

Summary Sheet

Name of Committee and Date of Committee Meeting

Cabinet – 22 October 2018

Report Title

Modern Slavery Update and Transparency Statement

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

Yes

Strategic Director Approving Submission of the Report

Damien Wilson, Strategic Director of Regeneration and Environment

Report Author(s)

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Ward(s) Affected

All

Summary

This report provides a brief overview of planned activity in relation to modern slavery for the financial year 2018/19. This report also provides a draft statement for publication in line with the requirements laid down by the Modern Slavery Act 2015.

Recommendations

1. That the report be noted.
2. That the Draft Transparency Statement at Appendix 1 be approved for publication.

List of Appendices Included

Appendix 1 Modern Slavery Act 2015 – Draft Transparency Statement

Background Papers

Transparency in Supply Chains etc a Practical Guide [Guidance issued under section 54(9) of the Modern Slavery Act 2015]
Tackling Modern Slavery – A Council Guide [Local Government Association, 2017]

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Overview and Scrutiny Management Board – 17 October 2018

Council Approval Required

No

Exempt from the Press and Public

No

Modern Slavery Update and Transparency Statement

1. Recommendations

- 1.1 That the report be noted.
- 1.2 That the Draft Transparency Statement at Appendix 1 be approved for publication.

2. Background

- 2.1 At a meeting of the Council on 25 July 2018, a motion containing the following commitments was debated and agreed by Council:

- 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

3. Transparency Statement

- 3.1 In July of 2018, the Council produced an interim statement, which was published on its website, in accordance with the Modern Slavery Act 2015. Following further internal work to strengthen process and the commitments set out above, a more detailed statement for the financial year 2018/19 has been drafted. This is attached at Appendix A.
- 3.2 This document seeks to describe the Council's commitment to transparency in its supply chain. It furthermore recognises the Council's unique role as a public body and makes further commitments in this regard. The Statement also seeks to capture the commitments made by the Council, over and above legal duties, and the Council's commitment to delivery of those ambitions. The statement also introduces the requirement for annual reporting.
- 3.3 In noting our progress so far, the document highlights: the inclusion of training during safeguarding awareness week; the start of developing a consistent training offer within the Council; the identification of at risk industries; increasing information and intelligence flow and; establishing greater links with procurement/commissioning in relation to the issue and; the inclusion of Modern Slavery explicitly with the Council's Whistleblowing Policy.

4. Key Actions

- 4.1 Training will be carried out for relevant procurement staff. A further report is being prepared for the Strategic Leadership Team in relation to awareness raising in this area.
- 4.2 To support commissioning and procurement colleagues, together with contract managers, guidance will be developed in relation to at risk industries, how to access information, what to look for and where to go for advice. Work will also be carried out to explore standard relevant clauses alongside tightening tender specifications.
- 4.3 Aside from works, goods and services, the Council will continue to develop its operational functions to be alert to this type of crime and be proactive in identifying it wherever possible.
- 4.4 Key activity will focus on highlighting key areas of risk and embedding into people's thinking in relation to broader safeguarding and into the Council's wider safeguarding activity in relation to awareness raising and regular briefings.
- 4.5 The Council will seek to continue to develop its spend analysis activity where it relates to Modern Slavery. A free tool has been identified and is being utilised which is government funded and provides relevant information at a corporate level in respect of compliance with the Modern Slavery Act.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The statement (contained at Appendix 1) will be published within 5 working days following the decision of the Cabinet.

5.2 Aside from the actions outlined above for further consideration, the remainder are anticipated to be completed by April 2019. This will align with an annual refresh of the statement, an annual update and the development of our actions for the year ahead, which will be captured in a further revised statement.

6. Financial and Procurement Implications

6.1 This report already outlines the implications for procurement, which are predominantly focussed on changes to working practices and early pre-procurement considerations. The Procurement and Community Safety Services will jointly agree and review these working practices to ensure the Council is in a position to evidence its achievements against the Charter and transparency statement. This will involve some additional training which will be contained within existing budgets.

7. Legal Implications

7.1 The Modern Slavery Act 2015 requires commercial organisations to prepare a slavery and human trafficking statement for each financial year. The statement must set out the steps which the organisation has taken during the financial year to ensure that slavery and human trafficking is not taking place in any of its supply chains or in any part of its own business, or confirm that the organisation has taken no such steps.

7.2 Councils currently do not appear to be covered by the definition of commercial organisations and so would be under no legal obligation to publish statements on compliance with the 2015 Act. However, the Local Government Association have reported that a growing number of councils (now approaching one in five) have demonstrated awareness and ethical leadership by having voluntarily published statements. The Modern Slavery (Transparency in Supply Chains) Bill, which had its first reading in the House of Lords in July 2017, would amend the Act to include “public authorities” as falling definitively within the scope of those organisations required to publish statements. Although that is a private members’ bill, the indications are that the government support the proposal and might introduce its own Bill on a similar basis.

7.3 Statements may also include information about

7.3.1 the organisation's structure, its business and its supply chains;

7.3.2 its policies in relation to slavery and human trafficking;

7.3.3 its due diligence processes in relation to slavery and human trafficking in its business and supply chains;

7.3.4 the parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk;

7.3.5 its effectiveness in ensuring that slavery and human trafficking is not taking place in its business or supply chains, measured against such performance indicators as it considers appropriate;

7.3.6 the training about slavery and human trafficking available to its staff

8. Human Resources Implications

8.1 There are no Human Resources implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 This work seeks to enhance the Councils current efforts in relation to the protection of vulnerable individuals where Modern Slavery is concerned.

10. Risks and Mitigation

10.1 This report and the work contained within follow a decision by Council to adopt the charter and its principles and therefore no alternatives have been considered.

11. Accountable Officer(s)

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

Approvals Obtained from:-

	Named Officer	Date
Strategic Director of Finance & Customer Services	Julie Copley	24.09.2018
Assistant Director of Legal Services	Dermot Pearson	02.10.2018
Head of Procurement (if appropriate)	Karen Middlebrook	21.09.2018
Head of Human Resources (if appropriate)	John Crutchley	21.09.2018

Report Author: Sam Barstow Head of Community Safety

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