Complementary Medicines Australia (CMA) has developed this questionnaire in consultation with member companies. The Commonwealth *Modern Slavery Act 2018* established Australia’s national Modern Slavery reporting requirements in legislation. Under the reporting requirements, businesses and other entities in the Australian market with annual consolidated revenue of at least AUD$100 million must publish an annual Modern Slavery Statement describing their actions to assess and address modern slavery risks. This process is intended to assist the Australian business community to identify and address their modern slavery risks and maintain responsible and transparent 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.

This questionnaire will be reviewed after 12 months of use and amended as required based on industry input.

**Purpose of the Modern Slavery Questionnaire**
This questionnaire is designed to:

* enable businesses to assess and address modern slavery risks as required under the Australian *Modern Slavery Act (Cth) 2018.*
* support the identification of modern slavery risks;
* foster collaborative efforts to address these risks;
* improve transparency; and
* identify areas for further due diligence.

# How to complete the Modern Slavery Questionnaire

Please answer all questions honestly and transparently providing as much detail as possible.
This will enable businesses using the questionnaire to work with you to address identified risk factors in the supply chain.

This questionnaire is considered ‘commercial in confidence’ once completed and will not be shared without your prior written consent.

Refer to the Definitions and References section for additional information and guidance.

This questionnaire should be updated when any information changes or every three years.

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| **1.0 YOUR DETAILS** |
| 1.1 Organisation name: |   |
| Organisation number (ABN/ACN or foreign equivalent): |  |
| Organisation address (headquarters): |  |
| **Please answer the remainder of this questionnaire in relation to the facility that is applicable to the current or proposed goods and/or services you provide or may provide.** |
| **1.2 Organisation details and locations**  |  |
| Organisation: |  |
| Description of goods, materials and/or services provided: |  |
| Address of facility, site or operation location: |  |
| Describe your organisation structure, operations and supply chain: |  |
| 1.3 Details of representative to contact for further information |
| Name: |  |
| Position in Organisation: |  |
| Email address: |  |
| Phone number: |  |
| **1.4 Worker Information** | **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: |  |  |  |

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| **1.5 Auditing History** |  |
| Provide the date and details of any responsible sourcing audits (including social, ethical or environmental) conducted, and locations they relate to.Please provide details of any audits by completing the table below, including:* whether it was an independent or internal audit
* the date of each audit
* the locations the audit related to

If you require additional space, please annex as separate document.

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| --- | --- | --- | --- |
| **Type of Audit** | **Site** | **Internal or External** | **Date** |
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| **1.6 Certification Schemes** |  |
| Is any part of your organisation subject to, or operate in conformance with, a third-party fair labour code of conduct or certification? | *Please provide details, including what proportion of organisation business this covers.*  |
| Provide the details of any responsible sourcing third-party certification schemes including SMETA, SA8000, ETI or other ISO standard or other relevant inspections, including the dates of certifications.Please provide details and the date of any certification schemes by completing the table below. Please provide a copy of the certification documents, if applicable.If you require additional space, please annex as separate document.

|  |  |  |  |
| --- | --- | --- | --- |
| **Certification** | **Certification Number** | **Scope of Certification** | **Date of Certification** |
| Ethical Trading Initiative (ETI) |  |  |  |
| Social Accountability International SA8000 |  |  |  |
| Sedex Members Ethical Trade Audit (SMETA) |  |  |  |
| International Standards Organisation (ISO) |  |  |  |
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| **1.7 Reporting Compliance** |  |
| Is your organisation required to publicly disclose information on its efforts to address modern slavery practices under the Australian *Modern Slavery Act* *(Cth) 2018* or any other Modern Slavery/Human Rights laws such as the UK *Modern Slavery Act 2015*? | *Please provide details and any published reports.* |

