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MSDTM
Modern Slavery Declaration

Weightings
Survey &
Stakeholder
Feedback Report
PUBLIC Version 1.0

Table of Contents

Background	1
The Survey.....	1
Survey Results	2
Survey Conclusions	3
Heads of Consideration Weightings	3
Data Quality and Data Assessment Weightings	3
Individual Data and Assessment Scores	3
Single Score	3
Stakeholder Consultation Process	4
Stakeholder Feedback & GGTI Responses	4
Appendix 1: Survey Content & Instructions.....	9

Global GreenTag Modern Slavery Transparency Declarations: Weightings Survey Report

Background

In 2015 the UK launched its Modern Slavery (MS) Legislation that requires mandatory MS Risk Analysis Statement publication for companies with global turnover more than €50 million and in 2018, NSW (\$50 million threshold) and Australia (\$100 million threshold) launched similar, but enhanced legislation to commence in 2019. As of the time of writing, only the Australian Federal legislation is currently on foot within Australia, given a Regulatory Review process launched by NSW has not yet been concluded. Elsewhere globally, the State of California in the USA also has requirements and both France and the Netherlands have elements of Human Rights requirements legislated. A new credit is also being proposed within the LEED Pilot Credit Library, for MS Compliant Supply Chains.

The growing need for MS reporting indicated to Global GreenTag a need for a product level MS transparency statement and we approached several (3) major construction companies that would be required within the Australian legislation to publish MS Statements, to enquire as to whether such a reporting service would be of benefit.

There was a strong indication that it would definitely be a desirable report format to be provided to large construction companies (and companies with large procurement requirements in general) relating to specific individual products by their manufacturers and that a simplified scoring system would also be desirable.

Given the small initial sample and strong indicative response towards simplified scoring, it was determined that a larger sample was required and given that simplified scoring could involve weighting, a survey was launched to assist in deciding:

- a) What type (if any) of a simplified scoring system was desired;
- b) What weightings (if any) should be attributed to the various legislatively required reporting criteria;

The Survey

This document provides the results of the Weightings Survey process undertaken between March and May 2020. The content of the original survey is including in this document in Appendix 1. A total of 48 unique respondents from Australia, USA, Brazil, Malaysia and South Africa responded providing their desired weightings and responses to their preferred (or not) weightings between the 10 different Legislative Heads of

Consideration common to UK, Australian and NSW Acts. The common Legislative Heads of Consideration (HoC) are:

- DECEPTIVE RECRUITING
- TRAFFICKING
- SERVITUDE
- FORCED LABOUR
- FORCED MARRIAGE
- DEBT BONDAGE
- WORST FORMS OF CHILD LABOUR
- DISCRIMINATION
- EQUAL REMUNERATION
- FREE ASSOCIATION + COLLECTIVE BARGAINING

The other key aspects of the survey were to determine whether a weighting should be applied to the individual scores, i.e., the MS Assessment Score and the Data Quality Score and whether respondents preferred single score results that combined Assessment and Data Quality scores into single scores for each HoC and then whether or not an overall single score was also desired.

Survey Results

QUESTION TOPIC	% VOTE FOR UNWEIGHTED	WEIGHTING VOTED
HEADS OF CONSIDERATION:		
– DECEPTIVE RECRUITING	27%	0.9
– TRAFFICKING	27%	0.9
– SERVITUDE	27%	0.9
– FORCED LABOUR	27%	1.0
– FORCED MARRIAGE	27%	0.9
– DEBT BONDAGE	27%	0.9
– WORST FORMS OF CHILD LABOUR	27%	1.0
– DISCRIMINATION	27%	0.9
– EQUAL REMUNERATION	27%	0.8
– FREE ASSOCIATION + COLLECTIVE BARGAINING	27%	0.8
DATA QUALITY IMPORTANCE RATING (EQUAL)	73%	0.9
ASSESSMENT IMPORTANCE RATING (EQUAL)	73%	0.9
INDIVIDUAL DATA & ASSESSMENT SCORES (YES)	70%	
TOTAL SINGLE SCORE (YES)	70%	

Survey Conclusions

The following outcomes have been determined and will be included in the final version of the product level Global GreenTag Modern Slavery Transparency Declaration template and scoring process.

