Attachment A

Proposed Modern Slavery Policy

Modern Slavery Policy

Purpose

The purpose of this policy is to:

- outline the City of Sydney's commitment to take reasonable steps to:
  - identify, manage, minimise and report on the risk of Modern Slavery in its supply chains;
  - work towards preventing and remediating Modern Slavery risks;
  - take steps to ensure that City of Sydney Suppliers and others it does business with are adequately managing Modern Slavery risks;
- ensure the City of Sydney is compliant with its obligations under the Modern Slavery Act 2018 and other Modern Slavery Laws that apply to it; and
- ensure that City of Sydney of Sydney Employees are aware of the City of Sydney's requirements in relation to Modern Slavery.

Scope

This Policy applies to all Employees working for the City of Sydney and applies to all activities undertaken that fall within the scope of the Procurement Policy.

Definitions

Term	Meaning
Employees	All City of Sydney employees including permanent (whether full-time or part-time), temporary, agency contractors (labour hire), casual employees and apprentices.
Guidance on Reasonable Steps	The NSW Anti-slavery Commissioner's Guidance on Reasonable Steps to Manage Modern Slavery Risks version 1.0, December 2023, as updated from time to time.
Modern Slavery	As defined by the *Modern Slavery Act,* including the following types of exploitation: • Trafficking in people – the recruitment, harbouring and movement of persons for the purposes of exploitation through Modern Slavery. This includes sexual exploitation, forced labour or services and slavery and practices similar to slavery. • Slavery – when a person exercises power of ownership over another. • Servitude – a situation where an individual's freedom is significantly restricted, for example they are not free to stop working or to leave their place of work.

Term	Meaning
	• Forced labour – where violence or other methods (for example accumulation or debt, retention of identity papers) are used to coerce victims to work. • Forced marriage – where an individual is forced or deceived into marrying. • Debt bondage – where a victim's services are pledged as security for a debt and the debt is excessive, the length and nature of services are not defined or the value of the services is not applied against the debt. • Deceptive recruiting for labour or services – where a victim is deceived about the conditions in which they will be working. • The worst forms of child labour - situations where children are subjected to slavery or similar practices, or engaged in hazardous work which could harm their health and safety. Please refer to section 5 of the Modern Slavery Act and schedule 2 of the Modern Slavery Act for a full list of Modern Slavery offences.
Modern Slavery Act	The *Modern Slavery Act 2018* (NSW).
Modern Slavery Laws	All applicable Modern Slavery laws, statutes, regulations and codes from time to time in force which prohibit exploitation of workers, human trafficking, slavery, servitude, forced labour, debt bondage or deceptive recruiting for labour or services, or similar (Modern Slavery Laws), including but not limited to the Modern Slavery Act 2018 (Cth) and the Modern Slavery Act 2018 (NSW), which came into effect in 2022.
Suppliers	Any entity supplying goods and/or services to the City of Sydney.

Policy Statement

Modern Slavery is a human rights violation and a serious crime, it has a horrific personal impact on the millions of people subjected to it around the world. In addition to obligations under the Modern Slavery Laws, the City of Sydney has an ethical, reputational and financial imperative to act to prevent Modern Slavery in all its forms and to set the highest possible standards of compliance and reporting as a result. The safeguarding of human rights is important to us for long term risk mitigation and sustainability, the City of Sydney will act to safeguard human rights with the outsourced providers we work with in our supply chains.

Caring for our communities, our environment and our people is at the heart of our purpose and values at the City of Sydney.

We aim to be an ethical and responsible procurer of goods and services. We operate in diverse and complex supply chains across hundreds of categories. The Modern Slavery risks across these categories are varied. Accordingly, we take a people centred, risk-based approach to addressing Modern Slavery within our supply chains.

We strive for continuous improvement in our approach to Modern Slavery and will work collaboratively with key stakeholders and Suppliers to review and improve our practices.

Supply Chain

The ability of the City of Sydney to impact and leverage its supply chains is varied across categories. The City of Sydney recognises that it has spend in high-risk categories and aims to apply its resources to those areas of significant salient risk of Modern Slavery where the risks to people are high and it can make the most difference.

We will engage with our suppliers to understand the risk of Modern Slavery in their supply chains and business operations, and then work with them in a number of ways to mitigate Modern Slavery risks, taking into account our leverage, the level of risk, and their existing approach to Modern Slavery risk. This would range from working closely with those we have leverage with, through finding ways to influence where we don't, and as a last resort consider exiting arrangements where the supplier is unable or unwilling to address Modern Slavery risks or concerns. The City of Sydney will create a roadmap of the City's future approach and requirements in a three-year Modern Slavery Implementation Plan aligned with the seven steps of the NSW Anti-slavery Commissioner's Guidance on Reasonable Steps. The Implementation Plan will be iterative and evolve to take into consideration amendments to the Guidance on Reasonable Steps, changes to identified risks, emerging risks, and changes in our supply chain.

