

<b>Report To:</b>	<b>CABINET</b>	<b>Date:</b>	<b>9 JULY 2018</b>
<b>Heading:</b>	<b>COMBATting MODERN SLAVERY - POLICY AND STATEMENT</b>		
<b>Portfolio Holder:</b>	<b>COUNCILLOR JASON ZADROZNY - LEADER OF THE COUNCIL</b>		
<b>Ward/s:</b>	<b>ALL</b>		
<b>Key Decision:</b>	<b>NO</b>		
<b>Subject to Call-In:</b>	<b>YES</b>		

### **Purpose of Report**

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

### **Recommendation(s)**

**Cabinet to approve the Modern Slavery and Human Trafficking Policy Statement and Transparency Statement 2018/19 attached to this report.**

### **Reasons for Recommendation(s)**

To meet the Council's legal, moral and safeguarding obligations and to take a proactive role in tackling this type of crime.

It is a legislative requirement for all organisations with an annual turnover of £36 million, to have a Modern Slavery Transparency Statement.

### **Alternative Options Considered**

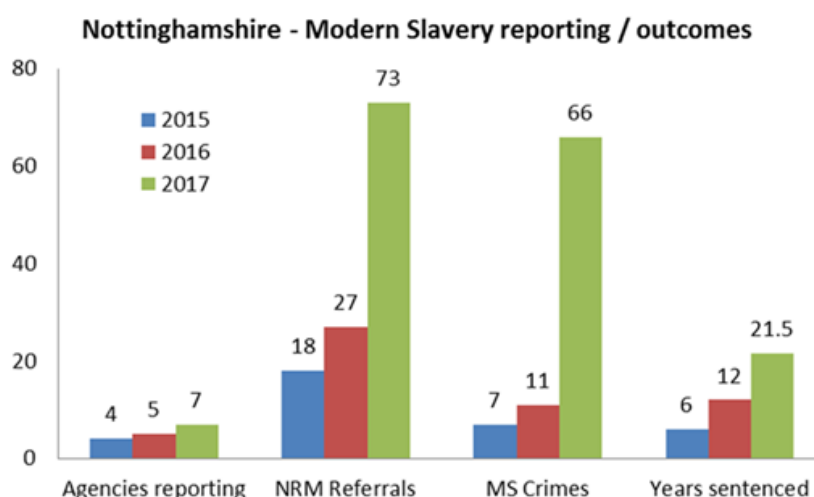
*(with reasons why not adopted)*

Members could choose not to approve the Modern Slavery and Human Trafficking Policy Statement and Transparency Statement or approve a different version. However, the documents have been prepared in order to set out the current and ongoing action the Council intends to take to demonstrate its commitment to tackling this issue in a clear and concise way. Whilst the Council could take a less proactive approach than set out in the documents, this would not demonstrate the Council's ambition and commitment to tackle and prevent Modern Slavery issues in the District, the County and in its own supply chains.

Failing to approve a statement / policy would also be in breach of a legal obligation.

## Detailed Information

- 1.1 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.
- 1.2 The term 'Modern Slavery', includes a range of activities including human trafficking, slavery, servitude and forced and compulsory labour, and exploitation takes a number of 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.
- 1.3 In recent years, at a national and local level, the number of victims being identified and the number of crimes being recorded has increased significantly. As the graphs below indicate, though the numbers are relatively small, they are increasing rapidly, supporting the view of the police and other partners who are at the sharp end of this agenda – "if you look for it, you'll find it".



- 1.4 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.
- 1.5 The Act includes a number of 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.
- 1.6 As already referenced above, commercial organisations, turning over in excess of £36 million annually, are also required to report their efforts to identify, prevent and mitigate the risk of modern slavery in their commercial operations by publishing an annual Slavery and Human Trafficking Statement.
- 1.7 While there is uncertainty as to whether the legal requirement to produce 'Transparency Statements' applies to local authorities, in April 2017, Parliament's Joint Committee on Human Rights recommended that "If the Government expects business to take human rights issues in their supply chains seriously, it must demonstrate at least the same level of commitment in its own procurement supply chains". The same can be said of local authorities i.e. that they have a responsibility to ensure that the risks of modern slavery within their supply chains are understood and that they are demonstrating community leadership in promoting a human rights approach towards procurement.
- 1.8 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.

