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Friday, 30 April 2021

Dear Sir/Madam

CABINET

A meeting of the Cabinet has been arranged to take place on **Tuesday 11th May, 2021 at 6.00 pm. in the COUNCIL CHAMBER**, District Council House, Lichfield to consider the following business.

In light of the current Covid-19 pandemic and government advice on social distancing it will only be possible for a limited number of pre-agreed participants to attend the meeting in person. Therefore the meeting will be streamed live on the [Council's YouTube channel](#) for members of the public to view.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Christie Tims', is written over a light grey circular background.

Christie Tims
Head of Governance and Performance

To: Members of Cabinet

Councillors Pullen (Chairman), Eadie (Vice-Chair), Cox, Lax, E Little, Smith, Strachan and A Yeates



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AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Councillor Community Grant Scheme 3 - 8
4. Leyfields and Netherstowe Open Space - Proposed Agreement with Bromford 9 - 16
5. Modern Slavery and Human Trafficking Statement 17 - 24



COUNCILLOR LOCAL COMMUNITY FUND

Cabinet Member for Community Engagement

Date: 11 May 2021
 Agenda Item: 3
 Contact Officer: Susan Bamford
 Tel Number: 01543 308170
 Email: Susan.bamford@lichfielddc.gov.uk
 Key Decision? YES
 Local Ward Members All Wards



CABINET

1. Executive Summary

- 1.1 A councillor community grant fund is being proposed to enable councillors to directly award funding to grassroots organisations in their ward. Small amounts of funding can make a big difference to communities at a local level and elected members are well placed to identify local needs.
- 1.2 It is proposed that the scheme is run as a pilot over 2 years in order to assess its impact and value for money.

2. Recommendations

- 2.1 That Cabinet members agree the setting up of a pilot Councillor Local Community Grant Scheme as detailed in Appendix A.
- 2.2 That Cabinet agree to delegate authority to the Cabinet Member for Community Engagement and the Head of Regulatory Services, Housing and Wellbeing to make any minor changes to the pilot scheme if improvements are identified at any point.

3. Background

- 3.1 Voluntary and Community organisations vary enormously both in terms of their size and structures and how they support local communities. Whilst many rely on significant grant funding to deliver key support, for some more grass root organisations a small amount of funding such as £50 towards a new cooker for a lunch club can make a massive difference. Some of these groups are not eligible for most funding because they are not charities or constituted organisations.
- 3.2 Elected members are often well placed to identify local needs and are in touch with grass root organisations operating in their ward. Making funding available to each Councillor in order to support this organisation is proposed. Those members who are county councillors will be familiar with similar schemes through the county council.
- 3.3 A councillor community grant fund has previously been considered by councillors but has not progressed due to the fact that if the scheme is supported by officers the administrative cost, in proportion to the funding available, would not represent value for money. A more streamlined scheme is now being proposed with a minimum of administration.
- 3.4 Attached at Appendix A is a proposed scheme. If agreed, it is recommended that this is run as a pilot over 2 years (starting in June 2021) in order to assess the impact and value for money. To make it as easy as possible for grassroots organisations to apply it would be supported by a simple on line application form focussing on the purpose of the organisation and what they need funding for. Any funding awarded would be paid into a bank account in the name of the group or to an organisation who

agrees to accept the funding and passport it to the group. Where this is not possible, it can be paid to an individual where it can be shown the individual is acting on behalf of the local community, for example through a letter of endorsement from a local organisation.

- 3.5 If each member is given £300 for their ward then £14,100 would be available across all wards. At this stage this funding has been taken out of the £177k larger Voluntary and Community sector funding scheme, currently open for applications.
- 3.6 Prior to the launch of the scheme, a training session will be offered to all councillors. The training will set out member roles and responsibilities, including issues to consider when awarding funding, transparency, data protection and signposting to other funding support options.

