

## Modern Slavery: UK Online Registry Launched

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### What is UK modern slavery compliance all about?

Under the UK Modern Slavery Act 2015 (the 2015 Act), compliance disclosure/transparency requirements mean that an organisation with an annual turnover of UK £36 million or more that sells goods or services in the UK is required to annually publish a slavery statement demonstrating what they are doing to ensure that there is no slavery or human trafficking in the business or the supply-chain. This also applies to organisations based *outside* the UK selling goods and services *into* the UK.

As the UK's official accompanying guidance on the disclosure/transparency requirements states, organisations must "paint a detailed picture" of all the steps that they have taken. This compliance obligation has now been in force since 29 October 2015 and many organisations who fall under it have already previously published their statements in the last few years. The UK government recently updated its online guidance about the disclosure/transparency requirements.

### What is the statement registry all about?

The UK government, through the Home Office, has now launched an official online modern slavery statement registry for those organisations who fall within the scope of the disclosure/transparency requirements. This registry can be used by an organisation to file their annual slavery statement.

The registry follows a commitment from the UK government to strengthen the disclosure/transparency requirements under the 2015 Act, following the Transparency in Supply Chains Consultation (which we've written about here <https://www.corderycompliance.com/uk-govt-modern-slavery-consultation-conclusions/>), and publication of the world's first Government Modern Slavery Statement in March 2020.

Filing a statement with the registry is not obligatory, for now at least. Instead, the UK government is strongly encouraging organisations to submit their most recently published statement on the registry, in order to demonstrate that they have met the requirement to publish their statement. But, the UK government is planning to make it mandatory in the future for organisations to submit their statement to the registry, under proposed changes to strengthen the disclosure/transparency requirements. In order to make these changes the 2015 Act will need to be amended by Parliament, which the UK government says will be undertaken as soon as parliamentary time allows for this.

To lead by example, the government has filed its own modern slavery statement with the registry.

### How does the registry work?

If an organisation has published a modern slavery statement it can use the government's registry service to add its statement to the registry. This service can be used to:

- Provide a link to the modern slavery statement published on the organisation's website;
- Answer questions about the organisation's statement; and,
- Publish this information on the 'Find a modern slavery statement' service.

The UK government will use the information organisations give it to publish a summary of their statement on the modern slavery statement registry. This will include a link to the full statement on the organisation's website.

Any organisation that has created a modern slavery statement, including those that are legally required to publish an annual modern slavery statement in the UK and have chosen to publish a modern slavery statement voluntarily, can use this service.

An account needs to be created to use the service. This then allows organisations to register and submit information about their modern slavery statements. Organisations will need to provide basic information about their organisation and their statement. Organisations are also able to provide a summary of their statement by answering additional questions. Whilst these questions are optional organisations are encouraged to answer all of the questions as fully as possible 'to help improve understanding of modern slavery risks and best practice'.

Anyone interested in viewing an organisation's modern slavery statement can use the government registry to search for the statement and view the summaries they have provided; to search the registry go here <https://modern-slavery-statement-registry.service.gov.uk/viewing/search> and to see all statements go here <https://modern-slavery-statement-registry.service.gov.uk/viewing/search-results?Search>.

### **What about pressure groups?**

We can certainly expect pressure groups to take an interest in the new registry. In the recent UK Parliamentary enquiry into slavery in supply chains we saw a lot of evidence submitted by pressure groups, some of it inaccurate, about the alleged involvement of many well known brands in slavery. There are more details of this investigation here <https://bit.ly/mschinalaw>. Pressure group activity has also led to litigation in the UK over alleged slavery in the production of goods. There are challenges with the registry in both directions. Those organisations who do not file statements in the central registry are likely to be criticised for not doing so. Those organisations who do file are perhaps more likely to have those statements challenged. As with any Government filing organisations need to take these filings seriously and take proper professional advice on their obligations.

### **What practical steps can I take?**

Organisations can create an account and then take things from there – the modern slavery statement registry can be found here: <https://modern-slavery-statement-registry.service.gov.uk/>.

Otherwise, to ensure UK modern slavery compliance, organisations should consider taking the following key practical steps:

- Undertake supply-chain due diligence and risk assessment;
- Have a modern slavery compliance policy in place;
- Publish their annual disclosure statement;
- Train their employees and suppliers on how to spot the signs that modern slavery may be taking place – we have made a short film about that can be found here <http://www.corderycompliance.com/spotting-the-signs-of-modern-slavery/>; and,
- Keep the Board updated and remind them of the reputational risk.

The UK government announced earlier this year that it will introduce measures to prevent UK organisations from either profiting from or contributing to human rights violations perpetrated against Uighur Muslims in Xianjing which could include financial penalties under the 2015 Act, which we reported on here <https://bit.ly/mschinalaw>.

Covid-19 has also raised modern slavery compliance issues, in particular risks such as the health and safety of employees, which we have reported on here <https://www.corderycompliance.com/uk-govt-modern-slavery-compliance-covid19-guidance/>.

You can find out more about Cordery's fixed fee service to help with modern slavery compliance here <https://www.corderycompliance.com/solutions/modern-slavery-action/>.

We report about modern slavery compliance issues here <https://www.corderycompliance.com/category/modern-slavery/>.

For more information please contact André Bywater or Jonathan Armstrong who are commercial lawyers with Cordery in London where their focus is on compliance issues.

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