

# Modern Slavery Statement for 2022

**Federation University Australia**

**Reporting period: 1 January 2022 to 31 December 2022**

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## Introduction

This Modern Slavery Statement (**the Statement**) sets out actions taken by Federation University Australia (the **University**) to address its reporting obligations under the *Modern Slavery Act 2018* (Cth) (**Modern Slavery Act**) for the reporting year 2022.

The Modern Slavery Act requires entities based or operating in Australia, which have consolidated revenue equal to or greater than \$AUD100 million during a financial year, to submit a Modern Slavery Statement for that year. The Statement reports on the risks of modern slavery in entities' operations and supply chain, and the actions of entities to assess and address those risks.

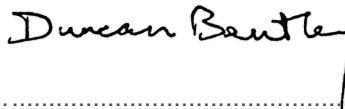
The University acknowledges its responsibility under the Modern Slavery Act to report on the steps which it has taken with respect to addressing the risks of slavery and human trafficking. The University is committed to identifying, assessing and responding to risks of slavery and human trafficking in all University activities and in our supply chain.

This Statement covers the reporting period of 1 January 2022 to 31 December 2022.

## Approval and Signing

This Statement was approved by the Council of Federation University Australia on 24 May 2023.

This Statement has been approved in accordance with Section 13 of the Modern Slavery Act by the Council of Federal University Australia on 24 May 2023 which Council has authorised Professor Duncan Bentley, Vice-Chancellor and President, to sign this Modern Slavery Statement on behalf of Federation University Australia:



.....  
Signature

**Professor Duncan Bentley**

**Vice-Chancellor and President**

24 May 2023

## Definitions

The *Modern Slavery Act 2018* (Cth) (**Modern Slavery Act**) defines the term 'modern slavery' broadly to include all forms of trafficking in persons, slavery and slavery-like practices. This includes forced labour, forced marriage, the worst forms of child labour, and other conduct that would be an offence under the *Criminal Code Act 1995* (Cth).

Specifically, **Modern Slavery** is defined in the Modern Slavery Act to mean conduct which would constitute:

- an offence under Division 270 or 271 of the Criminal Code; or
- an offence under either of those Divisions if the conduct took place in Australia; or
- trafficking in persons, as defined in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, entered into in New York City on 15 November 2000 ([2005] ATS 27); or
- the worst forms of child labour, as defined in Article 3 of the ILO Convention (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, entered into at Geneva on 17 June 1999 ([2007] ATS 38).

The scope of Modern Slavery includes:

- *Human trafficking*: is the movement of a person into, out of, or within Australia using coercion, threats or deception for certain exploitive end purposes. Those exploitive end purposes include slavery, servitude, forced labour, forced marriage and debt bondage;
- *Slavery*: occurs when a person exercises the rights of ownership over another person. This includes the power to make the victim an object of purchase or to use their labour or services in a substantially unrestricted manner;
- *Servitude*: occurs when the victim does not consider themselves free to cease providing their labour or services or to leave their place or area of work because of the use of coercion, threats or deception. To be in a condition of servitude, the victim must also be significantly deprived of their personal freedom;
- *Forced labour*: occurs when the victim does not consider themselves free to cease providing their labour or services or to leave their place or area of work because of the use of coercion, threats or deception;
- *Forced Marriage*: occurs when the victim marries without freely and fully consenting to that marriage because they have been coerced, threatened or deceived or because they are incapable of understanding the nature and effect of a marriage ceremony;
- *Debt Bondage*: occurs when the victim pledges their services or the services of a third person as security for a real or purported debt where the debt is manifestly excessive, or where the reasonable value of the victim's services is not applied to the debt or where the length and nature of the victim's services are not limited or defined.

## Part A: The Reporting Entity

### Federation University Australia

*Part A addresses the Modern Slavery Act's requirement for a modern slavery statement to identify the reporting entity (section 16(1)(a) of the Act).*

The University makes the Statement as a single reporting entity for the reporting period of 1 January 2022 to 31 December 2022.

