



Transparency in Supply Chains Consultation

Submission by CORE Coalition, Anti-Slavery International, Amnesty International, Business and Human Rights Resource Centre, Christian Aid, Environmental Justice Foundation, Fairtrade Foundation, FLEX, Freedom Fund, Freedom United, Traidcraft Exchange, TUC, UNICEF and UNISON

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Introduction

CORE is the UK civil society coalition promoting corporate accountability. Many of our partner organisations supported, and advocated for, the introduction of section 54 (Transparency in Supply Chains; hereafter “the TISC provision”) of the Modern Slavery Act 2015 (hereafter, “the Act”). We have published guidance for business on complying with the Act¹ and research and analysis of company reporting.² Some of us are members of the steering committee of the Modern Slavery Registry, which tracks business compliance with the Act.³ We submitted evidence to the independent review of the Act (hereafter, “the review”)⁴ and a briefing for the 19 June 2019 Westminster Hall Debate on the review of the Act.⁵

Modern Slavery Act: the need for reform

The TISC provision was undoubtedly a world-leading and much needed measure to tackle modern slavery when the legislation was introduced. However, research by civil society and reports by parliament have exposed limitations in the legislation, and implementation the TISC provision has fallen far short of its objective to secure greater corporate transparency on modern slavery. This was confirmed by a National Audit Office report and Public Accounts Committee inquiry⁶ and by the independent review of the Modern Slavery Act, conducted by Frank Field MP, Maria Miller MP and Baroness Butler-Sloss, which was laid before Parliament on 22 May 2019.⁷ The reviewers note that the legislation is “light on detail” on reporting, an estimated 40 per cent of eligible companies are not complying with the legislation at all⁸, and the limited penalties for non-compliance have not been enforced. It proposes “putting teeth into this part of the Act” through a series of recommendations to improve the TISC provision’s effectiveness.

The independent review of the Act has provided an opportunity to improve the implementation of the TISC provision, with the potential to incentivise more effective corporate action to tackle modern slavery. In our response to this consultation we outline our recommendations to the Government: to introduce mandatory criteria for company reporting, to facilitate scrutiny of company statements through the introduction of an effective Government-run registry, to introduce meaningful sanctions for failures to comply with the requirements of the TISC provision, and to extend the reporting requirement to the public sector. We urge the Government to compile and publish a list of companies that fall within the scope of the Act, in order to facilitate enforcement and scrutiny by consumers, civil society and investors.

We also believe that a more ambitious approach is required to drive effective action on modern slavery and related human rights and labour rights abuses. Firstly, while we welcome Government action to strengthen the TISC clause, the Government must now go beyond reporting requirements in order to remain a leader on ensuring responsible business conduct. The sands are shifting in this regard internationally as consensus grows for the need for more robust measures to combat modern slavery and other abuses in corporate supply chains. New tougher laws across Europe mean the UK

could fall behind.⁹ To remain in the top tier, the Government should consider introducing a legal requirement for companies to conduct human rights due diligence, in order to ensure they identify and prevent actual or potential negative impacts that their operations, products, services, investments and supply chains may have on individuals and communities.¹⁰

Secondly, the Government should also implement a more comprehensive policy approach to tackling human rights and labour rights abuses, including improved labour market inspection and enforcement. In its approach to combatting modern slavery and human trafficking, the Government should encourage companies to be cognisant of abusive labour practises linked to exploitation, such as underpayment of wages and reluctance to recognise freedom of association. Measures to strengthen the TISC provision should also be consonant with the proposals to establish a new Single Enforcement Body for employment rights to tackle labour market breaches through supply chains.¹¹

Question 2. Would mandating the areas that statements must cover encourage organisations to take effective action?

Introducing mandatory reporting areas will encourage comprehensive reporting and prioritised action, as well as aiding external scrutiny by bringing consistency to reporting.

At present, information provided in TISC statements tends to be selective and generalised, since what information to disclose in statements is left to the discretion of companies. Many companies' statements refer to risks of modern slavery but do not describe these risks. Nor do they explain how their policies and plans to mitigate or remediate identified risks are implemented, or what the impact of these policies is. Too many companies fail to even acknowledge that they have any risks.¹² Additionally, many provide only general information about their industry and the location of their operations, and do not consider how their own business models, supply chains and sourcing strategies can create risks of labour rights abuses. While some companies may feel pressure to produce a more substantial statement, this is predominantly those that are consumer facing.

