

HOMES & COMMUNITIES COMMITTEE
30 SEPTEMBER 2019

MODERN SLAVERY AND HUMAN TRAFFICKING STATEMENT

1.0 Purpose of Report

1.1 To propose a Modern Slavery & Human Trafficking Statement for adoption by the Council.

2.0 Background Information

2.1 Introduction

2.1.1 The Modern Slavery Act 2015 came into force on 29 October 2015. Section 54 of the Act requires organisations that supply goods or services and have a consolidated global turnover of £36 million per annum or more to prepare a slavery and human trafficking statement for each financial year. All bodies corporate and partnerships that meet the turnover requirement will be caught, regardless of where they are incorporated, if they carry on any part of their business in the UK. Notably, organisations which primarily pursue a charitable or educational aim have not been excluded from the requirements.

2.1.2 Whilst the Act does not state that local authorities specifically are included in those organisations legally required to publish a statement, the Council has elected to do so as a matter of good practice.

2.2 Requirements

2.2.1 The Act states that the Slavery & Human Trafficking Statement, which must be approved by the organisation's management body and signed by a director, may contain information on the following key areas:

- the organisation's structure;
- the business's policies on modern slavery;
- the availability to staff of training on modern slavery;
- the organisation's principle risks related to modern slavery and its methods of evaluating those risks; and
- key performance indicators (KPIs) to assist the assessment of the steps the organisation puts in place to ensure that its business and supply chains are free of modern slavery.

2.2.2 Section 54 of the Act requires organisations to be transparent about the steps taken both in their own businesses and their supply chains to prevent slavery and human trafficking. If an organisation has taken no such steps, it must publish a statement to this effect.

2.2.3 Annex E of the Government's guidance suggests that organisations should re-evaluate their existing internal KPIs and performance incentives to ensure that these do not create a slavery risk (for example, where KPIs focus on increasing production or shipment 'turn-around' times). It encourages each organisation to ensure that its slavery and human trafficking statement is kept under review so that it is constantly evolving alongside the organisation's activities.

2.3 Timescales

2.3.1 The guidance states that an organisation should seek to publish its statement as soon as reasonably practicable, preferably within six months before the end of their financial year. Organisations are required to publish their slavery and human trafficking statements on their websites and include links to their statements in prominent places on their homepages.

2.3.2 There is no requirement for organisations to include the statement in their annual reports and accounts.

2.4 Compliance

2.4.1 The Secretary of State can enforce the duty to prepare a slavery and human trafficking statement by using injunction proceedings. In reality, consumer pressure and pressure from organisations higher up in a supply chain that are required to comply or are coming under pressure from their own clients or customers to comply will inform organisations' decisions to comply with the Act. Investors and funders may also require compliance. Reputational and corporate social responsibility concerns are further likely to influence an organisation's approach.

3.0 Proposals

3.1 On 19 July 2019 a proposed Statement was submitted to the Council's Senior Leadership Team (SLT) for consideration. The document had been put together in consultation with the relevant internal stakeholders and SLT were asked to consider the statement and make any amendments required prior to referring through to this committee for its formal adoption and implementation.

3.2 Having considered the content of the document amendments were made and the final version was agreed (see Appendix 1), subject to Member consideration and feedback.

4.0 Equalities Implications

4.1 The proposed policy statement has been developed with due regard to equalities matters and to assist the Council to ensure that individuals with protected characteristics and those who are more vulnerable members of the community are appropriately supported.

5.0 Financial Implications

5.1 There are no financial implications arising from the proposals set out within the report.

6.0 Community Plan – Alignment to Objectives

6.1 A key objective included within the Community Plan is to reduce crime and anti-social behaviour and increase feelings of safety in our communities. The adoption of a Modern Slavery and Human Trafficking Statement demonstrates the Council's commitment to reduce crime in this area and in turn will help contribute to the achievement of this objective.

7.0 Comments of Director

7.1 Commentary is included within the main body of the report.

8.0 **RECOMMENDATION**

That Members consider the content of the proposed Human Trafficking and Modern Slavery and to provide feedback on the same prior to formal adoption by the Council.

Reason for Recommendation

To enable the Council to demonstrate its commitment, as far as is reasonable possible to eradicating human trafficking and modern slavery.

Background Papers

Nil

For further information please contact Tracey Piper on Ext 5219

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MODERN SLAVERY & HUMAN TRAFFICKING STATEMENT

1. Introduction

- 1.1 Newark and Sherwood District Council (NSDC) is committed to preventing slavery and human trafficking in the delivery of its services and corporate activities. The Council recognises that slavery and human trafficking remain a hidden blight on our society, that it has a responsibility to be alert to the risks and to strive to ensure that its supply chains are free from slavery and human trafficking.
- 1.2 This Modern Slavery and Human Trafficking Statement details the steps the Council has taken to understand potential modern slavery risks related to its business and to put in place measures to ensure that these offences are not committed in its own business or its supply chains.
- 1.3 This Statement relates to all activities carried out by NSDC. It will be reviewed on an annual basis and a new updated Statement, acknowledging any further actions that may have been taken, will be published by the end of June in each subsequent year.

