

21 April 2021**Agenda Item: 4****REPORT OF THE CHIEF EXECUTIVE OF THE COUNCIL****NOTTINGHAMSHIRE COUNTY COUNCIL APPROACH TO THE PREVENTION OF MODERN SLAVERY****Purpose of the report**

1. To provide members with an overview of the Council's Procurement and Contract Management approach confirming that all the Council's service providers, partners and suppliers comply with the Modern Slavery Act 2015.

Background

2. At the Full Council meeting on 15th October 2021, a motion was passed that resolved:

This Council abhors modern slavery and human trafficking and has taken an active role in raising awareness of these crimes - which are often hiding in plain sight - with members, officers, and partners. This Council welcomes measures undertaken by our Trading Standards, Contracts Management and Procurement departments to prevent Modern Slavery, but acknowledges the importance of remaining vigilant against such appalling crimes.

3. The motion therefore instructed the Chief Executive to undertake work confirming that all the Council's service providers, partners, and suppliers comply with the Council's values, and further requested that the Chief Executive brings a report to update members on this work to a future meeting of the Policy Committee. This report provides this update.

Information

4. The Modern Slavery Act 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 businesses to undertake action to ensure their end-to-end supply chains are slavery free.
5. 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:
 - 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 is measured in ensuring that slavery and human trafficking are not taking place in our business or supply chains is measured;
- The training on slavery and human trafficking is available to employees

Our Approach

The Council's Modern Slavery and Human Trafficking Statement

6. The Council publishes an annual [Modern Slavery and Human Trafficking Statement](#) as part of its commitment to being a good employer and as an exemplar to other employers. The statement can be found on the intranet and internet and sets out Nottinghamshire County Council's actions to understand all potential modern slavery risks related to our services and businesses and to put in place steps that are aimed at ensuring that there is no slavery or human trafficking in our own services and businesses and our supply chains.

Staff Training

7. 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' portal.

Procurement

8. Nottinghamshire County Council undertakes due diligence when considering taking on new suppliers. As part of every procurement process our Standard Selection Questionnaire, Section 7 focusses on supplier compliance with the annual reporting requirement as set out in the Modern Slavery Act 2015 and requests evidence. A recent example of this is through the detailed and comprehensive response submitted by The Reed Group which was awarded the Temporary Agency Worker contract in September 2020.
9. In addition, the Council has been doing considerable work to develop a corporate approach to contract management. A Contract Management Toolkit was launched in October 2020 which offers guidance and tools to contract managers on each stage of a contract's lifecycle. Modern Slavery due diligence is clearly identified in the Pre-Procurement checklist. Furthermore, dedicated HR and Procurement support is available to contract managers in areas where a service is deemed to be at a higher risk of Modern Slavery or Human Trafficking.

Contract Management

10. Regular reviews of existing supply chains and annual due diligence is the responsibility of the individual Contract Manager. The Council undertook an exercise in 2021 to seek assurance on the level of due diligence undertaken across different areas. This review also included the Council's companies namely Via, Arc and Inspire.
11. Responses were received from key service areas that are responsible for managing key contracts across the Council. This represents over 60% of our total annual contract value. The findings show many areas of good practice and awareness which include:
 - The Council's companies, partners and their supply chains provide the Council with an updated Modern Slavery annually at the request of the Contract Manager

- Comprehensive documentation in place outlining the referral process if there is an identification or concern of Modern Slavery.
 - Assurance to show that regular quality assurance visits/ checks are completed through which Modern Slavery may be identified.
12. The Council's Contract Managers could not identify any known issues surrounding human trafficking or modern slavery with their suppliers, or the supply chain; many voiced confidence in the Council's evaluation and selection process as a reliable underpinning to ensuring suppliers were compliant. Service areas across the Council demonstrated varied and tailored approaches to assuring themselves that their providers and their supply chains are compliant. These are outlined below:
13. Change, Grow, Live, a service within Public Health assure the Council that they have an online modern slavery statement as well as delivering presentations to staff which includes whistleblowing and referral process against modern slavery.
14. Adults services outlined that "we held provider forums where presentations were given to raise awareness to care homes and home care. We have also supported in sharing relevant documents and taking part in research.
15. The waste team has responsibility of contract managing one of our largest Private Finance Initiative (PFI) contracts with Veolia. The team are assured that Veolia have a modern slavery working group, updated their contracts to reflect modern slavery provisions and conduct regular audit of waste sites.
16. Some of the Council's Contract Managers were able to highlight current gaps in their area and made the Procurement Team aware of steps they are taking to address this. One Contract Manager informed us that they are in the process of recruiting a Service Manager, "One of the key tasks for this post will be to carry out regular supplier reviews and undertake the due diligence checks to satisfy ourselves that organisations we work with uphold expected standards in terms of HR policies, financial sustainability and ethics in line with what they have declared in their tenders."
17. It is evident that the Council's contract managers have knowledge of requirements regarding modern slavery. Although the processes are put in place to provide assurances, the response and approach to assurance is varied across departments. Therefore, it is proposed to undertake a series of actions to ensure consistency in the approach to assurance of the Council's modern slavery values. These will be led through the Contract Management Project Group.
18. The Contract Management Project Group Work has been newly established to lead the work on strengthening contract management within the Council and implementing the Contract Management Toolkit. The key aim will be to share best practice and embed a consistent approach to Modern Slavery. In addition, the areas this group will look at are:

Documentation

19. Identify where processes and documents can be appropriately used as a 'one size fits all' approach to establish a consistent approach across the Council for assurance. Procurement and Legal colleagues will also work together to ensure that any 'off the shelf' frameworks the Council uses include Terms and Conditions relating to Modern Slavery and Human Trafficking.

Communication

20. Ensuring the effective, appropriate and timely dissemination of new information and initiatives relating to modern slavery and human trafficking. The group will be a platform to share good practice, also highlighting any gaps or issues where there will be solution-based discussions. Members of the project group will work collectively to identify the best routes to share and embed new information across their areas e.g. News items, Team Talk, Training

Other Options Considered

21. As it is a legal requirement for the Council to comply with section 54 of The Modern Slavery Act 2015, there are no other options to consider.

Recommendations

It is recommended that Policy Committee:

- 1) Recognises work undertaken on the Council's good practice on modern slavery and contract management.
- 2) Supports the actions outlined in the report to develop a consistent approach to assurance against the Council's modern slavery values.
- 3) Considers any additional information members would like to receive.

Anthony May
Chief Executive of the Council

For any enquiries about this report please contact:
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22. Constitutional Comments (KK 08/04/2021)

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

23. Financial Comments (SES 06/04/2021)

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

24. HR Comments (JP 06/04/2021)

There are no specific HR implications arising directly from this report.

Background Papers and Links

- [Modern Slavery Act 2015](#)
- [Nottinghamshire County Council's Modern Slavery and Human Trafficking Statement 2020](#)
- [Contract Management Toolkit](#)
- [The Reed Group- Anti Slavery and Human Trafficking Statement 2020](#)