

Report To:	CABINET	Date:	15 SEPTEMBER 2020
Heading:	MODERN DAY SLAVERY ANNUAL UPDATE		
Portfolio Holder:	CLLR HELEN-ANN SMITH - DEPUTY LEADER/PORTFOLIO HOLDER FOR COMMUNITY SAFETY		
Ward/s:	ALL		
Key Decision:	YES		
Subject to Call-In:	YES		

Purpose of Report

To reaffirm the Council's commitment to tackling Modern Slavery and approve the refreshed Modern Slavery and Human Trafficking Policy Statement and Transparency Statement 2020/21.

Recommendation(s)

For Cabinet to approve the Modern Slavery and Human Trafficking Policy Statement and Transparency Statement 2020/21 attached to 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 crime.

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, ADC has elected to do so as a matter of good practice and social responsibility.

Alternative Options Considered

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. 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 in the District, the County and in its own supply chains.

Detailed Information

Definition:

Across the UK, modern slavery has increased significantly in recent years and is a growing safeguarding concern for all local authorities due to its seriousness and impact on the people who are exploited. This position remains unchanged.

Today slavery refers to someone being exploited and completely 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.

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. Modern Slavery victims may also not always be recognised by others who come into contact with them which is why recognising the signs and reporting concerns is so important.

The scale of the issue:

The most robust estimate to date of the scale of modern slavery in the UK was produced by the Home Office which suggested that there were between 10,000 and 13,000 potential victims of modern slavery in 2013.

The National Crime Agency (NCA) assesses that the actual scale of modern slavery in the UK is gradually increasing and, if drivers remain at their current levels, will continue to do so over the next three years.

The three main sources of data available on the potential scale of modern slavery in the UK come from:

- Referrals of potential victims to the National Referral Mechanism (NRM), the UK's identification and support system for victims of modern slavery.

In 2017, there were 5,143 potential victims referred to the NRM (a 35% increase from 2016), of whom 41% (2,121) were children.

- Referrals of potential victims under the 'duty to notify' provision of the Modern Slavery Act 2015 which applies to England and Wales by submitting the MS1 document, (Notification of a. Potential Victim of Modern Slavery form) Specified public bodies have a duty to notify the Government if they encounter an adult victim of modern slavery.

In 2017, 1,694 potential adult victims were referred via duty to notify, bringing the total number of potential victims identified in 2017 to 6,837.

- The number of modern slavery crimes recorded by the Police. In the year to March 2018, police in England and Wales recorded 3,337 modern slavery offences, a 49% increase on the previous year. The Police in Scotland recorded 60 offences and the Police Service of Northern Ireland (PSNI) recorded 31 offences.

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 Ashfield District Council is actively involved in tackling modern slavery in a number of ways.

1. Identification and referral of victims;

Members of staff in Housing and Community Safety have been trained by the external organisation Hope for Justice. A refresh of this training is being explored. All members of the Private Sector Enforcement team have attended modern slavery training enabling them to recognise the signs and take appropriate action. E-learning training has also been prepared and will be rolled out during autumn to ensure all Council employees can identify signs of Modern Slavery and make appropriate referrals.

Information is on the Council's Safeguarding intranet webpage regarding reporting Modern Day Slavery concerns and the Council's Community Safety team provides guidance for all employees on how to report any suspicions of modern slavery through the National Referral Mechanism.

2. Supporting victims, for example, through safeguarding children and adults with care and support needs and through housing/homelessness services; and

The Complex Case team will work with residents who require support and navigation through Council and partners services.

3. Through community safety, disruption and enforcement activities.

The Council works with the Gangmaster and Labour Abuse Authority (GLAA) based upon specific intelligence and organised operations. In particular, the Private Sector Enforcement Team have worked on numerous cases with the GLAA, Police and forced labour teams identifying high risk properties such as houses of multiple occupation.

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 GLAA.

The Council's website has been updated to ensure residents can access information on Modern Slavery. This has been updated and information added relating to Modern Slavery and COVID-19 produced by the NHS and Home Office. The Modern Slavery and Human Trafficking Policy Statement and Transparency Statement 2019/20 which was approved at Cabinet on 15 July 2019 is also published on the website.

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.

The Council is also an active partner in the County Modern Slavery Partnership and will be attending Resilience Mapping Workshops during August/September 2020 with the aims of understanding what assets currently exist, what survivor support needs there are, what issues or gaps in service exist. Identify options for improved service. Understanding the picture on child exploitation in Nottinghamshire and gain children's perspectives on County Lines and subsequent support. Consider new information that can update the historic data used to produce the profile and to discuss current system limitations. Understand the impact of Covid, Brexit and any future 'shocks'. The workshops will interrogate the data on labour exploitation further to understand which sectors or methods of exploitation are being employed in Nottinghamshire and include discussion on how to engage with relevant local businesses and get messages into the right sectors. Finally to understand how messages are getting in to relevant communities, including most prevalent in the profile, identifying what vulnerabilities exist, what resources/activities are needed in those communities and training.

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 Council's internal Corporate Vulnerability and Safeguarding Group. The Terms of Reference for the group has been revised to include Modern Slavery.

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:

Fully meets the vision and objectives in the Corporate Plan as regards employment, business growth and community safety for all of our residents.

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:

Risk	Mitigation
Human trafficking taking place in supply chains and in any part of the councils 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 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. An equalities impact assessment has been completed, this includes impacts and the mitigating measures being taken.

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 2020/21

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