



Modern Slavery Statement FY23

Activ Foundation Inc. is a not-for-profit incorporated association, incorporated under the Associations Incorporation Act 2015 (WA).

This Modern Slavery Statement was approved on the 29 November 2023 by the Activ Board of Directors, in their capacity as principal governing body of "Activ Foundation Inc" & dormant subsidiary "City to Surf (WA) Foundation Limited" to meet the requirements of the Modern Slavery Act 2018 (Cth) for the reporting period 1 July 2022 to 30 June 2023 (FY23).

This statement is signed on behalf of the governing body by Marcus Stafford, in his role as Director and Board Chair of Activ Foundation Inc as at 29 November 2023

A handwritten signature in black ink, appearing to read 'Marcus Stafford', is positioned above the printed name.

Marcus Stafford
Director & Board Chair Activ Foundation Inc.
29 November 2023

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Introduction

Activ Foundation Incorporated (“Activ”) has developed this Modern Slavery Statement (“Statement”) in line with the Modern Slavery Act (2018) (Cth) (“Act”) requirements.

Activ understands the importance of its customers, employees and the broader communities in which it works and wishes to ensure that its service delivery and business practices are ethical and sustainable.

We expect our suppliers to meet legislative requirements and applicable international requirements for workers’ welfare and conditions of employment. We aim to ensure that our suppliers apply these standards within their operations and their own supply chains.

This statement outlines the actions undertaken by Activ to identify and address any Modern Slavery risks in Activ operations and/or supply chains during the reporting period 1 July 2022 to 30 June 2023.

Our Reporting Structure & Organisation

Activ is a Western Australian not-for-profit organisation who has been supporting people living with a disability since 1951.

Activ is an incorporated association (ABN 11 553 592 765), incorporated under the Associations Incorporation Act 2015 (WA).

During this statement’s reporting period Activ had one subsidiary entity known as “City to Surf (WA) Foundation Limited” (ACN 654 977 394). This subsidiary entity was dormant during FY23, with no transactions affiliated with the entity, and was officially disbanded with ASIC under section 601AA(4) of the Corporations Act 2001 on the 18 January 2023. Therefore, in reference to Part 2 Section 16(1)(f) of the Modern Slavery Act 2018, reporting on consultation of this entity is not applicable.

Activ is registered to comply with the Australian Charities and Not for Profits Commission Act 2012 (ACNC) and NDIS Quality and Safeguards Commission – Practice Standards.

Activ is a leading provider of individualised services for people living with disability in Western Australia with its purpose to offer people with disability opportunities to enjoy full participation in their community, and to empower them to pursue the life they choose.

The Activ Board of Directors is the ultimate decision-making body of Activ and is responsible for its overall governance. The Board delegates day-to-day operational management and decision-making to the Executive team. The Chief Executive Officer has responsibility for oversight of Activ’s risk and compliance obligations, including in relation to Modern Slavery reporting.

For more information about our organisation, please refer to our 2022-2023 Annual Report via our website www.activ.asn.au.

Our Policies

Activ’s Code of Conduct and Ethics (the “Code”) sets the expectations for how Activ’s people live and breathe the organisation’s values and meet its aims and responsibilities as a disability services provider.

The Code applies to everyone – staff, employees, volunteers, work experience placements, managers, Directors of Activ and contractors – and sets a clear standard of what we expect in Activ-related activities. Activ’s Code provides a practical set of requirements to help staff make decisions in their day-to-day work and outlines what is expected of, and the rights of, staff while working at Activ.

Activ has in place a suite of operational policies, of which all of them ultimately have an objective of ensuring that universally recognised human rights are safeguarded. Activ has a Modern Slavery Policy and Supplier Code of Conduct in place to further support the recognition of human rights and safeguards.

Our Operations (FY23)

Activ works across Western Australia to enable people living with disability to pursue the life they choose. We delivered services, and provided support, to people in the greater Perth Metropolitan area as well as in Albany, Geraldton, Kalgoorlie and the South West region. Activ has no operations outside of Western Australia.

At the commencement of FY23 Activ had approximately 2,200 employees/staff and supported around 1613 individuals living with intellectual disability and their families. Our strategy during FY23 was to deliver proven pathways to independence for people living with disability. To achieve this, we support people to live their own lives, set new goals and reach new milestones through services, including:

- Accommodation
- Community Support
- Employment
- Education and Training
- Behaviour Support

Activ also provided employment services to people living with disability through our commercial operations which included:

- Timber manufacturing
- Logistics and warehousing
- Property care and horticulture
- Customer Service (including administration)
- Information and Technology Support
- Cleaning Services
- Painting Services

In the latter part of FY23 Activ reduced commercial operations by exiting from Activ's large scale industrial workshops. This saw seven large scale worksites, including staff and supported employees, transferred to another provider and a reduction in Activ's supply chains and risk in relation to modern slavery practices for commercial sales and operations.

At the end of FY23 Activ were still supporting 889 customers, 298 accommodation customers, 1258 staff and 128 supported employees.

