



Australian Government

Framework for Non-corporate
Commonwealth Entities:
**Responding to
Alleged Instances
of Modern Slavery
Involving Suppliers**

**If you or someone you know is not
safe, or it is an emergency, phone
Triple Zero (000) and ask to speak to
the police.**

1. About this Framework	3
2. Overview of the ReSPOND framework.....	5
2.1 Report to the relevant authority	6
2.2 Source of the alleged instance.....	11
2.3 Planning.....	13
2.4 Organisation	16
2.5 Negotiate corrective action.....	20
2.6 Document	28
Commonwealth Modern Slavery Statement	30
Appendix A – Glossary	32
Modern slavery	32
Indicators that someone might be in modern slavery	33
Alleged instance of modern slavery	34
Risk of modern slavery	34
Worker exploitation occurs on a spectrum.....	34
Impacted people	35
Non-corporate Commonwealth entity	35
Grievance mechanism	35
Appendix B – Example Implementation Checklist	36
Appendix C - Support pathways for victims and survivors of modern slavery	38
Appendix D – Referral pathways and support services for alleged instances of worker exploitation	40

1. About this Framework

Framework objectives

This framework aims to help non-corporate Commonwealth entities (entities) to establish processes to respond promptly and effectively to alleged instances of modern slavery in their supply chains. This framework is in line with the government's approach to addressing modern slavery and with the United Nations' [*Guiding Principles on Business and Human Rights*](#) (UNGPs). Implementation of this framework should be proportionate to the entity's level of modern slavery risk exposure.

The audience for this framework is the team responsible for its implementation. This may be the central procurement and contract management team, or the risk and governance team, or another team, depending on the entity.

Prior to implementation, entities should be familiar with the key concepts in:

- Appendix A – Glossary
- the Guiding Principles for Using this Framework.

Guiding Principles for Using this Framework

When using this framework, entities should consider the below guiding principles throughout their response. This framework has been designed to align with, and enable, entities following the framework to meet these guiding principles.

Safety 	An effective response prioritises the safety of people above all else and is timely to protect the safety of any impacted persons. Protecting safety involves acting promptly, considering unintended consequences of further harm to impacted persons and ensuring sensitive information, such as the identity of impacted persons, remains confidential. Responses which may increase risks to workers by exposing them unintentionally to an increased possibility of: • deportation • re-exploitation • violence or abuse by employers or creditors • termination of employment • blacklisting by employers • stigmatisation • retaliation against co-workers, associates, or family based overseas or in Australia.¹
Accountability 	Entities should have clear accountability structures with clearly articulated governance processes in place to ensure timely and appropriate decision-making that ensures the safety of impacted people while resolving modern slavery allegations with suppliers.
Cooperation 	Entities may not be able to resolve a report or allegation of modern slavery on their own. Entities are therefore encouraged to consider appropriate mechanisms for cooperation with suppliers and other entities in the event of an instance of modern slavery and seek legal and probity advice, where appropriate. Sensitive communication with supplier(s) is important for an effective response.
Record keeping 	Entities must meet record keeping obligations throughout their response, including but not limited to, the decisions made, consultation with external entities and engagement with the supplier/s. It is important to recognise the sensitivity of the information being collected and protect the personal information of people with lived experience of modern slavery in this process. Entities are to consider their own information sharing legal provisions and obligations (including the <i>Privacy Act 1988</i>).

¹ [Dealing with an allegation of modern slavery in your supply chain](#), Office of the NSW Anti-Slavery Commissioner.

2. Overview of the ReSPOND Framework

The ReSPOND framework has 6 elements. Entities are encouraged to implement these elements to ensure an effective response to notifications of alleged modern slavery instances in their operations and supply chains.

R e	Report to the relevant authority	Entities should have clear processes and mechanisms in place to consider and make immediate referrals that enable the protection of individuals and the pursuit of applicable criminal or civil remedies.
S	Source of the alleged instance	Entities should have mechanisms in place to identify and assess the source of the notification regarding the alleged instance in order to respond appropriately.
P	Planning	Entities should establish a Modern Slavery Response Plan based on their assessment of modern slavery risk in their operations or supply chains.
O	Organisation	Entities should establish and maintain appropriate governance, accountability and stakeholder engagement mechanisms to ensure they respond effectively to any alleged instance of modern slavery involving suppliers.
N	Negotiate corrective action	Entities should establish and maintain processes and frameworks to work with stakeholders to take appropriate corrective action in the event of a potential or actual instance of modern slavery involving suppliers.
D	Document	Entities should establish appropriate mechanisms to document and monitor alleged instances of modern slavery.

Responding to an alleged instance of modern slavery may not progress in a linear or sequential manner. Entities may need to consider multiple elements simultaneously or revisit elements when new information or emerging issues arise.

Further detail of each element is outlined below.

2.1 Report to the relevant authority

Entities should have clear processes and mechanisms in place to consider and make immediate referrals that enable the protection of individuals and the pursuit of applicable criminal or civil remedies.

Why is this important?

Clear referral processes enable entities to implement an appropriate and timely response which prompts investigation from appropriate authorities, removes persons from immediate harm and helps mitigate the harmful impact of modern slavery on individuals, government, business and the public.

The safety of people is the highest priority. Any alleged instance should be taken seriously and involve an appropriate and timely response. An inability to respond in a timely manner may result in further harm. Refer to [the Practice Guidelines](#).

Clear referral processes can strengthen decision-making, ensuring the correct people are informed at the right time to implement an appropriate response.

Establishing a referral process

A number of authorities are responsible for addressing different aspects of instances of modern slavery and worker exploitation, including complaints handling, civil and criminal investigations, protection of individuals and compensation.

Entities should develop and implement well-defined referral processes to refer matters to the appropriate authority. These processes should clearly articulate key decision-makers, who is responsible for making a referral, and the pathways for referring a matter to the appropriate authorities.

Referral processes may be standalone for managing modern slavery matters or may be integrated with the entity's other issues and complaints management processes.

Referral pathways

At a minimum, a referral process or framework should consider the immediate reports or referrals that need to be made when responding to an alleged instance of modern slavery.

Note: If there is known or suspected child sexual abuse, entities and individuals need to understand legislative requirements in their jurisdiction, including mandatory reporting and failure to report offences.

Alleged instances of modern slavery occurring onshore

Immediate concerns of harm to people

If there is an immediate risk to people, or there is an emergency in Australia, dial Triple Zero (000).

If no immediate concerns of harm to people

If there are no immediate concerns of harm to people, consider whether the report is an alleged instance of modern slavery or a supply chain threat.

If a report is determined to be an alleged instance, rather than a supply chain risk or threat, entities should consider the source of the notification, in a timely manner, to understand if the alleged instance should be reported to the AFP or another relevant entity. See Figure 2 on page 21 for an example decision tree.

For more information, refer to the guidance outlined in [Element 2 – Source](#).

Reporting to the Australian Federal Police (AFP)

The AFP is the lead investigator on human trafficking and slavery offences with a nexus to Australia.² This means the AFP investigates alleged instances where there is presence of one or more [modern slavery indicator\(s\)](#). Any alleged instances of modern slavery with an Australian nexus (both onshore and offshore) should be reported to the AFP, as soon as practicable.

I do not know if there is an Australian nexus

Entities should apply a low threshold when determining when a matter should be reported to the AFP. Entities should also consider their own information sharing legal provisions and obligations (including the Commonwealth *Privacy Act 1988*).

Report any alleged instances of modern slavery in Australia and overseas to the AFP by:

- submitting a [human trafficking, slavery and slavery-like practices \(including forced marriage\) information report](#); or
- calling 131 237.

Once a referral has been made to the AFP, or other relevant agency, entities should continue to respond to the alleged instance in accordance with this framework, unless otherwise directed by the AFP or responsible agency.

Note: If an investigation is ongoing, the entity should consult with the AFP before taking any actions that might interfere with that investigation. This will need to be considered on a case-by-case basis.

Alleged instances of modern slavery occurring overseas

If there is an immediate risk to people, or there is an emergency, dial 112. It is a standard emergency number in many countries, and in some countries can only be dialled on a digital mobile phone.

If the notification regarding an alleged instance of modern slavery is occurring offshore and it is not within the AFP's jurisdiction to investigate, it may be difficult to verify the notification of alleged instances overseas.

There are a number of directories, which may help locate organisations and/or local services that may be able to assist.

- [Global Modern Slavery Directory](#) - a database of organisations and agencies across the globe that address the issue of modern slavery and human trafficking

² [Human Trafficking and Slavery Strategic Plan 2023-2026](#), Australian Federal Police.

- [National Referral Directory](#) of the [U.S. National Human Trafficking Hotline](#) – an online Referral Directory about organisations in the United States that offer emergency, transitional, or long-term services to victims and survivors of human trafficking.

In the case of an alleged instance occurring offshore, the entity's response to overseas allegations will be case dependent.

If Australians are among the people impacted by an alleged instance of modern slavery overseas, they may be eligible for consular assistance. Consular assistance includes travel advice, passport services, consular emergency support and crisis response. These services are delivered through Australian embassies, high commissions and consulates overseas. DFAT also operates a 24-hour [Consular Emergency Centre](#) which can be contacted on 1300 555 135 within Australia, or +61 2 6261 3305 from anywhere in the world.

Entities should contact DFAT at htms@dfat.gov.au if they believe the alleged instance may have implications for Australia's foreign policy or bilateral relations. This includes where the alleged instance points to possible widespread or systemic modern slavery, where foreign governments may be complicit in modern slavery, or where there is the potential for significant reputational damage to the Australian Government or Australian interests.

