



Modern Slavery Statement

The Symal Group

This Statement is submitted jointly on behalf of Symal Structures Pty Ltd (ABN 54 626 335 322) (**Structures**) and Symal Infrastructure Pty Ltd (ABN 87 130 808 276) (**Infrastructure**) under section 14 of the *Modern Slavery Act 2018* (Cth) (**MSA**) to cover the third reporting period of 1 July 2021 to 30 June 2022.

1 Identification, Structure, Operations and Supply Chain

1.1 Structure

Three trusts sit at the head of the Symal Corporate Body (**the Symal Group**): the Bartolo Investment Trust, the Dando Family Trust and the Fairbairn Family Trust (**the Trusts**). The Trusts 100% own three entities: Infrastructure, Civilex Properties Pty Ltd, and Symal Group Pty Ltd, of which only Infrastructure is a reporting entity.

Symal Group Pty Ltd owns and controls the following corporate entities:

- Structures (the joint reporting entity);
- Symal Management Pty Ltd;
- Grampians Excavations Pty Ltd;
- Symal Solutions Pty Ltd;
- Symal Contractors Pty Ltd;
- Bridge & Civil Pty Ltd;
- Wamarra Pty Ltd;
- Incore Developments Pty Ltd; and
- Geelong Landfill Pty Ltd T/A Sycle.

1.2 Operations

The Symal Group is a privately owned proprietary limited company specialising in the provision of civil construction services operating in Australia. Infrastructures and Structures are both privately owned construction companies. Infrastructures is our building arm and Structures is our programming arm, both operating in the areas of transport infrastructure, energy and resources, residential, airports, community infrastructure, water infrastructure, defence, civil structures, infrastructure, ports, tourism and leisure, technology, industrial, health, education, commercial and retail, justice, government, environmental restoration, mining and quarrying and subdivisions.

The Symal Group is headquartered in Melbourne, Victoria and operates out of offices and yards in Victoria, New South Wales and Queensland including in Avalon, Stawell, Rutherford, Newcastle,



Brisbane. The Symal Group engages 1041 staff members, of which 92.98% are permanent employees, 7% are casual staff members and, unlike many entities in the construction industry, a very small 0.02% of our workforce are independent contractors. Of those 1041 staff members, 154 are Structures' staff and 501 are Infrastructure's staff.

1.3 Supply chain

We contract with all suppliers on Supply or Frame Agreements. Our longest set rate agreements are our Frame Agreements which ordinarily last 12 months. We have subcontracts that span longer periods but they are project specific and such agreements are not common. We acknowledge that this means the majority of our supply agreements are shorter term in nature.

During our third reporting period Infrastructure engaged with 1,320 tier 1 suppliers and Structures engaged with 207 tier 1 suppliers, an increase from our last reporting period. All suppliers are located in Australia. These included suppliers of a range of goods and services including:

- raw materials such as mesh, steel, rubber, timber and concrete;
- hire and purchase of formwork, tools, equipment and machinery;
- consumable items such as tea, coffee, catering etc;
- stationery, furniture, information and technology goods; and
- services including: construction subcontracting, engineering services, financial services, telecommunications services, environmental services, information and technology services, cleaning services, marketing services, recruitment services, freight and transport services, waste and recycling services, and health services.

The top 10 suppliers to Infrastructure based on spend accounted for 25.06% of the total spend. These ten suppliers included suppliers of construction services including traffic management and labour/personnel more generally, earth moving/excavation services, concreting products and fuel.

The top 10 suppliers to Structures based on spend accounted for over 66.96% of the total spend. These ten suppliers included suppliers of concreting products, concreting/post-tensioning/pre-casting services, reinforcement products and services, machinery rental and a recruitment agency.

We acknowledge that our supply chain extends past our tier 1 suppliers and intend to gain further knowledge as to tier 2 and beyond in future reporting periods.

2 Risks of Modern Slavery

We understand that due to the nature and prevalence of modern slavery in the world every entity has risks of modern slavery within its operations and supply chains. The Symal Group, like every entity, must consider the likelihood of risks that we could cause, contribute to, or be directly linked to modern slavery practices so that we can then put appropriate actions in place to address any potential risks.

2.1 Operational risks

We understand that construction is considered a high-risk industry for many reasons including:

- reliance on subcontracted work (including out-sourcing overseas) which reduces oversight;



- reliance on manual labour which according to statistics is commonly undertaken by more vulnerable workers such as workers on visas, lower skilled workers, and workers on more transient employment arrangements;
- many construction contracts are temporary and irregular in nature meaning the associated workforces may be more vulnerable to redundancies and therefore at higher risk of exploitation;
- construction is also a very cost-driven sector and such monetary pressures can lead to wage cuts, forced overtime and other cost-saving measures; and
- construction involves the use of raw materials which are considered to be high risk products.

