

2020 Modern Slavery Statement



JAMES COOK
UNIVERSITY
AUSTRALIA



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**RESPECT.
NOW.
ALWAYS.**

James Cook University values and celebrates the diversity of our community, and is committed to ensuring our learning and working environment is safe and welcoming.

JCU is proud to be part of the Respect. Now. Always. campaign – a national initiative led by Universities Australia to highlight our determination to ensure our students and staff are safe from discrimination and sexual harassment. Further information about the campaign and free services available for students can be found at jcu.edu.au/sew



Our commitment to Australian Aboriginal and Torres Strait Islander peoples

James Cook University is committed to building strong and mutually beneficial partnerships that work towards closing the employment, health, and education gap for Australian Aboriginal and Torres Strait Islander peoples. Our students come from many backgrounds, promoting rich cultural and experiential diversity on campus.

We acknowledge the Australian Aboriginal and Torres Strait Islander peoples as the Traditional Owners of the lands and waters where we operate our business. We honour the unique cultural and spiritual relationship to the land, waters and seas of First Australian peoples and their continuing and rich contribution to JCU and Australian society. We also pay respect to ancestors and Elders past, present and future.



Kassandra Savage (JCU Alumni), 'Coming Together and Respecting Difference', acrylic on canvas, 2014, 90cm x 90cm.

Our Approach and Progress

Modern slavery is a severe violation of human rights. It occurs when a person is coerced into work and exploited for personal or commercial gain. Under Australian and international law, it includes offences such as forced labour, servitude, child labour, deceptive recruiting and debt bondage.

This statement, pursuant to the Australian Modern Slavery Act 2018 (Cth), sets out the actions taken by James Cook University to address modern slavery and human trafficking risks in our business and supply chain for the financial year ending 31 December 2020.



Part A – Reporting Entity

James Cook University (JCU) is a body corporate established under an Act of the Queensland Government, the *James Cook University Act 1997*.

ABN: 46 253 211 955

Registered Address: 1 James Cook Drive,
James Cook University,
QLD 4811



Part B – The University’s Structure, Operations and Supply Chains

Structure and operations

The University is a medium-sized, regionally-based, research intensive public university with the following functions:

- a. to provide education at university standard; and
- b. to provide facilities for study and research generally and in subjects of special importance to the people of the tropics; and
- c. to encourage study and research generally and in subjects of special importance to the people of the tropics; and
- d. to provide courses of study or instruction (at the levels of achievement the council considers appropriate) to meet the needs of the community; and
- e. to confer higher education awards; and
 - i. to disseminate knowledge and promote scholarship; and
 - ii. to provide facilities and resources for the wellbeing of the University’s staff, students and other persons undertaking courses at the University; and
- f. to exploit commercially, for the University’s benefit, a facility or resource of the University, including, for example, study, research or knowledge, or the practical application of study, research or knowledge, belonging to the University, whether alone or with someone else; and
- g. to perform other functions given to the University under this or another Act.

The University Council is the governing authority. Its primary role is to oversee the affairs of the University and, in so doing, to ensure that the appropriate structures, policies, processes and planning are in place to effectively manage its activities and achieve its goals. The University Council is also responsible for setting and reviewing the strategic direction of the University, as outlined in the Statement of Strategic Intent.

The University operates two main campuses in Australia, located at Townsville and Cairns, with study centres operating across northern Queensland including in Mt Isa, Mackay, Rockhampton and Thursday Island. JCU Singapore was established in 2003 as an international campus and is wholly owned by the University. JCU Brisbane, operated by Russo Higher Education delivers JCU degrees under license.

The parent entity has approximately 4,600 employees and maintains a divisional structure comprising (as at January 2021):

- the Academy:
 - Division of Tropical Environments and Societies
 - Division of Tropical Health and Medicine
- Service Divisions:
 - Chancellery
 - Division of Student Life
 - Division of Research and Innovation
 - Division of Services and Resources.

