



Modern Slavery Act

A guide to compliance

Introduction

Modern slavery is a form of organised crime in which victims are treated as commodities and exploited for criminal gain. The victims of modern slavery come from all walks of life and can be found all over the globe. They are often unwilling to come forward to law enforcement or public protection agencies, which means it has become increasingly important for commercial organisations to take a proactive role to ensure that slavery and human trafficking is not taking place within their businesses or any related supply chains.

In the UK Modern Slavery Act 2015, the government solidified this need by introducing an important new provision focused on transparency. The provision will require commercial organisations to publish an annual slavery and human trafficking statement beginning in 2016. The statement must include a report of the steps taken during the past financial year to ensure that these human rights violations are not taking place in any part of a business or its supply chains.

“We must take a strong and collective stand to stop the callous and brutal individuals who are prepared to abuse men, women and children for their own personal gain... By increasing supply chain accountability, more workers will be protected and consumers will have greater confidence in the goods and services they buy. That is why the transparency in supply chains provision is world leading and will bring about the change that is so vitally needed.”

– Theresa May, Home Secretary

This free guide from VinciWorks will help your organisation comply with the new law and draft a slavery and human trafficking statement.



*Young boys working in hillside quarry outside Lima, Peru
Photo credit: Alejandro Balaguer, UNICEF*

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*Front cover: Forced child labor is common in the fishing industry of Lake Volta, Ghana
Photo credit: Nancy Borowick*

Preparing your statement

Important concepts

1. What is modern slavery and human trafficking?

“*Modern slavery*” is a term used to describe the following forms of exploitation:

Slavery – where one person treats another as though he owns that person

Servitude – where a person is coerced to provide services and cannot change his/her condition

Forced labour – where a person is forced to work or provide a service under the menace of a penalty

“Human trafficking” occurs when a person arranges or facilitates the travel of another person with the knowledge or intention of that person being exploited. Exploitation can include slavery, servitude, forced labour, removal of organs and the prostitution of others, along with a host of other grave violations of human rights.

“Domestic forced labour” is a form of exploitation that happens around the world in private homes. The pay is often very low and may be frequently withheld or given only in food and accommodation. In some cases, employers have been known to withhold passports, limit contact with family or even forbid domestic workers from leaving the private home.

2. Where are the requirements in the legislation?

The requirement to prepare a slavery and human trafficking statement is legislated in the Modern Slavery Act 2015, which came into force on 29 October 2015. The Act is designed to tackle slavery in the UK by strengthening law enforcement measures and ensuring that victims receive enhanced protection and support. Some of the Act's provisions include:

- Increasing the maximum sentence for the most serious offenders from 14 years to life
- Introducing two new civil orders to enable the courts to place restrictions on perpetrators (even before conviction)
- Adding mechanisms for seizing traffickers' assets

Importantly, Section 54 on “Transparency in supply chains” states that “a commercial organisation

must prepare a slavery and human trafficking statement for each financial year”. By requiring corporations to publicly document the measures they are taking to combat slavery in their supply chains, the Act seeks to extend its influence beyond the borders of the UK and combat slavery around the world. (See Appendix for full text of [Section 54](#).)

3. How does the Act define “commercial organisation”?

- Do you supply goods or services?
- Are you a body corporate or partnership which carries on a business or part of a business in the UK?
- Do you have an annual total turnover of [£36 million](#) or more?

If you answered yes to each of these questions, then your organisation will need to prepare a slavery and human trafficking statement.

For organisations that operate under a franchise model, turnover is determined separately (not inclusively) for the franchiser and the franchisee. Therefore, if either one does not meet the £36 million threshold, they will not be legally required to produce a statement. However, franchisers and franchisees are invested in the brand as a whole and it will be in everyone's best interest to ensure the franchise is free from modern slavery.

The Home Office considered other thresholds such as £60 million – in line with California's \$100m threshold. It ultimately settled on £36m (partially due to the fact that £36m is the threshold for determining large companies under the Companies Act 2006) in order to provide consistency with other UK legislation.