Alternative Options	<ol style="list-style-type: none"> 1. The funding earmarked for the scheme could be made available through the funding prospectus currently open but as this has a minimum award of £5k this isn't available to small grassroots organisations. 2. It could also be made payable direct from finance but this would significantly increase the administrative burden to the council if small amounts of funding were to be awarded.
Consultation	<ol style="list-style-type: none"> 1. Community Housing and Health Overview and Scrutiny Committee and Leadership Team have been consulted on the draft scheme. Clarification was sought about how the scheme would work and Members sought assurances that the appropriate monitoring and guidance would be in place and value for money assessed. Overall it was felt that the scheme would be beneficial to local communities. 2. The outline proposals have also been presented to the local Voluntary and Community Forum.
Financial Implications	<ol style="list-style-type: none"> 1. This is not additional funding as the £14k required to fund the scheme has been taken from the £177k available for projects to support local communities. 2. The funding has potential to make a significant difference to local grass root organisations at minimum cost. As the scheme will be managed and administered by members the costs would be minimal. 3. As members will manage their funding and make payments direct to the successful organisation the main costs to the council will be making payments to Members.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. Funding voluntary and community sector organisations makes a significant contribution to Enabling People and Shaping Place.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. The funding could be used to fund activities that support groups with protected characteristics and therefore support the council's equalities objectives.
Crime & Safety Issues	<ol style="list-style-type: none"> 1. The funding could be used to impact (positively) on our duty to prevent crime and disorder within the District (Section 17 of the Crime and Disorder Act, 1988) – e.g. security measures.

Environmental Impact	1. The funding could be used to fund grassroots activities that have a positive environmental impact.
GDPR/Privacy Impact Assessment	1. A Privacy Impact Assessment has been completed. This identified risks as inappropriate sharing of data and data being kept longer than required. The training and Member Code of Conduct provide the key mechanisms for minimising the risk and Data privacy notices will be developed.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Inappropriate awarding/ use of funding	Members would make declarations about the use of funding, which would be in the public domain ensuring awards are transparent. The amount of funding available ensures there is no significant financial risk. Members are required to adhere to their code of conduct and training would help minimise the risks.	Risk - Yellow Impact – Red Likelihood - Yellow
B	Funding not allocated	The responsibility for allocation funding would rest with members	Risk – Yellow Impact – Yellow Likelihood - Yellow
D	Disproportionate officer support required	Clear and concise training with simple processes in place to ensure minimum support required	Risk - yellow Impact – yellow Likelihood - yellow
E			

Background documents

Relevant web links
www.lichfielddc.gov.uk/cvsfunding
www.welovelichfield.com

Councillor Local Community Fund

The Councillors Local Community Fund is designed to help empower local residents to be active in their community and made easy for groups to apply. It will initially be piloted over a 2 year period.

Purpose:

- To enable Councillors to respond to local funding needs by awarding one-off funding for grass roots community activities that enable people and shape place in their ward.

How it Works

Each Councillor has £300 to award to support local projects and activities which can make a positive impact in their area. To apply applicants simply need to explain what they need funding for and how it will benefit the local community. Applications are made on line and the application form goes direct to the ward Councillor(s). When an application is received each Councillor will decide whether or not to support the funding request in accordance with what can be funded under this scheme. The Councillor lets the applicant know of the outcome of their decision.

Awards can be made from a minimum of £50 to a maximum of £300. There is an option for applications to be made to more than one Councillor in a ward or across wards up to a maximum award of £900. In multi member wards Councillors should liaise with each other to ensure that a reasonable distribution is made.

Applications can be made at any time from June to October but will be awarded on a first come first served basis for use by 31 March the following year.

The fund will be advertised on the Council's website and promoted by local Councillors via their own neighbourhood, including Town and Parish Councils and voluntary and community sector forums.

Payments are made by each Councillor by bank transfer or cheque, preferably to an account in the name of the group on the application form. Funding can be awarded directly to individuals at the Members discretion. All awarded funding must be used within the relevant financial year. Any unspent funding must be returned at the end of the grant period and cannot be carried forward into the next financial year.

At the point of agreeing funding, Councillors will be required to sign a declaration stating that, as far as they are aware, the funding will be used for the benefit of the local community and making the payment to the community group would not result in fraudulent or illegal activity or any practices that would bring Lichfield District Council into disrepute.

Details of the funding awarded will be published on the Council's website in line with the council's commitment to openness and transparency.

What can be funded?

- Projects that provide local solutions to local needs
- One-off events that benefit the local community and support community resilience
- Current projects/activities that need a small amount of support to continue or grow
- Capital items (equipment, materials etc.)
- New projects and activities that need some funding to get going
- Projects that stimulate new community activity, such as setting up new local community events and clubs

Who can apply?

Any community groups can apply. Unlike most funding schemes groups do not need to be formally constituted.

An individual can apply for funding providing they can show that the application is on behalf of a local community project or activity. Alternatively other local groups can act as the accountable body for a group / individual.

