



Global Compact
Network Australia

Modern Slavery Community of Practice

8 DECENT WORK AND
ECONOMIC GROWTH



17 PARTNERSHIPS
FOR THE GOALS



Terms of Reference

2024 - 2026

1. Introduction

A Community of Practice is a group of practitioners with a common sense of purpose who agree to work together to solve problems, share knowledge, cultivate best practice and foster innovation. Communities of Practice are characterised by the willing participation of members, and their ongoing engagement and dedication to developing the practice area.

The purpose of the UNGCNA Modern Slavery Community of Practice (MSCoP) is to create a platform to allow UNGCNA participants to build common capacity to identify, assess and address modern slavery, report under Australia's Modern Slavery transparency legislation and to respond to global developments.

These are the official Terms of Reference for UNGCNA's Modern Slavery Community of Practice.

2. Purpose of the MSCoP

The purpose of the MSCoP is:

- to connect UNGCNA participants and enable sharing, learning and discussion on the opportunities and challenges facing Australian business relating to identifying, managing and communicating on modern slavery risks;
- to identify and share leading modern slavery interventions to enable participants and other Australian organisations improve their modern slavery risk management program, in line with the principle of continuous improvement;¹ and
- to support participants in engaging with and responding to potential regulatory change related to modern slavery and human rights due diligence.

3. Benefits of the MSCoP

The MSCoP offers a 'safe space' for UNGCNA participants to discuss any challenges or obstacles they are experiencing in addressing modern slavery issues and the related legislative agenda, in a small, private forum.

Participants will be able to connect with and learn from others in the MSCoP regarding:

¹ The Australian Government expects reporting entities to take a 'continuous improvement' approach to compliance. This means that reporting entities' statements should improve in quality and demonstrate progress over time as the business community increases its understanding of modern slavery. Source: Australian Border Force (ABF) Commonwealth Modern Slavery Act 2018, Guidance for Reporting Entities, 31.

- their response to the reporting requirements in Australia’s Modern Slavery transparency regime;
- engagement with potentially affected rightsholders, broader stakeholder groups and their representative bodies; and
- assessment of the modern slavery and human rights risks posed to those rightsholders and other stakeholders.

The MSCoP will also seek to:

- engage with and advise the Australian Government, relevant Commissioners and other stakeholders on matters relating to business implications of and/or views on modern slavery related matters, and on cross-cutting issues of interest to the MSCoP;
- facilitate dialogue with other stakeholder groups, such as international organisations, civil society and others as appropriate; and
- provide the opportunity for peer review of responses to legislative requirements, if deemed useful by the group.

4. Workstreams of the MSCoP

To ensure that presentation topics, programming, and discussion remains targeted and relevant for all attendees, UNGCNA has introduced three separate workstreams of the MSCoP. Participants are welcome to self-select which stream best suits their business’ maturity and needs. These streams include:

	Optimising Stream	Implementing Stream	SME Stream
Description	<ul style="list-style-type: none"> • This stream will benefit participants that have implemented a robust modern slavery risk management framework within the business. 	<ul style="list-style-type: none"> • This stream will benefit participants that are in the earlier stages of developing their modern slavery risk management response, or have yet to consistently embed the framework within broader business processes. 	<ul style="list-style-type: none"> • This stream will benefit participants that are not required to report under Australia’s Modern Slavery transparency regime but are interested in developing a modern slavery risk management response, tailored to an SME business.
Programming	<ul style="list-style-type: none"> • Programming will typically feature a deep dive on specific issues, such as engaging with rightsholders, continuous improvement, reporting high risk due diligence findings to Federal authorities, collective Government engagement and responding to regulatory change. 	<ul style="list-style-type: none"> • Programming will typically feature a higher level look at relevant issues, such as the development of training material and communicating about modern slavery issues with broader business stakeholders. 	<ul style="list-style-type: none"> • Programming will expand on the concepts explored in our recent SME focused publication, Modern Slavery Risk Management – A playbook for Australian SMEs.

5. Membership

Membership in the MSCoP will be open to business participants of the UNGCNA that are either required, or are preparing, to report under the Australia’s Modern Slavery transparency regime, or are required to comply with State-based modern slavery legislation, as per the following guidelines:

- the company meets, or is preparing to meet the definition of reporting entity under the Australian Modern Slavery Act, or is required to comply with relevant State-based modern slavery legislation;
- to ensure continuous learning and continuity within the MSCoP, participants must **nominate one representative per organisation**. Membership is non-transferable without consultation with UNGCNA. This representative:
 - must have oversight of the modern slavery risk management processes within the business, such as;

- an understanding of how the business identifies and monitors its modern slavery risks;
- relevant supplier and rightsholder engagement;
- the future direction of the business on managing modern slavery and human rights risks; and
 - should be responsible for preparing the company's Modern Slavery Statement;
 - must not be acting in a client-facing capacity; and
- the company and representative has committed availability for the meeting schedule.

