

Understand the risks of Modern Slavery in Supply Chains

Self-Assessment Questionnaire

Working together to identify and understand the risks of modern slavery, including in operations and supply chains, is a critical step toward addressing world-wide modern slavery and related practices.

MODERN SLAVERY LAWS

The introduction of the UK *Modern Slavery Act* in 2015, and more recently the Australian *Modern Slavery Act 2018* (Cth) (**Modern Slavery Laws**), require businesses to do more to address risks of modern slavery. The Modern Slavery Laws require large organisations to lodge annual statements which explain what businesses are doing to assess and address risks of modern slavery in operations and supply chains. The Modern Slavery Laws are designed to (amongst other things) increase business awareness of modern slavery risks and improve transparency across global supply chains.

In addition, the UN Guiding Principles on Business and Human Rights outline that businesses have a responsibility to respect human rights, which includes acting to prevent, mitigate and where appropriate remedy modern slavery within operations and supply chains.

PURPOSE OF THE SAQ

This self-assessment questionnaire (“**SAQ**”) is designed to:

- support the identification of modern slavery risks;
- foster collaborative efforts between suppliers and organisations to address these risks;
- improve transparency; and
- identify areas for further due diligence.

This SAQ was developed through extensive consultation between resources, mining and energy industry organisations. Addressing modern slavery risks is a business-critical issue, as not only is it the right thing to do, it will also improve the integrity and quality of business operations and supply chains.

HOW TO COMPLETE THE SAQ

Please answer all questions. Completing this SAQ honestly and transparently will allow us to work together to address identified risk factors in the supply chain.

You are encouraged to share this completed SAQ with any organisation that requests similar due diligence information. We will not share your completed response to the SAQ without your prior written consent.

Please see the frequently asked questions “FAQ” for further guidance.

| PART A – YOUR DETAILS | | | |
|---|---|---------------|--------------|
| Organisation name: | | | |
| Organisation number (ABN/ACN or foreign equivalent): | | | |
| Organisation address (headquarters): | | | |
| NOTE FOR REPRESENTATIVES COMPLETING SAQ: | | | |
| Please answer the remainder of this SAQ in relation to the site, facility or operational location that is applicable to the current or proposed goods, materials and/or services agreement you have, or may have, with us. If there are multiple locations, please speak to your procurement representative on how best to complete this SAQ. | | | |
| Contracting entity details and locations | | | |
| Contracting entity name: | | | |
| Description of goods, materials and/or services provided: | | | |
| Address of facility, site or operation location: | | | |
| Details of representative to contact for further information | | | |
| Name: | | | |
| Position in Organisation: | | | |
| Email address: | | | |
| Phone number: | | | |
| Worker Information¹ | Male | Female | Total |
| Total number of workers | | | |
| Total number of permanent workers | | | |
| Total number of seasonal or contract workers or otherwise in non-permanent employment | | | |
| Total number of workers provided through agencies, labour brokers, and/or outsourced labour companies | | | |
| Auditing History | | | |
| Provide the date and details of any responsible sourcing audits or certifications (including social, ethical or environmental) conducted, and locations they relate to. | <p><i>Please provide details of the audit, including</i></p> <ul style="list-style-type: none"> • <i>whether it was an independent or internal audit</i> • <i>the date of each audit</i> • <i>locations the audit related to</i> <p><i>If you require more space, please annex as separate document.</i></p> | | |
| Certification Schemes | | | |
| Provide the details of any responsible sourcing third-party certification schemes including SMETA, ETI or other ISO standard or other relevant inspections, including the dates of certifications. | <p><i>Please provide details and the date of certification schemes. If you require more space, please annex as separate document.</i></p> | | |

¹ Workers refers to any individual (irrespective of whether they are employed directly, indirectly, temporarily or permanently) providing the applicable goods, materials or services for or on behalf of the Contracting Entity.

PART B – MODERN SLAVERY RISK FACTOR SELF-ASSESSMENT

NOTE FOR REPRESENTATIVES COMPLETING SAQ:

Please answer every question and describe reasons for your answer, together with referencing any relevant additional information. You can attach supplementary annexures as appropriate. If you need assistance or clarification, please contact your procurement representative.

