

30 September 2020**Agenda Item: 8****REPORT OF THE LEADER OF THE COUNCIL****MODERN SLAVERY AND HUMAN TRAFFICKING STATEMENT****Purpose of the Report**

1. The purpose of this report is for Members to consider and approve the content of the Council's Modern Slavery statement. The statement is an updated version of that considered and agreed by Members on 22 May 2019.

Information

2. The UK Government is driving forward with initiatives to tackle Modern Slavery. Nationally on 26 March 2015 the Modern Slavery Act received royal assent. The Act is the first of its kind in Europe, and, also in the world, to specifically address modern slavery and human trafficking in the 21st century.
3. The legislation is intended to enhance support and protection for victims, to provide law enforcement tools to target slave drivers, to ensure perpetrators can be severely punished, and includes provision to encourage business to undertake action to ensure their end-to-end supply chains are slavery free. The Act also established the UK's first ever Independent Anti-slavery Commissioner to drive forward the law enforcement response.
4. Section 54 of the Modern Slavery Act 2015 was brought into force on 29 October 2015 and requires employers to produce a Modern Slavery statement for financial years ending on or after 31 March 2016. Section 54 of the Act states that an employer's slavery and human trafficking statement should include the following information:
 - Details of the Council's structure, business and supply chains;
 - The policy in relation to slavery and human trafficking;
 - Due diligence processes in relation to slavery and human trafficking in business and supply chains;
 - Identification of the level of risk of slavery and human trafficking and how the identified risk will be managed;
 - How performance in ensuring that slavery and human trafficking are not taking place in our business or supply chains is measured;

- What training on slavery and human trafficking is available to employees
5. Over the last year, there has been significant progress across the UK to tackle modern slavery and human trafficking. The Independent Review of the Modern Slavery Act 2015 was published in May 2019. This Review was commissioned by Government to look at how the legislation and its implementation could be strengthened as the methods used by criminals to exploit vulnerable people evolve.
 6. In May 2019, Dame Sara Thornton assumed the role of the new Independent Anti-Slavery Commissioner (IASC). The IASC plays an instrumental role in giving independent advice on modern slavery issues and how they should be tackled across the whole UK. The UK's Government response to modern slavery is structured around the 'four Ps' framework used in the Modern Slavery Strategy. Further information and resources are available in the 2019 UK Annual Report of Modern Slavery produced by Central Government. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/840059/Modern_Slavery_Report_2019.pdf
 7. Nottinghamshire County Council is committed to understanding the risks presented by slavery. The Communities Team is coordinating the council's response to Modern Slavery which includes:
 - Working with partners to establish referral pathways for victims
 - Contributing to a multi-agency strategy which incorporates early intervention and prevention support for victims of Modern Slavery, training and awareness for practitioners and first line responders
 - Promoting Anti- Slavery Day, which is every year on October 18th to raise awareness amongst colleagues, stakeholders and partner organisations on the impact of Modern Slavery
 8. Work jointly undertaken with the University of Nottingham on a pilot study to evaluate any potential modern slavery risk in two specific Adult Social Care supply chains, the commissioning of Residential Care and Nursing Homes and the use of Direct Payment Support Service Providers has been well received. The outcome of a workshop held for front line Officers in Mansfield to collaboratively and specifically look at where risks might still be evident to areas of work associated with Direct Payments Service, in particular, Personal Assistants who provide a care service has resulted in a further section being included in the Direct Payments Policy covering the Council's recommendations for Direct Payment recipients to help safeguard against Modern Day Slavery.
 9. A Modern-Day Slavery & Human Trafficking workshop was held in 2019 in The Rufford Suite at County Hall whereby Elected Members and Senior Officers were invited to attend which was presented by the Head of Prevention for the Gang-master and Labour Abuse Authority who highlighted the work currently being undertaken to tackle modern day slavery and human trafficking. Modern Day Slavery is often carried out in areas of work which goes unnoticed e.g. pop up hand car washes and increasing numbers of nail bars.
 10. The Council has also required all staff working in supply chain management, Procurement and Human Resources professionals to have completed training on modern slavery awareness- the Modern-Day Slavery online training module is available to all staff within the authority through the 'My Learning, My Career' link; reviewed the system for supply chain verification currently in place, where potential suppliers are evaluated before they

enter the supply chain and reviewed our existing supply chains whereby all existing suppliers are evaluated.

11. The Government's guidance on producing a slavery and human trafficking statement is that it must be approved at the highest level of the organisation and be published on the Council's website with a prominent link to the statement on the homepage. Organisations required to publish a statement must respond to requests for a written copy within 30 days. The Council's statement is attached as **Appendix A**. If an organisation to which the requirement applies fails to produce a slavery and human trafficking statement for a particular financial year, the Secretary of State may bring proceedings in the High Court requiring the organisation to do so.