The nominated representative is responsible for disseminating information and learnings from the MSCoP to their colleagues.

Membership in the MSCoP lasts for two years. Business representatives that miss two or more meetings per year will be moved onto a waiting list. Once registration of participating companies has been completed for the year, the UNGCNA will open a waiting list and log interested parties.

Any member of the UNGCNA that is interested in joining the MSCoP and meets the criteria outlined, is encouraged to express formal interest by emailing secretariat@unglobalcompact.org.au inserting [EOI: Modern Slavery CoP] in the subject heading at any time.

A list of members of the MSCoP (individual and organisation) will be made public on the UNGCNA website.

6. Terms of membership for consultants, professional services and law firms

Membership for consultants, professional services and law firms in the MSCoP is permitted, subject to the following conditions:

- the representative must not be acting in a client-facing capacity;
- the representative must be the person in the firm is responsible for preparing the firm's own Modern Slavery Statement;
- the representative agrees that they or their associates will not use or leverage their attendance at MSCoP to solicit business from other MSCoP members for their firm; and
- if the previous condition is breached, UNGCNA may, at their sole discretion, remove the firm from the MSCoP.

Individuals representing consultants, professional services or law firms must not solicit work during the course of engagement through the MSCoP. Any information acquired during the MSCoP meetings must not be used in the context of sales, marketing or other commercial purposes unless permission has been sought and agreed by the UNGCNA, or relevant company representative.

7. Expectations of MSCoP members

Community of Practice members might be expected to:

- share details on how their organisation approaches identifying, assessing, monitoring and mitigating modern slavery risks within its operations and supply chain;
- participate in the discussion and contribute solutions to identified challenges;
- consider contributing to submissions or participating in other forms of engagement related to regulatory change;
- be open to potential collaborations with fellow members of the MSCoP, the MSCoP program, or the UNGCNA.

The meetings will happen under the Chatham House Rule. UNGCNA may capture the sessions for internal record keeping purposes, however discussion points will not be attributed to any individual.

Participating companies in the MSCoP are expected not to share or disseminate information acquired during the sessions with anyone outside of their company unless permission has been sought and agreed by the UNGCNA, or relevant company representative.

MSCoP participants are not entitled to speak, act or represent on behalf of the MSCoP outside of meetings, unless permission has been sought and agreed by the UNGCNA.

8. Costs

Membership in the Modern Slavery Community of Practice is free of charge to UNGCNA participants.

From time to time, UNGCNA may, at its sole discretion, enter into a partnership with a participant(s), Government department or other organisation with the purpose of supporting UNGCNA to convene the MSCoP, such as through the provision of domestic travel, catering and the use of hosting facilities.

UNGCNA will inform all MSCoP participants of any such arrangement in advance of the session to allow participants to appropriately assess any implications for their own engagement.

9. Meeting Modalities

- Each meeting will consist of an interactive engagement of at least two hours in duration.
- Agendas and any pre-read will be issued to participants at least 5 business days prior to the meetings to allow for review and preparation.
- Dates of meetings and attendance invitations to be set in the first quarter of each year.

For 2024, meetings will take place both virtually and in-person. Hosting locations will shift from Sydney, Melbourne, Perth and Brisbane. If you are interested in hosting a Modern Slavery Community of Practice session, please contact our Manager, Human Rights at secretariat@unglobalcompact.org.au.

Updates and outputs will be shared by the UNGCNA with our broader membership via the UNGCNA Bulletin and modern slavery webpage on our website: <https://unglobalcompact.org.au/business-human-rights/modern-slavery/>.

10. Complaints

Complaints regarding any aspect of the Modern Slavery Community of Practice should be conveyed in writing and emailed to: Chris Caskey, Manager, Human Rights, UN Global Compact Network Australia: (Chris.Caskey@unglobalcompact.org.au).

11. Participant Acknowledgement

By signing the below, _____ (participant representative name) agrees to the Modern Slavery Community of Practice Terms of Reference 2024 - 2026.

Signature: _____ Date: _____