4. When do you have to publish the statement?

- If your organisation's financial year ended on or before 30 March 2016, the requirement is waived.
- If your organisation's financial year ended on or after 31 March 2016, it must publish an annual slavery and human trafficking statement.

Government guidance recommends publishing the statement within 6 months of the financial year-end. It may make sense to publish the statement together with other annual or non-financial reports. (See Appendix for a [Suggested timeline](#).)

5. Where do you need to publish the statement?

The slavery and human trafficking statement is meant to be easily accessible.

- **Organisation with a website** – Publish the statement on the organisation’s website. A link to the statement should be visible on the home page or as part of a drop-down menu on that page. The link should be clearly marked so that the contents are apparent, for example by labelling it ‘Our Slavery and Human Trafficking Statement’.
- **Organisation with multiple websites and complex organisational structures** – Consider which website is most relevant to the organisation’s UK operations and whether it is appropriate to include the statement on more than one of its websites.
- **Organisation without a website** – Provide a slavery and human trafficking statement to anyone who makes a written request for one within 30 days.

6. Who needs to sign the statement?

Given the serious nature of the subject, it is important that senior management support and promote the organisation’s slavery and human trafficking policies. Therefore to ensure accountability, the slavery and human trafficking statement must be signed and approved as follows:

- **in a body corporate** – approved by the board of directors (or equivalent management body) and signed by a director (or equivalent)
- **in a limited liability partnership** – approved by the members and signed by a designated member
- **in a limited partnership registered under the Limited Partnerships Act 1907** – signed by a general partner
- **in any other kind of partnership** – signed by a partner

Foreign entities

Each parent and subsidiary organisation that meets the requirements must produce a statement (whether it is UK-based or not).

- 1 Where a foreign company is carrying on a business or part of a business in the UK, it will be required to produce a statement.
- 2 If a foreign subsidiary is part of the parent company’s supply chain or business, the parent company’s statement should cover any actions taken in relation to that subsidiary to prevent modern slavery.
- 3 If a parent company is seen to be ignoring the behaviour of its non-UK subsidiaries, this may reflect badly on the parent company. So, the best thing to do is cover the non-UK subsidiaries in the parent company statement.



*Children earn less than \$1 a day collecting rubbish in Phnom Penh, Cambodia
Photo credit: Franck Charton, UNICEF*

Transparency requirement

Before getting into the details of how to prepare a slavery and human trafficking statement, it's worth mentioning that the key here is [transparency](#).

The aim of section 54 in the Act is to create an environment where it is clear to the public whether or not a business is acting responsibly with regard to the issue of slavery and human trafficking.

With that in mind, the government has not been prescriptive about what exactly needs to go into a slavery and human trafficking statement. Instead, the Act simply states that it must include:

- the steps taken during the financial year to ensure that slavery and human trafficking is not taking place in any of its supply chains and in any part of its own business; or
- a statement that the organisation has taken no such steps.

As you can see, your organisation will discharge its legal reporting requirement so long as it submits a statement, even if the statement is that it has not taken any steps against slavery and human trafficking. However, such transparency will not look good and that is one of the goals of the provision! **The measure is designed to ensure that the public, consumers, employees and investors know which businesses are acting responsibly and which need to take action to drive up their ethical standards.**

Organisations that do not comply with section 54 of the Act can be subject to an injunction from the High Court requiring their compliance. Failure to comply with an injunction would result in contempt of a court order and is punishable by an unlimited fine.

What to include

Now that you have a deeper understanding of what modern slavery is and how the Act is trying to combat it by enlisting the help of large businesses to take accountability (both in their respective organisations and in their supply chains), let's take a look at what information an actual statement might include about an organisation:

1 Structure, business and supply chains

Certain basic information about a business will give some context for determining how slavery and human trafficking might impact it. In your statement, try to provide information about the:

- business model and corporate structure
- sectors which are relevant to the business
- geographies where the organisation operates and where its supply chain is engaged
- magnitude and complexity of supply chains
- relationships with suppliers, workers, unions and NGOs

2 Slavery and human trafficking policies

Policies will set the tone of how your organisation plans to address the problem of slavery and human trafficking. You may have a standalone slavery policy or your organisation can adapt existing policies to incorporate modern slavery and human trafficking issues. The statement should detail the salient features of such policies and how they are reviewed, updated and communicated to the organisation.