### About Federation University Australia

The *Federation University Australia Act 2010* (Vic.) is the University's principal governing legislation.

The University's antecedents trace back the establishment of the School of Mines in Ballarat in 1870. This School of Mines was the third institution of higher learning to be established in Australia and the first to be established in regional Australia.

In 1993 the Victorian Government established the University of Ballarat (the Aboriginal word “Ballarat” meaning “resting place”). In 1998 the Ballarat School of Mines and the Wimmera Institute of Technical Education (TAFE) merged with the University of Ballarat.

The University of Ballarat’s strategic focus broadened beyond central and western Victoria, and in 2013 its name changed to ‘Federation University Australia’. In 2014 the University acquired Monash University’s Gippsland Campus and in 2017 the University began delivering higher education programs at Monash University’s former campus at Berwick.

Today, the University operates a federated network of campuses in Victoria (in Ballarat, Mount Helen, Berwick, Churchill and Horsham) and one campus in Brisbane. In addition it engages with partner-provider institutions across Australia and overseas. In addition to delivering world-class higher education (HE) and vocational education and training (VET) programs and courses, the University engages in national and international research collaborations. The University aims to provide agile, relevant and work-ready academic, technical and research programs spanning the full breadth of the Australian Qualifications Framework.

In 2022 the University committed to becoming Australia’s first co-operative University. It is embedding co-operative learning in every University degree and TAFE course and will achieve this objective by 2025. ‘Co-Op’ involves designing and delivering education in co-operation with employers and industry. It benefits students by connecting them to employers and industries throughout their studies and giving them access to new opportunities. ‘Federation Co-op’ is designed to build on the University’s core strengths as a dual-sector, regional University, with top ratings in Victoria in graduate employment outcomes and leadership in industry collaboration.

In 2022 the ‘Federation Online’ initiative was launched and the University now offers wholly online programs, including in the fields of Early Childhood Education, Psychological Science and Health and Food and Nutrition.

## **Our Purpose**

The University’s Purpose, as set out in its *Strategic Plan 2021-2025* is “to transform lives and enhance communities”. Underpinning that Purpose are the University’s Values: Inclusion, Innovation, Excellence, Empowerment and Collaboration.

The University serves the Victorian, Australian, and international communities by providing enriching educational and cultural experiences, by raising public awareness of educational, scientific, and artistic developments, and by promoting academic freedom, freedom of speech and critical and free enquiry.

Driven by a strong and proud heritage, today the University is known for its focus on educational and social equity, teaching excellence, research distinction, environmental sustainability and regional capacity-building. We use our expertise and resources to foster the engagement of Indigenous students in the University’s learning, teaching and research activities.

The University is committed to equipping our graduates to excel in their careers and to contribute meaningfully to their communities

## **Part B: Structure, Operations and Supply Chains**

*Part B addresses the Modern Slavery Act’s requirement for a modern slavery statement to describe the structure, operations and supply chains of the reporting entity (section 16(1)(b) of the Act).*

### **Structure and Operations**

The core business of the University is to provide educational (higher education and vocational and education) programs and to conduct research..

The University has a network of onshore partner providers for international and domestic students in Melbourne, Sydney, Brisbane and Adelaide, as well as offshore partners in countries including Hong Kong, Sri Lanka and China. We work closely with our partner providers to provide a high-quality educational experience leading to the award of recognised educational qualifications. Our onshore partner providers offer undergraduate and postgraduate level qualifications in the fields of Information Technology, Information Systems, Business Management, Commerce and Accounting.

The University has entered into articulation agreements with several Chinese universities, which facilitate students commencing their undergraduate or postgraduate studies at the relevant Chinese university, and then to transfer to a University campus onshore to complete their study programs. We are actively exploring collaborative opportunities in Vietnam and Mauritius. Our international agreements often provide opportunities for inter-university collaborative research.

Our international agreements for program delivery include partnerships with Hebei University of Science and Technology and Zhejiang University of Technology (both in China) and with Nawaloka College of Higher Studies (in Sri Lanka).

