

Committee Name and Date of Committee Meeting

Cabinet – 10 June 2019

Report Title

Modern Slavery Update and Transparency Statement 2019-20

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

This report provides an update in relation to the activity of the Council and its partners, in seeking to both address and prevent modern slavery. The report focusses specifically on actions following the resolution passed by Council to adopt the Co-operative Party Charter against Modern Slavery on the 25th July 2018.

It highlights key achievements, such as work alongside our suppliers to increase compliance with the Modern Slavery Act 2015, which has seen an increase in verified compliance.

The Council initially identified 17 suppliers that were required to comply with the Modern Slavery Act, but where compliance, in particular publication of a transparency statement, could not be verified. The Council identified eight of those were current suppliers. Contact was made with all eight suppliers to inform them of their obligations and to ask for an update in relation to compliance. This led to all eight companies becoming compliant.

The report also introduces a refreshed transparency statement for the period 2019 to 2020 for Cabinet approval.

Recommendations

1. That the progress against commitments made be noted.
2. That the refreshed Transparency Statement be approved for publication.

List of Appendices Included

- Appendix 1 Modern Slavery Charter (MSC) Action Plan
- Appendix 2 Modern Slavery (MS) Action Plan
- Appendix 3 Draft Transparency Statement
- Appendix 4 Initial Equality Screening Assessment

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 05 June 2019

Council Approval Required

No

Exempt from the Press and Public

No

Modern Slavery Update and Transparency Statement 2019-20

1. Background

1.1 At a meeting of the Council on 25 July 2018, it was resolved:

- That the Co-operative Party's Charter against Modern Slavery be adopted to ensure that the Council's practices do not support slavery.
- That the Corporate Procurement Team be trained to understand modern slavery issues through the Chartered Institute of Procurement and Supplies (CIPS) online course on Ethical Procurement and Supply.
- That contractors be required to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
- That any abnormally low-cost tenders should be challenged, to ensure that they do not rely upon the potential contractor practising modern slavery.
- That suppliers be advised that contracted workers are free to join a Trade Union and should not be treated unfairly for belonging to one.
- That the whistleblowing system, to enable staff to blow the whistle on any suspected examples of modern slavery, be publicised.
- That tendered contractors be required to adopt a whistleblowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
- That contractual spending be reviewed regularly to identify any potential issues with modern slavery.
- That suppliers be advised of any risk identified concerning modern slavery and refer them to the relevant agencies to be addressed.
- That any contractor who is identified as a cause for concern regarding modern slavery be referred for investigation via the National Crime Agency's national referral mechanism.
- That a report on the implementation of this policy be published annually

1.2 Following this commitment, a detailed report was presented to a meeting of the Cabinet on 22 October 2018, which provided both an update on initial activity and a draft transparency statement, which was formally agreed for publication and is available on the Council's website: https://www.rotherham.gov.uk/downloads/download/386/modern_slavery_transparency_statement.

2. Key Issues

2.1 Following the commitment made by the Council, a range of activities have been undertaken within an established action plan, to focus in particular on the Modern Slavery Charter requirements. As can be seen in Appendix 1, the Council has achieved full compliance in a number of areas, with all other requirements remaining 'on-track'. Appendix 2 relates to further operational activity, which is now complete. Of particular note is compliance in relation to training of procurement staff, alongside the development of advice and guidance for contract and commissioning officers. The Council's whistleblowing policy has also been updated to include a specific reference to modern slavery.

