



Bendigo Kangan Institute

Modern Slavery Statement



Acknowledgment of Country

Bendigo Kangan Institute's footprint spans the ancestral lands of the Gunung-Willam-Balluk and Wurundjeri people, the Jaara people of the Dja Dja Wurrung and the Wollithiga people of the Yorta Yorta Nation.

Bendigo Kangan Institute pays its respects to the traditional custodians of these lands and to their cultural heritage, and extends that respect to all Aboriginal and Torres Strait Islander Elders, past and present.

Modern Slavery Statement

Bendigo Kangan Institute – ABN 74 802 942

This statement is Bendigo Kangan Institute’s second modern slavery statement under the *Modern Slavery Act 2018* (Cth). It sets out the steps the Institute has taken since our first modern slavery statement was submitted to the Department of Home Affairs in 2021. It also outlines the actions the Institute will take to address modern slavery and human trafficking risks in our business operations and supply chains. This statement also details the steps that the Institute intends to pursue to further extend its modern slavery protections.

This statement has been approved by the Institute’s Board on 28 June 2022.

About Bendigo Kangan Institute

Bendigo Kangan Institute was established under the *Education and Training Reform Act 2006* (Vic) to provide vocational education training services to members of the Victorian community. The Institute also has distinct functions to, including to:

- provide communities and industries with efficient and effective education programs and services
- provide education programs and services that are responsive to the community’s needs
- conduct research, development, education, training and delivery on a commercial basis for other businesses
- prepare, publish, distribute or license the use of literary or artistic work, audit / visual material or computer software.

The Institute’s functions are further supported by the *Bendigo Kangan Institute Constitution*.

The Institute trains and educates students at 8 campuses in regional Victoria and metropolitan Melbourne. Our footprint stretches from Cremorne to Echuca and also includes Docklands, Essendon, Broadmeadows, Castlemaine and Bendigo.

We’re amongst Victoria’s largest and most trusted vocational education and training providers with a proud history dating back to the 1850s.

We provide modern specialist training facilities offering courses across more than 40 study areas. We’re well equipped to respond to changing industry needs and we work with employers to review our course offerings to ensure they remain relevant to industry needs.

The Institute also operates two distinct business areas:

- **eWorks** – One of Australia’s leading e-learning delivery and consultancy specialists, offering a range of products and services to help businesses maximise the benefits of online education.
- **VETASSESS** – Australia’s leading assessment provider. Our key services are skills assessments for migration purposes across a range of trade and general professional occupations provided to the Australian Government’s Department of Home Affairs. We also provide a range of occupational and course entry tests, and consultancy services around education and training to governments in Australia and offshore.

As a Victorian public sector entity, the Institute is subject to additional laws and directions that operate alongside the Modern Slavery Act. These include the:

- *Public Administration Act 2004 (Vic)*
- *Standing Directions under the Financial Management Act 2018 (Vic)*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Public Interest Disclosure Act 2012 (Vic).*

The above underpins the Institute’s approach to protecting the human rights of all people who interact with us and to ensure that our operations, and the expenditure of public sector funds, are done in a way that guards the integrity of the vocational education sector. This extends to integrating important protection mechanisms across all our operations.

The Institute has core strategic objectives focused on building a reputation for academic quality and relevance with students and industry and maintaining a highly professional, efficient and engaged workforce and organisation. Our modern slavery initiatives play an important part in achieving these objectives. As a vocational education provider with the delivery of services to people at its core, the Institute sees the protection of all people who interact with its operations – within and across borders - as critical to our success. The Institute carries this objective through its offshore partnerships and relationships via its TAFE and migration skills assessment offerings.

The Victorian Minister for Training and Skills and the Minister for Higher Education, the Hon. Gayle Tierney MP is the responsible Minister for the vocational educational network, which the Institute is part. We work closely with the Department of Education and Training, in particular, the Office of TAFE Coordination and Delivery and the Victorian Skills Authority to ensure implementation of the Minister’s Annual Statement of Priorities and the Government approved Victorian Skills Plan. For more information about our educational outcomes, please refer to our most recent [Annual Report](#)

Our role in fighting modern slavery

Everyone has rights to freedom, justice and fair labour conditions. The Institute believes all workers regardless of where they work have the right to be treated with dignity and respect.

Governance and Public Sector Obligations

As a public sector entity and vocational education provider established under the Education and Training Reform Act, the Institute abides by a number of public sector obligations that operate alongside the Modern Slavery Act to advance civil rights and protections. These include but are not limited to:

- The *Public Administration Act 2004* (Vic), which reflects the key public sector values of integrity, impartiality, responsiveness, respect for human rights, accountability and leadership. The Institute has adopted these values into its own organisational policies, including its *Employee Code of Conduct*.
- The *Financial Management Act 1994* (Vic), which requires the Institute to adopt governance practices to support compliance with regard to the *Victorian Government Risk Management Framework*; Gifts, Benefits and Hospitality Accountabilities, Sponsorship, Asset Management, Public Construction and financial practices and controls.
- The *Public Interest Disclosure Act 2012* (Vic), which operates as the framework for encouraging and investigating reports of public sector improper and corrupt conduct.

