

UK Modern Slavery Act 2015 - 2 Weeks Notice



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If your organization has a financial year-end of March 31, 2016 and is covered by the UK Modern Slavery Act 2015 (MSA), yours is in the first wave of MSA statements (MSA Statements) that must be published. The MSA Statement will set out what steps your organization has taken during the financial year to ensure that slavery and human trafficking is not taking place in your supply chains or in your own operations. The first MSA Statements that are due will cover efforts undertaken between April 1, 2015 and March 31, 2016 (Year 1).

So, for the most part, steps taken after March 31 (less than 2 weeks from now) will not be relevant to your first MSA Statement. (Remember, for an organization with a financial year-end of April 30, 2016, your first MSA Statement will cover efforts undertaken between May 1, 2015 and April 30, 2016 and so on.) If your organization is in the first wave of MSA Statements that must be published, you do have a bit of time before you need to start drafting your MSA Statement. But, you should consider *now* whether there are any additional steps you can take before March 31, 2016, so that those steps can be included in your MSA Statement for Year 1. You are free to include a description of what you plan to do going forward. But, a description of plans is optional and what the MSA requires is information about efforts that were actually undertaken during Year 1.

If you are covered by the California Transparency in Supply Chains Act (California Act) and you have already posted a California Act statement, you need to remember that the MSA is broader and requires more due diligence than the California Act. The

MSA requires sellers of products or services with annual turnover of £36 million (approximately \$52 million) that carry on a business or part of a business in the UK to disclose their efforts to ensure that slavery and human trafficking is not taking place in their operations or in any of their supply chains (not just their direct supply chains). The disclosure required by the MSA must be published on the organization's website as soon as reasonably practicable after the end of that financial year. The UK Government guidance urges organizations to publish their statements within 6 months of the year end. For those with a financial year-end of March 31, 2016, your MSA Statements should be published by October 31, 2016.

When we work with organizations, we use our *Slavery and Human Trafficking Due Diligence Self-Assessment Checklist* to take an initial inventory of the efforts that have already been taken. For organizations with a financial year-end of March 31, 2016, if you have done nothing else, some of the actions outlined below could be taken before the March 31, 2016 deadline and would be a good starting point for your compliance efforts.

Internal Organization — Designate a working group and develop an overall schedule with deadlines.

Communicate with Senior Management and Board — Make an initial report to senior management and board of directors (remember that the MSA Statements must be signed, so the board will need to understand the process and requirements).

Supply Chain — Develop a slavery and human trafficking policy.

Industry Group Involvement — Determine relevant industry groups and investigate their slavery and human trafficking-related activities.

Assess Risk — Consider the level of risk of slavery and human trafficking based on your products, geographic locations, and industry.

Address Supply Chain Management with IT System Solutions — Inventory existing IT systems and their connection to supply chain and suppliers.

Internal Communications - Alert employees and managers to the slavery and human trafficking requirements.

External Communications - Provide initial responses to customers and understand existing supplier engagement efforts to build upon.

Contracts — Review key supply contracts and inventory supplier codes of conduct.

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