

Report To:	CABINET
Date:	25th JANUARY 2022
Heading:	MODERN SLAVERY ANNUAL UPDATE 2021/2022
Portfolio Holder:	CLLR HELEN-ANN SMITH, DEPUTY LEADER AND PORTFOLIO HOLDER FOR COMMUNITY SAFETY AND CRIME REDUCTION
Ward/s:	ALL
Key Decision:	N/A
Subject to Call-In:	N/A

Purpose of Report

The purpose of this report is to inform Cabinet Members of our intent to publish a refreshed Modern Slavery and Human Trafficking Policy Statement and Transparency Statement for 2021/22, detailing the Council's commitment to tackling modern day slavery and human trafficking.

Recommendation(s)

- For Cabinet to approve the Modern Slavery and Human Trafficking Policy Statement and Transparency Statement 2021/22 accompanied with this report.

Reasons for Recommendation(s)

To meet the Council's legal, moral and safeguarding obligations and to take a proactive approach in tackling this type of criminality, exploitation and vulnerability at a District and County wide level.

Alternative Options Considered

Members could choose not to approve the Modern Slavery and Human Trafficking Policy Statement and Transparency Statement or to consider 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 Modern Slavery. This is not recommended.

Whilst the Council could take a less proactive approach than set out in the documents, this would not demonstrate the Council's commitment to tackle and prevent Modern Slavery issues across the District, County and within its own supply chains.

Detailed Information

Definition:

Addressing Modern Slavery is a key priority for Ashfield District Council with 2,945 potential victims of modern slavery being referred to the Home Office across the U.K. in the first quarter of 2021, with actual levels expected to be much higher.

The term 'slavery' refers to someone being exploited and controlled by someone else, without being able to leave. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can also include sexual and criminal exploitation.

To be a victim of human trafficking, the person needs to be subjected to the act of either:

- recruitment
- transportation
- transfer
- harbouring
- receipt

Someone is in slavery if they are:

- forced to work through coercion, or mental or physical threat;
- owned or controlled by an 'employer', through mental or physical abuse or the threat of abuse;
- dehumanised, treated as a commodity or bought and sold as 'property';
- physically constrained or have restrictions placed on their freedom of movement.

The scale of the issue:

Due to the nature of modern slavery and wider determinants relating to vulnerability, fear, control and cohesion, producing an accurate measure of the reporting levels for modern slavery is difficult. Currently, there is no definitive source of data or suitable method available to accurately quantify the number of victims of modern slavery in the UK; however, in addition to the 2021 recordings provided above, available information from Office of National Statistics stipulates that:

- the Modern Slavery Helpline received a 68% increase in calls and submissions in the year ending December 2018, compared with the previous year
- there were 5,144 modern slavery offences recorded by the police in England and Wales in the year ending March 2019, an increase of 51% from the previous year
- the number of potential victims referred through the UK National Referral Mechanism (NRM) increased by 36% to 6,985 in the year ending December 2018
- Collecting legal evidence for modern slavery offences can be difficult, and the cases are among the most challenging and complex to prosecute. For example:

- there were 205 suspects of modern slavery flagged cases referred from the police to the Crown Prosecution Service (CPS) for a charging decision in England and Wales in the year ending March 2019.
- over two-thirds (68%) of modern slavery related CPS prosecutions in England and Wales resulted in a conviction in the year ending March 2019

The Modern Slavery Act 2015:

The Modern Slavery Act 2015 was enacted in March 2015 which;

- makes prosecuting the traffickers easier by consolidating the existing slavery offences
- increases sentences for slavery offences
- bans prosecuting victims of slavery for crimes they were forced to commit by their traffickers, such as drug production or petty thefts
- introduces child trafficking advocates to better protect trafficked children
- makes big UK businesses publically report on how they tackle slavery in their global supply chains
- established an independent Anti-Slavery Commissioner to oversee the UK's policies to tackle slavery.