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| **2.0 MODERN SLAVERY RISK** |
| **Please answer every question and include any additional relevant information**  |
| **General Modern Slavery Response** | **Yes** | **No** |  |
| 2.1 Does your organisation have policies and processes to identify, investigate and remedy the risk and any instances of modern slavery within your organisation? | ☐ | ☐ | *If so, please describe and provide a copy of that policy.* |
| 2.2 Do you provide training to your workers on modern slavery risk? | ☐ | ☐ | *If you answered YES, please describe how would you evaluate its effectiveness.* |
| 2.3 Has your organisation been convicted for breaching any human rights regulations, including in relation to modern slavery and/or labour standards, or had any notice served upon it, by any regulator or authority (including local authorities)? | ☐ | ☐ | *If you answered YES, please provide details of any remedial action or changes you have made as a result of the conviction or notices served.* |
| **Supply Chain Management** | **Yes** | **No** |  |
| 2.4 Does your organisation conduct due diligence for modern slavery risks on your suppliers? | ☐ | ☐ | *Please describe.* |
| 2.5 Does your organisation require your suppliers to conduct due diligence for modern slavery risks on their suppliers? | ☐ | ☐ |  |
| 2.6 What action does your organisation take if modern slavery practices are suspected? | *Please describe.* |
| 2.7 Which areas of your operations and supply chains present the highest human rights risks, including in relation to modern slavery and labour standards? | *Please describe.* |
| 2.8 Describe the risks of modern slavery practices in the operations and supply chains of your organisation and any entities your organisation owns or controls. | *Please describe.* |
| **Child Labour** | **Yes** | **No** |  |
| 2.9 Does your organisation comply with the United Nations ILO Conventions that prohibit the worst forms of child labour, hazardous child labour and minimum age for work? | ☐ | ☐ |  |
| 2.10 Does your organisation undertake checks to ensure child labour is not being used within your organisation or by your suppliers? | ☐ | ☐ | *Please describe.* |
| 2.11 What is the age of your organisation's youngest worker?    |  |  |  |
| **Forced Labour, Bonded Labour, Human Trafficking** | **Yes** | **No** |  |
| 2.12 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? | ☐ | ☐ | *Please describe.* |
| 2.13 Are any original identity related documents of workers (e.g. passports, birth certificates, national identity cards) retained? | ☐ | ☐ |  |
| 2.14 Are workers required to lodge any ‘security deposits’ (this could include financial or personal property) or pay any recruitment fees? | ☐ | ☐ |  |
| 2.15 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. | ☐ | ☐ |  |
| 2.16 Please provide details of the approach your organisation has taken or will take to address its human rights risks noted above?  | *Please describe.* |
| **Employment Conditions** | **Yes** | **No** |  |
| 2.17 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? | ☐ | ☐ |  |
| 2.18 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). | ☐ | ☐ | *Please describe.* |
| 2.19 Where accommodation is provided, are workers free to leave at will? | ☐ | ☐ |  |
| 2.20 Are workers free to lawfully resign their employment without restriction or penalty? | ☐ | ☐ |  |
| 2.21 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? | ☐ | ☐ |  |
| 2.22 Does your organisation have a published policy that defines the maximum number of hours and consecutive days that may be worked by a worker during any 7-day period? | *Please describe.* |

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| **Grievance and Redress Mechanisms** | **Yes** | **No** |  |
| 2.23 Do workers have mechanisms to anonymously raise concerns related to labour conditions or workplace grievances and access appropriate remedy? | ☐ | ☐ |  |
| 2.24 If yes, please describe how these mechanisms are monitored and remedy is provided? | *Please describe.* |
| 2.25 Describe the actions taken by your organisation and any entities that your organisation owns or controls to assess and address human rights risk, including due diligence and remediation processes. | *Please describe.* |
| 2.26 Describe how your organisation assesses the effectiveness of actions being taken to assess and address modern slavery risks. | *Please describe.* |

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| **3.0 Declaration** |
| **This Questionnaire is required to be signed by a duly authorised representative of the organisation. A duly authorised representative is a senior level employee, such as director, general manager or executive.**  |
| *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  |