2. The Modern Slavery Act 2015

- 2.1 The Modern Slavery Act 2015 (the Act) consolidates various offences relating to human trafficking and slavery. Broadly speaking this means that:
- 'slavery' is where ownership is exercised over a person;
 - 'servitude' involves coercion to oblige a person to provide services;
 - 'forced and compulsory labour' is where a person works or provides services on a non-voluntary basis under the threat of a penalty;
 - 'human trafficking' involves arranging or facilitating the travel of a person with a view to exploiting them.
- 2.2 Section 52 of the Act imposes a duty on public authorities, including district councils, to notify the Secretary of State of suspected victims of slavery or human trafficking.
- 2.3 Section 54 of the Act imposes a legal duty on commercial organisations, which supply goods and/or services from or to the UK and have a global turnover of more than £36 million, to publish a slavery and human trafficking statement each financial year.
- 2.4 NSDC engages in commercial activities by providing services (both statutory and discretionary). Its annual turnover is in excess of £36 million. Whilst the Act does not state that local authorities specifically are included in those organisations legally required to publish a statement, NSDC has elected to do so as a matter of good practice. The Council is keen to raise awareness of slavery and human trafficking and as a large scale local employer and provider of services, it is seen as imperative that the Authority makes its position of zero tolerance in respect of slavery and trafficking clear and unequivocal.

3. Standards

3.1 The Council will meet the following standards and also expects those with whom it does business, to meet them to:

- Support every individual's human right to live free from abuse, servitude and inhumane treatment;
- Promote ethical business and operational practices in corporate activity and services delivered;
- Take appropriate steps to ensure, as far as is reasonable possible, that slavery and human trafficking is not taking part in any of its business or supply chains;
- Take reports of witnessed, suspected or disclosed concerns of slavery and human trafficking seriously and ensure that such reports are shared with appropriate law enforcement and other partner agencies in order that they can be fully investigated;
- Take appropriate action to address actual instances of slavery and human trafficking brought to the Council's attention and to take all reasonable steps to support and protect its victims.

4. Organisational Structure

4.1 The Council is a second tier local authority situated in the county of Nottinghamshire, providing a wide range of statutory and discretionary services delivered both directly by itself, and through partnership working with other agencies and commissioned work with external contractors.

4.2 Council's Constitution and details of the structure are both available on its website www.newark-sherwooddc.gov.uk/

5. Supply Chains

5.1 As part of its procurement processes, NSDC requires that all suppliers of goods and services comply with all applicable laws, statutes, regulations and codes including the Modern Slavery Act 2015. Suppliers are also expected to publish a Slavery and Human Trafficking Statement (where applicable). Contract terms and conditions set out the requirements of suppliers and sub-contractors in relation to ensuring there is no slavery or human trafficking in their businesses.

5.2 NSDC also requires its suppliers and sub-contractors engaged in 'regulated activity' involving children and adults at risk to have safeguarding policies, procedures and training in place and to comply with the reporting procedures in the Council's Adult and Children's Safeguarding Policies.

6. Policies and Plans

6.1 NSDC has a range of policies and plans in place that reflect its commitment to acting ethically and with integrity to prevent slavery and human trafficking in its operations. These include:

6.1.1 **The Community Plan 2019-2023** – a key Objective is that we reduce crime and anti-social behaviour and increase feelings of safety in our communities. In working towards this Objective, NSDC is working, individually and with partner agencies, to reduce crime and anti-social behaviour; using statutory powers to improve public safety, for example, enforcement of licensing requirements; raising awareness of services available; and encouraging victims to report incidents to access the support they need.

