

Updated Modern Slavery Act Transparency Guidance: Key obligations and steps for businesses

16 April 2025  Caroline Green

It is now 10 years since the Modern Slavery Act 2015 came into force.

With the publication by the Government at the end of March of updated Modern Slavery Act Transparency Guidance, we thought it was helpful to provide a reminder of key obligations and the steps businesses need to take to combat modern slavery.

What is modern slavery?

Modern Slavery can take many forms including the trafficking of people, forced labour, servitude and slavery. Children (those aged under 18) are considered victims of trafficking, whether or not they have been coerced, deceived or paid to secure their compliance. They need only have been recruited, transported, received or harboured for the purpose of exploitation.

What does the Act provide?

The Act provides the tools to fight modern slavery, to punish and deter those responsible and enhance support and protection for victims and contains a disclosure requirement on larger businesses.

Do I have to publish a Modern Slavery Statement?

Yes, if you are an organisation with a turnover of £36 million or more. The updated Guidance provides useful information about how you calculate turnover and the position of group companies, franchises and other business models.

If I meet the turnover threshold, what do I need to do? You must publish an annual Modern Slavery Statement, which is approved by the board, and posted prominently on the website. If you do not have a website, the Guidance explains how you can make people aware of your statement.

What do I need to include in my Statement?

You must describe the steps your organisation has taken during the year to deal with modern slavery risks in your supply chains and your own business. If you have not taken any steps, in the interests of transparency, you must still publish a statement setting this out.

The Guidance mentions six reporting areas, do I have to include this level of detail?

No, the reporting areas are entirely voluntary covering company structure, policies, due diligence processes, risk assessment, effectiveness, and staff training, but by following this structure, you will be better able to identify and manage risks within your business or supply chain.

When do I need to publish my Statement?

The statement should be published as soon as possible after your financial year-end and at the latest within 6 months of the financial year-end.

What does the Guidance say?

The Guidance is a useful tool to help organisations prepare and publish their Statements and makes a number of recommendations:

- It encourages smaller businesses to produce a statement. This may be a good idea for an expanding business or if you form part of the supply chain of a larger business.
- It suggests that organisations should upload their statements to the Government's voluntary registry. Many large organisations are now choosing to do this. It makes it easier to demonstrate compliance and provides a record of how many of the 6 recommended areas have been addressed in the Statement. It can also demonstrate that an organisation is serious about tackling modern slavery which is important from a reputational perspective.
- It aligns with UN Guiding Principles and OECD Guidelines which helps organisations that trade overseas.
- It emphasizes the importance of collaborating with internal and external stakeholders in tackling modern slavery and preparing statements.
- It recommends that organisations should continuously improve their response to modern slavery.
- It advises organisations to exit relationships responsibly if adverse impacts cannot be mitigated.

How do I prepare?

- Conduct a Modern Slavery Risk Assessment to review your entire supply chain and identify risks. Consider whether you have full, “end to end” visibility. Pose questions such as have our sub-contractors delegated their obligations without our approval? How would we find out about this?
- Review relevant policies, procedures, and training. Are materials fit for purpose? How do you make sure that modern slavery risks are understood by the supply chain, paying particular care with materials for those based outside the UK. How frequently are materials updated, and who has responsibility for this? How do you measure effectiveness of training?
- Conduct due diligence on all suppliers and follow this up with regular supplier checks. Ensure both you and your suppliers follow responsible recruitment practices.
- Audit regularly, but recognise that audits have their limitations. It is more important to ensure that day to day work practices take modern slavery risks into account.
- Set meaningful KPIs, track progress, and ensure that lessons learned are widely shared within your supply chain.
- Consider how you can demonstrate continuous improvement.

What happens if I do not publish my Statement?

You could face civil proceedings and fines. Civil proceedings could result in an injunction compelling you to publish your Statement and if you fail to comply with the injunction, you could face an unlimited fine. There could also be reputational damage and unwillingness to do business with you.

What happens if I find modern slavery in my supply chain?

Organisations have a responsibility to provide support and justice to impacted individuals. This is a highly specialised area and advice and support will be needed.

Future legislation

In October 2024, following a House of Lords committee report that the Modern Slavery Act was no longer world-leading, the Government said that reforms would need to be considered “against a wider review of how best government can use legislative and non-legislative measures to tackle forced labour and increase transparency in global supply chains”. It said the government would set out next steps in “due course”. We will continue to monitor the position and provide updates.

And finally...

Organisations are not expected to guarantee that all their supply chains are “slavery free”; the requirement to publish a Statement is part of the journey to eradicate modern slavery.

At Browne Jacobson, we help businesses with their modern slavery statements and related practices, including conducting risk assessments, due diligence and KPI setting.

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Contact

Caroline Green
Senior Partner

caroline.green@brownejacobson.com
+44 (0)20 7337 1026

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