

Anti-Modern Slavery Policy

VicTrack Corporate Policy

Quick reference guide to this Anti-Modern Slavery policy

<i>What is Modern Slavery?</i>	The term 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. See section 5 of this Anti-Modern Slavery Policy for more information on Modern Slavery.
<i>How do I report Modern Slavery?</i>	Employees, Third-Parties and the public can report any instance of Modern Slavery within VicTrack or its supply chain to VicTrack's Group Manager Legal. See section 10 for more information.
<i>How will VicTrack remediate instances of Modern Slavery?</i>	Any discovery of Modern Slavery will be taken seriously by VicTrack. VicTrack will work with suppliers to identify processes to remediate Modern Slavery. VicTrack will follow the processes set out in section 11 .

1 Rationale

- 1.1 VicTrack believes that all workers deserve to be treated with dignity and respect. VicTrack is committed to operating responsibly and establishing and adhering to the highest ethical standards. In particular, VicTrack is committed to ensuring that any form of Modern Slavery is not taking place in its business or supply chains through implementing and enforcing effective systems and controls to identify and address risks of Modern Slavery. VicTrack also expects its Third-Parties to provide a fair and ethical workplace by upholding high standards of human rights and addressing risks of Modern Slavery.
- 1.2 VicTrack understands that Modern Slavery can be hidden in plain sight and manifest itself in a number of forms (including slavery, servitude, debt bondage, child labour, and deceptive recruitment practices), and is a multifaceted, complex issue. VicTrack understands that it will be able to respond more effectively to Modern Slavery risks and situations by carrying out regular risk assessments, and understanding and keeping abreast of local operating conditions by engaging with key stakeholders who understand the local operating context, such as non-profit non-governmental organisations (**NGOs**), other civil society groups and workers and their representatives.

2 Purpose of this Anti-Modern Slavery Policy

The purpose of this Anti-Modern Slavery Policy is to ensure that VicTrack acts with the highest standards to prevent, mitigate and, where appropriate, remedy Modern Slavery within the supply chain of VicTrack and its Third-Parties.

3 Definitions

Term	Meaning
Anti-Slavery Policy Anti-Modern Slavery Policy or Policy	This Anti-Modern Slavery Policy, as amended from time to time.
Executive General Manager	A VicTrack employee holding the position of Executive General Manager.
Modern Slavery	Has the meaning given to it in section 5 .
Modern Slavery Act	<i>Modern Slavery Act 2018</i> (Cth).
Group Manager	A VicTrack employee holding the position of Group Manager.
Group Manager Legal	The Group Manager Legal of VicTrack.
Third-Parties	VicTrack's business partners, service providers, suppliers and entities directly linked to VicTrack's business operations, products and services.

Term	Meaning
Third-Party Worker	Any person working in any capacity for any Third-Party.
VicTrack	Victorian Rail Track (trading as VicTrack) ABN 55 047 316 805 and its controlled entities: <ul style="list-style-type: none"> • Rolling Stock Holdings (Victoria) Pty Limited • Rolling Stock (Victoria-VL) Pty Limited • Rolling Stock (VL-1) Pty Limited • Rolling Stock (VL-2) Pty Limited • Rolling Stock (VL-3) Pty Limited
VicTrack Employee	All workplace participants at VicTrack including all directors, employees, contractors, consultants and any individuals or groups undertaking activity for or on behalf of VicTrack.

4 Application

4.1 This Anti-Modern Slavery Policy applies to all VicTrack Employees.

4.2 In addition:

- (a) VicTrack will (and will ensure that all VicTrack Employees) adhere to the principles of this Anti-Modern Slavery Policy and incorporate this policy into policies within VicTrack; and
- (b) VicTrack will engage with Third-Parties who promote and support anti-slavery practices throughout its supply chain and the supply chains of those Third Parties.

5 What is Modern Slavery?

5.1 The term 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.

5.2 For the purposes of this Anti-Modern Slavery Policy, Modern Slavery has the same meaning as in the *Modern Slavery Act*. This includes eight types of serious exploitation:

- (a) trafficking in persons;
- (b) slavery;
- (c) servitude;
- (d) forced marriage;
- (e) forced labour;
- (f) debt bondage;
- (g) deceptive recruiting for labour or services; and
- (h) the worst forms of child labour¹.

