

## **CABINET - 16TH JANUARY 2020**

### **Report of the Director of Corporate Services Lead Member: Councillor James Poland**

#### **Part A**

#### **ITEM 10     MODERN SLAVERY STATEMENT**

##### Purpose of Report

To seek Cabinet's approval of a proposed Modern Slavery Statement, including the associated commitments to practical action.

##### Recommendations

1. That the 2019-20 Modern Slavery Statement, appended to this report, be approved.
2. That delegated authority be given to the Chief Executive, in consultation with the Leader, to annually review and approve the Council's Modern Slavery Statement.

##### Reasons

1. To identify all potential modern slavery risks related to the business of the Council and to put in place steps that are aimed at ensuring there is no slavery or human trafficking within the Council's own business or supply chains.
2. To allow the annual review and publication of a Modern Slavery Statement, as specified within legislative requirements.

##### Policy Justification and Previous Decisions

The Modern Slavery Act (2015) introduced several provisions to tackle the issue and included a duty on any local authority to notify the Secretary of State if it has reasonable grounds to believe that a person may be a victim of human trafficking or modern slavery. Under Section 54 of the Modern Slavery Act 2015, certain organisations are required to prepare a slavery and human trafficking statement for each financial year of the organisation.

As part of Section 11 Children's Safeguarding Audits and inspection of safeguarding relating to the Care Act 2014, all local authorities are required to have a range of policies in place which relate directly to safeguarding. This includes Modern Slavery, as it affects children, young people and adults of all ages and abilities.

##### Implementation Timetable including Future Decisions and Scrutiny

If approved the Modern Policy Statement will be published and made available to members of the public, Elected Members and internal Officers of the Council.

There is a legislative requirement to review and produce a revised Modern Policy Statement on an annual basis. Moving forward, it is proposed this be conducted and

approved in line with the start of each financial year.

### Report Implications

The following implications have been identified for this report.

#### *Financial Implications*

There are no financial implications arising from this report at this stage. All activities will be covered within existing budgets.

#### *Risk Management*

The risks associated with the decision Cabinet is asked to make and proposed actions to mitigate those risks are set out in the table below.

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Failing to comply with a legal obligation.	Unlikely (2)	Major (4)	Moderate (8)	The Statement will be monitored operationally by the Senior Leadership Team and reviewed regularly considering any potential legislative changes.
Failing to take an active role in tackling this type of crime.	Unlikely (2)	Major (4)	Moderate (8)	The Statement will be monitored operationally by the Senior Leadership Team and reviewed regularly considering any potential legislative changes.

#### *Equality and Diversity*

An overarching Equality Impact Assessment has been undertaken on the Corporate Equality Strategy (2016-20) to consider the overall impact on our communities. Subsequent Equality Impact Assessments will be undertaken on individual tasks and activities within the Modern Policy Statement, if appropriate.

The overall impact of the Modern Policy Statement is positive. However, it is important that any specific initiatives undertaken to ensure delivery of the Modern Policy Statement are assessed individually to ensure that the Council complies with its statutory duty to give due regard to the need to:

- eliminate discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.

- foster good relations between people who share a protected characteristic and those who do not.
- encourage participation by people with disabilities in public life and take account of the disabilities of individuals, even when that involves treating people with disabilities more favourable.

### *Crime and Disorder*

The Modern Slavery Statement specifically outlines the commitments of the Council and the key activity to be implemented in order to ensure the Council meets its legal, moral and safeguarding obligations and to take a proactive role in tackling this type of crime.

The Council has a statutory duty to respond to the issue of modern slavery and potential victims may not receive the help and support that they need if the Council does not respond appropriately and work in partnership with other statutory agencies.