For these reasons we acknowledge that our industry has an important role to play in acknowledging the risks that may be present in our businesses and addressing same. We are aware that our own operations pose a potential risk of modern slavery.

In our third reporting period, we continued to deal with a range of issues caused by the pandemic. One such issue was the limitations on access to workers and suppliers in certain areas at various times, though there were less of these issues than in our last reporting period. In our last reporting period, we spoke to our use of external recruitment services being higher due to the pandemic as a result of needing to urgently find more labour resources. We understand that use of recruitment services can increase modern slavery risks. We are pleased to say that in response to this we have developed a fully internal recruitment team which we consider to be a very positive step towards reducing our modern slavery risks in our operations. In very rare situations where we are recruiting for an extremely specialised role we may still utilise external recruitment agencies but this usage is negligible.

2.2 Supplier Risks

Businesses can contribute to or be directly linked to modern slavery practices through their own supply chains by conducting operations in a way that may facilitate or incentivise modern slavery, such as by placing unreasonable timing or budgetary pressures on suppliers, or simply by contracting with a supplier that is engaged in modern slavery practices.

Of our tier 1 suppliers, 100% are located in Australia, which is a low risk geographic location for modern slavery.

We have taken the time to analyse the changes in our supply chain from reporting period 2(FY2021) to reporting period 3(FY2022) in order to better understand our risk profile. In reporting period 3, the top 10 suppliers to Infrastructures based on spend accounted for 25.06% of the total spend, a further decrease from our last two reporting periods in which our top 10 suppliers accounted for 50% and 34.07% of our spend in reporting periods 1 and 2 respectively. Infrastructures' total number of suppliers increased by 435 (after increasing by 218 between reporting period 1 and 2).

We are aware that our top 10 suppliers based on spend differed a reasonable amount from reporting period 2 to reporting period 3; 4 of the top 10 suppliers in reporting period 2 remained in the top 10 suppliers in reporting period 3. Of the 6 suppliers that moved out of the top ten supplier cohort, all continued to supply to Infrastructure in reporting period 3 indicating some stability in our supply chains, albeit some shifting in spend amounts. We acknowledge that our overall supplier numbers are increasing and that this requires increased monitoring, so we maintain sufficient oversight.

The top 10 suppliers to Structures based on spend accounted for 66.96% of the total spend, a small decrease from 77.11% in reporting period 2 (and more similar to the 70.50% spend of reporting period 1). Our total number of suppliers increased by only 5 suppliers. Of the top 10



suppliers to Structures in reporting period 3, 5 were *different* to those that were in the top 10 in reporting period 2. All of those 5 suppliers did continue to supply to Structures in reporting period 3 despite not being in the top 10 spend. We consider Structure's supply chains to therefore be increasingly stable in nature across the last reporting period and will use this information to tailor our actions to address risk below.

We take note that our supply chains appear to have had less changes between the recent two reporting periods but despite this increasing stability we do still acknowledge that the nature of our business is that the type and location of work can and does change. We make every effort to provide our suppliers with certainty and are transparent about the fact that a level of adaptability is required of our supply chains in order to complete the kind of work that we do. We are aware that that generally a supply chain that is subject to more frequent changes can be an indicator of less stable long-term supplier relationships which can increase the uncertainty for workers involved and may lead to a higher risk of modern slavery.

We acknowledge that we engage with the following categories of suppliers that are identified in the literature as posing a higher risk of modern slavery: recruitment agencies, raw materials, tools/equipment/machinery, tea and coffee, stationery, furniture, information and technology goods, subcontracted construction services and cleaning services. We are continuing to map our supply chains and seek to gain deeper understanding of any risks within same in future reporting periods.

2.3 COVID-19

We also acknowledge that COVID-19 continues to have an impact resulting in remote working, immobility, reduced oversight, substantial and unexpected change in supply and demand, loss of income, fear of loss of income and excessive overtime. These are all factors that can considerably increase the vulnerability of any workforce to exploitation and as such the risks of modern slavery have risen as a result of the current pandemic. As the world has returned to face-to-face interactions in many locations, we acknowledge that many of the heightened risks created by the pandemic will continue to have an effect.

3 Actions to Assess and Address Modern Slavery, Effectiveness

The Symal Group is seeking to take steps to assess and address the risks of modern slavery occurring in our operations and supply chains now and into the future. We have continued to seek expert assistance to help us accurately identify risks and put meaningful action in place in response to those risks.

