

The Modern Slavery Act 2015

The Modern Slavery Act 2015 requires certain organisations which carry on a business or part of a business in the UK to disclose what activity they are undertaking to eliminate slavery.

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Introduction

The Modern Slavery Act 2015 requires certain organisations which carry on a business or part of a business in the UK, to disclose what activity they are undertaking to eliminate slavery and trafficking from their supply chains and their own business for each financial year of the organisation, or alternatively, where the business has taken no such steps, this must be stated.

Slavery and human trafficking statement

A business which:

- supplies goods or services, and
- has a total annual turnover of not less than £36 million

must prepare a slavery and human trafficking statement for each financial year of the organisation.

The slavery and human trafficking statement may include information about:

1. the organisation's structure, business and its supply chains
2. its policies in relation to slavery and human trafficking
3. its due diligence processes in relation to slavery and human trafficking in its business and supply chains
4. the parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk
5. its effectiveness in ensuring that slavery and human trafficking is not taking place in its business or supply chains, measured against such performance indicators as it considers appropriate
6. the training about slavery and human trafficking available to its staff.

High-level approval

The statement must be approved as follows:

1. **Companies:** The board of directors must approve the statement and it must be signed by a director.
2. **Limited liability partnerships:** The LLP members must approve the statement and it must be signed by a designated member.
3. **Limited partnerships** registered under the Limited Partnerships Act 1907: A general partner must sign the statement.
4. **Other types of partnership:** A partner must sign the statement.

Publication

If the business has a website, it must:

- publish the slavery and human trafficking statement on that website, and
- include a link to the slavery and human trafficking statement in a prominent place on the website's homepage.

If the organisation does not have a website, it must provide a copy of the statement to anyone who makes a written request within 30 days beginning with the day on which the request is received.

Enforcement

If the business fails to comply, the Secretary of State may bring proceedings in the High Court for an injunction requiring the organisation to comply.

Coming into effect

It is anticipated that these provisions will come into effect in October 2015 but that a business will not be required to comply with them where its financial year end is close to the date. The Government is to produce a statutory guidance on slavery and human trafficking statements.

Preparatory steps

Affected businesses should consider:

- drafting and, if relevant, publishing their own slavery and human trafficking statement
- what activity they are undertaking to eliminate slavery and trafficking from their own business
- implementing risk analysis and supply chain mapping to estimate the risk of slavery and human trafficking in their supply chains
- reviewing the slavery and human trafficking statements of the organisations which are a part of their supply chain.

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