- 1.9 Ashfield District Council is actively involved in tackling modern slavery in a number of ways. To ensure that the Council meets its responsibilities in relation to Modern Slavery and associated Practises and Policies, the future governance arrangement will be managed by the Councils Internal Corporate Vulnerability and Safeguarding Group. The Council's has a responsibility in relation to Vulnerability and Safeguarding for children and adults. The Terms of Reference for the group has been revised to include Modern Slavery.
- Ashfields Member of Parliament, Gloria De Piero, attends an All Party Select Committee on Modern Slavery and Forced Labour.
  - Contractual clauses requiring suppliers and contractors to comply with requirements under the Modern Slavery Act 2015.
  - The Council is an active partner in the County Modern Slavery Partnership.
  - Key members of staff in Housing and Community Protection have been trained by the external organisation Hope for Justice.
  - The Council works with 'Gang Masters' based upon specific intelligence and organised operations. In particular, the Private Sector Enforcement Team have worked on numerous cases with the GLA (Gangmasters Labour Authority), Police and forced labour teams identifying high risk properties such as houses in multiple occupation and continue to do so. All members of the Private Sector Enforcement team have attended modern slavery training.
  - The Private Sector Enforcement (PSE) and Community Safety team report into the Council's Corporate Safeguarding Group on matters relating to forced labour and modern slavery. PSE are also starting a new piece of work to look at the traveller's communities and any connections to forced labour with the fire service and GLA.
  - Referrals are actively made to the Modern Slavery Team at Nottinghamshire Police.

### Modern Slavery Statement

- 1.10 The Council's Modern Slavery Governance Statement sets out its commitment to identify, address and prevent slavery and exploitation within its work; that of contractors that it commissions and services that it procures.
- 1.11 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.
- 1.12 This prevention work will be addressed through the Council's policies and procedures relating to Procurement, Recruitment, the overarching Modern Slavery and Human Trafficking Policy, staff and Member safeguarding training, and through proactive work with partners.

- 1.13 The Council's Modern Slavery Statement is attached to this report as appendix 1.

### Modern Slavery and Human Trafficking Policy

- 1.14 The aim of this Policy 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
- 1.15 The policy applies to all services within the remit of Ashfield District 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.
- 1.16 A copy of the Council's Modern Slavery and Human Trafficking Policy is attached to this report, as Appendix 2.

### Implications

**Corporate Plan:** This report supports the Customer Focused, Putting People First, the health and wellbeing and communities and environment priorities.

### **Legal:**

The Modern Slavery Act 2015 introduced a number of 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 district level safeguarding. This includes Modern Slavery, as it affects children, young people and adults of all ages and abilities.

### **Finance:**

Budget Area	Implication
General Fund – Revenue Budget	N/A
General Fund – Capital Programme	N/A

Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

**Risk:**

<b>Risk</b>	<b>Mitigation</b>
Failing to comply with a legal obligation	To approve a version of the Statement and Policy
Failing to take an active 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.

**Human Resources:**

Staff members will receive training on identifying potential victims of modern slavery and responding appropriately. Any employee who breaches this policy will face disciplinary action.

**Equalities:**

The recommended Policy and Statement complies with equalities duties.

**Other Implications:**

None

**Background Papers**

*(if applicable)*

Appendix 1 - Modern Slavery & Human Trafficking Statement 2018/19

Appendix 2 - Modern Slavery & Human Trafficking Policy 2018/19

Modern Slavery Act 2015 <http://www.legislation.gov.uk/ukpga/2015/30/contents>

**Report Author and Contact Officer**

**Ruth Dennis**  
**DIRECTOR OF LEGAL AND GOVERNANCE**  
[r.dennis@ashfield.gov.uk](mailto:r.dennis@ashfield.gov.uk)  
**01623 457009**