Providing clear and explicit reporting requirements will bring helpful clarity for companies, strengthen the incentive for them to proactively identify and disclose risks, encourage companies to take a longer-term approach to combatting modern slavery, and allow for better measurement of progress. It would also allow stakeholders to hold companies accountable when they fail to meet expectations.

Nevertheless, while additions to the reporting requirement may lead to better information and have the potential to incentivise actions, reporting alone is not commensurate with a company taking effective steps to eliminate modern slavery in its operations and supply chains. We recommend that the Government takes steps to strengthen the Act, whilst also beginning to look beyond reporting requirements. The Government should introduce a legal requirement for companies to undertake human rights due diligence, in order to shift company efforts from identifying and reacting to individual instances of modern slavery to adopting effective and systemic measures to prevent abuses in the first place and mitigate their negative impacts. This law should go beyond modern slavery to cover risks of all corporate human rights abuses across all industries and sectors.

Question 3. If the legislation was amended to mandate the areas that statements must cover, which of the six areas currently set out in Home Office guidance should be required?

We recommend that organisations should be required to report on the areas currently set out in Home Office Guidance, with some alterations in order to improve clarity of reporting, incentivise businesses to take effective steps to tackle modern slavery and trafficking, and align reporting areas with best practice legislation in other jurisdictions, such as the Australian Modern Slavery Act 2018.

(a) The six areas currently suggested by the Act are:

1. The organisation's structure, its business and its supply chains;
2. The organisation's policies in relation to slavery and human trafficking;

3. The organisation's due diligence processes in relation to slavery and human trafficking in its business and supply chains;
4. The parts of the business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps taken to assess and manage that risk;
5. The effectiveness in ensuring that slavery and human trafficking is not taking place in the organisation or supply chains, measured against any performance indicators as considered appropriate;
6. Training and capacity building about slavery and human trafficking available to the organisation's staff.

(b) We recommend that the list is amended to the following reporting areas:

1. The organisation's structure, its business and its supply chains, including detail of any steps taken to map the supply chain;
2. The organisation's policies in relation to slavery and human trafficking;
3. The organisation's due diligence processes in relation to slavery and human trafficking in its business and supply chains;
4. The parts of the business and supply chains where there is a risk of slavery and human trafficking taking place, as identified and assessed through the due diligence process and otherwise;
5. The actions taken by the reporting entity and any entities it owns or controls to address these risks and to provide remediation in cases where instances of slavery and trafficking have been identified;
6. The effectiveness of the actions taken to ensure that slavery and human trafficking are not taking place in the business or supply chains, measured against any performance indicators as considered appropriate;
7. Training and capacity building about slavery and human trafficking available to the organisation's staff;
8. The steps the organisation has taken to consult with stakeholders across and outside the business, including social partners, about addressing modern slavery and trafficking.

Regarding area one, the Government's response to the Independent Review states that "in future updates to the statutory guidance we will make clear the need for organisations to strengthen their human rights due diligence activities beyond their first and second tier suppliers over time as part of a risk-based approach." Our amendments (see above list b.) would make it mandatory for companies to provide detail of steps taken to map their supply chains - in line with the recommendations of the Independent Review - and incentivise companies to strengthen their activities in this regard.

Regarding area two, we recommend the statutory guidance on the TISC provision is amended to make clear that policies related to slavery and human trafficking should include related human rights and workers' rights. Currently, some companies' reporting indicates that they are treating modern slavery as a separate policy area from broader human rights or labour rights, while in reality these are intrinsically linked.

Regarding area 4 (list a.), we recommend that this is split into two separate reporting areas (**see 4 and 5 under list b.**). This approach has been adopted in Australia's Modern Slavery Act 2018. Making organisations separately detail i) the risks and ii) the actions taken to address these risks would bring greater clarity to reporting. It would also encourage more effective action by businesses, since only when a company has identified how it may cause or contribute to modern slavery can it then develop an appropriate response on how to address its risks. The addition of "as identified and assessed through the due diligence process and/or otherwise" under area 4 (list b., above), would encourage companies to use their due diligence processes (as described under area 3) to inform their identification of risks and subsequent actions taken.