Heads of Consideration Weightings

Only 27% of respondents favoured unweighted (or equally weighted) HoCs and hence the mathematically averaged weightings shown in the 'Weighting Voted' will be adopted.

Data Quality and Data Assessment Weightings

73% of respondents favoured unweighted (or equally weighted) Data scores. Taken together with the weighted score of 0.9 this means that the general overarching sentiment was nonetheless strongly toward equal weightings. Hence, equal weighting has been adopted for Data Quality and Assessment Scores.

Individual Data and Assessment Scores

70% of respondents favoured the expression of both individual scores for Data Quality and Assessment Scores and hence both scores will be expressed individually within the summary scoring process and graphics.

Single Score

70% of respondents favoured the expression of a single score that combines Data Quality and Assessment Scores without (or equally) weighted within the single final product scoring process. A Single product score will therefore be expressed within the MSD and graphics.

A draft graphic of the score results is shown here and will be incorporated into the artwork for the final MSD Template:



Stakeholder Consultation Process

Since the first inception of the concept of the MSD, GGTI has been seeking feedback from interested parties. Numerous detailed responses have been received from major construction groups, expert individuals, aligned organisations and a National Government department. The responses provided below include responses received after the release of the formalised MSD Draft report. The genericised comments are reproduced below, with the GGTI responses detailed alongside.

Stakeholder Feedback & GGTI Responses

Type of Response	Comment	GGTI Response
Green Building Council: Technical Director	<p>A product-level declaration, while being additional to the requirements of legislation, is a potentially useful offering, particularly where a company has a diverse suite of products (and therefore supply chains).</p> <p>For companies that are more limited in their range of products such that the supply chain for one product is representative of all products, I suspect our members would appreciate the declaration being able to fulfil the requirements of the legislation at a company level, if that was possible.</p>	<p>Noted thanks.</p> <p>This would be the case and is part of the overall intention of the MSD as it stands.</p>
	<p>It is of interest to the GBC to clearly identify actions that are “above and beyond” legislative requirements. [The Rating Tool] cannot recognise reporting that is in line with legislation, but can where it is over and above – either a company choosing to report when it is not required to, or for those that are required, carrying out significant actions to address the highest risks.</p> <p>If this could be readily identified, it is a stamp of credibility for the supplier/product, and it also makes compliance with [The Rating Tool] requirements simpler and more direct.</p>	<p>Noted, thanks. Scores of ‘0’ generally indicate legislative compliance. Scores above ‘0’ show ‘Above and Beyond’ behaviour/s.</p> <p>“Above and beyond” initiatives to be included in Executive Summary.</p>
	<p>It seems to be missing an evaluation of the amount and quality of action taken as a result of the investigation into modern slavery.</p>	<p>Actions taken following investigations to be included in Executive Summary..</p>
	<p>The declaration is clearly readable, though I am not clear on how individual supplier scores contribute to the whole, and if it is weighted in any way (as would be in LCA) based on relative quantities of product procured from those different suppliers.</p> <p>If I was your client I would be interested in understanding relative risks associated with each rating based on whether I procure a lot of product (high risk) or it is a more minor supplier.</p>	<p>A new weighting system has been developed - see elsewhere in this report.</p> <p>The new weighted scoring system should solve this issue.</p>