6 Policy statement

6.1 In upholding its commitment to eradicating Modern Slavery, VicTrack is committed to:

- (a) upholding the four fundamental principles of the International Labour Organisation Declaration on Fundamental Principles and Rights at Work being:
 - (i) freedom of association and the effective recognition of the right to collective bargaining;
 - (ii) the elimination of all forms of forced or compulsory labour;
 - (iii) the effective abolition of child labour; and
 - (iv) the elimination of discrimination in respect of employment and occupation.
- (b) respecting workers' ability to enter into employment voluntarily and freely, without the threat of a penalty, and have the freedom to terminate employment without penalty, given reasonable notice or as per any relevant contract or industrial instrument;
- (c) providing all workers with access to easy-to-understand information regarding their rights and obligations during all stages of employment, including recruitment;

- (d) not engaging in misleading or fraudulent practices during the recruitment of employees or when offering employment; and
- (e) ensuring workers are free from discrimination, harassment, and prejudicial treatment.

7 Communication awareness and training

- 7.1 Training on this Anti-Modern Slavery Policy will be provided to all VicTrack Employees in the form of a mandatory e-learning. Refresher or additional training will be provided as necessary.
- 7.2 Executive General Managers and Group Managers of VicTrack are responsible for ensuring that all VicTrack Employees receive an appropriate level of training.

8 Third-Parties

VicTrack's approach to Modern Slavery will be communicated to all its Third-Parties at the outset of its business relationship with them and regularly reinforced with them.

9 Responsibilities and accountabilities

9.1 VicTrack Board

This document cannot be amended without approval of the VicTrack Board. The VicTrack Board is responsible for:

- (a) oversight of the company's Modern Slavery commitments;
- (b) review of this Anti-Modern Slavery Policy to ensure it continues to evolve and reflect community expectations;
- (c) ensuring this Anti-Modern Slavery Policy complies with VicTrack's legal and ethical obligations and all those under their control comply with it; and
- (d) using this Anti-Modern Slavery Policy to inform any statement VicTrack produces in compliance with its obligations under the Modern Slavery Act or otherwise.

9.2 Group Manager Legal

The Group Manager Legal has day-to-day responsibilities for implementing this Anti-Modern Slavery Policy, including:

- (a) developing, implementing and updating Anti-Modern Slavery policies and procedures tailored for VicTrack;
- (b) receiving notification of possible breaches of this Anti-Modern Slavery Policy, investigating and enforcing policy compliance;
- (c) ensuring that an appropriate communication strategy for the Anti-Modern Slavery Policy is implemented and reviewed to assess effectiveness; and
- (d) monitoring this Anti-Slavery Policy's use and effectiveness.

9.3 Executive General Managers and Group Managers

Executive General Managers and Group Managers have a responsibility to facilitate compliance of those they supervise by:

- (a) being aware of the risks of Modern Slavery the VicTrack's supply chains relevant to their area;
- (b) making VicTrack Employees aware of relevant policies and procedures (including by facilitating communication and awareness training as set out at section 7 above);
- (c) recording and referring to Group Manager Legal any risks and instances of Modern Slavery identified by them or reported to them by VicTrack Employees.

9.4 VicTrack Employees

VicTrack Employees each have a responsibility to:

- (a) be aware of and comply with this Anti-Modern Slavery Policy; and
- (b) manage any risk or instance of Modern Slavery in accordance with this Anti-Modern Slavery Policy.

10 Reporting Modern Slavery

10.1 VicTrack Employees

- (a) If a VicTrack Employee becomes aware of risks of Modern Slavery or suspects that Modern Slavery is taking place within VicTrack's business or supply chain or a within a Third-Party's business or supply chain they must immediately notify VicTrack's Group Manager Legal.
- (b) If a VicTrack Employee is unsure whether a particular act, the treatment of a worker or workers or working conditions within VicTrack or any Third-Party or their supply chains amounts to or gives rise to risks of Modern Slavery, they should raise the matter with their Executive General Manager or Group Manager.