Bendigo Kangan Institute integrity operations and policies

We are committed to ensuring our operations are responsible, fair and reflect the highest ethical standards. We will realise this commitment by taking proactive action to set expectations in the way our contractors and supply partners engage with people and incorporate mechanisms

that help us ensure our supply chains are free from modern slavery.

We expect our suppliers to provide a fair and ethical workplace, uphold human rights and address risk of Modern Slavery. To reflect this, we have enshrined principles associated with fighting Modern Slavery into our *Supplier Code of Conduct*.

Our *Improper Conduct Policy* and the Institute's *SpeakUp* program provides anybody, anywhere, anytime, a mechanism to report suspected improper conduct and modern slavery. The Institute commits to thoroughly investigating all allegations of modern slavery. This policy and access to our *SpeakUp* program are available to the public via our website.

In addition to governance and compliance frameworks, the Institute's procurement policies and procedures support it to address the risk of modern slavery in our supply chain. Institute procurement policies and procedures reflect a number of government strategies that are designed to protect the welfare of people, including the Victorian Government's *Supplier Code of Conduct* and maintaining our *Social Procurement Strategy*.

Our *Procurement Strategy* and associated policies and procedures are underpinned by the Victorian Government Purchasing Board requirements, which include the Ministerial Directions and Instructions for Public Construction Procurement. The strategy sits alongside our existing contractor prequalification, insurance verification processes and our *Supplier Code of Conduct* that is issued to all contractors and suppliers, together with any amendments to the Code.

Other internal policies, procedures and controls that work to protect people include policies and procedures relating to conflicts of interest, fraud and corruption conduct, public interest disclosures and improper conduct, gifts and

benefits, discrimination and workplace behaviour, the Institute's gender equity action plan, occupational health and safety, accounting and financial practices.

Our key modern slavery risks

In 2021-22, the Institute affirmed that its anti-modern slavery focus is on three key risk areas. Our highest exposure continues to be in areas outside the Institute's direct control. The actions we have implemented in the first year help us to eliminate the potential for modern slavery in our operations.

Modern slavery practices include human trafficking, slavery, forced marriage, forced labour, debt bondage, deceptive recruiting, physical abuse, restrictions on the freedom of movement, confiscation of passports and identity records, wage theft and child labour. Any form of these practices are serious breaches of human rights.

The Institute does not tolerate any form of breach of human rights in any part of its operations or supply chain.

The Institute recognises it can be difficult to identify instances of modern slavery. People and organisations engaging in modern slavery practices may be motivated to reduce costs and conceal aspects of their operations. The Institute has incorporated oversight of its industry and commercial partners to ensure the use of public funds and public sector opportunities do not create a platform for modern slavery to occur.

Our modern slavery mitigations are focused on:

- Preventing the potential for workers in our supply chain or directly within Bendigo Kangan Institute being subject to coercion or deprived of personal freedoms.

- Applying assurance mechanisms to our commercial partnership arrangements to identify and address modern slavery risks in global and domestic operations.
- Monitoring progress against treatments that strengthen our Anti-Modern Slavery approach.

Lack of visibility:

The Institute has determined that a lack of direct visibility and control over supplier conduct is a high risk. This means that the Institute's public funds and business opportunities could be used by people outside of the Institute to engage in and conceal modern slavery practices. The Institute has a large number of active suppliers in direct and indirect supply chains across a number of international borders including China, India, Iran, Philippines, South Africa, the United Kingdom, Nepal, Vietnam and Pakistan.

External recruitment services:

It is possible that the external recruitment services that the Institute engages do not always reflect the same standards of human rights that the Institute expects of itself, leading to the opportunity for modern slavery. The Institute has determined that the risk of modern slavery occurring within its operations due to external recruitment services, is low.

International Agents:

As part of our operations, we engage the services of international student acquisition agents. These agents are not themselves subject to anti-modern slavery standards and without effective controls or contractual obligations, could lead to human rights breaches or the potential that people are misled or coerced into enrolling into the Institute's educational services. In the context of our controls and our international operations, the Institute considers its modern slavery risk to be twofold:

- High Risk – An opportunity for conduct or interactions with applicants during migration skills assessment to constitute modern slavery

- Low Risk – Conduct of international agents not adhering to required modern slavery standards.

