construction supply chain. During the reporting period, members of the Government's thematic working group on construction undertook a high-level mapping exercise to identify their agency's top construction suppliers by spend. From this information, the Government identified shared construction suppliers across agencies. The Government engaged Sedex to undertake a similar project to the textiles supplier mapping and risk assessment project, mapping the supply chain of these key shared construction suppliers and assessing their level and nature of modern slavery risk.

Sedex will provide the Government with a report detailing the labour environment, operational health and safety, and business ethics risks around these suppliers based on inherent risk, self-assessment, and audit

information early in the next reporting period. Of the construction suppliers in scope, those linked to the Sedex platform are mostly Australian-based agents and distributors, skewing the results of inherent risk to a lower-risk view than the actual factory or manufacturing sites. Over the next reporting period, the Government will encourage the on-boarding of downstream suppliers to allow for a more detailed risk assessment that is better reflective of modern slavery risks in the supply chains of its key construction suppliers.

The Government will use information from the report to inform more targeted supplier engagement, including raising awareness of modern slavery risks and capacity building amongst key construction suppliers. Outcomes from this project will be shared with NCCEs to inform future construction projects across the Commonwealth.



### ▶ Risk assessment of key ICT hardware suppliers

Members of the Government's thematic working group on ICT hardware procurement undertook a high-level mapping exercise to identify their agency's top ICT hardware suppliers by spend. The Government identified shared suppliers across agencies engaged Electronics Watch to undertake a risk assessment of these suppliers.

Electronics Watch is an independent monitoring organisation which guides public procurement demand for decent working conditions in the supply chains of electronics goods. In collaborating with Electronics Watch, the Government will gain a deeper visibility of its ICT hardware supply chains and a stronger understanding of the modern slavery risks within them. Under this collaborative project, the Government has engaged Electronics Watch to:

- map countries of production against supply chain tiers for product types of key ICT hardware suppliers shared across the Government;

- undertake a risk assessment of the Government's ICT hardware supply chains;
- assess and quantify risk for different supply chain tiers, countries, and product types; and
- provide recommendations for areas of improvement and remediation.

This information will support procurement officials who engage with ICT hardware suppliers to understand the challenges related to modern slavery in the supply chains they interact with and how to best leverage public procurement to mitigate risks.

## Overarching actions

In addition to these targeted actions, the Government has also taken broader actions to assist government officials to more effectively consider and address modern slavery risks in procurement processes. Actions taken by the Government during 2020-21, align with the following four strategic areas of focus. The Government has focused efforts on awareness-raising and capacity building within NCCEs during this initial phase of its response. Taking the time to engage

relevant areas in NCCEs is an important step in the Government's response, ensuring that staff procuring goods and services in high-risk areas are equipped with the knowledge and tools to mitigate modern slavery risks. In future reporting periods, the Government will move to more of a discovery and implementation phase of action, where it will focus on increasing visibility of its high-risk supply chains to support informed and targeted supplier engagement and response activities.



### Training and awareness

The Government is delivering training and resources to equip officials with the tools to identify, assess, and address modern slavery risks. This reporting period, the Government has leveraged the expertise of specialists through collaborative projects.



### Procurement activities

The Government is working closely with NCCEs to promote the importance of modern slavery risk mitigation in key stages of the procurement process.



### Supplier activities

This reporting period, the Government has focused on mapping key shared suppliers to the Commonwealth in an effort to better target future action and utilise the Government's leverage with suppliers to drive good-practice.



### Response activities

Through continued efforts, the Government is working to equip agencies with the skills and knowledge on how to effectively manage and respond to modern slavery risks in supply chains and operations.

## Overview of key Government actions taken during 2020–21

### Training and awareness



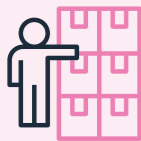
- Convened a workshop on addressing modern slavery risks in government supply chains to officials from 23 government agencies. The workshop provided participants with comprehensive information about the Act and insights from external expert presenters.
- Delivered briefings to government agencies and networks on integrating modern slavery considerations into procurement processes. This initial engagement formed the basis for further internal action taken within NCCEs.
- Developed two online modern slavery training modules for government procurement officials. Training modules are being integrated into NCCE learning platforms and are increasingly being included as mandatory training for procurement officers.
- Engaged CAF to develop educational resources on modern slavery risks in the Government's cleaning services procurement. More information on this collaboration can be found on page 26.