We recommend the statutory guidance clarifies that risks can be found in various parts of a business or supply chain, including, but not limited to, particular geographic locations, sectors or workforces.

Regarding area 6 (see list b. above), we propose clarifying that companies should be assessing the effectiveness of the *actions* they have taken to address modern slavery and trafficking.

Regarding area 7 (see list b. above), we recommend that the statutory guidance on the TISC provision should encourage reporting organisations to detail the number and proportion of staff within the business that have received training within the reporting period and to include an evaluation of the effectiveness of the training.

The addition of area 8 (see list b. above) has been made to encourage organisations to take a comprehensive approach to tackling modern slavery and human trafficking through a process of consultation. The statutory guidance on the TISC provision should stipulate that this consultation process should cover entities within the corporate group (as outlined in Australia's Modern Slavery Act 2018¹³) and social partners such as trade unions, who have first-hand experience of workplace conditions and can help identify potential risks in the supply chain. We consider that such consultation processes would incentivise companies to take more effective action to combat modern slavery.

We also recommend that the guidance on the TISC provision is amended to make clear that organisations should report on commitments to uphold and/or improve the steps they have taken to combat modern slavery and trafficking for the forthcoming year. We consider that this would help to encourage a forward-looking approach, whereby the learning from producing a statement for one year would be channelled into improving the actions that a company takes to combat modern slavery on an ongoing basis. The Government has already committed to update the statutory guidance in this regard and has recognised that companies ought to demonstrate year-on-year progress, regardless of whether they are already industry-leading in their response or currently in the early stages of understanding their risks. The statutory guidance should also make it clear that organisations should report on progress in combatting modern slavery against the steps and commitments outlined in previous reporting year statements. This would deter company's statements from being replicated year in, year out.

Furthermore, section 54 (4) (b), which allows companies to be legally compliant with the law simply by stating that they have done nothing to address modern slavery and trafficking, should be removed from the legislation. This would discourage companies from producing a statement which lists the mandatory reporting areas yet states that no actions have been taken under each of them.

Question 3.b. Are there any further areas not mentioned above that should be required?

Our response to question 3. (above) details all the revisions we recommend that are made to the reporting areas, including the addition of a consultation process (see list b., are 8.).

Question 3.c. Should any of the six suggested areas (and any additional areas suggested) be combined?

As outlined in our response to question 3., rather than combining any of the current reporting areas, we consider that separating the current area 4 into two areas would help reporting entities to better understand their reporting duties with regard to risks and actions on modern slavery.

Question 4. Should organisations be able to choose not to report on one or more of the required areas if they provide an explanation for omitting this area?

While some organisations may face challenges in reporting on some required areas, they should be required to at minimum outline what steps they are taking to obtain the required information.

Question 5. Would organisations face any challenges if it became mandatory to report on specific areas? If so, what would you consider these to be?

Addressing modern slavery is a lengthy and complex process for which some companies are better equipped than others. Those companies at an early stage of policy and process development with limited understanding of the issues may face challenges in producing adequate reports and in reporting against areas where there are gaps in their knowledge. Whilst not solving these challenges, making reporting areas mandatory would incentivise organisations to make progress by clearly outlining what is expected from them and facilitating a culture of greater transparency in reporting. Companies would not expect – or be expected – to perfect their reporting in the first instance, but to demonstrate year-on-year progress, regardless of what stage they are at in understanding their risks.

Question 6. Would there be any challenges associating with requiring organisations (including businesses) in scope of the Act to publish their modern slavery statement on the Government registry?

We do not believe that there would be challenges that would reasonably prevent any organisations publishing their modern slavery statement on a Government-run registry. Organisations in the scope of the TISC provision are already required to publish their modern slavery statements on their websites, therefore this information should already be in the public domain.

Such a repository would allow other investors, consumers, non-governmental organisations, trade unions and contracting companies or local authorities to quickly and easily identify whether a company has complied with the TISC provision and to assess the content of their statement. It would also level the playing field for leading companies as the quality of their published statements would be easier to assess by comparison with all other published statements. The repository would be particularly useful for companies that do not have websites, as it would provide an opportunity for stakeholders to access their statements without having to write to companies to request them.

Companies already have requirements to submit data and information to other bodies, such as Companies House and the Government Equalities Office, and therefore are accustomed to such requirements.