Key Decision: Yes

Background Papers: None

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## Part B

### Background

1. Modern slavery has increased significantly in recent years across the world and in the UK and is a growing safeguarding concern for all local authorities due to its serious and often brutal criminality, in which people are treated as commodities and exploited for criminal gain. Figures from the International Labour Organisation (ILO) suggest that there are more than 40 million people in modern slavery across the world. In 2013, the Home Office estimated that there were between 10,000 and 13,000 potential victims of modern slavery in the UK, though this number may be much higher. The true extent of modern slavery in the UK is unknown as it is often hidden, but human trafficking particularly is an international problem and victims may have entered the UK legally, on forged documentation, although they can also be British Citizens living in the UK.
2. The term 'Modern Slavery', includes a range of activities including human trafficking, slavery, servitude and forced and compulsory labour, and exploitation takes several forms, including sexual exploitation, forced manual labour and domestic servitude, with victims coming from all walks of life. Victims may be unwilling to come forward to law enforcement or public protection agencies, indeed, not seeing themselves as victims, or fearing further reprisals from their abusers. Victims may also not always be recognised as such, by others who come into contact with them.
3. In March 2015, the Government enacted the Modern Slavery Act 2015 which:
  - consolidated and clarified existing modern slavery and human trafficking offences and increased the maximum sentences for committing these offences
  - introduced slavery and trafficking prevention orders and slavery and trafficking risk orders – which can be used to disrupt activities by modern slavery perpetrators
  - created the role of the Independent Anti-Slavery Commissioner
  - introduced support and protection for victims
  - introduced a requirement for certain businesses to produce and publish a modern slavery statement on what they are doing to tackle modern slavery and trafficking in their supply chains.
4. The Act includes several provisions for local authorities. Firstly, a duty to identify and refer modern slavery child victims and consenting adults through the National Referral Mechanism (NRM). Secondly, a duty to notify the Home Secretary of adults who do not consent to enter the NRM. Thirdly, a duty to cooperate with the Independent Anti-Slavery Commissioner.
5. Commercial organisations, turning over in excess of £36 million annually, are required to report their efforts to identify, prevent and mitigate the risk of modern slavery in their commercial operations by publishing an annual Modern Slavery Statement.
6. Beyond ensuring that supply chains are free from modern slavery, local authorities have three key roles to play:
  - identification and referral of victims;

- supporting victims, for example, through safeguarding children and adults with care and support needs and through housing/homelessness services;
  - community safety, disruption and enforcement activities.
7. Charnwood Borough Council is actively involved in tackling modern slavery in several ways and has a responsibility in relation to vulnerability and safeguarding for children and adults.

### Modern Slavery Statement

8. The Council's Modern Slavery Statement sets out its commitment to identify, address and prevent slavery and exploitation within its work; that of contractors its commissions, and services that it procures.
9. The Statement highlights the Council's responsibilities as an employer and acknowledges and accepts its duty as a Council under Section 52 of the Modern Slavery Act 2015, to notify the Secretary of State of suspected victims of slavery or human trafficking.
10. This prevention work will be addressed through the Council's policies and procedures relating to Procurement, Recruitment, the overarching Modern Slavery Statement, staff and Member safeguarding training, and through proactive work with partners.
11. The aim of this Statement is to provide guidance on how the Council will safeguard potential victims of modern slavery and how it will work in partnership with other local statutory organisations, to help address and prevent slavery and exploitation.
12. The Statement applies to all services within the remit of Charnwood Borough Council and to all employees including permanent, temporary, casual workers, voluntary workers, Elected Members, work experience students, agency staff, consultants, outside hirers and other contracted persons within the duration of that contract, whatever their position, role, or responsibilities. It also applies to work carried out in all settings, including Council premises or external, privately hired and other venues.

### Appendices

- Appendix 1 Draft Modern Slavery Policy Statement (2019-2020)  
Appendix 2 Equality Impact Assessment

## Modern Slavery and Human Trafficking Statement

### 1. Introduction

1.1 This statement sets out Charnwood Borough Council's actions to understand all potential modern slavery risks related to its business and to put in place steps that are aimed at ensuring that there is no slavery or human trafficking in its own business or its supply chains. This statement relates to actions and activities during the financial year 1 April 2019 to 31 March 2020.

1.2 As part of the public sector, Charnwood Borough Council recognises that it has a responsibility to take a robust approach to slavery and human trafficking. The Council is committed to preventing slavery and human trafficking in its corporate activities, and to ensuring that its supply chains are free from slavery and human trafficking. The Council also works with local safeguarding boards to share best practice and to enable effective communication between relevant bodies, including law enforcement, local authorities, health care bodies and local groups.

### 2. Organisational Structure & Supply Chains

2.1 This statement covers the activities of Charnwood Borough Council. The Council manages a wide range of services which are delivered both directly by the Council and through external organisations.

#### ***Countries of operation and supply***

2.2 Charnwood Borough Council only operates in the United Kingdom. Due to the nature of the Council's business, the risk of slavery and human trafficking is considered low, however the Council remains vigilant to any potential risks.