Consistent with its commitment to becoming Australia's first co-operative University, the University has established important and highly-valued agreements with industry partners such as IBM Australia and CT4, a cyber-security specialist in the Asia Pacific region.

## Staff and Students

During 2022 the University employed a **total of 1,659 members** of academic and professional staff. A total of 13,434 domestic and international onshore HE students were enrolled in one of the University's three Institutes:

- Institute of Education, Arts and Community
- Institute of Health & Wellbeing
- Institute of Innovation, Science & Sustainability

A total of 5,445 students were enrolled in VET programs at Federation TAFE during 2022.

## Supply Chain

The University procures a wide range of goods and services in order to deliver its educational and research programs and to pursue its other strategic objectives.

The major 'spend' categories for the University are as follows:

- Construction services – building, construction, major repairs, upgrades, restoration;
- Facilities management – cleaning, security, grounds maintenance, plant and equipment maintenance, Fleet services;
- Medical consumables – personal protective equipment such as gowns, masks and gloves, medical devices, laboratory equipment;
- ICT hardware and software – PCs and laptops, printers, peripherals, cabling, software, network services;
- Travel services – accommodation, airfares;
- Utilities – electricity, gas, water, telecommunications;
- Office supplies – general office products, furniture, office machines; and
- Consultancies (various).

## Origin Countries for Supply Chain

Analysis of the University's 'point of direct supply' in 2022 showed that 95% of the goods and services obtained by the University possessed Australian-supply origin or were obtained through Australian-based subsidiaries of suppliers from low-risk countries.

Five per cent of direct international purchases were sourced from a number of countries, with the 'top two' supplier countries being the United States of America and the United Kingdom.

## Subsidiaries

The *Federation University Australia Act 2010* (Vic.) created the University as a body corporate and a body politic. The University has two wholly-owned subsidiary entities, neither of which is active. The two entities are The School of Mines and Industries Ballarat Ltd and the Brisbane Educational Services Pty Ltd.

## Part C: Risks of Modern Slavery Practices in Operations and Supply Chains of the University and Subsidiaries

*Part C addresses the Modern Slavery Act's requirement for a modern slavery statement to describe the risks of modern slavery practices in the operations and supply chains of the reporting entity, and any entities that the reporting entity owns or controls (section 16(1)(c) of the Act).*

### Operational and Supply Chain Risks

According to Global Slavery Indices the risk of Modern Slavery In Australia is relatively low: a 2018 Walk Free Report estimated that 15,000 victims of Modern Slavery were living in Australia in 2016

[https://www.walkfree.org/global-slavery-index/2018/findings/country-studies/australia/#:~:text=Australia-Prevalence,thousand%20people%20in%20the%20country.](https://www.walkfree.org/global-slavery-index/2018/findings/country-studies/australia/#:~:text=Australia-Prevalence,thousand%20people%20in%20the%20country.;); see also <https://legacy.globalslaveryindex.org/country/australia>).

However, the University recognises that the risk of Modern Slavery exists in its operations, particularly where the University's capacity to closely scrutinise the operations of its international suppliers is limited.

A table depicting the most high-risk areas in supply chains is set out below.

**Table: High-Level Modern Slavery Risk Assessment**

Aspect	Category	Modern Slavery risk factors
Supply Chain	Engineering and construction	Inherent High-Level Risks: these exist in construction and the extended construction materials supply chain. Risks include the employment of lower-skilled and migrant employees, as well as potentially dangerous working conditions.
	Security	Inherent High-Level Risks: Asset security services are associated with the employment of lower skilled and migrant labour.
	IT services and software	Inherent High-Level Risks: these are present in IT equipment manufactured in higher-risk countries overseas., The main forms of risk are most prominently forced and bonded labour. A lower level of inherent risk was identified in the provision of IT services and software delivered in Australia.
	Trade services and maintenance	Inherent High-Level Risks: these exist in the use of lower skilled or migrant labour and in the use of labour hire services. Additional risks within the extended materials supply chain are again associated with the use of lower skilled or migrant employees, as well as potentially dangerous working conditions
	Apparel, uniforms, and merchandise	Inherent High-Level Risks: may exist in the extended and complex apparel, uniforms, and merchandise supply chain. These risks have a higher likelihood of occurrence offshore and include deceptive recruitment practices, forced or bonded, child labour and human trafficking.