In addition, the University also operates several controlled entities these being:

- JCU Univet Pty Ltd;
- JCU Health Pty Ltd;
- JCU Early Learning Centres Pty Ltd;
- JCU CPB Pty Ltd;
- Tropical Queensland Centre of Oral Health Pty Ltd trading as JCU Dental;
- North Queensland Commercialisation Company Pty Ltd as Trustee for the JCU Asset Trust;
- JCU College Pty Ltd;
- Discover Sport Ltd (non-trading);
- JCU Enterprises (non-trading);
- James Cook Holdings Pte Ltd; and
- James Cook University Pte Ltd.

Each of the controlled entities is subject to governance, monitoring and reporting requirements directed and reviewed by various committees of the University Council.



Supply chains

Supporting the teaching and research activities and operations of the University requires a diverse range of goods and services provided by a large and complex supply chain. The University purchases goods and services required to deliver:

- core teaching and research services
- construction and facilities management services
- office equipment and supplies including furniture, stationery, computers and phones
- catering services and meals
- student accommodation
- travel and accommodation for travelling staff and students
- branded merchandise, printing, and distribution services
- laboratory supplies including consumables, pharmaceuticals, and cutting-edge scientific equipment and
- many other goods and services.

In 2020 the University spent over \$180 million on goods and services from over 8,000 suppliers across four main good and service categories – Business Services, Property and Facilities, Research and Teaching and Technology. The spend summary by location was:

- \$135 million - Queensland
- \$36 million - Rest of Australia
- \$10 million - International

The University recognises that there are risks of modern slavery in the supply chains of all the goods and services we purchase and are committed to understanding these risks.

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

Risk identification

The University's Council is ultimately responsible for approving, and committing to, the risk management policy and framework and setting and articulating the University's appetite for risk. The Audit, Risk and Compliance Committee of Council is responsible for approving and reviewing the University's Risk Management Framework and Plan and overseeing the risk management process of the University as a whole, noting other committees have responsibility for risk management relating to their governance area of responsibility (such as Workplace Health and Safety Committee and Finance Committee).

At the Management level, the Vice Chancellor and Executive are responsible for leading the development of an enterprise risk management culture across the University and the Chief of Staff (Risk Management Co-ordinator) is responsible for ensuring that the Risk Management Framework and Policy are being effectively implemented across the organisation. Managers and staff at all levels may be risk owners and are responsible for developing an understanding of and becoming competent in the implementation of risk management principles and practices in their work areas.

The descriptions of risk of modern slavery practices in the operations and supply chains of the University were compiled with input from a number of areas across the University and the controlled entities.

The University is a member of the Australian Universities Procurement Network (AUPN), the peak body for strategic procurement in the higher education sector in Australia and New Zealand with 38 members. The University benefits from its involvement with the AUPN in a number of ways including the provision of advice to help identify supply chain risk. Further information about this risk identification process is provided under 'Risk in supply chains' below.

Risk in operations generally

The University considers the risk of modern slavery in its core activity and supply chain is low and that internal control mechanisms to mitigate and manage this risk are sound. Higher education employment does not rely on low skilled labour, nor is it temporary or seasonal in basis per se. The University is not reliant on migrant workers or complex third-party labour arrangements and work primarily takes place within Australia. The type of work identified as being a high-risk for modern slavery¹, is not a feature of the University's activities or workforce. The University has robust policies and procedures and employment agreements in place to protect employee's rights and entitlements, that govern conduct, and legislative compliance obligations, and has a robust system of internal review and audit.

¹ Walk Free Foundation, The Global Slavery Index 2018, www.globalslaveryindex.org

Risk in management of human resources

Continuing, fixed-term, and casual employees of the University work under the James Cook University Enterprise Agreement 2016, which has been approved by the Fair Work Commission. The Enterprise Agreement covers all aspects of employment, including working conditions, remuneration, leave, and other benefits.

The University does not use overseas labour brokers to recruit staff, and no staff of the University are subject to recruitment fees or personal or property security deposits. University employees are typically employed directly by the University; where labour-hire companies are used, these are Australian based.

The University is diligent in checking that all new employees have the right to work in Australia. Most employees are based in Australia, however where work is undertaken overseas, University employees remain covered by our Enterprise Agreement.