	<p>The scoring system of -2 to +2 seems reasonable. It is good that the scores for individual criteria are well-explained in how they are defined.</p> <p>The balancing of scores with respect to quantities procured and risk profile seems to be missing.</p> <p>I understand this to be a non-linear issue, as a good score for a high volume supplier is a great thing and low risk, an average score for a low volume supplier is probably not so bad, but a bad score for a very low volume supplier could still present a substantial risk, as potentially could an average score for a high volume supplier.</p>	<p>Noted thank you.</p> <p>Noted. The Guideline Document from the Federal Government is explicit regarding size of supply not affecting risk and risk being the priority issue therefore the size of the supply issue has been excluded.</p> <p>Agreed, thank you.</p>
	<p>Whistleblower provisions are important in ethical business conduct in general. I don't think they need to apply to modern slavery specifically but it is of benefit if the company has those provisions in place on a broad scale. If it is included I would suggest only a broad-based approach.</p>	<p>Whistleblower provisions have been strongly supported. A yes/no response will indicated.</p>
	<p>Don't mix the two scores. They are different mechanisms. It would benefit from an explanation that low data quality is reflective of a greater risk profile, however, as many do not understand that concept.</p>	<p>The weightings survey reflected a strong desire for single simplified score (73%).</p>
	<p>For the two categories (separately) the scores should be weighted according to risk profile, which depends on both the quantities procured and the score, as explained above. Ultimately it needs to be based on risk above all else.</p>	<p>See comment above.</p>
	<p>The scorecard looks good – I like that, like a nutrition label, it contains all of the information and not just the weighted scores. I feel that only a weighted score is meaningless, however what you have presented is quite good!</p>	<p>Thank you.</p>
Major Tier 1 Contractor: National: Modern Slavery Lead	<p>Really happy to see green tag taking leadership in this area – through our MS pilot projects on two of our built form projects, we have been frustrated when getting down to the product level with the lack of tools available to assess the risk of MS at a product level</p>	<p>Noted, thank you.</p>
	<p>Rating system questions are good. From the perspective of a user on the customer side rather than the supplier, I'm less interested in compliance with legislation and more interested in their overall approach to labour conditions and more broadly human rights.</p> <p>You may wish to consider broadening it to the principles of the UNGP Business & Human Rights which may assist in future proofing it to account for future changes in legislation and country-by-country nuances.</p>	<p>Thank you. This type of information will be included in the Executive Summary and be featured in items such as MS Policy and MS Processes. Comment on the presence of these are already included in the template.</p> <p>Noted thank you, we will consider this in future development.</p>

	Its reasonably easy to understand, though it would be beneficial to have a high level explanation of the tool for Board or Executive level	Noted thank you. A ' high level explanation of the tool for Board or Executive level' will be created.
	Inclusion of whistleblower provisions would be welcomed	Included now thank you.
	For our purposes, we would prefer to see 2 averaged scores	Noted. The current proposal includes that plus a Summary overall score.
	Weighting would be preferred.	Noted. The Weightings survey has since been conducted and weightings are now included.
	My final comment is that whilst this is highly welcomed, I was wondering whether you had considered keeping it simpler and making the social responsibility aspect of the existing GreenTag product scorecard.	The GreenTag Certification Program is a very different and much more quantitative process. The Verification and Risk Analysis approach combined with variability in data quality and completeness, mean this would not be possible to incorporate into the Certification System.
Major Foundation Active in MS Policy USA: Assoc. Director of Global Partnerships & Research	Overall I think the concept has real value. For the document itself, I would highlight a simplified mission statement earlier on– it's buried in there on page 4, but I would move it right to the top of that section.	Thank you, noted, we have moved the Mission Statement.
	I would also highlight who you consider the key stakeholders to be. Like the mission statement, I would just call this out clearly.	Thank you, noted, we have made the stakeholder focus more explicit.
	I found the scoring system straight forward and easy to follow.	Thank you.
	I think including whistleblower protection is both relevant and important.	Now Included.
	In regards to scoring, I am leaning toward a single averaged square with a weight, otherwise I worry people who score well on the MS Risk Assessment but not the Data Quality will simply ignore the Data Quality aspect.	Noted, both are included independently.
	I'm not sure of the exact weights here, but data quality is such an issue with this topic in general, so I certainly wouldn't mind if people were incentivized to work on their data quality so that their overall scores don't suffer.	The weightings introduced are as a result of the Weightings Survey. MS Risk and Data Quality are both included independently.
United States Department of Labor	Cover: The Department of Labor notes that this declaration deals with labor issues beyond the scope of modern slavery, including discrimination, freedom of association and collective bargaining, and child labor.	Noted. The Priority Issues noted for Consideration are all included in the UK and Australian Modern Slavery Legislation as mandatory considerations. .
	Page 1: "Select Standards and Resources" – U.S. Department of Labor List of Goods Produced by Child or Forced Labor" We recommend highlighting the U.S. Department of Labor's other products that would serve as resources, namely 'The Findings on the Worst Forms of Child Labor' report, and the' List of Products Produced by Forced or Indentured Child Labor'.	Noted thank you. Agreed and amended.