In situations where alleged instances are not referred to foreign law enforcement, actions to mitigate and prevent harm can still be undertaken.

In doing so, keep in mind the attitude of local law enforcement in the country where the alleged instance originated. It is also important to be mindful of the cultural context of the impacted person/s and their location to ensure an appropriate response and to avoid further harm, including a country's political freedom, local labour laws and protections, social security and personal safety.³

It is also important to take local context into account when assessing the potential allegation and/or condition of employment. For example, paying someone in Australia the same as minimum labourer wage in a developing country might be an indicator of modern slavery, but in the developing country paying the award wage is consistent with local context.

If Australian Government entities or foreign law enforcement authorities determine that an overseas supplier has engaged in modern slavery, this framework applies in the same way as it does to alleged instances of modern slavery within Australia.

Note: Reporting an alleged instance is not the end of the response. Entities should follow the advice of the relevant authorities and consider other elements within this framework.

Other referral pathways and notification processes

Reporting to the responsible minister

Entities should consider whether the alleged instance constitutes a significant issue under Finance law and ensure they meet their reporting obligations under the *Public Governance Performance and Accountability Act 2013* (Cth).

³ [Modern Slavery and Cultural Capability – what matters](#), Intercultural.

State-based non-judicial grievance mechanisms

State-based non-judicial grievance mechanisms supported by the Commonwealth include, but are not limited to:

- Australian Human Rights Commission
- Australian National Contact Point for Responsible Business Conduct.

These institutions can support people impacted by human rights abuses, including modern slavery, by receiving complaints, investigating abuses, and facilitating remediation processes. Non-judicial institutions may not have the legal powers to enforce remedial actions but can assist in negotiating on behalf of impacted people to access remedy.

Reporting to Comcover

Entities should consider whether an alleged instance of modern slavery could give rise to a claim against the Australian Government and should therefore be reported to Comcover.

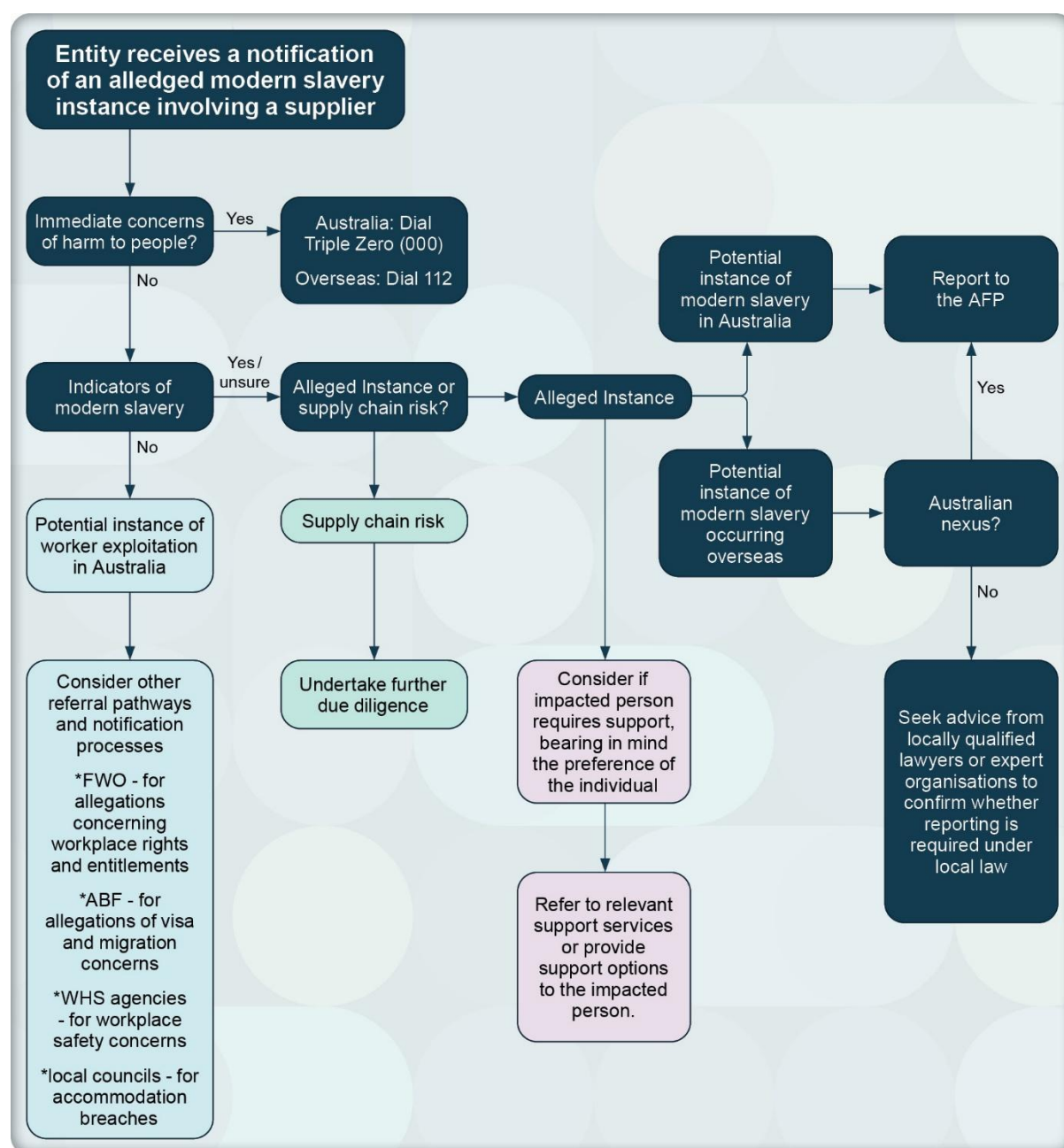
Support pathways available for victims and survivors of modern slavery

Support is available to eligible victims and survivors of modern slavery, with a number of referral pathways available. See Appendix B for details.

In line with the advice contained in the [Practice Guidelines](#), the extent to which people who have experienced modern slavery are ready to engage in a referral process for support will vary. Where possible, entities should seek informed consent before taking any actions. It may be appropriate for the entity to inform the impacted person/s of all their options and allow them to choose the most appropriate option for themselves.

Refer to 4.2.2 Practice Area: Referral Pathways section of the [Practice Guidelines](#) for more information, including information on how to prepare referral information effectively and safely and case studies on referral in practice.

Figure 1 - Example: Decision Tree Process for Referral Pathways



The above figure is an example of a decision tree of possible referral pathways.

2.2 Source of the alleged instance

Entities should have mechanisms in place to identify and assess the source of the notification regarding the alleged instance in order to respond appropriately.

Why is this important?

Clear processes to understand the source of the notification regarding the alleged instance enable entities to determine an appropriate and proportionate response and consider the Commonwealth's role and leverage to address and remediate modern slavery.

Entities should have adequate oversight mechanisms in place to monitor services provided by suppliers (in addition to processes to identify and assess the source of the alleged instance) and to ensure compliance with international human rights law obligations.

Establishing a triage process

Entities should develop and implement triaging processes to appropriately contextualise, assess and address notifications of modern slavery. The triage process should support the relevant officer/s with gathering relevant details of the alleged instance. This will assist with assessing the severity and support the planning of the response, including any relevant referrals.

These processes should clearly articulate:

- who is responsible for gathering information?
- who is responsible for the assessment of the report?
- key decision-makers
- the tools/resources available to support the triage process
- how the information gathered should be documented and managed for record keeping purposes.

Triage processes for reports or allegations of modern slavery may be a standalone process or may be integrated into the entity's complaint management processes.

The established process should be embedded in the entity's contract management framework and easily accessible by contract managers and officials who handle complaints.

Modern slavery training should be mandatory for staff undertaking or supporting the triage processes.

Gathering information

Entities should develop and implement tools or guidance to equip officials to gather, evaluate and manage information to understand the source of the alleged instance. This will assist the entity to understand its connection to the alleged instance and subsequently how to address it.

The information gathering process is not an investigation. It should not compromise any actions that law enforcement agencies may be taking to investigate modern slavery and protect people with lived experience of modern slavery.

Entities' information gathering processes should consider the [*Practice Guidelines for Organisations: Working with People in or at Risk of Modern Slavery*](#) (the Practice Guidelines) to ensure that any engagement with people in or at risk of modern slavery is in line with good practice.

Personal information about the victim/s must not be shared with others without informed consent except in cases of immediate danger; limited decision-making capability; or where mandatory reporting or specific legislative requirements apply.

Example questions to support the triaging process

Entities should include the following information when developing mechanisms to gather relevant details of the alleged instances of modern slavery involving a supplier:

- Where has the alleged instance of modern slavery originated?

Knowing the **source of the information** (e.g. email notification, media report, anonymous hotline) and **who is involved** will assist in understanding the appropriate reporting pathway and any subsequent investigation.

- How old is the report/notification of an alleged instance?

Knowing the **timing** of the alleged instance will assist in understanding the immediacy of the response.

- What is the Commonwealth's relationship to the alleged instance of modern slavery? Entities should understand, at a minimum:
 - whether the allegation is connected to a current contract
 - the parties involved in the contract (e.g. is it a direct or indirect supplier?)
 - whether modern slavery practices are present in the delivery of the goods and services (including the supply chains)
 - whether the contract includes modern slavery contract clauses.

This information will inform who may be accountable and what further action is required.