10.2 Third-Parties and the Public

- (a) Members of the public or people not employed by VicTrack (including those associated with Third-Parties) may also write to the Group Manager Legal at generalcounsel@victrack.com.au to raise any concern, issue or suspicion of Modern Slavery in any part of VicTrack's business or supply chain.
- (b) If requested, VicTrack will explore opportunities to work with its Third-Parties and assist them to address risks of Modern Slavery in their supply chains.

11 Procedure for remediation of Modern Slavery

Any discovery of Modern Slavery will be taken seriously by VicTrack. VicTrack notes that:

- (a) if VicTrack identifies instances of Modern Slavery in its own operations it will endeavour to act as quickly as practicable to stop and address its adverse impacts on workers, individuals or communities;
- (b) if an issue is identified with a Third-Party, VicTrack will at first instance endeavour to work with them to prepare a corrective action plan and to resolve all violations in an agreed time period, including remediation for victims. VicTrack reserves the right to terminate its commercial relationship with Third-Parties if they breach this Anti-Modern Slavery Policy and/or are found to have been involved in Modern Slavery; and
- (c) if appropriate, information may be handed to the Police or other Government agencies in connection with a criminal investigation.

12 Breach

- 12.1 If any VicTrack employee breaches this policy they may face disciplinary action, up to and including termination of employment.
- 12.2 For further information on managing breaches of this policy, please contact VicTrack's Group Manager Legal.

13 Related policy, legislation and other documents

This Anti-Modern Slavery Policy should be read in conjunction with the policies of VicTrack and the Victorian and Commonwealth Governments, and in particular, the following documents:

(a) **Legislation**

- (i) *Modern Slavery Act 2018 (Cth)*;
- (ii) *Public Administration Act 2004 (Vic)*;
- (iii) *Equal Opportunity Act 2010 (Vic)*;
- (iv) *Charter of Human Rights and Responsibilities Act 2006 (Vic)*;
- (v) *Privacy and Data Protection Act 2014 (Vic)*; and
- (vi) *Fair Work Act 2009 (Cth)*.

(b) **Codes and policies**

- (i) Code of Conduct for Victorian Public Sector Employees 2015 (Vic);
- (ii) Code of Conduct for Victorian Public Sector Employees of Special Bodies 2015 (Vic);
- (iii) the Victorian State Government's 'Procurement – Supplier Code of Conduct' (which includes the Commitment to the Victorian State Government Supplier Code of Conduct);
- (iv) VicTrack's 'Public Interest Disclosure Policy';
- (v) VicTrack's 'Fraud and Corruption Control Procedure';
- (vi) VicTrack's 'Declaration of Interests and Management of Conflicts Policy';
- (vii) VicTrack's 'Protected Disclosure Policy' and
- (viii) VicTrack's 'Privacy Policy'.

14 Authorising Officer

This Anti-Modern Slavery Policy is issued by the VicTrack Chief Executive under the authority of the VicTrack Board of Directors and is subject to review by the VicTrack Board no later than three years after the approval date of version 1.0 and every three years thereafter.

15 Speak up

- 15.1 Employees who consider that an instance of Modern Slavery within VicTrack may not have been declared or is not being appropriately managed should speak up and notify their Executive General Manager, Group Manager or Group Manager Legal.

- 15.2 VicTrack will take decisive action, including possible disciplinary action, against employees who discriminate against or victimise those who speak up in good faith.

16 Contacts for further information

An instance of Modern Slavery is not always easily identified. VicTrack Employees who are unsure about a possible instance of Modern Slavery or the application of this Anti-Modern Slavery Policy, should ask their Executive General Manager, Group Manager or Group Manager Legal for advice.

17 Document review and approval

Delegation	Name	Position	Version	Date
Owner	Jenny Sanchez	Group Manager Legal	1.0	30 April 2020
Reviewers	Jenny Sanchez	Group Manager Legal	1.0	30 April 2020
Approver	Chris Olds	Executive General Manager, Business Services	1.0	30 April 2020

18 Document history

Version	Amendment description	Author	Date
Version 1.0	New policy	Corrs Chambers Westgarth	30 April 2020

19 Review period

This policy will be reviewed at least every three (3) years by the Executive, or amended as appropriate.

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ⁱ Includes all forms of slavery, use of a child for illicit activities, work which is likely to harm the health, safety, or morals of children as defined in Article 3 of the ILO C182 – Worst Forms of Child Labour 1999 (No 182).