12. In addition to the Council's own statement, it will need to retain copies of the statements of other suppliers who are required to publish their own statement i.e. commercial organisations with a total turnover of £36 million per annum. Tender documentation has been amended in order to ask potential suppliers particular questions in tender exercises to ensure that suppliers are meeting this duty before awarding contracts.

13. In order to further increase awareness of modern slavery, and provide clarity for councils on their role in tackling it the Local Government Association, in December 2017, published -

"Modern Slavery – A council guide". A copy of this document can be downloaded at https://www.local.gov.uk/sites/default/files/documents/22.12_Modern_slavery_WEB%202.pdf

14. Examples of the impact of the work that is being undertaken on tackling Modern Slavery include:

- The discovery of a warehouse being used to cut tobacco leaves to make into illicit tobacco products. Two Vietnamese gentlemen were discovered living and working in the factory, the conditions were very poor, and they were immediately suspected of being victims of modern slavery. They were taken into protection by the police.
- A second case again in the area of illicit tobacco was discovered during enquires that officers were making into a lease holder for a shop in the County area that had been selling illicit products. They visited a connected retail premise outside of Nottinghamshire with local Trading Standards officers for that area. After interviewing the seller of illicit cigarettes, the officers became aware there were elements of concern for Modern Slavery, the person in the shop could not recall their home address, they had worked 9 days in succession, and only received £20 for 5 hours work. They had been made to sell counterfeit and illicit tobacco and cigarettes on behalf of the tenant of the property and the boss. Again, this person was taken into protection by the police.
- A high-profile case in Kirby-in-Ashfield in 2019, where the victim was forced to live in outhouse by his ex-partner and her new partner, resulted in a Modern Slavery Investigation. The offenders were given jail sentences after pleading guilty to coercive and controlling behavior. For detailed information on this case please see link provided <https://www.bbc.co.uk/news/uk-england-nottinghamshire-50339597>

Other Options Considered

15. The Council is required to publish a Modern Slavery and Human Trafficking Statement and would wish to do so as part of its commitment to being a good employer and as an exemplar to other employers (as noted: see **Appendix A**).

Reasons for Recommendations

16. To inform members of the need to produce an updated statement on modern slavery and human trafficking and to seek agreement to and approval to publish the updated statement on the public website.

Statutory and Policy Implications

17. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Human Resources Implications

18. The current review of all the Council's employment policies and procedures includes consideration to how we can further develop our prevention strategies to ensure modern slavery and human trafficking form no part of our workforce. This work is being mirrored by the Council's Procurement Team to apply the same standards to our supply chain and those who deliver services on the Council's behalf.
19. The recognised trades unions were consulted on the draft statement at Central Joint Consultative and Negotiating Panel on 14 December 2017 and were broadly supportive of the statement and need to challenge and prevent modern slavery and human trafficking.

Human Rights Implications

20. These have been considered in developing the statement which is designed to protect individual and collective rights.

Public Sector Equality Duty implications

21. Equality implications have been considered during the development of the Council's Modern Slavery Statement.

Safeguarding of Children and Adults at Risk Implications

22. The implications for vulnerable adults and children have been considered in developing the statement which will add an additional layer of prevention for people for whom there may be a risk of modern slavery or human trafficking.
23. There is a National Referral Mechanism (NRM) available and is a framework for identifying victims of human trafficking and ensuring they receive appropriate care. A range of agencies may be involved in a trafficking case such as the police, the UK Border Agency (UKBA), local authorities and non-government organisations such as charities.
24. The Office of the Nottinghamshire Police & Crime Commissioner have funded a

caseworker until March 2021, taking referrals for South Nottinghamshire; Broxtowe, Gedling and Rushcliffe where there are concerns about adult exploitation and work with partners to support victims and reduce harm. The Caseworker is hosted by the Exploitation and Slavery Team for Adults (ESTA). based at Nottingham City Council

Implications for Service Users

25. The statement will help to minimise the risk of modern slavery and human trafficking for service users and encourage early identification and action on potential issues.

RECOMMENDATIONS

It is recommended that Policy Committee:

- 1) Consider and agree the updated attached statement in **Appendix A** which demonstrates the Council's commitment to ensuring that there are no victims of slavery or human trafficking employed directly by the Council, in its commissioned services or supply chains.
- 2) Approve the publication of the updated statement on the public website.

Councillor Mrs Kay Cutts MBE
Leader of The Council

For any enquiries about this report please contact: Cathy Harvey, Team Manager
Communities Team at cathy.harvey@nottscc.gov.uk or on 0115 9773415

Constitutional Comments (KK 26/08/2020)

25. The proposals in this report are within the remit of the Policy Committee.

Financial Comments (SES 26/08/2020)

26. There are no specific financial implications arising directly from this report.

Background Papers and Published Documents

- Equality Impact Assessment for NCCs Modern Slavery Statement
- Modern Slavery Statement 2019

Electoral Division(s) and Member(s) Affected

- All