The Act includes a number of provisions for local authorities including:

1. A duty to identify and refer modern slavery child victims (once safeguarded) and consenting adults through the National Referral Mechanism (NRM).
2. A duty to notify the Home Secretary of adults who do not consent to enter the NRM.
3. A duty to cooperate with the Independent Anti-Slavery Commissioner.

Commercial organisations, with a turnover 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 Slavery and Human Trafficking Statement.

Whilst 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.

Beyond ensuring that supply chains are free from modern slavery, local authorities have three key roles to play; firstly the identification and referral of victims; secondly supporting victims, for example, through safeguarding children and adults with care and support needs and through housing/homelessness services; and thirdly through community safety, disruption and enforcement activities.

The Council's Response to Modern Day Slavery

Modern slavery is within our communities and the Council is actively involved in tackling modern slavery in a number of ways.

1. Identification and referral of victims;
2. Staff Training
3. Supporting victims/survivors
4. Through community safety, disruption, enforcement and partnership activities.
5. Website Content and Information

In addition, the Council has signed up to the Co-operative Party's Charter Against Modern Slavery. This Charter goes further than existing law and guidance, committing Councils to proactively vet their own supply chain to ensure no instances of modern slavery are taking place. The decision to sign the Charter was taken as a result of a Motion presented to the 29 November 2018 Council meeting ensuring that the Council's procurement practices do not support slavery. Contractual clauses requiring suppliers and contractors to comply with requirements under the Modern Slavery Act 2015 are in place.

To ensure that the Council meets its responsibilities in relation to Modern Slavery and associated practices and policies, the future governance arrangement will continue to be managed by the Community Safety Manager (Adult Safeguarding Lead) and activities will be reviewed through the Council's Corporate Vulnerability and Safeguarding Group.

Modern Slavery Statement

The Council's Modern Slavery Governance Statement sets out the commitment to identify, address and prevent slavery and exploitation within its work; that of contractors that it commissions and services that it procures.

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.

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, employee and Member safeguarding training, and through proactive work with partners.

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

Modern Slavery and Human Trafficking Policy

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.

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.

A copy of the Council's Modern Slavery and Human Trafficking Policy is attached to this report as **Appendix 2**

Implications

Corporate Plan:

The Council's commitment to tackling modern slavery support the objectives in the Corporate Plan as regards employment, business growth, and developing stronger and safer communities.

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.

It is a legislative requirement on commercial organisations with an annual turnover of £36 million, to have a Modern Slavery Transparency Statement. The Council's annual turnover is above this threshold. 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 and social responsibility. [RD 06/12/2021]

Finance: [PH 07/12/2021].

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:

Risk	Mitigation
Human trafficking taking place in supply chains and in any part of the Council's business.	The co-ordination of training and disseminating further information to staff in respect of Modern Slavery will be dealt with by the Council's Corporate Safeguarding Group. Through staff briefings via the intranet and handouts, staff will be advised of the impact of modern slavery both locally and nationally. They will be advised of the potential signs that slavery or human trafficking may be occurring and where to report their concerns.

Human Resources:

Organisationally the Council takes its responsibilities for safeguarding extremely seriously. The organisation, through its HR practices and employment checks, will ensure that anyone offered work as an employee will be scrutinised to ensure that they are legally entitled to work in the U.K.

Environmental/Sustainability

None for this report

Equalities:

The aim of this policy is to provide guidance on the Council's commitment to tackling modern slavery and how it will work in partnership with other local statutory organisations, to help address and prevent slavery and exploitation.

Other Implications:

A communications statement will be issued following approval of this report.

Reason(s) for Urgency

Not applicable

Reason(s) for Exemption

Not applicable

Background Papers

Enc 1: Modern Slavery & Human Trafficking Policy Statement

Enc 2: Modern Slavery & Human Trafficking Transparency Statement 2021/2022

Report Author and Contact Officer

Antonio Taylor
Community Safety Manager
Place and Communities

Antonio.Taylor@ashfield.gov.uk

Service Director

David Lawrence
Interim Director - Place and Communities