Question 7. In addition to the ability to publish and view modern slavery statements, which features should a central registry should include?

We are of the opinion that the purpose of the registry should be to a) facilitate the scrutiny of statements by the Government, investors, consumers, non-governmental organisations, trade unions and contracting companies or local authorities, and b) facilitate effective Government enforcement of the TISC provision. With this in mind, we recommend that the following features are included in the central registry:

- A. A list of companies in scope of the TISC provision should be published on the registry, delineated in categories (for instance, by sector and size) to facilitate effective research and analysis;
- B. The list should be able to be filtered according to organisations who have/have not reported in a given year* and it should be possible to download a list of companies in scope that have not yet reported;
- C. All statements should be publicly accessible in order to facilitate transparency of reporting and the scrutiny of statements by third parties;
- D. A search function should allow users to locate and download all of the statements produced by a specific company;
- E. The registry should provide links to Government and civil society guidance to help reporting organisations prepare more effective statements and to help third parties better understand statements;
- F. Analysis and statistics of company reporting on a yearly basis, produced or commissioned by the Government, should be available on the registry;
- G. All data held by the registry should be freely available, downloadable and transparent, to enable analysis to be conducted by other stakeholders.

*presuming the introduction of a single reporting deadline.

Regarding feature A., it is our view that for the registry to be effective, a list of organisations in scope of the TISC provision must be produced by Government. We strongly urge the Government to triangulate data between different departments (including Home Office, BEIS and HMRC) to develop an accurate list and to ensure that this is publicly available on a registry of statements. One solution, in advance of the alleged digitisation of Companies House, could be to institute a question on the portal on which companies file their accounts, which requests the company's annual turnover.

We recommend that the registry is developed via learning from and improving upon the Gender Pay Gap reporting registry.

Question 8.a. Would establishing a single reporting deadline make the reporting process clearer for organisations captured by the legislation?

A single reporting deadline should make the processes clearer for reporting entities and provide a clear target for organisations in the TISC provision's scope. It will enable easier comparison between statements since all will cover the same time period. It will also enhance the public impact of reporting since all reports will be published together, with the potential of drawing wider attention to the issue of modern slavery and to good practice by businesses.

Question 8.b. Would single reporting deadline make it easier for external parties to scrutinise whether an organisation has published an up to date statement?

The single reporting deadline would make it easier for external parties to scrutinise whether an organisation has published an up to date statement, rather than seeking out updated reports throughout the year based on different financial year end dates of companies. Scrutiny would also be enhanced if statements on the public registry are organised by the year covered in the statement and if the registry enables third parties to extract a list of companies that have not reported in any given year.

It is essential for the Government to publish a list of companies in scope of the TISC provision, as explained in our response to question 7. If a list is not published, it will be difficult for external parties to scrutinise which companies have complied with the TISC provision, let alone which are publishing up-to-date statements.

Public information about compliance will also allow consumers to make ethical decisions by avoiding companies failing to comply with the TISC provision, providing added incentives for compliance.

Question 9. If a single reporting deadline is introduced, which annual date should be used?

The deadline should be agreed by the Home Office in consultation with businesses and other stakeholders.

Question 10.a. Should any variable penalty for failing to publish a modern slavery statement or failing to publish a fully compliant statement be capped at a maximum prescribed amount?

We are of the view that four years on from the introduction of the legislation, a more proactive approach must be taken to enforcing s.54. The independent review of the Modern Slavery Act noted that an estimated 40 per cent of eligible companies are not complying with the TISC provision at all. The current failure to address companies' non-compliance undermines the effectiveness of the legislation and risks entrenching a two-tier approach to tackling modern slavery. Robust and holistic enforcement mechanisms are essential if other changes to the TISC provision – for instance, the online registry of modern slavery statements – are to be effective.

We recommend that the legislation is enforced through the introduction of penalties where a company fails to publish a modern slavery and human trafficking statement; publishes a statement that does not meet the minimum requirements of being signed and approved by the appropriate

person(s) or fails to link to the statement on the company website homepage; or publishes a statement omitting prescribed information.