#### ***High-risk activities***

2.3 The Council considers that, due to the nature of its business and the policies/processes (see below) that are in operation, there are no areas of its business that are at high risk of slavery or human trafficking.

#### ***Responsibility***

2.4 Responsibility for the Council's anti-slavery initiatives is as follows:

- **Policies:** These are developed by officers employed by the Council and are then agreed by the relevant board or committee.

- **Risk assessments:** These will be undertaken by officers within the relevant service area with support from, Designated Safeguarding Officers (DSO's), Human Resources and the Finance & Procurement Service, as required.
- **Investigations/ due diligence:** Any concern regarding modern slavery or human trafficking should be raised with the Strategic Director of Corporate Services in the first instance.

### 3. Relevant Policies

3.1 The Council has the following policies in place to support its commitment to identifying and preventing slavery and human trafficking in its operations:

- **Whistleblowing Policy and Procedure** – The Council encourages all its workers, customers and other business partners to report any concerns related to the direct activities, or the supply chains of the organisation. The Council's [Whistleblowing Policy and Procedure](#) is designed to make it easy for workers and suppliers to make disclosures, without fear of retaliation.
- **Employee Code of Conduct** – The Council's Code of Conduct makes clear to employees the actions and behaviour expected of them when representing the Council. The Council strives to maintain the highest standards of employee conduct and ethical behaviour. Any breaches are investigated, and action taken as necessary.
- **Expectations of Suppliers** – The Council is committed to ensuring that 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 required standards. However, serious violations of these expectations will lead to the termination of the business relationship.
- **Recruitment/ agency workers policy** – The Council recruits its employees via its in-house recruitment function. New workers are thoroughly and properly vetted for their eligibility to work in the UK in accordance with the Home Office and Cabinet Office scrutiny Guidelines, as appropriate. Where agency workers are required, these are acquired through a managed service provider who verifies the practices of any new agency it is using before accepting workers from that agency. All recruitment of agency staff is undertaken in line with the [Prevention of Illegal Working Policy](#) (which links to the Home Office requirements) and stipulates that any potential workers are checked by the relevant agency.
- **Safeguarding Children & Vulnerable Adults** – The [Children and Young People Safeguarding Policy](#) and [Adults in Need of Safeguarding Policy](#) sets the Council's duty to spot signs of potential abuse amongst children and vulnerable adults, which may include signs of trafficking or modern slavery.

#### 4. Due Diligence

- 4.1 Charnwood Borough Council undertakes due diligence when considering taking on new suppliers. In relation to new suppliers, the following questions are issued as part of the procurement process:

Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015	
<p>Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")?  <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/649906/Transparency_in_Supply_Chains_A_Practical_Guide_2017.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/649906/Transparency_in_Supply_Chains_A_Practical_Guide_2017.pdf</a></p>	<p>Yes <input type="checkbox"/></p> <p>N/A <input type="checkbox"/></p>
<p>If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015?</p>	<p>Yes <input type="checkbox"/></p> <p>Please provide the relevant URL</p> <p>No <input type="checkbox"/></p> <p>Please provide an explanation</p>
<p>Has your organisation, its directors or any other person who has the power of representation, decision or control of the named organisation ever been convicted of slavery, servitude, forced or compulsory labour, child labour or an offence in human trafficking and other forms of trafficking in human beings within the last five years?</p> <p><b><i>Bidders who answer 'Yes' to question x will automatically fail the Legal Obligations schedule.</i></b></p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Please provide an explanation</p>
<p>In accordance with the Modern Slavery Act 2015 all organisations carrying out business within the UK, with a total annual turnover of £36m or more are required to produce a slavery and human trafficking statement for each financial year.            Please confirm if your organisation has an annual turnover of £36m or more.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>If you answered yes to the above question, please confirm that you are compliant with the annual reporting requirements contained within Section 54 of the Act 2015?</p> <p><b><i>Bidders who answer 'No' to this question and who have an annual turnover of over £36m or more will automatically fail the Legal Obligations schedule. Bidders who answer yes to this question will be asked to provide evidence of the annual report upon award of contract.</i></b></p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

## **5. Risk**

**5.1** Whilst the Council's activities are not considered to be in high risk areas, as part of our initiative to identify and mitigate risk we will:

- Require all HR professionals to be suitably qualified in relation to recruitment procedures.
- Require Learning & Development professionals to be suitably qualified in relation to training in recruitment and interviewing techniques.
- Have in place appropriate procurement procedures and ensure that contracts with external providers have appropriate clauses
- Keep under review supply chain and contract procedures
- Ensure that in carrying out statutory functions, officers are aware of potential risks and have clear reporting lines.