- Entities may also consider reviewing the [human trafficking, slavery and slavery-like practices \(including forced marriage\) information report](#) to understand what information may be helpful for the AFP's initial assessment.

2.3 Planning

Entities should establish a Modern Slavery Response Plan based on their assessment of modern slavery risk in their operations or supply chains.

Why is it important?

Defined Modern Slavery Response Plans prepare entities to coordinate a timely and effective response, making it clear who is accountable, what needs to be done and how risk should be managed by responsible officers. Entities should consider whether a plan is required based on their assessment of modern slavery risks in their operations and supply chains. Whether this should be at an enterprise, category or contract level will depend on the risk exposure of the entity.

Developing a Modern Slavery Response Plan

Entities should develop, document and implement a Modern Slavery Response Plan to support the planning and implementation of a response to an alleged instance of modern slavery involving suppliers.

The Modern Slavery Response Plan should be proportionate to the risk of modern slavery identified in the entity's operations and supply chains. Entities should tailor their Modern Slavery Response Plan to fit their specific requirements, such as their modern slavery risk, governance structures, operations, contracts and supply chains.

At a minimum, each entity should develop an overarching response plan when the modern slavery risk is considered to be medium or above. Entities may also choose to develop specific plans for specific areas of risk, such as high-risk procurement and contract management activities.

Example

Entity A undertakes a significant number of construction procurement activities. Entity A is aware that the construction sector is a high-risk sector. There may be risks of modern slavery practices in the materials used to support the project, the personnel used to manufacture the materials, or the personnel delivering the construction service. To better prepare for any reports of modern slavery, the entity prepares a plan setting out how it will respond to alleged instances relating to its construction supply chain, including relevant decision makers, processes, notification requirements and risk management approaches.

Designing a Modern Slavery Response Plan

The Modern Slavery Response Plan should clearly set out the following at a minimum:

Purpose

- Objectives of the Modern Slavery Response Plan and desired outcomes for responding to alleged modern slavery practices in the operations and supply chains of the entity as well as the Commonwealth's operations and supply chains.

Key definitions

- Define key modern slavery terminology.

Referral and reporting to authorities (Element 1 – Report)

- Define process for deciding whether and when to report the modern slavery to relevant authorities.

Scope (Element 2 – Source)

- Determine when the Modern Slavery Response Plan will be applied and when the plan is not applicable.

Roles and responsibilities (Element 3 – Planning)

- Clarify which internal and external stakeholders will be responsible, accountable, consulted and informed regarding the response.
- Consider who has the appropriate expertise, escalation points and if a third party needs to be engaged for their expertise.

Stakeholder engagement (Element 4 – Organisation)

- Define process for engaging with external stakeholders.
- Identify relevant external stakeholders for engagement.
- Plan who, what, when, where, why and how key stakeholders will be engaged.
- Implement and monitor stakeholder engagement required throughout modern slavery remediation.
- Consider multi-stakeholder collaboration, such as with other entities or buyers of the same supplier.
- Consider alignment with an existing stakeholder engagement process.

Corrective action plan (Element 5 – Negotiate)

- Set out a process for assessing the Commonwealth's degree of involvement, determining the role of entity/the Commonwealth in remediation, assessing the Commonwealth's leverage and identifying options for mitigation.

Monitoring, evaluation and reporting (Element 6 – Document)

- Define a process to monitor the response as it progresses.
- Consider data collection approach to maintain confidentiality.
- Define a process to assess the effectiveness of actions taken for continuous improvement.
- Set out the internal and external reporting processes.

The Modern Slavery Response Plan should be endorsed by an appropriate authority within the entity before it is implemented.

Panel Managers

Panel managers are responsible for monitoring and managing the performance and ethical behaviour of panel members throughout the term of the panel.

Where a panel arrangement involves modern slavery risk, the responsible panel manager should document a response plan setting out its approach to managing an alleged instance at the panel level (while contracting entities are responsible for managing risk associated with specific contracts entered under a panel arrangement).

Note: entities should be wary to avoid placing unnecessary burden on panel suppliers. Due diligence activities should be commensurate with the scale, scope, and risk of the procurement.⁴

Testing Modern Slavery Response Plans

Entities should periodically review and monitor response plans to ensure they remain relevant and proportionate to the modern slavery risks identified in their operations and supply chains.

Where entities have assessed a higher risk of modern slavery, they should consider testing their response plan annually, at a minimum, to ensure the plan is fit-for-purpose and manages their level of risk.

Regardless of risk level, entities should actively review and monitor their response plan to ensure it remains relevant.

The response plan should cover how the entity will assess the effectiveness of its response, including application of the response plan.

⁴ [Commonwealth Supplier Code of Conduct - Guidance for Commonwealth entities](#), Department of Finance.

2.4 Organisation

Entities should establish and maintain appropriate governance, accountability and stakeholder engagement mechanisms to ensure they respond effectively to any alleged instance of modern slavery involving suppliers.

Why is this important?

Good governance arrangements establish clear lines of accountability, support decision making, identify roles and responsibilities of key officials and stakeholders, and determine and maintain an appropriate level of capability of the entity to respond in a timely and adequate manner. While no 2 instances of modern slavery are the same, effective management and oversight of an entity's response can improve outcomes for people with lived experience of modern slavery and prevent further harm.

Establishing governance arrangements

Entities should establish and document governance mechanisms in the Modern Slavery Response Plan (refer to [Element 3 – Planning](#)) that support the effective oversight and management of an alleged instance of modern slavery involving a supplier. This may be integrated into the entity's existing governance structures and bodies.

An entity should, at a minimum, document:

- its overall commitment to managing and responding to alleged instances of modern slavery involving suppliers
- the roles and associated responsibilities of specific officials, positions or internal governance bodies in relation to the management of an alleged instance of modern slavery, and modern slavery risk management for the entity
- its appetite and tolerance relating to modern slavery risks in its operations and/or supply chains
- any decisions made in relation to the management of modern slavery risk by the entity.

These governance arrangements should be fit for purpose and proportionate to the risk profile of the entity. Entities should ensure their governance arrangements correlate with their broader entity risk management frameworks.

When evaluating or designing governance arrangements, entities should address:

- the types of decisions that will need to be made to effectively manage the response
- the governance body or particular role/position within the entity that is best placed to make each decision
- the information decision-makers require to make decisions
- the responsible position/s for gathering and providing that information
- the responsible position/s for implementing decisions
- the type of reporting/feedback loops needed to provide oversight and accountability.

Entities should periodically review their governance arrangements for responses to alleged instances of modern slavery to ensure the governance arrangements remain fit for purpose and appropriate for the level of risk exposure.

Training and Capability

Entities should maintain an appropriate level of capability to respond to an alleged instance of modern slavery. The training required for officials engaged in responding to the alleged instance of modern slavery should be proportionate to the risks of modern slavery in their operations and supply chains.

Entities should review their internal capability and capacity gaps periodically to determine whether they have the necessary capacity and capability to manage a response. It is important to ensure that personnel who are designated specific roles receive an appropriate level of training relating to modern slavery. It is also important these people understand the entity's governance processes to foster a more timely and effective response.

Where applicable, entities should develop tailored modern slavery training and encourage all staff members to undertake modern slavery training to ensure they are aware of the risks, particularly those fulfilling roles which may be exposed to those risks.

Establishing stakeholder engagement processes

Entities should take measures to consult with other entities where the alleged instance of modern slavery may impact on the responsibilities of the other entity, in accordance with any legislative obligations. Entities should set out the process for engaging with external stakeholders to support informed decision-making and the negotiation of a corrective action plan. The notification and external consultation requirements for each response will be different.

Note: this stakeholder engagement process may be separate to the official referral pathways and notification processes in [Element 1 – Report](#).

If a referral has been made to the AFP, entities must seek their advice in the first instance before notifying external stakeholders.

Engaging government departments and agencies

The stakeholder engagement process should document when and how other government agencies should be notified and consulted.

Attorney-General's Department

- The Attorney-General's Department (AGD) should be notified of all alleged instances of modern slavery for visibility and legislative reporting purposes. The notifications will also inform:
 - the Commonwealth's assessment of its overall modern slavery risk
 - reporting in annual reports about implementation of the Modern Slavery Act
 - the Commonwealth's evaluation of measures put in place to identify, assess and address modern slavery risks in its supply chains and operations.
- Entities may consult AGD if they need more information about Australia's response to modern slavery.
- **Email:** slavery.cth.engagement@ag.gov.au

Department of Foreign Affairs and Trade (DFAT)

- Entities may consult DFAT, in cases of modern slavery occurring outside of Australia. DFAT may be able to provide limited country-specific advice to assist entities in their response to modern slavery overseas.
- While DFAT does not have the power to investigate or verify alleged instances of modern slavery overseas, DFAT may be able to provide general advice on country context or handling advice on managing bilateral sensitivities.
- **Email:** https@dfat.gov.au

Department of Finance (Finance)

- Consider consulting Finance for advice relating to the Commonwealth Procurement Rules (CPRs) and/or the Supplier Code.
- If it is a Whole-of-Government Arrangement managed by Finance, for example, the Property Services Coordinated Procurement Arrangements and Stationery and Office Supplies, entities should work with Finance on the response to the alleged instance.
- If the alleged instance of modern slavery is connected to multiple entities, entities should inform Finance. For example, this could include where multiple entities have contracts with the same supplier that is connected to the alleged instance or multiple entities have purchased the same product.
 - Entities are responsible for checking whether other entities are impacted. At a minimum, entities should conduct a search on AusTender to identify if any other entities have an active contract with the supplier.