A faith group can apply where the activity is open to all faiths and is not seeking to promote a faith or belief as the main purpose of the activity.

What can't be funded?

- Projects or activities that will only benefit an individual or an individual family or a private business
- Political organizations or groups and campaigning/lobbying organisations
- Projects or activities that are the statutory responsibility of other public sector organisations
- Projects/ activities that have already taken place
- A Councillor cannot fund a group or activity if they or a member of their close family are a trustee of the Organisation applying for funding.

Responsibilities

Given the small amounts of funding involved the scheme is deliberately streamlined so as to involve the minimum amount of administration. Each Councillor is responsible for promoting the scheme in their area, assessing applications and making payments for the funding. Before the end of each financial year they will be asked to complete a return setting out how their funding has been allocated. All supporting evidence should be retained (for 3 years) to enable potential inspection by internal or external audit, subject to data protection requirements.

The Members Code of Conduct sets out the rules governing the behaviour of Councillors. Any concerns about the inappropriate awarding of funding will be looked into on that basis. Each Councillor would be responsible for handling any personal data in accordance with data protection requirements.

Training will be offered to all Councillors to help them assess applications, understand their responsibilities and signpost groups to the most appropriate funding sources.

Evaluation

The pilot will be evaluated against the overall purpose of the scheme. The extent to which it has supported grass roots groups in local communities not eligible for funding from other funding sources. It's effectiveness in enabling local community groups and individuals to set up and deliver and expand their community activities.

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Leyfields and Netherstowe Open Space Proposed Agreement with Bromford

Cllr Doug Pullen , Leader of Council

Date: 11th May 2021

Agenda Item: 4

Contact Officer: Diane Tilley – Chief Executive

Tel Number: 01543 308001

Email: diane.tilley@lichfielddc.gov.uk

Key Decision? YES

Local Ward Cllrs Ball and Robertson

Members



CABINET

1. Executive Summary

- 1.1 In September 2018 a Cabinet decision was made to enter into a contract for the sale of two pieces of District Council owned open space known respectively as Leyfields and Netherstowe subject to relevant planning permission being obtained. The contract for sale of the land was to be subject to granting of planning consent for affordable housing.
- 1.2 In July 2020 the contract was finally signed.
- 1.3 In August 2020 planning applications were submitted for the two sites and validated in September 2020.
- 1.4 Under the provisions of the Local Government Act 1972 section 123 a Local Authority must give notice of its intention to dispose of open space by advertising in a newspaper for two consecutive weeks and consider any objections to the proposed disposal. This process was undertaken in November 2020. As explained in 3.2 below this should have been done in 2018 before the decision was taken by Cabinet, but we were not at this stage aware.
- 1.5 A report was submitted to Cabinet on 17th January 2021 with the results of the consultation.
- 1.6 At that meeting Cabinet resolved to proceed with the sale, but only on the basis that they were contractually committed to do so and that if this was not the case they would not be supporting disposal of the land.
- 1.7 This led to two further actions being taken.
- 1.8 Firstly an independent external investigation was commissioned to uncover what, if any, errors were made in the process of this proposed disposal.
- 1.9 Secondly legal advice was sought as to the status of the consultation undertaken.
- 1.10 The second of these issues revealed that the consultation process was challengeable in law as it had not been conducted legally in that the contract had already been signed prior to consultation being undertaken.
- 1.11 This coupled with the Cabinet desire to see the subject land remain as open space has given rise to a negotiation with Bromford to cancel the contract by mutual agreement with Lichfield District Council paying compensation to Bromford for costs reasonably expended. This would also result in the withdrawal of the planning applications for the two sites, which remain live and undetermined.
- 1.12 This report sets out the basis of this agreement.
- 1.13 A separate report has been submitted to the Audit and Member Standards Committee in respect of the findings of the external investigation. A further cabinet paper will come forward with details of the actions the Council has and will take to prevent such issues occurring in the future.

2. Recommendations

- 2.1 That Cabinet recommend to Council the refund of planning applications fees of £13,365.60 and make payment of £103,491.37 (a total of £116,865.97) to Bromford and approve an amendment to the Medium Term Financial Strategy to fund the payment from general reserves.
- 2.2 That the agreement to cancel the contract for sale of land is granted.
- 2.3 That Cabinet recommend to Council to further amend the Medium Term Financial Strategy to remove the capital receipt of £527,000 from the Capital Programme.
- 2.4 That Cabinet delegate authority to the Chief Executive, Leader of the Council and the Head of Governance and Performance to finalise the agreement and contractual terms with Bromford.