**5.2** Additionally, we have in place systems to:

- Identify and assess potential risk areas in our supply chains
- Mitigate the risk of slavery and human trafficking occurring in our supply chains.
- Monitor potential risk area in our supply chains
- Protect whistle blowers.

## **6. Training and Awareness- Raising**

**6.1** The Council recognises that certain employees within the organisation should be required to complete awareness training in relation to modern slavery and human trafficking. This is currently included within the 'Silver Safeguarding' training, provided by the Council to officers, and further opportunities to offer the training more widely are being explored.

**6.2** Additionally, the Council has published an awareness- raising document (produced by the Home Office) which is available to all employees and covers the following:

- The basic principles of the Modern Slavery Act 2015
- How to identify and prevent slavery and human trafficking
- What external help is available (e.g. the Modern Slavery Helpline).

## **7. Our effectiveness in combatting slavery and human trafficking**

**7.1** We use the following to measure how effective we have been in ensuring that slavery and human trafficking is not taking place in any part of our business or supply chains:

- Monitoring complaints
- Monitoring training needs
- Feedback from monitoring of corporate contracts

In order to assess performance and measure our effectiveness in combatting slavery and human trafficking, compliance will be monitored at through the Equality Working Group, on a quarterly basis, and any mitigating action and/ or recommendations will fed to the Senior Leadership Team, as appropriate.

This statement is made pursuant to section 54(1) of the Modern Slavery Act 2015 and constitutes our slavery and human trafficking statement for the financial year ending 31 March 2020. It will be reviewed and updated annually.

**Designated member's signature:**

**Designated member's name:** Cllr. James Poland

**Date:** [TBC]

## Charnwood Borough Council

### Equality Impact Assessment 'Knowing the needs of your customers and employees'

#### ■ Step 1 – Introductory information

Title of the policy	Modern Slavery Statement 2019-2020
Name of lead officer and others undertaking this assessment	Suzanne Kinder
Date EIA started	June 2019
Date EIA completed	December 2019

#### ■ Step 2 – Overview of policy/function being assessed:

Outline: What is the purpose of this policy? (Specify aims and objectives)
<p>There is a legislative requirement to review and produce a revised Modern Policy Statement on an annual basis.</p> <p>The Modern Slavery Statement specifically outlines the commitments of the Council and the key activity to be implemented in order to ensure the Council meets its legal, moral and safeguarding obligations and to take a proactive role in tackling this type of crime.</p> <p>The Council has a statutory duty to respond to the issue of modern slavery and potential victims may not receive the help and support that they need if the Council does not respond appropriately and work in partnership with other statutory agencies.</p>
What specific group/s is the policy designed to affect/impact and what is the intended change or outcome for them?
<p>The Modern Policy Statement includes a number of equality objectives to achieve positive outcomes in both service design and delivery, and in employment for everyone. The Modern Policy Statement identifies real and achievable objectives for the Council which will enable it to fulfil its commitment to preventing modern slavery occurring.</p> <p>By achieving the objectives set out in the Statement the Council will achieve positive outcomes for individuals and communities in service design, delivery and employment. Therefore, a wide range of people will benefit from the positive outcomes achieved through this Statement.</p>
Which groups have been consulted as part of the creation or review of the policy?
<p>Consultation took place with partner organisations and internally with the Equalities Working Group, Procurement, HR, Learning &amp; Development and Neighbourhoods and Communities Officers.</p> <p>Responses generated through consultation were analysed and the final version of the Strategy reflects all responses made.</p>

■ **Step 3 – What we already know and where there are gaps**

List any existing information/data do you have/monitor about different diverse groups in relation to this policy? Such as in relation to age, disability, gender reassignment, marriage and civil partnership, pregnancy & maternity, race, religion or belief, sex, sexual orientation etc.

Data/information such as:

- Consultation
- Previous Equality Impact Assessments
- Demographic information
- Anecdotal and other evidence

Gained relevant evidence & research from:

- National and local research/ statistics
- National guidance on the Modern Slavery Act 2015.
- Equality & Human Rights Commission research and website
- Research from charities and community organisations
- Staff groups i.e. Equality Working Group

What does this information / data tell you about diverse group? If you do not hold or have access to any data/information on diverse groups, what do you need to begin collating / monitoring? (Please list)

Modern Slavery can take place in a variety of circumstances and can impact all protected characteristics.