Note: AusTender identifies the direct supplier but not indirect suppliers within the supply chain.

- The role of Finance will be determined on a case-by-case basis.

Panel manager (if applicable)

Panel managers are responsible for managing performance of panel members and monitoring the ethical behaviour of panel members throughout the term of the panel.

This may involve requesting information about the supplier's continued compliance with all or some of the expectations of the Supplier Code.

Where there has been a breach of the Supplier Code under a contract entered under a panel arrangement, this will be notified to the entity responsible for that contract and reported to the entity responsible for managing the panel.⁵

- If the goods and/or services are procured via a coordinated procurement arrangement or another entity's deed of standing offer, entities should contact the panel manager and work together to determine whether the panel manager or the contract manager should lead the response.

⁵ [Commonwealth Supplier Code of Conduct – Guidance for Commonwealth entities](#), Department of Finance.

Engaging third parties

Entities may engage external service providers or third parties to support or implement a response.

Entities should consider:

- whether they have internal capacity and capability to deliver a timely and appropriate response
- whether the response should be led by an independent party
- whether any conflicts of interest may arise by engaging a third party.

If a referral has been made to the AFP, entities must seek their advice in the first instance before engaging a third party.

For any engagement with victims, entities should consider engaging third party non-government organisations with relevant expertise, if permitted by the relevant authority. Not all individuals and organisations are equipped to assist or engage with someone who has experienced modern slavery without additional support. In these circumstances, the priority is to refer to an organisation/agency with the appropriate tools and training to be able to respond safely and ethically.⁶ Pages 164 – 190 of the [Practice Guidelines](#) contains a directory of services.

Example questions to support the development of governance arrangements

The table below aims to support an entity to consider who should be responsible for what, who needs to be consulted, and who should be informed, to prevent miscommunication and promote efficiency.

Responsible	• Who is responsible for initiating the implementation of the response plan (approval to proceed, endorsing that it is appropriate to use the plan)? • Who is responsible for leading the implementation of the response? Is it a centralised area or the line area managing the contract? • Who is responsible for mapping out and engaging the external stakeholders? • Who is responsible for monitoring the effectiveness of the response? • Who is responsible for liaising with the relevant authority, if there is an ongoing investigation? • Who is responsible for documenting the approach, response, outcomes and lessons learnt?
Accountable	• Who is responsible for signing off on the approach for this particular instance? • Who is responsible for closing out the alleged instance and endorsing that it has been resolved?
Consulted	• Media and communications • Probity advice • Legal advice • Risk management team • Contract management advice • Does the audit and risk committee need to be consulted?
Informed	• Does the Minister need to be informed? • Does the Secretary need to be informed?

⁶ [Practice Guidelines for Organisations](#), p 57.

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- Should the team responsible for the development of the entity's input to the Commonwealth Modern Slavery Statement be informed during the implementation stage?
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2.5 Negotiate corrective action

Entities should establish and maintain processes and frameworks to work with stakeholders to take appropriate corrective action in the event of a potential or actual instance of modern slavery involving suppliers.

Why is this important?

Well prepared plans and processes will support entities to take timely and appropriate action for each unique situation. Establishing processes to negotiate effective due diligence and remediation processes with supplier/s allows entities to ensure that risks and incidents are handled by the party best placed to manage them.

Effective supplier engagement ensures that the responsible party takes steps to either prevent or mitigate potential adverse impacts or remediates any actual harm caused.

Establishing processes for corrective action

Each alleged instance of modern slavery will be unique and require a tailored corrective action plan. Entities should develop a plan to help negotiate and implement corrective action and ask questions such as:

- is the Commonwealth playing a monitoring or a cooperation role?
- who is best placed within the Commonwealth to lead the response?
- what type of corrective action should the supplier undertake?

At a minimum, entities should set out a process for:

- determining the role of the entity in remediation including assessing the degree of involvement
- assessing leverage
- identifying options for remediation/mitigation including the entity's supplier engagement strategy
- undertaking a risk assessment or impact analysis on whether negotiating corrective action with the supplier is value for money
- monitoring the implementation of corrective action
- evaluating the effectiveness of the corrective action.

Prior to implementation, the corrective action plan for each response should be signed off by the relevant accountable officer within the entity, as determined by its governance arrangements.

NOTE: If there is an ongoing investigation, entities should consult with the AFP before taking any actions that might interfere with the investigation.

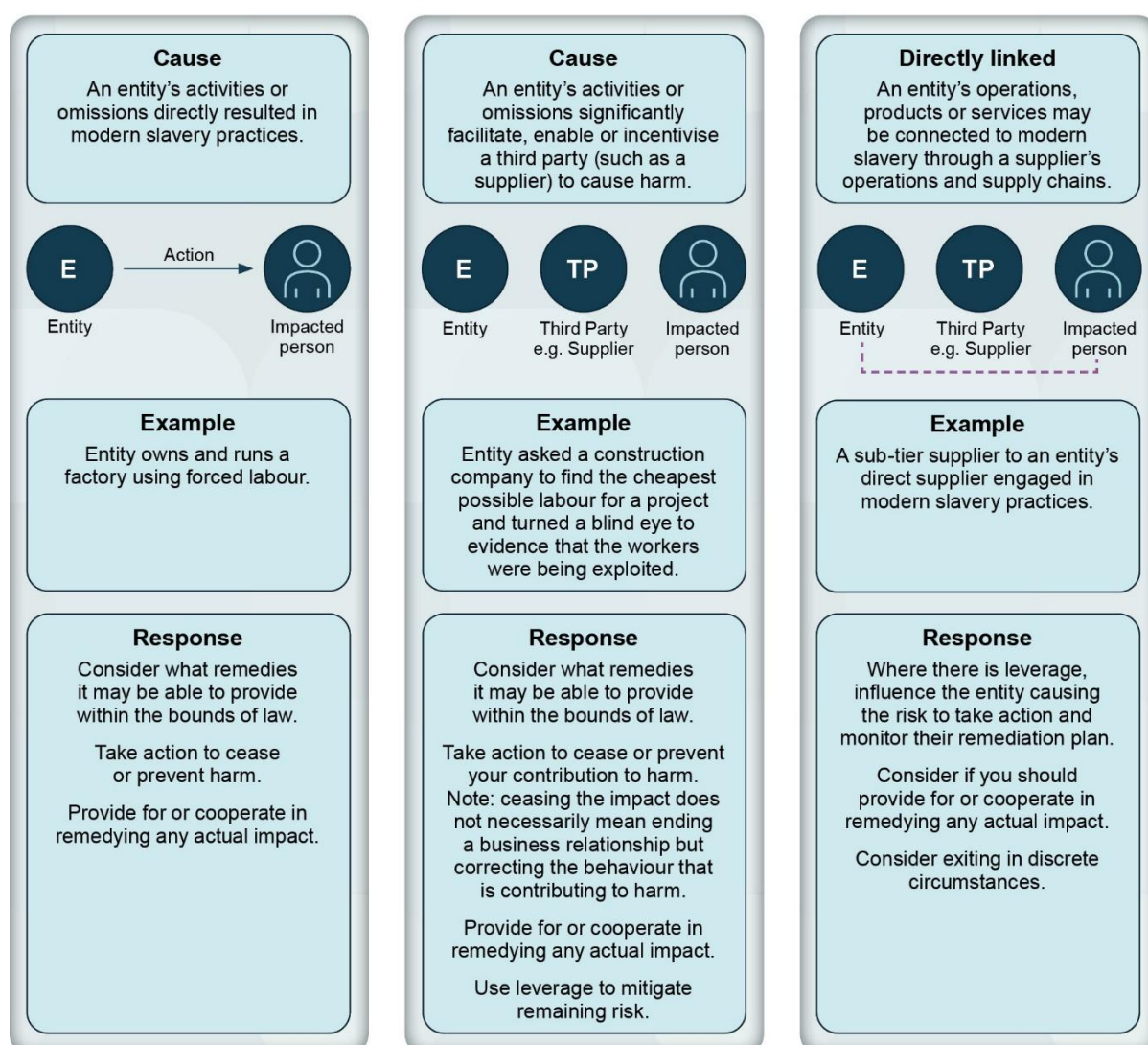
Determining the entity's role and degree of involvement

Entities should consider their role in remediation when negotiating corrective action.

An entity's response to a potential or actual instance of modern slavery will depend on their degree of involvement. Appropriate action will vary according to whether an entity or a supplier has caused or contributed to an adverse impact, or whether the impact is directly linked to its operations, products or services by a business relationship such as a subcontractor.

Entities should consider the degree of involvement when determining their role in remediation. When it comes to alleged instances of modern slavery involving government suppliers, it is more likely that modern slavery will be identified within an entity's supply chain rather than in its operations, and the supplier will be responsible for providing a remedy and the entity will take a monitoring role.

Figure 2: UNGP framework on degree of involvement



The above figure is a framework for entities to consider their degree of involvement when determining their role in remediation.

Assessing and Exercising Leverage

Assessing leverage

Entities should assess their leverage to support the development of their corrective action plan.

Leverage exists to the extent that an entity has the ability to effect change in practices of a business that causes harm.⁷

Factors to consider when assessing leverage:

- **Business relationships:** Ability to influence or change a supplier's conduct through the business relationship and the terms under existing contracts. For example, is there an existing contract with the Commonwealth?
- **Entity size and capability:** Smaller entities may face significant resource constraints or limited capability compared to larger entities.
- **Market power:** An entity's ability to influence supply, demand, or both.

