



Modern Slavery Statement

The Symal Group

This Statement is submitted jointly on behalf of Symal Infrastructure Pty Ltd (ABN 87 130 808 276) (**Infrastructure**) and Symal Contractors Pty Ltd (ABN 69 630 027 342) (**Contractors**) under section 14 of the *Modern Slavery Act 2018* (Cth) (**MSA**) to cover the reporting period of 1 July 2023 to 30 June 2024.

1 Identification, Structure, Operations and Supply Chain (MSA ss16(1)(a), 16(1)(b))

1.1 Structure

Contractors crossed the reporting threshold for the first time in the reporting period 2022-2023 and as such is jointly reporting with Infrastructure for the second time, and we are working to progress our approach in relation to Contractors.

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 also owns and controls the following corporate entities:

- Symal Structures Pty Ltd;
- Contractors (the joint reporting entity);
- Symal Management Pty Ltd;
- Unyte Southern Pty Ltd;
- Unyte Eastern Pty Ltd;
- Bridge & Civil Pty Ltd;
- Wamarra Pty Ltd;
- Incore Developments Pty Ltd;
- Geelong Landfill Pty Ltd T/A Sycle;
- Symal Shared Services Pty Ltd;
- Symal PPL Pty Ltd; and
- Searo Electrical Services Pty Ltd.

1.2 Operations

The Symal Group is a privately owned proprietary limited company specialising in the provision of civil construction services operating in Australia. Infrastructure and Contractors are both privately owned construction companies. Infrastructure is our building arm and Contractors is a self-performing subcontractor. Infrastructure operates 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. Contractors specifically has an expertise in civil construction, drainage, concrete, pavements and environmental abatement works.

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 currently has 1,053 staff members, of which 93.54% are permanent employees and 6.46% are casual staff members. In the Symal Group, 15 staff members are working in an arrangement where their visa ties them to the business. Of those 1,053 staff members, 198 are Contractors staff and 432 are Infrastructures staff. The Symal Group also engaged with a total of 27 independent contractors in the relevant reporting period.

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 fourth reporting period Infrastructure engaged with 1,228 tier 1 suppliers, an increase from our last reporting period. Contractors engaged with 603 tier 1 suppliers. 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;
- 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.

All but one of Infrastructure's suppliers are located in Australia. Contractors engages with 5 overseas suppliers, and we acknowledge that they are based in a higher risk geographic location pursuant to the 2023 Global Slavery Index as is the overseas supplier of Infrastructure. These suppliers provide IT assistance, steel fabrication, mesh, irrigation hoses, star pickets and reinforcing bars.

The top ten suppliers to Infrastructure based on spend accounted for 23.02% of the total spend, a slight increase from the last reporting period. These ten suppliers included suppliers of machine/plant hire, construction materials, form work, traffic management, earthworks, plumbing drainage, and waste.

The top ten suppliers to Contractors based on spend accounted for 38.35% of the total spend, a slight decrease from the last reporting period. These ten suppliers included



suppliers of machine/plant hire, recycling and waste services, sand/soil/gravel products, concreting and asphalt.

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 (MSA s16(1)(c))

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 continue to consider the likelihood of risks that we could cause, contribute to, or be directly linked to modern slavery practices so that we can then adjust the actions we have put 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;
- 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.

We understand that use of recruitment services can increase modern slavery risks. We are pleased to say that 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.

We also acknowledge that we utilised 27 independent contractors in the relevant reporting period. We have engaged these contractors for services such as project management, stakeholder engagement, coaching, logistics management, technology consulting, engineering, estimating and inspections, supervision, financial services, social procurement consultation. We consider that a lot of these services are lower risk



areas but do acknowledge such contracting can reduce oversight and accountability and have detailed below the steps we take in regard to contracted work.

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, all but one of Infrastructure's suppliers are located in Australia, which is a low risk geographic location for modern slavery. Approximately 0.82% of Contractor's suppliers are based overseas in higher risk locations. We have described below the significant due diligence involved before these contracts were entered into.