3.1 Operational Actions

Our values include:

1. **Inspiring action** – we are not afraid to lead the charge and set the standard when it comes to processes and expertise;
2. **Building confidence** – our business relationships have honesty and transparency at their core;
3. **Innovating with ingenuity** – we imagine new ways to solve problems; and
4. **Showing we care** – we have a positive safety culture across our entire workforce and hold a positive, inclusive and considerate attitude toward people and our planet.

Our existing culture as embedded in these values is one that we believe is conducive to addressing and assessing modern slavery risks – by setting high standards, acting with honesty, creatively solving problems and keeping our people and planet safe.



Policies and Processes

In relation to our own workforce, we are continually refining various processes and policies to further our efforts in addressing and assessing modern slavery in our operations including:

1. The appointment of a Modern Slavery Legal Officer;
2. Our specific Modern Slavery Policy;
3. Code of Conduct Policy and Procedure;
4. Our Discrimination, Harassment and Bullying Policy and Procedure;
5. Equal Opportunity Policy;
6. Whistleblower Policy and Procedure; and
7. Tailored Modern Slavery workshops for senior staff run by independent experts.

We have reviewed and updated our Modern Slavery Policy which has been rolled out. Our Modern Slavery Policy is applicable to all staff and contains our commitment to ensure there is transparency in our operations and approach to tackling modern slavery. The Policy is provided to all staff on the commencement of their employment. The Policy refers to various other internal policies that are relevant to modern slavery, relevant laws and international instruments and guiding principles. The Policy contains a definition of modern slavery and refers to human rights generally also. Our Policy educates our staff on where our risk areas may lie both within our operations and supply chains and details the risk assessment and due diligence processes we are undertaking. We advise staff of their responsibility to detect and report on risks and of the enforcement details in the event of any breach.

Our Code of Conduct sets out the standards of behaviour expected of our staff so that we can create and maintain a safe and ethical environment. It speaks to Personal and Professional Behaviour; Equity, Diversity and Social Inclusion; Conflicts of Interest; Compliance with Laws; Gifts, Benefits and Hospitality; Bribery and Corruption; Procurement; Confidential Information and Privacy; Records Management and Demonstrating Leadership. We also provide our expectations and commitments of staff within our Equal Opportunity Policy and our Discrimination, Harassment and Bullying Policy. The Syamal Group recognises that many of these matters can have overlap with modern slavery and that the absence of a good culture in these areas can indicate the presence of modern slavery risks or may escalate into modern slavery in time.

We acknowledge that instances of modern slavery are often hidden in plain sight because the very nature of the crime means that victims or witnesses are powerless to come forward. The Syamal Group ensures that we have sound procedures to allow workers and their families to identify and report genuine concerns about illegal conduct or any improper state of affairs pertaining to Syamal without fear of reprisals and with anonymity in certain circumstances. Our Whistleblower Policy provides these protections and avenues.

We have held tailored Modern Slavery Workshops for senior staff members run by independent experts. These workshops increased the education and awareness of our senior staff members in relation to the nature and prevalence of modern slavery, the risks of modern slavery, the MSA itself and the various actions we can take to improve upon our modern slavery approach.

3.2 Supply Chain Actions

In relation to suppliers and subcontractors we have a centralised procurement team. We have a screening and onboarding process for subcontractors which involves an initial meeting with our



Procurement Manager and the completion of an assessment and declaration form. The assessment is in questionnaire form and requires them to:

- disclose whether they engage employees and if so, how many;
- detail which industrial instrument applies to the contract and provide the direct number for the Fair Work Ombudsman as assistance;
- declare that they do not engage in sham contracting (an illegal arrangement that considerably increases the vulnerability of workers);
- advise whether they are excluded from performing work for the government;
- advise whether they have been subject to any adverse outcomes under the *Migration Act 1958*;
- detail any orders regarding unpaid fees to contractors; and
- various questions that demonstrate compliance with the Building Code and require evidence of same (including what awards, enterprise agreements etc apply).

This assessment provides the Symal Group with a considerable level of oversight as to the workplace practices of subcontractors. Many of these questions go to the protection of employee's rights; the maintenance of same is a key step in mitigating the risks of modern slavery in any business. This initial screening process allows the Symal Group to understand whether a particular subcontractor's workforce may be particularly vulnerable to modern slavery as a result of any insufficient workplace practices.

The declaration does not request information but rather requires subcontractors to attest to their compliance with various clauses including:

- compliance with the Building Code and ensuring that the subcontractor's own sub-subcontractors comply with the Code;
- a requirement that the sub-subcontract contains clauses that are substantially in the same form as model contract clauses under the Building Code; and
- that they are covered by appropriate industrial agreements, not excluded from performing government work, only use products that comply with Australian standards and that they will not enter into a sub-subcontract unless the relevant entity attests to these matters also and completes the Symal Group declaration of compliance.