Our Suppliers / Supply Chains

To support and facilitate its operations, Activ purchases both goods and services from third party suppliers worldwide.

The goods Activ purchases include:

- Goods that are purchased to be transformed and then sold to customers, such as timber for Activ's timber manufacturing operations which is used to produce items such as pallets, crates and furniture.
- Goods that are purchased for use in providing services, including the use of plant and equipment used to provide property care and horticulture services, or consumables used in providing industrial or administration services.
- Services that are purchased by Activ include information and communication technology services, engagement of temporary personnel, transport and logistics services and professional services.
- International suppliers who principally supply information and communication technology services.

Whilst Activ purchases from suppliers who are based in Australia and overseas, its suppliers are predominately located in Australia, are Australian owned and operated, and so are deemed generally less likely to engage in practices that would constitute Modern Slavery.

Assessing and Address Modern Slavery Risks FY23

Supply Chain Scoping

The Governance & Risk Team have assessed Activ's supply chain by identifying all suppliers, their location, and the value of spend activity during FY23. Activ applied a risk-based approach to assessing the identified group of suppliers and our top 46 suppliers (who represent 69% of our annual expenditure from \$90K up to \$3.8m) were assessed for the FY23 period in relation to this Modern Slavery Statement.

A survey was requested to be completed by suppliers with a focus on the supplier's Modern Slavery reporting requirements, policies and procedures, identification and mitigation of risk, employee awareness and training, supply chain exposure, HR/IR recruitment practices and overall compliance with the Act including their reporting requirements.

Risk Assessment

A detailed review of the responses from our suppliers, or their publicly available statements was conducted. Most Australian suppliers used by Activ are specialised providers requiring highly skilled staff, who have therefore been assessed as likely to be well paid and have good working conditions. Activ has assessed these suppliers as having a lower risk of Modern Slavery practices. Of note from the review:

- 46 suppliers were selected for review;
- 21 have current modern slavery statements on the Attorney General's register;
- 15 suppliers completed Activ's Modern Slavery Survey, of which 4 also had a Statement. 11 have advised they did not need to complete a statement under the act.

Of those suppliers that have not responded to Activ's survey, or where a Modern Slavery Statement is also not available (14), Activ has endeavoured to obtain additional information on the supplier regarding Modern Slavery. No material information has been identified for these suppliers for reporting purposes.

Mitigation Steps

Of those suppliers who responded to our survey, or whose Modern Slavery statements we have reviewed, no Modern Slavery risks were identified that would warrant mitigation steps from Activ.

As a mitigation step Activ is committed to suspending any further services from a particular supplier if we identify for that supplier any specific potential risks of exposures to Modern Slavery practises.

Activ has taken several steps to manage its risk by:

- ongoing monitoring of Modern Slavery practices by the Governance and Risk and Contracts and Procurement Team;
- requesting suppliers complete an annual survey to identify any modern slavery risks;
- reviewing each Modern Slavery Statement relevant to our supply chain on the regulator's website;
- ongoing assessment of the risk of modern slavery practices within Activ's supply chain; and
- requesting all suppliers complete Activ's Supplier Code of Conduct declaration which will assist suppliers to understand the Modern Slavery practices they should apply in their own operations and supply chain and any matters they should report to Activ.

Measuring Effectiveness

Activ remains committed to better embedding Modern Slavery Awareness within our supply chains and operations.

Activ is committed, when any instances of Modern Slavery are detected in its operations or supply chain, to document and record such cases, prioritise investigation, remedy the situation and undertake corrective actions.

In FY23 Activ increased the Modern Slavery review of its suppliers to 69% of overall expenditure (compared with 66% in 2021).

Awareness and Training

To ensure organisation-wide understanding of the Modern Slavery risks within our operations and supply chains, Activ undertakes the below:

- New Starters - Orientation materials include information on the basic principles of Modern Slavery and Activ's Policy for mitigation of Modern Slavery exposure and risk. This information has been included in the "NDIS Requirements – Our Policies and Procedures" online training modules for all new staff as part of the Activ Orientation Program;
- Activ All Staff – Annual communication to all staff (new/existing) of Modern Slavery and Activ's Policy for mitigation of Modern Slavery exposure and risk; and
- Key Purchasing, Supply Management and Accounts Staff – increased awareness on the importance of adherence to the Supplier Code of Conduct and Activ's legal responsibilities to identify and report potential risks; and mitigate exposure to Modern Slavery practices.

Our Commitment

We recognise that our review and assessment of our supply chains to identify and address any modern slavery risks in our operations will be an ongoing and an evolving process that we are committed to continue to build upon.

Activ is committed to ensuring that the organisation understands its legal requirements to identify potential Modern Slavery risks and mitigate them, and as part of this, Activ will continuously:

- review and enhance any internal modern slavery specific policies in combination with existing policies;
- revise our Procurement Framework;
- assess suppliers on modern slavery practises to minimise and mitigate related risks;
- continue to embed the Activ Supplier Code of Conduct declaration with all suppliers; and
- consider any changes to Activ's tendering process and contractual requirements in its contracts with suppliers.