We have taken the time to analyse the changes in Infrastructure's supply chain from the prior reporting periods to the current reporting period (FY2024) in order to better understand our changing risk profile. In the current reporting period, the top ten suppliers to Infrastructure based on spend accounted for 23.02% of the total spend, noting a decreasing trend over our last four reporting periods in which our top ten suppliers accounted for 50%, 34.07%, 25.06%, 22.3% of our spend in each reporting period respectively. Infrastructures' total number of suppliers decreased by 518 (after increasing by 523 and 435 in the last two respective reporting periods). We acknowledge these fluctuations in numbers may indicate a level of transience in our supply chain, and certainly the nature of our work means that the type and location of work can and does change.

All of Infrastructure's top ten suppliers this reporting period were suppliers in the last reporting period. Of the suppliers that moved out of the top ten supplier cohort from last reporting period, all continued to supply to Infrastructure in this reporting period. We believe this indicates some stability in our supply chains, albeit some shifting in spend amounts. 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 have commenced recording the data for Contractor's suppliers and will track the changes in risk profile for Contractors in future reporting periods.

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.

3 **Actions to Assess and Address Modern Slavery, Effectiveness** (MSA ss16(1)(d), 16(1)(e))

The Symal Group continues to take steps to assess and address the risks of modern slavery occurring in our operations and supply chains. 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**

We reviewed our values in the last reporting period to ensure they continue to reflect the culture we strive to maintain. Our new values are:

1. **We Build Better Together** – We roll up our sleeves and get our hands dirty, but never forget to share a laugh. We don't just clock in and out. We make sure our team is safe and sound, and we're genuinely interested in each other's lives. We celebrate our diversity and value different thoughts, feedback and life experiences.
2. **We Innovate with Intent** – Our strength lies in our collective intelligence, our curiosity and our bravery to think differently. We're problem solvers who ask the right questions, respecting everyone's input and ideas. We have the courage to back new directions, but also take the time to think them through.
3. **We Push What's Possible** – We're not afraid to push the limits and stretch ourselves to get the best outcomes. This means having the passion to achieve greatness and the determination to drive the highest standards. When we say we will do something, we make it happen. Because when we step into new spaces we can become the best version we can be.

Our existing culture as embedded in these values is one that we believe is conducive to addressing and assessing modern slavery risks – particularly our emphasis on making sure our team is safe and sound.

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 through our:

1. Modern Slavery Legal Officer role;
2. Specific Modern Slavery Policy;
3. Code of Conduct Policy and Procedure;
4. 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.

Our Modern Slavery Policy is applicable to all staff across the Symal Group 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 and this reporting avenue is one through which we can check the effectiveness of our actions by understanding levels of staff engagement.

Our Code of Conduct sets out the standards of behaviour expected of our staff across the Symal Group 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 Symal Group recognises that many of these matters can have overlay 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 Symal 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 Symal without fear of reprisals and with anonymity in certain circumstances. Our Whistleblower Policy provides these protections and avenues by adequately providing staff with a confidential avenue to communicate any of their concerns. Providing this avenue is another key way we can track the effectiveness of our actions, we are live to the issue that receiving no complaints may actually be an indicator of a lack of awareness of risks or a lack of awareness of reporting avenues.

In prior reporting periods, we have held tailored Modern Slavery Workshops for senior staff members of the Symal Group 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. These workshops were run in an interactive way, which enabled us to then consider what the discussions revealed about the awareness levels of staff and the effectiveness of the actions we've been taking to date.



Symal will continue to provide employees with regular training to bolster their knowledge on the Modern Slavery issues currently present. This will include both external training via Symal's legal representative specialised in the area and also internal training.

To further the training of staff this reporting period, we commissioned external experts to create from scratch tailored online staff training for us. This training is specific to The Symal Group and the construction industry and includes 10 multiple-choice questions to test staff learning. We intend to roll this out in the next reporting period and track staff completion and response rates.

In our recent period we also began to build a specific Modern Slavery intranet page for our staff. This page was created in collaboration with external experts and includes a video created especially for Symal by these experts giving our staff a snapshot of what modern slavery is, details on the prevalence of modern slavery, and explanations of the way modern slavery shows up in our industry including real life examples. This video explains to our staff that they play an important role in understanding where risks are for The Symal Group, in having conversations with suppliers and subcontractors, helping Symal with due diligence and keeping an eye out for the hardworking people in our industry. Our intranet page also has links to useful resources and a detailed Frequently Asked Question section. The intranet page is set to be up and running in the next 12 months.