<p>United States Department of Labor (Continued).</p>	<p>Page 2: Terms and Definitions – “Modern Slavery” The Department of Labor recommends the following language developed by the ILO defining "modern slavery." <i>"The ILO, in the context of its report, "Global Estimates of Modern Slavery: Forced Labour and Forced Marriage" defines "modern slavery" as a set of specific legal concepts including forced labor, debt bondage, forced marriage, slavery and slavery-like practices, and human trafficking. Although modern slavery is not defined in law, it is used as an umbrella term that focuses attention on commonalities across these legal concepts. Essentially, it refers to situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, and/or abuse of power."</i></p>	<p>Definition enhanced to include key aspects of these comments but also reflect that there are legal definitions of what constitutes MS in each of several countries with MS legislation.</p>
	<p>Page 6: International Labor Organization Conventions The Department of Labor recommends instead of <i>"Eight Core ILO Conventions (29, 87, 98, 105, 138, 182, 100 and 111)"</i> -- to replace with "The ILO Declaration on Fundamental Principles and Rights at Work." Rationale: The Declaration, which is referenced in the UN Guiding Principles, reaffirms the commitment of ILO member States to respect, promote and realize principles and rights that are the subject of the conventions that are listed in the current formulation, regardless of whether a country has ratified those conventions. Those principles and rights relate to freedom of association and the effective recognition of the right to collective bargaining, the elimination of forced or compulsory labor, the effective abolition of child labor, and the elimination of discrimination in respect of employment and occupation.</p>	<p>Replaced as suggested, thank you.</p>
	<p>Page 9: Table 3: Slavery: Definitions and Scoring For the first four rows of this table, it seems appropriate to include i on a policy in place. It would be challenging to enforce a policy without a policy in place. This comment applies to the sections on modern slavery, child labor, discrimination, and freedom of association and collective bargaining.</p>	<p>Noted, thank you. Included</p>
	<p>Page 11: Section 3.1.1 - Worst Forms of Child Labor Suggest using instead the term "child labor," which is broader and encompasses the "worst forms of child labor." This would also make the document as a whole more consistent since there are a number of references to the more general term "child labor." Alternatively, if the document uses the term "worst forms of child labor", the references to "child labor" should be revised to "worst forms of child labor" in form and substance.</p>	<p>Noted thanks. Amended to reflect 'Child Labour' reference to reflect summary of 'Worst Forms of Child Labour' as intended reference as this relates to the UK and Australian Legislative mandated content.</p>