■ **Step 4 – Do we need to seek the views of others? If so, who?**

In light of the answers you have given in Step 2, do you need to consult with specific groups to identify needs / issues? If not please explain why.

No further consultation required at this stage.

■ **Step 5 – Assessing the impact**

In light of any data/consultation/information and your own knowledge and awareness, please identify whether the policy has a positive or negative impact on the individuals or community groups (including what barriers these individuals or groups may face) who identify with any 'protected characteristics' and provide an explanation for your decision (please refer to the general duties on the front page).

	<b>Comments</b>
<b>Age</b>	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of age.
<b>Disability</b> (Physical, visual, hearing, learning disabilities, mental health)	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of Disability.
<b>Gender Reassignment</b> (Transgender)	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of gender reassignment.

<b>Race</b>	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of race.
<b>Religion or Belief (Includes no belief)</b>	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of religion or belief.
<b>Sex (Gender)</b>	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of gender.
<b>Sexual Orientation</b>	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a positive impact on individuals and communities with regards to the protected characteristic of sexual orientation.
<b>Other protected groups (Pregnancy &amp; maternity, marriage &amp; civil partnership)</b>	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations is likely to have a neutral impact on individuals and communities with regards to the protected characteristic of pregnancy & maternity and marriage & civil partnership.
<b>Other socially excluded groups (carers, low literacy, priority neighbourhoods, health inequalities, rural isolation, asylum seeker and refugee communities etc.)</b>	The Modern Policy Statement and the Council's commitment to ensuring the organisation meets its legal, moral and safeguarding obligations covers a variety of other groups such as: rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities. The specific actions are likely to have a positive impact on individuals and communities.

Where there are potential barriers, negative impacts identified and/ or barriers or impacts are unknown, please outline how you propose to minimise all negative impact or discrimination.

Please note:

- If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.
- Additionally, if you have identified adverse impact that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

The Modern Policy Statement is aimed at ensuring the Council meets its legal, moral and safeguarding obligations and to take a proactive role in tackling this type of crime. However, it is recognised that positive outcomes are dependent upon the effective implementation of the activities outlines within the Statement.

One of the main barriers to the effective implementation of the Statement may be cultural, behavioural and attitudinal. A range of training for employees and elected members is a key way to tackle this. Additionally, the promotion of the subject matter (by raising communications across the authority) will also support this.

Summarise your findings and give an overview as to whether the policy will meet Charnwood Borough Council's responsibilities in relation to equality and diversity (please refer to the general duties on the front page).

It is the opinion that the Modern Policy Statement will comply with Charnwood Borough Council's responsibilities.

#### ■ Step 6- Monitoring, evaluation and review

Are there processes in place to review the findings of this Assessment and make appropriate changes? In particular, how will you monitor potential barriers and any positive/ negative impact?

Progress against the Modern Policy Statement will be continually monitored by the corporate Equality Working Group and the Statement will be subject to annual review by the Senior Leadership Team.

How will the recommendations of this assessment be built into wider planning and review processes? e.g. policy reviews, annual plans and use of performance management systems.

The recommendations of this assessment will be built into the Statement to ensure positive outcomes are achieved. Any identified recommendations will be available to use when planning future service delivery.

#### ■ Step 7- Action Plan

Please include any identified concerns/actions/issues in this action plan:

**The issues identified should inform your Service Plan and, if appropriate, your Consultation Plan**

Reference Number	Action	Responsible Officer	Target Date
001	Continue to ensure that monitoring of the Statement is carried to allow for effective monitoring of outcomes.	S. Jackson	Ongoing

#### ■ Step 8- Who needs to know about the outcomes of this assessment and how will they be informed?

	Who needs to know (Please tick)	How they will be informed (we have a legal duty to publish EIA's)
Employees	✓	This assessment will be attached as an appendix to the Cabinet report and will also be published on the equalities pages of the website.
Service users	✓	
Partners and stakeholders	✓	
Others		
To ensure ease of access, what other communication needs/concerns are there?		

■ Step 9- Conclusion (to be completed and signed by the [Service Head](#))

Please delete as appropriate
I with this assessment / action plan
If <i>disagree</i> , state action/s required, reasons and details of who is to carry them out with timescales:
Signed (Service Head): <b>S. Jackson</b>
Date: 16/12/19

[Please send completed & signed assessment to Suzanne Kinder for publishing.](#)