Each organisation's policy will be tailored to its unique profile but it may cover topics such as:

- its process for contracting with suppliers
- the labour standards it expects throughout its organisation/supply chain
- how its production model avoids undue pressure on suppliers to employ exploitative methods
- its whistle-blowing and response policies to incidences of slavery and human trafficking

3 Due diligence procedures

Properly conducted due diligence can expose instances of slavery and human trafficking which might otherwise go unnoticed or be deliberately concealed by suppliers. Therefore, your report should include details on:

- what due diligence exercises were undertaken
- how they related to the various layers of your organisation/supply chain

- which parties were involved/consulted

If you work for a vast or complex organisation, you will need to hone in on specific risks. Monitoring and investigating the entire network will monopolise resources and most likely yield fewer results than a **considered, targeted strategy tailored to address explicit risks and relationships** in your organisation.

4 Identifying, assessing and managing risk

The better you understand your business and the circumstances in which it operates the better you will be able to identify the risks of slavery and human trafficking. This includes a wide range of different types of exploitation and it is important to differentiate between them and understand what increases the risk of their occurrence so that you can appropriately prioritise their investigation and remediation.

Risk assessment and management should be delegated to the right people with the right level of responsibility and oversight. The slavery and human trafficking statement can cover who in the organisation has been assigned responsibility for specific slavery and human trafficking risks or for the assessment and management of slavery and human trafficking risks generally. The statement can also set out the objectives and strategies developed to manage specific risks identified.

Dealing with risks in your own organisation or supply chain is great, but sharing those risks with trusted partners is even better (e.g. representative bodies, industry associations or working groups). You can detail any information-sharing exercises or joint initiatives in your slavery and human trafficking statement to exhibit the adoption of a broader ethical duty.

5 Key performance indicators

Key performance indicators (KPIs) can have good and bad results. Consider whether the KPIs which form part of your organisation's or clients' business model contribute to the likelihood of slavery and human trafficking (e.g. low cost production or quick turnaround).

Your organisation may also introduce [new KPIs](#).....

Some useful KPIs include:

- Number of staff trained on modern slavery issues
- Number of slavery reports received
- Number of supplier audits

to track the effectiveness of slavery and human trafficking steps taken. These can be indexed in various ways such as by chronology, geography, supplier, product or specific issue. These are particularly helpful in demonstrating your progress over the last year.

6 Staff training

The statement should detail the training about slavery and human trafficking that is available to employees. Training staff to recognise and respond to indicators of human rights abuses is one of the most effective ways to combat modern slavery. A successful training programme will:

- promote a company-wide sense of responsibility to prevent modern slavery in both the business and its supply chain
- provide examples of red flags for the relevant industry/industries
- explain the organisation's reporting procedures for suspected cases of modern slavery

Practical checklist

Does your slavery and human trafficking statement comply with the expectations set out in the Act?

- ✓ Does it relate to the relevant reporting period?
- ✓ Has it been signed off by the appropriate people in your organisation?
- ✓ Is it published on your website with a prominent link on the homepage?
- ✓ Does it address the different industries, geographies and/or markets in which your organisation and supply chains operate?
- ✓ Does it discuss your organisation's plans and initiatives to address risk issues with practical short and long term objectives?

Try to use simple and concise language so that the document is easy to understand.

Sample statement

Ashram Threads is one of the largest fashion retailers in Europe, incorporating the luxury Dane and Aash brands. We are serious about our brand because it's part of our identity and so is our commitment to corporate social responsibility. We believe transparency is the best way we can ensure the public that we are doing our best as an ethical corporate citizen. In that spirit, we have published here our annual statement of slavery and human trafficking, made in compliance with section 54 of the Modern Slavery Act 2015, in which we explain how slavery and human trafficking can affect our business and the steps we are taking in the fight against it. This slavery and human trafficking statement also addresses the steps taken by our subsidiary companies, Dane S.A. and Aash GmbH and this statement is intended to fulfil the legal requirement for a slavery and human trafficking statement on behalf of all companies within the Ashram Threads group, as relevant. Our efforts against slavery and human trafficking complement our broader *CSR Policy* and our adoption of the *Ethical Trading Initiative*.

