



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 second reporting period of 1 July 2020 to 30 June 2021.

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, 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 796 staff members, of which 93% are permanent employees, 5.3% are casual staff members and 1.7% are



contractors. Of those 796 staff members, 237 are Structures' staff and 369 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 second reporting period Infrastructure engaged with 885 tier 1 suppliers and Structures engaged with 203 tier 1 suppliers, an increase from our first 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;
- 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 over 34.07% of the total spend. These ten suppliers included suppliers of equipment/plant/machinery hire; concrete, quarry products and other construction materials; operator services; drainage and waste services; subcontracted construction services; consulting engineers and earth moving and haulage services.

The top 10 suppliers to Structures based on spend accounted for over 77.11% of the total spend. These ten suppliers included suppliers of steel fixing, concrete and formwork services; engineering and construction services; products such as the hire and purchase of concrete and formwork and labour hire.

We acknowledge that our supply chain extends past our tier 1 suppliers and will endeavour 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;
- 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 relation to the Symal Group's staff, the majority of recruitment is managed internally. We do utilise some recruitment agencies to assist with sourcing candidates for roles that are difficult to fill. We acknowledge that this can result in reduced oversight and higher risks of modern slavery and we have detailed below some of the risk management we have put in place. In our second reporting period, we dealt with a range of issues caused by the pandemic and border closures. One such issue was the limitations on access to workers and suppliers in certain areas at various times. To allow us to quickly adapt to this, we did increase our reliance on external recruitment as we needed to urgently find more labour resources, which were additional to the staff we already engaged with rather than as replacements in any form. As such, we do not believe there was any increased risk to our existing workers but acknowledge that those additional staff brought on through recruitment agencies may have been more vulnerable for the reasons detailed above as being generally relevant to the use of recruitment agencies.

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 1(FY2020) to reporting period 2(FY2021) in order to better understand our risk profile. In reporting period 2, the top 10 suppliers to Infrastructure based on spend accounted for 34.07% of the total spend, a decrease from our last reporting period in which our top 10 suppliers accounted for 50% of our spend. Infrastructures' total number of suppliers increased by 218. We are aware that our top 10 suppliers based on spend differed a reasonable amount from reporting period 1 to reporting period 2; only 3 of the top 10 suppliers in reporting period 1 remained in the top 10 suppliers in reporting period 2. Of the 7 suppliers that moved out of the top ten supplier cohort, only 1 supplied to Infrastructure in reporting period 2. This does speak to some noteworthy changes in our supply chains since the last reporting period. 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. The pandemic caused unprecedented pressures due to restrictions of movement and other logistical difficulties which in turn required increased changeability in our supply chains. 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.

In contrast, the top 10 suppliers to Structures based on spend accounted for over 77.11% of the total spend, a small increase from 70.50% in the last reporting period. Our total number of suppliers increased by 45 suppliers. Only 3 of the top 10 suppliers to Structures in reporting period 2 were *different* to those that were in the top 10 in reporting period 1. Of those 3, 2 were still suppliers to Structures in reporting period 1, but at a lower spend ranking. We consider Structure's supply chains to therefore appear more stable in nature than Infrastructure's across the prior two reporting periods, and will use this information to tailor our actions to address risk below.

As above, during our second reporting period Infrastructure engaged with 885 tier 1 suppliers and Structures engaged with 203 tier 1 suppliers. We acknowledge that our medium-sized supply base for an entity of our size is growing and therefore requires considerable and increasing resources devoted to maintaining oversight of our suppliers and our relationships with them in order to reduce the risks 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 still in the process of mapping 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 has resulted 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 starts to return to face-to-face interactions in some 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 Syamal 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 to words, 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. Our specific Modern Slavery Policy;
2. Code of Conduct Policy and Procedure;
3. Our Discrimination, Harassment and Bullying Policy and Procedure;
4. Equal Opportunity Policy;
5. Whistleblower Policy and Procedure; and
6. Modern Slavery Contract Clauses

Our Modern Slavery Policy refers specifically to the MSA and educates our staff as to what modern slavery is and that it is a growing and complex problem. It contains our commitment to operating our business lawfully and ethically and working with various stakeholders to achieve the shared goal of bringing modern slavery to an end. It



provides that we value and observe all laws regarding corporate social responsibility, environmental and workplace safety protection and employee inclusion and diversity. Our Policy provides staff with a description of our supply chains and the identification that we could have exposure through our subcontractors and suppliers. Finally, the Policy describes the various due diligence and remediation processes we will be engaging in so as to address those risks. We have sought expert assistance regarding our Modern Slavery Policy and the effectiveness of same.

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 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.

We have begun to develop and implement training for our staff on modern slavery commencing with workshops for staff that have been held in reporting period 3. These workshops were run by external experts, and were attended by internal stakeholders including senior managers and those involved with strategy and governance at The Symal Group. 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;
- there is also 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 with 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 3 will continue to build upon improvements. Such improvements will include a Supplier Code of Conduct 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 a specific modern slavery questionnaire to add to the various questionnaires and vetting processes we have in place already.

Through our contracts with suppliers, we are in the process of strengthening our existing modern slavery clauses. 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). We are looking to start requesting and reviewing our suppliers and subcontractors' modern slavery policies and will clearly communicate our expectations with them in this area, as well as conduct regular reviews to ensure the effectiveness of our actions.

As above, we have furthered the mapping our supply chain based on risks related to geographic location and category of goods/services. 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 will be responsible for the Symal Group's approach to modern slavery going forward.

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 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.

Joe Bartolo

Managing Director

Responsible Member of the Symal Group's Principal Governing Body