### Procurement and contract management processes



- Established a cross-government thematic working group on ICT hardware procurement. The working group meets approximately three times per year and aims to progress initiatives to address modern slavery risks in the procurement of ICT hardware.
- Integration of modern slavery contract clauses into Clausebank and inclusion of modern slavery considerations in the Commonwealth Contracting Suite. NCCEs have commenced including these clauses in large-scale contracts, for example in a recent joint uniform procurement undertaken by the Australian Border Force (ABF) and Australian Federal Police.
- Commenced development of model modern slavery tender clauses to complement existing model contract clauses. The tender clauses will signal upfront the Government's commitment to drive positive change in addressing modern slavery risks in its procurement.
- Amended the Commonwealth Procurement Rules (CPRs) to include reference to the Act. The CPRs provide basic rules for all Commonwealth procurements and govern the way in which NCCEs undertake their own processes.
- Engaged Pillar Two to develop a Rapid Response Framework to assist procurement officers consider modern slavery risks during extraordinary procurement. More information on this work can be found on pages 22-23.

### Supplier activities



- Engaged Electronics Watch to undertake supply chain mapping and risk assessment of key ICT hardware suppliers to the Government. More information on this project can be found on page 28.
- Engaged Sedex to undertake supply chain mapping and risk assessment of key textiles suppliers to the Government. More information on this project can be found on pages 26–27.
- Engaged Sedex to undertake supply chain mapping and risk assessment of key construction suppliers to the Government. More information on this project can be found on page 27.

### Response activities



- Engaged the Australian Institute of Criminology to develop a Performance Review Framework for assessing the effectiveness of actions taken under the Commonwealth Statement. More information on this work can be found on pages 36–38.
- Conducted a stocktake of existing policies and processes through a Reporting Template that was completed by NCCEs on the Interdepartmental Committee on Modern Slavery in Public Procurement (IDC). The Government utilised this process to identify opportunities to leverage any existing frameworks.

### ▶ Snapshot

#### Principles to guide Government action to combat human trafficking in global supply chains

The *Principles to guide Government action to combat human trafficking in global supply chains* (the Principles) were developed in 2017 by the Governments of Australia, Canada, New Zealand, United Kingdom and the United States and provide a framework from which countries can build a strategy to take effective action within public and private sector supply chains. The four key Principles for Governments are:



#### Principle 1

Take steps to prevent and address human trafficking in government procurement practices



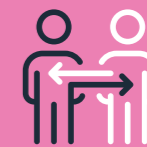
#### Principle 2

Encourage the private sector to prevent and address human trafficking in its supply chains



#### Principle 3

Advance responsible recruitment policies and practices



#### Principle 4

Strive for harmonisation

The Government is driving action to support implementation of all four Principles in its work to combat modern slavery practices domestically and overseas. Actions taken to support the Government's work under the Act to assess and address modern slavery risks in Commonwealth supply chains and operations, directly support Principle 1.

### Agency snapshots

The below snapshots highlight some of the work NCCEs have undertaken over the reporting period to strengthen their response to modern slavery risks in Commonwealth procurement. Work to date has focused largely on promoting awareness of modern slavery in Commonwealth supply chains, the Government's obligations to address these risks, and available resources to assist staff integrate modern slavery considerations into current and future procurements. Work has also been done across

government to include modern slavery in current and future procurement processes.

Whilst there are 98 NCCEs, many of these agencies are captured by larger government portfolios, often with a parent executive Department. The majority of examples below are from larger Departments, noting that in many cases, information and resources are shared within portfolios and across agencies.





### Australian Federal Police

As an interim mitigation strategy, all High Value Procurements (over \$200,000 and excluding mandatory whole-of-government panels) are subject to compliance review by a central procurement area. Part of this review is to consider if there is a risk of modern slavery implications associated with the procurement.



### Australian Taxation Office

The Australian Taxation Office developed a Modern Slavery Help Card to assist procurement officers understand modern slavery and support compliance. The guidance is targeted at internal Strategic Procurement and Contracts staff and is based off broader government guidance on addressing modern slavery risks.



### Department of Foreign Affairs and Trade

New approaches to market for large construction projects by DFAT incorporate modern slavery considerations. DFAT commenced a project to update internal policy, procedures and documentation to adopt a Commonwealth best practice approach that will enable the effective management of modern slavery in a risk appropriate manner.



### Department of Finance

The Procurement Policy Branch in the Department of Finance (Finance) raises awareness of modern slavery risk in procurement during outreach meetings with NCCEs. Finance also facilitates the dissemination of information to members of the interdepartmental Senior Procurement Officers Reference Group.



