

EMPLOYMENT MATTERS COMMITTEE

30 NOVEMBER 2016

MODERN SLAVERY AND HUMAN TRAFFICKING

Report from: Carrie Mckenzie, Chief People Officer

Author: Tim Silver, Employee Relations Manager

Summary:

The Modern Slavery Act 2015 requires the Council to publish a publicly available modern slavery and human trafficking statement, reiterating the Council's on-going commitment to understanding modern slavery risks; and ensuring that there is no modern slavery in the Council or within its supply chain.

1. Budget and Policy Framework

1.1 Whilst there is no specific decision to be made based on this report, it is important that the Committee is aware of the Council's commitment and arrangements that are in place (or being put into place) to meet its statutory obligations.

2. Background

2.1 The Modern Slavery Act 2015 (the Act) received Royal Assent in March 2015. The Act defines what constitutes slavery and human trafficking and sets out a number of criminal offences where the Act is breached that are punishable by both fines and imprisonment.

2.2 Section 54 of the Act, requires all organisations with an annual turnover of £36m to publish an annual slavery and human trafficking statement, setting out the steps that they have taken to ensure that slavery is not taking place in any part of their business and associated supply chain.

2.3 Section 52 of the Act requires all local authority staff to report to the Secretary of State all instances when they believe a person may be a victim of slavery or human trafficking.

2.4 The statement was signed by the Chief Executive, having been endorsed by the Corporate Management Team at their meeting held on 16 November 2016.

3. Advice and analysis

- 3.1 The Council has robust processes in place to limit the likelihood of employing directly, engaging a worker through the supply chain, or contracting an organisation that would be either in breach of the Act or would themselves be covered by the provisions within the Act.
- 3.2 The Council is developing a suite of training for its senior officers, members of the HR and Procurement departments to raise awareness and provide clear direction as to what is expected of them. It is anticipated that this training will be rolled out at the start of the new financial year.

4. Financial and legal implications

- 4.1 There are no direct financial or legal implications from this report.

5. Risk Management

- 5.1 The risk implications arising from this report are detailed below:

Risk	Description	Action to avoid or mitigate risk	Risk rating
Failure to comply with the statutory requirement to publish an annual statement. Reputational damage.	The Secretary of State can enforce the duty to prepare a statement in civil proceedings by way of an injunction against the Council. The failure to publish a statement could lead the Council to be criticised for not taking this matter seriously.	The statement will sit within the Chief People Officer's accountability and appropriate measures will be put into place to ensure compliance.	E4

- 5.2 A Diversity Impact Assessment is attached at Appendix B.

6. Recommendation

- 6.1 That the Committee notes the statement at Appendix A.

Lead officer contact

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Chief People Officer

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Background Papers:

None

Appendices:

Appendix A - Statement on Modern Slavery and Human Trafficking

Appendix B - Diversity Impact Assessment

Appendix A

Statement on Modern Slavery and Human Trafficking

1. Introduction

- 1.1 This statement is made pursuant to Section 54, Part 6 of the Modern Slavery Act 2015 and sets out the steps that Medway Council (the Council) has taken to ensure that modern slavery and human trafficking risks are not taking place in any part of its organisation or in its supply chain.
- 1.2 This statement relates to actions and activities during the financial year [Financial Year X] to [Financial Year Y].
- 1.3 The Council is absolutely committed to preventing slavery and human trafficking in its own organisation and within its corporate activities, and that its supply chains are free from slavery and human trafficking.

2. Organisational structure and supply chains

- 2.1 Medway Council is a unitary authority, providing local government services for a quarter of a million people. It looks after education, environment, social care, housing, planning and business.
- 2.2 The Council only operates in England.
- 2.3 The Council does not operate in or engage with the supply chain from any countries to be known as having an increased risk for modern slavery and human trafficking issues.
- 2.4 The Council will regularly monitor lists of high risk countries that are maintained by third party data providers.
- 2.5 None of the activities currently performed by or on behalf of the Council or by the supply chain are considered to be at high risk of slavery and human trafficking.

3. Relevant policies

- 3.1 The Council operates the following policies that describe its approach to the identification of modern slavery and human trafficking risks and steps that it has taken to prevent slavery and human trafficking in its operations:
 - **Whistleblowing policy:** The Council encourages all of its workers, customers and other business partners to report any concerns related to its direct activities, or the activities of the supply chains.

This includes any circumstances that may give rise to an enhanced risk of slavery or human trafficking. The whistleblowing procedure is designed to make it easy for disclosures to be made confidentially without fear of discrimination or reprisal.