3. Background

- 3.1 The first point to make is that no Council would wish to find themselves in this position. Mistakes have been made and the process has led to distress for members of our community and wasted time, energy and abortive costs for a valued partner. This is genuinely regretted.
- 3.2 An external investigation in to the case as to why the situation has arisen has been reported to Audit and Member Standards and there will be a number of lessons for the Council to note and learn from. One element however that is clear is that the obligations of s123 of the Local government Act 1972 should have been met in 2018 before the decision was made by Cabinet to dispose of the land for development, subject to planning consent and factored in to the decision making process.
- 3.3 The legal position is clear; in consultation required by statute the Council is under a duty to consult meaningfully. Whilst other common law requirements of meaningful consultation have been adhered to, the primary requirement, that consultation must be at a time when proposals are still at a formative stage, has clearly not been.
- 3.4 Not only is this wrong, and needs to be corrected, but it also exposes the council to risk of legal challenge. It is preferable to address the implications of the errors made and deal openly and transparently with this thus negating the risk and necessity for legal challenge from any of those involved.
- 3.5 The most fair and transparent way to address this issue was to discuss with Bromford the cancellation of the contract that, following a cabinet decision in 2018, was legally, and in good faith, entered into with them. This is the preferred route for the present Cabinet who have made their position on the development of this and indeed any council owned open space clear; this is not something they wish to see in Lichfield district. It is also the most cost effective way of addressing the problem as opposed to awaiting legal challenge. It would also require the withdrawal of the two undetermined planning applications, and Bromford did this on 14th April 2021.
- 3.6 Subject to approval here and at Full Council it is recommended that the Council pay reasonable costs to Bromford which amount to £116,856.97. This is to cover its costs in connection with the transfer of land and the aborted planning and site investigation. The schedule at Appendix A details the breakdown of this payment. The aborted costs related to the sites have been provided by Bromford Housing and assume VAT is not recoverable by the Council from HMRC. If payment is agreed it would be made from general reserves, given that this one of the express purposes of that reserve.
- 3.7 Work is ongoing to consider if there can be a claim on the Council's professional indemnity insurance to cover any or all of these costs but that will depend on the outcome of the external investigation and whether there is evidence of any maladministration or professional negligence.

- 3.8 As a result, and irrespective of the outcomes of the consideration of the external investigation by Audit and Member Standards and any further changes required, a Disposal policy has already been drafted to ensure that the correct processes are undertaken in the correct order and that these reflect the Council's ambitions. This policy will come to Cabinet for consideration as soon as possible.

Alternative Options	<p>It is important to note that any alternative scenarios will potentially result in the increased risk of legal challenge, increased costs for the council and our partner Bromford, as well as continued distress and uncertainty for the community. Given the intent of the current Cabinet is not to see this land developed but retained as open space the recommended option is the preferred route. That said for the purposes of transparency we could;</p> <ol style="list-style-type: none"> 1. Continue with the Cabinet decision to dispose of the land; this action would give rise to the potential for a successful legal challenge against the council for having failed to follow the consultation procedure under s123 of the Local Government Act 1972. 2. Rerun the whole process seeking to undertake consultation before negotiating a new contract with Bromford ; this is clearly against the wishes of Cabinet and the views expressed by the public consultation 3. Although separate matters to that of disposal, allowing the planning applications to have been determined may have resulted in related difficulties and issues for the Council and Bromford. If approved the permissions may not have been capable of being implemented. If refused, appeals against those decisions may have been lodged by Bromford with again no certainty of deliverability if the appeals were duly upheld. In effect this is now a moot point as the applications have been withdrawn by Bromford 4. Take action to rescind the contract with Bromford but this could give rise to a legal challenge by Bromford and the potential of specific performance as well as increasing the costs to both parties 5. All of the above would also give further cause for distress to the community affected and be against the overall desire of the Cabinet and Council not to see development on these sites.
Consultation	<ol style="list-style-type: none"> 1. No consultation on this proposed solution has been taken but it is clear that the public are against the loss of open space given the objections to the proposed sale under the delayed s123 process and the current planning applications
Financial Implications	<ol style="list-style-type: none"> 1. The council will lose the capital receipt identified for these sites currently in the MTFs of £527,000. 2. It is recommended that the Council pay reasonable costs to Bromford which amount to £116,856.97. This is to cover its costs in connection with the transfer of land and the aborted planning and site investigation. The schedule at Appendix A details the breakdown of this payment. The aborted costs related to the sites have been provided by Bromford Housing and assume

