



MODERN SLAVERY ACT SUPPLEMENTARY GUIDANCE: DESCRIBING CONSULTATION

The Australian Border Force (ABF) has developed this supplementary guidance* to clarify how entities should describe the consultation process to prepare modern slavery statements (statements) undertaken with owned or controlled entities (and other reporting entities for a joint statement). This consultation can help ensure that modern slavery risks relating to these entities are effectively assessed and addressed. Entities should also consider undertaking broader consultation to support their responses to modern slavery risks, including with civil society, workers and their representatives.

WHAT DOES THE MODERN SLAVERY ACT REQUIRE?

Section 16 of the Modern Slavery Act requires statements to describe the process of consultation undertaken by the reporting entity with any entities it owns or controls to prepare the statement.

Section 16 of the Modern Slavery Act also requires joint statements to describe the process of consultation between the entity giving the statement and the reporting entity or entities covered by the joint statement.

HYPOTHETICAL EXAMPLES OF A BASIC RESPONSE

Simple Steps Building Co owns one entity, Simple Steps Roofing. We consulted with key areas of our business to prepare this statement, including Procurement, Legal and HR. These teams operate across all business functions for both Simple Steps Building Co and our subsidiary entity. The Senior Leadership Teams for both entities also reviewed the statement.

OR

Unicorn Pharmaceuticals undertook a risk-based approach to consultation with owned or controlled entities to prepare this statement. We undertook targeted consultation, including at director-level, with two overseas subsidiaries assessed as having increased exposure to modern slavery risks due to the nature of their operations and supply chains.

OR

Fellco Confectionary consulted with its owned or controlled entities to prepare this statement through its group-wide Human Rights Steering Committee, which includes senior management representatives from across the Fellco Confectionary Group.

BrightArm Private Security developed this statement in consultation with the two other reporting entities covered by this statement (SilverWard Security and Maurice Logistics Solutions). This consultation process included engagement with the company secretaries for each reporting entity. Details of the approval of this statement by the boards of each reporting entity are set out on page 2.

HYPOTHETICAL EXAMPLES OF A GOOD-PRACTICE RESPONSE

Jexel Services recognises that each entity within the Jexel Group has a role to play in addressing modern slavery risks and consulted with each of our 13 owned or controlled entities to prepare this statement. This consultation process has supported us to build a comprehensive, group-wide response to modern slavery and was led by the Executive Director responsible for human rights and corporate governance. As part of this consultation process, Jexel Services wrote to the directors of each owned or controlled entity within the group to provide information about the statement process and reiterate our expectations and commitment to good-practice compliance. Jexel Services subsequently engaged with each of these owned or controlled entities to prepare the statement through our group-wide Sustainability Committee. Jexel Services also engaged in more detail with senior management and relevant directors for three owned or controlled entities we assess as having higher exposure to modern slavery risks, due to the nature of their operations and supply chains. This targeted consultation ensured that risks specific to these three entities have been identified in the statement and supported the development of a tailored modern slavery action plan for each entity. As part of the statement development process, Jexel Services also engaged with key business areas across the group responsible for procurement, global supply, risk, legal, sustainability and corporate affairs.

Frances & Nicholas Industries (FNI) is committed to developing and maintaining a robust, group-wide response to modern slavery. FNI developed this joint statement in consultation with each of the seven reporting entities in the FNI Group (these entities are identified on page 1). FNI consulted with each reporting entity through our group-wide modern slavery working group, which includes senior management representatives from each reporting entity and met on a monthly basis over the reporting period. The consultation process involved consideration of how modern slavery risks vary across the group, implementation of a group-wide risk assessment process, agreement on an action plan for the next reporting period, and review of the statement text. The boards of each reporting entity also approved the statement. Further information about the approval of this statement is set out on page 9.

* The information in this guidance note is not legal advice.