1
Structure, business and supply chains

Ashram Threads S.A. is headquartered in Madrid, Spain and sells its products throughout Europe, including the United Kingdom. Our product range makes use of the highest quality cotton, wool and leather, which for the most part is sourced from India, China and Italy respectively. This allows us to focus our oversight and influence over three discrete geographic regions. We have over 1,000 employees within our organisation in addition to approximately 4,500 workers who are engaged through our supply chain. Where possible, we engage suppliers who have relationships with existing suppliers so that we can contain our supplier network and improve consistency in ethical practices throughout the supply chain. For a more detailed breakdown of our supply chain composition, please see the *Supply Chain* section of our *Annual Report*.

Building on our existing *CSR Policy* and our commitment to the *Ethical Trading Initiative*, we have embraced the requirement to publish an annual slavery and human trafficking statement. This will allow us to share our efforts against

4
Identifying, assessing and managing risk

slavery and human trafficking and improve and measure our success each financial year. This past financial year ending 31 March 2016, we took the following key steps to ensure slavery and human trafficking did not occur within our organisation or supply chain.

2
Slavery and human trafficking policies

1. Developing policy

Notably, we developed our *Slavery and Human Trafficking Policy*, which can be found within our *CSR Policy* and also updated our *Supplier Code of Conduct*. It sets out clear objectives for 1, 3 and 5 year slavery and human trafficking plans around the following themes:

- **Relationships:** Strengthening our supplier engagement process
- **Feedback:** Establishing grievance mechanisms and channels for individual worker feedback
- **Knowledge:** Improving our knowledge base by collecting relevant data and improving product traceability
- **Third party engagement:** Building strategic alliances with independent social auditors, unions and NGOs
- **Measurable change:** Developing verifiable KPIs to measure progress
- **Supplier collaboration:** Encouraging suppliers to collaborate to address slavery and human trafficking issues
- **Incentivisation:** Developing mechanisms to incentivise employees and suppliers to address slavery and human trafficking and improve labour standards
- **Accountability:** Establishing a framework for organisation accountability to allow for raising issues, making suggestions, voicing grievances and reporting slavery and human trafficking

3
Due diligence procedures

5
Key performance indicators

2. Identifying and addressing risks

We set out to identify the extent of any slavery and human trafficking in our supply chains by:

- conducting 30 internal spot-checks at factories in China and India
- engaging third party auditors to conduct social audits at 5 supplier sites
- interviewing 200 workers to discuss their conditions and their rights
- collaborating with 2 of our suppliers to develop an improvement plan to address new and previously identified slavery and human trafficking issues
- instituting an annual review questionnaire for existing suppliers to understand suppliers' self-assessment of slavery and human trafficking issues, allowing us to better identify slavery and human trafficking issues as they develop over time and to collect supplier-provided data to track improvement in suppliers' attitudes

We discovered slavery and human trafficking to be most prevalent in the parts of our supply chain involved in cotton production in India. Reducing the incidence of slavery and human trafficking on our suppliers' cotton farms will be our focus point for the next financial year.

3. Training

6
Staff training

A key part of our slavery and human trafficking strategy is to promote cultural change through training. This last financial year we:

- delivered online training modules to 625 Ashram employees
- distributed more than 2,000 brochures on slavery and human trafficking and workers' rights to various supplier sites
- ran 2 training seminars for our suppliers' factory managers at our offices in Madrid
- started development of a dedicated Ashram training and resources webpage which individual workers in the Ashram supply chain will be able to access to learn about modern slavery and human trafficking, understand their rights and anonymously report any slavery and human trafficking issues in their workplace