	VAT is not recoverable by the Council from HMRC. If payment is agreed it would be made from general reserves, given that this one of the express purposes of that reserve.
Contribution to the Delivery of the Strategic Plan	1. Being transparent and open, acknowledging mistakes, and seeking to improve governance from a full assessment and investigation when things go wrong is part of being a Good Council
Equality, Diversity and Human Rights Implications	1. None.
Crime & Safety Issues	1. None
Environmental Impact	1. Agreement not to proceed with the sale ensures that the open space remains and available to meet the needs of the local community
GDPR/Privacy Impact Assessment	1. There are no GDPR or privacy impact issues associated with this report as it contains no personal data or reference to personal data.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Reputational risk	Being open and transparent	Likelihood : Material Impact : Material Severity of Risk : Material
B	There is an adverse impact on the External Auditor's annual value for money assessment.	The Council has commissioned an external investigation to learn lessons that will be shared with the External Auditors.	Likelihood : Material Impact : Material Severity of Risk : Material
C	There is insufficient funding to deliver the approved Capital Programme.	<p>The Capital Strategy risk assessment identified planned capital receipts are not received as the most significant risk.</p> <p>Therefore an allowance of £264,000 has been incorporated into the minimum level of reserves.</p> <p>In terms of the balance of £264,000, a delegation was approved by Cabinet as part of the MTFS to implement alternative funding sources to fund the early repayment of Burntwood capital investment in the event planned sources are not available.</p>	Likelihood : Tolerable Impact : Tolerable Severity of Risk : Tolerable
D			
E			

Background documents

Legal advice commissioned from Counsel

Relevant web links

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Item	Cost Inc VAT	Cost Exc VAT	Note
Refund of Contractual deposit (held by solicitors)	£52,700.00	£52,700.00	Not paid into LDC account so not a charge to the existing MTFS
Planning applications fees	£13,365.60	£11,138.00	Verified with receipt from Bromford in 2020
Architects and supporting planning documentations	£18,986.40	£15,822.00	Deemed reasonable by the planning team
Legal charges and insurance	£20,585.53	£17,242.34	
Valuation work	£2,921.88	£2,434.90	
Easement LCC	£1,020.00	£850.00	
Service enquires	£36.00	£30.00	
Bromford development	£59,941.56	£49,951.30	Project costs including planning preparation, ground investigation and topographical surveys
Total Costs	£169,556.97	£150,168.54	
Less : refund of contractual deposit	(£52,700.00)	(£52,700.00)	
Less : refund of planning fees	(£13,365.60)	(£11,138.00)	Will reduce planning application income
Chargeable Costs	£103,491.37	£86,330.54	

Chargeable Costs	£103,491.37	£86,330.54
Planning fees refunded	£13,365.60	£11,138.00
Total impact on the MTFS	£116,856.97	£97,468.54

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Modern Slavery and Human Trafficking Statement

Cabinet Member for Finance, Procurement, Customer Services and Revenues & Benefits

Date: 11 May 2021

Agenda Item: 5

Contact Officer: Anthony Thomas / Clair Johnson

Tel Number: 01543 308012 / 01543 308026

Email: Anthony.thomas@lichfielddc.gov.uk
Clair.johnson@lichfielddc.gov.uk

Key Decision? No

Local Ward Full Council

Members



Cabinet

1. Executive Summary

- 1.1. To propose a Modern Slavery & Human Trafficking Statement for adoption by the Council that will be regularly reviewed in line with ongoing development of best practice.

2. Recommendations

- 2.1. That Cabinet consider the content of the proposed Human Trafficking and Modern Slavery Statement and to provide feedback prior to formal adoption by the Council.

3. Background

Introduction

- 3.1. The Modern Slavery Act 2015 came into force on 29 October 2015. Section 54 of the Act requires organisations that supply goods or services and have a consolidated global turnover of £36 million per annum or more to prepare a slavery and human trafficking statement for each financial year. All bodies corporate and partnerships that meet the turnover requirement will be required to comply, regardless of where they are incorporated, if they carry on any part of their business in the UK. Notably, organisations which primarily pursue a charitable or educational aim have not been excluded from the requirements.
- 3.2. Whilst the Act does not currently state that local authorities specifically are included in those organisations legally required to publish a statement there are changes proposed, the Council has elected to do so as a matter of good practice.