| General Modern Slavery Response | Yes | No | |
|---|--------------------------|--------------------------|-------------------------|
| 1. Does your organisation have policies and processes to identify, investigate and remedy the risk and any instances of modern slavery within your organisation? | <input type="checkbox"/> | <input type="checkbox"/> | <i>Please describe.</i> |
| 2. Do you provide training to your employees on modern slavery risk? | <input type="checkbox"/> | <input type="checkbox"/> | |
| Supply Chain Management | Yes | No | |
| 3. Does your organisation conduct due diligence for modern slavery risks on your suppliers? | <input type="checkbox"/> | <input type="checkbox"/> | <i>Please describe.</i> |
| 4. Does your organisation require your suppliers to conduct due diligence for modern slavery risks on their suppliers? | <input type="checkbox"/> | <input type="checkbox"/> | |
| 5. What action does your organisation take if modern slavery practices are suspected? | <i>Please describe.</i> | | |
| Worst Forms of Child Labour | Yes | No | |
| 6. Does your organisation comply with the United Nations ILO Conventions ² that prohibit the worst forms of child labour, hazardous child labour and minimum age for work? | <input type="checkbox"/> | <input type="checkbox"/> | |
| 7. Does your organisation undertake checks to ensure child labour is not being used within your organisation or by your suppliers? | <input type="checkbox"/> | <input type="checkbox"/> | <i>Please describe.</i> |
| Forced Labour, Bonded Labour, Human Trafficking | Yes | No | |
| 8. Does your organisation have a policy or process that prohibits modern slavery including all forms of forced labour, bonded labour and human trafficking in its operations and in those of its suppliers? | <input type="checkbox"/> | <input type="checkbox"/> | <i>Please describe.</i> |
| 9. Are any original identity related documents of workers (e.g. passports, birth certificates, national identity cards) retained? | <input type="checkbox"/> | <input type="checkbox"/> | |
| 10. Are workers required to lodge any 'security deposits' (this could include financial or personal property) or pay any recruitment fees? | <input type="checkbox"/> | <input type="checkbox"/> | |
| 11. Does your organisation deduct wages, impose monetary fines, and/or withhold pay or pay entitlements of workers? This includes fines for misconduct and poor production. | <input type="checkbox"/> | <input type="checkbox"/> | |

² International Labour Organization Convention No. 138, 182 and 190. "Child Labour" is defined as work that deprives children of their childhood, their potential and their dignity and that harms their physical and mental development. Child is defined as anyone under 18 years. The convention sets the minimum age for admission to work at 15 years (13 years for light work), and for hazardous work 18 years. For further information, please visit <https://www.ilo.org/ipec/facts/lang--en/index.htm>.

| Employment Conditions | Yes | No | |
|--|--------------------------|--------------------------|-------------------------|
| 12. Are all workers provided with a written contract in a language they understand, where terms of employment including wage rates and hours of work are clear? | <input type="checkbox"/> | <input type="checkbox"/> | |
| 13. Where accommodation is provided to workers (for example, dormitories, hostels or other forms of shared accommodation), are regular checks conducted to ensure that the living conditions are adequate and meet legal requirements (for example, fire safety, space, temperature, lighting, sanitary facilities, privacy, ventilation). | <input type="checkbox"/> | <input type="checkbox"/> | <i>Please describe.</i> |
| 14. Where accommodation is provided, are workers free to leave at will? | <input type="checkbox"/> | <input type="checkbox"/> | |
| 15. Are workers free to lawfully resign their employment without restriction or penalty? | <input type="checkbox"/> | <input type="checkbox"/> | |
| 16. Are workers paid their legal pay entitlements, on time and provided with pay slips clearly showing how wages have been calculated and details of any deductions? | <input type="checkbox"/> | <input type="checkbox"/> | |
| Grievance and Redress Mechanisms | Yes | No | |
| 17. Do workers have mechanisms to anonymously raise concerns related to labour conditions or workplace grievances and access appropriate remedy? | <input type="checkbox"/> | <input type="checkbox"/> | |
| 18. If yes, please describe how these mechanisms are monitored and remedy is provided? | <i>Please describe.</i> | | |

PART C – Declaration by person submitting SAQ

NOTE:

This SAQ is required to be signed by a duly authorised representative of the organisation. It is preferable that this be a senior level employee, such as director, general manager or executive. If you are aware of any changes to the answers provided in this SAQ after the date of signing, please promptly notify your procurement representative.

I declare that:

- *I am duly authorised to make representations on behalf of the organisation*
- *The information provided here is true, complete and correct.*

Signature of Authorised person

Name of Authorised person

Position of Authorised person

Date

Thank you for completing this questionnaire. For any queries, please contact your procurement representative.

Frequently Asked Questions: Industry SAQ

1. What is Modern Slavery?

Modern slavery refers to situations where one person has taken away another person's freedom, so they can be exploited. Please refer to the Walk Free Foundation's short information guide for further information: <https://cdn.minderoo.com.au/content/uploads/2019/08/15105028/20190815-understanding-modern-slavery-p.pdf>

2. Why are you focusing on Modern Slavery?

There are an estimated 40 million victims of modern slavery globally. Civil society estimates that modern slavery affects every country, region, business and for many businesses – their supply chains. The introduction of the UK Modern Slavery Act (2015) and the Australian Modern Slavery Act 2018 (Cth) require that businesses do more to address risks of modern slavery within their own organisations and supply chains. These laws are intended to increase business awareness and improve transparency of modern slavery risks across domestic and international supply chains.

3. What is the SAQ?

SAQ means "Self-Assessment Questionnaire". The SAQ is designed to assist suppliers to identify types of modern slavery related risk, collaborate with customers to address these risks, improve transparency across shared supply chains and identify areas for further due diligence. The SAQ has been split into two sections with Part A focusing on supplier's details and Part B on the risk assessment. All questions must be completed.

4. Is the SAQ available in any other languages?

Yes, the SAQ has been translated into Chinese, Spanish and Portuguese. Please contact your customer procurement representative if you require a non-English version.

