

For Publication

Modern Slavery Statement (HW000)

Meeting:	Cabinet
Date:	16.03.21
Cabinet portfolio:	Health and Wellbeing
Directorate:	Corporate

1.0 Purpose of the report

- 1.1 To present for approval the council's modern slavery statement for 2021/22

2.0 Recommendation

- 2.1 That the Chesterfield Borough Council modern slavery statement is approved for 2021/22.

3.0 Reasons for recommendations

- 3.1 To demonstrate and strengthen our commitment to prevent and reduce the impact of modern slavery.

4.0 Report details

4.1 Background

The Modern Slavery Act 2015 consolidates various offences relating to human trafficking and slavery. In broad terms:

- '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

- 4.2 Section 52 of the Act imposes a duty on public authorities, including district councils, to notify the Secretary of State (via the National Crime Agency) of suspected victims of slavery or human trafficking.
- 4.3 Section 54 of the Act imposes a legal duty on organisations, which supply goods and/or services from or to the UK and have a global turnover above £36 million, to publish a slavery and human trafficking statement each financial year. On the introduction of the Act it was unclear if local authorities and other public sector bodies were covered by the requirement. Additional guidance later clarified that public sector bodies do not currently need to comply with this duty.
- 4.4 Chesterfield Borough Council recognises the huge impact that this crime has on vulnerable people and in our communities so we are committed to working with partner agencies to play our part in eradicating modern slavery. To demonstrate our commitment and highlight how we can help prevent exploitation, Chesterfield Borough Council like many local authorities including Derbyshire County Council and Derby City Council volunteered to develop and implement modern slavery statements from 2018/19 onwards.

4.5 Potential strengthening of legislation

The Government have indicated that they would like to strengthen the legislation around Modern Slavery which is likely to have an impact on the future development of Modern Slavery Statements. This includes:

- Extending section 54 of the Modern Slavery Act 2015 to cover all public bodies with a budget / turnover of £36 million or more
- Introduce mandatory reporting topics to incentivise progress in key areas
- Require all statements to be published on the new Government reporting service by a single reporting deadline each year, to drive compliance and empower investors, consumers and residents to scrutinise action taken
- The Government is also exploring options for civil penalties in line with the development of a Single Enforcement Body for employment rights

- 4.6 These changes will require legislative change and as yet there has been no indication of when these changes will be made only that it will be *“when parliamentary time allows”*.

4.7 Modern Slavery Statement for 2021/22

The modern slavery statement for 2020/21 is attached at Appendix 1. The statement includes:

- Modern Slavery Act requirements
- The Modern Slavery Charter
- The standards we will meet and expect others we do business with to meet
- Procurement and supply chains
- How modern slavery links into our policies and plans
- Training and awareness raising
- Partnership working

4.8 The statement will be reviewed annually and published on the council's website.

5.0 Alternative options

5.1 The development of a Modern Slavery Statement is not currently (although it is likely to be in the near future) a mandatory requirement for local authorities so we could choose not to produce and publish a statement. This however is viewed as a backward step as we have previously made a voluntary commitment to produce annual statements and undertake key work to prevent and reduce modern slavery.

6.0 Implications for consideration – Council Plan

6.1 The actions and activities within the statement support and underpin the Council Plan and are a key consideration in the delivery of priorities.

7.0 Implications for consideration – Financial and value for money

7.1 Chesterfield Borough Council spends in excess of £40 million each year on supplies and services from other organisations to help us to deliver our Council Plan and provide over 50 services to our communities. Our Procurement Strategy and plans have clear commitments and actions to prevent modern slavery within our supply chains. This is part of our value for money assessment.

8.0 Implications for consideration – Legal

- 8.1 The Modern Slavery Act 2015 consolidates various offences relating to human trafficking and slavery with section 52 of the Act imposing specific reporting duties for public authorities. Chesterfield Borough Council currently voluntarily complies with the provisions in section 54 of the Act regarding Modern Slavery Statements.
- 8.2 The Government have indicated that they would like to strengthen the legislation around Modern Slavery which is likely to have an impact on the future development of Modern Slavery Statements. This situation will be monitored and adjustments made to our supporting and reporting activity to comply with the new provisions here relevant.

9.0 Implications for consideration – Human resources

- 9.1 Chesterfield Borough Council has a programme of mandatory safeguarding training for all employees and elected members. This includes content about modern slavery and human trafficking and enables them to identify and know how to report suspected or disclosed incidents.
- 9.2 We carry out inspections of food premises, other commercial premises, industrial buildings and domestic residential properties. Staff engaged in these activities receive a higher level of training to enable them to spot issues of concern relating to modern slavery and understand how to support and respond to concerns.

10.0 Implications for consideration – Risk management

Description of the Risk	Impact	Likelihood	Mitigating Action	Impact	Likelihood
Failure to respond to legislative requirements of the Modern Slavery Act 2015 – section 52.	H	M	Modern Slavery forms part of our Safeguarding Policy and procedures. This includes reporting responsibilities. Learning and development activity in place.	M	L

			<p>Key partnership working with Derbyshire Safer Neighbourhoods Board, Derbyshire Adult Safeguarding Board and Derby and Derbyshire Safeguarding Children Board.</p> <p>Derbyshire Districts Safeguarding Partnership also in place to share intelligence, best practice and learning.</p>		
Failure to comply with anticipated legislative changes – Modern Slavery Act S54.	H	M	<p>Currently voluntarily complying with legislation.</p> <p>Extensive experience of similar reporting mechanisms through Gender Pay Gap reporting systems.</p>	M	L

11.0 Implications for consideration – Community wellbeing

11.1 The Modern Slavery Statement and actions demonstrate and strengthen our commitment to prevent and reduce the impact of modern slavery – supporting some of the most vulnerable people within our communities.

12.0 Implications for consideration – Economy and skills

12.1 The Procurement Strategy is a key part of the Modern Slavery Statement. With a £40 million plus annual spend we can strongly influence the success of the borough, helping to strengthen our local economy and improve the wellbeing of local people through the goods and services we choose to buy, the suppliers we select, the influential relationships we maintain with suppliers and through the commercial opportunities we are able to offer within the borough.

13.0 Implications for consideration – Climate Change

13.1 There are no specific implications around Climate Change.

14.0 Implications for consideration – Equality and diversity

14.1 Equality analysis of our approach to reducing modern slavery and its impacts has been considered and no negative impacts for protected characteristics identified. These arrangements make significant positive contributions to all groups but in particular younger people, people with disabilities and migrants who are disproportionately affected by modern slavery. This is reviewed annually as the statements are updated.

Decision information

Key decision number	1017
Wards affected	All

Document information

Report author
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Background documents
These are unpublished works which have been relied on to a material extent when the report was prepared.
None
Appendices to the report
Appendix 1 – Modern Slavery Statement