In addition to the Enterprise Agreement, the University has a range of other policies, procedures, and supporting documents in place to help manage the risks of modern slavery in our operations:

- Recruitment, Selection and Appointment Policy
- Employment and Recruitment of Casuals Policy
- University Council and Staff Codes of Conduct

The University has processes to prevent, detect and respond to any actual or potential fraudulent or corrupt activity, child abuse or exploitation, and regulatory compliance, and identifies those with responsibilities for ensuring ethical conduct as described in the Staff Code of Conduct, Code of Conduct for the University Council and its Committees, the *Crime and Corruption Act 2001 (Qld)* and the *Public Sector Ethics Act 1994 (Qld)*.

University employees and University Council members are public officers and must report suspected corruption to the Crime and Corruption Commission Queensland (CCC). Members of the public, including University students, have the right to make a complaint about suspected corruption and/or misconduct, in the University to the CCC. The *Public Interest Disclosure Act 2010 (Qld)* provides a scheme that, in the public interest, gives special protection to disclosures about unlawful, negligent or improper public sector conduct or danger to public health or safety or the environment.

Risk in teaching operations

The University's teaching operations are also service based, with the teaching services delivered by employees of the University who are protected by the policies and procedures outlined above. The majority of teaching operations are based in Australia however some are located overseas. Employees of the University who are located outside of Australia are still protected by the University's policies and procedures outlined above, including the Enterprise Agreement.

The University recognises that temporary work visa holders in Australia, including holders of international student visas, are at higher risk of exploitative working conditions including underpayment of wages². Considering how the University best supports its international students to know their rights and where to get help if experiencing exploitative working conditions and/or modern slavery-like practices, is a planned future activity.

Risk in research operations

The University's research activities are primarily service based. The University is not a producer or manufacturer of retail or commercial goods. While the scope of our research services may include developing prototypes and field demonstrable products, these are handed over to clients at the pre-production stage.

The majority of research services are undertaken by employees of the University, who are protected by the policies and procedures

outlined above. Subcontractors are used when required, and these may be based either in Australia or overseas. Contracts formed with subcontractors will either be formed with the assistance of the University's Legal and Assurance office, or in instances where the research is funded from government sources, will have the same terms and conditions as the University's contract with the funding source.

The University's Code for the Responsible Conduct of Research (Research Code) sets out expectations for the conduct of all persons engaged in research under the auspices of the University. The Research Code was adapted from the Australian Code for the Responsible Conduct of Research (National Code) that was jointly developed by the National Health and Medical Research Council (NHMRC), the Australian Research Council (ARC) and Universities Australia.

Risk in controlled entities

JCU College Pty Ltd

A proprietary limited company. The University is the sole shareholder and the company is registered with the Australian Charities and Not-for-Profit Commission (ACNC). JCU College provides educational pathways and English language tuition for current, future and prospective students. JCU College employees are employed in accordance with the relevant award (Teachers Non-Government (English Colleges) (State) Award 2003). JCU College Pty Ltd purchase through the University's preferred suppliers for consumables (learning and teaching items).



² Walk Free Foundation 2018, Modern Slavery Index Country Profile: Australia, www.globallslaveryindex.org/2018/findings/country-studies/australia/

JCU CPB Pty Ltd

A corporate trustee of the CPB Trust with the primary objective of assisting the University in carrying out its development, construction and ongoing management of the Clinical Practice Building (CPB), Townsville. The University is the sole beneficiary of the Trust, which ensures that the University benefits from the leasing of commercial spaces, within the building.

The CPB Trust holds a ground lease of the CPB site from the University and owns and operates the CPB constructed on the site. Tenants in the CPB include both retail and medical and allied health operations. JCU CPB Pty Ltd purchase through the University's preferred suppliers for consumables (office and administrative items).

JCU Early Learning Centres Pty Ltd (JCU ELC)

A proprietary limited company. The University is the sole shareholder and the company is registered with the ACNC. JCU ELC provides non-profit childcare for children of students, staff and graduates of the University. It is also charged with providing and promoting the development, wellbeing and education of children, and encouraging parent and community involvement in its operations. JCU ELC employees are employed in accordance with the relevant award (Children's Service Award 2010). Where possible, JCU ELC purchases through the University's preferred suppliers for consumables.