## Part D: Actions taken to assess and address risks

*Part D addresses the Modern Slavery Act's requirement for a modern slavery statement to describe the actions taken by the reporting entity and any entity that the reporting entity owns or controls, to assess and address those risks, including due diligence and remediation processes (section 16(1)(d) of the Act).*

### Introduction

In order to mitigate the risks of Modern Slavery, the University assesses prospective suppliers and partners closely. However, difficulties in assessing risk of Modern Slavery might arise regarding suppliers based in countries where opaqueness in legal and governance structures existing. Difficulty in sourcing viable alternative suppliers for essential products may be an exacerbating factor.



Accordingly, the University prioritises continuous improvement in our identification and management of Modern Slavery risks in our supply chains and other contractual arrangements.

## The University's Policy Framework

In 2021 the University demonstrated its commitment to addressing the crimes of modern slavery and human trafficking by developing, drafting and promulgating an 'Anti-Modern Slavery and Human Trafficking Policy' (see [https://policy.federation.edu.au/finance/procurement/purchasing\\_and\\_procurement/ch3.pdf](https://policy.federation.edu.au/finance/procurement/purchasing_and_procurement/ch3.pdf)).

Specifically, the Policy:

- outlines our commitment to addressing the issues;
- sets out key areas of risk we have identified; and
- sets out expectations for all staff members to prevent, identify and report risks or suspected incidents of modern slavery and human trafficking.

All University directors and relevant officers must read, understand and comply with this Policy.

In addition, the following protections exist:

Recruitment: the University has mandatory employment screening practices and verification of 'right to work' in Australia for all employees as well as policies and procedures overseen by the People and Culture Directorate that mandate bona fide and merit-based recruitment processes and outcomes.

Other Mechanisms: the University has established notification procedures, 'whistle-blowing' and complaints mechanisms for reporting concerns/complaints, including those which might exist with respect to Modern Slavery risks.

## Template Clauses in Supplier Contracts, Research, and International Agreements

The University requires its contractual partners to meet important obligations with respect to Modern Slavery risks through the insertion of template clauses into all of the University's contracts.

### (A) Supplier Contracts

The following clause is included in all University supplier contracts:

*'Modern Slavery: The supplier acknowledges and agrees that the supplier must:*

- a. Comply with Modern Slavery Legislation to the extent that such legislation is applicable to the supplier;*
- b. In any event, facilitate the University complying with any of the Modern Slavery Legislation applicable to the University, by reporting in a timely manner, and providing all information its supply chain and of its suppliers which the University may acting reasonably require, such reporting and other information being provided no later than 60 days after the expiry of the period to which the reporting relates to, or earlier as required in order for the University to meet its obligations under the applicable Modern Slavery Legislation and;*
- c. Ensure that such reporting is accurate, complete and in such for that the University in its discretion requires.'*

### (B) International Agreements

Included in each of the University's international agreements is the following clause:

*'The Provider [the other party] must:*

*comply with all applicable Laws (including the Regulatory Requirements), University Policies, University Statutes and University Regulations in the provision of the Services;*  
*comply with its obligations under any Group Lease and Third Party Lease to which it is a party;*  
*provide the Services in a manner which supports the University in fulfilling its responsibilities under applicable Laws (including the Regulatory Requirements), University Policies, University Statutes and University Regulations; and*  
*not do (or omit to do) any act which would result in the University failing to comply with any Law (including the Regulatory Requirement), University Policy, University Statute or University Regulation'.*

### (c) Research Agreements

Below is the template clause contained in the University's research agreements:



*Modern Slavery: The Consultant/collaborator acknowledges and agrees that the Consultant/collaborator must:*

