

Modern Slavery and Human Trafficking Statement

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

Date: 11 May 2021
Agenda Item: 5
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Key Decision? No
Local Ward Full Council
Members

Lichfield
district council
www.lichfielddc.gov.uk

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.

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| 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. |

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| 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) |
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| 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 |

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