The declaration provides the Symal Group with assurances as to our own subcontractors' workplace practises and importantly and in line with the MSA, creates a trickledown effect into tier 2 and beyond by requiring sub-subcontractors to complete the declaration also (which may then also extend beyond tier 2 given the terms). We do acknowledge that our ability to check compliance with these clauses will be reduced beyond tier 1 but have attempted to place accountability on our own subcontractors in order to achieve this.

Our Procurement Manager then conducts regular follow up meetings with subcontractors to review quality and conduct some of which may be held in conjunction with other specific stakeholders within the Symal Group. We then require subcontractors to fill out an evaluation form every year providing their compliance with the Building Code; Safety, Quality and Environmental specifications; incident reporting and investigations; emergency preparedness; training; health monitoring/surveillance; equipment monitoring; sub-subcontracting arrangements and outsourcing.



This provides the Symal Group with continual oversight into the worksite management, health and safety and working conditions generally.

To ensure the ongoing effectiveness of our risk mitigation regarding subcontractors, we create from all of the data collected a list of preferred subcontractors which is based on compliance with all of the above mechanisms.

We acknowledge that these actions aren't applicable to all suppliers, only subcontractors. Our Modern Slavery Policy reiterates to our staff the importance of all subcontractors and suppliers sharing our values. In relation to our suppliers generally we also have a Sustainable Procurement Policy and Social Procurement Policy that provide important guidance over all procurement. Our Social Procurement Policy is a key mechanism through which we can create wider social benefits by linking social and economic agendas. We seek to achieve this through a variety of means such as addressing complex local challenges (e.g. intergenerational unemployment, crime, disengaged groups), promoting fair and ethical trade, social inclusion including for vulnerable groups, engaging local and small enterprises as well as social benefit suppliers, raising awareness, creating training and employment for socially and economically disadvantaged individuals, and embedding social procurement into tenders, policies and processes. Our Sustainable Procurement Policy is focussed on an environmental perspective but again we note that good governance around same can have a positive flow on effect into the area of modern slavery.

We have made arrangements to improve upon these existing processes, and in reporting period 4 will continue to build upon improvements. Such improvements will include the rolling out of a Supplier Code of Conduct which has been drafted and is centred specifically around modern slavery issues. The purpose of this document will be to communicate our expectations to our suppliers, add to our due diligence avenues, educate and raise awareness, and provide us with further options when we're taking action to address our own risks. We are also preparing correspondence with a view to building upon our journey and dialogue with our suppliers in this area. As a further step, we are also in the process of considering how to roll out a specific modern slavery questionnaire to add to the various questionnaires and vetting processes we have in place already.

Symal have strengthened our existing modern slavery clauses in our contracts with suppliers. The clauses currently require our contractors to provide warranties regarding modern slavery, to take reasonable steps to ensure secondary subcontractors comply with modern slavery reporting requirements and respond to our requests for information in this area. We intend to review these contracts further to ensure they contain terms consistent with our approach to modern slavery. Our Human Resources team negotiates and reviews all contracts with recruitment agencies, and we are also implementing a process whereby a final review of such contracts is then undertaken by our legal department. We are also engaging with subcontractors and suppliers to ensure their employment practices comply with the Fair Work Act 2009 (Cth).

As above, we have updated the mapping of our supply chain based on risks related to geographic location and category of goods/services for reporting period 3. We are seeking to work on achieving early identification of any subcontractors or suppliers over which we have little or no visibility of their supply chains. We are also taking steps to strengthen our subcontractor and supplier onboarding and monitoring processes to highlight modern slavery risk areas. Where subcontractors and suppliers are found to be non-compliant with our standards and contract terms, we will require those subcontractors and suppliers to carry out remedial action and assist them to improve their processes.

4 Consultation

Whilst Infrastructures and Structures are separate legal entities, the Symal Group shares a Board and has a centralised governance structure. This Board is therefore responsible for the decisions and governance of all group members and is responsible for the Symal Group's approach to modern slavery.



Given this centralised approach to governance, consultation on modern slavery occurs automatically between the various entities of the Symal Group as business is conducted.

5 From Our Principal Governing Body

Infrastructures and Structures make this Statement in accordance in accordance with section 14 of the *Modern Slavery Act 2018* (Cth). The Symal Group's Board of Directors is the principal governing body for both Infrastructures and Structures for the purpose of the Act.

This Modern Slavery Statement was considered and approved of by the Board of the Symal Group.

A handwritten signature in blue ink, appearing to read 'Joe Bartolo', enclosed within a blue oval scribble.

Joe Bartolo
Managing Director
Responsible Member of the Symal Group's Principal Governing Body