

Purpose

The policy objective is to affirm our commitment to contributing to ending all forms of modern slavery and outlines our approach to reducing the risk of modern slavery practices with our supply chains and operations.

This policy also supports the intent of international conventions, treaties and protocols relevant to combatting Modern Slavery and the Modern Slavery Act (Cth) 2018.

Scope

All HVTC Staff, Directors, Hosted Employees, Contractors and Volunteers (henceforth referred to as HVTC Associates) are covered by this policy.

Responsibilities

Human Resources is responsible for the development, implementation, and review of this policy. It is the responsibility of all HVTC Board Members, Staff and Suppliers to ensure that they adhere to this policy.

Document Owner

Manager HR & Safety

Policy

Defining Modern Slavery

Modern Slavery means conduct which would constitute:

- a) An offence under Division 270 or 271 of the Criminal Code; or
- b) An offence under either of those Divisions if the conduct took place in Australia; or
- c) Trafficking persons, as defined in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime, done at New York on 15 November 2000 ([2005] ATS 27); or
- d) The worst forms of child labour, as defined in Article 3 of the ILO Convention (No.182) concerning the Prohibition and Immediate Action for the Elimination of the Works Forms of Child Labour, done at Geneva on 17 June 1999 ([2007] ATS 38).

The Australian government has developed definitions of human trafficking, slavery and slavery-like practices.

Human Trafficking: the movement of a person into, out of, or within Australia using coercion, threats or deception for certain exploitive end purposes. These exploitive end purposes are slavery, servitude, forced labour, forced marriage and debt bondage.

Slavery: occurs when a person exercises the rights of ownership over another person. This includes the power to make the victim an object of purchase or to use their labour or services in a substantially unrestricted manner.

Servitude: occurs when the victim does not consider themselves free to cease providing their labour or services OR to leave their place or area of work because of the use of coercion, threats or deception. To be in a condition of servitude, the victim must also be significantly deprived of their personal freedom.

Forced labour: occurs when the victim does not consider themselves free to cease providing their labour or services OR to leave their place or area of work because of the use of coercion, threats or deception.

Forced marriage: occurs when the victim gets married without freely and fully consenting because they have been coerced, threatened or deceived or because they are incapable of understanding the nature and effect of a marriage ceremony.

Debt Bondage: occurs when the victim pledges their services or the services of a third person as security for a real or purported debt where this debt is: manifestly excessive; or the reasonable value of their services is applied to the debt; or the length and nature of their services are not limited or defined.

Under the Act, modern slavery broadly includes all forms of trafficking in persons, slavery and slavery-like practices and the works forms of child labour. This includes forced labour, forced marriage, child prostitution and children working hazardously, and other conduct that would be an offence under the Criminal Code Act 1995 (Cth).

HVTC's Approach to limiting the risk of Modern Slavery practices

HVTC Operations

HVTC maintains a Modern Slavery Policy (this policy) outlining our approach to reducing the risk of modern slavery practices with our supply chains and operations. The Policy provides guidance on the steps HVTC take to reduce risks and outline the range of support available for when a HVTC person becomes aware that someone is at risk of or affected by modern slavery practices.

When existing policies undergo review or new policies are developed, policy owners are required to identify existing modern slavery commitments that can be enhanced, or where modern slavery protection can be incorporated.

HVTC's supply chain includes sourcing apprentices and trainees for our clients. This may involve the introduction of external agencies for onward supply of candidates to our clients, or the direct introduction of candidates to our clients by HVTC.

As a Group Training Organisation, HVTC are not required to hold a Labour Hire Licence in NSW. HVTC Group is licensed in both QLD and ACT, as required by their state legislation. The final report of the Migrant Worker's Taskforce handed down in March 2019 identified four high risk sectors which were horticulture, meat processing, cleaning and security. HVTC only supplies limited apprentices and trainees in Horticulture and does not currently supply apprentices or trainees to the meat processing, cleaning or security industries.

HVTC Suppliers

HVTC contract third parties who provide services to assist with the everyday running of our business, such as cleaners and IT service providers as well as companies who provide office supplies and other consumables to our offices.

Acknowledging that by engaging third party organisations in the running of HVTC, there is a risk that we unwittingly contribute to modern slavery practices. HVTC require all suppliers to use their best endeavours to ensure that there is no modern slavery practices in their supply chains and operations; and that they aspire to high ethical standards where they operate in an ethical, legally compliant and professional manner. HVTC expect all existing and new suppliers to comply with all laws and regulations in the jurisdiction where the goods are sourced, procured or services are performed.

In the event Suppliers identify any occurrence of, or material risk of modern slavery in their supply chains or operations they are to take practical and effective steps to address that occurrence or risk. Suppliers must notify HVTC as soon as practicable of any occurrence of, or material risk of modern slavery they have identified and notify relevant authorities where appropriate.

Reporting Concerns of Modern Slavery

A key element of HVTC's approach to contributing positively to the ending of modern slavery practices is to enable all HVTC Associates to feel comfortable in speaking up when there are reasonable grounds to suspect that HVTC or HVTC people are not acting ethically or in accordance with laws and obligations.

Where a HVTC Associate believes in good faith and on reasonable grounds that a HVTC Associate or Supplier is not acting in compliance of this policy, suspects ethical issues or illegal activities; that Associate should report their concern to their HVTC Supervisor or Field Officer in the first instance. Where the HVTC Supervisor or Field Officer may be complicit in the breach, the report should be referred to the HR & Safety Manager. Depending on the nature of the issue, the matter may be discussed with the HVTC Chief Executive Officer.

Signed:



Sharon Smith
CEO

Approved by the Board of Directors: 4th September 2021

Due consideration has been given to legislation that may have been pertinent in the development of this policy. The relevant components have been incorporated and are again considered when conducting the policy review process