If an entity has leverage to prevent or mitigate potential harm, it should use it.

If an entity lacks leverage, it should explore options to increase it. For instance, the entity could collaborate with other government entities who also contract with the supplier.

If an entity lacks leverage and is unable to increase it, they may consider ending the relationship, where appropriate. This will depend on the terms of the contract, the alternative sourcing options available and the potential negative impact on those affected.

The assessment of leverage of each response should be documented in the Modern Slavery Response Plan or corrective action plan.

Identifying lead within the Australian Government

When assessing leverage, entities should determine which entity has the most leverage to lead the negotiations of a corrective action plan.

Panel procurements	If the contract is established under a panel arrangement, when negotiating who will take the lead in responding to the alleged instance, the following should be considered: • the source of the alleged instance • whether the alleged instance relates to a specific contract or a supplier's general practices • obligations under the deed of standing offer • leverage of the entity versus leverage of the panel manager • who is better placed to implement and monitor the corrective action plan.
Connection with multiple entities	If multiple entities have a contract with a supplier, the following should be considered when negotiating who should lead the response: • the source of the alleged instance • each entities' degree of involvement in the alleged instance of modern slavery • which contract/s have put an obligation on the supplier to take corrective action • which entity has the most leverage • who is best placed to implement and monitor the corrective action plan.

⁷ [United Nations Guiding Principles on Business and Human Rights](#), United Nations Human Rights, Office of the High Commissioner.

Determining available corrective action

Understanding obligations under contract

Entities should review the contract associated with the affected goods and/or services to consider the remediation options available. An entity's ability to participate in remediation may depend on the terms of the contract. Entities should consider seeking legal advice as the terms and conditions of each contract may differ.

For example, contracts that incorporate the Supplier Code and/or the model modern slavery contract clauses may give entities more leverage to effect change through the actions of their suppliers and positively impact outcomes for people in, or at risk of, modern slavery.

Standard form of the model modern slavery contract clause

If the standard form of the model modern slavery clause applies, there are obligations for the supplier to remediate any adverse impacts of modern slavery practices identified in the supplier's supply chain and operations.

Long form of the model modern slavery contract clause

If the long form of the model modern slavery clause applies, there are obligations for the supplier to notify the Customer about modern slavery practices identified in the supplier's supply chains and operations and to remediate any adverse impacts. Where modern slavery practices arise, the supplier must consult with, and provide updates to, the Customer about its actions to address and remove these practices, and its steps to remediate the adverse impacts.

Commonwealth Supplier Code of Conduct

If the Supplier Code is applicable, it places a positive duty on suppliers to take proactive action to prevent and discourage breaches of the Code.

Section 3.2 Act to prevent involuntary labour and human rights abuse

Suppliers must take all reasonable efforts to ensure that they, and organisations in their supply chain, are not causing, contributing to or directly linked to human rights abuses such as coercion, involuntary and underage labour or modern slavery practice. This includes undertaking risk assessments to identify the risk of human rights breaches, particularly in vulnerable industries.

If an entity suspects or is informed that a supplier has breached the Supplier Code, they should refer to Finance's Guidance for Commonwealth entities: [Commonwealth Supplier Code of Conduct - Guidance for Commonwealth entities | Department of Finance](#). This guidance includes expectations on managing breaches of the Code.

Following the notification of a potential breach, entities may require the supplier to demonstrate it has appropriate policies, frameworks, or similar in place regarding the ethics, governance, and accountability to prevent reoccurrence of the breach.⁸

Consequences for breaching the Supplier Code is dependent on the significance of the breach and is at the discretion of the contracting entity. In most instances, breaches may be rectified by both parties agreeing to a course of action that allows the breach to be addressed and controls to be put in place to prevent further instances of a breach occurring. This course of remediation can generally be managed under the contract in the same way as [any other form of performance management](#).

⁸ [Commonwealth Supplier Code of Conduct – Guidance for Commonwealth entities](#), Department of Finance.

When determining appropriate actions following a breach notice, entities should consider if additional controls should be introduced into the contract, and the management of the contract, to mitigate risks that may have arisen in relation to the breach. The type and extent of any new controls must be negotiated with the supplier and should be reflective of the significance of the breach.

Risk assessments and approvals

Entities should undertake a risk assessment and receive an appropriate approval prior to implementing remedial action.

Some risks entities may consider in the risk assessment, include, but are not limited to:

- compromise to the AFP's investigative process
- security risks
- risk to foreign relations
- harm to people
- commercial risks.

Access to remedy

Entities should take appropriate steps to ensure that the impacted person/s have access to effective remedies.⁹

Remedies should be fair and proportionate to the harm, acting promptly to return the impacted persons to their original position, where possible, while considering whether systemic improvements are required.

The choice of remedy will depend on many factors, and legislation may influence or limit that choice. More than one remedy may be required.

Generally, remedies to persons that have experienced modern slavery should be enacted through the relevant supplier in line with good practice set out in the [Australian Government's Remediation Toolkit for Business](#) (the remediation toolkit) or through relevant victims of crime financial assistance schemes, where available (refer to Appendix B for more information on state and-territory-based Victims of Crime support services).

Depending on the harm caused, forms of remedy could include:

- restitution
- compensation
- rehabilitation
- return of property
- apology
- public disclosure of wrongdoing
- guarantee of non-repetition.¹⁰

⁹ [United Nations Guiding Principles on Business and Human Rights](#), United Nations Human Rights, Office of the High Commissioner.

¹⁰ For more information on the different forms of remedy in the modern slavery context refer to pages 43 to 44 of the [remediation toolkit](#).

In limited circumstances, where the Commonwealth has caused or directly contributed to modern slavery harm and all other means of redress have been exhausted, discretionary payment mechanisms may be available, including under the Scheme for Compensation for Detriment caused by Defective Administration or by way of an Act of Grace Payment.

Please note that these mechanisms are avenues of last resort and are not generally available until all other avenues for redress have been pursued first. Additionally, potential applicants should be made aware that regardless of their circumstances, there is no situation which creates an automatic entitlement to a payment under either mechanism, and that the investigation of requests is a highly lengthy process.

For more information on these discretionary mechanisms, visit Finance's [website](#) or contact SFC@finance.gov.au.

Remediation

Remediation is an attempt to resolve adverse impacts by restoring a victim or community to the situation they would have been in if that adverse impact had not occurred. This may involve addressing remediation actions through the entity that modern slavery allegations have been levelled against. The aim should be to choose the remedy that deals with a problem completely.¹¹

Remediation in this context could also mean changes in business practices to uplift organisations/entities that are allegedly engaged in modern slavery. See section on **Supplier Engagement**.

Effective remediation should address the needs of the individuals harmed, with impacted people at the centre of the remediation process.¹²

Remediation Plans and Monitoring

Entities may require the direct supplier to develop a remediation plan that steps out the actions required of the supplier to remediate the breach and mitigate any remaining risk. The ability to request a remediation plan will be subject to the terms of the contract.

Remediation plans should confirm, at minimum:

- whether the supplier has taken actions to reverse the harm caused, providing remedy to people with lived experience of modern slavery
- whether the supplier has undertaken and provided staff with training and capacity building programs¹³
- whether the supplier has implemented other prevention and mitigation strategies to address further risk of harm.

Entities should monitor the supplier's progress in implementing the remediation plan when managing the contract. Entities should verify or seek confirmation that the implementation of the remediation plan has been completed. For example, arranging a follow up audit to verify unpaid wages have been returned to a supplier's workers.

Further **prevention and mitigation** strategies should be undertaken to address residual risk of harm. These could include building contract clauses into supplier contracts, establishing audit

¹¹ [Providing remedies: Fact Sheet](#), Commonwealth Ombudsman.

¹² [Walk Free Modern Slavery Response & Remedy Framework](#), Walk Free, p. 15.

¹³ [Walk Free Modern Slavery Response & Remedy Framework](#), Walk Free, p 17.

programs and implementing or reviewing grievance mechanisms for workers, including complaint registers, anonymous whistleblowing hotlines, and support services¹⁴.

Where possible, the supplier should evaluate and report on the effectiveness of their grievance mechanism/s, assessing if they are legitimate, accessible, predictable, equitable and transparent.¹⁵ (Refer to pages 33 to 34 of the [UNGPs](#) for the effectiveness criteria for non-judicial grievance mechanisms).

Entities should request evidence from the supplier to ensure actions are being taken to address and mitigate modern slavery risks.

Entities should also review the modern slavery risk assessment for the contract and implement appropriate mitigation strategies, with consideration to the supplier and the scale and scope of the contract. Where relevant and permissible under the contract, entities should review the supplier's modern slavery risk management plan.

Ongoing Investigations

If there is an ongoing investigation, the draft remediation plan should be reviewed by the AFP and the responsible authority per the established internal governance arrangement, prior to negotiation with the supplier/s. Entities may wish to seek legal advice prior to sharing the draft remediation plan to ensure that they are compliant with any confidentiality or secrecy provisions.

Supplier engagement

Entities should negotiate corrective action with the supplier, where possible, with the aim of mobilising them to provide for, and cooperate in, the remediation of the adverse impacts. Entities may also require the supplier to work with their subcontractors or indirect suppliers in the remediation process. It is also important to consider the direct supplier's leverage when negotiating corrective action.