### Department of Agriculture, Water and the Environment

The Department of Agriculture, Water and the Environment included modern slavery in its internal Procurement Policy. The Government's modern slavery e-learning modules are regularly shared throughout the Department through internal communications. The central procurement team also applies its knowledge of modern slavery risks and the Modern Slavery Toolkit of Resources for Procurement Officers (Toolkit) to support officials undertaking procurement activities.



### Department of Defence

Defence recognises that offshore infrastructure projects present a heightened modern slavery risk and have implemented a framework and proposed strategy for managing its modern slavery risk exposure. With a formalised risk assessment and management process now established on a number of infrastructure projects, Defence personnel are making more informed procurement and contracting decisions.

Through Commonwealth procurement processes, Defence is ensuring its head contractors are able to demonstrate explicit consideration for the identification and management of modern slavery risks. Engagement options for monitoring and contract management are currently being undertaken and are being balanced against consideration for strategic supplier relationships and the need for supplier capability building and risk appetite.



### Department of Health

The Department of Health updated its Request for Tender template and Contract templates in early 2020 to include references to the *Modern Slavery Act 2018* as well as linking to the guidance on the Register. These templates have been used extensively during the reporting period across a number of procurements within the Department.



### Department of Infrastructure

The Department of Infrastructure (Infrastructure) updated its Procurement Guide and Approach to Market documentation to include modern slavery considerations, where appropriate. Infrastructure also developed a modern slavery FAQ and Quick Reference Guide to summarise its responsibilities and obligations in relation to modern slavery in procurement activities. Information on modern slavery risk assessment processes was disseminated to staff via internal 'news articles' and has been incorporated into internal procurement training modules. Links to the Toolkit as well as other modern slavery reference material have been made available to staff via Infrastructure's procurement intranet page.



### Department of Education, Skills and Employment

The Department of Education, Skills and Employment's 'Procurement' intranet page includes links to the 'Modern Slavery' page of the Department of Home Affairs website and the e-learning modules 'Modern slavery in public procurement' on the Government's online Modern Slavery Register (Register). These links provide information and guidance for staff procuring goods and or services for the department.



### Department of Social Services

The Department of Social Services' (DSS) Procurement Manual has been updated to include modern slavery considerations.

A procurement update has been sent to all users of DSS' Procurement system which advised of the Government's Toolkit and included links to the Register and the DSS Procurement Manual.

DSS' central procurement team has undertaken the introductory modern slavery e-learning modules on the Register.



### Services Australia

Services Australia developed supplementary training to support and promote the Government's Toolkit. This training guides procurement practitioners on use of the Toolkit, when assessing modern slavery risks at the beginning of each procurement, and throughout existing contract life cycles.

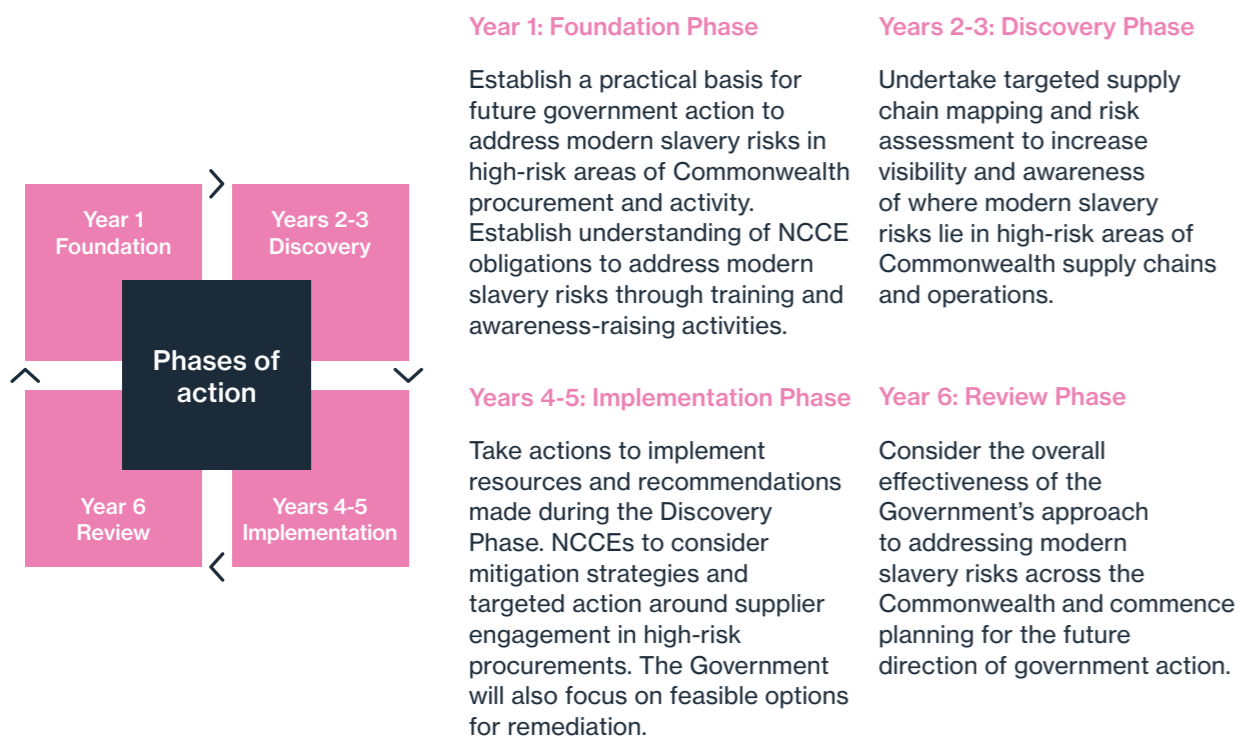
## Looking ahead to assessing and addressing modern slavery risks