- i. comply with the Modern Slavery Legislation to the extent that such legislation is applicable to the Consultant/collaborator;*
- ii. in any event, facilitate the Principal complying with any of the Modern Slavery Legislation applicable to the Principal/University, by reporting in a timely manner and providing all information concerning its supply chain and that of its subconsultants and suppliers which the Principal/University may acting reasonably require, such reporting and other information being provided no later than 60 days after expiry of the period to which the reporting relates to, or earlier where required in order for the Principal/University to meet its obligations under the applicable Modern Slavery Legislation; and ensure that such reporting and other information is accurate, complete and in such form as the Principal/University in its discretion requires.*

## **The University's Procurement Framework**

The University recognizes the importance of transparency, as well as fairness, in procurement decision-making. Consistent with its enabling legislation and strategic direction, the University actively seeks out and supports competitive and reputable local and/or regional suppliers whenever practicable and where those suppliers meet regulatory requirements and appropriate ethical standards.

To support staff in ensuring that those requirements and standards are met, the University developed a Procurement Framework in 2019. The Framework provides strategic and operational guidance to staff members tasked with purchasing goods and services for the University.

The Procurement Framework is set out in the Procurement Policy (at [https://policy.federation.edu.au/finance/procurement/purchasing\\_and\\_procurement/ch01.php](https://policy.federation.edu.au/finance/procurement/purchasing_and_procurement/ch01.php)) and Procurement Procedure (at [https://policy.federation.edu.au/finance/procurement/purchasing\\_and\\_procurement/ch2.pdf](https://policy.federation.edu.au/finance/procurement/purchasing_and_procurement/ch2.pdf)).

The University's procurement objectives are to:

- guide and assist University staff in obtaining best value for money throughout the acquisition of goods and services;
- ensure that the University, its staff members and its partners and suppliers are not exposed to undue personal or commercial risk; and
- ensure that goods are purchased within an environmentally and socially responsible framework.

Five key probity principles underpin the University's procurement activities. These are:

- (1) maintenance of open competitive processes;
- (2) ensuring fairness, consistency and transparency in processes;
- (3) early identification and management of conflicts of interest;
- (4) vesting of accountability in decision-makers; and
- (5) monitoring and evaluating contractual performance.

### **Note: Emphasis on 'Social Procurement'**

'Social Procurement' takes into consideration the real, or potential, impacts associated with the production or sale of goods and/or services including: health, safety, human rights, ethical production, social justice, Indigenous businesses, fair trade, diversity, access, and purchasing locally and domestically made goods and/or services.

The University's robust Procurement Framework introduced includes guidance on purchasing in a socially and environmentally responsible manner. For example, today the University's template tendering documents include, in addition to a Modern Slavery questionnaire, compliance expectations with respect to Corporate Social Responsibility and a Supplier Code of Conduct.

One of the University's key objectives in terms of social procurement is supporting safe and fair workplaces, endeavouring to procure goods and services only from suppliers that comply with industrial laws, and which promote secure employment.

## Guidance and Support from the Australian Universities Procurement Network

The University is member of the Modern Slavery Network established by the Australian University Procurement Network (AUPN). The AUPN was established to promote and facilitate excellence in procurement practices and to enhance the skills of procurement professionals in the 38 member universities.

The AUPN supports the universities in managing Modern Slavery risks in supply chains and generally in meeting the challenges of protecting human rights.

The AUPN has established a Modern Slavery Working Group (**Working Group**) which consults with and supports members, including to meet their statutory reporting obligations. The Working Group's aims include:

- to develop and implement a technology-enabled solution to identify, address and mitigate the risks of Modern Slavery;
- to develop templates and guidance materials for the sector;
- to strive for continuous improvement in the management of Modern Slavery.

During 2022 the Working Group's significant achievements included:

- *Data and Technology*: the commencement of a AUPN Data Hub project;
- *Training and Capacity*: holding regular AUPN Modern Slavery training forums;
- *Modern Slavery Framework*: the development of a framework for grievance management and remediation;
- *Communication*: engagement with members via the Linked-In platform;
- *Governance*: the establishment of the Academic Advisory Board, appointment of members and convening of quarterly Academic Advisory Board meetings; and
- *Supplier Engagement*: development of a Short Answer Questions pilot project for suppliers.