Case example

An entity received an allegation of modern slavery on an overseas project and there was initially concern that this meant the contract would be terminated which would directly impact the entity's ability to assess and respond to the alleged instance. The entity engaged the direct supplier and the relevant subcontractor against whom the allegation had been made to uplift their processes, rather than terminating the arrangement. Once the entity made this clear to the contractor, they were significantly more forthcoming in working with the entity to uplift their processes to resolve the allegations.

If the direct supplier does not have leverage, and depending on the entities' degree of involvement, entities may consider engaging industry bodies or civil society organisations. This is because industry bodies or civil society organisations may be able to leverage their influence/regulatory mechanisms to engage with the indirect supplier who has allegedly caused or contributed to harm.

¹⁴ [Effective Modern Slavery Grievance Mechanisms](#), Global Compact Network Australia, p 30.

¹⁵ [Remediation Guidelines for Victims of Exploitation in Extended Mineral Supply Chains](#), International Organisation of Migration, p 8.

Non-compliance and Escalation

If the supplier does not cooperate in respect of remediation or mitigation of further harm, an entity may consider escalating the matter, using dispute resolution provisions within contracts or panel agreements. Entities should ensure legal advice is sought prior to entering dispute resolution.

Contract Termination as a Last Resort

Termination mechanisms are generally only utilised where a supplier fails to comply with contractual clauses.

Generally, termination of a contract should not be considered a preferred approach to resolving alleged instances of modern slavery as it removes the contractual obligation of the supplier to work with the Commonwealth to resolve the instance. By doing so, this may result in adverse outcomes for people with lived experience of modern slavery.

It would generally only be appropriate to terminate a contract in severe instances where a supplier has knowingly caused harm and is non-compliant in remediation,¹⁶ or where the entity cannot increase leverage to effect change and termination of the contract would not result in adverse modern slavery impacts. Entities should assess the downstream potential impacts before terminating a contract.

The entity should undertake a risk assessment to determine whether the supplier can continue to provide goods and/or services to the Commonwealth. The risk assessment and the proposed options should be endorsed by the responsible officers as determined in [Element 4 – Organisation](#).

Entities should seek legal advice when negotiating remediation or termination of a contract.

¹⁶ Commonwealth Supplier Code of Conduct - [Commonwealth Supplier Code of Conduct | Department of Finance](#)

2.6 Document

Entities should establish appropriate mechanisms to document and monitor alleged instances of modern slavery.

Why is this important?

Entities are required to report annually in the Commonwealth Modern Slavery Statement on:

- their actions to identify, assess and address modern slavery risks in their operations and supply chains
- how they assess the effectiveness of such actions.

Effective record keeping and monitoring will provide responsible officials with the evidence, insights and perspective needed to support effective modern slavery risk management and foster continuous improvement for the government's response to modern slavery.

Establishing appropriate mechanisms for recording and monitoring alleged instances of modern slavery involving suppliers

Entities should have appropriate mechanisms for:

- documenting and monitoring alleged instances of modern slavery involving suppliers
- documenting the outcomes of any subsequent responses
- documenting lessons learned.

Entities should consider their record keeping and information management obligations at every stage of the response, including but not limited to the decisions made, consultation with external entities and any engagement with the supplier.

Entities should ensure the confidentiality and privacy of personal or sensitive information are managed in accordance with the *Privacy Act 1988*, any confidentiality provisions within the associated contract, and other applicable legislation or internal policies.

Further, contract managers should monitor the ethical behaviour of suppliers throughout the term of the contract.¹⁷ This may involve requesting information about the supplier's continued compliance with the Supplier Code.

Consider lessons learned and feedback from stakeholders

Entities should document and monitor all alleged instances of modern slavery and review their internal practices to implement any lessons learned during their response. Lessons learned could include, but are not limited to:

- engagement and collaboration with other agencies, including law enforcement
- how suppliers responded to the initial engagement
- challenges with implementing a response plan.

¹⁷ Entities may ask suppliers to document and provide remediation progress updates using Tool 5.3 of the [Modern Slavery Remediation Toolkit for Business](#) (page 56).

Entities should consider receiving feedback from stakeholders involved in the response, including the victim/s (through voluntary feedback channels, where appropriate), supplier/s,¹⁸ internal personnel, and/or external entities involved. Note that this does not apply to children who are victims and survivors.

Entities may also consider engaging with people with lived expertise to support the review of its processes.¹⁹

Building leverage

Entities should use lessons learned to strengthen their leverage.

For example, the entity may have assessed the modern slavery risks of this type of procurement activity to be low previously and therefore applied the short form modern slavery contract clause (clause for low-risk contract) when the contract was entered into.

Through this response, the entity learned that the risk of modern slavery is generally high in this type of procurement activity and will apply the long form modern slavery contract (clause for high-risk contracts) to new procurements moving forward.

The long form contract clause poses additional due diligence requirements on the supplier such as ensuring relevant personnel have suitable modern slavery training and requiring the supplier to consult with, and provide updates to, the entity about its actions to address and eliminate modern slavery practices, as well as its steps to remediate the adverse impacts, where modern slavery practices arise.

Measuring effectiveness

Entities should track and monitor the effectiveness of the response and continue to engage with the supplier on their modern slavery risks.

Entities should re-evaluate their due diligence processes, updating risk assessments, developing or updating their standard operating procedure for responding to risks, and evaluating their internal response plan.

Grievance mechanisms and feedback loop

Entities should consider the effectiveness of their existing grievance mechanism and use lessons learned to improve their complaint handling process, where relevant.

Refer to the Commonwealth Ombudsman's [Better Practice Complaints Handling Guidelines](#).

Collaborating and sharing information

Where possible, entities should consider obtaining data from survey results, audit reports, grievance mechanism reports, or supplier performance review outcomes. This may help to identify and mitigate risks and implement targeted prevention strategies.

Where possible, entities should be sharing information and any lessons learned to build the capacity of the Commonwealth to appropriately manage modern slavery risks. This could include tools and resources developed and used by the entity in their response.

¹⁸ See Attachment A for a sample supplier feedback form.

¹⁹ [Modern Slavery Lived Experience Engagement and Empowerment: Values, principles and practical guidance to support trauma-informed engagement and empowerment in Australia](#).

Entities should also consider providing feedback on the effectiveness of the tools used to manage modern slavery risks to AGD.

Privacy and confidentiality

When collaborating and sharing information, entities are to consider their own information sharing legal provisions and obligations, including the *Privacy Act 1988*, as well as clauses in the relevant contractual arrangements (if any).

Note: It is essential to respect the privacy and confidentiality of people who have experienced modern slavery to protect their safety and dignity. Entities should not share information without the person's informed consent, except in cases of immediate danger, limited decision-making capability, or where mandatory reporting or specific legislative requirements apply.²⁰

Commonwealth Modern Slavery Statement

The *Modern Slavery Act 2018* (Cth) requires the Attorney-General to submit an annual Commonwealth Modern Slavery Statement (Commonwealth Statement) on behalf of all non-corporate Commonwealth entities, describing the Commonwealth's actions to assess and address the risk of modern slavery practices in its operations and supply chains.

To satisfy this legislative obligation, amongst other requirements, entities must report on:

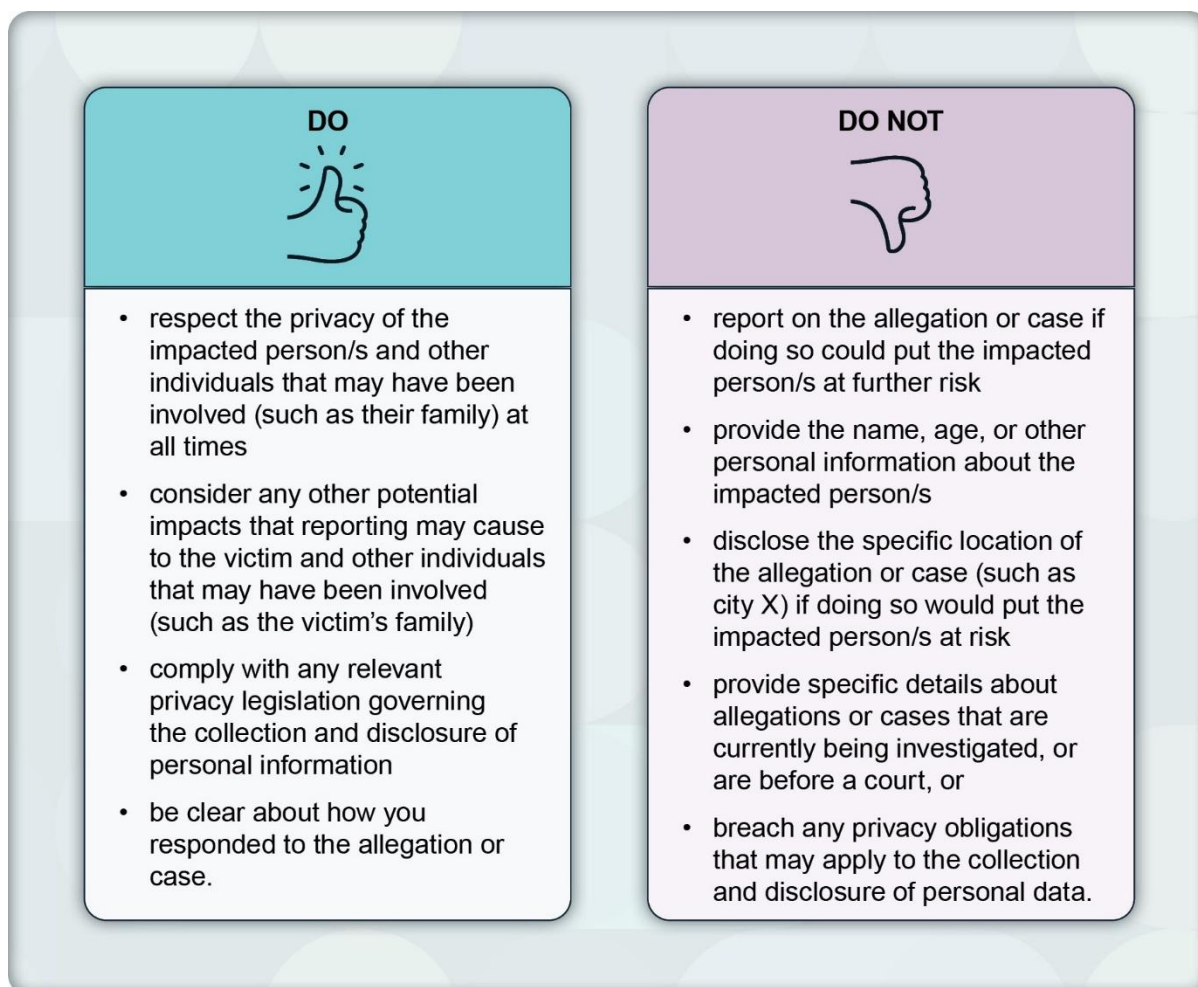
- the actions taken to assess and address risks, including due diligence and remediation processes
- how it assesses the effectiveness of those actions.