The Government has made a deliberate effort to prioritise continuous improvement in its work to address modern slavery risks in its supply chains and operations. Taking clearly defined, targeted action each reporting period allows the Government to best utilise its resources. The first Commonwealth Statement established the Government's framework for action to address modern slavery risks in key high-risk areas of Commonwealth procurement and investment. The focus in this reporting period was largely awareness-raising and training activities for NCCEs.

Over the coming years, the Government will shift its focus to take more practical actions to increase its visibility, awareness, and understanding of modern slavery risks in its targeted areas of focus. During this phase, the Government will look at opportunities to embed modern slavery

considerations into current and future procurement activities, informed by the supply chain mapping and risk assessments currently being undertaken. The Government is working to improve its understanding of risks beyond Tier One. In addition to the risks identified around production of goods and services, the Government acknowledges there may also be risks around their transportation logistics, for example seafarers on shipping vessels transporting PPE or ICT equipment or drivers involved in bringing construction materials to sites overseas. While this plan focuses heavily on risks in supply chains, the Government will also continue to consider its modern slavery risks in its operations.

The below diagram illustrates phases the Government will progress through in its response over the next five years.



Specifically during the next reporting period, the Government will focus on:

- developing and publishing further resources and training, including in relation to supplier engagement and information for government delegates approving spending;
- integrating modern slavery e-learning into internal NCCE training platforms;
- embedding modern slavery considerations into

Government procurement policy and practices, for example in the Government's procurement of cleaning services;

- considering recommendations from risk assessments and implementing mitigation actions, where appropriate; and
- exploring options for remediation of modern slavery cases at the Commonwealth level, including through engagement and collaboration with external subject matter experts.

# Mandatory Criterion 5 Effectiveness



This section addresses mandatory criterion five of the *Modern Slavery Act 2018*, pursuant to section 16(1)(e). This section outlines steps taken by the Government to review the effectiveness of its actions to assess and address modern slavery risks, including how it will monitor the effectiveness of its actions in future Commonwealth Statements.

## Assessing the effectiveness of Government’s actions

The Government recognises that assessing the effectiveness of its actions to address modern slavery risks in global operations and supply chains is essential. The Government introduced a Reporting Template this reporting period, to assist in the collection of relevant data and information from NCCEs. Information reported on includes uptake and use of modern slavery resources such as the Government’s contract clauses, risk screening tool, supplier questionnaire, and e-learning modules and the effectiveness of these tools. To date, there has been positive promotion and uptake of these resources within NCCEs, including embedding them within existing internal processes and policies.

In the first Commonwealth Statement, the Government committed to developing a Performance Review Framework (Framework) to assess the effectiveness of actions taken by NCCEs. This reporting period, the Government

commenced development of this high-level evaluation framework, which is being led by the Australian Institute of Criminology (AIC). The Government’s delivery against the Framework will be monitored by the ABF and the IDC as well as the independent Modern Slavery Expert Advisory Group (MSEAG). This will ensure that views and experiences of specialist government procurement and commercial teams, as well as non-government suppliers and business experts are considered. The Government’s performance will be reported against the Framework in future Commonwealth Statements. The Framework itself will undergo revision as needed to reflect the Government’s increasing maturity in addressing modern slavery risks, including being responsive to assessing the Government’s response to future identified areas of risk in Commonwealth supply chains and operations.