Requirements

- 3.3. The Act states that the Slavery & Human Trafficking Statement, which must be approved by the organisation's management body and signed by a director, may contain information on the following key areas:
- The organisation's structure;
 - The business's policies on modern slavery;
 - The availability to staff of training on modern slavery;
 - The organisation's principle risks related to modern slavery and its methods of evaluating those risks; and
 - Key performance indicators (KPIs) to assist the assessment of the steps the organisation puts in place to ensure that its business and supply chains are free of modern slavery.

- 3.4. Section 54 of the Act requires organisations to be transparent about the steps taken both in their own businesses and their supply chains to prevent slavery and human trafficking. If an organisation has taken no such steps, it must publish a statement to this effect.
- 3.5. Annex E of the Government's guidance suggests that organisations should re-evaluate their existing internal KPIs and performance incentives to ensure that these do not create a slavery risk (for example, where KPIs focus on increasing production or shipment 'turnaround' times). It encourages each organisation to ensure that its slavery and human trafficking statement is kept under review so that it is constantly evolving alongside the organisation's activities.

Timescales

- 3.6. The guidance states that an organisation should seek to publish its statement as soon as reasonably practicable, preferably within six months before the end of their financial year. Organisations are required to publish their slavery and human trafficking statements on their websites and include links to their statements in prominent places on their homepages.
- 3.7. There is no requirement for organisations to include the statement in their annual reports and accounts.

Compliance

- 3.8. The Secretary of State can enforce the duty to prepare a slavery and human trafficking statement by using injunction proceedings. In reality, consumer pressure and pressure from organisations higher up in a supply chain that are required to comply or are coming under pressure from their own clients or customers to comply will inform organisations' decisions to comply with the Act. Investors and funders may also require compliance. Reputational and corporate social responsibility concerns are further likely to influence an organisation's approach.

Alternative Options	The Council could choose to not publish a voluntary Modern Slavery and Human Trafficking Statement and wait until the legal requirements are updated.
Consultation	<p>A proposed Statement was submitted to the Council's Leadership Team (LT) for consideration. The document had been put together in consultation with the relevant internal stakeholders and LT were asked to consider the statement and make any amendments required prior to referring through to this committee for its formal adoption and implementation.</p> <p>Having considered the content of the document amendments were made and the final version was agreed (APPENDIX A), subject to Member consideration and feedback.</p>
Financial Implications	There are no direct financial implications arising from the proposals set out within the report although there may be some indirect costs to monitor compliance.
Contribution to the Delivery of the Strategic Plan	A key objective under the shaping place priority included within the Strategic Plan is to keep Lichfield District clean, green and safe. The adoption of a Modern Slavery and Human Trafficking Statement demonstrates the Councils commitment to reduce crime in this area and in turn will help contribute to the achievement of this objective.
Equality, Diversity and Human Rights Implications	The proposed policy statement has been developed with due regard to equalities matters and to assist the Council to ensure that individuals with protected characteristics and those who are more vulnerable members of the community are appropriately protected.

Crime & Safety Issues	The adoption of a Modern Slavery and Human Trafficking Statement demonstrates the Councils commitment to reduce crime in this area and in turn will help contribute to the achievement of this objective.
Environmental Impact	No direct implications.
GDPR/Privacy Impact Assessment	No direct impact.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	There is a reputational risk to the Council of not voluntarily adopting a Statement.	The Procurement Strategy references compliance with the Modern Slavery Act 2015.	Likelihood : Medium Impact : Medium Severity of Risk : Medium

<p>Background documents</p> <p>Procurement Strategy – Cabinet 01 December 2020</p> <p>The Local Government Association Statement</p> <p>Other Councils Statements</p>

Relevant web links

MODERN SLAVERY & HUMAN TRAFFICKING STATEMENT

1. Introduction

- 1.1. Lichfield District Council (LDC) is committed to preventing slavery and human trafficking in the delivery of its services and corporate activities. The Council recognises that slavery and human trafficking remain a hidden blight on our society, that it has a responsibility to be alert to the risks and to strive to ensure that its supply chains are free from slavery and human trafficking.
- 1.2. This Modern Slavery and Human Trafficking Statement details the steps the Council has taken to understand potential modern slavery risks related to its business and to put in place measures to ensure that these offences are not committed in its own business or its supply chains.
- 1.3. This Statement relates to all activities carried out by the Council. It will be reviewed on an annual basis and a new updated Statement, acknowledging any further actions that may have been taken, will be published during each subsequent year.

