



Bayside Council

Serving Our Community

Modern Slavery Prevention Policy

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Modern Slavery Prevention Policy

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1 Introduction

1.1 Background

Section 438ZE of the Local Government Act 1993 prescribes that “A council must take reasonable steps to ensure that goods and services procured by and for the council are not the product of modern slavery within the meaning of the NSW Modern Slavery Act 2018”.

Bayside Council NSW is committed to ensuring:

- a its operations and supply chains do not cause, involve, or contribute to modern slavery; *and*
- b its suppliers, relevant stakeholders, and others with whom we do business respect and share our commitment regarding minimising the risk of modern slavery.

1.2 Definitions

The definitions of certain terms are:

Council

Bayside Council NSW

Modern Slavery Act

the Commonwealth legislation (the Act) enacted by the Parliament of Australia on 29 November 2018

Modern Slavery

the term modern slavery is used to describe situations where coercion, threats or deception are used to exploit victims and undermine or deprive them of their freedom.

Operations

activities undertaken by Bayside Council NSW

Reasonable steps

means those steps that are reasonable in the circumstances to prevent, identify, mitigate, and remedy modern slavery. In assessing whether steps are reasonable, the parties may refer to the NSW Anti-slavery Commissioner’s Guidance on Reasonable Steps and related information and resources published by the Anti-slavery Commissioner.

Supply Chains

the products and services (including labour) that contribute to Bayside Council NSW. This includes products and services sourced in Australia or overseas and extends beyond direct suppliers.

The Act

refers to the Local Government Act 1993

Supplier

an enterprise known to be capable of supplying required goods and/or services. It includes manufacturers, stockists, resellers, merchants, distributors, consultants and contractors.

1.3 Approach to risk identification and management

Council is committed to combating modern slavery by:

- Identifying where our modern slavery risks are in our supply chain and assessing the degree of those risks.
- Engaging with our suppliers to identify which are committed to minimising the risk of modern slavery in their own supply chains and operations. This will primarily be done by asking suppliers to complete a Modern Slavery Questionnaire.
- Including modern slavery clauses in tender documents and contracts.
- Providing adequate training for all staff to ensure they are aware of what modern slavery is, what Council's modern slavery risks are and how to raise any identified or potential concerns.
- Working with and supporting our suppliers to reduce the risk of modern slavery, where appropriate.
- Establishing a complaint process enabling staff and others to raise concerns about modern slavery.

1.4 Scope of policy

This policy applies to all persons employed by Council or on Council's behalf in any capacity. The prevention, detection, and reporting of modern slavery in any part of Council's operations or supply chain is their responsibility.

The General Manager has overall responsibility for ensuring this policy complies with Council's legal and ethical obligations, and that all those under Council's control comply with it.

The Manager Procurement has primary and day-to-day responsibility for implementing this policy and ensuring all employees are given adequate and regular training on it and the issue of modern slavery in supply chains.

2 Policy implementation

2.1 Policy responsibilities

General Manager

- Overall accountability for this policy

Director City Performance

- Oversee the compliance with the Modern Slavery Act and this policy.

Manager Procurement

- Oversee the implementation of the modern slavery due diligence, including actions taken to identify and address risks of modern slavery in Council's operations and supply chains.

- Implement Council's procurement activities consistent with this policy.
- Engage with suppliers to help build awareness of the risks of modern slavery and develop an appropriate response.
- Develop and implement procurement policies and processes that comply with this policy.
- Review the policies and processes yearly to include emerging issues and Council's response.

Council Staff

- Implement this policy as it relates to their areas of responsibilities.

2.2 Breaches

Breach in the policy by an existing or potential supplier may result in disqualification of doing business with Council. It may also result in the disqualification of the supplier from being engaged by Council to perform future procurement activities.

3 Document control

3.1 Review

This policy is to be reviewed every 4 years or when relevant legislation changes. The General Manager may approve non-significant and/or minor editorial amendments that do not change the policy substance.

3.2 Related documents

- Local Government Act NSW 1993
- Local Government (General) Regulation 2021
- NSW Government Procurement Policy Framework
- Bayside Council Procurement Policy
- Bayside Council Code of Conduct
- Bayside Council Statement of Business Ethics
- Bayside Council Procurement Guidelines
- Bayside Council Contract Management Guidelines
- Australian Government Sustainable Procurement Guide 2021.

3.3 Version history

| Version | Release Date | Author | Reason for Change |
|----------------|---------------------------|--------------------------------|--------------------------|
| 1.0 | 04/07/2024 (Executive) | Manager Procurement & Fleet | New document |