- **Employee code of conduct:** The Council's code of conduct makes it clear to employees the actions and behaviour expected of them when representing the Council. The Council strives to maintain the highest standards of employee conduct and ethical behaviour in its own operations and in the management of its supply chain.
- **Procurement code of practice:** The Council is committed to ensuring that its suppliers adhere to the highest standards of ethics. Suppliers are required to demonstrate that they provide safe working conditions where necessary, treat workers with dignity and respect, and act ethically and within the law in their use of labour. The Council works with suppliers to ensure that they meet the standards of the code and improve their worker's working conditions. However, serious violations of the Council's supplier code of conduct will lead to the termination of the business relationship and may trigger a notification to the Secretary of State where there is evidence of Modern Slavery or Human Trafficking.
- **Recruitment agency Framework Agreement:** The Council uses only specified, reputable employment agencies to source labour and always verifies the practices of any new agency it is using before accepting workers from that agency as part of its Framework Agreement. Serious violations of the Council's Framework Agreement will lead to the termination of the business relationship and may trigger a notification to the Secretary of State where there is evidence of Modern Slavery or Human Trafficking.

4. Training

- 4.1 The Council is developing a suite of training that will be delivered to its Senior Officers, members of the HR and Procurement team and it will further roll out an awareness programme to all staff.

Diversity impact assessment

TITLE <i>Name/description of the issue being assessed</i>	Annual statement on Modern Slavery and Human Trafficking
DATE <i>Date the DIA is completed</i>	31 October 2016
LEAD OFFICER <i>Name of person responsible for carrying out the DIA.</i>	Tim Silver Employee Relations Manager
<p>1 Summary description of the proposed change</p> <ul style="list-style-type: none"> • <i>What is the change to policy/service/new project that is being proposed?</i> • <i>How does it compare with the current situation?</i> <p>Section 54 of the Modern Slavery Act 2015 requires the council to publish an annual statement on Modern Slavery and Human Trafficking, and to make this statement publicly available.</p>	
<p>2 Summary of evidence used to support this assessment</p> <ul style="list-style-type: none"> • <i>Eg: Feedback from consultation, performance information, service user records etc.</i> • <i>Eg: Comparison of service user profile with Medway Community Profile</i> 	
<p>There was no requirement to consult with either the Trade Unions on Employee Forums, but the agreed statement will be shared with them via their respective meetings .</p>	
<p>The report was shared with both Legal and Finance and there was no comment from either.</p>	

Diversity impact assessment

3 What is the likely impact of the proposed change?

Is it likely to :

- Adversely impact on one or more of the protected characteristic groups?
- Advance equality of opportunity for one or more of the protected characteristic groups?
- Foster good relations between people who share a protected characteristic and those who don't?

(insert ✓ in one or more boxes)

Protected characteristic groups	Adverse impact	Advance equality	Foster good relations
Age			X
Disability			X
Gender reassignment			X
Marriage/civil partnership			X
Pregnancy/maternity			X
Race			X
Religion/belief			X
Sex			X
Sexual orientation			X
Other (e.g. low income groups)			X

4 Summary of the likely impacts

- Who will be affected?
- How will they be affected?

There is no impact on any of the protected characteristic groups.



Diversity impact assessment

5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

- Are there alternative providers?
- What alternative ways can the Council provide the service?
- Can demand for services be managed differently?

Not applicable

6 Action plan

- Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence

Action	Lead	Deadline or review date
Not applicable		

7 Recommendation

The recommendation by the lead officer should be stated below. This may be:

- to proceed with the change implementing action plan if appropriate
- consider alternatives
- gather further evidence

If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.

Not applicable

Diversity impact assessment

8 Authorisation

The authorising officer is consenting that:

- *the recommendation can be implemented*
- *sufficient evidence has been obtained and appropriate mitigation is planned*
- *the Action Plan will be incorporated into service plan and monitored*

**Chief People
Officer**

Carrie McKenzie

Date

31 October 2016

Contact your Performance and Intelligence hub for advice on completing this assessment

RCC: phone 2443 email: annamarie.lawrence@medway.gov.uk

C&A: phone 1031 email: paul.clarke@medway.gov.uk

BSD: phone 2472 or 1490 email: corppi@medway.gov.uk

PH: phone 2636 email: david.whiting@medway.gov.uk

Send completed assessment to the Corporate Performance & Intelligence Hub (CPI) for web publication