Modern slavery facts



\$150

billion is generated from the forced labour industry each year



20.9

million people are victims of modern slavery worldwide



56%

of forced labour takes place in Asia and the Pacific region



55%

of all victims of forced labour are women and girls



22%

of the victims are subject to sexual exploitation



Mining for gold in Burkina Faso
Photo credit: Matjaz Krivic

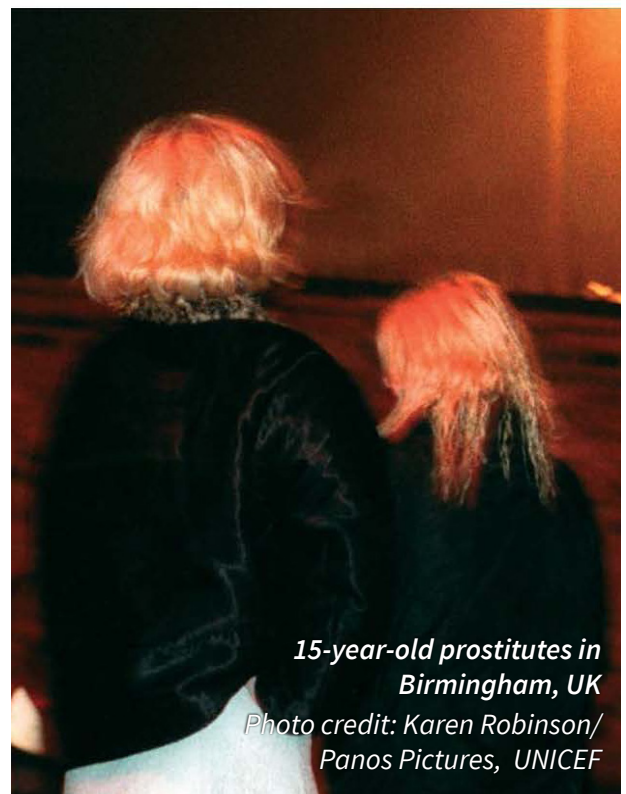
Addressing your supply chain

Questions to consider

Every organisation will have its own unique circumstances and you will need to tailor your approach to dealing with issues of slavery and human trafficking accordingly. In this section, we have included 10 questions to get you thinking about prevention.

- 1 In which industry/industries do you operate?** In industries where large numbers of workers are used, such as mining or manufacturing, modern slavery issues may be more prevalent.
- 2 In which country/countries do you operate?** The risk of modern slavery varies across different countries. Countries with limited labour and human rights protections are more likely to have slavery and human trafficking problems.
- 3 Can you trace every stage of the production process for your goods?** Knowing who and what is involved at every stage in your supply chain is critical to addressing any exploitation.
- 4 What is the composition of your work force?** Certain groups are more vulnerable to exploitation than others, such as migrants, women, children, minorities and illiterate workers.
- 5 What do you know about how the workers in your supply chain are paid?** Forms of modern slavery such as forced or bonded labour are often related to how workers are paid – i.e. whether they receive enough to pay for their needs and have the freedom of choice to leave their employment, whether they are paid regularly as part of a formal payment system and whether they understand the terms of their employment.
- 6 What do you know about how the workers in your supply chain are recruited?** Recruitment agents play a key role in modern slavery and human trafficking. Workers are often offered promising jobs that turn out to be exploitative, so it is important to ensure only reputable recruitment agencies are used.

- 7 What does your policy state?** Be sure that your policy has clear objectives and an appropriate framework so that your organisation and its employees have a central point of reference.
- 8 How does your business factor legal and fair labour costs into production and sourcing costs to avoid the need for cheaper labour in the supply chain?** It is important for you to understand the pressures and needs of your suppliers and conduct business with them accordingly.
- 9 Who in your organisation is responsible for slavery and human trafficking?** Ensure there are clear lines of accountability within your organisation and that your organisation's employees know how to raise issues.
- 10 What KPIs have you set to track your progress?** Measuring your progress is a key element to addressing exploitation and improving transparency in your supply chain. Be sure to include KPIs in your annual slavery and human trafficking statement.