JCU Enterprises Pty Ltd

A proprietary limited company and the University is the sole shareholder. JCU Enterprises Pty Ltd does not trade in its own right, nor does it employ staff or use consumables.

JCU Health Pty Ltd

A proprietary limited company. The University is the sole shareholder and the company is registered with the ACNC. JCU Health Pty Ltd operates a general practice doctor's surgery for students, staff and the surrounding suburbs. Where possible, JCU Health Pty Ltd purchase through the University's preferred suppliers for consumables and exercises due diligence and monitors supply chains for the balance of suppliers.

JCU Univet Pty Ltd

A proprietary limited company. The University is the sole shareholder and the company is registered with the ACNC. JCU Univet Pty Ltd provides student placements to support the Veterinary Science degree through the operation of an animal general practice and referral hospital. JCU Univet Pty Ltd employees are employed under the Animal Care and Veterinary Services Award. Where possible, JCU Univet Pty Ltd purchase through the University's preferred suppliers for consumables and exercises due diligence and monitors supply chains for the balance of suppliers.

North Queensland Commercialisation Company Pty Ltd as trustee for the JCU Asset Trust

The company acts as the trustee of The JCU Asset Trust (the Trust), and any income of the Trust is to be distributed to the University. The Trust was formed to generally assist the University in research commercialisation, and to hold intellectual property rights and sponsor start-up initiatives in commercialisation companies. NQCC does not trade in its own right, nor does it employ staff or use consumables.

Tropical Queensland Centre for Oral Health Pty Ltd trading as JCU Dental

JCU Dental is a proprietary limited company. The University is the sole shareholder and the company is registered with the ACNC. JCU Dental operates multiple dental practices to provide student placements to support the corresponding degree at the University and provide services on behalf of Queensland Health to the public. JCU Dental employees are employed under the Health Professional and Support Services Award. Where possible, JCU Dental purchase through the University's preferred suppliers for consumables and exercises due diligence and monitors supply chains for the balance of suppliers.

James Cook Holdings Pte Ltd

A private company registered in Singapore, incorporated in 2011 as a holding company fully owned and controlled by JCU Enterprises Pty Ltd. James Cook Holdings does not trade in its own right, nor does it employ staff or use consumables. The company is operated under the relevant local Singapore legislations.

James Cook University Pte Ltd

Incorporated in Singapore in 2001. On 13 April 2015, James Cook University's Singapore campus earned the distinction of being the first private education institution to attain an EduTrust Star quality mark from the Singapore Government. The company is operated under the relevant local Singapore legislations. All employees are engaged in line with relevant local authorities and the company exercises due diligence when engaging suppliers, monitoring and reviewing their performance.

Tropical Futures Institute Ltd

A company limited by guarantee registered in Singapore. Tropical Futures Institute does not trade nor does it employ staff or use consumables. The company is operated under the relevant local Singapore legislations.

Discover Sport Limited

A company limited by Guarantee whose objectives are to promote awareness and benefits of healthy exercise. Discover Sport Limited is not currently trading and does not employ any staff or have any assets.

Risk in supply chains

The University recognises that there are risks of modern slavery in the supply chains of all the goods and services purchased, with the relative risks shaped by recognised factors such as product or service type and manufacturing or operating locations.

During the reporting year, a consolidated data analysis and risk mapping exercise was undertaken by the University via the AUPN, to better understand the risks of modern slavery in the University's supply chain.

The resulting analysis allowed the University to identify where supply chains extend into good and service categories and geographic locations that are high-risk for the presence of modern slavery. Good and service categories identified as being both high-risk for modern slavery in the supply chain and high spend by the University include:

- Desktop hardware and IT accessories
- Commercial cleaning
- Building construction and maintenance services
- Scientific equipment and laboratory consumables
- Branded merchandise, printing, and distribution services
- Catering and meals.