5. Why has the industry taken a collaborative approach to co-design a SAQ?

Recognising the industry has shared supply chains, we designed a common SAQ to promote efficiency and reduce the reporting burden for suppliers who will likely receive requests from their customers on modern slavery. By agreeing a common SAQ, it is anticipated this will reduce any duplication of efforts, minimise the cost of compliance and provide clarity to suppliers by using consistent terminology.

6. Why are all suppliers not being asked to complete the SAQ at the same time?

The implementation approach will be determined on a case by case basis with consideration of factors such as the size of the supplier base and supplier risk profile. The initial phased rollout may result in selected suppliers being requested to complete the questionnaire at different times.

7. How long will this SAQ take?

We expect for most suppliers, it will take 10 to 15 minutes to complete, as many questions require a simple "yes/no" response, and only selected questions require detailed descriptions. It may take longer for suppliers completing the SAQ for the first time.

8. Can I annex additional documents?

Yes. We expect you will need additional space to respond to certain questions, so please do annex supporting documents with your completed SAQ as required.

9. Does this collaborative approach contradict any competitions laws?

No. The SAQ has been designed in a collaborative manner between the participating companies in consideration of applicable domestic and international competition laws.

10. Will the industry share the completed SAQ amongst the participating companies?

A completed SAQ will not be shared amongst the participating companies without your prior written consent. However, you are encouraged to share the completed SAQ with any participating

organisation that requests similar due diligence information.

11. Can any company use this SAQ?

Yes. This SAQ has been designed to be used and shared by any company across any industry. We encourage any company to use this template SAQ to identify modern slavery risks within your own supply chain. As this is a newly issued SAQ and being piloted, there may be changes to the document when it is reviewed in mid 2020. If you have feedback or improvement suggestions, please communicate these to your procurement representative.

12. How often would I have to complete the SAQ?

Suppliers should regularly review the SAQ and make updates if there are changes in your business. The SAQ's review period will be at the discretion of the requesting customer. If you are aware of any changes to your answers, please promptly notify your procurement representative.

13. Can I fail the SAQ?

The SAQ is not designed to "pass or fail" suppliers. Rather, the purpose of the SAQ is to identify modern slavery risks within your and your supplier's supply chains as well as to identify any remediation efforts to address these issues in a sustainable manner.

14. What will happen after I complete the SAQ?

Please speak to your procurement representative, who can provide you with details of next steps after you complete the SAQ. The next steps will vary from company to company.

15. Which companies designed this SAQ?

The following companies contributed to the development of this SAQ through a collaborative working group designed to address modern slavery risks in businesses and their supply chains:

- Anglo American
- CITIC Pacific Mining
- Fortescue Metals Group
- Gold Fields
- INPEX
- Iluka Resources
- South 32
- Synergy
- Western Power
- ATCO

If you have any other questions, please speak to your procurement representative.

UNDERSTANDING MODERN SLAVERY



WHAT IS MODERN SLAVERY?

“Modern slavery refers to situations where one person has taken away another person’s freedom – their freedom to control their body, their freedom to choose to refuse certain work or to stop working – so that they can be exploited. Freedom is taken away by threats, violence, coercion, abuse of power and deception. The net result is that a person cannot refuse or leave the situation.”

Modern slavery is an umbrella term and includes:

- human trafficking
- slavery and slavery-like offences
- servitude
- forced labour
- debt bondage
- worst forms of child labour
- deceptive recruiting for labour or services
- forced marriage

Please see page 2 for definitions of modern slavery

Modern slavery affects every country, region, business and for many businesses – their supply chains.

Walk Free’s Global Slavery Index 2018 estimates 40.3 million people live in modern slavery globally.

24.9 million victims work in forced labour and one in four victims are children.

For further information visit,
www.minderoo.com.au/walk-free



Photo credit: John Salvino

DEFINITIONS OF MODERN SLAVERY

Human Trafficking:

The recruitment, harbouring and movement of a person for exploitation through modern slavery.

Slavery:

Situations where the offender exercises powers of ownership over the victim, including the power to make a person an object of purchase and use their labour in an unrestricted way.

Servitude:

Situations where the victim's personal freedom is significantly restricted and they are not free to stop working or leave their place of work.

Forced Labour:

Situations where the victim is either not free to stop working or not free to leave their place of work

Debt Bondage:

Situations where the victim's services are pledged as security for a debt and the debt is manifestly excessive or the victim's services are not applied to liquidate the debt, or the length and nature of the services are not limited and defined.

Worst forms of child labour:

Situations where children are:

- exploited through slavery or similar practices, including for sexual exploitation
- engaged in hazardous work which may harm their health, safety or morals
- used to produce or traffic drugs

Deceptive recruiting for labour services:

Situations where the victim is deceived about whether they will be exploited through a type of modern slavery.

Forced Marriage:

Situations where coercion, threats or deception are used to make a victim marry or where the victim does not understand or is incapable of understanding the nature and effect of the marriage ceremony.

LEARN MORE: WHERE DOES MODERN SLAVERY FIT?

Modern slavery happens at the most extreme end of a spectrum that ranges from decent work to serious criminal exploitation.