15-year-old prostitutes in Birmingham, UK

*Photo credit: Karen Robinson/
Panos Pictures, UNICEF*

Red flags

Know how to recognise the signs of slavery and human trafficking when you see them!

Restricted movement

Often victims of modern slavery will be kept against their will in environments with security measures in place to prevent escape. These workers are sometimes literally held prisoner.

Overtime

Sometimes workers will need to work overtime just to make minimum wage. Often they are asked to work unreasonable hours with little or no breaks and can risk losing their jobs or facing other punishments if they refuse.

Recruitment fees/loans

When the fee paid or loan taken by the worker cannot reasonably be paid off in time based on wages received. This is common amongst migrant workers who will often pay large fees to an agent for a job in another country. This is often compounded by employers making deductions from wages for basic living expenses charged at exorbitant prices.

This commonly leads to situations of bonded labour, where workers are forced to stay in the same job to repay a debt.

Documents

Where employers take possession of workers' documents and the workers do not have free access to them. When employers have possession of documents such as passports and visas, they may be effectively keeping those workers against their will. Without these documents, workers will often feel powerless to leave their place of work and will often have no way of knowing or improving their residency/work entitlements.

Payment

Where workers are not paid as part of a formal and documented system. Payments are often made at the discretion of the employer, cash in hand, without any detail of rates, hours worked, taxes and other deductions.

Subcontracted work

Where workers are sub-contracted throughout the supply chain. This may happen without the knowledge of your organisation and may occur



Some fishermen are forced to work 19-hour days in Lake Volta, Ghana

Photo credit: Nancy Borowick

at various levels in the supply chain. When subcontracting occurs, there is an increased risk of poor regulation and worker exploitation.

Prison labour

Prison labour can be used for commercial purposes under improper conditions. The prisoners may have been recruited against their will and can often be subject to unacceptable work conditions.

No complaints procedure

Exploited workers are typically unable to improve their situation because there is no one in their organisation who cares. The absence of a complaints procedure may suggest a work environment with unacceptable working conditions.

Living conditions

In certain situations, workers may live together on site or in accommodation provided by the employer. Poor living conditions, which can often

be unsanitary or unsafe, will often indicate whether the workers are victims of modern slavery.

Union infrastructure

When workers do not have access to union representation, they are less able to express their grievances and protect their rights. Without unions, workers are also unable to form a collective front to improve their situation. The presence and effectiveness of unions will vary greatly from country to country and industry to industry.

Emotional indicators

Victims of modern slavery will often exhibit signs of anxiety and fear. They may be prevented by their employers from speaking to third parties without someone present. Victims may not even know where they are or how much time has passed since they arrived.



*Seven days a week, from morning to night this nine-year-old girl works at a brick-making factory in India
Photo credit: Kay Chernush, U.S. State Department*

Collaboration and action plan

Work together with suppliers to address the issue of modern slavery in a supportive and collaborative way by:

- **Communicating policies:** Make your policies available to suppliers and try to support their efforts as much as possible.
- **Instituting performance management:** Cutting off suppliers should not be your first option. Develop a system where it is clear to suppliers where they are failing and what they can do to improve.
- **Providing incentives for compliance with policies:** Be clever about your strategy and think of ways to incentivise different stakeholders to deal with slavery and human trafficking. Reward suppliers for their initiative and for their compliance. Develop a positive cultural framework where complying with ethical standards and resolving slavery and human trafficking issues is recognised and rewarded.

Your organisation can also join forces with industry bodies, unions and NGOs to strengthen your influence and address the issues.

Now that you know what questions to ask and how to identify the red flags of modern slavery, you can begin putting an action plan in place. Use the following four steps to identify high risk suppliers and enhance your due diligence as needed.

1. Supplier mapping

Compile a list of your suppliers, what they supply, where they are located and their main industry/operations. The following regions are known to have a higher rate of modern slavery:

- **Africa:** Nigeria
- **Asia:** China, Thailand and Vietnam
- **Europe:** Albania, Hungary, Latvia, Poland, Slovakia, Romania and the United Kingdom

2. Supplier survey

Draft a questionnaire for suppliers that will give you a clearer understanding of how they operate. Make sure it answers the following questions:

- How do they recruit their employees?
- How are employees compensated?
- What are the stages included along the production process for the goods they supply?