### ► Consultation with the MSEAG to strengthen the Government’s response

The MSEAG was established in May 2020 as a mechanism for the Government to consult with representatives from business, civil society and academia on the implementation of the Act. During the reporting period, the Government sought feedback from the MSEAG on the development of this Commonwealth Statement. The Government was specifically interested in feedback on areas of its first statement that could be strengthened in the second. Feedback from the MSEAG centred on providing more detailed information on what specific NCCEs are doing, including information on the

decision to continue focusing on risk areas from 2019-20, framing actions through the UNGP framework, looking beyond Tier One, and including more case studies.

The Government incorporated this feedback where relevant, noting that some feedback received will be considered as part of the Government’s longer-term approach to addressing its modern slavery risks. Comments from the MSEAG on how the Government can assess the effectiveness of its actions are being considered alongside the Framework being developed by the AIC.

## Performance Review Framework Overview

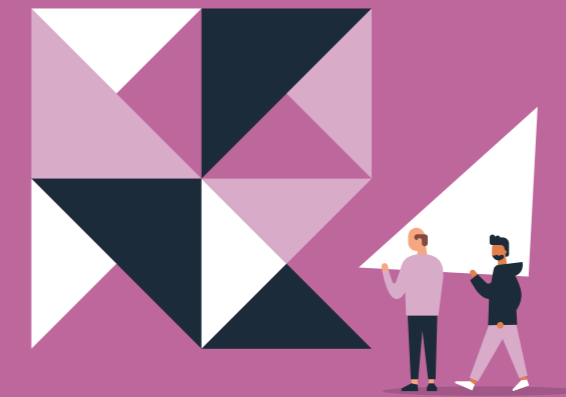
The table below is an indicative framework that will inform the final Performance Review Framework. This table provides an outline of the indicators government will look to assess in future statements.

Area	Action	Outcomes	Indicative Key Performance Indicators	Data
Training and awareness activities	Engage in awareness-raising activities on modern slavery risks.	Awareness of modern slavery risks increases among NCCEs.	Number of awareness-raising activities undertaken.	Agency administrative data.
	Deliver training on identifying and assessing modern slavery risks in public sector procurement.	Understanding of modern slavery risks among government officials improves.	Number of government officials who participate in awareness-raising activities.	Post-training questionnaire (incorporate into e-learning module).
	Review and/or adapt training materials and resources.		Number and proportion of government officials who report/ demonstrate improved understanding of modern slavery risks.	Agency-wide questionnaire on modern slavery awareness.
Procurement and contract management processes	Government agencies collaborate to identify common suppliers and possible risk across government.	NCCEs have a better understanding of their supply chains.	Number and proportion of agencies who engage in interagency information sharing about common suppliers and possible supply chain risks.	Agency administrative data.
	Procurement processes are revised to include specific modern slavery risk assessment processes.	NCCEs feel supported to identify risks in their supply chains.	Number and proportion of agencies that utilise the Modern Slavery Toolkit for Government Procurement Officers.	Survey of procurement staff.
	Contract management processes are revised to include specific modern slavery risk assessment processes.	Procurement staff report that their understanding and ability to identify high-risk suppliers has improved.	Number and proportion of agencies that report having revised their procurement processes to include specific modern slavery risk assessment processes.	
	Risk management controls are applied to actively manage identified modern slavery risks in new procurements.		Number and proportion of agencies that report having revised their contract management processes to include specific modern slavery risk assessment processes.	

(continued next page)

Area	Action	Outcomes	Indicative Key Performance Indicators	Data
<b>Supplier activities</b>	Engage with suppliers on modern slavery risks.	Suppliers' transparency regarding their own supply chains and modern slavery risk increases.	Number and proportion of suppliers that complete the Modern Slavery Supplier Questionnaire.  Number and proportion of procurement contracts that contain modern slavery clauses.	Agency administrative data.
<b>Response activities</b>	Respond to modern slavery risk in government procurement activities.	NCCEs take steps to actively respond to identified modern slavery practices risks in their procurement activities.	Number and proportion of risk assessments conducted using the Risk Screening Tool.  Number and proportion of risk assessments that resulted in a rating of Low, Medium or High.	Agency administrative data.  Survey of procurement staff.
	Promote use of the Government's modern slavery response protocol.		Number and proportion of contracts for which action plans are put in place to mitigate identified risks.  Number and proportion of agencies that utilise the Modern Slavery Response Protocol.	