**4.0 DEFINITIONS**

# Child Labour: Child labour, in accordance with the definition used by the International Labour Organisation,

# is work that deprives children of their childhood, their potential and their dignity, and that is

# harmful to physical and mental development. It refers to work that:

# is mentally, physically, socially or morally dangerous and harmful to children; and/or

# interferes with their schooling by:

# depriving them of the opportunity to attend school;

# obliging them to leave school prematurely; or

# requiring them to attempt to combine school attendance with excessively long and

#  heavy work.

# A child is defined as a person below the age of 18. 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>

# Child labour has three categories:

# 1. The unconditional worst forms of child labour, which are internationally defined as slavery,

# trafficking, debt bondage and other forms of forced labour, forced recruitment of children

# for use in armed conflict, prostitution or pornography, and illicit activities.

# 2. Labour performed by a child who is under the minimum age specified for that kind

# of work (as defined by national legislation, in accordance with accepted international

# standards), and that is this likely to impede the child’s education and full development.

# 3. Labour that jeopardises the physical, mental or moral well-being of a child, either because

# of its nature or because of its nature or because of the conditions in which it is carried out,

# known as “hazardous work”.

#

# 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>

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.

Deceptive recruiting for labour services:

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

Due diligence:
Due diligence describes the process organisations take to identify, prevent, mitigate and account for how they address their impacts on slavery and human trafficking.

Forced Labour:

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

Forced Marriage:

Situations were 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.

# Modern Slavery: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. The Australian *Modern Slavery Act 2018* (the Act) defines modern slavery as including eight types of serious exploitation: trafficking in persons; slavery; servitude; forced marriage; forced labour; debt bondage; deceptive recruiting for labour or services; and the worst forms of child labour.

Organisation:

Organisation is a person or group that has its own functions with responsibilities, authorities and relationships to achieve its objectives. The concept of organisation includes, but is not limited to, sole-trader, company, corporation, firm, enterprise, authority, partnership, association, charity or institution, or part or combination thereof, whether incorporated or not, public or private.

Policy:
A policy refers to documented guidelines or rules of conduct within an organisation. Human rights-related policies generally fall into two categories: stand-alone statements and policies that are integrated within an organisation’s wider standards literature (eg. Worker codes of conduct and ethical sourcing standards).

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.

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.

Supplier:
A supplier is defined as an organisation or person that provides a product or service used in your supply chain. The supplier can have a direct or indirect relationship with your organisation.

Supply chain:
A supply chain is defined as a sequence of activities or parties that provides products or services to the organisation.

Trafficking in persons:

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

Worker:
A person who performs work, including seasonal, contract and other temporary labour. Both employees and independent contractors are considered workers.

**5.0 REFERENCES**

Addressing Modern Slavery in Government Supply Chains <https://modernslaveryregister.gov.au/resources/MSA_-_Toolkit.pdf>

Australian Government Department of Home Affairs Modern Slavery <https://www.homeaffairs.gov.au/criminal-justice/Pages/modern-slavery.aspx>

Commonwealth Modern Slavery Act 2018 Guidance for Reporting Entities [www.homeaffairs.gov.au/criminal-justice/files/modern-slavery-reporting-entities.pdf](http://www.homeaffairs.gov.au/criminal-justice/files/modern-slavery-reporting-entities.pdf)

Global Slavery Index [www.globalslaveryindex.org](http://www.globalslaveryindex.org)

OECD Due Diligence Guidance for Responsible Business Conduct [www.oecd.org/investment/due-diligence-guidance-for-responsible-business-conduct.htm](http://www.oecd.org/investment/due-diligence-guidance-for-responsible-business-conduct.htm)

United Nations Guiding Principles for Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework <https://www.unglobalcompact.org/library/2>

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| **Document Revision History** |
| **Date** | **Version** | **Changes** |
| XX November 2020 | 1 | First issue.  |