3. Supplier review

Consider the survey answers. Do they raise any red flags that may require action?

4. Putting policy, terms and conditions in place

Review or update your supplier terms and conditions to reflect protocols that prevent modern slavery conditions. Request that your suppliers accept the terms. If this poses a challenge for them, consider collaborating with them to put better practices in place. Consider enlisting the aid of an organisation which focuses on best practice for this region or industry. Collaboration is fundamental to help tackle this large task!

Appendix

Section 54 of the Modern Slavery Act 2015

- (1)** A commercial organisation within subsection (2) must prepare a slavery and human trafficking statement for each financial year of the organisation.
- (2)** A commercial organisation is within this subsection if it—
 - (a)** supplies goods or services, and
 - (b)** has a total turnover of not less than an amount prescribed by regulations made by the Secretary of State.
- (3)** For the purposes of subsection (2)(b), an organisation's total turnover is to be determined in accordance with regulations made by the Secretary of State.
- (4)** A slavery and human trafficking statement for a financial year is—
 - (a)** a statement of the steps the organisation has taken during the financial year to ensure that slavery and human trafficking is not taking place—
 - (i)** in any of its supply chains, and
 - (ii)** in any part of its own business, or
 - (b)** a statement that the organisation has taken no such steps.
- (5)** An organisation's slavery and human trafficking statement may include information about—
 - (a)** the organisation's structure, its business and its supply chains;
 - (b)** its policies in relation to slavery and human trafficking;
 - (c)** its due diligence processes in relation to slavery and human trafficking in its business and supply chains;
 - (d)** the parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk;
 - (e)** its effectiveness in ensuring that slavery and human trafficking is not taking place in its business or supply chains, measured against such performance indicators as it considers appropriate;
- (f)** the training about slavery and human trafficking available to its staff.
- (6)** A slavery and human trafficking statement—
 - (a)** if the organisation is a body corporate other than a limited liability partnership, must be approved by the board of directors (or equivalent management body) and signed by a director (or equivalent);
 - (b)** if the organisation is a limited liability partnership, must be approved by the members and signed by a designated member;
 - (c)** if the organisation is a limited partnership registered under the Limited Partnerships Act 1907, must be signed by a general partner;
 - (d)** if the organisation is any other kind of partnership, must be signed by a partner.
- (7)** If the organisation has a website, it must—
 - (a)** publish the slavery and human trafficking statement on that website, and
 - (b)** include a link to the slavery and human trafficking statement in a prominent place on that website's homepage.
- (8)** If the organisation does not have a website, it must provide a copy of the slavery and human trafficking statement to anyone who makes a written request for one, and must do so before the end of the period of 30 days beginning with the day on which the request is received.
- (9)** The Secretary of State—
 - (a)** may issue guidance about the duties imposed on commercial organisations by this section;
 - (b)** must publish any such guidance in a way the Secretary of State considers appropriate.
- (10)** The guidance may in particular include further provision about the kind of information which may be included in a slavery and human trafficking statement.
- (11)** The duties imposed on commercial

organisations by this section are enforceable by the Secretary of State bringing civil proceedings in the High Court for an injunction or, in Scotland, for specific performance of a statutory duty under section 45 of the Court of Session Act 1988.

(12) For the purposes of this section—

“commercial organisation” means—

- (a)** a body corporate (wherever incorporated) which carries on a business, or part of a business, in any part of the United Kingdom, or
- (b)** a partnership (wherever formed) which carries on a business, or part of a business, in any part of the United Kingdom, and for this purpose “business” includes a trade or profession;

“partnership” means—

- (a)** a partnership within the Partnership Act 1890,
- (b)** a limited partnership registered under the Limited Partnerships Act 1907, or
- (c)** a firm, or an entity of a similar character, formed under the law of a country outside the United Kingdom;