2. The Modern Slavery Act 2015

- 2.1. The Modern Slavery Act 2015 (the Act) consolidates various offences relating to human trafficking and slavery. Broadly speaking this means that:
 - ‘slavery’ is where ownership is exercised over a person;
 - ‘servitude’ involves coercion to oblige a person to provide services;
 - ‘forced and compulsory labour’ is where a person works or provides services on a non-voluntary basis under the threat of a penalty;
 - ‘human trafficking’ involves arranging or facilitating the travel of a person with a view to exploiting them.
- 2.2. Section 52 of the Act imposes a duty on public authorities, including district councils, to notify the Secretary of State of suspected victims of slavery or human trafficking.
- 2.3. Section 54 of the Act imposes a legal duty on commercial organisations, which supply goods and/or services from or to the UK and have a global turnover of more than £36 million, to publish a slavery and human trafficking statement each financial year.
- 2.4. The Council engages in commercial activities by providing services (both statutory and discretionary). Its annual turnover is in excess of £36 million. 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. The Council is keen to raise awareness of slavery and human trafficking and as a large scale local employer and provider of services, it is seen as imperative that the Authority makes its position of zero tolerance in respect of slavery and trafficking clear and unequivocal.

3. Standards

- 3.1. The Council will meet the following standards and also expects those with whom it does business, to meet them to:
 - Support every individual’s human right to live free from abuse, servitude and inhumane treatment;
 - Promote ethical business and operational practices in corporate activity and services delivered;
 - Take appropriate steps to ensure, as far as is reasonable possible, that slavery and human trafficking is not taking part in any of its business or supply chains;

- Take reports of witnessed, suspected or disclosed concerns of slavery and human trafficking seriously and ensure that such reports are shared with appropriate law enforcement and other partner agencies in order that they can be fully investigated;
- Take appropriate action to address actual instances of slavery and human trafficking brought to the Council's attention and to take all reasonable steps to support and protect its victims.

4. Organisational Structure

- 4.1. The Council is a second tier local authority situated in the county of Staffordshire, providing a wide range of statutory and discretionary services delivered both directly by itself, and through partnership working with other agencies and commissioned work with external contractors.
- 4.2. The Council's constitution and details of the structure are both available on its website <https://www.lichfielddc.gov.uk/>

5. Supply Chains

- 5.1. As part of its procurement strategy and processes, The Council requires that all suppliers of goods and services comply with all applicable laws, statutes, regulations and codes including the Modern Slavery Act 2015. Suppliers are also expected to publish a Slavery and Human Trafficking Statement (where applicable). Contract terms and conditions set out the requirements of suppliers and sub-contractors in relation to ensuring there is no slavery or human trafficking in their businesses.
- 5.2. The Council also requires its suppliers and sub-contractors engaged in 'regulated activity' involving children and adults at risk to have safeguarding policies, procedures and training in place and to comply with the reporting procedures in the Council's Adult and Children's Safeguarding Policies.

6. Policies and Plans

- 6.1. The Council has a range of policies and plans in place that reflect its commitment to acting ethically and with integrity to prevent slavery and human trafficking in its operations. These include:
 - **The Strategic Plan 2020-2024** – a key shaping place priority is that Lichfield District is safe and this includes reducing crime and anti-social behaviour and increasing feelings of safety in our communities. In working towards this Objective, the Council is working, individually and with partner agencies, to reduce crime and anti-social behaviour; using statutory powers to improve public safety, for example, enforcement of licensing requirements; raising awareness of services available; and encouraging victims to report incidents to access the support they need.
 - **Safeguarding Policies** – The Council's Children and Adults Safeguarding policy sets out the steps the Authority is taking to safeguard and protect the welfare of children and adults at risk who come into contact with or use its services and activities. The policy includes the Council's responsibilities in respect of modern slavery and human trafficking and its legal obligation to notify the Home Office of suspected victims of these offences. We have a statutory duty to work in partnership with a number of agencies to identify, refer and respond to suspected abuse and to provide additional support.
 - **Whistleblowing Policy** – the Council encourages all its employees, Councillors, contractors, their agents and/or subcontractors, consultants, suppliers and service providers to report concerns about any aspect of service provision, conduct of officers and others acting on behalf of the Council. The Whistleblowing Policy is intended to make it easier to disclose information without fear of discrimination and victimisation.