Our Controls

The Institute has a number of controls that support our management of our modern slavery risks. These include our;

- *Supplier Code of Conduct*, which sets out requirements for our contractors and vendors to adopt modern slavery principles into their practices, including to identify and manage risks.
- *Integrity and Feedback Frameworks*, which include a publicly available SpeakUp portal, enabling anonymous reporting of suspected improper conduct, human rights breaches and modern slavery practices.
- *Procurement Strategy*, which includes our standard service level agreements and controls that apply to most of our suppliers and provide guidance to suppliers, consistent with human rights principles.
- *Recruitment Policy* and supporting procedures that provide specific guidance to Institute staff engaging in recruitment activity.
- *Child Safety Policy* and associated procedures that are aligned to the Child Safety Standards and assist to protect child human rights.
- Mandatory processes for all international student acquisition services, which include student guarantors, student visa procedures and compliance with Department of Home Affairs procedures.
- Risk Management Framework, which outlines our approach and commitment to risk management establishes processes for identifying, evaluating and managing risks including modern slavery risks.

Our Anti-Modern Slavery actions: A year in review

Bendigo Kangan Institute recognises the role public sector agencies have in ensuring the use of public funds and public sector opportunities drive stronger protection for all workers. We do this through extending anti-modern slavery standards to others through our agreements and contracts.

The Institute's first modern slavery risk assessment enabled it to provide a more co-ordinated approach to reducing the prospect of slavery occurring in our operations. Through our risk assessment, we were able to define a number of clear actions that we could work toward to achieve increased protection to the people who touch our processes.

Advancing our modern-slavery initiatives and consistent with our commitments outlined in our first modern-slavery statement, in 2021-22, the Institute:

- Monitored its anti-modern slavery initiatives through its *Risk Management Framework*, audit function and policy framework.
- Aligned itself to the requirements of the *Victorian Government Purchasing Board*; expanding its Supplier onboarding practices to include pre-qualification checks and passing on anti-modern slavery obligations to all new suppliers.
- Updated our International Agent Agreement to require all agents to adopt and comply with modern slavery standards.
- Transitioned international commercial partners to new contracts to support the Institute's capacity to examine anti-modern slavery practices, ensuring all new contracts reflect modern slavery prevention standards and the capacity for the Institute to audit arrangements, where possible. Under these new contracts, the Institute has the authority to conduct audits in response to any concerns identified.
- Activated new contractual requirements so that international partners connected to VETASSESS provide evidence of their own anti-modern slavery controls in practice and compliance with industrial relations and employee wage requirements.
- Commissioned an audit into one of our international partners, including modern slavery into its scope.
- Conducted an internal audit into the implementation of industrial agreements that the Institute is subject to, which included examination of payments to employees, enabling the Institute to identify and correct any mistakes.
- Drafted a *Human Rights Policy*, incorporating the Institute's obligations under the *Charter of Human Rights and Responsibilities Act 2006* (Vic) and the *Modern Slavery Act 2018* (Cth).
- Implemented an Institute-wide *Compliance Framework* and *Self-Assurance Approach*.

Our Future commitments and actions – addressing our modern slavery risks

Extending its modern slavery commitments, the Institute commits to progressing the following Anti-Modern Slavery initiatives over the next year:

- Working with suppliers to check how they are progressing their own anti-modern slavery initiatives.
- Conducting desktop audits of key risk suppliers, partners and vendors across Procurement, Recruitment and International Student Agents to identify and address the prospect of exploitation occurring within supply chains
- Implementing its Human Rights Policy, which incorporates its modern slavery obligations.
- Conducting Institute-wide awareness of modern slavery; its risks and how the Institute practically advances protection for all workers.
- Examining modern slavery protection within Business Development partners and ensuring practices support protection.
- Working with our TAFE network partners to exchange intelligence on strategies and approaches that have proved effective to preventing and detecting modern slavery.

Approved by Bendigo Kangan Institute's Board of Directors on 28 June 2022



Graham Fryer, Acting Chief Executive Officer
Bendigo Kangan Institute



Kangan Institute campuses

Broadmeadows

Pearcedale Parade
Broadmeadows VIC 3047

Docklands

1 Batmans Hill Drive
Docklands VIC 3008

Essendon

38 Buckley Street
Essendon VIC 3040

Cremorne

85 Cremorne Street
Cremorne VIC 3121

Bendigo TAFE campuses

Bendigo City

154 Hargreaves Street
Bendigo VIC 3550

Bendigo Charleston Road

62-104 Charleston Road
Bendigo VIC 3550

Castlemaine

65-67 Templeton Street
Castlemaine VIC 3450

Echuca

Corner Hare and Darling Streets
Echuca VIC 3564

VETASSESS and eWorks

5/478 Albert Street
East Melbourne VIC 3002