“slavery and human trafficking” means—

- (a)** conduct which constitutes an offence under any of the following—
 - (i)** section 1, 2 or 4 of this Act,
 - (ii)** section 1, 2 or 4 of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (c. 2 (N.I.)) (equivalent offences in Northern Ireland),
 - (iii)** section 22 of the Criminal Justice (Scotland) Act 2003 (asp 7) (traffic in prostitution etc),
 - (iv)** section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (trafficking for exploitation),
 - (v)** section 47 of the Criminal Justice and Licensing (Scotland) Act 2010 (asp 13) (slavery, servitude and forced or compulsory labour), or

- (b)** conduct which would constitute an offence in a part of the United Kingdom under any of those provisions if the conduct took place in that part of the United Kingdom.

Suggested timeline

The government guidance recommends that a company's slavery and human trafficking statement should be published prominently on its website within six months of the end of its financial year. Here is a practical checklist with the steps you need to take to ensure your statement is published on time.

Twelve months prior to publication

- Develop measurable KPIs for your anti-slavery programme
- Review and update company's supply chain risk assessment
- Review and update due diligence measures

Six months prior to publication

- Review paid invoices and create a list of suppliers
- Write supplier review questionnaire
- Prioritise which suppliers must submit answers to the questionnaires based on their significance to your core business
- Send out supplier review questionnaires
- Conduct spot checks and audits with high-risk suppliers

Four months prior to publication

- Review and update internal slavery policy
- Ensure that all staff including recent joiners have affirmed the policy
- Review relevant training options and enrol appropriate staff
- Collate KPI data and compare to previous year

Three months prior to publication

- Write first draft of statement
- **Ensure that the draft statement covers all six criteria recommended by the Act:**
 1. Structure, business and supply chains
 2. Slavery and human trafficking policies

3. Due diligence procedures
4. Identifying, assessing and managing risk
5. Key performance indicators
6. Staff training

Two months prior to publication

- Send to board of directors for review and comment
- Determine who will need to approve the statement
- Determine which director will sign the statement

One month prior to publication

- Finish second draft
- Send to board of directors for approval
- Send to designated director to sign

Two weeks prior to publication

- Identify person responsible for updating the company website and notify them
- Find a prominent place on the homepage to link the statement
- Inform marketing department and draft press release

The day of publication

- Conduct final proofread and spell-check
- Confirm the statement is signed by director or equivalent
- Confirm the statement covers all six criteria recommended by the Act
- Publish on website and homepage
- Distribute press release

Further resources

Home Office Guidance for Businesses: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/471996/Transparency_in_Supply_Chains_etc__A_practical_guide__final_.pdf

The OECD Guidelines for Multinational Enterprises: <http://mneguidelines.oecd.org/text/>

Walk Free Business Guide: <https://business.walkfree.org>

Verite, 2011 'Fair Trade Hiring Kit': www.verite.org/helpwanted/toolkit

U.S. State Department 2015 Trafficking in Persons Report: <http://www.state.gov/documents/organization/245365.pdf>

Ethical Trading Initiative: <http://www.ethicaltrade.org/>

ILO Combating Forced Labour Handbook: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_101171.pdf

Forced Labour Commodity Atlas: <http://www.verite.org/Commodities>

Ethical Trading Initiative publication, 'Identifying, managing, mitigating and preventing forced labour and modern slavery': <http://www.ethicaltrade.org/resources/Identifying-managing-mitigating-and-preventing-forced-labour-and-modern-slavery>

KnowTheChain: <https://www.knowthechain.org/>

Transparency online

Here are some examples of companies who are doing excellent work in publishing transparent and detailed information on their corporate social responsibility initiatives:

• **Intel:** <http://www.intel.com/content/www/us/en/policy/policy-human-trafficking-and-slavery.html>

• **Ford:** <http://www.ford.co.uk/experience-ford/SlaveryStatement>

If you suspect that modern slavery or human trafficking is happening near you, call the Modern Slavery Helpline on 0800 0121 700 or complete the Modern Slavery Helpline Form here: <https://modernslavery.co.uk/contact.html>



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