The University endorses the strategic objectives of the Working Group and obtains support, template documents and guidance from it.

## Key Initiatives Taken in 2022

During 2022 the University's Reporting Group's initiatives included:

- finalising and implementing an internal training program on Modern Slavery Awareness. This takes the form of an online training module made available to all staff via the University's learning management system;
- developing a Supplier Code of Conduct incorporating anti-Modern Slavery requirements which was distributed to our top two hundred trade suppliers. The Supplier Code of Conduct is provided to all new suppliers, who are required to self-assess their compliance with the Code and take actions to remedy any shortcomings;
- developing and implementing a public-facing webpage to raise awareness of the University position on Modern Slavery: see <https://federation.edu.au/staff/business-and-communication/finance/strategic-procurement/supplier-information/accordion/addressing-modern-slavery>; and
- engaging closely with the AUPN and using the AUPN's tools to identify and address Modern Slavery risks. One of these is the AUPN's AI-powered reporting 'FRDM' technology which has the capability to map the world's supply chains and identify human rights abuses. The FRDM dashboard maps and monitors environmental, social and governance risks in the supply chain enabling member universities to mitigate those risks.

## Part E: Assessment of the effectiveness of the actions

*Part E addresses the Modern Slavery Act's requirement for a modern slavery statement to describe how the reporting entity assesses the effectiveness of such actions (section 16(1)(e) of the Act).*

The Modern Slavery Reporting Group, formally established in 2021, assists the University in assessing the effectiveness of its actions to respond to the requirements of the Modern Slavery Act. Its functions include:

- assessing and monitoring the risks of Modern Slavery in our operations and supply chains;
- developing and implementing initiatives to manage and treat those risks;
- monitoring the actions taken by the University to identify, manage and mitigate those risks; and
- supporting and leveraging the activities of the AUPN.

The University's anti-Modern Slavery clauses in our supply, international partnership and research contracts provide contractual remedies for breach of those clauses.

Monitoring the University's international education partners and their management of modern slavery and human rights harms has been embedded into the Audit Checklist used by International Quality Assurance for annual review. This enables the University to ascertain partner compliance with regulatory requirements.

## **Part F: Consultation Processes**

*Part F addresses the Modern Slavery Act's requirement for a modern slavery statement to describe the process of consultation with (i) any entities that the reporting entity owns or controls; and (ii) in the case of a reporting entity covered by a joint statement—the entity giving the statement (section 16(1)(f) Act).*

The University aims to reduce or mitigate the risk of Modern Slavery through our operations, governance structure and employment practices.

The Reporting Group, which comprises representatives from Governance, Legal and Risk, International, Quality Assurance and Procurement, consults across the University.

## **Part G: Other Relevant Information**

*Part G addresses the Modern Slavery Act's requirement for a modern slavery statement to include any other information that the reporting entity, or the entity giving the statement, considers relevant (section 16(1)(g) of the Act).*

The University's operating environment continues to be challenging. International onshore student enrolments, severely impacted in 2020, 2021 and 2022 by the COVID-19 pandemic, have yet to recover fully. As previously reported, COVID-19 disrupted the delivery of our programs, our supply chains, our student cohorts (domestic and international, onshore and offshore) and our staff members. We expect that the impact of the pandemic upon the University will continue for some time.

## **Part H: Looking Ahead**

In 2023 the University aims to strengthen our governance with respect to the risks of Modern Slavery through:

- informing the University community about the risks of Modern Slavery and promoting the training available to identify and manage those risks, through Fed News and other information channels;
- continuing to support our suppliers and partner providers in understanding and complying with anti-Modern Slavery requirements;
- assessing the University's policy framework for compliance with Modern Slavery requirements;
- expanding the membership of the Reporting Group to include representatives of other operational areas; and
- continue to collaborate with AUPN to develop and implement anti-Modern Slavery initiatives.

The University remains committed to continuous improvement in identifying, addressing and managing the risks of Modern Slavery in its operations and supply chains.