



# POLICY

## Modern Slavery

September 2021

### 1. Vision

The vision for Catholic Education Sandhurst Limited (CES Ltd) is to provide, in partnership with our families, stimulating, enriching, liberating and nurturing learning environments in each of the Catholic School communities within the Diocese. At the heart of this vision is our commitment to the ongoing duty of care that we have for the safety, wellbeing, and inclusion of all children and young people.

We believe:

- that the values of the Gospel are central to who we are, what we do, and how we act
- in leadership encompassing vision, innovation and empowerment.

### 2. Background

The term modern slavery describes situations where coercion, threats or deception are used to exploit people and undermine their dignity and freedom. Modern slavery practices violate universally recognised human rights, are crimes and pose a serious business risk to CES Ltd's operations and reputation.

The Commonwealth [Modern Slavery Act 2018](#) (the Act) and [Guidance](#) defines modern slavery as including [eight types of serious exploitation](#) reflected in the Australian Criminal Code Act 1995. Appendix 1 of this Policy outlines the types of modern slavery practices relevant to businesses and global supply chains.

### 3. Purpose

The purpose of this policy is to prevent modern slavery by managing and mitigating modern slavery risk within our business operations and supply chains.

This policy enables CES Ltd to ensure that modern slavery does not flourish within our operations, business relationships and extended supply chains. This policy also provides a robust framework to ensure compliance with the reporting requirements of the Act.

## 4. Scope

All CES Ltd shall comply with this policy and ensure its core principles are implemented. This policy applies to all staff, including direct employees (full-time, part-time and casual), volunteers, consultants, labour hire employees, as well as contractors and sub-contractors and their employees.

## 5. Principles

Catholic social teaching calls for the dignity of work, the rights of workers and advancing the common good. These are the principles that guide this policy.

The following principles inform the implementation of this policy within our organisation:

- CES Ltd will not knowingly use or contribute to modern slavery practices in any form.
- CES Ltd will actively work to identify and eliminate modern slavery practices from our operations, business partnerships and supply chain.
- Any form of exploitative treatment, punishment, abuse of labour rights, coercive control (physical, mental, psychological or financial) of workers in CES Ltd's operations or supply chain is unacceptable.
- CES Ltd shall comply with all relevant laws and regulations regarding worker recruitment, remuneration, working conditions and freedom of association.
- CES Ltd's final purchasing decisions shall not be based on price alone. Ethical business processes are an essential part of our value for money and 'fit for purpose' considerations. This includes consideration of worker living wage mechanisms and responsible recruitment of workers.
- CES Ltd will continue to support our suppliers and business partners to assess and address modern slavery risks and take action to improve transparency, traceability and accountability for modern slavery practices and impacts in our collective supply chains.

### 5.1 Actions to prevent and manage modern slavery risk

Our modern slavery risk management plan is underpinned by ethical business practices and in consideration of all our stakeholders (including people who are at-risk of and/or experience modern slavery practices). Key elements of our plan are summarised in Appendix 2.

To put this policy into practice the following actions are required of our workers, business partners and suppliers.

### **Management, staff and contractors**

- Our Board of Directors has overall responsibility for ensuring this policy and its implementation complies with relevant Catholic social teachings, and legal and ethical obligations.
- The executive leadership team has ultimate responsibility for managing modern slavery risk within CES Ltd.
- All levels of management are responsible for ensuring their staff are aware of this policy, are provided with regular training in its application and have sufficient resources for its implementation.
- Anyone working for CES Ltd or on our behalf is expected to implement the following measures:
  - o ensuring that the identification, prevention, management and mitigation of modern slavery risk is a core responsibility of all staff
  - o business operations or relationships that knowingly support, facilitate or encourage worker exploitation or modern slavery practices are strictly forbidden
  - o any actual or suspected activity that could breach this policy must be reported immediately.
- Relevant external stakeholders shall be engaged to support this policy (for example suppliers, contractors, joint venture or other business partners).
- Anti-slavery clauses shall be incorporated into procurement tenders and contracts which include the right to audit, review documentation and interview workers.
- Supplier reviews (including self-assessment questionnaires) shall be undertaken to assess levels of modern slavery risk, commitment, and capacity to manage identified risks. This includes any new company that wants to do business with CES Ltd.

### **Suppliers and business partners**

- CES Ltd will actively engage with suppliers to promote this policy and assist to develop their capabilities to identify and manage modern slavery risks.
- CES Ltd expects suppliers to share our goal and values in relation to ending modern slavery.
- Suppliers are expected to support CES Ltd.'s efforts to assess the levels of risk within their operations and supply chain, and to gauge their commitment and capability to manage modern slavery risks.

- Suppliers shall demonstrate how they identify, prevent, manage and mitigate modern slavery risk in their operations and supply chains.

## 5.2 What to do if slavery is suspected or discovered

Internal reporting of actual or potential modern slavery risks by staff is expected. Staff shall immediately report any suspected violations of the policy or other illegal or unethical conduct.

Information is confidential and there shall be no retribution or retaliation for reports made in good faith.