The Cairns Institute
DESIGN

Part D – Actions Taken to Assess and Address Risks

The University has taken a range of actions during this reporting year to identify, assess and address the risks of modern slavery practices in our operations and supply chains. During this first reporting year, activities were largely centred on due diligence in supplier engagement. The University participated in the following activities with the AUPN and its Modern Slavery Working Group (MSWG).

Contracts

In 2019, the University began to incorporate clauses specific to modern slavery in its standard contract documents. These clauses require organisations providing the University with goods and/or services to:

- comply with the intent and the requirements of the *Modern Slavery Act*
- take reasonable steps to ensure that there is no modern slavery in the supply chains or any part of the business of the Contractor or any of its subcontractors
- conduct its business in a manner that is consistent with the principles of the *Modern Slavery Act* and warrant that neither the Contractor nor its subcontractors:
 - i. have been convicted of an offence involving modern slavery; and
 - ii. having made reasonable enquiries, to the best of its knowledge has been or is the subject of any investigation, enquiry or enforcement proceedings by any authority regarding any offence or alleged offence of or in connection with modern slavery.

Market approach

The University has added a returnable schedule to its standard tender and market approach documentation, with a view to better understanding its supply chains. Potential suppliers responding to market approaches are asked to respond to questions relating to their reporting status under the *Modern Slavery Act*; their policies, education, and training practices relating to modern slavery; and the steps they have taken to ensure the risks of modern slavery have been identified and addressed in their supply chains and operations.

Guiding documents

The University's Procurement Procedures have been updated to include the University's obligations under the *Modern Slavery Act* as a principle that must be adhered to when undertaking any procurement activities. Two further documents are also in the early planning stages:

- Supplier Code of Conduct Guidelines
- Supplier Engagement Terms of Reference and Communication approach.

Supplier questionnaires

The University's supply chain is broad and complex, consisting of over 150 separate good and service categories during 2020, our approaches to suppliers during this first reporting year prioritised supply chains where modern slavery risks were determined to be highest. A questionnaire was developed which collects information from suppliers relating to their:

- reporting status under the *Modern Slavery Act*,
- policies, procedures, contracts, and other guiding documents;
- supply chains of goods they sell; and
- actions they have taken within their organisations to identify and address the risks of modern slavery in their supply chains and operations.

This questionnaire was distributed to a key supplier group identified by AUPN's MSWG as suppliers of potentially high-risk goods and/or services, who transact with a large number of Australian universities. It is also included as part of the University's standard tender and market approach documentation as noted in the 'Market Approach' section above.

Training and engagement

The University's procurement function is a centralised activity undertaken by Financial and Business Services. Training to increase awareness of the issue and ensure key staff are aware of the University's responsibilities was conducted in 2019 and made available to key stakeholders across the University. Further training will be conducted in 2021.

17 major suppliers were invited to a supplier briefing session held on the 28 July 2020. This session was held to discuss suppliers' willingness to engage with the sector on modern slavery. The feedback from suppliers was positive.



Consultation and collaboration as a sector

At the beginning of 2019, the University, along with eight other universities, joined the AUPN's MSWG on a voluntary basis. This led to the sector-wide Modern Slavery (MS) Program being developed.

This Program aims to deliver the following:

- a collection and aggregation of sector procurement data
- a solution that allows members to identify risk, focus resources and inform action – supported by a third-party technology enablement solution
- a sector approach/action plan for addressing, mitigating and/ or remediating identified risks
- flexible templates and guidance
- continuous improvement.

It is envisaged that both the AUPN members and their suppliers will benefit from the improved operational efficiencies of the collaboration and gain improved effectiveness in mitigating risk and improving social performance within supply chains.

Two specific projects undertaken by the MSWG which have allowed the University to take action to assess and address the risks of modern slavery in its supply chains are detailed below.

Modern slavery risk dashboard

In early 2020 the Modern Slavery Risk Dashboard was developed. Although basic, this dashboard consolidates data from participating universities and provides an indication of a university's risk across two different lenses:

- Potential risks of modern slavery applied across spend categories; and
- Potential risks of modern slavery applied against country locations.