# Mandatory Criterion 6 Consultation



This section addresses mandatory criterion six of the *Modern Slavery Act 2018*, pursuant to section 16(1)(f). This section outlines how the Government prepared the Commonwealth Statement in consultation with NCCEs.

## Consulting on the Government’s approach

The ABF leads the Government’s domestic policy response to modern slavery, including implementation of the Act. In developing the 2020-21 Commonwealth Statement, the ABF consulted widely with NCCEs, business, and civil society. The ABF utilised the existing IDC as the primary consultative mechanism to coordinate development of the Commonwealth Statement. The IDC is comprised of representatives from 30 NCCEs, with each government Portfolio represented. It drives the strategic direction of the Commonwealth Statement and the Government’s broader response to modern slavery risks in public procurement. This reporting period, IDC members provided data and information to assist in development of the Commonwealth Statement through a Reporting Template.

During the reporting period, the Government prioritised collaboration and consultation to ensure its response to addressing modern slavery risks was as informed and considered as possible. The Government expanded on its existing fora of engagement, with key consultations during 2020-21 including:

- establishing a specialist inter-agency thematic working group to consider modern slavery risks in Commonwealth ICT hardware procurement;
- consulting the MSEAG on the Government’s approach to addressing modern slavery risks in Commonwealth supply chains and operations;
- establishing an Intergovernmental Network on Modern Slavery in Public Procurement to drive state and territory action to embed modern slavery considerations into procurement processes at all levels of government;
- consulting with individual government portfolios on their risks and actions; and
- utilising the Senior Procurement Officers Reference Group to disseminate information and resources and call for further IDC nominations.

Key groups that the Government collaborated with during the development of this Statement include:

Interdepartmental Committee on Modern Slavery in Public Procurement	Modern Slavery Expert Advisory Group	
<p>The IDC informs development of the Commonwealth Statement and guides the Government’s strategic response to addressing modern slavery risks in Commonwealth procurement and activity. The IDC is the primary mechanism through which the Government ensures NCCE perspectives and risk exposures are incorporated into the statement.</p>	<p>An independent group comprised of representatives from business, academia and civil society that provides strategic advice to Government on the implementation of the Act. The MSEAG provided external feedback on the draft Commonwealth Statement, including areas where Government could strengthen its response from the 2019-20 statement.</p>	
Textiles Working Group	Construction Working Group	ICT Hardware Working Group
<p>A cross-agency working group that brings together procurement officers to identify risks in the textiles sector and share information about how to mitigate these risks.</p>	<p>A cross-agency working group that brings together procurement officers to identify risks in the construction sector and share information about how to mitigate these risks.</p>	<p>A cross-agency working group that brings together procurement officers to identify risks in the ICT hardware sector and share information about how to mitigate these risks.</p>

# Mandatory Criterion 7 Related Activities



This section addresses mandatory criterion seven of the *Modern Slavery Act 2018*, pursuant to section 16(1)(g). This section details other actions the Government is taking to combat modern slavery in Australia and abroad.

## Government work to combat modern slavery

The Government's work to address modern slavery risks in Commonwealth supply chains and operations complements broader work being undertaken to combat modern slavery in Australia and abroad. The ABF is responsible for driving government action to combat modern slavery domestically and works closely with other government agencies to coordinate and strengthen efforts.

The Government has a comprehensive, whole-of-government approach to tackling modern slavery and slavery-like practices. The Government's work includes a range of international efforts in

recognition of the global nature of the problem, the complexities of supply chains and the need for coordinated, global action.

During the reporting period, the Government launched its new *National Action Plan to Combat Modern Slavery 2020-25* (National Action Plan) which sets out the strategic framework for Australia's response to modern slavery over five years. The National Action Plan articulates the Government's vision for a future where no one is subjected to modern slavery and the human rights of all people are valued equally.

### ▶ National Action Plan to Combat Modern Slavery 2020-25

The Government's actions to address modern slavery risks in Commonwealth supply chains and operations will deliver on the below commitments made in the new National Action Plan.

Action Item No.	
2	Deliver targeted awareness-raising initiatives on a range of modern slavery issues.
6	Deliver information and guidance to businesses, other reporting entities, investors and consumers on modern slavery risks in global supply chains and the Modern Slavery Act reporting requirements.
7	Progress initiatives to identify and address modern slavery risks in Government procurement and investments.
11	Promote the Principles to Guide Government Action to Combat Human Trafficking in Global Supply Chains.
32	Work collaboratively across Commonwealth Departments and agencies to combat modern slavery risks in Commonwealth procurements and investments.
35	Consult the Modern Slavery Expert Advisory Group and other civil society and business stakeholders to support effective implementation of the Modern Slavery Act.