The AGD is the whole-of-government domestic policy lead on modern slavery and administers the *Modern Slavery Act 2018* (Cth). In this capacity, AGD leads the coordination of annual Commonwealth Statements. Each year, AGD seeks input from entities to develop the annual statement.

Entities should include information about specific allegations or cases of modern slavery in its operations and supply chains in their input to the annual Commonwealth Statement, including actions taken to respond to the incident. Correct record keeping practices will help to ensure the information reported is accurate and reliable.

Below is a list of suggested do's and don'ts for consideration when drafting the input for the Commonwealth Statement relating to the alleged instance.

²⁰ [Practice Guidelines for Organisations](#).



Questions and feedback

If you have any questions or feedback in relation to this framework, please contact AGD at slavery.cth.engagement@ag.gov.au.

Appendix A – Glossary

Modern slavery

Modern slavery is when someone is forced to work, marry or do other things through coercion (like manipulation, control or violence), threats or lies.

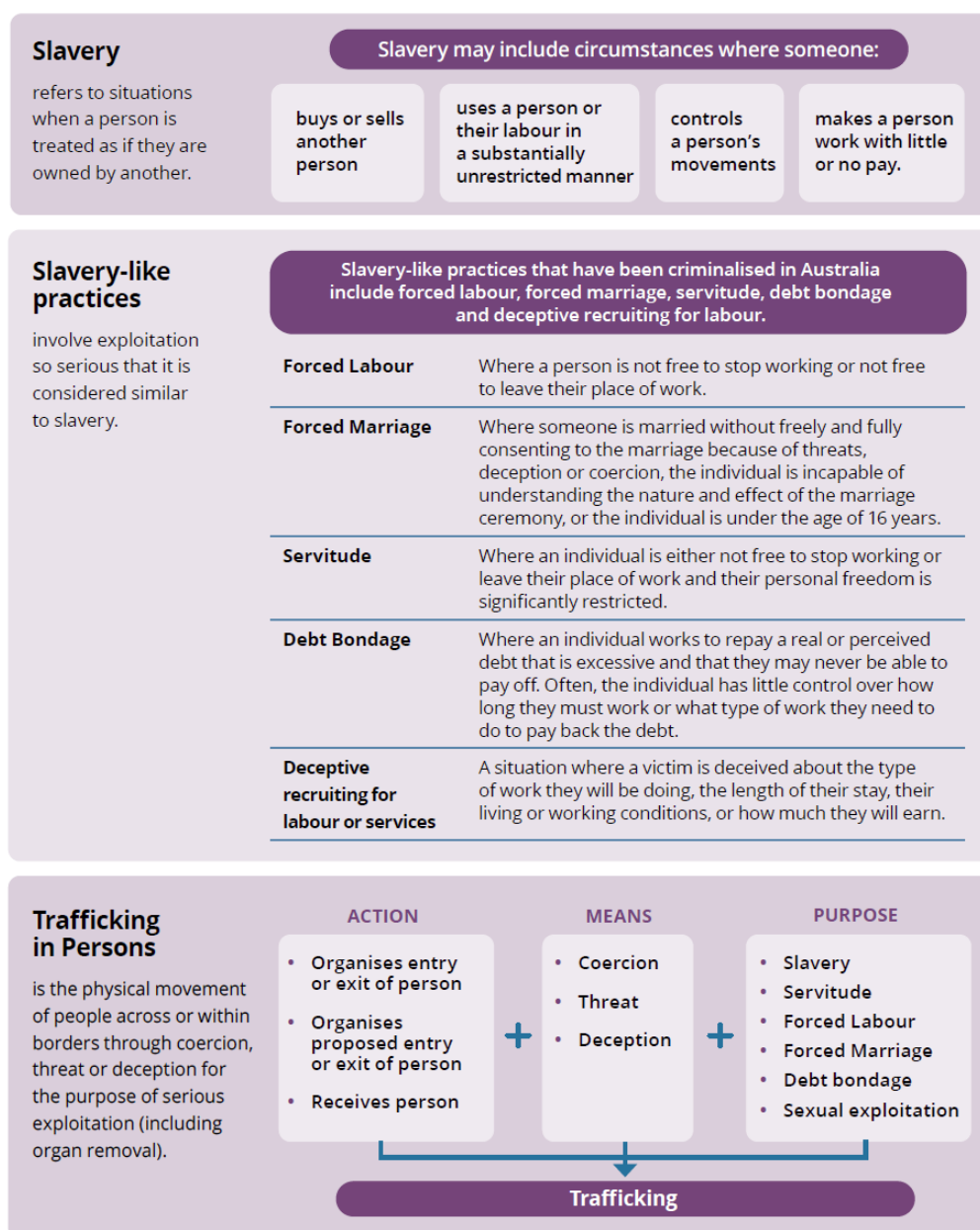
It takes away someone's freedom to make choices for themselves.

Modern slavery can take many forms. These include:

- [human trafficking](#)
- [slavery](#)
- slavery-like practices:
 - [forced labour](#)
 - [forced marriage](#)
 - [servitude](#)
 - [debt bondage](#)
 - [deceptive recruiting](#).
- [worst forms of child labour](#).

For more information on modern slavery, visit the [Modern Slavery in Australia website](#).

Figure 1 – Forms of modern slavery



The above figure is taken from *Practice Guidelines for Organisations: Working with People in or at Risk of Modern Slavery*. For more information on Modern Slavery in Australia, visit www.modernslavery.gov.au.

Indicators that someone might be in modern slavery

A list of indicators (warning signs) is available on the [AFP website](#).

Further information on key indicators of modern slavery can be found in the *Practice Guidelines for Organisations: Working with people in or at risk of Modern Slavery* (the Practice Guidelines) on pages 22-24.

Alleged instance of modern slavery

For this framework, an ‘alleged instance’ is where there are reports or indications of potential/confirmed modern slavery practices.

For example, a worker providing services to the Australian Government reports to the contract manager that they have been mistreated by their employer and there is presence of one or more modern slavery indicators.²¹

Another example is when a not-for-profit organisation reports to the entity that they have uncovered potential modern slavery practices in a supply chain connected to an Australian Government supplier.

A third example is when a contract manager visits a site and observes that one or more modern slavery indicators are present in the delivery of the services.

Risk of modern slavery

‘Risk’ of modern slavery refers to the general uncertainty around the presence of modern slavery in the supply chains and operations of the entity.

For example, media reports and/or desktop research undertaken by a procurement officer indicate that modern slavery practices are prevalent in a specific sector or within a geographic region.

Alleged or actual instances of modern slavery should contribute to an entity’s assessment of its modern slavery risk.

This framework is designed to support entities manage alleged and actual instances of modern slavery rather than assist with assessing modern slavery risk.

Worker exploitation occurs on a spectrum

It is important to consider the definition of modern slavery when considering the most appropriate channel of reporting. Incidents of substandard working conditions, such as underpayment, could be an indicator of modern slavery. However, the act of underpayment alone is not modern slavery. Entities should take a risk-based approach to documenting and monitoring allegations of modern slavery, even when not substantiated, as incidents can evolve into modern slavery over time.

I don’t know if it is a matter of worker exploitation or modern slavery

Entities should apply a low threshold when determining whether a report or indicators of modern slavery practices should be directed to the AFP or another appropriate channel such as the Additional Referral Pathway.

Refer to **2.1 – Report to the relevant authority** and **Appendix D** for detailed information. The AFP can refer matters to the Fair Work Ombudsman or another relevant authority as appropriate if they determine it is not in their jurisdiction.

See **Appendix C** for referral pathways and support services for alleged instances of worker exploitation.

²¹ See generally [Human trafficking and slavery](#), Australian Federal Police

Impacted people

In this framework, ‘impacted people’ is used to describe people that have been affected by an incident of modern slavery, as well as those whose interests have not been affected but could be potentially impacted.