3.2 Supply Chain Actions

As above, we have undertaken the important task of updating and analysing our supply chain map based on modern slavery risks related to geographic location and category of goods/services for this reporting period. We are pleased to be developing a good knowledge base of how Infrastructure's tier 1 suppliers change year in and year out which enables us to assess the effectiveness of our risk responses too. We are replicating this approach with Contractors (noting Contractors only became a reporting entity in the last reporting period) to ensure we assess the effectiveness of our actions as we move through each reporting period.

In this reporting period we proceeded to relocate a portion of the Symal Group's information and technology support offshore, resulting in the one overseas supplier for Infrastructures mentioned above. Last reporting period we detailed the checks that were made before this new supplier relationship was entered into, including multiple visits to the office overseas, reviews of employment conditions and a due diligence processes to ensure any staff we work with in these locations experience conditions that are up to Australian standards. This includes being paid above the required award rate, as well as being provided with a spacious and modern workplace. Further, the relevant agreement between Symal and the offshore provided was reviewed and negotiated by Symal's external lawyers specialising in the field. This due diligence process spanned 10 months and was conducted by our information and technology team as well as our procurement team. We were satisfied with the outcomes of this process and have put in place processes going forward to ensure we continue to have adequate oversight, including via regular on-site visits.



In the recent reporting period, we also investigated the possibility of engaging in procurement of some offshore manufacturing. Our internal Modern Slavery Legal Officer consulted with our external experts in this regard and discussed due diligence processes. External experts then drafted questions to ask of employees, and our Modern Slavery Legal Officer accompanied other staff members on a trip with a translator to visit the relevant factories of this potential supplier. A significant audit was undertaken of this potential supplier. We reviewed the answers received through these audits and questionnaires provided and engaged in a period of consultation from there. More specifically, our procurement team has developed an pre-qualification audit form, which assesses several factors, including:

1. General organisation of the Factory;
2. Whether or not staff are wearing appropriate Personal Protection Equipment (PPE);
3. Working environment;
4. Motivation of top management; and
5. Ease of mutual understand.

The above criteria are assessed on a 3-tier scale, namely “*Good, Average or Bad*”, with an area to provide additional comments. Based on the review an overseas supplier will either pass or fail an audit.

Over the last Financial Year, we conducted circa 20 overseas audits, of which 17 passed and three (3) failed.

If an overseas supplier passes the initial procurement audit, they are then required to complete a detailed Supplier Questionnaire. The Supplier Questionnaire contains 43 questions surrounding a range of issues focusing on operations, supply chains and employee wellbeing. Our dedicated Modern Slavery Officer reviews each Supplier Questionnaire and if required will ask further questions to ensure compliance. In last Financial Year every approved overseas supplier also passed the Supplier Questionnaire.

It is also important to note that an overseas who has passed the pre-qualification audit is not always engaged. The suppliers engaged have received the required approvals outlined above.

We continue to seek to achieve early identification of any subcontractors or suppliers over which we have little or no visibility of their supply chains. We are discussing what steps we can take 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.

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;
- 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;
- 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 which gives us an avenue through which to assess effectiveness. Some of these meetings may also 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.

In FY25, Symal's procurement will also begin to focus its efforts on auditing selected suppliers and subcontractors, concentrating on those located in high-risk areas.

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.

An important step in our recent reporting period is that we have now rolled out our Supplier Code of Conduct across The Symal Group to all suppliers and contractors. This document communicates our modern slavery expectations to our suppliers, adds to our due diligence avenues, educates and raises awareness, and provides us with further options when we're taking action to address our own risks. It will be provided to all new suppliers going forward. 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.

In this reporting period we reviewed all contracts to ensure any unfair contract terms were removed as per the recent legislative changes. Unfair contract terms which lead to significant power imbalances between parties create fertile ground for the sort of business pressures that can lead to exploitation and modern slavery. We have also begun the process of strengthening our existing modern slavery clauses in contracts. 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. External experts have reviewed these contracts further to ensure they contain terms consistent with our approach to modern slavery. We will then seek to roll out these updated contracts as existing agreements expire and as new suppliers are onboarded. 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).

4 Consultation (MSA s16(1)(f))

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 Contractors make this Statement 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 Infrastructures and Contractors for the purpose of the MSA.

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

Joe Bartolo

Group Managing Director

Responsible Member of the Symal Group's Principal Governing Body