Specifically, the City of Sydney will:

1. seek to build our Modern Slavery expertise, through collaborating and working with relevant government agencies, peak bodies and experts;

2. take steps to understand how its different roles, processes and contracting practices increase or mitigate the risk of Modern Slavery;

3. take reasonable steps to identify Modern Slavery risks in its supply chain, including the extent of those risks and take action to manage or minimise them;

4. engage with Suppliers to understand their commitment to minimising the risk of Modern Slavery in their own supply chains and operations;

5. include Modern Slavery considerations in procurement processes as guided by legislation and best practice;

6. ensure the City of Sydney's standard contracts contain clauses requiring Suppliers to take reasonable steps to identify, assess and address Modern Slavery risks within their operations and supply chains and comply with Modern Slavery Laws;
7. where Modern Slavery risks are identified that are outside of the City of Sydney's direct control, engage with key stakeholders to leverage its influence and encourage positive and permanent change;

8. implement a confidential reporting process to enable members of the community and City of Sydney Employees to raise concerns about potential or suspected Modern Slavery in the City of Sydney's supply chain;

9. take reasonable steps to investigate reports of Modern Slavery by providing appropriate supports, confidentiality and other safeguards to protect the interests and wellbeing of victim-survivors and work towards providing or enabling access to

effective grievance mechanisms and remediating deficient practices to mitigate the risks of recurrence;

10. develop and deliver a three-year Modern Slavery Implementation Plan to achieve compliance with the NSW Anti-slavery Commissioner's Guidance on Reasonable Steps, including development of suitable targets which will evolve as the City's maturity increases;

11. develop and undertake a Salient Modern Slavery Risk Assessment, through engaging stakeholders and identifying risks. This will be incorporated into the Modern Slavery Implementation Plan, to be adaptive to emerging risks, and to assist in changes to business models, strategies and practices;

12. establish a relationship and continue to cooperate with the NSW Anti-slavery Commissioner, through sharing information and support;

Training and capacity building

The City of Sydney will ensure that relevant Employees have the knowledge, training, tools and capacity to comply with the obligations to reduce risks of Modern Slavery. Training will be regular and appropriate to an Employee's role.

The City of Sydney will regularly review its performance on Modern Slavery risk management and integrate lessons learned from stakeholder engagement, reporting mechanisms and peers.

Reporting

The City of Sydney will report to the Audit Risk and Compliance Committee on how it is meeting its Modern Slavery commitments.

As required by its statutory obligations, the City of Sydney will report annually on:

- actions taken in response to any significant operational issues raised by the NSW Anti-slavery Commissioner; and
- steps taken to ensure that goods and services procured by and for the council during the year were not the product of Modern Slavery, as required in the Guidance on Reasonable Steps, as well as submit a copy of its Annual Report.

The City of Sydney will also submit a copy of its annual reporting information in the required format as provided by the Office of the Anti-slavery Commissioner.
We will also comply with our reporting obligations relating to Heightened Modern Slavery Due Diligence procurement transactions with a value of AU$150,000 (including GST) or more.

Responsibilities

Chief Executive Officer

- Ensuring that the City of Sydney has effective controls in place to manage and minimise the risk of Modern Slavery.

Manager Social and Sustainable Procurement

- Development, implementation and ongoing management of the City of Sydney's Modern Slavery Implementation Plan and Salient Risk Assessment;
- Alignment of the Modern Slavery Implementation Plan to the Guidance on Reasonable Steps (GRS) and other requirements issued by the Anti-slavery Commissioner;
- Preparing and submitting reporting on Modern Slavery;
- Facilitating interactions with suppliers where opportunities are identified to leverage contractual and relationship influence to improve supplier performance in managing Modern Slavery risks;

Procurement Unit

- Integrating procedures to assess Modern Slavery risks into the City of Sydney's procurement framework and activities, including conducting assessments when engaging suppliers in high-risk industries.
- Facilitating interactions with suppliers where opportunities are identified to leverage contractual and relationship influence to improve supplier performance in managing Modern Slavery risks

Risk and Governance Unit

- Implement and manage a reporting process for suspected Modern Slavery.

Internal Audit

- Reviewing and evaluating the effectiveness of controls in place to manage Modern Slavery risks.

Legal Services

- Ensuring that the City of Sydney's standard contracts contain clauses to manage and address Modern Slavery risks.
- Negotiating amendments to non-standard contracts to manage Modern Slavery risks where relevant.

Learning and Development

- Deliver Employee awareness and specialised training for relevant Employees on Modern Slavery risks and requirements under this policy and Modern Slavery laws.

Contract Managers

- Engaging with Suppliers to understand how they manage Modern Slavery risks.
- Conducting Modern Slavery risk assessments on the contracts they manage as required based on risk, and work with suppliers to mitigate and address identified risks where appropriate.

All Staff

- Complying with this policy and the City of Sydney's requirements with respect to Modern Slavery as updated from time to time.

Consultation

This Policy has been reviewed in consultation with M3 Managers, Risk & Governance, Legal Services and Procurement.

References

Laws and Standards
• *Local Government Act 1993* (NSW)
• *Modern Slavery Act 2018* (NSW)
• *Modern Slavery Act 2018* (Cth)
• *Commonwealth Criminal Code (Divisions 270 and 271)*
• *Public Works and Procurement Act (NSW) 1912 (section 176(1A))*

Policies and Procedures
• Modern Slavery Reporting Procedure
• Procurement and Contract Management Policy
• Supplier Code of Conduct
• City of Sydney Code of Conduct
• Public Interest Disclosure Policy

Review period

This policy will be reviewed every four years, or sooner if the Guidance on Reasonable Steps is significantly updated or the organisation's maturity to manage Modern Slavery progresses.

Approval Status

The Council approved this policy on [date].

Approval History

Stage	Date	Comment	TRIM Reference
Original Policy	20 November 2023	Approved by CEO	2023/667346
Commence Review Date	23 September 2024	Reviewed in connection with GRS and Council resolution of 14 June 2024 (item 14.6)	2024/547280
Approval Due Date			

Ownership and approval

Responsibility	Role
Author	Chief Procurement Officer
Owner	Chief Procurement Officer
Endorser	City of Sydney Executive
Approver	Council