- 2.2 The Council has made significant efforts to review contractual spend in relation to modern slavery concerns and has proactively contacted contractors in order to increase compliance. The Council initially identified 17 suppliers that were required to comply with the Modern Slavery Act, but where compliance, in particular publication of a transparency statement, could not be verified. The Council identified eight of those were current suppliers. Contact was made with all eight suppliers to inform them of their obligations and to ask for an update in relation to compliance. This led to all eight companies becoming compliant.
- 2.3 Operationally the Council has continued to deliver improvements in relation to processes around, and awareness of, modern slavery. A series of posters, training sessions and other forms of awareness-raising have taken place including: a full directorate briefing for Adult Care and Housing staff alongside the implementation of an e-learning module for front line Council staff. The Council has developed its role within the County-wide partnership relating to modern slavery and has been involved in three proactive operations to target intelligence relating to modern slavery.
- 2.4 The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive the appropriate support. Only designated first responders can refer cases to the NRM. A 'first responder organisation' is, in England and Wales, an authority that is authorised to refer a potential victim of modern slavery into the National Referral Mechanism. Local Authorities are designated 'first responder organisations'.
- 2.5 Between 1 January and 31 December 2018 there were 10 referrals from Rotherham into the National Referral Mechanism, which is the statutory process to report modern slavery concerns regarding individuals. The forms of modern slavery reported in Rotherham during the period are recorded under the following categories:
- 1 x Domestic Servitude
 - 4 x historic Child Sexual Exploitation
 - 1 x Child Criminal Exploitation – forced criminality
 - 3 x Forced Criminality – cannabis cultivation
 - 1 x Labour Exploitation
- 2.6 Of the ten referrals, one was made by Rotherham Council.
- 2.7 Rotherham Council is a member of the County Wide Practitioner Group that currently meets quarterly to discuss and develop co-ordinated approaches to address Modern Slavery and Human Trafficking across the county.
- 2.8 On Wednesday 22 May 2019 a new and revised county-wide Modern Slavery and Human Trafficking Strategic Network held its official launch at the New York Stadium.

3. Options considered and recommended proposal

- 3.1 The Council is required to produce an annual update in relation to activities associated with modern slavery. The Council is further required to update its published 'Transparency Statement' each year. The report and attached action plan discharge the requirement for an annual update on activity.
- 3.2 Attached as Appendix 3 is a revised draft transparency statement for the approval of Cabinet. This has been revised in order to reflect the progress made over the previous 12 months, and to describe the Council's focus over the coming 12 months in relation to modern slavery.
- 3.3 Whilst there are a number of actions complete, the transparency statement highlights that continued efforts need to be made in relation to tackling modern slavery. Whilst reports will continue to be made annually, a range of regular activity is underway and will continue.
- 3.4 No alternative options have been considered as a result of the clear commitment made by the Council.

4. Consultation on proposal

- 4.1 This report provides an update on activity however, the report and draft statement have been widely consulted upon within the organisation.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Following the approval of Cabinet, the statement will be published on the Council's website within one week. The Head of Community Safety continues to act as the Council's lead for Modern Slavery and will be accountable for implementation.

6. Financial and Procurement Advice and Implications

- 6.1 Given the nature of the commitments made and the need to work to address modern slavery within supply chains, the Procurement Service has been an essential partner in delivering on the commitments made by the Council. It will strive to continue to strengthen its understanding and approach in this regard.
- 6.2 All costs associated with the delivery of the action plan have been contained within existing approved revenue budgets. These costs have been mainly in respect of training for staff in the Procurement Service.

7. Legal Advice and Implications

- 7.1 Legal support has been forthcoming over the previous year with the whistleblowing policy updated to incorporate modern slavery. Further work with the legal team will be required in order to continue to strengthen contractual arrangements.

8. Implications for Children and Young People and Vulnerable Adults

- 8.1 Modern slavery can impact both vulnerable adult and children/young people. Both Adult and Children's safeguarding leads have been involved in delivery of the work programme relating to modern slavery.

9. Equalities and Human Rights Advice and Implications

- 9.1 Work to prevent and address modern slavery upholds Human Rights and seeks to tackle inequalities, with migrants or minority groups most likely to be affected. An equalities impact initial screening has been completed and is attached as appendix 4.

10. Implications for Partners

- 10.1 Modern slavery duties stretch across both the Public and Private sector. Statutory and other partners are actively engaged both locally, regionally and nationally. The Council has worked over the previous year to increase links with private industry, contractors and suppliers in relation to modern slavery and on an intelligence led basis.

11. Risks and Mitigation

- 11.1 No additional risks highlighted as a result of this report.

12. Accountable Officer(s)

Sam Barstow, Head of Community Safety, Resilience and Emergency Planning
Tom Smith, Assistant Director, Community Safety and Street Scene

Approvals obtained on behalf of:-

	Named Officer	Date
Chief Executive	Sharon Kemp	23/05/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	22/05/19
Head of Legal Services (Monitoring Officer)	Bal Nahal	22/05/19
Assistant Director of Human Resources (if appropriate)	N/A	N/A
Head of Procurement (if appropriate)	Karen Middlebrook	02/05/19

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This report is published on the Council's [website](#).