



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QToN No. 3

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mrs Elizabeth Kikkert MLA (Chair), Mr Michael Pettersson MLA (Deputy Chair),
Mr Andrew Braddock MLA

Inquiry into the Modern Slavery Legislation Amendment Bill 2023

ANSWER TO QUESTION TAKEN ON NOTICE

DUE: Friday 23 June 2023

Asked by Mrs Kikkert on 15 June: Deputy Under Treasurer, Budget, Procurement and Finance, Treasury, Mr Campbell took on notice the following question(s):

[Ref: Hansard Uncorrected Proof Transcript [16/06/23] [PAGES 34-35]]

In relation to:

THE CHAIR: So, is there a way that you can promote or raise awareness of modern slavery in here the ACT? Like, one of the functions of the Commissioner in New South Wales is actually raise awareness within the community. And I think maybe that it is probably why he has received a few phone complaints of—not complaints, he did not say it was complaints. But he had said that survivors of modern slavery.

What is your department doing in regards with raising awareness of this issue?

Mr Campbell: So, I mean, again if I go back to the sort of frameworks that we have about ensuring fair and safe treatment of workers, ethical treatment of workers. I think the government will be in a position, when we consider the findings of this inquiry will report in the consideration of the bill, to think about whether there are additional measures beyond some of the broader measures that are in place to specifically target modern slavery.

It may well be using a lot of the messaging that it is already being prepared at the commonwealth level. There is a lot of material already in existence that we could quite easily leverage as part of our—either an update to a guide that we issue, release publicly, or in other forums. I mean, the issues, the risks, the supply chains, they are not unique to the ACT engaging with them. So there is a lot of material that we could actually potentially promulgate and more effectively through websites and other fora.

Ms Mirzabegian: If I might add also, in terms of procurement, we do have a Procurement Committee of Practice, which comprises procurement officers across the territory. So we are about 300 members at the moment. These are people on the ground who do procurements. And we do have regular communication with them. So, we do have meetings every other month. And in the months that we do not have meetings, we do have a publication called, Procurement Matters, that we use to raise various issues. So, for example, our next issue is going to tackle conflict of interest.

Depending on what is topical, what is going on, at that point in time we can adapt our publications and communications to our committee of practice to cater for those different things.

We also have two kinds of materials sitting under the framework that Mr Campbell was referring to. We have better practice guides and fact sheets. So, the fact sheets on procurement are just factually stating and explaining to the procurement officer, and of course our suppliers as well, what a particular process is, and the better practice guides set up that sort of better practice way of doing procurement, and they can be on any topic. They are available on our public website at the moment on Procurement ACT.

Mr Campbell: I would also potentially like to take on notice if we can provide you with more information more broadly, because we are presenting a set of issues largely around procurement as the main lens, but obviously there are other parts of the bureaucracy in the justice and community safety portfolio—or directorate, rather—where we can actually see if there is additional material that is already being used and whether that itself can be leveraged as well. It would be something that the government will obviously need to consider as part of its response to the bill, but there are other directorates where we could actually potentially come back to you if there is anything further to add.

THE CHAIR: That would be great. Thank you.

CHRIS STEEL MLA: The answer to the Member's question is as follows:

The ACT Government has an existing role in raising awareness of issues that would represent a contravention of human rights under the ACT *Human Rights Act 2004*. The Justice and Community Safety (JACS) Directorate has responsibility for the ACT *Human Rights Act 2004* which provides statutory protection of human rights in the ACT. Section 26 of the *Human Rights Act 2004* prescribes the rights to freedom from forced work, including slavery and servitude. Further information relating to Section 26 of the Act can be found on the [JACS website](#).

JACS is also currently progressing legislative amendments to establish a new, accessible pathway for community members to raise complaints about breaches of human rights by public authorities. The establishment of this new complaints pathway is part of the ACT Government's commitment to continuing to strengthen our culture of human rights across government and the broader community.

In addition to the provision of guidance material supporting the *Human Rights Act 2004*, the ACT Government has implemented the *Government Procurement (Charter of Procurement Values) Direction 2020* to establish the ACT Government's commitment to creating fair and safe conditions for workers and ensuring that all ACT Government Procurement is transparent and ethical. The [Procurement Values Guide](#) provides Buyers and Suppliers with practical guidance on how to apply the values including planning support and guidance including ways to identify supply chains that actively eliminate modern slavery.

The Secure Local Jobs Code was introduced in 2019 and requires businesses in the construction, cleaning, security or traffic management industries, and for services or works over \$200,000 to meet specific standards on:

- pay and employment conditions
- insurance, tax and superannuation
- health and safety, including training and inductions
- collective bargaining, freedom of association and representation rights.

A range of guidance and supporting material on Secure Local Jobs is available on the [Procurement ACT website](#). This is in addition to educational and outreach programs that are provided internally to Government Buyers.

The Ethical Treatment of Workers Evaluation is a requirement of the ACT Government that ensures suppliers align their behaviour and business practices with the Fair and Safe Conditions for Workers Procurement Value. Templates and guidance on the requirements associated with the Ethical Treatment of Workers Evaluation process is available on the [Procurement ACT website](#).

To raise awareness on how ACT Government Buyers can address and abate modern slavery in ACT Government Procurement, Procurement ACT has developed the draft Guide to Addressing Modern Slavery in Public Sector Procurement (the Guide). The Guide provides practical guidance and tools to assess the risks of modern slavery in individual procurements and apply a range of supports including through the statements of requirements, evaluation of tender responses through to contractual clauses and contract key performance indicators. The Guide also leverages training courses that have been developed by the Commonwealth designed to raise awareness of modern slavery, high-risk categories and increase the capability of buyers in addressing modern slavery through procurement.

The Guide has been tested within the central procurement workforce within Procurement ACT and is now being tested more broadly across the ACT Public Service, with a view to going live in July 2023. Awareness of the Guide will be managed through Whole of Government Messages as well as through the Procurement Community of Practice. Guidance on key policy issues and objectives are provided regularly through the *Procurement Matters* Newsletter which is provided to our procurement workforce on a bi-monthly basis.

Approved for circulation to the Standing Committee on Public Accounts

Signature:



Date:

27/6/23

By Chris Steel MLA, Special Minister of State