An assessment of existing penalties found in other laws should be undertaken to understand what level of penalty is likely to have a substantive deterrent effect, in order to determine what is appropriate for s54. Rather than seeking a maximum or fixed penalty, the Government should explore what level of minimum penalty would effectively deter non-compliance and be commensurate with the severity of the abuses that the Act seeks to tackle, while also reflecting the wide range of organisations covered by the TISC provision and the resources at their disposal. One option is to set a financial penalty at the percentage of a company's annual turnover, similar to fines that can be imposed for breach of current data protection law. We suggest that cutting into a company's profit will encourage compliance more than a financial penalty that is unlikely to affect the company's bottom line.

We also urge the Government to amend the legislation to ensure that companies in scope of s.54 who fail to comply with the reporting requirement should not be eligible for public contracts, as proposed by the independent review of the Act. The Government's response to the independent review stated that "The Public Contracts Regulations 2015 [PCRs] already allow public sector organisations to exclude non-compliant bidders from the tender process where they have anticipated this in their procurement documents and they consider exclusion to be appropriate. Crown Commercial Service has used this discretionary power to exclude bidders that were non-compliant with section 54". The PCRs allow for the exclusion of tenderers for "grave professional misconduct," which is not clearly defined and is open to interpretation. The rules do not specifically mandate the use of procurement for the enforcement or promotion of human rights norms and relevant decisions are often left to the discretion of contracting authorities, who are constrained by a number of considerations. As a result, the process is often not used to exclude bidders on human rights grounds, including offences under the Act. Rather than simply giving authorities permission to exclude companies, there needs to be mandatory and automatic exclusion for failure to comply. This would be in keeping with mandatory exclusions in the PCRs on other grounds such as bribery and corruption.

We therefore urge the Government to ensure that all public sector bodies exclude bidders non-compliant with the TISC requirement of the Modern Slavery Act from the tender process. This will ensure that a higher standard of conduct on human rights and labour rights is upheld across the public sector. We further urge that guidance should be provided to public procurement professionals, to enable them to take into account a company's level of compliance with the TISC provision and the quality of a company's statement when making decisions about awarding of contracts. This would help to improve the quality of statements as well as corporate compliance.

The combination of financial and market consequences, with the added possibility of naming and shaming some non-compliant companies (by Government and/or civil society), would be a more effective deterrent to non-compliant companies than is currently in place. The Government should also consider in future the introduction of appropriate and meaningful sanctions that include and go beyond fines, such as directors' disqualification.

The introduction of sanctions requires monitoring of compliance with the TISC provision to identify companies that have failed to report. Therefore, we recommend that consideration is given to assigning the enforcement function to an existing independent regulator. However, we do not believe that this role should be given to the Single Enforcement Body currently being explored by the Government in its consultation on the Department for Business, Energy and Industrial Strategy's Good Work Plan. The Single Enforcement Body would already have a wide remit covering labour market inspection and enforcement, and we do not consider that its role should also cover enforcing corporate transparency provisions. The role of enforcing the TISC provision would be better placed with other Government departments. At the same time, we encourage a comprehensive policy approach to tackling human rights and labour rights abuses in supply chains, including cohesive working between different Government departments and bodies.

Question 10.b. If yes, what do you think the maximum sum should be?

As per our response to question 10, we believe the focus should be on what minimum penalty would create an effective deterrent to companies, in order to make them comply with the Act. The establishment of a maximum penalty may allow businesses to factor non-compliance with the act into their budgeting procedures, rather than driving effective action to tackle modern slavery.

Question 11. If the reporting requirements are extended to the public sector, should a civil penalty scheme also apply to public sector organisations?

Careful consideration should be given to the penalties imposed on public sector organisations. We suggest that alternatives to financial penalties should be considered, as financial penalties would take money away from already stretched public services. Government should explore what enforcement options are available, such as judicial reviews that could be taken out against the public body or other mechanisms by which to order public sector organisations to comply with the Act.

Question 11.a. Should the requirement to publish a modern slavery statement be extended to large public sector organisations that are not currently captured by the legislation?

We welcome former Prime Minister Theresa May's proposal to expand the law to cover the public sector and urge that this is taken forward by the Government. A recent report by Sancroft-Tussell into the modern slavery reporting of central Government's top 100 suppliers (accounting for £27.5 billion of Government contracts) revealed that of the 90 that had published a modern slavery statement, the majority showed "a lack of engagement with the six areas of reporting" and several "underestimate the material risk" of modern slavery in their supply chains. Furthermore, only 58% of statements produced were legally compliant.¹⁴

We recommend that the reporting requirement should cover all Government departments, public bodies and local authorities over a certain threshold, in order for the public procurement process to be used more holistically to combat labour rights abuses.