- **Code of Conduct** – the Council makes clear to all its employees that there are expected standards of behaviour to which they must adhere when they are representing and acting on its behalf. Employee conduct and behaviour that fails to meet these standards is fully investigated and appropriate action taken.
- **Recruitment and Selection Policy** – This sets out procedures followed to vet new employees to ensure that confirmation of their identities and qualifications is obtained. To comply with the Immigration, Asylum and Nationality Act 2006, prospective employees are asked to supply evidence of their eligibility to work in the United Kingdom. References are sought and followed up for all employees and relevant checks, for example Disclosure and Barring Service (DBS) checks, are carried out where relevant to the position. The Council only uses reputable vendors to source agency workers and as part of the procurement, the Council verifies the practices of any new agency it is using before accepting workers from that agency.
- **Anti-Money Laundering Policy** – This sets out the Council’s commitment to the prevention, detection and reporting of money laundering.
- **Commissioning and Procurement Policies** – The Procurement Strategy sets out the aim and guiding principles of procurement activity, including the principles that the Council follows in the acquisition of goods, works and services from suppliers. The Council is committed to ensuring that its suppliers adhere to the highest standards of ethics. This may include the use of specific tools to assess the level of risk related to modern slavery in the supply base.
- **Equalities and Diversity** – Each year we publish an Equality Statement which demonstrates how we take into account the varying needs of people who live, work or visit our district. In particular our focus is on the nine protected characteristics and demonstrating how equality considerations are embedded in our decision making processes, and how they can influence both our service delivery and employment practices. Our Equality & Diversity Policy sets out our aim to ensure our workforce represents all sections of society, our customers and that each employee feels respected and able to give their best. The principles set out in this policy should be adopted by all contractors, suppliers and partners who work on our behalf.
- **Procurement Strategy** – the strategy sets out the Council’s approach to procurement of goods and services. There is a specific guiding principle that where appropriate key contractors are required to have safeguarding policies, procedures and training in place, in addition to providing confirmation of compliance with the Modern Slavery Act 2015

7. Assessing and Managing the Risk

- 7.1. The most effective way to apply limited resources to due diligence and ensure action is targeted at the areas of highest risk in our supply chain:
- Complex employment relationships; a reliance on agency, outsourced or subcontracted workers.
 - Reliance on low skilled or unskilled labour.
 - High numbers of temporary, seasonal or agency workers.
 - Dangerous or physically demanding work.

8. Due Diligence

- 8.1. The Council's approach to commissioning and procurement requires suppliers of goods and services to implement proportionate due diligence procedures in relation to slavery and human trafficking with their own suppliers, sub-contractors and other participants in their supply chain. This will also include seeking assurances from suppliers in the procurement and potentially the inclusion of specific clauses in contracts. For organisations with a turnover below £36 million, suppliers will be asked to confirm their acceptance of this Modern Slavery and Human Trafficking Statement and compliance will be subject to verification.

9. Training

- 9.1. The Council has made some efforts to ensure that initiatives to raise awareness of slavery and human trafficking, and signposts services available to assist victims have been prioritised. We provide face to face Safeguarding and domestic violence awareness training for all new starters and this includes a section on Modern Slavery. Once staff have attended this, those with computer access are sent online modules on Safeguarding, Domestic violence, and Modern Slavery.
- 9.2. Where employees do not have computer access we have given an undertaking to provide face to face training at regular intervals throughout the year.

10. Targeted Activity

- 10.1. The Council has a strong history of working in partnership with other local authorities, both at county and district level, partner agencies, local charities and community groups that enables ongoing information sharing in a number of high risk areas.
- 10.2. The Council also co-chairs, attends and supports the Multi Agency group. Where members of the group identify potential abuse or slavery, the necessary enforcement agencies are informed and referrals are made to local and national support agencies.

11. Monitoring our Effectiveness

- 11.1. The Council will regularly review and monitor the measures being implemented to address slavery and human trafficking and to safeguard against such activity in any part of its business or supply chains by:
- Investigating complaints, received from employees, the public, or law enforcement agencies regarding modern slavery and human trafficking.
 - Recording the number of employees provided with training on modern slavery and human trafficking;
 - Reviewing and evaluating high risk supply chains and monitoring supply chains through contract management activity throughout the life of the contract.
 - Carrying out periodic internal audits to ensure compliance with the policy.
- 11.2. This Statement will be reviewed annually to monitor its effectiveness.

Signed Date

Chief Executive

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