Suppliers are also required to report suspected or actual modern slavery practices, indicators or red flags immediately without fear of retribution, retaliation or loss of business with us. CES Ltd commits to working with our suppliers to address issues, ensure effective remedy and implement prevention measures.

If a supplier or any other person outside CES Ltd provides information to a staff member about suspected or actual modern slavery practices, indicators or red flags within our organisation or supply chain, the information must be immediately passed onto their team leader for escalation.

## 5.3 Non-compliance with this policy

Staff who knowingly breach this policy may face disciplinary action. This could, in the most severe circumstances include dismissal for misconduct or gross misconduct and if warranted legal proceedings may be commenced.

CES Ltd retains the right to terminate its relationship with individuals, suppliers and organisations working on its behalf or engaged by it if they breach this policy.

# 6. Roles and Responsibilities

## 6.1 Approval Authority

CES Ltd Board

## 6.2 Responsible Officer

Assistant to the Executive Director: Finance & Resources

# 7. Review

This policy is scheduled for review every 3 years or more frequently if appropriate.

**8. Revisions made to this document**

<b>Date</b>	<b>Description of Revision (s)</b>
September 2021	New Policy approved
September 2024	Review Date

**9. Appendixes**

- Appendix 1: Types of modern slavery relevant to business
- Appendix 2: Modern Slavery Risk Management Program – Key Elements

# APPENDIX 1

## Types of modern slavery relevant to business

### **Debt bondage (or bonded labour)**

Debt bondage is the most common form of slavery. This occurs when a person is forced to work to pay off an excessive debt unfairly imposed on them by a recruitment agent or employer. The person works for little or no pay, with no control over their debt. Over time, the value of their work becomes greater than the original debt.

Examples of debt bondage are associated with recruitment fees, travel, visas, work materials or schemes where a person has to pay to get a job.

### **Deceptive recruiting for labour or services**

Deceptive recruiting occurs when a victim is misled about the job they are recruited for, and it leads to them being trapped in modern slavery.

Types of deceptive conduct used by recruiters include offering exaggerated rates of pay, reasonable work hours and inclusions of accommodation, food, transport and other expenses. The reality turns out to be vastly different.

### **Forced Labour**

Forced labour is any work or service which people are forced to do against their will under threat of penalty. A victim is not free to stop working or to leave their place of work because of physical and/or psychological coercion. This may include threats and violence against themselves, other workers, family members or others.

### **Human Trafficking**

The legal definition of human trafficking in Australia is:

*... the recruitment, transportation, transfer, harbouring or receipt of a person through means such as threat or use of force, coercion, deception, or abuse of power or vulnerability; for the purpose of exploiting that person ...*

Human trafficking is a serious crime which often, ends up with the trafficked people being exploited through modern slavery, forced labour, servitude, debt bondage, organ removal or other forms of exploitation

## **Worst Forms of Child Labour**

The worst forms of child labour include where children are:

- exploited through slavery, forced labour or similar practices;
- engaged in hazardous work which may harm their health, safety or morals;
- used to produce or traffic drugs.

The worst forms of child labour can occur in a variety of contexts and industries. This may include orphanage trafficking and slavery in residential care institutions, as well as child labour in factories and manufacturing sites, mining and agriculture.

Importantly, not all child labour is illegal if the correct controls are in place such as children being engaged in the light physical labour only, not be subjected to hazardous work, and where working hours are limited and outside school time etc.

## **Slavery or slavery like offences**

Slavery is defined in the Australian Criminal Code Act 1995 (Section 270) as where the 'powers attaching to the right of ownership are exercised': people are dehumanised to the point where they are literally owned by others.

Slavery is the exploitation and control of others through coercion, such as:

- Restricting where people live, work, move or communicate with others
- Using threats or actual violence against the person or their family
- Forcing them to work, withholding food or water, pay and other forms of abuse.

Examples include men forced to work on farms or construction sites, women in cleaning or children in factories - they don't have the choice to live in freedom and with dignity.

People who are trapped in modern slavery are often manipulated in schemes that do not allow them to escape, to ask for help or to gain an understanding that they are in fact victims of criminal activity. Slavery is a major issue for Australian businesses both within Australia and in extended supply chains.

## APPENDIX 2

# Modern Slavery Risk Management Plan – Key Elements

1. A **Policy** which outlines our commitment to prevent and manage modern slavery within our operations, business partnerships and supply chain, being this policy
2. **Communication** of this policy and related program initiatives to staff, business partners and supply chain
3. **Assessment of modern slavery risks** within our operations and supply chain and the development of effective, efficient and transparent controls to manage and mitigate risks
4. Integrating **anti-slavery requirements** into relevant tenders and contract terms and conditions
5. Adopting **due diligence measures** for review of suppliers and business partners coupled with a requirement that they implement systems and processes to effectively manage their own modern slavery risk
6. **Raising awareness, engaging and educating staff** and other key stakeholders so they take individual responsibility to identify modern slavery practices and take practical steps to prevent and manage risk; and
7. Implementing a robust **contact system escalation protocol** and **remedy pathway** to ensure human rights impacts caused by our activities are effectively addressed.