	<p>We encourage companies to refer to the U.S. Department of Labor's "Comply Chain" resource (found here: https://www.dol.gov/ilab/complychain/steps/3) for guidance about steps for creating effective codes of conduct and the terminology related to child labor.</p>	Reference included in resources.
	<p>Page 11: Performance Indicators (PI) -- vii The Department of Labor recommends revising this from "strong government laws" to "available government enforcement data" because government laws are not a source of information on the extent/incidence of child labor; rather, publicly-available enforcement data would be a source.</p> <p>This comment applies to all of the sections on child labor, discrimination, freedom of association/collective bargaining, and slavery.</p>	Noted thanks. Agreed and amended.
	<p>Page 12: 3.1.2. Discrimination – Performance Indicators - iv The earlier term used was "non-discrimination" -- the Department of Labor suggests using "non-discrimination."</p>	Noted thanks. Agreed and amended.
	<p>Page 13: 3.1.3. Equal Remuneration – Performance Indicator – i. The earlier section and this current section use the term "non-discrimination." The Department of Labor suggests the term "non-discrimination" instead of "non-discriminating."</p>	Noted thanks. Agreed and amended.
	<p>Page 14: 3.1.4. Freedom of Association and Collective Bargaining – first paragraph We recommend that a more specific description of the rights to freedom of association and collective bargaining would be useful. We recommend the following: "The MSD assesses the extent to which workers 1.) have the right to establish and join organizations of their own choosing without previous authorization; 2.) have the right to draw up their constitutions and rules, to elect their representatives in full freedom, to organize their administration and activities and to formulate their programs; 3.) have the right to establish and join federations and confederations and any such organization, federation or confederation shall have the right to affiliate with international organizations of workers and employers; and 4.) have adequate protections against acts of anti-union discrimination in respect of their employment." (These specific rights are consistent with ILO Conventions 87 and 98.)</p>	Noted thanks. Agreed and amended.

Appendix 1: Survey Content & Instructions

Thank you for your interest in providing your thoughts as to the potential weighting and provision of a single score for each issue and overall score for each product that is the subject of a Global GreenTag Modern Slavery Transparency Declaration.

This is the second stage in a Stakeholder Review Process, the first of which was an Expert Review Panel assessment, whose responses indicated that Single Topic and Overall Product Single Scores with potential weighting, were preferred outcomes.

Hence this stage of the expanded, public review process seeks to establish what, if any, those weighting might be, and to what extent single scores might be reported.

To respond to this survey:

- A) Please rank, in order of importance, each issue from 1 to 10, with 1 being least important, and 10 meaning most important.

Note: *If you think each should be weighted equally, please make them ALL as 10.*

- DECEPTIVE RECRUITING
- TRAFFICKING
- SERVITUDE
- FORCED LABOUR
- FORCED MARRIAGE
- DEBT BONDAGE
- WORST FORMS OF CHILD LABOUR
- DISCRIMINATION
- EQUAL REMUNERATION
- FREE ASSOCIATION + COLLECTIVE BARGAINING

B) Do you think Data Quality and Assessment Score should be weighted equally, or one weighted more than the other?

Please rank, in order of importance, each issue from 1 to 10, with 1 being least important, and 10 meaning most important.

- Assessment Results
- Data Quality

Note: If you think each should be weighted equally, please mark THEM BOTH as 10.

C) Is a Single Score (ie a combined Assessment Result and Data Quality Score for each Modern Slavery issue of consideration desired? Yes/No

D) Is a TOTAL Single Score for Assessment Results for ALL issues of Consideration AND Data Quality desired Yes/No

Thank you again for your participation. If you wish to be notified of the results, please provide your email on the next screen.

MSD Document for review:

https://www.globalgreentag.com/wp-content/uploads/2020/03/200205_GGTI_MODERN-SLAVERY-PRODUCT-REPORT_Guidance-Document_DRAFT_v8_website.docx.pdf

Survey:

<https://docs.google.com/forms/d/e/1FAIpQLSebFnOCBDCSTWBmJP1KDNYvDuMlwIO3U4rIEpKZHRpNiOzXXA/viewform>

MSD landing page

<https://www.globalgreentag.com/modern-slavery-transparency-declaration-stakeholder-review/>

https://docs.google.com/forms/d/e/1FAIpQLSebFnOCBDCSTWBmJP1KDNYvDuMlwIO3U4rIEpKZHRpNiOzXXA/viewform?usp=sf_link