- 6.1.2 **Safeguarding Policies** – The Council’s Children and Adults Safeguarding policy sets out the steps the Authority is taking to safeguard and protect the welfare of children and adults at risk who come into contact with or use its services and activities. The policy includes the Council’s responsibilities in respect of modern slavery and human trafficking and its legal obligation to notify the Home Office of suspected victims of these offences. We have a statutory duty to work in partnership with a number of agencies to identify, refer and respond to suspected abuse and to provide additional support.
- 6.1.3 **Whistleblowing Policy** – NSDC encourages all its employees, Councillors, contractors, their agents and/or subcontractors, consultants, suppliers and service providers to report concerns about any aspect of service provision, conduct of officers and others acting on behalf of the Council. The Whistleblowing Policy is intended to make it easier to disclose information without fear of discrimination and victimisation.
- 6.1.4 **Code of Conduct** – NSDC makes clear to all its employees that there are expected standards of behaviour to which they must adhere when they are representing and acting on its behalf. Employee conduct and behaviour that fails to meet these standards is fully investigated and appropriate action taken.
- 6.1.5 **Recruitment and Selection Policy** – This sets out procedures followed to vet new employees to ensure that confirmation of their identities and qualifications is obtained. To comply with the Immigration, Asylum and Nationality Act 2006, prospective employees are asked to supply evidence of their eligibility to work in the United Kingdom. References are sought and followed up for all employees and relevant checks, for example Disclosure and Barring Service (DBS) checks, are carried out where relevant to the position. NSDC uses a specified and reputable vendor neutral platform to source agency workers. The provider has a Modern Slavery and Human Trafficking Statement and all contracts with third party providers include the following clause: *Suppliers will also not engage in any practices or policies that result in involuntary labour such as slavery, indentured or bonded labour, child labour, and prison labour. Our suppliers must confirm compliance with the local laws applicable to their operations, including any slavery and human trafficking laws.*
- 6.1.6 **Anti-Money Laundering Policy** – This sets out the Council’s commitment to the prevention, detection and reporting of money laundering.
- 6.1.7 **Commissioning and Procurement Policies** – These policies set out the strategic aims and principles of procurement activity, including the principles that the Council follows in the acquisition of goods, works and services from suppliers. NSDC is committed to ensuring that its suppliers adhere to the highest standards of ethics. Suppliers are required to demonstrate that they provide safe working conditions where necessary, treat workers with dignity and respect, and act ethically and within the law in their use of labour. The Council works with suppliers to ensure that they meet the standards of the code and improve their worker's working conditions. However, serious violations of the organisation's supplier code of conduct will lead to the termination of the business relationship.
- 6.1.8 **Dignity at Work Policy** – This policy provides a framework for the Council’s approach to the wide ranging equality and diversity agenda.

7. Due Diligence

- 7.1 The Council's approach to commissioning and procurement requires suppliers of goods and services to implement due diligence procedures in relation to slavery and human trafficking with their own suppliers, sub-contractors and other participants in their supply chain. For organisations with a turnover below £36 million, suppliers will be asked to confirm their acceptance of this Modern Slavery and Human Trafficking Statement.
- 7.2 As part of the Council's commitment to identify and mitigate risk, all business units work together and alongside partner agencies to:
- Identify and assess potential risk areas in their business affairs;
 - Mitigate the risk of slavery and human trafficking through robust checks and balances;
 - Monitor and review any potential risk areas identified;
 - Protect whistle blowers.

8. Training

- 8.1 The Council has made considerable efforts to ensure that initiatives to raise awareness of slavery and human trafficking, and services available to assist victims have been prioritised. We provide face to face Safeguarding and domestic violence awareness training for all new starters and this includes a section on Modern Slavery. Once staff have attended this, those with computer access are sent online modules on Safeguarding, Domestic violence, and Modern Slavery.
- 8.2 For those employees who attended face to face training some time ago the Safeguarding and Modern Slavery modules are emailed out to them periodically as a refresher.
- 8.3 Where employees do not have computer access we have given an undertaking to provide face to face training at regular intervals throughout the year.

9. Targeted Activity

- 9.1 The Council has a strong history of working in partnership with other local authorities, both at county and district level, partner agencies, local charities and community groups including Nottinghamshire's Serious Organised Crime Group. The Council's Public Protection Business Unit contains the operational teams delivering activities locally both in respect of responding to issues reported on a daily basis and creating and coordinating medium and longer-term projects that aim to reduce crime and improve public safety by gathering intelligence on disruptive activity where appropriate.
- 9.2 The Council also attends and supports the MARAC (Multi Agency Risk Assessment Conference) which is a meeting where information is shared on the highest risk domestic abuse cases between representatives of local police, probation, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs) and other specialists from the statutory and voluntary sectors. Where these groups identify potential abuse or slavery, the necessary enforcement agencies are informed and referrals are made to local and national support agencies.

9.3 The Council's Corporate Safeguarding Group will review all safeguarding referrals made and identify cases of modern day slavery by ensuring that all the appropriate referrals are made. The Group will provide advice and guidance to all appropriate staff on the signs and indicators of where modern day slavery may be present.

10. Monitoring our Effectiveness

10.1 The Council will regularly review and monitor the measures being implemented to address slavery and human trafficking and to safeguard against such activity in any part of its business or supply chains by:

- i) Tasking the Corporate Safeguarding Group to develop/implement an action plan aligned (where appropriate) to delivery of objectives included within the Community Plan as well as normal day to day council activities;
- ii) Including slavery and human trafficking as a standing agenda item on the Corporate Safeguarding Group;
- iii) Recording the number of employees provided with training on modern slavery and human trafficking;
- iv) Carrying out an annual review to identify any deficiencies within our policies and practices and taking appropriate action to rectify these to strengthen our ability to address slavery and human trafficking;
- v) Carrying out periodic internal audits to ensure compliance with the policy.

10.2 This Statement together with the action plan will be reviewed annually to monitor their effectiveness.

Signed

Date

John Robinson, Chief Executive