Technology solution

AUPN's MSWG is currently undergoing a two-stage tender process seeking a third-party technology solution that will further support the University (and other participating universities) to gather and interrogate expenditure supplier data, identify risk, focus resources and inform action around modern slavery risk management. AUPN is working towards an implementation of this collaborative solution in 2021.

Part E – Assessment of the Effectiveness of Actions

During the first reporting year, the University has benefitted from its membership with the AUPN and its ongoing assessment of effectiveness. The University is establishing a process to regularly review the information provided by its suppliers regarding their policies and practices relating to modern slavery.

Ongoing review of information provided by suppliers

As detailed above, suppliers are asked to respond to a returnable tender schedule when participating in market activities, in order for the University to gain greater transparency over its supply chain.

As part of the RFX evaluation process a review of the information provided by suppliers has been put in place, to ensure the University is conducting due diligence on suppliers before they are engaged to supply the University with goods and services. The process includes a review and risk assessment conducted by Strategic Procurement, with opportunity to engage the University's Legal and Assurance for expert advice if necessary.

This process will be augmented in future, when the AUPN's technology solution is implemented and supplier self-assessments are being conducted, to incorporate information provided by current suppliers.

Engaging with industry experts

Human rights consultants and modern slavery experts Pillar Two were engaged in May 2020 following a tender process to provide modern slavery subject matter expertise and support of the AUPN Modern Slavery Program. To date, Pillar Two have provided:

- a complete review of the AUPN Modern Slavery Program including 25 recommendations to enhance the sector's approach
- modern slavery subject matter expertise support throughout the entire technology solution tender process
- a review of the Modern Slavery Risk Dashboard and risk ratings.

Given the resources available, AUPN's MSWG is aiming to action six Pillar Two recommendations in 2021 and provide indicative timeframes to deliver remaining initiatives.

A Modern Slavery Academic Advisory Board was established in July 2020 consisting of 12 board members from nine universities with experience and area of expertise in modern slavery risk and supply chains. The Board aims to enrich the sector approach. Meetings were held monthly for 2020 and are structured to review and refine AUPN developed artefacts and initiatives. During a scheduled AUPN community virtual session on August 13 2020 members were also invited to engage in a panel discussion to the AUPN community and provided academic insight into modern slavery and the supply chain.



Part F – Consultation

The University's controlled entities that are currently operating were consulted as part of the development of this report. For this first reporting year under the Act, the consultation process was focussed on gaining an understanding of the operations and supply chains of the controlled entities and identifying suppliers of particular high-risk goods and services used by the entities.



Part G – Other Information

Next steps

In 2021, the second reporting year under the *Modern Slavery Act*, the University's activities will include:

- Continuing to ensure contracts with suppliers include clauses specific to modern slavery and continuing to collect data relating to modern slavery from suppliers participating in market activities.
- Working to implement contracts and supplier due diligence for high-risk good & service categories which are not currently under contract, including catering services.
- Continuing to improve awareness of the *Modern Slavery Act* and responsibilities under the Act within the central Procurement Services team and across the wider organisation.
- Considering how best to undertake ongoing identification and assessment of the risk of modern slavery in University operations and supply chain across the whole organisation, including controlled entities.
- Considering how to best support international students who are at risk of exploitative working conditions and modern slavery like practices.

The University will also participate in and benefit from the following activities which are planned for 2021 by the AUPN:

- Implementation of the technology solution to facilitate supplier self-assessments, which will allow Australia's higher education sector to better understand the risk in the supply chains and operations of its tier 1 suppliers and start to gain transparency over other tiers in its supply chain.
- Continuing to share best practice in addressing modern slavery risks and human rights in the higher education sector.
- Continuing to seek advice and input from academics employed in Australian universities and working in fields related to modern slavery and human rights.



Part H – Conclusion

Whilst modern slavery risk in the University's activities is considered low risk, the University is actively seeking to ensure its obligations under the Modern Slavery Act, particularly in relation to its supply chains, is actively managed and mitigated.

This statement is approved by the James Cook University Council.

Bill Tweddell, Chancellor

May 2021







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for tomorrow



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