Question 11.b. What would the benefits of extending the reporting requirements to large public sector organisations not currently captured by the legislation be?

Public sector bodies are responsible for spending billions of pounds of taxpayers' money and face the same modern slavery risks as the private sector. Private companies are increasingly involved the delivery of public services across health, education and social care, as well as large infrastructure and construction projects which are often associated with a higher risk of modern slavery. Private companies also have public sector contracts for call centres (which are known to be places of risk) and in the digital economy where they are taking on contracts serviced by a largely hidden workforce (which creates risk).

Public bodies therefore have significant leverage to address the risks of modern slavery in corporate supply chains. Extending the reporting requirements to the public sector would incentivise the public procurement process to be used more holistically to combat labour rights abuses. It would provide the Government with an opportunity to lead by example by undertaking robust due diligence in its own operations and supply chains and would help incentivise suppliers to improve their own efforts, knowing the Government was scrutinising their reporting.

Question 11.c. What challenges could public sector organisations face in producing a modern slavery statement?

Different sectors (i.e. private, public and not-for-profit) have different goals, structures and accountabilities. They also operate under different budgetary and resourcing constraints. These differences exist not only between sectors but also within sectors. This does not diminish the rationale for organisations across sectors to be covered by the TISC provision, provided they meet the threshold. Resource constraints, whether financial, human or technical, may influence the way in which organisations develop their reporting processes, but do not diminish the principle. While there

are differences within and between sectors in the extent and complexity of supply chains, there is no doubt that all sectors have a role in combating modern forms of slavery and therefore should be required to report under the TISC provision.

Nevertheless, public sector organisations face particular challenges. Many are under significant budgetary constraints and are increasingly stretched for resources. This should not be used as a pretext for excluding them from reporting requirements as they have an important role to play in addressing modern forms of slavery through their management of supply chains. However, Government should give public sector organisations the appropriate resourcing and incentives to allow them to report in a meaningful way.

Question 12.a. Should budget be used to determine the threshold for which large public-sector organisations should be required to publish a modern slavery statement?

Careful consideration should be given to the differences between the way that spending is operated and maintained in the public as opposed to private sector when determining whether budget is an appropriate threshold and if so, the level of this threshold. The threshold should be determined in consultation with recognised employers' bodies and trade unions.

Question 12.b. If yes, should the budget threshold should be £36 million?

As per our response to question 12, we consider that further research and consultation with public bodies is needed before a decision can be made on appropriate threshold.

Question 12.c. If no, what alternative metric should be used to determine the threshold for reporting?

Alternative models, such as employee numbers (as per The Gender Pay Gap reporting model) could be considered. However, budget may be a more appropriate threshold measure since reporting under the TISC provision would relate to the public body's spending. As per our response to question 12, we consider that further research and consultation with public bodies is needed on this area.

Question 13. Should public sector organisations be able to publish a 'group statement'?

We recommend that each individual public sector organisation that is its own separate legal entity should be required to publish its own statement. This is because a) each public sector organisation makes individual and significant decisions about procurement spending and b) the complexity of some public sector bodies would make it difficult for them to produce a statement that covers other entities under their auspices. For example, a university can have a partnership with overseas institutions, with further education colleges and schools, and/or outsource particular institutions. Therefore, it would be difficult for the Department for Education to produce an umbrella statement that captures the modern slavery risks in a university's supply chains in sufficient level of detail.

However, we recommend that Government departments should have some oversight for those within their umbrella. For example, a public sector organisation could refer in its statement to the relevant policies of the umbrella department under which it sits, which also apply to that organisation (as is often done by entities reporting in the private sector).

Government departments should be able to report on their executive agencies, since these are the same legal entity, however executive agencies should be able to voluntarily report for their own organisations (as per the Gender Pay gap reporting requirements).

Question 14. Should public sector modern slavery statements be approved by the most senior managing body and signed off by the accounting officer, Chief Executive or equivalent role?