## Key work during 2020-21

Below is an overview of key work undertaken by the Government during the reporting period to address modern slavery in Australia and internationally.



Launching the National Action Plan which sets out the Government's strategic direction to address modern slavery over the next five years.



Committing \$10.6 million to combat modern slavery through the implementation of the National Action Plan.



Maintaining a dedicated support program for survivors or those at risk of human trafficking and modern slavery.



Partnering with industry specialists, Electronics Watch, Sedex, and the Cleaning Accountability Framework to increase transparency and awareness of risks in the Government's procurement of ICT hardware, textiles, construction, and cleaning services.



Supporting businesses to meet their reporting obligations under the Act through providing targeted guidance and support via a dedicated government unit.



Demonstrating international leadership by championing key initiatives to combat modern slavery such as Finance Against Slavery and Trafficking.



Establishing the Government's grant program to deliver multi-year grant funding to civil society, business and academia to combat modern slavery in Australia.



Working with key partner countries in our region to strengthen law and justice frameworks to combat modern slavery and human trafficking.



Responding to the Parliamentary Joint Standing Committee on Foreign Affairs, Defence and Trade's *inquiry into Human Organ Trafficking and Organ Transplant Tourism*.



Coordinating the development of the *Compendium of Good practice Examples to Combat Exploitation in Supply Chains* under the Bali Process Working Group on Trafficking in Persons.



Responding to the Parliamentary Joint Committee on Law Enforcement's report: *An inquiry into human trafficking, slavery and slavery-like practices*.



Responding the Parliamentary Joint Standing Committee on Foreign Affairs, Defence and Trade's report: *Hidden in Plain Sight – An inquiry into establishing a Modern Slavery Act in Australia*.



Providing submissions and participating in a public hearing for the *inquiry into certain aspects of the DFAT Annual Report 2019-20 – child and forced marriage*.



Providing a submission and participating in a hearing for the *inquiry into the Customs Amendment (Banning Goods Produced By Uyghur Forced Labour) Bill 2020*.

---

# Acronyms and abbreviations

---

<b>ABF</b>	Australian Border Force
<b>AIC</b>	Australian Institute of Criminology
<b>The Act</b>	<i>Australia's Modern Slavery Act 2018 (Cth)</i>
<b>Arrangements</b>	Whole-of-government Property Services Coordinated Procurement Arrangements
<b>CAF</b>	Cleaning Accountability Framework
<b>CPRs</b>	Commonwealth Procurement Rules
<b>Commonwealth Statement</b>	Commonwealth Modern Slavery Statement
<b>COVID-19</b>	Novel coronavirus
<b>DFAT</b>	Department of Foreign Affairs and Trade
<b>DSS</b>	Department of Social Services
<b>ESG</b>	Environmental, Social and Governance
<b>Finance</b>	Department of Finance
<b>Framework</b>	Performance Review Framework
<b>ICT</b>	Information and Communications Technology
<b>IDC</b>	Interdepartmental Committee
<b>JLL</b>	Jones Lang LaSalle
<b>MSEAG</b>	Modern Slavery Expert Advisory Group
<b>National Action Plan</b>	<i>National Action Plan to Combat Modern Slavery 2020-25</i>
<b>NCCEs</b>	Non-corporate Commonwealth entities

---

---

<b>OPO</b>	Overseas Property Office
<b>PSPs</b>	Property Service Providers
<b>Register</b>	Modern Slavery Register
<b>RRF</b>	Rapid Response Framework
<b>The Government</b>	The Australian Government
<b>Toolkit</b>	Modern Slavery Toolkit of Resources for Procurement Officers
<b>UNGPs</b>	United Nations Guiding Principles on Business and Human Rights

---

# Annexure: Modern Slavery Act Reporting Requirement

The table below outlines the seven mandatory criteria of the Act and corresponding sections of the Commonwealth Statement.