When responding to a specific incident or allegation of modern slavery, the term “impacted people” encompasses:

- potential victims or people at risk of modern slavery in connection with your supply chains
- victims or survivors of modern slavery, including children, or people with lived experience
- whistleblowers or workers suspected of whistleblowing
- impacted stakeholders or communities (for example co-workers, associates or family of a victim or whistleblower, whether in Australia or overseas).²²

Non-corporate Commonwealth entity

Non-corporate Commonwealth entities are legally and financially part of the Commonwealth. Refer to the [flipchart](#) for all non-corporate and corporate Commonwealth entities and companies. They are referred to as ‘entities’ throughout this framework.

Grievance mechanism

Grievance mechanisms are systems used to raise, assess, investigate and respond to concerns, feedback and complaints.

²² [Dealing with an allegation of modern slavery in your supply chain](#), Office of the NSW Anti-Slavery Commissioner.

Appendix B – Example Implementation Checklist

Report

Establishing a referral process

- ☐ Do you have reporting mechanisms for modern slavery?
- ☐ Do your processes identify different referral pathways to protect individuals, progress civil and criminal investigations or pursue regulatory action?

Source

Establishing a triage process

- ☐ Do you have a process to help your officials identify and triage the source of the alleged instance when a report is received? E.g. a decision tree or checklist
- ☐ Consider who should be responsible to conduct/lead the initial triage process. E.g. the business area who received the notification of the alleged instance or the central procurement team or another team.
- ☐ If triaging is centralised, do the other teams within the entity know who is responsible for this initial triage?
- ☐ If triaging is centralised, is there an established internal process to notify the triaging team of the alleged instance?

Planning

Establishing a Modern Slavery Response Plan

- ☐ Do you have an overarching Modern Slavery Response Plan?
- ☐ Is the Plan proportionate to the modern slavery risk being managed?
- ☐ Is the Modern Slavery Response Plan accessible by relevant teams?
- ☐ How will you assess the effectiveness of the Modern Slavery Response Plan?
- ☐ How often do you test your Plan?
- ☐ Do you have a template to support officials responding to an alleged instance of modern slavery?
- ☐ Does the template align with the overarching Modern Slavery Response Plan?

Organisation

Establishing governance arrangements and stakeholder engagement mechanisms

- ☐ Do your processes have governance structures that support effective oversight and management of alleged instances of modern slavery?
- ☐ Do your processes have governance structures that support effective oversight and management of the entity's modern slavery risks?
- ☐ If so, do your processes establish clear lines of accountability to support timely and appropriate decision making?
- ☐ Is the Modern Slavery Response Plan accessible by relevant teams within the governance structure?
- ☐ Have you assessed your internal capability to respond to an alleged instance of modern slavery?
- ☐ Do you have mechanisms in place to engage relevant stakeholders when an alleged instance of modern slavery arises?

Negotiate

Establish processes for corrective action

- ☐ Are contract managers within your entity aware of approaches and options to work with stakeholders to take corrective action?
- ☐ Do you have a risk assessment to help your entity assess the risks associated with the options to take corrective action?
- ☐ Is guidance on options for remedies accessible by the response implementation team?

Document

Establishing appropriate record keeping and monitoring mechanisms

- ☐ Do your processes support the tracking of the implementation of the response?
- ☐ Have you considered the entity's information sharing legal provisions and obligations (including the *Privacy Act 1988*)?
- ☐ Do your processes measure the effectiveness of the response?
- ☐ Do your processes measure the effectiveness of the overarching Modern Slavery Response Plan?
- ☐ Have you considered how you will incorporate lessons learned into your entity's modern slavery response framework to foster continuous improvement and build leverage?

Appendix C – Support pathways available for victims and survivors of modern slavery

The Australian Federal Police

Anyone can make a report to the Australian Federal Police (AFP). The AFP can help keep victims and survivors safe, provide advice, undertake an investigation or refer them to other services, including the Support for Trafficked People Program and Forced Marriage Specialist Support Program.

The AFP can be contacted on 131 237 (131 AFP) or visit the AFP website at https://forms.afp.gov.au/online_forms/human_trafficking_form.

Support for Trafficked People Program

To be eligible for the Support for Trafficked People Program (STPP), victims and survivors must be assessed as a potential victim of a modern slavery offence (as defined under section 270 or section 271 of the *Criminal Code Act 1995* (Cth)); be a citizen, permanent resident or have a visa allowing them to stay in Australia; and consent to being referred.

For more information go to the Department of Social Services' [website](#).

Human Trafficking Visa Framework

Victims and survivors without a valid visa may be eligible for a visa under the Human Trafficking Visa Framework, that is only available through the AFP.

Additional Referral Pathway

Alternatively, if they are being assessed by the Additional Referral Pathway (ARP), they can be referred to legal advice to explore visa options before being referred to the STPP. The ARP is delivered by the Salvation Army and specialist partner organisations and offers a referral pathway to the STPP without the need to engage with law enforcement. The ARP can provide free and confidential support to help victims and survivors understand their rights and options, offer free legal advice about their experience of modern slavery, and help with their immediate needs.

For more information go to

www.salvationarmy.org.au/additional-referral-pathway/ or call 1800 000 277.

Fair Work Ombudsman

All workers have the same workplace protections and entitlements, including minimum pay and conditions under Australian workplace laws. These apply regardless of the temporary worker's visa status. Contracts or agreements cannot take away a person's rights. The Fair Work Ombudsman (FWO) can help if someone is worried about their workplace rights and entitlements, such as pay.

They can contact the FWO directly on 13 13 94, make an anonymous tip off or visit the FWO website at <https://www.fairwork.gov.au>.

Migrant worker protections

Under immigration laws, it is a criminal offence to use a person's temporary visa status to exploit them in the workplace. The Australian Government has introduced new laws to protect temporary migrant workers. There are a range of trusted organisations that can help temporary visa holders to assert their workplace rights.

More information is located at [Migrant worker protections](#).

Visa Entitlement Verification Online

In Australia, visa holders and employers can check a person's visa conditions through [Visa Entitlement Verification Online \(VEVO\)](#). This tool helps to understand a person's visa details and any associated work rights.

Interpreter Services

Free interpreter services are available via 131 450. All calls are free and confidential.

More support services

Visit [Support services | Modern Slavery in Australia](#) for more safe and free services to help people who are in or at risk of modern slavery.

Victims of Crime

As a victim of crime, people with lived experience of modern slavery and survivors may access support through their state and territory-based Victims of Crime support services. These services offer a range of support, including:

- access to counselling and support services
- assistance with Victim Impact Statements
- information on financial assistance
- available information and support around the court process
- updates on Court matters.

A victim of crime may access these supports at the following links:

New South Wales

<https://victimsservices.justice.nsw.gov.au/>

https://www.police.nsw.gov.au/safety_and_prevention/victims_of_crime

Victoria

<https://www.victimsofcrime.vic.gov.au/>

<https://www.police.vic.gov.au/victims-crime>

Queensland

<https://www.qld.gov.au/law/crime-and-police/victim-assist-queensland>

<https://www.police.qld.gov.au/units/victims-of-crime/support-for-victims-of-crime>

South Australia

<https://www.sa.gov.au/topics/rights-and-law/victims-of-crime/victims-of-crime-enquiries>

<https://www.voc.sa.gov.au/>

Western Australia

<https://www.wa.gov.au/organisation/departments-of-justice/commissioner-victims-of-crime/i-am-victim-of-crime>

<https://www.wa.gov.au/organisation/departments-of-justice/commissioner-victims-of-crime>

Tasmania

<https://www.justice.tas.gov.au/victims/services/victims-of-crime-service>

Northern Territory

<https://nt.gov.au/law/crime/support-for-victims-of-crime>

Australian Capital Territory

<https://www.hrc.act.gov.au/victim-support>

<https://police.act.gov.au/crime-and-prevention/victims-of-crime>

National Support for Counselling and Mental Health Services

There are many free counselling and mental health services available. These services are linked on the Australian Human Rights Commission's [website](#).

These include specific services for:

- Aboriginal and or Torres Strait Islander people
- People experiencing sexual, domestic, and or family violence
- Young people aged between 5 and 25 years of age
- Men
- People experiencing forced marriage and other forms of modern slavery
- LGBTIQA+ community members.

Appendix D – Referral pathways and support services for alleged instances of worker exploitation

Office of the Fair Work Ombudsman

For allegations of non-compliance with Australian workplace laws involving contracted suppliers that do not constitute modern slavery, consider notifying the Fair Work Ombudsman.

For more information on workplace rights and obligations in Australia, visit the [Australian Government Fair Work Ombudsman website](#).

Border Watch

The *Migration Amendment (Strengthening Employer Compliance) Act 2024* (Cth) amended the *Migration Act 1958* (Cth) to introduce new laws to tackle migrant worker exploitation. It introduced criminal offences, penalties and prohibitions for employers who coerce or exploit temporary visa holders to deter employers and others in the labour chain from using a person's migration status to exploit them. They help create a level playing field for businesses doing the right thing.

The Australian Border Force has a sponsor monitoring and compliance role under the Migration Act.

For alleged migrant worker exploitation activity not deemed to be modern slavery, consider reporting to [Border Watch](#).

Relevant Work Health and Safety Regulator

For workplace safety concerns, refer to the relevant work health and safety (WHS) regulator. Information about jurisdictional [WHS](#) regulators, their [WHS](#) laws and who to contact can be found on the [Safe Work Australia website](#).

Relevant local council

For accommodation breaches in Australia, refer to the relevant local council.

If you or someone you know is not safe, or it is an emergency, phone Triple Zero (000) and ask to speak to the police.