We recommend that the statement should be signed off by the most senior managing body and by the accounting officer, Chief Executive or equivalent role. As with the private sector, it is only when information is brought to their attention that action can be taken. However, the power of public sector officials to influence policy and legislation can often be dependent upon the priorities of

elected officials. We therefore recommend that, where applicable, such elected officials should have the ultimate responsibility to ensure public sector compliance with the TISC provision.

¹ CORE Coalition, Anti-Slavery International, UNICEF and Business & Human Rights Resource Centre (BHHRC) (2017) *Beyond Compliance: Effective Reporting Under the Modern Slavery Act* http://corporate-responsibility.org/wp-content/uploads/2016/03/CSO_TISC_guidance_final_digitalversion_16.03.16.pdf

² See, for instance, FLEX and ICAR (2019) *Full Disclosure: Towards Better Modern Slavery Reporting* <https://www.labourexploitation.org/publications/full-disclosure-towards-better-modern-slavery-reporting>; Business and Human Rights Resource Centre (2018) *FTSE 100 & the UK Modern Slavery Act: From Disclosure to Action* <https://www.business-humanrights.org/sites/default/files/FTSE%20100%20Briefing%202018.pdf>; CORE Coalition (2017) *Risk averse? Company reporting on raw material and sector-specific risks under the Transparency in Supply Chains clause in the UK Modern Slavery Act 2015* http://corporate-responsibility.org/wp-content/uploads/2017/10/171003_Risk-Averse-FINAL-1.pdf.

³ Business and Human Rights Resource Centre (2019) *Modern Slavery Registry* <https://www.modernslaveryregistry.org/>

⁴ Amnesty International UK, Anti-Slavery International, Business and Human Rights Resource Centre, CORE Coalition, Fairtrade Foundation, Freedom United and ShareAction (2018) *Joint response to the Modern Slavery Act Independent Review* https://corporate-responsibility.org/wp-content/uploads/2018/10/181025_Joint-MSA-Indep-Review-submission_FINAL.pdf

⁵ CORE Coalition and partners, *Briefing for Westminster Hall Debate on the independent review of the Modern Slavery Act, 19 June 2019* https://corporate-responsibility.org/wp-content/uploads/2019/06/MSA-Review-Joint-Briefing_FINAL_180619.pdf

⁶ National Audit Office (2018), *Reducing Modern Slavery*: <https://www.nao.org.uk/report/reducing-modern-slavery/> and House of Commons Committee of Public Accounts: *Reducing Modern Slavery* (2018) <https://publications.parliament.uk/pa/cm201719/cmselect/cmpubacc/886/886.pdf>

⁷ Independent Review of the Modern Slavery Act 2015, *Final Report* (2019) <https://www.gov.uk/government/publications/independent-review-of-the-modern-slavery-act-final-report>

⁸ *Home Office tells business: open up on modern slavery or face further action* (2018) <https://www.gov.uk/government/news/home-office-tells-business-open-up-on-modern-slavery-or-face-further-action>

⁹ ECCJ, *Evidence for mandatory HRDD legislation* (2019) <https://corporate-responsibility.org/wp-content/uploads/2018/01/Policy-evidence-mHRDD-May-2019-FINAL.pdf>

¹⁰ UK mandatory human rights due diligence campaign statement (2019) https://corporate-responsibility.org/wp-content/uploads/2019/04/190417_UK-mHRDD-campaign-statement_FINAL-with-logos.pdf

¹¹ Department for Business, Energy and Industrial Strategy, *Good Work Plan: Establishing a new Single Enforcement Body for employment rights: Consultation* (2019) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/817359/single-enforcement-body-employment-rights-consultation.pdf

¹² CORE Coalition (2017) *Risk averse? Company reporting on raw material and sector-specific risks under the Transparency in Supply Chains clause in the UK Modern Slavery Act 2015* http://corporate-responsibility.org/wp-content/uploads/2017/10/171003_Risk-Averse-FINAL-1.pdf

¹³ Modern Slavery Act (2018) <https://www.legislation.gov.au/Details/C2018A00153>

¹⁴ Sancroft-Tussel, *Eliminating Modern Slavery in Public Procurement* (2019) <https://sancroft.com/2018/03/22/the-sancroft-tussell-report-eliminating-modern-slavery-in-public-procurement-2/>