MODERN SLAVERY ACT REQUIREMENT	REFERENCE IN THIS STATEMENT	PAGE NO.
section 16(1)(a) Identify the reporting entity	Mandatory Criteria 1 & 2: Covered entities, structure, operations and supply chains	12
section 16(1)(b) Describe the structure, operations and supply chains of the reporting entity	Mandatory Criteria 1 & 2: Covered entities, structure, operations and supply chains	13–14
section 16(1)(c) Describe the risks of modern slavery practices in the operations and supply chains of the reporting entity, and any entities that the reporting entity owns or controls	Mandatory Criterion 3: Risks	17–23
section 16(1)(d) Describe the actions taken by the reporting entity and any entity that the reporting entity owns or controls, to assess and address those risks, including due diligence and remediation processes	Mandatory Criterion 4: Actions	25–34
section 16(1)(e) Describe how the reporting entity assesses the effectiveness of such actions	Mandatory Criterion 5: Effectiveness	36–38
section 16(1)(f) Describe the process of consultation with (i) any entities that the reporting entity owns or controls and (ii) for a reporting entity covered by a joint statement, the entity giving the statement	Mandatory Criterion 6: Consultation	40
section 16(1)(g) Include any other information that the reporting entity considers relevant	Mandatory Criterion 7: Related activities	42–43

# Appendix A: List of non-corporate Commonwealth entities

1. Department of Agriculture, Water and the Environment
2. Australia Fisheries Management Authority
3. Bureau of Meteorology
4. Great Barrier Reef Marine Park Authority
5. Attorney-General's Department
6. Administrative Appeals Tribunal
7. Asbestos Safety and Eradication Agency
8. Australian Building and Construction Commission
9. Australian Commission for Law Enforcement Integrity
10. Australian Financial Security Authority
11. Australian Law Reform Commission
12. Fair Work Commission
13. Fair Work Ombudsman and Registered Organisations Commission Entity
14. Federal Court of Australia
15. National Archives of Australia
16. Office of the Australian Information Commissioner
17. Office of the Commonwealth Ombudsman
18. Officer of the Director of Public Prosecutions
19. Officer of the Inspector-General of Intelligence and Security
20. Office of Parliamentary Counsel
21. Safe Work Australia
22. Seafarers Safety, Rehabilitation and Compensation Authority
23. Department of Defence
24. Australian Signals Directorate
25. Department of Education, Skills and Employment
26. Australian Research Council
27. Australian Skills Quality Authority
28. Tertiary Education Quality and Standards Agency
29. Department of Finance
30. Australian Electoral Commission
31. Future Fund Management Agency
32. Independent Parliamentary Expenses Authority
33. Department of Foreign Affairs and Trade
34. Australian Centre for International Agricultural Research
35. Australian Secret Intelligence Service
36. Australian Trade and Investment Commission
37. Department of Health
38. Aged Care Quality and Safety Commission
39. Australian National Preventative Health Agency
40. Australian Radiation Protection and Nuclear Safety Agency
41. Cancer Australia
42. National Blood Authority
43. National Health and Medical Research Council
44. National Health Funding Body
45. National Mental Health Commission
46. Organ Tissue Authority
47. Professional Services Review Scheme
48. Sport Integrity Australia
49. Department of Home Affairs
50. Australian Criminal Intelligence Commission
51. Australian Federal Police
52. Australian Institute of Criminology
53. Australian Security Intelligence Organisation
54. Australian Transaction Reports and Analysis Centre
55. Office of the Special Investigator
56. Department of Industry, Science, Energy and Resources
57. Clean Energy Regulator



- 
58. Climate Change Authority
  59. Geoscience Australia
  60. IP Australia
  61. Department of Infrastructure, Transport, Regional Development and Communications
  62. Australian Communications and Media Authority
  63. Australian Transport Safety Bureau
  64. National Capital Authority
  65. National Faster Rail Agency
  66. North Queensland Water Infrastructure Authority
  67. Department of Prime Minister and Cabinet
  68. Australian National Audit Office
  69. Australian Public Service Commission
  70. National Recovery and Resilience Agency
  71. National Indigenous Australians Agency
  72. Office of National Intelligence
  73. Office of the Official Secretary to the Governor-General
  74. Workplace Gender Equality Agency
  75. Department of Social Services
  76. Australian Institute of Family Studies
  77. Digital Transformation Agency
  78. NDIS Quality and Safeguards Commission
  79. Services Australia
  80. Department of Treasury
  81. Australian Bureau of Statistics
  82. Australian Competition and Consumer Commission
  83. Australian Office of Financial Management
  84. Australian Prudential Regulation Authority
  85. Australian Securities and Investments Commission
  86. Australian Taxation Office
  87. Commonwealth Grants Commission
  88. Inspector-General Taxation
  89. National Competition Council
  90. Office of the Auditing and Assurance Standards Board
  91. Office of the Australian Accounting Standards Board
  92. Productivity Commission
  93. Royal Australian Mint
  94. Department of Veteran's Affairs
  95. Department of Parliamentary Services
  96. Department of House of Representatives
  97. Department of the Senate
  98. Parliamentary Budget Office

